

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 AM on September 26, 2023, pursuant to adjournment on September 19, 2023. COMMISSIONERS PRESENT WERE: Bender, Beninga, Bleyenberg, Karsky, and Kippley. Also present were Kym Christiansen, Commission Recorder, and Eric Bogue, Chief Civil Deputy State's Attorney.

Chair Bender called the meeting to order.

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

CONSENT AGENDA

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

Commission Meeting Minutes for September 19, 2023

Bills to be Paid \$758,404.27

3200 RUSSELL LLC Motels \$2475, 3D SPECIALTIES INC Sign Supply Inventory \$1002.07, 46WEST OPERATING LLC Welfare Rent \$1941.33, A&B BUSINESS SOLUTI Lease-Rental Agreement \$170.52, ACCREDITATION AUDIT Subscriptions \$150, ADVANCED PEST SOLUTI Maintenance Contracts \$70, AIRWAY SERVICE INC Automotive/Small Equipment \$440.95, AIRWAY SERVICE INC Gas Oil & Diesel \$49.98, ALCOHOL MONITORING S Program Supplies \$4428.14, ALIGNMENT SHOPPE Truck Repairs & Maintenance \$408.5, ALL ABOUT TRAVEL INC MacArthur SJC Grant \$393.81, ALL NATIONS INTERPRE Interpreters \$85.2, ALL STAR INVESTIGATI Attorney Fees \$55.01, AMERICAN INK LLC Uniform Allowance \$104.29, ANDERSON, JENNIFER Bd Evaluations (Minnehaha) \$146.66, ANDERSON, SCOTT A. Business Travel \$132.02, ARCHITECTURE INC Architect, Engineers, and PMgt \$4509.08, ARGUS LEADER MEDIA Publishing Fees \$1415.12, ASH LAW OFFICE PLLC Child Defense Attorney \$1137.08, ASHLEY MUSCH Misc Revenue \$300, AUTOMATIC BUILDING C Contract Services \$486.75, AVERA HEALTH PLANS I Insurance Admin Fee \$3186.88, AVERA MCKENNAN Hospitals \$15269.49, AXIS FORENSIC TOXICO Lab Costs \$568, AXON ENTERPRISE INC Safety & Rescue Equipment \$419.2, BONANDER, RICHARD L Business Travel \$41.32, BRENDEN & MEADORS LLP Attorney Fees \$13688.25, BRENDEN & MEADORS LLP Child Defense Attorney \$2003.3, BUTLER MACHINERY COM Heavy Equip Repairs & Maint \$807.42, C & B OPERATIONS LLC Road Maint & Material \$101.42, CANFIELD BUSINESS IN HHS \$34728.94, CARRIE BAUER Misc Revenue \$150, CENTER FOR FAMILY ME Clinics - Auxiliary Services \$161.2, CENTURY BUSINESS PRO Lease Interest \$102.17, CENTURY BUSINESS PRO Lease Principal \$234.37, CENTURY BUSINESS PRO Maintenance Contracts \$413.55, CENTURYLINK LONG DIS Telephone \$11.62, CERTIFIED LANGUAGES Interpreters \$24.65, CHS INC Road Maint & Material \$263.5, CI TECHNOLOGIES INC Professional Services \$2400, CINTAS CORPORATION Janitorial Chemical Supplies \$295.02, CINTAS CORPORATION Uniform Allowance \$57.76, CIVIL DESIGN INC Architects & Engineers \$30620, CODY RATERMAN Misc Revenue \$300, COLTON LUMBER CO INC Bldg/Yard Repair & Maintenance \$3035.32, COLTON REDIMIX INC Road Maint & Material \$984, CONSTELLATION Natural Gas \$9573.44, CONSTRUCTION PRODUCT Bldg/Yard Repair & Maintenance \$-447, CONSTRUCTION PRODUCT Bridge Repair & Maintenance \$494.5, CONSTRUCTION PRODUCT Building Repairs & Maintenance \$57.05, DAKOTA FLUID POWER I Truck Repairs & Maintenance \$12.85, DAKOTA LETTERING ETC Uniform Allowance \$231.2, DAKOTA RIGGERS & TOO Automotive/Small Equipment \$5.67, DALTON LOOZE Business Travel \$206, DECASTRO LAW OFFICE Attorney Fees \$3488.2, DENNIS SUPPLY CO SF Heat, Vent & AC Repairs \$18.81, DGR ENGINEERING Architect, Engineers, and PMgt \$2000, DIAMOND MOWERS INC Truck Repairs & Maintenance \$1314.79, DRESSLER, MIKE Welfare Rent \$2290, ELECTRIC CONSTRUCTIO Electrical Repairs & Maint \$1287.25, ENCLAVE WHISPER Welfare Rent \$1546, ENGLISH LAW Attorney Fees \$6300, ERIN M JOHNSON PLLC Bd Exp Fees (Minnehaha) \$6163.2, ERIN M JOHNSON PLLC Crisis Intervention Program \$64.2, ETTERMAN ENTERPRISES Small Tools & Shop Supplies \$138.86, EXHAUST PROS OF SIOU Road Maint & Material \$575.88, FERGUSON ENTERPRISES Jail Repairs & Maintenance \$107.26, FLEETPRIDE INC Truck Repairs & Maintenance \$57.82, FRED THE FIXER INC Building Repairs & Maintenance \$65, G & R CONTROLS INC Coliseum \$150, GAGE AND CHELSEA DUR Abatement Interest \$41.84, GARRETSON COMMUNITY Transportation \$300, GENPRO ENERGY SOLUTI Road Maint & Material \$13225, GEORGE, MICHAEL Welfare Rent \$2550, GIRTON ADAMS Road Maint & Material \$167.5, GRAHAM TIRE CO NORTH Automotive/Small Equipment \$1253.28, GRAHAM TIRE CO NORTH Truck Repairs & Maintenance \$1256.42, GRAVETT, JAMIE Business Travel \$34, GREGG LANNERS Abatement Interest \$3.49, GUZMAN, SANDRA V Interpreters \$120, HERITAGE

