

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 AM on November 1, 2022, pursuant to adjournment on October 25, 2022. COMMISSIONERS PRESENT WERE: Barth, Bender, Beninga, Heiberger, and Karsky. Also present were Kym Christiansen, Commission Recorder, and Eric Bogue, Chief Civil Deputy State's Attorney.

MOTION by Bender, seconded by Beninga, to approve the agenda. 5 ayes

CONSENT AGENDA

MOTION by Beninga, seconded by Karsky, to approve the consent agenda. By roll call vote: 5 ayes. The consent agenda includes the following items:

Commission Meeting Minutes for October 25, 2022

Bills to be Paid \$481,336.74

A&B BUSINESS SOLUT Lease-Rental Agreement \$356.71, A&B BUSINESS SOLUT Maintenance Contracts \$307.28, AARON GEORGE PROPERT Welfare Rent \$2450, AFFORDABLE HOUSING S Welfare Rent \$851, AGP STUDIOS Welfare Rent \$630, AIRGAS USA LLC Bridge Repair & Maintenance \$147, AIRWAY SERVICE INC Automotive/Small Equipment \$116.05, AIRWAY SERVICE INC Gas Oil & Diesel \$212.91, ALL STAR INVESTIGATI Professional Services \$1305, AMANDA WEYER Welfare Recoveries \$120, AMERICAN INK LLC Uniform Allowance \$187.21, ANDERSON, JENNIFER Bd Evaluations (Minnehaha) \$2089.96, ANDREW BERG Taxable Meal Allowances \$14, ANGEL, EDWARD P Attorney Fees \$46.4, ANGEL, EDWARD P Child Defense Attorney \$724.18, AVERA MCKENNAN Hospitals \$16219.53, AVERA MCKENNAN Professional Services \$3000, AVERA MCKENNAN Psych Evals \$1500, AVERA MCKENNAN Welfare Rent \$1975, AXIS FORENSIC TOXICO Lab Costs \$1482, BOBCAT COMPANY Heavy Equipment \$95095.18, BREEN, JIMMY MARTIN Welfare Rent \$6100, BUDGET AUTO REPAIR Automotive/Small Equipment \$30, C & R SUPPLY INC Automotive/Small Equipment \$17.14, CALLIES, ELIZABETH Education & Training \$145.86, CAMPBELL COUNTY SHER Witness Fees/Expenses \$50, CANFIELD BUSINESS IN Furniture & Office Equipment \$740, CENTURY BUSINESS PRO Maintenance Contracts \$1077.46, CENTURYLINK LONG DIS Telephone \$4.68, CERTIFIED LANGUAGES Interpreters \$140.65, CHEMDRY OF SIOUX FAL Building Repairs & Maintenance \$408, CJ SAYLES INC Store Inventory \$1094.87, CONSTELLATION Natural Gas \$10803.75, CONSTRUCTION SUPPLY Road Maint & Material \$67.69, DAKOTA FLUID POWER I Heavy Equip Repairs & Maint \$245.97, DAKOTALAND AUTOGLASS Automotive/Small Equipment \$250, DECE PROPERTIES LLC Welfare Rent \$640, DECE PROPERTIES