

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 AM on February 28, 2023, pursuant to adjournment on February 21, 2023. COMMISSIONERS PRESENT WERE: Bender, Beninga, Bleyenberg, Karsky, and Kippely. Also present were Kym Christiansen, Commission Recorder, and Eric Bogue, Chief Civil Deputy State's Attorney.

MOTION by Karsky, seconded by Bleyenberg, to approve the agenda. 5 ayes

CONSENT AGENDA

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

Commission Meeting Minutes for February 21, 2023

Bills to be Paid \$774,610.47

3200 RUSSELL LLC Motels \$60, A&B BUSINESS SOLUT Lease-Rental Agreement \$182.38, AARON GEORGE PROPERT Welfare Rent \$700, AFFORDABLE HOUSING S Welfare Rent \$239, AIRWAY SERVICE INC Automotive/Small Equipment \$1776.73, AIRWAY SERVICE INC Gas Oil & Diesel \$162.17, ALEX WAHL Uniform Allowance \$345, ALL NATIONS INTERPRE Interpreters \$1051.5, ALL STAR INVESTIGATI Attorney Fees \$350, ANDERSON, JENNIFER Bd Evaluations (Minnehaha) \$4711.54, ANGEL, EDWARD P Attorney Fees \$195, ASHLEY'S CABINETS Jail Repairs & Maintenance \$33537.2, ASSOC OF SD WEED & P Memberships \$200, AVERA MCKENNAN Hospitals \$21607.88, BECK, JEFFREY R Attorney Fees \$1925.8, BENNINGTON HILL LLC Welfare Rent \$2325, BLACKBURN & STEVENS Attorney Fees \$267.5, BOB BARKER COMPANY I Inmate Supplies \$24237.36, BOBCAT COMPANY Heavy Equipment \$6061.76, BRAUN, MASON Investigators Expenses \$181.56, BUTLER MACHINERY COM Trucks/Tractors/Trailers \$127547.3, CANFIELD BUSINESS IN Administration Bldg \$99109.14, CARROLL INSTITUTE Professional Services \$755, CENTER FOR FAMILY ME Clinics - Auxiliary Services \$1694, CENTURY BUSINESS PRO Maintenance Contracts \$38.5, CHRIS BRYAN Business Travel \$40, CONSTELLATION Natural Gas \$9220.59, CUMMINS INC Coliseum \$464.17, CUMMINS INC HHS Maintenance \$493.79, CUMMINS INC JDC Maintenance \$856.71, CUMMINS INC Outside Repair \$857.54, CYNTOM PROPERTIES AN Welfare Rent \$2275, DAKOTA FLUID POWER I Truck Repairs & Maintenance \$1029.57, DAVE LUNSTRA Sign Deposits \$50, DUBLIN SQUARE APARTM Welfare Rent \$2073.45, DUST TEX SERVICE INC Janitorial Chemical Supplies \$23.16, DYNAMIC SERVICES LLC Welfare Rent \$3274.38, ENGLISH LAW Attorney Fees \$6300, ETC FOR HER MAGAZINE Advertising \$4050, EXHAUST PROS OF SIOU Automotive/Small Equipment \$678.99, FASTENAL COMPANY Heavy Equip Repairs & Maint \$14.11, FASTENAL COMPANY Jail Repairs & Maintenance \$75.72, FASTENAL COMPANY JDC Maintenance \$5.14, FASTENAL COMPANY Small Tools & Shop Supplies \$233.96, FOX, DANIEL Bd Exp Fees (Yankton) \$144.2, G & H INVESTMENTS LL Welfare Rent \$384, G & R CONTROLS INC Coliseum \$360.82, G & R CONTROLS INC Heat, Vent & AC Repairs \$990.68, G & R CONTROLS INC JDC Maintenance \$326.53, GRAYBAR ELECTRIC COM Electrical Repairs & Maint \$1633.84, GUNNER, ANDREA Court Reporters \$2381.8, HARR Welfare Rent \$2235, INFRASTRUCTURE DESIG Architects & Engineers \$6390.7, INNOVATIVE OFFICE SO Administration Bldg \$498.2, INNOVATIVE OFFICE SO Janitorial Chemical Supplies \$-118.2, INTERSTATE OFFICE PR Office Supplies \$196.38, JASON MCCUBBIN Business Travel \$40, JCL SOLUTIONS Inmate Supplies \$1697.5, JCL SOLUTIONS Janitorial Chemical Supplies \$116.48, JCL SOLUTIONS Kitchen/Cleaning Supplies \$1835.73, JD PROPERTY SOLUTION Welfare Rent \$920.93, JDL PROPERTIES LLC Welfare Rent \$2280, JEFFERSON PARTNERS L Transportation \$1411.16, JENNA GIRARD Business Travel \$116, JOHNSON LEGAL NURSE Professional Services \$290, JOHNSON, RICHARD L Attorney Fees \$1467.53, KATTERHAGEN, MARK Bd Exp Fees (Yankton) \$15, KAYCEE SINA Taxable Meal Allowances \$14, KRUSE LAW OFFICE Attorney Fees \$2900, KURITA AMERICA HOLDI Heat, Vent & AC Repairs \$4989.42, LACEY RENTALS INC Lease-Rental Agreement \$130, LAMP Interpreters \$34.5, LARSON, VALERIE Bd Exp Fees (Yankton) \$63, LEWIS & CLARK BEHAVI Bd Evaluations (Yankton) \$1472, LEWNO LAW OFFICE Bd Exp Fees (Yankton) \$689.77, LOCKWOOD, DARCY Bd Exp Fees (Yankton) \$78, LOPEZ, REBECA Interpreters \$226.67, LOVING, PHILIP Bd Evaluations (Minnehaha) \$3428.38, LUTHER, JEFF Medical Director \$2750, LYNN, JACKSON, SHULT Attorney Fees \$913.5, MAC'S HARDWARE Jail Repairs & Maintenance \$34.32, MARAS, JACOB Business Travel \$116, MENARD INC Bldg/Yard Repair & Maintenance \$208.81, MENARD INC Plumbing & Welding \$10.49, METRO COMMUNICATIONS Miscellaneous Expense \$207601.93, MIDWAY SERVICE INC Gas Oil & Diesel \$5006.72, MIDWEST WELLNESS Clinics - Auxiliary Services \$1300, MINNEHAHA COUNTY Prisoner/Bond Accounts \$163.33, MORGAN COFFMAN Taxable Meal Allowances \$28, NAPA AUTO PARTS Automotive/Small Equipment \$28.06, NAPA

