THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 AM on January 4, 2022, pursuant to adjournment on December 28, 2021. 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 Beninga, seconded by Barth to approve the agenda. 5 ayes

ELECTION OF 2022 CHAIR AND VICE CHAIR

2021 Commission Chair Karsky called for nominations for the 2022 Commission Chair. MOTION by Bender, seconded by Barth, to nominate Cindy Heiberger as Commission Chairperson for 2022. Roll Call Vote to elect Cindy Heiberger as the 2022 Commission Chair. By roll call vote: 5 ayes

Chair Heiberger called for nominations for the 2022 Commission Vice-Chair, MOTION by Beninga, seconded by Barth, to nominate Jean Bender as Commission Vice-Chairperson for 2022. Roll Call vote to elect Jean Bender as the 2022 Commission Vice Chair. By roll vote: 5 ayes.

DESIGNATION OF OFFICIAL NEWSPAPERS

Tyler Klatt, Assistant Commission Administrative Officer, was present to report on proposals received from the Argus Leader, Brandon Valley Journal, Garretson Gazette, and the Minnehaha Messenger for designation as official county newspapers. The proposal from the Argus Leader include a rate of $0.27 per line. The proposals from the Brandon Valley Journal, Garretson Gazette, and Minnehaha Messenger each included a rate of $0.32 per line for meeting minutes and $0.35 per line for other notices. MOTION by Barth, seconded by Bender, to designate the Argus Leader, the Brandon Valley Journal, the Garretson Gazette, and the Minnehaha Messenger as official newspapers for Minnehaha County in 2022. By roll call: 5 ayes. Garrick Moritz, Garretson Gazette Owner; Jill Meier, Brandon Valley Journal Publisher/General Manager; and Lisa Miller, New Century Press General Manager, were present and thanked the Commission for supporting small newspapers. Nicole Ki, Argus Leader reporters, was present and also thanked the Commission for the support.

HIGHWAY SUPERINTENDENT APPOINTMENT

Carol Muller, Commission Administrator Officer, presented a recommendation to appoint Steve Groen as Minnehaha County Highway Superintendent for 2022-2023. MOTION by Beninga, seconded by Karsky, to approve appointment of Steve Groen as Minnehaha County Highway Superintendent for 2022-2023. By roll call vote: 5 ayes.

RECORD OF NON-ELECTED DEPARTMENT HEADS

Carol Muller presented the list of non-elected Department Heads, as of January 1, 2022.

Carol Muller - Commission Office
Chris Lilla - Equalization
Mark Kriens - Facilities
Carey Jo Deaver - Human Resources
Kari Benz - Human Services
Monte Watembach - Information Technology
Jamie Gravett - Juvenile Detention Center
Bill Hoskins - Museum
Scott Anderson - Planning & Zoning/Parks
Julie Hofer - Public Advocate

Traci Smith - Public Defender

CORONER APPOINTMENT

Upon the request of Carol Muller, Commission Administrative Officer, MOTION by Bender, seconded by Barth, authorizing the appointment of the Minnehaha County Coroner. By roll call vote: 5 ayes.

RESOLUTION MC22-01
AUTHORIZING THE APPOINTMENT OF THE MINNEHAHA COUNTY CORONER

WHEREAS, the Legislature of the State of South Dakota adopted SDCL § 7-7-1.4 which established that the board of county commissioners in any county with a population of seventy-five thousand or more may, by resolution, appoint a coroner who shall serve at the pleasure of such board;

WHEREAS, The Minnehaha County Board of Commissioners previously appointed Dr. Kenneth S. Snell, a duly qualified medical pathologist, to perform the duties of the Minnehaha County Coroner and to serve in the capacity of Medical Examiner for a one-year term in 2021;

WHEREAS, The Minnehaha County Board of Commissioners wish to re-appoint Dr. Snell in 2022 in order to satisfy the intent of the statutes for Coroner;

NOW THEREFORE, BE IT RESOLVED, that the Minnehaha County Board of Commissioners hereby appoint Dr. Kenneth S. Snell as Coroner for Minnehaha County for a one-year term beginning on January 1, 2022 and ending on December 31, 2022.

Dated this 4th day of January, 2022.
APPROVED BY THE COMMISSION:
Cindy Heiberger
Chair
ATTEST: Bennett Kyte, Auditor
Kym Christiansen
Deputy Auditor

COMMISSION SALARY

Carol Muller, Commission Administrative Officer, gave a briefing on the determination of the 2022 salary for Minnehaha County Commissioner. To accommodate the payroll system, a salary of $31,262.40 for non-chair Commissioners and $32.780.80 for the Chair would be divisible number for the 26 pay periods in 2022. This would be an increase of 5% for the Commissioners. MOTION by Barth, seconded by Karsky, to elect a salary and approve Resolution MC 22-02. By roll call vote: 5 ayes.

RESOLUTION MC22-02
A RESOLUTION TO ELECT SALARY, RATHER THAN PER DIEM METHOD OF PAYMENT TO COUNTY COMMISSIONERS, AND SET THE 2022 ANNUAL SALARY AT $31,262.40 EXCEPT FOR THE SALARY OF THE CHAIR OF THE BOARD OF COMMISSIONERS WHICH WILL BE SET AT $32,780.80

WHEREAS, during the first regular business meeting of 2022 the Minnehaha County Board of Commissioners, the Board considered and approved the following action regarding Commission salaries;

BE IT RESOLVED BY THE MINNEHAHA COUNTY BOARD OF COMMISSIONERS, pursuant to SDCL 7-7-5 the Minnehaha County Board of Commissioners set the following salaries for Commissioners: the salaries for the four part-time non-chair Commissioners will be $31,262.40. The 2022 annual salary for the part-time Chairperson of the Board of Commission will be $32,780.80.

Dated this 4th Day of January, 2022
APPROVED BY BOARD OF COUNTY COMMISSIONERS
Cindy Heiberger
CHAIR
ATTEST: Bennett Kyte, Auditor
Kym Christiansen
Deputy Auditor

