

# AURORA COUNTY COMMISSIONER PROCEEDINGS

**December 21, 2023**

The meeting was called to order at 9:00 AM by Chairman Clyde Dethlefsen, with Randy Niles, Roger Hanten, John Paul Studeny, Travis Clark present.

The Pledge of Allegiance was recited.

There was no public input.

The agenda was amended by adding a plat. A motion was made by Studeny, seconded by Clark to approve the agenda as amended. Motion carried all voting aye.

A motion was made by Clark, seconded by Studeny to approve the minutes from the regular meeting on December 7th. Motion carried all voting aye.

A motion was made by Studeny, seconded by Hanten to approve a Plat of Lot 1 of DeBoer Addition to the NW ¼ of Section 22, T 104 N, R 64 West of the 5<sup>th</sup> P.M., Aurora County, South Dakota. Roll Call Vote: Dethlefsen, aye; Niles, aye; Hanten, aye; Studeny, aye; Clark, abstained. Motion carried.

Highway superintendent Doug Vissia and highway secretary Nancy Beckman were present for the highway report.

It was noted the high bid on the Public Surplus website was \$501 for the hydraulic driven Tiger mower decks. A motion was made by Clark, seconded by Hanten to accept the bid of \$501. Motion carried all voting aye.

A motion was made by Clark, seconded by Niles to purchase a 75" heavy duty rear swing flail mower from Diamond Mowers for \$21,385.00. Motion carried all voting aye.

Jamie Van Zee from Brosz Engineering informed the Commission he found out more information on the match for the RAISE Grant. He reported the federal match for urban areas are 80/20 and there is no match cap on rural. If the County wants to proceed with an application for a 100% match, we would be able to do so. The engineering cost is \$92,200. After much discussion and considering fund availability, other projects and expenses the Commissioners declined to proceed with the grant or engineering work at this time.

The Commission authorized payment to Ducks Unlimited for the 2.1 wetland mitigation credits so the county can proceed with the 404 permit on the Erickson Bridge.

Discussion was held on the motion made on June 1, 2023 accepting the bid from Butler Machinery for a motor grader. Highway Superintendent Vissia told the Commission the grader comes with a ripper and the amount that was approved did not have the price of the ripper included. Vissia told the Commission the cost of the grader with the ripper should have been \$493,458.97, but a motion was made to approve \$478,641.60. He will check with legislative audit to see what we need to do to correct it.

Weed chemical bids were opened pursuant to notice in the legal newspapers.

Weed chemical bids were received as follows:

|                             | <u>Agtegra</u> | <u>Nutrien</u>  | <u>MARC</u>    |
|-----------------------------|----------------|---|----------------|
| Amine:                      | 19.98/gal      | 13.30/gal (totes)<br>13.40/gal (drums)<br>13.50/gal (2.5 gal) | N/A            |
| Tordon 22K:                 | 69.54/gal      | 48.60/gal (totes)<br>48.60/gal (drums)<br>48.60/gal (2.5 gal) | N/A            |
| Drift Control & Deposition: | 42.50/gal      | 17.00/gal (2.5 ga)  | N/A            |
| Activator 90:               | 38.50/gal      | 18.60/gal (.5 gal)  | N/A            |
| Veg-A-Kill:                 | 12.28/lb       | 288.00/gal (2.5 gal)  | 3,775.75/drum  |
| Aquatic Weed Picker:        | 74.67/gal      | 64.00/gal (2.5 gal)   | 441.25 (5 gal) |
| Venue:                      | 520.00/gal     | 145.00/qt   | N/A            |

A motion was made by Studeny, seconded by Clark to accept the Veg-A-Kill bid from MARC and all other chemical bids from Nutrien Solutions. Motion carried all voting aye.

Emergency Manager Kehn informed the Commission that he is looking into getting a grant to get emails on a domain for more security. He has been in contact with Connecting Point – Ultra about initially having some emails through a domain, but is also checking to get all emails switched over. A motion was made by Clark, seconded by Studeny to proceed with applying for a homeland security grant for this. Motion carried all voting aye.

A motion was made by Hanten, seconded by Niles to approve and sign the following resolution for contingency transfers. Roll Call Vote: Dethlefsen, aye; Niles, aye; Hanten, aye; Studeny, aye; Clark, aye. Motion carried all voting aye.

