

AURORA COUNTY COMMISSIONER PROCEEDINGS

June 1, 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 he checked out the complaint from Wayne Hanks concerning a rough road. Niles said he drove it and it was not bad. He also noted the blade operator did gouge the road though. Commissioner Hanten noted at the last meeting he had asked that a hole be fixed so the surface alongside the road was even with the pavement and it was not taken care of when the road was bladed, but rather later when he went back out there with a pickup. It's wasteful making two trips when it could have been done when it was bladed, said Hanten. Commissioner Niles also reported that he has received complaints about delineator posts leaning due to the blade catching them during snow removal. The Board will need to address this with the highway superintendent.

The agenda was amended by adding purchase a county vehicle for employees and Travis Weich (contaminated soil). A motion was made by Clark, seconded by Studeny to approve the agenda as amended. Motion carried all voting aye.

A motion was made by Hanten, seconded by Studeny to approve the minutes from the May 18th meeting. Motion carried all voting aye.

Commissioner Clark reported that he found a vehicle at Vern Eide's in Mitchell that the county may be interested in to replace the Dodge Caravan that the county currently has. Clark said it is a 2014 Ford Flex SEL and has approximately 65,000 miles. They are asking \$16,500 for it. The Commission authorized Commissioner Travis Clark to check into it more.

Highway Superintendent Doug Vissia and Secretary Nancy Beckman were present for the highway report.

A motion was made by Clark, seconded by Hanten to approve an approach permit for Jason Messmer for field access on road 58 in the SE ¼ SW ¼ 4-101-63 at the county's expense. Motion carried all voting aye.

Highway Superintendent Vissia informed the Commission he would like to get a new grader ordered now for next year. The price of a John Deere Grader is \$461,197.43 with a warranty for 8 years or 7,000 hours. John Deere will give us \$80,000 for a trade in. Butler Machinery has a Caterpillar Grader for \$478,641 with a warranty of 9 years or 9,000 hours. Butler will give us \$86,000 for a trade in. Both machines come with a wing, ripper and a v-plow. It was noted the Cat is a lot better on fuel consumption than the John Deere and has been known to have a better re-sale value as well. The fuel savings figured to be about \$12,000 per year. A motion was made by Clark, seconded by Niles to authorize the Highway Superintendent to order the Caterpillar Motor Grader as the Commissioners feel it is in the best interest for the county due to the cost savings in fuel, better trade in amount for the old grader, and better re-sale value. Motion carried all voting aye.

Travis Weich from AgKota Grain met with the Commission to ask the county to consider lowering the cost for contaminated soil from \$25/ton down to \$15/ton. It was noted that Mitchell will accept contaminated soil at \$10/ton. Currently the county's permit only allows 500 ton per year and AgKota has about 2,000 to haul away. There is a process the county can go through to increase the amount allowed at the landfill, but that will take a few weeks. It was also noted the county has a lease agreement with Justin Krell for the grassland at the old landfill site. The County does not feel comfortable breaking the lease agreement and does not know if we can even do so. The consensus of the Commission is to leave the rate at \$25/ton for contaminated soil. States Attorney Mairose will review the lease agreement and make some changes to it so it is updated the next time the lease is up.

The highway department contacted Brian Jackson from Jackson's Heavy Equipment Training on doing a motor grader training for the highway employees. Highway Secretary Beckman told the Commission it is a two-day class with a half day training in the classroom and the remainder of the training is done in the field. The cost is \$1,700 up to 10 operators. It was asked if LTAP does any training. Vissia stated both Butler Machinery and LTAP have trainings. It was the consensus of the Commissioners to go through LTAP for the training.

Superintendent Vissia informed the Board he was contacted by the City of Plankinton about splitting the cost equally for a chip seal on the road out to the 4-H grounds. It would be from the stop sign and then east. The chip seal would go past the barn and halfway to the Community/4-H Building. A motion was made by Studeny, seconded by Clark to approve the cost share of the chip seal with the City of Plankinton. Motion carried all voting aye.