AUTO PARTS Parts Inventory \$68.94, NICHOLSON LAW Attorney Fees \$3813.65, NICHOLSON LAW Child Defense Attorney \$1158.2, NYBERGS ACE HARDWARE Other Supplies \$79.78, PETTIGREW HEIGHTS AP Welfare Rent \$283, PIONEER ENTERPRISES Burials \$2000, PREMIER REAL ESTATE Welfare Rent \$1818, PURPLE COMMUNICATION Interpreters \$460, QUALIFIED PRESORT SE Postage \$208.32, R&L SUPPLY LTD HHS Maintenance \$44.96, R&L SUPPLY LTD Jail Repairs & Maintenance \$1781.39, R&L SUPPLY LTD JDC Maintenance \$363.09, R&L SUPPLY LTD Plumbing & Welding \$15.55, RED WING OF SIOUX FA Special Projects \$175, REEVES, MEGAN Court Reporters \$227.8, RENTOKIL NORTH AMERI Outside Repair \$294.93, RENTOKIL NORTH AMERI Professional Services \$68.93, RESOLUTE LAW FIRM IN Attorney Fees \$2993.1, RINGING SHIELD, NICHOLSON Bd Evaluations (Minnehaha) \$660, RISTY, MAXINE J Court Reporters \$195.5, ROTOROOTER Trash Removal \$265, SAFE HOME LTD PTNRSH Rent Subsidies \$12094, SALEM, KARLA R Bd Evaluations (Minnehaha) \$3437.5, SANFORD CLINIC Contract Services \$27777.66, SCHUMACHER ELEVATOR Jail Repairs & Maintenance \$1293.98, SCHUSTER, PAUL Investigators Expenses \$7.65, SD HUMAN SERVICES CE Psych Evals \$600, SD SHERIFFS ASSOC Education & Training \$115, SF SPECIALTY HOSPITAL Professional Services \$395, SHERWIN WILLIAMS Building Repairs & Maintenance \$37.2, SIOUX EMPIRE FAIR AS Miscellaneous Expense \$12500, SIOUX FALLS CITY Electricity \$12951.51, SIOUX FALLS CITY Water - Sewer \$990.6, SIOUX VALLEY ENERGY Welfare Utilities \$422, STATE OF SOUTH DAKOTA Amts Held-Daily Scram \$4141, STATE OF SOUTH DAKOTA Amts Held-Remote Breath \$423, STATE OF SOUTH DAKOTA Architects & Engineers \$51.89, STATE OF SOUTH DAKOTA Printing/Forms \$24.5, STATE OF SOUTH DAKOTA Professional Services \$43.25, SYVERSON TILE & STON Jail Repairs & Maintenance \$36000, TAFOLLA, MIRANDA RAE Court Reporters \$592.9, TAOPI COMMUNITY Lease-Rental Agreement \$75, TELEPHONE SYSTEMS & Coliseum \$105, THOMSON REUTERS - WE Books \$65, THURMAN, CREIGHTON Attorney Fees \$231, TOMACELLI'S TOO Jury Fees \$169.51, TSCHETTER & ADAMS LA Attorney Fees \$217.45, TZADIK SIOUX FALLS I Welfare Rent \$4108, UNIVERSITY PARK LEGAL Professional Services \$600, US FOODS INC Other Supplies \$39.8, US FOODS INC Professional Services \$828.03, VANDERRIGHT Welfare Rent \$2279, VITAL RECORDS Records Storage \$3548, WALTON, MARCUS Child Defense Attorney \$1932.8, WEST 11TH PROPERTIES Welfare Rent \$117, WHEELCO Truck Repairs & Maintenance \$1058.04, WOODS FULLER SHULTZ Professional Services \$3500, XCEL ENERGY Electricity \$3543.46, XCEL ENERGY INC Welfare Utilities \$56.17, YANKTON COUNTY Attorney Fees \$2134.65, YANKTON COUNTY Return Of Service \$50.

