

# AURORA COUNTY COMMISSIONER PROCEEDINGS

**October 17, 2024**

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

The Pledge of Allegiance was recited.

There was no public input.

The agenda was amended by adding safety conference, holiday closing, and longevity. A motion was made by Clark, seconded by Niles to approve the agenda as amended. Motion carried all voting aye.

A motion was made by Studeny, seconded by Hanten to approve the minutes of the regular meeting on September 19<sup>th</sup>. Motion carried all voting aye.

Auditor Urban informed the Commission that there is a conflict with the date for the employee meeting that was set for November 21<sup>st</sup>. The meeting will be rescheduled for December 5<sup>th</sup> beginning with the highway department at 8:00 AM.

Highway Superintendent Vissa and Secretary Beckman were present for the highway report.

Highway Superintendent Vissa informed the Commission about an approach permit from Central Electric. He said they are looking at building a facility to house equipment which would be alongside Hwy 281 and 253<sup>rd</sup> St (also known as 3<sup>rd</sup> Street in Plankinton). In order for Central Electric to access this facility, an approach would need to be made and they are requesting it to be put on 253<sup>rd</sup> St, which is a county road. The county would need to take the weight limits off the road between Hwy 281 and the approach so they can have access in and out. It was suggested to see if they would be able to get approval from the State of SD to come in off Hwy 281 instead of the county oil road. It was noted by Commissioner Clark that the county has already done this type of thing down in the Stickney area for Agtegra. There is no weight limit for that small distance by Agtegra, said Clark. No action was taken at this time.

A motion was made by Studeny, seconded by Hanten to approve a right-of-way occupancy for Travis Clark on Road #47 G between Sections 34 & 35 in 102-63 for a water line. Motion carried with Studeny, Hanten, Niles, and Dethlefsen voting aye. Clark abstained from the vote.

A motion was made by Hanten, seconded by Niles to approve a right-of-way permit for Bryce Gillen on Road #7 for drain tile crossing from W ½ of SW ¼ 4-102-66 and will cross 372<sup>nd</sup> Ave into SE ¼ 5-102-66 for agricultural purposes. Motion carried all voting aye.

A motion was made by Clark, seconded by Studeny to authorize Highway Superintendent Vissia to attend the annual Road Conference in Sioux Falls on October 21-22. Motion carried all voting aye.

A motion was made by Clark, seconded by Niles to authorize Highway Superintendent Vissia and Highway Secretary Beckman to attend the annual Safety & Loss Control Conference in Pierre on November 20<sup>th</sup> & 21<sup>st</sup>. Motion carried all voting aye.

Discussion was held on the paint striping that was recently done on 9 miles of the oil road south of White Lake. It was noted that the painted lines were very crooked. In the past, the State of SD had done it but they no longer do it anymore, said Beckman. When asked why it was it was done so poorly, Vissia said the guy who did it is probably very new at this. The Commission agreed that something needed to be done, whether it would be to have the contractor black it out and re-paint at his own expense or take some off the bill. It was noted that taking an amount off the bill will not solve the problem of the crooked lines. Superintendent Vissia told the Commission the cost was \$1,245 per mile but no invoice or bill has been received yet. Superintendent Vissia said he will check with SDLTAP to see what they have to say about it.

It was reported that the highway department has been out mowing and it was noted there was a red flag warning for Aurora County. Commissioner Hanten suggested to quit mowing during the red flag warning and stated we do not want to start any fires from the sparks caused by the mower. Vissia agreed that it would be a good idea to hold off on the mowing for a while. The Commissioners and Hwy Superintendent were all in agreement to quit mowing during a red flag warning.

Superintendent Vissia informed the Commission that he has signed another 1-year lease on the Marquart Pit so it extends the time for the county to get our gravel pile hauled out.

Vissia also informed the Commission that blade operator Rick Pryor will be retiring at the end of this year. He asked the Board to think about advertising for a blade operator. The Commission directed the highway department to get a notice for the position opening ready as soon as they can.