LLC Welfare Utilities \$320, DELLS MATERIALS COMP Road Maint & Material \$1687.25, DEMATTEO LAW FIRM Attorney Fees \$121.2, DENHERDER LAW OFFICE Attorney Fees \$151.5, DEYSI MARILU YANES S Welfare Recoveries \$191, DIAMOND MOWERS INC Truck Repairs & Maintenance \$132.93, DOYLE, BETSY R Business Travel \$261.62, EIDE BAILLY LLP Professional Services \$75, ELITE LIMOUSINE LLC Program Activities \$420, ENGBRECHT, ROGER Welfare Rent \$3600, FIRST DAKOTA NATIONA Homeland Security \$3855.75, FIT MY FEET Uniform Allowance \$200, FORREST MILLER Sign Deposits \$50, FOXMOOR DEVELOPMENT Welfare Rent \$3229.42, GALLS QUARTERMASTER Uniform Allowance \$571.13, GOLDEN WEST Telephone \$69.95, GRAYSTONE TOWNHOMES Welfare Rent \$3209, GRIESE LAW FIRM Attorney Fees \$345, GUNNER, ANDREA Court Reporters \$1079.2, GUZMAN, SANDRA V Interpreters \$50, HARR Welfare Rent \$500, HEIDPRIEM PURTELL Attorney Fees \$4254.36, HORIZON APARTMENTS Welfare Rent \$500, HOSSEINI, SHAWN Welfare Rent \$500, HYVEE ACCOUNTS RECEI Jury Fees \$65.32, HYVEE ACCOUNTS RECEI Miscellaneous Expense \$160, INTERSTATE OFFICE PR Office Supplies \$3125.49, JASON MCCUBBIN Business Travel \$68, JCL SOLUTIONS Inmate Supplies \$1522.5, JCL SOLUTIONS Kitchen/Cleaning Supplies \$4665.79, JENNA GIRARD Business Travel \$88, JENNIFER GREEN Juvenile Diversion Restitution \$19, JOHNSON LEGAL NURSE Professional Services \$532.48, KENNEDY PIER & LOFTU Attorney Fees \$191.9, KONECHNE, FRANCIS Business Travel \$68, LAKEPORT OPERATING L Welfare Rent \$453, LAMP Interpreters \$34.5, LANGUAGELINE SOLUTIO Interpreters \$364.88, LANGUAGELINE SOLUTIO Telephone \$234.57, LARSON, VALERIE Bd Exp Fees (Yankton) \$33, LEWNO LAW OFFICE Bd Exp Fees (Yankton) \$578.21, LG EVERIST INC Bridge Repair & Maintenance \$2538.48, LILLA, CHRIS Business Travel \$58.65, LILLA, CHRIS Taxable Meal Allowances \$14, LISA CARLSON REPORTI Court Reporters \$136, LOCKWOOD, DARCY Bd Exp Fees (Yankton) \$45, LOPEZ, REBECA Interpreters \$100, LOVING, PHILIP Bd Evaluations (Minnehaha) \$3263.37, LUTHERAN SOCIAL SVCS Education & Training \$825, LYLE SIGNS INC Sign Supply Inventory \$330.6, LYNN, JACKSON, SHULT Attorney Fees \$777.7, MARAS, JACOB Business Travel \$88, MARSH & MCLENNAN LLC Notary Exp \$50, MAXIMUM PROMOTIONS I Miscellaneous Expense \$673.6, MEADOWLAND APARTMENT Welfare Rent \$1948, MEDSTAR