CONSENT AGENDA

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

a) Approve the Commission Meeting Minutes for December 28, 2021

b) Bills to be Paid $1,267,866.82

A&B BUSINESS SOLUT Maintenance Contracts $400.01, ADVANCE AUTO PARTS Automotive/Small Equipment $38.52, ADVANCED PEST SOLUTI Maintenance Contracts $70.00, AIRGAS USA LLC Small Tools & Shop Supplies $85.51, AIRWAY SERVICE INC Automotive/Small Equipment $44.04, AIRWAY SERVICE INC Gas Oil & Diesel $235.00, ALL NATIONS INTERPRE Interpreters $3,619.00, ALLIED OIL Parts Inventory $380.00, ANGEL, EDWARD P Attorney Fees $336.6, AUTUMN PARK APARTMEN Welfare Rent $1,205.36, AVERA HEART HOSPITAL Hospitals $11,7925.76, AVERA MCKENNAN Hospitals $68,135.59, AVERA MCKENNAN Physicians $332.62, BENTWOOD MANOR APTS Welfare Rent $2,090.00, BETH MACDONALD Store Inventory $112.50, BOB BARKER COMPANY I Inmate Supplies $631.20, BRENDE & MEADORS LLP Attorney Fees $1,977.80, BRISTOW, BOYD Program Activities $300.00, CANFIELD BUSINESS IN Furniture & Office Equipment $980.66, CANTERBURY APTS Welfare Rent $64.00, CENTURY BUSINESS PRO Maintenance Contracts $261.09, CHAGOLLA, ALBERT Interpreters $195.83, CHARLES ROGERS Store Inventory $150.00, CORRECTIONAL MEDICAL Contract Services $33,2573.91, D & S RENTAL LLC Welfare Rent $1,750.00, DAKOTA AUTO PARTS Automotive/Small Equipment $205.88, DAKOTA FLUID POWER I Parts Inventory $260.22, DANKO EMERGENCY EQUI Maintenance Contracts $350.00, DATA SYSTEMS INC Maintenance Contracts $3,500.00, DEMATTEO LAW FIRM Attorney Fees $326.7, EICH LAW OFFICE LLC Child Defense Attorney $2,862.70, ENGLISH LAW Attorney Fees $6,000.00, EXHAUST PROS OF SIOU Truck Repairs & Maintenance $279.63, FAMILY SERVICE INC Insurance-Other Costs $630.00, FIRST DAKOTA NATIONA Homeland Security $3,634.38, G&H INVESTMENTS LL Welfare Rent $4,225.00, GALLS QUARTERMASTER Uniform Allowance $183.57, GASLITE MANOR LTD PT Welfare Rent $455.77, GEORGE, AARON Motels $480.00, GOLDEN CREEK INVESTO Welfare Rent $2,400.00, GOLDEN WEST Telephone $69.95, GRAHAM TIRE CO NORTH Automotive/Small Equipment $600.00, GREATER SIOUX FALLS Miscellaneous Expense $150.00, GUNNER, ANDREA Court Reporters $404.80, GUZMAN, SANDRA V Interpreters $50.00, HARMS OIL COMPANY Gas Oil & Diesel $37,623.06, HARTFORD AREA FIRE & Education & Training $1,275.00, HORIZON APARTMENTS Welfare Rent $3,996.00, HUNTINGTON VILLAGE Welfare Rent $6,367.23, I STATE TRUCK CENTER Parts Inventory $22.35, I STATE TRUCK CENTER Truck Repairs & Maintenance $35.47, INTERSTATE OFFICE PR Furniture & Office Equipment $421.76, INTERSTATE OFFICE PR Office Supplies $1,356.87, INTREPID NETWORKS LL Safety & Rescue Equipment $1,271.00, ISI LLC Interpreters $80.00, JADE PROPERTIES LLC Welfare Rent $750.00, JASMINE THELEN Donations $55.29, JCL SOLUTIONS Janitorial Chemical Supplies $92.20, JCL SOLUTIONS Kitchen/Cleaning Supplies $270.00, JEFF LARSON LAW PC Attorney Fees $2,211.80, JOHN HEUPEL Business Travel $252.00, JOHN KOCH INVESTMENT Welfare Rent $3800, JOYCE KAATZ Store Inventory $87.17, KEVIN HEADRICK JDC Maintenance $1.18, KEVIN HEADRICK Motor/Machine/Equipment Repair $4.92, KEVIN HEADRICK Small Tools & Shop Supplies $8.12, KNECHT, ANDREW J Attorney Fees $504.9, KNECHT, ANDREW J Child Defense Attorney $704.4, KRISTA LEIDHOLT Donations $26.09, KRUSE LAW OFFICE Attorney Fees $2,666.00, KYRA ENTERPRISES LLC Motels $310.00, LINCOLN COUNTY (SD) Professional Services $75.00, LUTHER, JEFF Medical Director $2,500.00, MALLOY ELECTRIC Truck Repairs & Maintenance $21.55, MARY HONERMAN Store Inventory $219.56, MCCOOK COUNTY HIGHWA Road Maint & Material $2,304.13, MCGRATH NORTH MULLIN Professional Services $352.00, MESA APARTMENTS LLC Welfare Rent $4,350.00, MICHELS COMMUNICATIO Program Activities $700.00, MIDAMERICAN ENERGY C Natural Gas $14,700.15, MIDAMERICAN ENERGY C Welfare Utilities $543.46, MIDCONTINENT COMMUNI Amounts Held For Others $112.00, MIDCONTINENT COMMUNI Welfare Utilities $138.88, MIDWEST ALARM COMPAN Security Alarm $75.00, MIDWESTERN MECHANICA Plumbing & Welding $684.90, NASPPG INSURANCE SER Professional Insurance $2,064.00, NICHOLE CARPER Child Defense Attorney $1,969.00, NORTH CENTRAL RENTAL Lease-Rental Agreement $2,700.00, NORTHERN HEIGHTS DEV Welfare Rent $6,320.00, NYANGAMOI, ANDREW Welfare Rent $300.00, NYBERGS ACE HARDWARE Other Supplies $51.25, OLIVIER MILES HOLTZ Attorney Fees $1,496.40, OLSON LAW FIRM LLC Attorney Fees $712.8, PASTPERFECT SOFTWARE Program Activities $250.00, PAUL DYSART Store Inventory $52.50, PINE MEADOWS COMMUNI Welfare Rent $1,140.00, PIONEER ENTERPRISES Burials $3,500.00, PRESTOX Professional Services $61.00, QUALITY EFFICIENCIES Welfare Rent $350.00, REYNOLDS LAW LLC Child Defense Attorney $4,078.80, RIVERVIEW APARTMENTS Welfare Rent $1,125.39, RL PROPERTIES Welfare Rent $800.00, ROCHESTER ARMORED CA Armored Car Service $432.44, ROEMEN'S AUTOMOTIVE Gas Oil & Diesel $51.45, SAMS CLUB - MEMBERSH Memberships $42.60, SAMS CLUB - MEMBERSH Miscellaneous Expense $106.51, SAMS CLUB - MEMBERSH Other Supplies $33.72, SAMS CLUB - MEMBERSH Professional Services $382.72, SAMS CLUB - MEMBERSH Safe Home Donations $132.12, SAMS CLUB - MEMBERSH Work Mileage $46.63, SANFORD Other Medical Services $467.38, SANFORD CLINIC Contract Services $26,454.91, SARAH HERBERT Store Inventory $90.00, SD ASSOC OF COUNTY C Memberships $33,471.00, SD ASSOC OF COUNTY O Memberships $14,336.28, SD BUILDING OFFICIAL Memberships $50.00, SDML WORKERS COMPENS Workers Compensation $434,368.00, SECOG Miscellaneous Expense $25,913.00, SIOUX EMPIRE FAIR AS Miscellaneous Expense $12,500.00, SIOUX FALLS CITY Welfare Utilities $336.38, SIOUX FALLS DEVELOPM Miscellaneous Expense $510.00, STATE OF SOUTH DAKOT Amts Held-Daily Scram $3,420.00, STATE OF SOUTH DAKOT Amts Held-Remote Breath $881.00, STATE OF SOUTH DAKOT Extension Background Checks $320.00, STATE OF SOUTH DAKOT Telephone $502.50, STREICHERS INC Uniform Allowance $2,052.00, SUMMIT FOOD SERVICE Child Care Food $607.48, SUMMIT FOOD SERVICE Inmate Supplies $99.58, SUMMIT FOOD SERVICE School Lunch Program $975.29, TRI-STATE NURSING Professional Services $3,559.50, TRINITY POINT Welfare Rent $2,850.00, TWO WAY SOLUTIONS IN Automotive/Small Equipment $6.49, TWO WAY SOLUTIONS IN Communication Equipment $1,500.00, TZADIK SIOUX FALLS I Welfare Rent $3,268.00, TZADIK SIOUX FALLS P Welfare Rent $872.28, US FOODS INC Other Supplies $83.16, US FOODS INC Professional Services $896.36, V2 LLC Welfare Rent $1,389.00, VOGEL MOTORS LLC Gas Oil & Diesel $46.00, VUONG LAW Attorney Fees $1,499.85, WALKER, DAYCLETH D Program Activities $300.00, WALTER, MAX Attorney Fees $183.15, WALTON, MARCUS Attorney Fees $3,613.50, WALTON, MARCUS Child Defense Attorney $1,455.30, WEST POINTE LIMITED Welfare Rent $1,601.00, XCEL ENERGY Electricity $130.51, XCEL ENERGY INC Welfare Utilities $5,165.55.

DECEMBER 2021 County Salaries

COMMISSION	Salaries	$49,482.55
AUDITOR	Salaries	$79,288.43
TREASURER	Salaries	$114,757.47
INFORMATION TECHNOLOGY	Salaries	$117,761.41
STATES ATTORNEY	Salaries	$528,853.45
PUBLIC DEFENDER	Salaries	$324,539.10
PUBLIC ADVOCATE	Salaries	$105,936.10
FACILITIES	Salaries	$83,525.34
EQUALIZATION	Salaries	$124,908.41
REGISTER OF DEEDS	Salaries	$73,731.22
HUMAN RESOURCES	Salaries	$41,514.54
SHERIFF	Salaries	$1,725,204.13
JUVENILE DETENTION CENTER	Salaries	$246,489.92
HIGHWAY	Salaries	$216,645.53
HUMAN SERVICES	Salaries	$221,748.39
MUSEUM	Salaries	$112,611.02
PLANNING	Salaries	$56,854.23
EXTENSION	Salaries	$4,212.00

c) Reports-NONE

d) Routine Personnel Action

New Hires

1. To hire the individuals listed below as Correctional Officers for the Jail at $20.46/hour (13/1) effective 1/3/2022.
Jared Jansen Rebecca Miller Alexander Nelson Kaycee Sina

2. Amy Folsom, Senior Deputy State's Attorney for the State's Attorney's Office, at $3,348.00/biweekly (22/8) effective 1/6/2022.