FUNERAL HOM Burials \$6500, HOLIDAY INN CITY CEN Program Activities \$98, HOV SERVICES INC Archive/Preservation Supplies \$517.03, HS PROPERTIES Welfare Rent \$850, HYVEE ACCOUNTS RECEI Program Activities \$93.03, IMEG CORP Architects & Engineers \$9400, INNOVATIVE OFFICE SO Furniture & Office Equipment \$1608, INTERSTATE OFFICE PR Office Supplies \$243.06, IS RESTAURANT EQUIP Kitchen/Cleaning Supplies \$105.1, JASON ROSKENS Misc Revenue \$300, JCL SOLUTIONS Inmate Supplies \$2764.5, JCL SOLUTIONS Kitchen/Cleaning Supplies \$7847.38, JD'S HOUSE OF TROPHI Office Supplies \$32, JEFFERSON PARTNERS L Transportation \$843.79, JEO CONSULTING GROUP Architects & Engineers \$8756.35, JOHNSON, KATIE Attorney Fees \$1218.4, JOHNSON, KATIE Bd Exp Fees (Minnehaha) \$107, JOHNSON, RICHARD L Attorney Fees \$386.27, JW NIEDERAUER Bldg/Yard Repair & Maintenance \$46.97, KAILEE OLSON Misc Revenue \$300, KRUSE LAW OFFICE Attorney Fees \$2900, KYRA ENTERPRISES LLC Welfare Rent \$775, LACEY RENTALS INC Lease-Rental Agreement \$160, LACEY VILLAGE TOWNHO Welfare Rent \$800, LAMBERT HEATING & AI Tea-Ellis Range \$203.4, LAUGHLIN LAW LLC Attorney Fees \$1046.2, LOVING, PHILIP Bd Evaluations (Minnehaha) \$1576.69, LUTHER, JEFF Medical Director \$2750, LUTHERAN SOCIAL SVCS Interpreters \$65, MAC'S HARDWARE Motor/Machine/Equipment Repair \$38.99, MAC'S HARDWARE Uniform Allowance \$24.08, MASTER BLASTER Bldg/Yard Repair & Maintenance \$444.66, MATT AANENSON Business Travel \$25.4, MEADOWLAND APARTMENT Welfare Rent \$521, MENARD INC Bldg/Yard Repair & Maintenance \$1467.81, MENARD INC Bridge Repair & Maintenance \$187.13, MENARD INC Parks/Rec Repair & Maintenance \$98.99, MENARD INC Program Activities \$765.58, METRO COMMUNICATIONS Miscellaneous Expense \$209588.34, MIDAMERICAN ENERGY C Natural Gas \$16.88, MIDCONTINENT COMMUNI Amounts Held For Others \$117.39, MIDLAND INC Heat, Vent & AC Repairs \$346.25, MIDLAND INC Small Tools & Shop Supplies \$258.37, MIDWAY SERVICE INC Gas Oil & Diesel \$26229, MIDWEST WELLNESS Attorney Fees \$2200, MINNEHAHA COUNTY Prisoner/Bond Accounts \$79.99, MOTOROLA SOLUTIONS I Communication Equipment \$1639.9, MYERS & BILLION LLP Attorney Fees \$353.1, MYRL & ROYS PAVING I Road Maint & Material \$2779.15, NAPA AUTO PARTS Automotive/Small Equipment \$-5.81, NAPA AUTO PARTS Truck Repairs & Maintenance \$18.48, NICHOLE CARPER Child Defense Attorney \$2717.8, NORTHERN TRUCK EQUIP Truck Repairs & Maintenance \$69.28, NORTON OPERATING LLC Welfare Rent \$500, NOVAK Trash Removal \$56.88, OFFICE DEPOT INC Data Processing Supplies \$197.87, OFFICE DEPOT INC Office Supplies \$547.98, OLD ORCHARD CAFE MacArthur SJC Grant \$168.89, OREILLY AUTOMOTIVE S Truck Repairs & Maintenance \$17.99, PAM BOSSMAN Misc Revenue \$300, PARAGON HEALTH & WEL Blood Withdrawal \$5880, PETER DVORACEK Misc Revenue \$150, PETTIGREW HEIGHTS AP Welfare Rent \$1090, PIEDMONT PLASTICS Jail Repairs & Maintenance \$58, PIEDMONT PLASTICS Program Activities \$2234, R&L SUPPLY LTD Jail Repairs & Maintenance \$77.62, RAC RENTALS, LLC Welfare Rent \$2100, RADCO TRUCK ACCESSOR Automotive/Small Equipment \$525, REDWOOD COURT LTD PA Welfare Rent \$700, RENTOKIL NORTH AMERI Contract Services \$325.84, RENTOKIL NORTH AMERI Professional Services \$74.44, REYNOLDS LAW LLC Child Defense Attorney \$5279.1, RISK ANALYSIS & MANA Insurance Admin Fee \$2840.5, RISTY, MAXINE J Court Reporters \$306.8, RIVERVIEW PARK LTD Welfare Rent \$525, SAFETY BENEFITS INC Safety Committee \$225, SALEM, KARLA R Bd Evaluations (Minnehaha) \$5032.5, SANFORD Lab Costs \$311, SANFORD CLINIC Contract Services \$27777.66, SANFORD CLINIC Professional Services \$385, SEVERTSON, ALLEN Business Travel \$41.32, SHADOW INDUSTRIES Welfare Rent \$900, SHORT ELLIOTT HENDRI Architects & Engineers \$15758.07, SIOUX EMPIRE FAIR AS Miscellaneous Expense \$12500, SIOUX FALLS AREA HUM Miscellaneous Expense \$4567.34, SIOUX FALLS CITY Electricity \$15937.33, SIOUX FALLS CITY Juvenile Diversion Restitution \$45.24, SIOUX FALLS CITY Water - Sewer \$18916.54, SIOUX FALLS CITY Welfare Utilities \$375.67, SIOUX FALLS FORD INC Automotive/Small Equipment \$19.18, Sisson PRINTING INC Printing/Forms \$740.45, SOLHEIM, VIRGINIA Business Travel \$42.34, SOUTH DAKOTA MAGAZIN Store Inventory \$4.75, SOUTHEASTERN BEHAVIO Contract Services \$61920, STALKER RADAR Vehicle Equipment \$756, STATE OF SOUTH DAKOT Amts Held-Daily Scram \$3813, STATE OF SOUTH DAKOT Amts Held-Remote Breath \$691, STATE OF SOUTH DAKOT Blood/Chemical Analysis \$8345, STATE OF SOUTH DAKOT Extension Background Checks \$10, STATE OF SOUTH DAKOT MacArthur SJC Grant \$2632, STATE OF SOUTH DAKOT Miscellaneous Expense \$56, STATE OF SOUTH DAKOT Outside Repair \$18.9, STATE OF SOUTH DAKOT Professional Services \$216.25, STATE OF SOUTH DAKOT Sign Supply Inventory \$221.07, STEPHEN FRAHM Business Travel \$34, STREICHERS INC Uniform Allowance \$1519.99, SUMMIT FOOD SERVICE Child Care Food \$603.45, SUMMIT FOOD SERVICE School Lunch Program \$1375.22, SURE TEST Professional Services \$885.8, THE LODGE AT DEADWOO Education & Training \$80, THOMSON REUTERS - WE Legal Research \$2284.07, THOMSON REUTERS - WE Subscriptions \$279.72, TRANE JDC Maintenance \$304, TRANE Outside Repair \$533, TRANSWEST TRUCK OF Truck Repairs & Maintenance \$799.98, TYLER TECHNOLOGIES I Software \$4800, TZADIK SIOUX FALLS I Welfare Rent \$3702, TZADIK SIOUX FALLS P Welfare Rent \$1548.42, VANDE VEGTE, JACOB MacArthur SJC Grant \$1080, VANDIEST SUPPLY Chemicals \$21850, VB FALLS TERRACE Welfare Rent \$800, VITAL RECORDS Records Storage \$3697.9, VOGEL MOTORS LLC Automotive/Small Equipment \$2, VOGEL MOTORS LLC Gas Oil & Diesel \$57, WHEELCO Truck Repairs & Maintenance \$126.78, WHITTIER APARTMENTS Welfare Rent \$1112, WILLIAMSBURG LIMITED Welfare Rent \$2439.58, XCEL ENERGY Electricity \$6898.19, XCEL ENERGY INC