PARAMEDIC IN Transportation \$2000, MELVIN MOULTON Welfare Recoveries \$1500, MENARD INC Parks/Rec Repair & Maintenance \$18.48, MENARD INC Road Maint & Material \$65.88, METRO COMMUNICATIONS Clinics - Auxiliary Services \$360, MIDAMERICAN ENERGY C Natural Gas \$2319.41, MIDCONTINENT COMMUNI Amounts Held For Others \$257.78, MIDSTATES UNIFORM & Miscellaneous Expense \$923.84, MIDWEST WELLNESS Professional Services \$4209.95, MIKE PETERSON Business Travel \$68, MINNEHAHA CNTY TREAS Automotive/Small Equipment \$24.2, MYRL & ROYS PAVING I Road Maint & Material \$474.26, NAPA AUTO PARTS Automotive/Small Equipment \$329.2, NAPA AUTO PARTS Parts Inventory \$345.89, NATIONAL STUDENT HOU Welfare Rent \$1962, NESSEIM, JESSIE Program Activities \$554.88, NEWVISION AUTOMOTIVE Automotive/Small Equipment \$430, NIES PROPERTIES LLC Welfare Rent \$5200, OMAHA HARDWOOD LUMBE Program Activities \$565.5, OREILLY AUTO PARTS Automotive/Small Equipment \$7.59, OXFORD HOUSE Welfare Rent \$575, PANTHER GRAPHICS LLC Publishing Fees \$914, PARAGON HEALTH & WEL Blood Withdrawal \$4680, PENDENTIVE PROPERTIE Welfare Rent \$3720, PETERSHILL Welfare Rent \$4270.16, PETTIGREW HEIGHTS AP Welfare Rent \$465, PFEIFER IMPLEMENT CO Heavy Equip Repairs & Maint \$29.01, PFEIFER IMPLEMENT CO Lease-Rental Agreement \$2560, PHOENIX SUPPLY LLC Child Care Uniforms \$634.99, PIONEER ENTERPRISES Burials \$2000, PRESTOX Professional Services \$68.93, PRICE, THOMAS L Professional Services \$2400, PURPLE COMMUNICATION Interpreters \$290, QUALIFIED PRESORT SE Postage \$101.97, REEVES, MEGAN Court Reporters \$110.2, RESOLUTE LAW FIRM IN Attorney Fees \$677.65, RIDGEVIEW APTS LLC Welfare Rent \$4946.39, RINGING SHIELD,NICHO Bd Evaluations (Minnehaha) \$1057.5, RISTY, MAXINE J Court Reporters \$92, SAFE HOME LTD PTNRSH Misc Revenue \$-28.96, SAFE HOME LTD PTNRSH Notes Rec Safe Home \$-3565.13, SAFE HOME LTD PTNRSH Rent Subsidies \$11292, SAMS CLUB - MEMBERSH Other Supplies \$259.08, SAMS CLUB - MEMBERSH Professional Services \$221.88, SANFORD Other Medical Services \$574.21, SCHAUNAMAN, KURT Uniform Allowance \$66.99, SCHILTZ, ANN C Bd Exp Fees (Minnehaha) \$64, SCHULTE AUTOMOTIVE I HIDTA Grant \$114, SCULPTUREWALK INC Homeless Initiatives \$290, SD HUMAN SERVICES CE Clinics - Auxiliary Services \$33.4, SECURITY LABS LLC Maintenance Contracts \$100, SGA Motels \$88.91, SILVER VALLEY STORAG Welfare Rent \$3255, SIOUX FALLS CITY Welfare Utilities \$129.02, SIOUX FALLS RUBBER S Office Supplies \$65.25, SPOKANE COUNTY SHERI Return Of Service \$75, STATE OF SOUTH DAKOT Blood/Chemical Analysis \$8995, STATE OF SOUTH DAKOT Bridge Repair & Maintenance \$1752.91, STATE OF SOUTH DAKOT Data Communications \$220, STATE OF SOUTH DAKOT Miscellaneous Expense \$28, STATE OF SOUTH DAKOT Notary Exp \$60, STATE OF SOUTH DAKOT Other Supplies \$614.6, STATE OF SOUTH DAKOT Printing/Forms \$625.28, STATE OF SOUTH DAKOT Sign Supply Inventory \$795.1, STATE OF SOUTH DAKOT Telephone \$36.25, STEVEN STUCK Welfare Recoveries \$532, STRANGE FARRELL JOHN Attorney Fees \$5531.92, SUMMIT FOOD SERVICE Board Of Prisoners-Meals \$82750.06, SUMMIT FOOD SERVICE Child Care Food \$582.1, SUMMIT FOOD SERVICE Inmate Supplies \$143.41, SUMMIT FOOD SERVICE School Lunch Program \$1366.74, SWANEY, DAWN County Cemetery \$130, TAX & MANAGEMENT Welfare Rent \$2460, TENDAIRE INDUSTRIES Parts Inventory \$149.97, TERRY & HOPE BADER Abatement Interest \$5, THOMAS, TROY D Homeland Security \$3722.5, THOMSON REUTERS - WE Legal Research \$2281.41, THOMSON REUTERS - WE Subscriptions \$271.57, TRENT DAWLEY Sign Deposits \$50, TRI-STATE NURSING Professional Services \$2640.25, TRIANGLE PROPERTIES Welfare Rent \$925, TRUMBLE, HANK Business Travel \$68, TWO WAY SOLUTIONS IN Communication Equipment Repair \$810.98, TYLER TECHNOLOGIES I Maintenance Contracts \$25218.33, TYLER TECHNOLOGIES I Software \$10000, TZADIK HIDDEN HILLS Welfare Rent \$492, TZADIK SIOUX FALLS I Welfare Rent \$354, TZADIK SIOUX FALLS P Welfare Rent \$5906, UNIVERSITY PARK LEGA Professional Services \$500, US FOODS INC Other Supplies \$82.17, US FOODS INC Professional Services \$2344.14, VER BEEK, KELSEY Bd Exp Fees (Minnehaha) \$209.07, VITAL RECORDS Records Storage \$2850.67, WALSH, MICHAEL A Homeland Security \$2844.76, WHEELCO Truck Repairs & Maintenance \$48.26, XCEL ENERGY Electricity \$41507.66, XCEL ENERGY INC Welfare Utilities \$2011.59, XIGENT SOLUTIONS LLC Consultants \$2043.75, XIGENT SOLUTIONS LLC Data Processing Equipment \$2079, YAN, SHICAI Welfare Rent \$1200, YANKTON COUNTY Attorney Fees \$780.15.