February 2023 Commission Salaries

COMMISSION	Salaries	\$38,308.28
AUDITOR	Salaries	\$67,112.37
TREASURER	Salaries	\$98,712.43
INFORMATION TECHNOLOGY	Salaries	\$91,884.73
STATES ATTORNEY	Salaries	\$439,800.27
PUBLIC DEFENDER	Salaries	\$263,695.35
PUBLIC ADVOCATE	Salaries	\$81,736.01
FACILITIES	Salaries	\$61,772.67
EQUALIZATION	Salaries	\$111,789.25
REGISTER OF DEEDS	Salaries	\$56,256.44
HUMAN RESOURCES	Salaries	\$37,201.23
SHERIFF	Salaries	\$1,312,749.94
JUVENILE DETENTION CENTER	Salaries	\$199,661.66
HIGHWAY	Salaries	\$156,890.21
HUMAN SERVICES	Salaries	\$149,919.33
MUSEUM	Salaries	\$89,969.65
PLANNING	Salaries	\$43,598.60
EXTENSION	Salaries	\$3,329.60

Routine Personnel Actions

New Hires

1. Alison Hanes, Administrative Clerk for the Human Services Office, at \$19.81/hour (9/2) effective 3/6/2023.

Step Increases

1. Alexander Suurmeyer, Air Guard Shift Supervisor for the Air Guard, at \$30.90/hour (17/3) effective 3/7/2023.
2. Craig Wittrock, Air Guard Shift Supervisor for the Air Guard, at \$37.66/hour (17/11) effective 3/7/2023.
3. Mark Russell, Air Guard Shift Supervisor for the Air Guard, at \$38.58/hour (17/12) effective 3/7/2023.
4. Renee Voss, Accounting Manager for the Auditor's Office, at \$41.57/hour (19/11) effective 3/1/2023.
5. Paavo Rasmussen, Education Assistant for the Museum, at \$31.67/hour (12/14) effective 2/14/2023.
6. Betsy Doyle, Chief Deputy Defender for the Public Defender's Office, at \$4,816.00/biweekly (25/4) effective 2/22/2023.