Chairman Dethlefsen asked Highway Superintendent Vissia if the highway guys were punching in and out at their outlying shops. Vissia said, for the most part they are, unless I have them doing something else. Dethlefsen stated that the guys should be reporting to work at their outlying shops in the morning to punch in and noted their time cards are showing they are punching in and out mainly at the Plankinton shop. Dethlefsen told Doug we should not be having them checking in at the Plankinton shop and then driving to their outlying shops. Highway Superintendent Vissia stated he has them punching in at Plankinton when they are doing other things and he didn't feel they are cheating the county. They check in where I feel it is most efficient, said Vissia. Commissioner Clark said if a guy punches in on the timeclock in Plankinton, then he is going to waste a bunch of time traveling to the outlying shop to begin work. The same thing happens when he goes home, said Clark, because he has to stop early so, he can drive back to Plankinton to punch out by 5:30. We do not pay other county employees to drive to their place of work, said Clark. There is a reason for the timeclocks being installed in the outlying shops. Dethlefsen said winter months may be a different story, but during the spring, summer and fall months there should be no reason not to be working out of the outlying shops almost every day.

It was noted the delinquent paperwork for the flood disaster has been submitted to FEMA. Commissioner Hanten told highway secretary Beckman that Rich Kieffer talked to him about a culvert on a road in Gales Township and wanted to know if it was submitted to FEMA. Nancy stated that it would depend if it qualified, but if the culvert was on a township road, then the township should have applied to FEMA for the funding.

Commissioner Niles asked Vissia if they were still blending/mixing gravel. Vissia told him no because the Commission told him to quit.

A motion was made by Studeny, seconded by Niles to approve a special/temporary on-sale alcoholic beverage license for the Plank Inn for June 24, 2023 outside at the 4-H Community Building on Lot A of Outlot 6 in N ½ NE ¼ 23-103-64. Motion carried all voting aye.

Welfare Director Ashley Howard presented indigent case # 2022-6001 for the Commission to consider. Ashley said she received a UB04, itemized bill and a hospital request for payment from Avera McKennan Hospital on 4/5/2023. After extensive research, no Notice of Hospitalization could be found for the March

2022 date for this resident. She consulted with the States Attorney, and in agreeance, it was recommended that case 2022-6001 be denied due to the failure to send a notice of hospitalization as per SDCL 28-13-34.1. (Notice to county where hospitalization is furnished to indigent person--Time for notice of emergency and nonemergency admissions--Contents of notice.) A motion was made by Studeny, seconded by Clark to deny indigent claim #2022-6001 for the reason being that no notice of hospitalization was received as per 28-13-34.1. Motion carried all voting aye.

A motion was made by Studeny, seconded by Clark to authorize the Chairman to sign a voucher and submit paperwork to the Catastrophic Poor Relief Program on an indigent medical claim that was paid for by the county. Motion carried all voting aye.

A hearing is set for June 15th at 10:00 AM for a special/temporary liquor license for the Stickney Community Foundation.

Studeny recused himself due to a conflict of interest on a complaint on publishing notices. Chairman Dethlefsen told the Board he received a complaint on why all notices were not being published in all three newspapers in the county. It was noted that there are certain items that are required by law to be published in all legal newspapers designated by the county, such as commissioner minutes and any legal notices. There are also other notices that are not legally required to be published in all county newspapers such as job openings, friendly reminders such as closing notices, zoning items, etc. Dethlefsen said he felt everything should be in all three legal newspapers designated by the county. After much discussion a motion was made by Clark, seconded by Hanten to have everything published in all three of the county's legal newspapers regardless of what it is. Dethlefsen, Niles, Hanten, Clark all voted aye. Studeny abstained from the vote. Motion carried.

It was noted that the Auditor will be contacting those businesses that are not turning their bills or invoices into the county in a timely manner so vouchers can be paid when they should be and our budgets can stay on track throughout the year.