The following reports were received and placed on file in the Auditor's Office:

Juvenile Detention Center Report for July 2022

Juvenile Detention Center Report for August 2022

Personnel Actions

Routine Personnel Actions

New Hires

1. Brittany Sorensen, variable hour Safe Home Program Worker for Safe Home, at \$18.00/hour effective 11/1/2022.

Step Increases

1. Amanda Delacruz, Pretrial Coordinator for the Pretrial Services, at \$24.16/hour (12/5) effective 11/6/2022.
2. Nathan Krueger, Correctional Office for the Jail, at \$30.92/hour (14/11) effective 10/4/2022.
3. Scott Hacking, Corporal for the Jail, at \$36.74/hour (17/12) effective 9/21/2022.
4. Eli Show, Museum Preparator for the Museum, at \$30.92/hour (17/5) effective 11/2/2022.
5. Jessie Nesseim, Curator of Collections for the Museum, at \$2,599.20/bi-weekly (19/3) effective 10/19/2022.
6. Kyle Vande Weerd, GIS Analyst for the Planning Department, at \$30.16/hour (17/4) effective 11/13/2022.
7. Aimee Wieczorek, Deputy Public Defender for the Public Defender's Office, at \$3,326.40/biweekly (22/3) effective 11/13/2022.
8. Cody Lowe, Deputy Sheriff for the Sheriff's Office, at \$30.92/hour (17/5) effective 10/22/2022.
9. Neville Smith, Deputy Sheriff for the Sheriff's Office, at \$34.98/hour (17/10) effective 11/13/2022.
10. Ashleigh Wiltgren, Victim Witness Assistant for the State's Attorney's Office, at \$26.65/hour (16/2) effective 10/18/2022.
11. Brooke Quinlivan, Senior Deputy State's Attorney for the State's Attorney's Office, at \$3,495.20/biweekly (22/5) effective 10/9/2022.

To record significant employee anniversaries for November 2022: 5 year: Justin Lammer, Crystal Shaffer; 15 year: Samuel Hemenway, Nathan Krueger; 25 year: Patricia Olthoff; 40 year: Steven Williams.

To record volunteers in County Departments for October, 2022. This list is on file at Human Resources.

ALCOHOL LICENSES

A public hearing was held to consider a liquor license renewal application for the Monarch Lounge due to a liquor license compliance check violation that occurred in the current license year. Representatives from the Monarch Lounge were unable to attend the meeting to speak about the steps taken to ensure compliance. MOTION by Karsky, seconded by Bender, to approve the liquor license renewal application for Monarch Lounge. By roll call vote: 4 ayes 1 nay Barth.

A public hearing was held to consider a liquor license renewal application for Safari Bar & Grill due to a liquor license compliance check violation that occurred in the current license year. Representatives from the Safari Bar and Grill were present for the hearing and stated they hold training regarding the checking of id's to ensure that the person is over the age of 21, employees must pass a test regarding the training that they received, and an incentive is given if the employees passes the compliance check. MOTION by Karsky, seconded by Bender, to approve a liquor license renewal application for Safari Bar & Grill. By roll call vote: 5 ayes.

