

AURORA COUNTY COMMISSIONER PROCEEDINGS

April 20, 2023

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

The Pledge of Allegiance was recited.

Public Input: Commissioner Niles reported that there are some delineator posts that have been knocked over.

The agenda was amended by adding, resignation of deputy sheriff, spring workshop, change date for commission meeting in May, and burn ban. A motion was made by Clark, seconded by Hanten to approve the agenda as amended. Motion carried all voting aye.

A motion was made by Studeny, seconded by Clark to approve the minutes from the regular meeting on April 6th, equalization meeting on April 11th, and hydrology study meeting on April 11th. Motion carried all voting aye.

A motion was made by Studeny, seconded by Clark to approve the plat as presented by Zoning Administrator Tina Gerlach for Tract 2 of Chris's Addition, in the SE ¼ of Section 13, T103N, R 63 W of the 5th P.M., Aurora County, South Dakota. Motion carried all voting aye.

Highway Secretary Nancy Beckman was present for the highway report.

Nancy presented the commission with a request for donated sick leave from highway employee Clint Moore. She stated he does not have much sick or vacation time available and the county does not want to assume any liability if he came back to work too soon because of lack leave time. So, in order to cover his time off, Clint is requesting donated sick leave. A motion was made by Studeny, seconded by Clark to approve the request from Clint Moore for donated sick leave. Motion carried all voting aye. It was noted that some of the highway guys are covering Clint's area until he can come back to work. Commissioner Hanten said he complimented Steven Nussbaum on a doing a nice job on the roads.

Discussion was held on whether to sell or trade the 2012 John Deere grader when the new one gets here. It was noted Butler will give us \$69,000 for the 2012 grader. A motion was made by Clark, seconded by Niles to trade in the 2012 John Deere grader. Motion carried all voting aye. The commission directed the highway department to

check with Butler to see what they would give us for the V-plow as it would be nice to have it to put on the payloader or to even have a spare.

Chairman Dethlefsen asked Nancy if the county was any closer in getting the disaster info turned in to FEMA. She stated she is still working on it and that she may have to spend a little extra time to get it wrapped up. She said she has been working on it when she can.

Since the weather has been nicer, the commission asked if the blades were back in the outlying shops yet. Highway Secretary Beckman said that the blade is back in the Aurora Center shop and Storla's will be back up there soon. The chairman directed the highway department to get the all the machines back to the outlying shops as soon as possible and to have them clock in there as well.

Secretary Beckman reported that Doug has been getting calls from Brule and Davison Counties on when we were going to take the load limits off. The Commission felt it was a little too soon to remove them right now and will review it again at the first meeting in May.

Eric Prunty and Jamie Van Zee from Brosz Engineering informed the Commission the 404 permit for the bridge on 245th Street (Erickson Bridge) is being held up due to a requirement of wetland mitigation. Van Zee told the commission the only option for the county is to purchase mitigation credits available through Ducks Unlimited. In order to be approved for the 404 permit, the county would need to purchase 2.1 credits at a cost of \$53,000. Van Zee stated we can move forward with the letting of bids for the project, but cannot start the project until the 404 permit is granted. He is trying to negotiate with the Corps to see if the cost can be lowered, but indicated they will probably stand firm on the price. The cost of the credit will be borne by the county. Prunty stated that currently the mitigation of wetlands is not an allowable cost through the BIG program, hopefully this will change in the future. The commission will wait to hear from Brosz to see what they come up with after talking with the Corps.

A motion was made by Clark, seconded by Studeny to authorize veterans service officer Audrey Chapman to attend a mini-conference in Brookings on April 27th. Motion carried all voting aye. Audrey also informed the Commission she would like to take six weeks off during the summer to see family. She is looking at being gone the last week in June through the first week in August. Audrey stated that she has asked Kevin from the state office to come down and sit in the office on two days that she is gone. A motion was made by Studeny, seconded by Clark to

grant Audrey the time off she requested so she can spend it with family as long as the needs of the veterans can be taken care of in her absence. Motion carried all voting aye.

Jerry Podhradsky talked with the commission about mowing property the county took for tax deed this week. Chairman Dethlefsen told Jerry they will be discussing the tax deed property later on today and will let him know if his help with mowing is needed.