### **RESOLUTION TRANSFERRING CONTINGENCY FUNDS**

WHEREAS, the Board of County Commissioners of Aurora County has heretofore adopted its 2023 budget including a line item for contingencies as authorized by SDCL 7-21-6.1 (budget #101-112-429); and

WHEREAS, it appears necessary to the Board of County Commissioners to transfer unexpended funds from the contingency fund to the following accounts:

Commissioners Insurance (101-111-421); Election Supplies (101-120-426); States Attorney Supplies (101-151-426); Courthouse Improvements (101-161-449); Jail Housing (101-212-422); Coroner (101-213-422); WIC Insurance (101-416-415); Zoning Supplies (101-711-426); E-911 Contract Services (207-225-420.01); E-911 Traffic Stop Services (207-225-420.02); M&P Computer Software (250-163-434.10).

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners that the following sum, FORTY-NINE THOUSAND EIGHT HUNDRED DOLLARS (\$49,800.00) shall be transferred from the contingency fund (101-112-429) to the following accounts:

1. FOUR THOUSAND TWO HUNDRED DOLLARS (\$4,200.00) Commissioners Insurance (budget 101-111-421).
2. ONE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$1,250.00) Election Supplies (budget 101-120-426).
3. EIGHT HUNDRED FIFTY DOLLARS (\$850.00) States Attorney Supplies (budget 101-151-426).
4. THIRTY-TWO THOUSAND DOLLARS (\$32,00.00) Courthouse Improvements (budget 101-161-449).
5. EIGHT HUNDRED DOLLARS (\$800.00) Jail Housing (budget 101-212-422).
6. FIFTY DOLLARS (\$50.00) Coroner (budget 101-213-422).
7. ONE THOUSAND SIX HUNDRED FIFTY DOLLARS (\$1,650.00) WIC Insurance (budget 101-416-415).
8. ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) Zoning Supplies (budget 101-711-426).

9. THREE THOUSAND THREE HUNDRED DOLLARS (\$3,300.00) 911 Contract Services (budget 207-225-420.01).
10. THREE THOUSAND FIVE HUNDRED DOLLARS (\$3,500.00) Traffic Stop Services (budget 207-225-420.02).
11. ONE THOUSAND DOLLARS (\$1,000.00) M&P Computer Software (budget (250-163-434.10).

Dated this 21st day of December, 2023.

s/s Randy Niles, Commissioner 1<sup>st</sup> District

s/s Roger Hanten, Commissioner 2<sup>nd</sup> District

s/s Clyde Dethlefsen, Commissioner 3<sup>rd</sup> District

s/s John Paul Studeny, Commissioner 4<sup>th</sup> District

s/s Travis Clark, Commissioner 5<sup>th</sup> District

ATTEST: Susan Urban, Auditor

A motion was made by Clark, seconded by Hanten to approve the following expense budget adjustments.

Motion carried all voting aye.

Make an adjustment of \$4,344.60 to decrease the highway expense budget line 201-311-428.2 and increase the following expenditure budget lines:

1. Expense budget line 101-162-427 (Director of Equalization Travel) \$2,376.65
2. Expense budget line 101-141-427 (Auditor Travel) \$273.97
3. Expense budget line 101-142-427 (Treasurer Travel) \$269.41
4. Expense budget line 101-163-427 (Register of Deeds Travel) \$60.76
5. Expense budget line 101-120-427 (Election Travel) \$134.54
6. Expense budget line 201-311-427 (Highway Travel) \$39.28
7. Expense budget line 101-611-427 (Extension Travel) \$125.77
8. Expense budget line 101-211-427 (Sheriff Travel) \$232.71
9. Expense budget line 101-111-427 (Commissioner Travel) \$27.74
10. Expense budget line 101-416-427 (WIC Travel) \$508.73
11. Expense budget line 101-421-427 (Veterans Service Travel) \$295.04

Discussion was held on Covid and what protocols we are using. It was noted when Covid first hit, the county covered the employee's leave if they tested positive. Commissioner Studeny noted that we were able to do that because we were getting Covid money (CARES Act). Towards the latter half of 2022, employees that were out with

COVID took sick leave when they missed work. Covid cases have been on the rise lately. I think people are more educated and take precautions just like you would with the flu, said Studeny. After much discussion, a motion was made by Clark, seconded by Studeny to continue to follow what we have been doing the past year if they test positive. If an employee has tested positive, they shall stay home and follow quarantine protocols according to the CDC guidelines. Employees will need to use sick leave in order to be paid for their time away from work. Motion carried all voting aye

It was noted to have the Zoning Administrator run another notice regarding snow removal sometime in the near future since there is snow in the forecast.