Kym Christiansen, Commission Recorder, presented the liquor and wine license renewal applications for the 2023 licensing year. The applications were reviewed by the State's Attorney's Office, the Sheriff's Office, and the Planning & Zoning Department. There were no violations, objections, or concerns reported. MOTION by Barth, seconded by Beninga, to approve the following 2023 Liquor and Wine Renewal License Applications:

Business Name	Legal Description	Type of License
Baltic Corner	N 440' E 198' NE 1/4 NE 1/4 4-103-49	Retail On-Sale Liquor
Blue Haven Barn	Track 3 (ex#1) Krell's Addition SE ¼ 36-101-51 Wall Lake Township	Retail On-Sale Liquor
Bottom's Up	S 25' Lot 1 & All of Lot 2 Blk 1 Corson Fauskes Addn 22-102-48	Retail On-Sale Liquor
Chasers Food & Spirits	Wittrock Tr 1 & TR 2 NW 1/4 NW 1/4 22-102- 50	Retail On-Sale Liquor
Garretson Sportsmen's Club	Track 1 NW 1/4, NW 1/4 33 103 47 Palisades Township	Retail On-Sale Liquor
Monarch Package Store	E 12' N 120' Lot 9 & All Lot 10 Mapleton TWP G L Renner Addn	Package Off-Sale Liquor
Red Rock Bar & Grill	Tract 1B McBeth Addn in the NE1/4 and SE1/4 27-101-48	Retail On-Sale Liquor
River Ridge Golf Club	NW1/4 (EX S9.64 AC & EX Part Lying E of RY & EX Part Lying W of H-1 & EX River Ridge Golf Club Addn TR1) 29-103-47	Retail On-Sale Liquor
Sioux Empire Fair	W.H. Lyon Fairgrounds, Tracts 1, 2, & 3, WH Lyon Addition to the City of Sioux Falls	Retail On-Sale Liquor
The Alibi	Lot A of Lots 1, 2, & 3 (EX H-2) Blk Pleasant View Acres N 1/2 SE 1/4 & S 1/2 NE 1/4 19- 101-48	Retail On-Sale Liquor
TDC Enterprises LLC	Lot A Tract 1, Laurel Ridge Addition, SE 1/4, SE 1/4 Section 23, T102N, R49W, Minnehaha County, SD	Retail On-Sale Liquor
Crooks Conservation & Gun Club Inc	SW 1/4 SW 1/4 Ex H-2 & W 825' SE 1/4 SW 1/4 18-102-49	Retail On-Off Sale Wine
The Riviera by Roccas	Lot 2 of Tract 1 Jeanne's Addition NE1/4 and SE 1/4 of Section 28-T101N-R48W	Retail On-Off Sale Wine
Wild Water West Waterpark	W600', E1400', S790', NE 1/4, S36-T101N- R51W; AND E1/2 NW1/4 SE1/4 & NE1/4 SE1/4 (Ex H-1 & Ex Tr 1 Alvine's Addn) 36- 101-51	Retail On-Off Sale Wine
Emerald Pines Barn LLC	Lot 4 of Olson's Addition in the W1/2 of the NE1/4 of Section 10, Township 101N, R50W, Minnehaha County, South Dakota	Retail On-Off Sale Wine
A Homestead Brew	S1/2 SE 1/4 29 101 47 Valley Springs Township 101-47	Retail On-Off Sale Wine
Wall Lake Oil Co	N312' E326.27' (Ex H-2) 21-101-51	Package Off-Sale Liquor

By roll call vote: 5 ayes.

PRESENTATIONS

Scott Wick, President and CEO of the Sioux Empire Fair Association, gave a presentation on the 2022 Sioux Empire Fair Report including the various day sponsors, special events held during the fair, information on the exhibits for livestock and in the arts center as well as information regarding the commercial and food vendors. Mr. Wick also highlighted the various fairground improvements that have been completed and the community service activities that take place at the fairgrounds. A total of \$1,334,843.95 in expenses and \$1,834,001.24 in revenue resulted in a net profit of \$499,157.92.

Jessica Wells, LifeScape Foundation President, gave a presentation on LifeScape that highlighted the following: the history of LifeScape, the individuals they serve, and their programs and services. The presentation also highlighted the complexity of the children served through LifeScape and some of the new activities being completed by the organization.

Mike Lynch, Forward Sioux Falls Executive Director, gave a presentation including the governance structure of Forward Sioux Falls, projects that have been completed by the organization, public/private funding comparison for Forward Sioux Falls, and a five-year plan for the organization. The presentation also went on to highlight the progress made on Foundation Park as well as the new business attraction activities and other workforce activities.