A motion was made by Hanten, seconded by Niles to authorize the Chairman to sign the 2025 White Lake City Contract Law agreement. Motion carried all voting aye.

Emergency Manager Skyler Kehn presented the Commission with quotes for radios that will be 100% paid for with Homeland Security Grant funds. He will be purchasing seven radios @ \$3,932 each with each fire department receiving two radios and one for himself. A motion was made by Clark, seconded by Studeny to authorize Emergency Manager Kehn to purchase the radios through the Homeland Security grant. Motion carried all voting aye.

Emergency Manager Kehn also reported that he plans to also get a disaster response trailer through the Homeland Security Grant for \$11,700 that will also be 100% paid for by the grant. This price includes the trailer, wiring, and decals. A motion was made by Clark, seconded by Studeny authorize Emergency Manager Kehn to purchase the trailer through the Homeland Security Grant. Motion carried all voting aye.

Emergency Manager Skyler Kehn informed the Commission about a BNSF Grant. He stated that Davison County funded a drone through this grant and would like apply for one as well. The drone would be used for search & rescue. Kehn said he is not sure how much he can get from the grant, but he would like to be apply to see how much he can get. A motion was made by Clark, seconded by Hanten to authorize Emergency Manager Kehn to apply for the BNSF Grant. Motion carried all voting aye.

Discussion was held on enacting a burn ban. Commissioner Studeny said we are to the point where we need to put one on. Emergency Manager Kehn said that 90% of the State is in a severe drought. A motion was made by Studeny, seconded by Hanten to enact a burn ban effective immediately and pass the following resolution. Roll Call Vote: Clark, aye; Studeny, aye; Hanten, aye; Niles, aye; Dethlefsen, aye. Motion carried. The burn ban will be effective until further notice. Emergency Manager Kehn will notify the appropriate authorities.

## **RESOLUTION BANNING OUTDOOR BURNING AND DECLARING A FIRE EMERGENCY**

WHEREAS Aurora County has been experiencing unseasonal warm, dry, windy weather conditions; and

WHEREAS these weather conditions have contributed to a very high fire danger by drying out of fields, grass lands, and shelter belts; and

WHEREAS the rural areas of Aurora County are protected by volunteer firefighters who must take leave from their employment to fight fire; and

WHEREAS South Dakota Law imposes liability for damages upon persons who negligently allow a fire to spread, or who willfully maintain a public nuisance, or who burn off land without giving due consideration to prevailing weather conditions; and

WHEREAS South Dakota Law also imposes criminal liability including fines of up to \$1,000.00 and jail sentences of up to one year in the county jail, or lesser penalties for persons who commit the acts described above; and

WHEREAS the Board of County Commissioners has consulted with local fire officials and law enforcement officials as to the fire hazard conditions prevailing in the County; and

WHEREAS Aurora County has the authority under South Dakota State Law to declare, abate and prevent public nuisances; and

WHEREAS Aurora County has adopted Ordinance No. 2015-3, An Ordinance to Exercise the County's Statutory Authority to Prohibit or Restrict Open Burning and to Provide for a Penalty, which provides, among other things a procedure for imposing a burn ban;

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

1. It is the determination of the Board that adverse conditions exist as defined in Ordinance No. 2015-3.
2. All outdoor burning in the unincorporated areas of Aurora County is hereby determined and declared to be forbidden as a public nuisance until adequate precipitation has significantly reduced the hazard of outdoor burning. The only exception to this shall be the following: cooking fires; attended campfires; and fires in properly constructed burning barrels equipped with screens to prevent flying brands or sparks.
3. This Resolution is declared to be necessary for the immediate preservation of the public safety as defined by SDCL 7-18A-8, and shall, therefore, become effective immediately, and shall continue in full force and effect until rescinded by the Board of County Commissioners of Aurora County.