ALCOHOL BEVERAGE LICENSE

Ben Kyte, Auditor, was present for the public hearing deferred from February 7, 2023, regarding the three applications for Retail (On-Off Sale) Malt Beverage and SD Farm Wine Licenses submitted by Triple J, Inc. The applications are for the property legally described as Suite 101, Suite 102, and Suite 103 of Lot A (Ex H-2) of Lots 1, 2, & 3 Block 3 Pleasant View Acres N1/2 SE1/4 & S1/2 NE 1/4 19-101-48 and is located at 7605 E Arrowhead Parkway in Sioux Falls. The license applications would allow for the sale of malt beverages and SD Farm Wine Beverages at their establishment located in Minnehaha County. The applications were sent to the Sheriff's Department, State's Attorney's Office, and the Planning Department. No concerns were raised by the Sheriff's Department or the State's Attorney's Office. The initial concern raised by the Planning Department related to the C Commercial zoning of this parcel would require a conditional use permit. Upon further review by the Planning Department, the records indicate that the existing bar/lounge was established prior to the enacting of the Zoning Ordinance and therefore is allowed to operate if the conditional use permit was granted. The Planning Department also raised a concern that the proposed liquor licenses is inconsistent with the existing medical cannabis license at the same location. Triple J, Inc. currently holds a Retail On-Sale Liquor and Retail (On-Off Sale) Malt Beverage and SD Farm Wine license at this same location. The fee for a new license is \$300.00 plus \$60.00 publishing fee. Minnehaha County will keep \$210.00 of the fees while \$150.00 will be submitted to the State of South Dakota. Mr. Kyte also noted that he had received two emails from neighbors that mentioned their concerns about the expansion of beer and wine licenses to this location.

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

Proponents

Emmett Reistroffer, proponent and partner of Genesis Farms, spoke about plans that Genesis Farms for the construction of the facility. Mr. Reistroffer stated that Genesis Farms does not want to get in the way of the building plans that the owners of The Alibi might have. Further discussion between Mr. Reistroffer and Commission regarding the status of the license was held.

There was no one in attendance to speak in opposition to the issuance of the license.

Commission discussion included the following topics: the opportunity for the applicant to withdraw the application had been given along with a fair opportunity to owners for a presentation on the proposed business plan; issues that are created with having both a medical cannabis location and liquor licenses at the same location, which is inconsistent with the site plan provided to Minnehaha County. Finally, a discussion was held on the time frame for the applicants to reapply for the Retail (On-Off Sale) Malt Beverage and SD Farm Wine License should the applications be denied.

MOTION by Kippley, seconded by Beninga, to deny three license applications due to the unsuitability of the

proposed location. By roll call vote: 4 ayes 1 nay Karsky.

AGREEMENT

Mike Mattson, Warden, presented a request to sign the 2023 Detention Services Intergovernmental Agreement with the US Department of Justice/US Marshal Service. This agreement is for 36-months and reflects an increase in the per diem bed rate from \$97.00 to \$112.00 per day. The proposed agreement has been reviewed by the Sheriff's Office and State's Attorney's Office. MOTION by Beninga, seconded by Karsky, to authorize the Sheriff's Office to sign the 2023 Detention Services Intergovernmental Agreement with the US Department of Justice/US Marshals Service. By roll call vote: 5 ayes.