3. David Denson, variable hour Correctional Officer for the Jail, at $20.50/hour effective 1/9/2022

4. KarriAnn Dismounts, Caseworker for the Human Services Department, at $23.72/hour (16/1) effective 1/10/2022.

5. Diana Rivera, variable hour Juvenile Correctional Worker for the Juvenile Detention Center, at $16.00/hour effective 1/10/2021.

Step Increases

1. Christopher Lilla, Director of Equalization for Equalization, at $3,787.20/biweekly (24/5) effective 1/7/2022.

2. William Hoskins, Museum Director for the Museum, at $4,848.80/biweekly (24/15) effective 12/27/2021.

3. Heidi Hesvik, Legal Office Assistant for the Public Defender's Office, at $19.95/hour (10/6) effective 12/28/2021.

4. Bethany Jost, Paralegal for the Public Defender's Office, at $28.90/hour (16/9) effective 12/30/2021.

5. Sara Sackmann, Paralegal for the Public Defender's Office, at $29.62/hour (16/10) effective 1/2/2022.

6. Natalie Surkalovic, Paralegal for the Public Defender's Office, at $33.52/hour (16/15) effective 12/27/2021.

7. Jonathan Leddige, Senior Trail Attorney for the Public Defender's Office, at $3,517.60/biweekly (23/6) effective 12/26/2021.

8. Traci Smith, Public Defender for the Public Defender's Office, at $5,623.20/biweekly (26/13) effective 12/27/2021.

9. Douglas Blomker, Assistant Director of Emergency Management for the Emergency Management Department, at $40.83/hour (20/15) effective 12/27/2021.

10. Kiel Ricci, Sergeant for the Sheriff's Office, at $32.69/hour (20/6) effective 1/9/2022.

Other Salary Changes

1. To amend the hire date for Matthew Balk, variable hour Juvenile Correctional Worker for the Juvenile Detention Center, at 1/3/2022.

To recognize the following significant employee anniversaries for January 2022: 5 years- Trista Severson, Damian Kardas, Cory Winter; 10-year-Corrie Alexander, Andrew Berg, Lorna McDermott, Nicholas Rebnord,; 15-year-Michael Newkirk.

To record volunteers in County Departments for December 2021. This list is on file at Human Resources.

e) Abatement Applications for Approval-NONE

f) Notice and Requests-NONE

g) Previously Discussed Items within Policy Guidelines-NONE

h) Non-Controversial Resolutions

RESOLUTION MC22 - 03
SET WEIGHT LOAD LIMITS ON CERTAIN BRIDGES WITHIN MINNEHAHA COUNTY

WHEREAS, the Minnehaha County Highway Department performs regular bridge inspections to assess the condition of individual bridges and considers recommendations for improvements, and

WHEREAS, the Minnehaha County Highway Department performs bridge maintenance and bridge replacement projects in an effort to improve the overall condition of the bridge network, and

WHEREAS, the Minnehaha County Highway Superintendent has identified *twenty-one* (21) bridges in Minnehaha County that are recommended for weight load limits, and

WHEREAS, SDCL 32-22-47 gives the county commission the authority to establish and identify through the proper signage the maximum weight of any vehicle, laden or unladen, which may enter upon or cross over the bridge, now

THEREFORE, BE IT RESOLVED by the Minnehaha County Board of Commissioners that all of the existing bridge weight load limits described in previous resolutions are hereby removed and superseded with the following gross vehicle weight load limits:

	STRUCTURE NUMBER	APPROXIMATE LOCATION	SINGLE UNIT LIMIT (TON)	COMBINATION UNIT LIMIT (TON)
1	50-087-120	3.5 miles north and 0.2 miles west of Hartford (256th St. on a township road)	18	33
2	50-101-080	4.0 miles south and 0.1 miles east of Colton on **County HWY 118**	18	30
3	50-109-105	1.9 miles south and 2.1 miles west of Lyons (Grand Meadow St. on a township road)	29	50
4	50-135-229	3.4 miles south and 1.5 miles west of Ellis (Wayne Ave. on a township road)	27	46
5	50-137-217	2.3 miles south and 1.5 miles west of Ellis (266th St. on a township road)	28	46
6	50-154-180	1.5 miles north and 0.5 miles east of Ellis (262nd St. on a township road)	25	44

7a	50-180-134	2.0 miles east and 0.4 miles south of Crooks, SD (472nd Ave on **County Highway 133**)	27	45
7b	50-180-134 *(Emergency Vehicles Only)*	2.0 miles east and 0.4 miles south of Crooks, SD (472nd Ave on **County Highway 133**)	Single Axle 16 T Tandem 23 T Gross 32 T	
8	50-199-104	3.9 miles south of Baltic Meadowland St. (on a township road)	26	44
9	50-208-130	1.0 mile north and 0.3 miles east of Renner (257th St. on a township road)	13	22
10	50-226-020	1.0 miles east and 0.5 miles south of Dell Rapids (246th St. on a township road)	27	46
11	50-237-120	3.7 miles east and 6.0 miles south of Baltic (256th St. on a township road)	18	31
12	50-239-090	7.1 miles west of Garretson (253rd St. on a township road)	29	49
13	50-272-030	6.8 miles east and 1.3 miles south of Dell Rapids (247th St. on a township road)	10	15
14	50-273-090	3.8 miles west of Garretson (253rd St. on a township road)	18	30
15	50-276-120	4.0 miles north and 0.3 miles west of Corson (256th St. on a township road)	30	49
16	50-278-130	3.0 miles north and 0.2 miles west of Corson (257th St. on a township road)	30	50
17	50-290-131	2.9 miles north and 1.0 mile east of Corson (483rd Ave. on a township road)	15	25
18	50-324-170 *(Emergency Vehicles Only)*	1.0 mile north and 0.6 miles east of Valley Springs (261st St. on a township road)	Single Axle 14 T Tandem 21 T Gross 24 T	
19	50-329-160	2.0 miles north and 0.1 miles west of Valley Springs (260th St. on a township road)	25	42
20	50-330-159	2.1 miles north of Valley Springs (487th Ave. on a township road)	19	32
21	50-337-130	1.8 miles east and 4.0 miles south of Garretson (257th St. on a township road)	18	31

BE IT FURTHER RESOLVED, that the Minnehaha County Highway Superintendent is hereby directed to erect and post the appropriate signage in accordance with SDCL 32-22-47, and

BE IT FURTHER RESOLVED, by the Minnehaha County Commission that an emergency exists and that the posting of weight limits on the above bridges is immediately in effect and will remain in effect until changed by action of the county commission; and

BE IT FURTHER NOTED, under SDCL 32-22-48, the violation of these weight load limits is a Class 2 misdemeanor, and Minnehaha County may recover civil damages from any person who drives or operates, or causes to be driven or operated, any vehicle, laden or unladen, upon, over or across any bridge which has been posted in accordance with § 32-22-47 and which exceeds the maximum posted weight in pounds and causes any injury or damage to said bridge by reason thereof.

Dated this 4th day of January, 2022.

APPROVED BY THE COMMISSION:
Cindy Heiberger
Chair
ATTEST: Bennett Kyte, Auditor
Kym Christiansen
Deputy Auditor

RESOLUTION MC 22-04
ESTABLISH APPOINTMENTS TO THE MINNEHAHA-LINCOLN COUNTY BOARD OF MENTAL ILLNESS AND THE REVIEW BOARD FOR DEVELOPMENTAL DISABILITIES

WHEREAS SDCL 27A-7-1 provides that the Minnehaha County Commission appoint two regular lay members of the Minnehaha Lincoln County Board of Mental Illness for a term of three years; and

WHEREAS SDCL 27B-7-24 provides that the Minnehaha County Commission appoint two regular lay members and two alternate lay members and two alternate lay members of the Minnehaha County Review Board for Developmental Disabilities for a term for a term of three years; and

WHEREAS the Co-Chairman of the Minnehaha County Board of Mental Illness and of the Minnehaha County Review Board for Developmental Disabilities has recommended qualified candidates for said positions, now

THEREFORE, IT IS HEREBY RESOLVED by the Minnehaha County Commission that

Betsy Koch (Minnehaha County resident) be appointed as a regular lay board member of the Board of Mental Illness and Minnehaha County Review Board for Developmental Disabilities effective immediately; and

Leslie Penning (Minnehaha County resident) be appointed as a regular lay board member of the Board of Mental Illness and Minnehaha County Review Board for Developmental Disabilities effective immediately; and

Pam Tiede, Mona Helseth, and Laurie Gates (Minnehaha County residents) be appointed as alternate lay board members of the Board of Mental Illness and Minnehaha County Review Board for Developmental Disabilities effective immediately; and

Ann Schiltz (Lincoln County resident) to be appointed as a regular lay board member of the Board of Mental Illness effective immediately; and

Candace Gearman (Lincoln County resident) to be appointed as a regular lay board member of the Board of Mental Illness effective immediately; and

Francie Miller, Laurie Wernke, and Sean Kooistra (Lincoln County residents) to be appointed as alternate lay board members of the Board of Mental Illness effective immediately.