Dated this 17<sup>th</sup> day of October, 2024.

s/s Clyde Dethlefsen  
Chairman, Aurora County Board of Commissioners

ATTEST: Susan Urban  
Auditor

Emergency Manager Kehn talked about the proposed Firesteel Watershed Project and noted the contract has new verbiage stating the projects identified by the Watershed and Flood Operations Program shall be entered into voluntarily by the entity. With the voluntary verbiage added, we will NOT have to enforce eminent domain, said Kehn, and the County or landowners can choose what projects they want to pursue. It was noted that James River Water District has not signed a contract or agreement as of yet. It was noted the study could include flooding and still

be 100% paid for with the grant because flooding is one of the criteria for the study. Commissioner Studeny said he personally feels comfortable and more at ease with the new verbiage. Commissioner Clark stated he has heard from citizens in the County that this will benefit only Davison County. But Clark also stated, if we want the study to include the flooding it could potentially help us solve some of the issues we have had in the southern part Aurora County. If we could do something to lower the water by 2 feet that would help greatly, said Commissioner Dethlefsen. No action was taken at this time and will be discussed again at a later time. Emergency Manager stated that this study could also help with the mitigation grant that we have already applied for.

Kehn informed the Commission that he will be instructing at Traffic Incident Management System class next Saturday at the Community/4-H Building.

A motion was made by Studeny, seconded by Clark to approve paying the Trane invoice for the 3-year maintenance contract that we have with them. Motion carried all voting aye.

The Commission considered suggestions that were compiled by Joe Larsen for the acoustical problems at the Community/4-H Building. After reviewing the suggestions, Commissioner Studeny said he will follow-up with Joe and get the names of a few vendors for quotes.

Auditor Urban presented an email she received regarding what the State of SD is doing for the Thanksgiving and Christmas Holidays. A motion was made by Clark, seconded by Studeny to give the employees of Aurora County a half day of holiday for Christmas Eve on December 24th. Motion carried all voting aye.

Discussion was held on changing the longevity pay for county employees. No official action was taken.

Treasurer Andrea Pryor presented the Commission with a resolution to collect a non-resident fee from title applicants who do not have a SD issued driver's license or ID card or physical address in South Dakota. A motion was made by Studeny, seconded by Niles to approve the following resolution. Roll Call Vote: Clark, aye; Studeny, aye; Hanten, aye; Niles, aye; Dethlefsen, aye. Motion carried.

#### A RESOLUTION TO AUTHORIZE THE TREASURER TO COLLECT NON-RESIDENT FEE FROM TITLE APPLICANTS

WHEREAS, during the 2024 South Dakota legislative session, new laws were enacted that require the collection of a one hundred dollar fee, in addition to any other title application fee, to all owners of motor vehicles, off-road vehicles, snowmobiles, and boats who do not have a South Dakota issued driver's license or identification card or physical address in South Dakota who apply for a title in this state; and

WHEREAS the Aurora County Treasurer intends to implement these new laws and collect the one hundred dollar fee pursuant to state law;

NOW, THEREFORE, BE IT RESOLVED, that the Aurora County Treasurer is authorized and directed to collect one hundred dollars from every owner of a motor vehicle, off-road vehicle, snowmobile, and boat who does not have a South Dakota issued driver’s license or identification card or physical address in South Dakota and who intends to title the vehicle in this state; and it is

FURTHER RESOLVED that this fee shall only be charged at the time of application for a title and shall not be charged if an owner is applying for a title correction or duplicate title; and it is

FURTHER RESOLVED that the Treasurer shall continue to collect the application fee imposed by SDCL 32-3-18 and SDCL 32-3A-25; and it is

FURTHER RESOLVED that half of the one hundred dollar fee shall be deposited into the state motor vehicle fund and half shall be deposited into the county general fund; and it is

FURTHER RESOLVED that this Resolution is made in accordance with Department of Revenue Policy #147 and SDCL 32-3-18.2 and SDCL 32-3A-25.1.

AYES: 5

NAYS: 0

Duly Adopted this 17th day of October, 2024.

s/s Clyde Dethlefsen, Chair  
Aurora County Commission

Attest: Susan Urban  
Aurora County Auditor

A motion was made by Studeny, seconded by Niles to file reports and pay the bills as listed below. Motion carried all voting aye.