PRESENTATION

Doug Blomker, Safety Committee Chair, presented the annual briefing for the Minnehaha County Safety Committee. The Minnehaha County safety committee met monthly during the past year to review workers' compensation claims as well as any liability claims that the County may have had in order to discuss preventability and possible changes to avoid injuries. In 2022, the following training sessions were held: Defensive Driving Training, Back Injury Prevention, and Slips, Trips, and Falls Prevention. The members of the safety committee typically complete routine building inspections of the County buildings, which include the Energy Plant, Juvenile Detention Center, Work Release Center, Annex, Extension, Highway Shop, Health and Human Services, and the County Administration Building. During 2022, the Safety Committee requested ARPA funds to purchase twelve new AEDS and six AEDS wall mounting cabinets to replace older units and add additional units to buildings. Finally, the presentation discussed the award that was received from the South Dakota Public Assurance Alliance as well as the annual training conference and loss control credit.

Chris Lilla, Director of Equalization, provided an annual presentation for the Equalization Department. The presentation highlighted the following: maintain and update county data, previous year sales, real estate assessment and market adjustments for Minnehaha County properties; approaches to value types, and track the development and growth of the County. The Equalization Department administers various exemption and benefit programs including owner occupied, elderly freeze, discretionary, disabled veteran, renewable energy credit, religious/educational/charitable exemptions, and agricultural exemption. The 2022 accomplishments were highlighted, as were the 2023 agenda and goals for the Equalization department. Discussion was held regarding how the assessed property values are calculated, information that will be available with the Beacon software; income limits for the elderly tax freeze as well as if there any properties that were reassessed multiple times during the year.

Kris Swanson, Treasurer, provided an annual presentation on the Treasurer's Office and highlighted the following: the moving of the Assistant Treasurer and one of the Accountants to the north end, where it's private and quiet, the placement of a camera to monitor transactions, the entire office has been painted and new office furniture has been added, hiring of one full time tax/license technician as well as the hiring of a third part time position. The presentation went on to highlight the monitoring of NSF checks along with the sending of courtesy notices to property owners for 2018 delinquent property taxes. Future projects for the Treasurer's Office include the addition of another window as well as another desk/computer area. Finally, the presentation discussed the fee related to the mailing out of license plates and informational monitors that display the instructions prior to getting in line.

AGREEMENT

Upon request of Tyler Klatt, Assistant Commission Administrative Officer, MOTION by Karsky, seconded by Kippely, to authorize the Chair to Sign the 2023 agreement for Quality Assurance Director for Rural Ambulance Services between Minnehaha County and Dr. Jeff Luther. By roll call vote: 5 ayes.

LEGISLATIVE UPDATE

Tyler Klatt, Assistant Commission Administrative Officer, gave a briefing on the 2023 Legislative bills that affect Minnehaha County. The legislative update also included a report that highlighted proposed legislation that deals directly with elections. There were 35 bills concerning election administration or absentee voting. There are some bills that do not impact county election processes and are not detailed in the report but are included with all of the election related bills. The update also included information regarding the financial impact certain bills will have on county finances.

PUBLIC COMMENT

Gary Meyer, Hartford, SD, spoke about election and pipeline concerns.

Kay Burckhardt, Valley Springs, SD, spoke about pipeline concerns.

Joy Hohn, Hartford, SD, spoke about pipeline concerns.

RJ Wright, Brandon, SD, spoke about pipeline concerns.

Cindy Meyer, Hartford, SD, spoke about election concerns.

Leah Anderson, Sioux Falls, SD, spoke about the deferring of the Freedom of Information Act request fee resolution.

COMMISSIONER LIAISON REPORTS

Commissioner Karsky reported on the Public Defender advisory committee that was held as well as the upcoming training provided by the South Dakota Association of County Commissioners.

Commissioner Beninga reported on the recent meeting of the W.H. Lyons Task Force meetings.

Commissioner Kippley reported on the recent meeting of the Planning and Zoning Commission as well as commented on the outstanding job done by the Highway Department during the last snow storm.

MOTION by Kippley, seconded by Karsky, to recess from 10:36 a.m. to 10:45 a.m. 5 ayes

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

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

The Commission adjourned until 9:00 a.m. on Tuesday, March 7, 2023.

APPROVED BY THE COMMISSION:

Jean Bender
Chair

ATTEST:

02/28/23

17045

Kym Christiansen
Commission Recorder