Approved this 4th day of January, 2022

APPROVED BY THE COMMISSION:
Cindy Heiberger
Chair
ATTEST: Bennett Kyte, Auditor
Kym Christiansen
Deputy Auditor

PUBLIC COMMENT

Ryan Solberg and Sheldon Jensen, Sioux Metro Growth Alliance, provided a brief update of the activities of the organization.

SURPLUS

Upon request of Joe Bosman, Sheriff's Office, MOTION by Karsky, seconded by Barth, to declare certain Sheriff's Office vehicles as surplus property and authorize the Commission Chair to sign the resolution MC 22-05 for gratuitous transfer of vehicles to Southeast Technical College and Sioux Empire Fair Association. By roll call vote: 5 ayes.

RESOLUTION 22-05
RESOLUTION AUTHORIZATING THE GRATUITOUS TRANSFER OF CERTAIN PROPERTY TO THE SIOUX EMPIRE FAIR ASSOCIATION AND SOUTHEAST TECHNICAL COLLEGE

WHEREAS, Minnehaha County has an ownership interest in three motor vehicles:

Year	**Make**	**Model**	**VIN**	**Asset #**
2011	Chevrolet	Tahoe	1GNSK2E09BR223845	960
2017	Ford	Explorer	1FM5K8AR4HGC90754	1285
2016	Ford	Explorer	1FM5K8AR5GGB07201	1211

listed as property of the Minnehaha County Sheriff's Office; and,

WHEREAS, the Minnehaha County Board of Commissioners has determined said vehicles are no longer necessary, useful, or suitable for the purpose for which they were acquired pursuant to SDCL Ch. 6-13; and,

WHEREAS, Minnehaha County may convey and transfer any personal property to another political subdivision or nonprofit corporation for public, charitable, or humanitarian purposes without offering the property for sale and without requiring the political subdivision or nonprofit corporation to pay for the property pursuant to SDCL § 6-5-2; and,

WHEREAS, the Minnehaha County Board of Commissioners wish to transfer ownership of asset # 1285 and # 1211 to Southeast Technical College and asset # 960 to the Sioux Empire Fair Association, Inc. for public, charitable, or humanitarian purposes

THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners, that said vehicles are hereby declared as surplus property pursuant to SDCL § 6-13-1; and further, hereby authorize the Chair to transfer said vehicles, as specified above and pursuant to SDCL § 6-5-3, to Southeast Technical College and the Sioux Empire Fair Association at no expense to the nonprofit organizations pursuant to SDCL § 6-5-2, and that they are to be removed by the Minnehaha County Auditor from the asset list of the County.

Dated this 4th day of January, 2022.

BY THE MINNEHAHA COUNTY BOARD OF COMMISSIONERS
Cindy Heiberger

Chair
ATTEST: Bennett Kyte, Auditor
Kym Christiansen
Deputy Auditor

AGREEMENTS

Bill Hoskins, Museum Director, gave a briefing on the 2022 Lease Agreements for the Sioux Valley Genealogical Society and the Minnehaha County Historical Society. Under the terms of the agreements, the Genealogical Society will lease approximately 600 square feet of office space on the second floor of the Old Courthouse Museum. The Historical Society will lease approximately 178 square feet of office space on the first floor of the Old Courthouse Museum. Both leases are for 12 month periods. There is no charge for the lease space. The County pays for the light, heat, and custodial services. The societies pay for their phone and comprehensive general liability insurance. MOTION by Barth, seconded by Bender, to authorize the Chair to sign annual lease agreement with the Minnehaha County Historical Society. By roll call vote: 5 ayes. MOTION by Bender, seconded by Barth, to authorize the Chair to sign annual lease agreement with the Sioux Valley Genealogical Society. By roll call vote: 5 ayes

RESOLUTIONS

Upon request of Kris Swanson, Treasurer, MOTION by Beninga, seconded by Bender, to approve a Resolution MC 22-06 approving assignment of certificate of tax sale pursuant to the demand by the City of Humboldt. By roll call vote: 5 ayes.

Resolution MC 22-06
A RESOLUTION APPROVING ASSIGNMENT OF CERTIFICATE OF TAX SALE PURSUANT TO THE DEMAND BY THE CITY OF HUMBOLDT

WHEREAS, SDCL § 9-27-9 authorizes the governing body of a municipality to demand the assignment of a Certificate of Tax Sale held by the county for delinquent taxes on any lot within the limits of the municipality; and

WHEREAS, and upon such demand, the County Treasurer is required to deliver an assignment of the Certificate of Tax Sale to such municipality upon payment of the delinquent amount due; and

WHEREAS, the Treasurer's Certificate of Tax Sale No. 408, attached hereto, was obtained by Minnehaha County on the 16th day of December, 2013, on real property located in the City of Humboldt, County of Minnehaha, State of South Dakota, such real property legally described as follows:
The South Half (S1/2) of Lot Four (4) and all of Lots Five (5), Six (6), Seven (7) and Eight (8), Block Two (2), of the Humboldt City Original Subdivision, Minnehaha County, South Dakota, according to the recorded plat thereof; and

WHEREAS, on the 28th day of December, 2021, the Minnehaha County Treasurer was provided a copy of City of Humboldt Resolution #2021-12, dated the 13th day of November, 2021, which demands that the Minnehaha County Treasurer assign to the City of Humboldt, the above-referenced Certificate of Tax Sale pursuant to SDCL § 9-27-9; and

WHEREAS, except as provided herein, as of the 31st day of December, 2021, the amount due Minnehaha County pursuant to the Certificate of Tax Sale equals One Hundred Thirty-one Thousand One Hundred Ninety Dollars and Eighteen Cents ($131,190.18), receipt of which has been acknowledged by the Minnehaha County Treasurer, such amount having been paid by the City of Humboldt, and which amount includes certain amounts which shall be distributed back to the City of Humboldt through the apportionment process;

WHEREAS, the amount listed above does not include the 2021 real property taxes payable January 1, 2022, and which will be delinquent if not paid in accordance with SDCL Ch. 10-9; and

WHEREAS, nothing herein prohibits Minnehaha County from hereafter obtaining a Certificate of Tax Sale on the above described real property in the event real property taxes become delinquent. The Assignment and this Resolution shall not be construed as a waiver by Minnehaha County of its rights and responsibility to obtain a Certificate of Tax Sale for any such delinquent taxes;

NOW, THEREFORE, BE IT RESOLVED, that after due consideration of the circumstances recited above, the Board of Commissioners approves the Assignment of Treasurer's Certificate of Tax No. 408 by the Minnehaha County Treasurer to the City of Humboldt, South Dakota.

Dated at Sioux Falls, South Dakota, this 4th day of January, 2022

Approved by the Commission
Cindy Heiberger
Chair
Attest: Bennett Kyte, Auditor
Kym Christiansen
Deputy Auditor

Upon request of Lori Montis, Assistant Human Services Director, MOTION by Karsky, seconded by Barth, to approve Resolution MC 22-07 for the establishment of rates for indigent burial assistance . By roll call vote: 5 ayes.

RESOLUTION MC 22-07
ESTABLISHMENT OF RATES FOR INDIGENT BURIAL ASSISTANCE

WHEREAS, SDCL 34-26-17 mandates the circumstances in which Minnehaha County is obligated to expend funds to bury or cremate indigent persons; and

WHEREAS, SDCL 28-17 et seq. allows the Minnehaha County Commission to contract with funeral directors to provide said burial and cremation services; and

WHEREAS, current rates, which have existed since 2018, are $2,000 for cremations and $3,000 for traditional burials; and

WHEREAS, the Minnehaha County Department of Human Services, acting with the consent of and on behalf of the Minnehaha County Commission, has negotiated new rates with funeral directors which are necessary to satisfy Minnehaha County's statutory duty to provide burial or cremations assistance; and

WHEREAS, the Minnehaha County Department of Human Services estimates that the new rates will raise its budget amount approximately $34,500 for 2022; and

WHEREAS, the Minnehaha County Commission has already approved the Minnehaha County Department of Human Services' budget with this increase; now

THEREFORE IT IS HEREBY RESOLVED by the Minnehaha County Commission that effective January 1, 2022, and remaining in effect unless and until the Minnehaha County Commission resolves otherwise, the following are the rates Minnehaha County will pay for burial or cremation assistance:

Traditional burial - \$3,500.00;
Cremations - \$2,000.00; and
Cremations with a memorial service - \$2,500.00.