Emergency Manager Skyler Kehn informed the Commission he spoke with the Plankinton City Council on Monday about the hydrology study and was asked by the council if there was data available on replacing the Campbell Street culverts. Kehn said the City of Plankinton would like to see the Campbell Street culverts replaced to the same size as the proposed structures under the railroad. Skyler was able to get IMEG to show how this would affect the flow and ponding. After reviewing the maps with the proposed change, a motion was made by Studeny, seconded by Clark to include the Campbell Street culvert replacement in the mitigation project for Skunk Creek. Motion carried all voting aye.

A burn ban was discussed and it was noted that one is not needed at this point, but Emergency Manager Kehn will keep an eye on things.

States Attorney Rachel Mairose and Mary DeWaard met with the Commission regarding property that was taken for tax deed by the county on April 17, 2023. Treasurer Andrea Pryor was present via phone. Treasurer Pryor informed the Commission that Mary would like to pay the delinquent taxes and get her property back. Pryor said it is up to the county commission to accept the delinquent tax payment and deed it back to someone after the county has taken possession of it. Chairman Dethlefsen asked Mary if she had the money and she said yes, I have the cash with me. Commissioner Studeny told Mary the county is willing to accept payment and move forward with this as we really do not want to take a house from anyone. States Attorney Mairose told the commission a resolution will need to be signed to approve the acceptance of payment before executing a quitclaim deed. The water and power have been turned off, so she will need to contact the Town of Stickney to get them back on, said Pryor. A motion was made by Studeny, seconded by Clark to approve the following resolution authorizing reconveyance of real property. Roll Call Vote: Clark, aye; Studeny, aye; Hanten, aye; Niles, aye; and Dethlefsen, aye. Motion carried.

RESOLUTION AUTHORIZING RECONVEYANCE OF REAL PROPERTY

WHEREAS, Aurora County obtained title by tax deed on April 17, 2023, to the following described real property:

South Eighty-Five Feet (S 85') of Lot One (1), Block Twenty-Two (22), Third Addition to the Town of Stickney, Aurora County, South Dakota

WHEREAS, one of the record title owners, Mary DeWaard, has requested reconveyance of the property back to her upon full payment of the total principal, interest and costs of all taxes unpaid on the real property, which sum Mary DeWaard is ready to make in cash in full; and

WHEREAS, the county commissioners have the authority to authorize a reconveyance by quitclaim deed to the record owner of real estate under tax deed upon full payment of the total principal, interest and costs of all taxes unpaid on the real property, which sum is in the amount of \$3,665.65.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Aurora County, as follows:

1. The real estate legally described as the South Eighty-Five Feet (S 85') of Lot One (1), Block Twenty-Two (22), Third Addition to the Town of Stickney, Aurora County, South Dakota, shall be reconveyed back to Mary DeWaard by quitclaim deed executed by the Treasurer and attested by the Auditor upon payment in cash in the amount of \$3,665.65, which sum has been received in cash by the Treasurer on April 20th, 2023.
2. That said quitclaim deed shall be executed only after this resolution has been published in the minutes and the time for appeal from the resolution has expired.
3. That said quitclaim deed shall only have the effect only of releasing the title and claim that the County and the taxing districts represented by the County have under the tax deed and any of the taxes that are paid.

Dated this 20th day of April, 2023.

s/s Clyde Dethlefsen, Chairman
Aurora County Commission

ATTEST: Susan Urban, Auditor

A motion was made by Hanten, seconded by Niles to accept the resignation of sheriff deputy Brett Costello effective April 11, 2023. Motion carried all voting aye. The sheriff's department is currently advertising for the position.

A motion was made by Clark, seconded by Studeny to approve the renewal of a retail (on-off) malt beverage & SD farm wine license for CC&F Retail, Inc (Coffee Cup). Motion carried all voting aye.

The commission set a hearing for a temporary liquor license for the Plankinton Service Club on May 4th at 10:00 AM.

A motion was made by Clark, seconded by Hanten authorize Treasurer Andrea Pryor and Auditor Susan Urban to attend the SDACO spring workshop in Pierre on May 17th & 18th. Motion carried all voting aye. The regular commission meeting to be moved to Tuesday, May 6th at 1:00 PM due to the spring workshop in Pierre.