Commissioners Dethlefsen and Clark attended the 4-H Leaders meeting on May 22nd. During that meeting it was brought up that some of the 4-H families would like to see the county own the outbuildings used by the 4-H kids. It was noted that the lease on these buildings is with the City of Plankinton for \$1 for 100 years. The upkeep of the buildings is the responsibility of the county. It was noted that the lease has been working out well and there is no advantage to the county to purchase them.

Discussion was held on the 4-H barn at the 4-H grounds. It was found that this structure is not on the historical listing, Paperwork will need to be submitted by the City of Plankinton to get it listed.

A motion was made by Studeny, seconded by Niles to declare the following tax deed property surplus as described below. Motion carried all voting aye.

1. A portion of Block Twenty-One (21), Third Addition to the Town of Stickney, Aurora County, South Dakota, located in Section Thirty-One (31), Township One Hundred Two (102) North, Range Sixty-Three (63) West.

Beginning at a point Fifty-One Feet West (51'W) of the Southeast Quarter (SE1/4) corner of said Block Twenty-One (21) and Thirty-Three Feet North (33'N) of the Highway Township Line; thence North Eighty-Six Feet (N86'), thence East Ten Feet (E10'); thence North One Hundred Ninety-Nine Feet (N199'); thence West Ten Feet (W10'); thence North Two Hundred Feet (N200') to the end of Block Twenty-One (21) at South Avenue; thence West Twenty Feet (W20') which is Forty-Five point Four Feet West (45.4' W) of the Northeast Quarter (NE1/4) corner of said Block; thence South Four Hundred Eighty-Five Feet (S485') to a point which is Thirty-One Feet West (31'W) of said Quarter corner; thence West Twenty Feet (W20') to the Point of Beginning.

2. Lot Twelve (12), Block Eight (8), Original Addition to the city of Plankinton, Aurora County, South Dakota;

A motion was made by Clark, seconded by Niles to sign an extension agreement with District III indicating our intention to be a member in 2024. Motion carried all voting aye. The Dues for 2024 will be \$11,989.00.

A motion was made by Clark, seconded by Studeny to authorize the Chairman to sign the following resolutions abating taxes on the two tax deed properties. Roll Call Vote: Dethlefsen, aye; Niles, aye; Hanten, aye; Studeny, aye; Clark, aye. Motion carried.

RESOLUTION FOR ABATEMENT OF TAXES

WHEREAS, a Treasurer's Tax Deed to County has been made and recorded from Andrea Pryor, Treasurer of Aurora County, to Aurora County, conveying title to property to Aurora County, pursuant to the laws of Tax Deeds, SDCL 10-25;

WHEREAS; the legal description to the property Aurora County has acquired title to is as follows:

A portion of Block Twenty-One (21), Third Addition to the Town of Stickney, Aurora County, South Dakota, located in Section Thirty-One (31), Township One Hundred Two (102) North, Range Sixty-Three (63) West.

Beginning at a point Fifty-One Feet West (51'W) of the Southeast Quarter (SE1/4) corner of said Block Twenty-One (21) and Thirty-Three Feet North (33'N) of the Highway Township Line; thence North Eighty-Six Feet (N86'), thence East Ten Feet (E10'); thence North One Hundred Ninety-Nine Feet (N199'); thence West Ten Feet (W10'); thence North Two Hundred Feet (N200') to the end of Block Twenty-One (21) at South Avenue; thence West Twenty Feet (W20') which is Forty-Five point Four Feet West (45.4' W) of the Northeast Quarter (NE1/4) corner of said Block; thence South Four Hundred Eighty-Five Feet (S485') to a point which is Thirty-One Feet West (31'W) of said Quarter corner; thence West Twenty Feet (W20') to the Point of Beginning.

WHEREAS, after a county has sold and issued to a purchaser a deed to any real property for which the county has taken tax title, the county auditor shall cancel the taxes levied against the real property before the sale by the county and enter the cancellation on the records of the treasurer; and

WHEREAS it is necessary to abate and cancel the outstanding taxes on said property so that the same may be sold by the County at public auction;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Aurora County that the 2022 taxes on the foregoing-described property, and all previous year's taxes, shall be and are hereby abated, together with all interest and penalty thereon.