EQUIPMENT PURCHASE

Upon request of Steve Groen, Highway Superintendent, MOTION by Barth, seconded by Bender, to authorize the purchase of rotary mowing equipment through a Sourcewell Contract for \$49,183.01. 5 ayes.

JOINT POWERS AGREEMENT

Jamie Gravett, Juvenile Detention Center Director, presented the updated version of the joint power agreement for juvenile detention services between Minnehaha County and our sixteen partner counties. The proposed agreement is for a period of five years. In the event of a resolution for bonding of a new building, an amendment to this agreement outlining the structure of financing will need to be completed. MOTION by Beninga, seconded by Barth, to authorize the Chair to sign the Joint Powers Agreement between Minnehaha County and Sixteen Partner Counties for Juvenile Detention Services. By roll call vote: 5 ayes.

SOLID WASTE PERMIT

Kevin Hoekman, Planner, presented a request for a Solid Waste Permit #22-01 for the purpose of operating a municipal solid waste landfill. The permit is for the properties legally described as Tract 1 Sioux falls Addn in the E 1/2 section 34-T101N-R51W & W 1/2 NE (Ex R1 & Ex S200') in Section 34-T101N-R51W & Tract 1 Sioux Falls Landfill Addn in Section 35-T101N-R51W, all in Minnehaha County, SD. The permit was last renewed in 2017 for a five-year period and expires on December 12, 2022. The City of Sioux Falls has met all the requirements of the current solid waste permit and follows all conditional use permit that have been approved on the property. The Sioux Falls Regional Sanitary Landfill has continued with conditional use permits on this site since 1978. A CUP in 1995 allowed a large expansion and the latest CUP in 2001 approved a small expansion with new placement of operating buildings on the site. The City has obtained six solid waste permits from Minnehaha County since 1995. Since the 2017 permit renewal, the city acquired a 73.43-acre parcel of land northwest of the facility to be used as buffer space for the landfill. Any expansion of landfill operations of the 73-acre parcel will require a renewed conditional use permit. MOTION by Barth, seconded by Karsky, to approve Solid Waste Permit #22-02 for the purpose of operating a municipal solid waste landfill at the properties legally described as Tract 1 Sioux Falls Landfill Addn in the E ½ Section 34-T101N-R51W, & W ½ NE ¼ (Ex R1 & Ex S200') in Section 34-T101N-R51W, & Tract 1 Sioux Falls Landfill Addn in Section 35-T101N-R51W, all in Minnehaha County, SD. By roll call vote: 5 ayes.

BID RESULTS

Mark Kriens, Director of Facilities, reported on the bid opening for the Public Defender and Human Services Renovation Project. The following bid was received: Henry Carlson Company, LLC with a total bid of \$643,200. MOTION by Karsky, seconded by Barth, to award the bid and authorize the Chair to sign an agreement with Henry Carlson. By roll call vote: 5 ayes.

FINANCIL ACTION NETWORK CHARTER

Tyler Klatt, Assistant Commission Administrative Officer, presented a briefing regarding the review of the financial action network charter. In 2017, Minnehaha County established a Financial Action Network (FAN) made of members of the community with expertise in finance and accounting, staff from the Auditor's Office, and the Commission Office. The primary purpose of the FAN was to receive an outside perspective on county finances and receive guidance on actions to take over the following five years to keep the county in a strong financial position. The current scope of the FAN is looking out to 2023, reconvening to consider the next five years offers a valuable opportunity to capitalize on the expertise and guidance received from the final report. Discussion included the make-up of membership of the FAN.

LIAISON REPORTS

Commissioner Heiberger stated that November 8 is Election Day and that the Commission Chambers would be used for Election Day activities.

NON-ACTION COMMISSION DISCUSSION

Commissioner Barth commented on the bills that were paid during the meeting and an event that took place at the Multi-Cultural Center.

MOTION by Karsky, second by Barth, to recess from 10:11 a.m. to 10:21 a.m.

MOTION by Bender, seconded by Barth, to enter into Executive Session pursuant to SDCL 1-25-2 (1), (3), and (4). 5 ayes.

MOTION by Beninga, second by Karsky, to adjourn. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, November 15, 2022.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chair

ATTEST:

Kym Christiansen
Commission Recorder