Highway Secretary Nancy Beckman was called back to the meeting to discuss the floodwork projects through FEMA. The commission received word on the delinquent paperwork that has yet to be submitted for two projects and expressed their concerns about the possibility of losing some of the funding. It was noted that emergency manager Kehn was willing to help the highway department get the paperwork submitted. Nancy told the commission she will have to put in some extra time and will take Skyler up on his offer. The commission directed her to make it a priority and do what she needed to do in order to get it done as soon as possible.

A motion was made by Clark, seconded by Niles to file reports and pay vouchers as listed below. Motion with Dethlefsen, Hanten, Niles and Clark voting aye. Studeny abstained from the vote.

Reports: Wheel Tax Paid: Cities \$1,497.96; Townships \$1,026.10.

CLAIMS

COMMISSIONERS
GOLDEN WEST

PHONE

46.94

46.94 *

JUDICIAL SYSTEM

CERTIFIED LANGUAGES INTERNATIO INTERPRETING FEES
CHRIS NIPE CAA
TYLER MATSON CAA
ZYLSTRA INVESTIGATIONS INVESTIGATION

113.85
2612.00
1312.80
1420.00

			5458.65 *
AUDITOR			
GOLDEN WEST	PHONE & INTERNET		52.44
S D A C O	SPRING WORKSHOP		200.00

			252.44 *
TREASURER			
GOLDEN WEST	PHONE & INTERNET		70.21
S D A C O	SPRING WORKSHOP		200.00

			270.21 *
COURTHOUSE			
BROOKS OIL COMPANY	FUEL FOR COURTHOUSE		450.00
GOLDEN WEST	INTERNET		9.17
GOLDEN WEST	PHONE		41.94
US BANK, ST PAUL	CH RENOVATION CERT PMT & INT		9615.00

			10116.11 *
DIR. OF EQUALIZATION			
GOLDEN WEST	PHONE & INTERNET		86.02

			86.02 *
REGISTER OF DEEDS			
GOLDEN WEST	PHONE, FAXES & INTERNET		58.74

			58.74 *
VA OFFICE			
GOLDEN WEST	PHONE & INTERNET		74.09
TYLER	VETRASPEC FOR VSO		449.00

			523.09 *
SHERIFF			
B & L COMMUNICATION	SIREN & MOUNTING BRACKETS		788.00
CREATIVE PRODUCT SOURCING INC	DARE - BAGS, TSHIRTS		588.40
GOLDEN WEST	PHONE & INTERNET		106.71
GOLDEN WEST	PHONE		50.89
KYLE LEWIS	CLOTHING ALLOWANCE - BOOTS		200.00

			1734.00 *
JAIL			
DAVISON COUNTY SHERIFF	MARCH JAIL HOUSING		1600.00

			1600.00 *
PUBLIC WELFARE			

GOLDEN WEST	PHONE	46.18	

		46.18	*
NURSES OFFICE			
GOLDEN WEST	PHONE	2.36	

		2.36	*
MENTALLY HANDICAPPED			
DEAN SCHAEFER COURT REPORTING	MI - TRANSCRIPTS	30.00	

		30.00	*
AG BUILDING			
GOLDEN WEST	PHONE	43.44	

		43.44	*
COUNTY EXTENSION			
GOLDEN WEST	PHONE & INTERNET	58.47	

		58.47	*
WEED			
CENTRAL ELECTRIC COOP, INC	LANDFILL ELECTRICITY	62.00	
GOLDEN WEST	INTERNET	5.12	

		67.12	*
R&B CONSTRUCTION			
AUCA CHICAGO MC LOCKBOX	SERVICES - RAGS & MATS	64.07	
BROOKS OIL COMPANY	FUEL FOR HIGHWAY	5550.89	
GOLDEN WEST	PHONE & INTERNET	118.88	

		5,733.84	*
EM&D			
GOLDEN WEST	PHONE & INTERNET	63.84	

		63.84	*
REGISTER OF DEEDS			
MICROFILM IMAGING SYSTEMS	MONTHLY EQUIPMENT RENT	310.00	

		310.00	*
RURAL ACCESS			
AURORA TOWNSHIP	RAIF GRANT	15760.00	
DUDLEY TOWNSHIP	RAIF GRANTS	17376.00	

		33,136.00	*
	Total Checks:	59,637.45	*

Meeting adjourned subject to call.

Clyde Dethlefsen, Chairman
Aurora County Commission

Attest: _____
Susan Urban, Auditor

Published once at the total approximate cost _____.