

AURORA COUNTY COMMISSIONER PROCEEDINGS

May 22, 2024

A special meeting was called to order at 6:30 PM by Chairman Clyde Dethlefsen, with Roger Hanten, John Paul Studeny, and Travis Clark present. Absent was Randy Niles. The purpose of the meeting is to discuss contract law.

The Pledge of Allegiance was recited.

The agenda was amended by adding reduction in Clerk of Court office hours and holiday work week for highway department. A motion was made by Studeny, seconded by Clark to approve the agenda as amended. Motion carried all voting aye.

Chairman Dethlefsen welcomed those in attendance and told the group the Commission agreed on a rate of \$100 per capita for the law enforcement contracts with the cities.

Commissioner Studeny thanked Plankinton City Council member Carl Bode for all the work he has done to figure the different formulas for the contract law amounts. Studeny said the county is trying to simplify the formula without having to factor in expended budgets and valuations.

A couple years ago, the cities wanted more presence and patrol time, said Studeny, so the county hired a 3rd deputy at the approval of the cities. At that time, the cities were willing to help with the extra cost of an additional officer. Studeny told the group he credits Sheriff Briggs in getting qualified deputies hired for his staff.

It was asked how the county was going to come up with the extra funding if we are going to be losing revenue due to lowering the contract amounts. Chairman Dethlefsen said we will have to make up the difference somewhere in the budget.

Plankinton Council member Jim Nielsen noted that the cities are going off the call logs that are given to the councils to see how much time they are spending in the city, but they do not show the patrol hours, etc. Dethlefsen said if the county went by all the calls, patrol hours, etc., the amount would be well over what is actually charged to the cities. The group also asked if the highway patrol was ever invited to help. It was noted that the county has talked

with the SD Hwy Patrol and SD Legislators about it, but the hwy patrol officers are limited on hours and have such a wide area to cover.

Former Commissioner Delayne Persson stated in the past the county received personal property replacement funds and when we lost that funding, the county had to come up with extra money to pay for those things that were paid for by those funds. The cities were first assessed an amount for law enforcement based on a 3-year average of expended budgets divided by the population of the cities to get a per capita. After several years of figuring the contract law amounts that way, the cities felt they were being double taxed, once by their property tax and the second by having to pay for law enforcement. The county looked at a way to compensate the cities so they were not feeling they were being double taxed. The commission came up with a formula that included the valuation for each municipality and deducted the amount paid by property tax off the per capita amount. This seemed to be working fine up until now. Chairman Dethlefsen noted that the sheriff department is here to serve and protect the citizens, not property. To make it simple, the contract amount should be based on the number of people, said Dethlefsen.

At an earlier meeting the Commission had agreed to limiting the increase to 3%. Delayne Persson informed the Commission that Douglas County charges \$51.50 per hour for 26 hours a week. They have 3 municipalities like Aurora County, and their minimum cost is over \$60,000 for a town smaller than what we have. Commissioner Studeny said he does not want to have a set number of hours because all the hours could be used up in just one incident. Studeny also noted that he has spoken with other towns that have hired their law enforcement officer by the hour and when their hours are up for the week, they are done. When they take a two-week vacation there is no one to cover when they are gone.

Melissa Davis stated people do not realize that our law enforcement officers are involved in several things within our community. When there is an emergency call, they show up. She said she appreciates their time and she knows that they can get to the emergency a lot faster than the EMT's can because they are out and about.

Commissioner Studeny noted that the officers are at our schools teaching DARE, etc. Jack Marette asked if the schools should have to pay for services when the officers are providing security for them. He stated the city is paying for that and felt the city is subsidizing school. Studeny said not necessarily, all the county taxpayers are paying for their presence at the schools. Plankinton Superintendent Lezlie Larsen responded by stating the sheriff's

department teaches DARE, they are members of the County Protection Team, they attend our careers class. She said all of these things are not requirements, they are considered a public service. Larsen also noted they do not provide security for the school. If we need them to respond to a security issue or other problems, they come, said Larsen. It was noted that the response time could be life or death in any school situation and that should be a huge concern if there is no law enforcement. Nobody wants to look back after a situation that has happened and say I wish we would have done something different.