Approved this 4th day of January, 2022
APPROVED BY THE COMMISSION:
Cindy Heiberger
Chair
ATTEST: Bennett Kyte, Auditor
Kym Christiansen
Deputy Auditor

BID RESULTS

Jacob Maras, Engineering Supervisor, reported on the bid opening for Project 17-10 County Highway Reconstruction from 254th Street to Colton. The following bids were received: Runge Enterprises, Inc. with a total bid of \$5,056,645.50; Midland Contracting, Inc. with a total bid of \$5,352,825.66; First Rate Excavate, Inc. with a total bid of \$5,798,428.00; Midwest Contracting, Inc. with a total bid of \$5,872,064.95; BX Civil & Construction, Inc. with a total bid of \$6,179,642.66; and Central Specialties, Inc. with a total bid of \$6,705,916.18. MOTION by Bender, seconded by Barth, to reject the bid results for Project MC17-10 Highway 149 Reconstruction. By roll call vote: 5 ayes.

RESOLUTION

Upon request of Ben Kyte, Auditor, MOTION by Beninga, seconded by Barth, to approve Resolution MC 22-08 of rates of pay, facility rentals and mileage reimbursement for the 2022 Election Cycle. By roll call vote: 5 ayes.

RESOLUTION MC22-08
TO ESTABLISH RATES OF PAY FOR ELECTION WORKERS AND RENTAL RATE FOR POLLING LOCATIONS

WHEREAS, it may be necessary to appoint election officials in 2022; and

WHEREAS, pursuant to SDCL 12-15-11, the fee paid to election officials shall be established annually by the Board of County Commissioners at its January meeting; now, therefore, be it

RESOLVED by the Minnehaha County Board of Commissioners that for the year 2022, election officials shall be paid as follows:

Precinct Superintendent	\$180.00 per day
Precinct Deputy	\$150.00 per day
Absentee Precinct Superintendent	\$16.00 per hour
Absentee Board, Absentee Assistants and Counting Center Assistants	\$15.00 per hour
Precinct setup (Paid to Supt. & Deputy)	\$15.00 per session
Precinct tear down (Paid to Supt. & Deputy)	\$15.00 per session
Election School attendance paid to all attendees.	\$15.00 flat rate
Usage of Personal Cell phone at Precinct (One Individual)	\$10.00 flat rate
Mileage reimbursement for delivering pollbooks and ballot boxes	SDCL 12-15-11
Rate of rent for polling locations.	\$100 flat rate

Dated this 4th day of January, 2022.

APPROVED BY THE COMMISSION:
Cindy Heiberger
Chair
ATTEST: Bennett Kyte, Auditor
Kym Christiansen
Deputy Auditor

PRECINCTS NUMBERS

Ben Kyte, Auditor, presented information regarding the adopted boundary changes to five council districts from the City of Sioux Falls pursuant to its charter and consistent with the 2020 Census data. As a result of the boundary changes six precincts were moved from one district to another. The boundaries of these six precincts did not change only their number designation. The proposed changes are as follows: 1-3 will change to 3-1; 2-7 will change to 4-15; 3-6 will change to 5-22; 4-1 will change to 5.23; 4-14 will change to 5-15; and 5-11 will change to 1-19. On a separate note, the City of Sioux Falls made a boundary change to precinct 1-17, to extend it to the western city limit boundary. MOTION by Barth, seconded by Beninga, to approve City of Sioux Falls precinct numbering changes. 5 ayes.

RESOLUTIONS

Upon request of Ben Kyte, Auditor, MOTION by Barth, seconded by Karsky, to approve Resolution MC 22-09 establishing record of 2022 Minnehaha County designated polling places. By roll call vote:5 ayes.

RESOLUTION MC22-09
ESTABLISH RECORD OF 2022 MINNEHAHA COUNTY DESIGNATED POLLING PLACES

WHEREAS, pursuant to SDCL § 12-12-1 and § 12-14-1 the County Auditor shall give notice of all designated polling places prior to any election he or she is charged with conducting, and

WHEREAS, the Minnehaha County Auditor’s Office intends to make a record of all designated polling places in the County for 2022 elections, now

THEREFORE BE IT RESOLVED BY the Minnehaha County Commission that the following locations will serve as polling places in 2022:

Precinct	Polling Place	Address
1-4	Center for Active Generations	2300 W 46th St
1-5	Center for Active Generations	2300 W 46th St
1-6	Sunnycrest United Methodist Church	4801 W 41st St
1-9	Peace Lutheran Church	5509 W 41st St
1-10	Sioux Falls First Church	6300 W 41st St
1-17	Sioux Falls First Church	6300 W 41st St
1-19 (previously 5-11)	Calvary Chapel Sioux Falls	1605 W 51st St
2-1	Calvary Chapel Sioux Falls	1605 W 51st St
2-2	Southern Hills UMC	3400 E 49th St
2-3	Morningside Community Center	2400 S Bahnson Ave
2-6	Westminster Presbyterian	3801 E 26th St
2-8	Gloria Dei Lutheran Church	5500 E 57th St
2-9	Gloria Dei Lutheran Church	5500 East 57th St
2-14	Eastside Baptist Church	6101 E 49th St
3-1 (previously 1-3)	First Presbyterian Church	2300 S West Ave

3-5	The Alliance	1600 W Russell St
3-9	Good News Church	1800 S Valley View Rd
3-10	Memorial Middle School	1401 S Sertoma Ave
3-11	Church at the Gate	6820 W 26th St
3-12	MariCar Community Center	400 N Valley View Rd
3-13	Kuehn Community Center	2801 S Valley View Rd
3-14	Career Technical Education	4700 W Career Cir
3-15	St Michael's Catholic Church	1600 S Marion Rd
3-16	Memorial Middle School	1401 S Sertoma Ave
3-17	Prairie West Library	7630 W 26th St
4-2	Emmanuel Baptist Church	1600 E 12th St
4-3	East Side Lutheran Church (Barn)	1300 E 10th St
4-4	Wesley United Methodist Church	1700 E 6th St
4-5	The Word of Life Pentecostal Church	3513 N 10th Ave
4-6	Faith Lutheran Church	601 N Cliff Ave
4-7	Kenny Anderson Community Center	3701 E 3rd St
4-8	Kenny Anderson Community Center	3701 E 3rd St
4-9	Grace Lutheran Church	3300 E 18th St
4-10	St Lambert's Catholic Church	1000 S Bahnson Ave
4-11	Wild Flower Presbyterian Church	4800 E 6th St
4-12	Hilltop United Methodist Church	1312 S Bahnson Ave
4-13	Grace Lutheran Church	3300 E 18th St
4-15 (previously 2-7)	Lord of Life Lutheran Church	2600 S Sycamore Ave
5-1	First Lutheran Church	327 S Dakota Ave
5-2	First Lutheran Church	327 S Dakota Ave
5-3	Zion Lutheran Church	1400 S Duluth Ave
5-4	Dakota Abilities	1116 S 4th Ave
5-6	Hope Lutheran	1700 S Cliff Ave
5-7	All Souls Church	2222 S Cliff Ave
5-8	Instructional Planning Center	201 E 38th St
5-9	Our Savior's Lutheran Church	909 W 33rd St
5-10	First Presbyterian Church	2300 S West Ave
5-12	Instructional Planning Center	201 E 38th St
5-13	Instructional Planning Center	201 E 38th St
5-14	USF Cleveland Professional Development Center	1010 W 26th St
5-15 (previously 4-14)	Sioux Falls Main Library	200 N Dakota Ave
5-17	Asbury United Methodist Church	2425 S Western Ave
5-18	Faith Family Church	127 N Spring Ave
5-19	St Mark's Lutheran Church	2001 S Elmwood Ave
5-20	Oyate Community Center	2421 W 15th St
5-21	Trinity Baptist Church	2400 W 18th St
5-22 (previously 3-6)	The Alliance	1600 W Russel St
5-23 (previously 4-1)	Sioux Falls Main Library	200 N Dakota Ave
VP-1	Valley Springs American Legion Club	615 Broadway
VP-2	Split Rock Fire Station	7201 E Hwy 42
VP-3	Brandon Municipal Golf Course	2100 E Aspen Blvd
VP-4	Mapleton Township Hall	47419 258th St
VP-5	Brandon City Hall - Council Chambers	308 S Main Ave
VP-6	MariCar Community Center	400 N Valley View Rd
VP-7	Hartford City Hall	125 N Main Ave
VP-8	Humboldt Community Center	118 S. Main St
VP-9	Baltic Elementary Gymnasium	500 3rd St