Commissioner Studeny reported the Zoning Board spoke with Brian McGinnis from District III regarding implementing an ordinance for pipelines. He said McGinnis thought the McPherson County Ordinance was too cumbersome and was not enforceable. McGinnis suggested adopting something like what Minnehaha County has, which is much more enforceable. Studeny also stated that McGinnis told the Zoning Board the pipeline ordinance could be handled through our Zoning. States Attorney Mairose will help get something drafted.

It was noted that any zoning complaints need to be signed and filed with the Zoning Administrator.

A motion was made by Clark, seconded by Studeny to approve the hiring of Malcom LaFortune as Deputy Sheriff at the base pay with .50 less for the first 6 months or until certified. Motion carried all voting aye. Malcom began his duties on December 4<sup>th</sup>.

A motion was made by Clark, seconded by Studeny to approve the Brule County Jail Contract at \$72 per prisoner day. Motion carried all voting aye.

Plankinton City Council representative, Carl Bode met with the Commission to discuss contract law. Bode thanked Commissioner Studeny for attending their city council meeting. He noted the City has cause for concern with the increases for the contract law. Commissioner Studeny said the County understands the concerns and talked about setting a cap on how much the contract could go up. Commissioner Dethlefsen stated the county was under the assumption all the cities wanted more patrol time and were willing to support the effort to fill a spot for a third deputy. Studeny noted that budgets are set for the county as well as the cities

and here we are discussing the 2024 contracts a week before the end of the year. Commissioner Dethlefsen told Bode the county is willing to talk with the cities next year before the budget process begins. The Commission reviewed the spreadsheet that Bode prepared using a different formula. Percentage of time spent in each city and the amount of tax dollars collected by the county that comes from the cities was questioned. If those figures need to be corrected, it will change the contract law amount. Discussion was held on what types of calls the sheriff department handles. Roman told Bode the reports that his office gives each city is only the logged incidents, but if you would like more reports on patrol time, we can do that for you. Commissioner Clark noted there is more law enforcement presence in Plankinton due to two deputies living here and it's where your office is. The response time is going to be a lot quicker in the City of Plankinton compared to rural areas. Skyler Kehn spoke to the Commission as a concerned citizen and stated he felt it was completely irresponsible for what the Cities of Plankinton and White Lake are doing by not signing their contracts. It is not fair to the people. Gayle VanGenderen said there are a lot of city violations seen in court, so there is a lot that the sheriff's office does with those types of things. Gayle stated the county's assessment is not far off from what the spreadsheet will show once the correct figures are added. The skewed numbers will get closer to the actual amount the county had assessed. This formula is just a suggestion for the county to consider, it may or may not make a difference, said Bode. Commissioner Dethlefsen said finding a new deputy is a good thing, but it also comes with a cost. Commissioner Hanten noted when Roman was short on deputies, he was burning both ends of the candle but he stuck with it. The Commission reviewed Plankinton City's signed contract with the proposed lower amount. A motion was made by Clark, seconded by Studeny to deny the City of Plankinton's counter proposal of \$48,331.32. Motion carried all voting aye.

A motion was made by Niles, seconded by Hanten to file reports and pay vouchers as listed below.

Motion carried with Hanten, Niles, Studeny, and Clark voting aye. Commissioner Dethlefsen abstained from the vote.

**Reports:** Wheel Tax Paid: Cities \$988.97; Townships \$677.44.

CLAIMS :