Melissa Davis told the Commission that the kids have a good relationship with the officers. Having them visible in the schools and out in the community helps establish the relationship. Larsen also stated that we want a good relationship between the officers and the children. She also noted the officers are not school resource officers, they are members of the sheriff department.

Former Sheriff Deputy Dwight DeBoer noted jail costs and attorney fees are all expenses that are associated with the sheriff's department, but they are not taken into consideration of added costs when figuring the amount for contract law. Those are all costs that the county picks up without any help from the cities, said DeBoer.

Jack Marette stated the amounts had increased so much within the last few years that something needed to be done. Studeny noted that everything has gone up and the cities were aware that the contract amount was going to go up with the 3rd deputy. The city has increased their sewer and water rates but we still pay them, said Studeny.

The Commission offered to set the per capita rate at \$100 with a 2% increase each year until the new census numbers are out. This offer is contingent upon all three cities signing and paying for their 2025 contracts. Dave Artz asked how the Commission came up with that dollar amount. Chairman Dethlefsen said it was an arbitrary number. Artz noted if the cities were wanting more law enforcement, did they think it was going to be lower when they were asking for more services or protection.

Gayle Van Genderen asked if someone was going to reach out to the City of White Lake. Carl Bode said he has been keeping council member Keith Lingle in the loop and stated it was unfortunate that they were not here.

Stickney board member Matt Feenstra said they are very happy with the law enforcement coverage and the amount for their contract law. He noted that the City of White Lake has a school and a pool and if there is no law enforcement in the city, who is going to be patrolling when the kids are present. There are overloaded trucks going

down their side streets because there is no one to patrol it, sooner or later they are going to need to pay for those roads to be fixed. At what point will they realize they need to have law enforcement. There are citizens that are very upset with no law presence in the community. Feenstra said that Stickney was 100% behind the new proposal.

Chairman Dethlefsen told the group the county's main goal is to get everyone back in the fold and hopefully this is something we can all agree upon.

Lezlie Larsen spoke on her behalf as a concerned citizen living in Plankinton. She stated that we may be a small community but we are not isolated from things happening. Living along I-90, Hwy 281, and Hwy 16 anything can happen and we need to keep in mind how important our law enforcement is.

Dave Artz said it looks like the cities are dictating to the county. Commissioner Studeny said the county is trying to reach a compromise. At the request of the cities, said Studeny, the county hired an extra deputy, purchased a new patrol car, etc. When the cities saw how much the contract had increased, then they had a problem with it and did not think they would be able to handle the increases. Studeny said we are trying to compromise so we can provide the services needed to the cities.

Jim Nielsen commended Roman and his deputies for improving things in Plankinton. He told the Commission the streets are much quieter, and you don't hear tires squealing. They are doing a great job, said Nielsen.

Commissioner Studeny thanked Sheriff Briggs, and deputies, Lewis, Ness, and LaFortune on their dedication to Aurora County. Plankinton Council member Bode agreed with Studeny's comment.

Delayne Persson stressed to the Commission that the caps they put in place now will eventually come back to bite them in the future because the costs will continue to increase.

Chairman Dethlefsen said the Commission appreciated the input given tonight and thanked everyone for coming.

The Commission was notified that the State of SD is looking at reducing the number of days the Clerk of Courts office is open due to being over staffed. Erin Gueke told Auditor Urban they are proposing the office be open Monday through Thursday and closed on Fridays. The Commission had no objection to this as long as the public is notified.

Discussion was held on how to handle holidays for the highway department. A motion was made by Clark, seconded by Hanten, that when a holiday falls on a weekday, the highway department will switch to five 8-hour days during the week the holiday lands on, working from 8:00 AM to 4:30 PM and paying 8 hours for holiday pay. Motion carried all voting aye.

Meeting adjourned subject to call.

Clyde Dethlefsen, Chairman
Aurora County Commission

Attest: _____
Susan Urban, Auditor

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