VP-10	American Legion - Garretson	504 N Main Ave
VP-11	Lutheran Church of Dell Rapids	701 Orleans Ave
VP-12	Heesch Farm	24883 481st Ave
VP-13	Taopi Community Hall	102 E 3rd St
VP-15	Brandon Fire Station	401 Sioux Blvd
VP-16	Crooks Community Center	701 S West Ave
VP-17	Wall Lake Township Hall	26452 463rd Ave
VP-21	Lutheran Church of Dell Rapids	701 Orleans Ave

Dated this 4th day of January, 2022
APPROVED BY THE COMMISSION:
Cindy Heiberger
Chair
ATTEST: Bennett Kyte, Auditor
Kym Christiansen
Deputy Auditor

Auditor Kyte also highlighted the Notice of Deadline for Filing Nominating Petitions for the Primary Election and for Filing Independent Candidate Petitions which will be published in the official County newspapers between the 15th and 30th day of January 2022. This notice does not require Commission approval but instead, it is a regular function of the Auditor's Office to submit such notice pursuant to SDCL § 12-12-1.

Upon request of Ben Kyte, Auditor, MOTION by Barth, seconded by Beninga, to approve Resolution MC 22-10 authorizing issuance of debt. By roll call vote: 5 ayes.

RESOLUTION MC 22-10
RESOLUTION RELATING TO ISSUING CERTIFICATES OF PARTICIPATION; AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE LEASE-PURCHASE AGREEMENTS AND APPROVING AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS

BE IT RESOLVED by the Board of Commissioners of Minnehaha County, South Dakota (the "County"), as follows:
Section 1 Recitals.

1.1 The County is authorized by South Dakota Codified Laws, Chapter 7-25, inclusive, as amended (the "Act"), to enter into lease-purchase agreements for acquisition of real or personal property that the governing body considers necessary or appropriate to carry out its governmental and proprietary functions.

1.2 Pursuant to the Act, the governing body has heretofore found and determined that it was necessary and appropriate to enter into to a Ground Lease Agreement, dated as of September 1, 1992, as amended and supplemented (the “Ground Lease”) between the County and U.S. Bank National Association (the "Trustee") and the Trustee has heretofore acquired certain interests in real properly (the "Land") from the County, and the Trustee has leased back to the county its interest in the Land and has leased and agreed to sell to the County the Facilities to be acquired, renovated, constructed and equipped thereon to the County pursuant to a Lease-Purchase Agreement, dated as of September 1, 1992 (the "Original Lease"), as amended and supplemented by the First Amendment to Lease Purchase Agreement, dated as of November l, 1994 (the "First Amendment to Lease"), the Second Amendment to Lease-Purchase Agreement, dated as of April 1, 1997 (the "Second Amendment to Lease"), the Third Amendment to Lease-Purchase Agreement, dated as of April 1, 1999 (the "Third Amendment to Lease"), the Fourth Amendment to Lease-Purchase Agreement, dated as of December 1, 2000 (the "Fourth Amendment to Lease"), the Fifth Amendment to Lease-Purchase Agreement, dated as of September 1, 2004 (the "Fifth Amendment to Lease"), the Sixth Amendment to Lease-Purchase Agreement, dated as of October 1, 2005 (the "Sixth Amendment to Lease"), the Seventh Amendment to Lease-Purchase Agreement, dated as of October 1, 2005 (the "Seventh Amendment to Lease"), the Eighth Amendment to Lease-Purchase Agreement, dated as of October 1, 2006 (the "Eighth Amendment to Lease"), the Ninth Amendment to Lease-Purchase Agreement, dated as of August 1, 2007 (the "Ninth Amendment to Lease"), the Tenth Amendment to Lease-Purchase Agreement, dated as of October l, 2007 (the "Tenth Amendment to Lease"), the Eleventh Amendment to Lease-Purchase Agreement, dated as of September 1, 2008 (the "Eleventh Amendment to Lease"), the Twelfth Amendment to Lease-Purchase Agreement, dated as of November 1, 2010 (the "Twelfth Amendment to Lease"), the Thirteenth Amendment to Lease-Purchase Agreement, dated as of September 1, 2011 (the "Thirteenth Amendment to Lease"), the Fourteenth Amendment to Lease-Purchase Agreement, dated as of November 1, 2013 (the "Fourteenth Amendment to Lease"), the Fifteenth Amendment to Lease Purchase Agreement, dated as of November 1, 2014 (the "Fifteenth Amendment to Lease"), the Sixteenth Amendment to Lease-Purchase Agreement, dated as of October 1, 2016 (the "Sixteenth Amendment to Lease"), the Seventeenth Amendment to Lease-Purchase Agreement dated as of December 1, 2017 (the "Seventeenth Amendment to Lease") and the Eighteenth Amendment to Lease Purchase Agreement dated as of December 1, 2020 (the "Eighteenth Amendment to Lease") between the Trustee and the County (the Original Lease as amended and supplemented by the First Amendment to Lease, the Second Amendment to Lease, the Third Amendment to Lease, the Fourth Amendment to Lease, the Fifth Amendment to Lease, the Sixth Amendment to Lease, the Seventh Amendment to Lease, the Eighth Amendment to Lease, the Ninth Amendment to Lease, the Tenth Amendment to Lease, the Eleventh Amendment to Lease, the Twelfth Amendment to Lease, the Thirteenth Amendment to Lease, the Fourteenth Amendment to Lease, the Fifteenth Amendment to Lease, the Sixteenth Amendment, the Seventeenth Amendment to Lease and Eighteenth Amendment to Lease, as now or hereafter amended or supplemented is referred to herein as the "Lease").

1.3 To finance the acquisition, construction, improvement and equipping of the Facilities, the County and the Trustee have executed and delivered that certain Declaration of Trust dated as of September 1, 1992 (the "Original Trust"), as amended by the First Supplemental Declaration of Trust, dated as of November 1, 1994 (the "First Supplemental Trust"), the Second Supplemental Declaration of Trust, dated as of April 1, 1997 (the "Second Supplemental Trust"), the Third Supplemental Declaration of Trust, dated as of April 1, 1999 (the "Third Supplemental Trust"), the Fourth Supplemental Declaration of Trust, dated as of December 1, 2000 (the "Fourth Supplemental Trust"), the Fifth Supplemental Declaration of Trust, dated as of September l, 2004 (the "Fifth Supplemental Trust"), the Sixth Supplemental Declaration of Trust, dated as of October 1, 2005 (the '"Sixth Supplemental Trust"), the Seventh Supplemental Declaration of Trust, dated as of October l, 2005 (the "Seventh Supplemental Trust"), the Eighth Supplemental Declaration of Trust, dated as of October 1, 2006 (the "Eighth Supplemental Trust"), the Ninth Supplemented Declaration of Trust, dated as of August 1, 2007 (the "Ninth Supplemental Trust"), the Tenth Supplemental Declaration of Trust, dated as of October 1, 2007 (the "Tenth Supplemental Trust"), the Eleventh Supplemental Declaration of Trust, dated as of September 1, 2008 (the "Eleventh Supplemental Trust"), the Twelfth Supplemental Declaration of Trust, dated as of November 1, 2010 (the "Twelfth Supplemental Trust"), the Thirteenth Supplemental Declaration of Trust, dated as of September l, 2011 (the "Thirteenth Supplemental Trust"), the Fourteenth Supplemental Declaration of Trust, dated as of November 1, 2013 (the "Fourteenth Supplemental Trust"), the Fifteenth Supplemental Declaration of Trust, dated as of November 1, 2014 (the "Fifteenth Supplemental Trust"), the Sixteenth Supplemental Declaration of Trust, dated as of October 1, 2016 (the "Sixteenth Supplemental Trust"), the Seventeenth Supplemental Declaration of Trust dated as of December 1, 2017 and the Eighteenth Supplemental Declaration of Trust (the "Eighteenth Supplemental Trust") (the Original Trust as amended and supplemented by the First Supplemental Trust, the Second Supplemental Trust, the Third Supplemental Trust, the Fourth Supplemental Trust, the Fifth Supplemental Trust, the Sixth Supplemental Trust, the Seventh Supplemental Trust, the Eighth Supplemental Trust, the Ninth Supplemental Trust, the Tenth Supplemental Trust, the Eleventh Supplemental Trust, the Twelfth Supplemental Trust, the Thirteenth Supplemental Trust, the Fourteenth Supplemental Trust, the Fifteenth Supplemental Trust, the Sixteenth Supplemental Trust, the Seventeenth Supplemental Trust, the Eighteenth Supplemental Trust, as now or hereafter amended or supplemented, the "Trust Agreement") pursuant to which the Trustee has from time to time issued various series of Certificates of Participation (as defined in the Trust Agreement, the "Certificates") in the lease payments to be made by the County under the Lease.