BE IT FURTHER RESOLVED that the Aurora County Treasurer and Aurora County Auditor are authorized and directed to enter such abatement of record.

Dated this 1st day of June, 2023.

AYE: 5 NAY: 0

s/s Clyde Dethlefsen, Chairman
Aurora County Commission

ATTEST: Susan Urban, Auditor

RESOLUTION FOR ABATEMENT OF TAXES

WHEREAS, a Treasurer's Tax Deed to County has been made and recorded from Andrea Pryor, Treasurer of Aurora County, to Aurora County, conveying title to property to Aurora County, pursuant to the laws of Tax Deeds, SDCL 10-25;

WHEREAS; the legal description to the property Aurora County has acquired title to is as follows:

Lot Twelve (12), Block Eight (8), Original Addition to the city of Plankinton, Aurora County, South Dakota;

WHEREAS, after a county has sold and issued to a purchaser a deed to any real property for which the county has taken tax title, the county auditor shall cancel the taxes levied against the real property before the sale by the county and enter the cancellation on the records of the treasurer; and

WHEREAS it is necessary to abate and cancel the outstanding taxes on said property so that the same may be sold by the County at public auction;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Aurora County that the 2022 taxes on the foregoing-described property, and all previous year's taxes, shall be and are hereby abated, together with all interest and penalty thereon.

BE IT FURTHER RESOLVED that the Aurora County Treasurer and Aurora County Auditor are authorized and directed to enter such abatement of record.

Dated this 1st day of June, 2023.

AYE: 5 NAY: 0

s/s Clyde Dethlefsen, Chairman
Aurora County Commission

ATTEST: Susan Urban, Auditor

States Attorney Rachel Mairose informed the Commission that she has been using a few translators within the county to help with some of her cases and wanted to know what they should be paid. Auditor Urban stated that in the past the county has paid individuals who have helped translate and it was paid as a flat rate rather than by the hour. The Auditor will have it added to the January agenda when the Commission set rates for the year.

Commissioner Dethlefsen excused himself and left for the remainder of the meeting. Vice Chairman Travis Clark then took over the meeting.

Discussion was held on holding a county surplus sale. Auditor Urban stated she had contacted the City of Plankinton to see if they had anything to sell, but did not think they would. She had sent out an email to the employees and has not heard anything back from the highway department yet. Commissioner Travis Clark will talk with Doug after the meeting. The Auditor was directed to contact Stickney Town and the City of White Lake to see if they may have items they would like to get rid of. The auction date is tentatively set for August 16th and a list of items will need to be submitted to the Auditor by June 23rd.

It was noted the weed truck in broke down.

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

Reports: May Payroll: Social Security 5,183.85, Medicare 1,212.38; Wellmark 27,582.92, Retirement 5,400.32, Kansas City Life 96.05; Commissioners 4,126.75; Auditor 7,110.31; Treasurer 6,019.78; States Attorney 4,724.49; Courthouse 2,685.90; Director of Equalization 5,771.70; Register of Deeds 4,077.09; Veteran's Service Officer 740.72; Sheriff 14,507.07; Public Welfare 449.80; WIC 2,132.34; Nurse 449.80; Extension 1,546.10; Weed 1,106.67; Zoning 748.52; Hwy 33,273.85; EM&D 1,866.25; Payroll Direct Deposit Cost 8.35. Auditor's Account with Treasurer: Cash on Hand 1,927.40; MMDA 2,756,301.71; CD's 942,140.00; Reg of Deeds Fees: Marriage Licenses/Certificates 180.00, Birth/Death Certificates 35.00, Preservation Fund 150.00, Driver's License 264.00, Copies 58.00, Other 40.00, Recording Fees 1,280.00; Transfer Fees 2,662.50.