|                                |                               |           |
|--------------------------------|-------------------------------|-----------|
| COMMISSIONERS                  |                               |           |
| GOLDEN WEST                    | PHONE                         | 47.55     |
| STANDARD PUBLISHING            | NOVEMBER PUBLISHING           | 563.28    |
| STANDARD PUBLISHING ARGUS      | NOVEMBER PUBLISHING           | 563.28    |
|                                |                               | -----     |
|                                |                               | 1174.11 * |
| JUDICIAL SYSTEM                |                               |           |
| CERTIFIED LANGUAGES INTERNATIO | COURT INTERPRETATION SERVICES | 57.75     |
| THERESA MAULE ROSSOW           | CAA                           | 560.80    |
|                                |                               | -----     |
|                                |                               | 618.55 *  |
| AUDITOR                        |                               |           |
| GOLDEN WEST                    | PHONE & INTERNET              | 54.38     |
| P M B 0112                     | OCTOBER NETWORK & ACCESS FEES | 52.75     |
| WILLIAMS OFFICE EQUIP REPAIR   | PRINTER CARTRIDGE - SUSAN     | 120.00    |
|                                |                               | -----     |
|                                |                               | 227.13 *  |
| TREASURER                      |                               |           |
| GOLDEN WEST                    | PHONE & INTERNET              | 71.95     |
|                                |                               | -----     |
|                                |                               | 71.95 *   |
| STATE'S ATTORNEY               |                               |           |
| MAIROSE AND STEELE             | POSTAGE                       | 1.98      |
| MAIROSE AND STEELE             | OVERHEAD CHARGES              | 1200.00   |
| MAIROSE AND STEELE             | PUBLISHING                    | 81.04     |
| MAIROSE AND STEELE             | FLASH DRIVE                   | 2.50      |
| MAIROSE AND STEELE             | LAW BOOKS                     | 759.31    |
| SOUTH DAKOTA STATE ATTORNEY    | 2024 DUES                     | 747.41    |
|                                |                               | -----     |
|                                |                               | 2792.24 * |
| COURTHOUSE                     |                               |           |
| GOLDEN WEST                    | PHONE                         | 42.61     |
| GOLDEN WEST                    | INTERNET                      | 9.00      |
| MEYERINK FARM SERVICE          | PIPE FOR FRONT WALK           | 239.52    |
| PLANKINTON LUMBER COMPANY      | GRASS SEED & SPREADER         | 23.83     |
| PLANKINTON LUMBER COMPANY      | SCREWS, CLASS CLEANER, BLADES | 28.44     |
| TRUENORTH STEEL INC            | GUARD RAIL FOR PROPANE TANK   | 531.78    |
|                                |                               | -----     |
|                                |                               | 875.18 *  |
| DIR. OF EQUALIZATION           |                               |           |
| BEST WESTERN                   | MOTEL ROOM FOR SCHOOL         | 605.00    |
| GOLDEN WEST                    | PHONE & INTERNET              | 70.80     |
|                                |                               | -----     |
|                                |                               | 675.80 *  |
| REGISTER OF DEEDS              |                               |           |
| GOLDEN WEST                    | PHONE, FAXES & INTERNET       | 63.03     |
| STANDARD PUBLISHING            | SUBSCRIPTION                  | 43.00     |

|                                |                              |       |           |
|--------------------------------|------------------------------|-------|-----------|
|                                |                              | ----- |           |
|                                |                              |       | 106.03 *  |
| VA OFFICE                      |                              |       |           |
| GOLDEN WEST                    | PHONE & INTERNET             |       | 52.48     |
|                                |                              | ----- |           |
|                                |                              |       | 52.48 *   |
| SHERIFF                        |                              |       |           |
| GOLDEN WEST                    | PHONE & INTERNET             |       | 99.53     |
| GOLDEN WEST                    | PHONE                        |       | 52.35     |
| HARE TRIGGER GUN SALES & SERVI | FIREARM FOR DEPUTY           |       | 350.00    |
| PLANKINTON LUMBER COMPANY      | DRILL BIT                    |       | 6.49      |
| SD DEPT OF TRANSPORTATION      | FUEL FOR VEHICLES            |       | 1575.01   |
|                                |                              | ----- |           |
|                                |                              |       | 2083.38 * |
| JAIL                           |                              |       |           |
| DAVISON COUNTY SHERIFF         | NOVEMBER JAIL HOUSING        |       | 1200.00   |
| LEWIS FAMILY DRUG LLC          | INMATES MEDS                 |       | 10.19     |
| MITCHELL CLINIC LTD            | INMATE MEDICAL               |       | 174.00    |
|                                |                              | ----- |           |
|                                |                              |       | 1384.19 * |
| PUBLIC WELFARE                 |                              |       |           |
| GOLDEN WEST                    | INTERNET                     |       | 4.95      |
|                                |                              | ----- |           |
|                                |                              |       | 4.95 *    |
| MENTALLY HANDICAPPED           |                              |       |           |
| CENTER FOR INDEPENDENCE        | MONTHLY SUPPORT - SEPT & NOV |       | 120.00    |
| JAMES TAYLOR                   | MI HEARING FOR YEAR OF 2023  |       | 4121.45   |
|                                |                              | ----- |           |
|                                |                              |       | 4241.45 * |
| AG BUILDING                    |                              |       |           |
| CHERYL DETHLEFSEN              | HAND SOAP FOR DISPENSERS     |       | 140.40    |
| PLANKINTON LUMBER COMPANY      | WEATHERSTRIP FOR DOORS       |       | 4.99      |
| PLANKINTON LUMBER COMPANY      | FLEX TAPE                    |       | 15.92     |
| TINA KIEFFER                   | TOLIET PAPER                 |       | 44.60     |
|                                |                              | ----- |           |
|                                |                              |       | 205.91 *  |
| COUNTY EXTENSION               |                              |       |           |
| GOLDEN WEST                    | PHONE & INTERNET             |       | 58.64     |
|                                |                              | ----- |           |
|                                |                              |       | 58.64 *   |
| WEED                           |                              |       |           |
| CENTRAL ELECTRIC COOP, INC     | LANDFILL ELECTRICITY         |       | 39.00     |
| GOLDEN WEST                    | INTERNET                     |       | 4.95      |
| SD DEPT OF TRANSPORTATION      | FUEL FOR VEHICLES            |       | 170.45    |
|                                |                              | ----- |           |
|                                |                              |       | 214.40 *  |