1.4 On August 25, 2020, the governing body of the County adopted Resolution MC20-59 (the "2020 Resolution") which, among other things, found it necessary, and appropriate to carry out its governmental and proprietary functions to issue Certificates of Participation (Limited Tax General Obligation) (defined in the 2020 Resolution as "New Certificates" in one or more series to finance the costs related to the following: (a) the replacement, remodeling, installation, equipping and/or improving of the County's existing chiller system; (b) replacement, remodeling, constructing, equipping and/or improving the County's Highway Shop; (c) remodeling, equipping and improving of the County Administration Building and Extension Building; (d) the acquisition of real property for any of the foregoing or for the purpose of parking or other ancillary uses by the county (herein, "Additional Land"), and (e) the making of any site improvements in connection with any of the foregoing(the costs of undertaking the foregoing, together with any other expense or undertaking authorized and financed with proceeds of the transactions authorized hereunder being referred to collectively as the "Projects" or individually as a "Project") and subsequently issued the Certificates of Participation, Series 2020 to finance $9,800,000 of costs of the Project pursuant to the Eighteenth Amendment to Lease and the Eighteenth Supplemental Trust.

1.5 The governing body of the County now finds and determines it to be necessary and appropriate, and in the public interest, that the Trustee execute and deliver a Supplemental Declaration of Trust which will supplement and amend the Trust Agreement for the purpose of issuing new Certificates of Participation (the "Refunding Certificates") to refund on a current basis the Certificates of Participation, Series 2010A which are currently outstanding in the aggregate principal amount of $1,585,000 (the "Certificates to be Refunded") which refunding of the Certificates to be Refunded is expected to provide a reduction in the lease payments associated with the Certificates to be Refunded.

1.6 The governing body further finds and determines it to be necessary and appropriate, and in the public interest, to cause the Refunding Certificates to be issued in conjunction with the issuance of Certificates authorized by the 2020 Resolution in order to finance additional costs of the Project (the "Project Certificates"), thereby realizing efficiencies and economies of scale and to provide for further cost savings. Accordingly, the County and the Trustee propose to execute and deliver one or more Supplemental Declaration of Trust (collectively, the "New Supplemental Trust"), which will supplement and amend the Trust Agreement pursuant to which the Trustee will (i) issue one or more series of Certificates of Participation (collectively, whether Project Certificates, Refunding Certificates or both, the "New Certificates") in the lease payments to be made by the County under the Lease, as amended by one or more Amendments to Lease-Purchase Agreement (each "New Amendment to Lease") and (ii) receive, hold and invest the proceeds of the sale of the New Certificates and deposit (A) a portion of the proceeds in the Construction Account to pay costs associated with the Project authorized under the 2020 Resolution and (B) that portion of the proceeds necessary to refund and redeem the Certificates to be Refunded in a refunding account (the "Refunding Account"). In addition, any excess proceeds from the New Certificates, or any other prior series of Certificate of Participation may be used to pay costs of any capital expenditures associated with any Facilities leased pursuant to the Lease. The New Certificates may be divided and issued into more than one series in which case they shall be designated and identified by designation of years and/or letters (e.g. Series 2022A, Series 2022B, Series 2022C, etc.) and each New Amendment to Lease and New Supplemental Trust shall be designated numerically in sequence (e.g. Nineteenth, Twentieth etc.). In addition, to the extent permitted under Section 265 of the Code (as defined below), one or more series of New Certificates shall be designated "bank qualified".

1.7 The Refunding Certificates authorized hereunder will be offered pursuant to an Official Statement which may be the same Official Statement authorized by the 2020 Resolution for the Offer of the Project Certificates (separately or collectively, the "Official Statement").

1.8 If any Additional Land is to be acquired with proceeds of the Project Certificates or if any Project is not currently located on land which is already subject to the Ground Lease, the Chairman and County Auditor have been authorized pursuant to the 2020 Resolution to execute and deliver a quit claim deed or supplement to Ground Lease relating to such Additional Land or site of any such Project to the Trustee for inclusion in the Ground Lease and the Ground Lease, as so amended and supplemented, shall lease such site back to the County pursuant to the Lease. As of the date of this Resolution, it is anticipated that it will be necessary to add the parcel for the new Highway Shop at 2300 E 6oth ST N to the Ground Lease which is legally described as Tract 2 Minnehaha County Addition SE1/4 27 102 49 Mapleton Township 102-49. The foregoing legal description is subject to refinement and correction as necessary to include said parcel in the Ground Lease.

1.9 Forms of the following documents relating to the Refunding Certificates are directed to be prepared by Perkins Coie LLP, as Bond Counsel, and submitted to the County and are hereby directed to be filed with and approved by the County Auditor and the Deputy State's Attorney (all or any of which may be combined into similar documents which have been authorized by the 2020 Resolution with respect to the Project Certificates): (a) the New Amendment to Lease, (b) the New Supplemental Trust and (c) the Certificate Purchase Agreement and (d) a Continuing Disclosure Undertaking with respect to the New Certificates (the “Continuing Disclosure Undertaking” and, together with the New Amendment to Lease, the New Supplemental Trust, the Certificate Purchase Agreement and any and all related documents, certificates, and other instruments in connection with the New Certificates herein referred to as the "Documents").

1.10 Pursuant to the 2020 Resolution, New Certificates were authorized to be issued in a principal amount not to exceed $25,000,000 to finance costs of the Projects. There has heretofore been issued under the authority of the 2020 Resolution $9,800,000 of Certificates of Participation, Series 2020 so that the remaining authorized amount of Certificates to be issued under 2020 Resolution is $15,200,000.

Section 2 Authorization of Documents.
2.1 Authorization and Approval of the Documents for the Refunding Certificates. The refunding of the Certificates to be Refunded described above is found to be in the public interest and favorable to the County and its residents, and is hereby approved. The Chairman and County Auditor are authorized to approve the principal amount of a new Amendment to Lease and related series of Refunding Certificates to refund the Certificates to be Refunded in an aggregate amount not to exceed $2,000,000 by providing for a deposit in the Refunding Account sufficient to refund and redeem all of the Certificates to be Refunded. The term for the Refunding Certificates shall not exceed eleven (11) years from the date of the related Amendment to Lease and the interest rate or rates thereon shall not exceed a rate equivalent to a bond yield (calculated consistent with the arbitrage regulations currently applicable to tax exempt bonds pursuant to Section 148 of the Code) of 3.5% per annum. The Refunding Certificates are to be sold to the Underwriter pursuant to a negotiated sale to be evidenced by a Certificate Purchase Agreement (the “Certificate Purchase Agreement”) between the County and Collier Securities (the "Underwriter"), which Certificate Purchase Agreement shall specify a purchase price of not less than 99.2%.

2.2 Amended to Authorization and Approval Documents for the Project Certificates Pursuant to the 2020 Resolution. The forms of Documents authorized with respect to the Project Certificates under the 2020 Resolution are hereby amended such that the minimum purchase price under the Certificate Purchase Agreement shall not be less than 99.2%. Subject to the amendment set forth in the preceding sentence and the authority elsewhere in this Resolution to combine the offer, sale and related documentation of the Project Certificates and the Refunding Certificates, the 2020 Resolution is hereby incorporated herein as if expressly set forth in full and is ratified and confirmed in all other respects.

2.3 The Documents for the Project Certificates and Refunding Certificates shall are hereby approved if the County Auditor deems them appropriate and the Documents are approved by the Deputy State's Attorney. The Chairman and the County Auditor are directed to execute the Documents if approved by the County Auditor. Copies of all Documents shall be delivered, filed and recorded as provided therein. The Chairman and the County Auditor and the Deputy State's Attorney are also authorized and directed to execute such other instruments as may be required to give effect to the transactions therein contemplated. The County will cooperate in the issuance of the New Certificates and the Chairman, the County Auditor and the Deputy State's Attorney shall execute such other instruments as are necessary to the issuance of the New Certificates.