**Reports:** Wheel Tax Paid: Cities \$1,052.67; Townships \$715.08.

CLAIMS:

COMMISSIONERS		
GOLDEN WEST	PHONE	48.44
STAPLES	PAPER	0.09
WILLIAMS OFFICE EQUIP REPAIR	RPLCE HARD DRIVE IN COPY MACH	0.46
		-----
		48.99 *
ELECTIONS		
AMEE CENTRAL	TABLE VOTING BOOTHS	228.00

		-----	228.00 *
JUDICIAL SYSTEM			
ALVINE LAW FIRM	CAA - JUVENILE		4043.10
DEVY ALVIZURES	INTERPRETER FEES		100.00
SOUTH DAKOTA DEPT OF HEALTH	B/A (2)		80.00
ZYLSTRA INVESTIGATIONS	INVESTIGATION		1980.00
		-----	6203.10 *
AUDITOR			
GOLDEN WEST	PHONE & INTERNET		57.18
P M B 0112	AUGUST ACCESS FEES		71.25
STAPLES	PAPER		133.47
STAPLES	PAPER		24.82
WILLIAMS OFFICE EQUIP REPAIR	TONER FOR APRIL'S PRINTER		135.00
WILLIAMS OFFICE EQUIP REPAIR	RPLCE HARD DRIVE IN COPY MACH		195.96
		-----	617.68 *
TREASURER			
GOLDEN WEST	PHONE & INTERNET		67.30
STAPLES	PAPER		0.80
WILLIAMS OFFICE EQUIP REPAIR	RPLCE HARD DRIVE IN COPY MACH		5.98
		-----	74.08 *
COURTHOUSE			
BROOKS OIL COMPANY	FUEL FOR COURTHOUSE		405.00
GOLDEN WEST	PHONE		43.52
GOLDEN WEST	INTERNET		5.52
OLSON'S PEST TECHNICIANS	PEST CONTROL - CH		90.00
TRANE US INC	3RD YEAR HVAC SERVICE CONTRACT		5658.00
US BANK ST PAUL	CH RENOVATION DEBT SERVICE PMT		291675.00
		-----	297877.04 *
DIR. OF EQUALIZATION			
GOLDEN WEST	PHONE & INTERNET		82.61
JESSICA DURRIN	MEALS AT SCHOOL		67.45
MCLEOD PRINTING & OFFICE SUPPL	PAPER, STAPLER & STICKY NOTES		239.67
STAPLES	PAPER		0.01
WILLIAMS OFFICE EQUIP REPAIR	INK CARTRIDGES FOR PRINTER		314.00
WILLIAMS OFFICE EQUIP REPAIR	RPLCE HARD DRIVE IN COPY MACH		0.14
		-----	703.88 *
REGISTER OF DEEDS			
GOLDEN WEST	PHONE, FAXES & INTERNET		61.75
QUILL CORPORATION	ENVELOPES & POST IT NOTES		52.57
STAPLES	PAPER		30.42
WILLIAMS OFFICE EQUIP REPAIR	RPLCE HARD DRIVE IN COPY MACH		240.12
		-----	