|                              |                                |             |
|------------------------------|--------------------------------|-------------|
| PLANNING & ZONING            |                                |             |
| PLANKINTON LUMBER COMPANY    | ACETONE FOR SIGNS              | 17.90       |
| PLANKINTON LUMBER COMPANY    | TIES                           | 4.29        |
| STANDARD PUBLISHING          | NOVEMBER PUBLISHING            | 45.00       |
| STANDARD PUBLISHING ARGUS    | NOVEMBER PUBLISHING            | 45.00       |
|                              |                                | -----       |
|                              |                                | 112.19 *    |
| R&B CONSTRUCTION             |                                |             |
| A-OX WELDING                 | WELDING SUPPLIES               | 212.48      |
| AUCA CHICAGO MC LOCKBOX      | SERVICES - RAGS & MATS         | 12.18       |
| BUTLER MACHINERY COMPANY     | GRADER REPAIRS                 | 3803.21     |
| DUCKS UNLIMITED INC          | ERICKSON BRIDGE MITIGATION CRE | 52920.00    |
| FASTENAL COMPANY             | BOLTS & NUTS                   | 8.81        |
| GOLDEN WEST                  | PHONE & INTERNET               | 123.32      |
| LYLE SIGNS                   | CULVERT MARKERS                | 1395.28     |
| OVERWEG AUTO, GLASS & FUEL   | PICKUP TIRE REPAIR             | 31.80       |
| PHEASANTLAND INDUSTRIES      | SAFETY CLOTHING                | 213.46      |
| PLANKINTON LUMBER COMPANY    | SPRAY FOAM & INSULATION - STOR | 268.46      |
| RUNNINGS                     | TRIMMER REPAIRS                | 70.96       |
| RUNNINGS                     | SAFETY GLOVES                  | 26.87       |
| SD DEPT OF TRANSPORTATION    | FUEL FOR VEHICLES              | 403.53      |
| SIGN SOLUTIONS USA           | CULVERT MARKER PARTS           | 688.53      |
| STANDARD PUBLISHING          | NOVEMBER PUBLISHING            | 110.00      |
| STANDARD PUBLISHING ARGUS    | NOVEMBER PUBLISHING & SUBSCRIP | 153.00      |
| TOTAL OIL                    | FUEL                           | 9884.28     |
| WHEELCO BRAKE AND SUPPLY INC | TRUCK REPAIRS                  | 22.92       |
|                              |                                | -----       |
|                              |                                | 70349.09 *  |
| EM&D                         |                                |             |
| GOLDEN WEST                  | PHONE & INTERNET               | 60.02       |
| SD DEPT OF TRANSPORTATION    | FUEL FOR VEHICLES              | 44.18       |
|                              |                                | -----       |
|                              |                                | 104.20 *    |
| DOMESTIC ABUSE               |                                |             |
| SAFE PLACE OF EASTERN SD     | FUND BALANCE AS OF 12-31-23    | 293.00      |
|                              |                                | -----       |
|                              |                                | 293.00 *    |
| REGISTER OF DEEDS            |                                |             |
| MICROFILM IMAGING SYSTEMS    | MONTHLY EQUIPMENT RENT         | 275.00      |
|                              |                                | -----       |
|                              |                                | 275.00 *    |
|                              | Total Checks:                  | 85,919.87 * |

Meeting adjourned subject to call.

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Clyde Dethlefsen, Chairman  
Aurora County Commission

Attest: \_\_\_\_\_  
Susan Urban, Auditor

Published once at the total approximate cost \_\_\_\_\_.