CLAIMS:

COMMISSIONERS		
S.D. MAIL OFFICE	MAY PUBLISHING	545.84
VERN EIDE	2014 FORD FLEX DOWN PAYMENT	1000.00

		1545.84 *
AUDITOR		
QUILL CORPORATION	POST IT FLAGS	15.99
RAMKOTA HOTEL - PIERRE	SPRING WORKSHOP LODGING	102.00
SUSAN URBAN	MILEAGE FOR SPRING WORKSHOP	132.60

		250.59 *
TREASURER		
ANDREA PRYOR	INK MAINTENANCE BOX	10.11
RAMKOTA HOTEL - PIERRE	NEW OFFICIAL WORKSHOP LODGING	102.00
STAPLES	TONER FOR TAX PRINTER	65.19

		177.30 *
STATE'S ATTORNEY		
MAIROSE AND STEELE	REIMBURSE POSTAGE	4.20
MAIROSE AND STEELE	REIMB OVERHEAD	1200.00
MAIROSE AND STEELE	REIMB BOOK	739.28

		1943.48 *
COURTHOUSE		
CK BICYCLES & LOCKS LLC	LOCKS & KEYS FOR COURTHOUSE	570.00

		570.00 *
VA OFFICE		
QUILL CORPORATION	INK CARTRIDGES	31.99

		31.99 *
SHERIFF		
ARROWNHEAD	EVIDENCE SUPP - GLOVES & TUBES	128.55
B & L COMMUNICATION	COMPUTER MOUNT & INSTALL	288.75
EVIDENT	EVID SUPP - BAGS, FORMS & ENVE	383.09
S.D. MAIL OFFICE	MAY PUBLISHING	72.10
SKYLER KEHN	WIRE FOR ACCESS POINT FOR SHFF	31.28
V I S A	CAR WASHES	26.00
V I S A	SCOTCH TAPE - 20 ROLLS	47.07
V I S A	NYLON TIES FOR VEHICLE	5.31
V I S A	MAGNET FOR VEHICLE	10.63
V I S A	MEAL	18.46
V I S A	FUEL FOR VEHICLE	59.12
V I S A	FILE POCKET FOR PATROL CAR	33.00
VERIZON WIRELESS	CELL PHONE USAGE	503.05

		1606.41 *
JAIL		
DAVISON COUNTY AUDITOR	APRIL JAIL HOUSING	4500.00
LEWIS FAMILY DRUG LLC	MEDS FOR INMATE (1)	31.38

		4531.38 *
MENTALLY HANDICAPPED		
BEAU BARRETT	MI ATTY (1)	171.20

		171.20 *
WEED		
HEARTLAND AG SYSTEMS	SPRAYER PARTS FOR TRUCK	39.95
RUNNINGS	WEED TRAILER PARTS	78.95
RUNNINGS	SPRAY PARTS & ROUND UP	119.99

		238.89 *
R&B CONSTRUCTION		
AUCA CHICAGO MC LOCKBOX	SERVICES - RAGS & MATS	64.07
JAKE'S	PICKUP GAS	79.74
S.D. MAIL OFFICE	MAY PUBLISHING	226.09
SD DEPT OF TRANSPORTATION	BRIDGE REPLACEMENT	2033.32
STICKNEY WATER	WATER BILL - STK SHOP	92.50
TOTAL OIL	DEF & FUEL	6896.15
TRANSOURCE	LOADER LEASE	3200.00
VERIZON WIRELESS	CELL PHONE USAGE	88.55

		12680.42 *
EM&D		
QUILL CORPORATION	POST IT FLAGS	15.99
S.D. MAIL OFFICE	MAY PUBLISHING	109.25
VERIZON WIRELESS	CELL PHONE USAGE	95.32

		220.56 *
REGISTER OF DEEDS		
MICROFILM IMAGING SYSTEMS	MONTHLY EQUIPMENT RENT	310.00

		310.00 *

Total Checks: 24,278.06 *

Meeting adjourned subject to call.

Clyde Dethlefsen, Chairman

Aurora County Commission

Attest: _____
Susan Urban, Auditor

(Published once at the total approximate cost of _____)