		384.86 *
VA OFFICE		
GOLDEN WEST	PHONE & INTERNET	64.02
STAPLES	PAPER	0.18
WILLIAMS OFFICE EQUIP REPAIR	RPLCE HARD DRIVE IN COPY MACH	1.38
		-----
		65.58 *
SHERIFF		
GOLDEN WEST	PHONE & INTERNET	115.81
GOLDEN WEST	PHONE	52.63
HILLMANS REPAIR	ROMAN'S TIRES & OIL CHANGE	1075.02
MALCOLM LAFORTUNE	MILEAGE TO PIERRE FOR LET	217.07
MALCOLM LAFORTUNE	MILEAGE TO PIERRE FOR LET	175.54
OVERWEG AUTO, GLASS & FUEL	REPLACE GRILLE & OIL CHANGE	1309.74
SD DEPT OF TRANSPORTATION	FUEL FOR THE VEHICLES	1628.56
STAPLES	PAPER	6.05
WILLIAMS OFFICE EQUIP REPAIR	RPLCE HARD DRIVE IN COPY MACH	0.14
		-----
		4580.56 *
JAIL		
DAVISON COUNTY SHERIFF	SEPTEMBER JAIL HOUSING	4620.00
MITCHELL CLINIC LTD	PRISON MEDICAL	276.00
		-----
		4896.00 *
PUBLIC WELFARE		
GOLDEN WEST	INTERNET	7.47
STAPLES	PAPER	6.05
		-----
		13.52 *
MENTALLY HANDICAPPED		
CENTER FOR INDEPENDENCE	MONTHLY SUPPORT	60.00
		-----
		60.00 *
AG BUILDING		
GOLDEN WEST	PHONE & INTERNET	104.97
OLSON'S PEST TECHNICIANS	PEST CONTROL - AG BLDG	70.00
PLANKINTON LUMBER COMPANY	WINTERIZE CONCESSION & CORD	44.97
		-----
		219.94 *
COUNTY EXTENSION		
GOLDEN WEST	PHONE & INTERNET	61.67
STAPLES	PAPER	12.18
WILLIAMS OFFICE EQUIP REPAIR	RPLCE HARD DRIVE IN COPY MACH	0.18
		-----
		74.03 *
WEED		



CENTRAL ELECTRIC COOP, INC	LANDFILL ELECTRICITY	64.00
GOLDEN WEST	INTERNET	7.47
STAPLES	PAPER	6.50
TITAN MACHINERY	SPRAYER PARTS	17.71
WILLIAMS OFFICE EQUIP REPAIR	RPLCE HARD DRIVE IN COPY MACH	0.92
		-----
		96.60 *

PLANNING & ZONING		
WILLIAMS OFFICE EQUIP REPAIR	INK CARTRIDGES FOR PRINTER	314.00
		-----
		314.00 *

R&B CONSTRUCTION		
A-OX WELDING	CYLINDER LEASE	185.95
BROSZ ENGINEERING INC	BRIDGE RPLMT - BREUKELMAN, ERI	17300.00
GOLDEN WEST	PHONE & INTERNET	120.72
MID-DAKOTA RURAL WATER SYSTEM	WATER BILL - STORLA	32.00
SAFETY BENEFITS	SAFETY CONFERENCE REGISTRATION	150.00
SD DEPT OF TRANSPORTATION	FUEL FOR THE VEHICLES	552.41
SDSU	ROAD CONFERENCE REGISTRATION	125.00
STAPLES	PAPER	1.87
STICKNEY REPAIR & SERVICE	LAWN MOWER BATTERY	188.99
TOTAL OIL	FUEL	3085.32
VESTIS	SERVICES - RAGS & MATS	12.18
WILLIAMS OFFICE EQUIP REPAIR	RPLCE HARD DRIVE IN COPY MACH	14.26
		-----
		21768.70 *

E 911 SERVICE		
GOLDEN WEST	E-911 SERVICES 10-1 TO 10-31-2	200.00
MID-STATE TELEPHONE CO.	E-911 SERVICES 10-1 TO 10-31-2	357.44
SANTEL COMMUNICATIONS	E-911 SERVICES 10-1 TO 10-31-2	30.00
		-----
		587.44 *

EM&D		
GOLDEN WEST	PHONE & INTERNET	54.98
SD DEPT OF TRANSPORTATION	FUEL FOR THE VEHICLES	86.91
STAPLES	PAPER	0.01
WILLIAMS OFFICE EQUIP REPAIR	RPLCE HARD DRIVE IN COPY MACH	0.46
		-----
		142.36 *

REGISTER OF DEEDS		
P M B 0112	MICROFILM STORAGE	72.36
QUILL CORPORATION	TONER	257.98
		-----
		330.34 *

Total Checks: 339,286.70 \*

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 \_\_\_\_\_.