Section 3 Modification, Absence of Officers. The approval hereby given to the Documents includes an approval of such additional details therein as may be necessary and appropriate and such modifications thereto, deletions therefrom and additions thereto as may be necessary and appropriate and approved by the Deputy State's Attorney prior to the execution of the Documents. The execution of any instrument by the appropriate officer or officers of the County herein authorized shall be conclusive evidence of the approval of such documents in accordance with the terms hereof. In the absence of the Chairman or the County Auditor, any of the Documents authorized by this resolution to be executed may be executed by such officer as, in the opinion of the Deputy State's Attorney, may execute documents in their stead.

Section 4 Payment of Lease Payments. The County will pay to the Trustee promptly when due, all of the Lease Payments (as defined in the Lease) and other amounts required by the Lease. To provide moneys to make such payments the County will include in its annual budget, for each fiscal year during the term of the Lease, moneys sufficient to pay and for the purpose of paying all Lease Payments and other amounts payable under the Lease, and will take all other actions necessary to provide moneys for the payment of the obligations or the County under the Lease from sources of the County lawfully available for this purpose, including the levy of such taxes as may be necessary therefor, including levies under South Dakota Codified Laws Section 10-13-35, subject only to the limitations on such levies imposed by South Dakota law.

The County agrees and covenants to include in its annual budget for each fiscal year during the term of the Lease moneys sufficient to pay and for the purpose of paying the Lease Payments pursuant to the Lease, as amended and supplemented by the New Amendment to Lease, and to levy a tax pursuant to South Dakota Codified Laws Section 7-25-1, and in conformity with the South Dakota Codified Laws Section 10-13-35 and South Dakota Constitution Article XIII Section 5, in an amount which will generate an amount sufficient and for the purpose of paying the Lease Payments pursuant to the New Amendment to Lease, to the extent permitted by law and to take all other actions necessary to provide moneys for the payment of the Lease Payments pursuant to the New Amendment to Lease from sources of the County lawfully available for such purpose.

Section 5 Tax Matters. The County covenants and agrees with the Trustee and the registered owners from time to time of the New Certificates that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the New Certificates to become subject to taxation under the Internal Revenue Code of 1986, as amended (the "Code"), and applicable Treasury Regulations (the "Regulations"), and covenants to take any and all actions within its powers to ensure that the interest on the New Certificates will not become subject to taxation under the Code and the Regulations. The County will cause to be filed with the Secretary of the Treasury an information reporting statement in the form and at the time prescribed by the Code. The County will comply with the provisions of Section 148(f) of the Code, relating to the rebate of arbitrage profits to the United States, if and to the extent that such provisions are applicable to the Lease and the New Certificates.

Section 6 Arbitrage Certification. The Chairman and the County Auditor, being the officers of the County charged with the responsibility for issuing the New Certificates pursuant to this Resolution, are authorized and directed to execute and deliver to the Trustee a certificate in accordance with the provisions of Section 148 of the Code and Sections 1.148-1 et al of the Regulations, stating the facts, estimates and circumstances in existence on the date of issue and delivery of the New Certificates which make it reasonable to expect that the proceeds of the New Certificates will not be used in a manner that would cause the Lease or the New Certificates to be arbitrage bonds within the meaning of the Code and Regulations.

Section 7 Official Statement. The County will participate in the preparation of the Preliminary Official Statement and the final Official Statement relating to the New Certificates and hereby authorizes the County Auditor to consent to the distribution of the Official Statement by the purchaser of the New Certificates in connection with the sale of the New Certificates. The Preliminary Official Statement, except for Permitted Omissions, will be deemed final by the County when authorized by the County Auditor as of its date within the meaning of Rule 15c2-12 of the Securities and Exchange Commission under the Securities Exchange Act of 1934.

As used herein, "Permitted Omissions" shall mean the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, rating, if any, and other terms of the New Certificates depending on such matters.

Section 8 Amendment. This resolution may be amended from time to time, prior to the issuance of the New Certificates, by an administrative resolution adopted by this Board.

Section 9 Date Resolution Becomes Effective. This resolution shall become effective twenty days after publication in accordance with South Dakota Codified Laws Section 7-18A-8.

Adopted this 4th day of January, 2022.
Cindy Heiberger
Its Chairman
ATTEST:
Bennett Kyte
County Auditor

BRIEFING

Carol Muller, Commission Administrative Officer, introduced Doug Rowe and Alec Leddy with Berry Dunn, who were both present via teleconference, to present a prosecution system comparison report. The report highlighted the background and comparison summary as well as the comparison of both the County Prosecution Case Management System and ProsecutorbyKarpel Case Management System. The strengths and weaknesses of each software program were discussed in detail. The strengths of the County Prosecution Case Management System include numerous functional benefits, including Discovery, notification features, and email attachments; interfaces with all necessary justice partners; and be able to collect and store files and data in a cost-efficient manner using external hard drives. The weaknesses of the County Prosecution Case Management System are frequently freezes/crashes, limiting usability and harming user trust; ineffective report development; does not assist with caseload management; takes time to accommodate State and County statutes; and ineffective system calendaring. ProsecutorbyKarpel Case Management System offers the following strengths: commercial-off-the-shelf; meets all County functional and technical requirements; mature and cloud-hosted; and well-estimated interfaces with justice partners with flat fee pricing. The weakness of ProsecutorbyKarpel Case Management are the lack of customizability and potential increase in storage costs.

ZONING APPEAL

Commissioner Bender excused herself from the meeting at 10:24 a.m.

Kevin Hoekman, Planner, gave a briefing on an appeal of a decision by the Minnehaha County Planning Commission to approve Conditional Use Permit #21-76 Allowing Construction of a Public Facility. This is a continuation of the hearing that was held on December 21,2021. Chair Heiberger reminded the parties that the Commission had heard all previous arguments and requested that the parties restrict their presentation to the question raised at the prior hearing as to the definition of a public utility.

Chair Heiberger asked for proponents and opponents to speak on the topic.

Proponents
Jason Sutton, representing Northern Natural Gas Company, presented his arguments for granting the conditional use permit. Mr. Sutton stated that the property in question is zoned as AG-1 and that the project would be eligible for a conditional use permit under the ordinance. Mr. Sutton went on to present his arguments why Northern Natural Gas Company should be considered a public utility.

William Taylor, representing Brightmark, presented a brief on the history of the natural gas regulation in the United States. Mr.Taylor also presented his arguments why Northern Natural Gas Company should be considered a public utility and why the project met the requirements of a public utility facility under Minnehaha County ordinance.

Opponents
Reece Almond, representing David Wirkus and Nicole Dybvig-Wirkus, presented his arguments why Northern Natural Gas Company should not be considered a public utility. Mr. Almond stated that according to the ordinance Northern Natural Gas does not meet the definition of a public utility based on Northern Natural Gas Company's own arguments to the South Dakota Public Utilities Commission that it is not a public utility.

MOTION by Karsky, seconded by Barth, pursuant to § 19.06 of Minnehaha County 1990 Revised Zoning Ordinance, that the decision of the Planning Commission be amended as follows: that the application be approved under § 3.04(X) of the 1990 Revised Zoning Ordinance rather than under § 3.04(W) and that all of the terms and conditions imposed by the Planning Commission would still apply. By roll call vote: 4 ayes.

Commissioner Bender returned to the meeting at 11:12 a.m

LEGISLATIVE UPDATE

Tyler Klatt, Assistant Commission Administrative Officer, gave a briefing on the 2022 Legislative bills that impact Minnehaha County specifically highlighting House Bills (HB) 1001. HB 1001 would revise the freeze on assessments for dwellings of disabled and senior citizens. The legislation would address the eligibility criteria for the Disabled and Senior Citizen Assessment Freeze Program; increase the maximum single-member household income from $25,000 to $35,000; increase the maximum multi-member household income from $25,000 to $45,000; amend the full and true market value of single-family dwellings which the statute does into apply to, from $150,000 to $300,000 or more; and changes the method for increasing the above maximums to an annual increase, beginning January 1, 2023. This legislation is part of the Sioux Falls-Minnehaha County joint legislative priorities and the SD Association of County Commissioners resolutions.

Motion by Karsky, seconded by Beninga, to recess at 11:15 a.m. to 11:25 a.m. 5 ayes

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

Motion by Karsky, seconded by Beninga, to adjourn. 4 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, January 18, 2022.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chair

ATTEST:

Kym Christiansen
Commission Recorder