Welfare Utilities \$7491.72, YANKTON COUNTY Attorney Fees \$788.6, YANKTON COUNTY Return Of Service \$100, ZACHARY KRANING Misc Revenue \$300.

September 2023 Commission Salaries

COMMISSION	Salaries	\$35,947.42
AUDITOR	Salaries	\$55,440.60
TREASURER	Salaries	\$99,845.74
INFORMATION TECHNOLOGY	Salaries	\$91,810.61
STATES ATTORNEY	Salaries	\$439,170.20
PUBLIC DEFENDER	Salaries	\$272,093.05
PUBLIC ADVOCATE	Salaries	\$82,142.58
FACILITIES	Salaries	\$70,028.31
EQUALIZATION	Salaries	\$112,004.61
REGISTER OF DEEDS	Salaries	\$49,673.43
HUMAN RESOURCES	Salaries	\$32,894.40
SHERIFF	Salaries	\$1,382,841.61
JUVENILE DETENTION CENTER	Salaries	\$200,953.06
HIGHWAY	Salaries	\$177,682.08
HUMAN SERVICES	Salaries	\$158,823.44
MUSEUM	Salaries	\$91,149.54
PLANNING	Salaries	\$48,827.12
EXTENSION	Salaries	\$3,497.60

The following report was received and placed on file in the Auditor's Office.
Minnehaha County Abandoned Cemetery Board Minutes for August 15, 2023

Routine Personnel Actions

New Hires

1. Brian Johnson and John Stovall, Correctional Officers for the Jail, at \$24.16/hour (14/1) effective 9/22/2023.
2. Kyia Christiansen, Juvenile Correctional Officer I for the Juvenile Detention Center, at \$22.98/hour (13/1) effective 9/30/2023.
3. Joel Bobeldyk, seasonal Park Worker for the Parks, at \$17.50/hour effective 9/26/2023.
4. Jania Rodriquez, variable hour Safe Home Program Worker for Safe Home, at \$18.00/hour effective 9/27/2023.

Step Increases

1. Jean White, Property Tax Administrator for the Auditor's Office, at \$34.95/hour (19/4) effective 9/29/2023.
2. Jonathan Couture, Building Facilities Maintenance Technician for the Facilities Department, at \$26.65/hour (14/3) effective 9/26/2023.
3. Corey DeGroot, Corporal for the Jail, at \$30.90/hour (17/3) effective 10/1/2023.
4. Jason Koistinen, Senior Deputy Public Defender for the Public Defender's Office, at \$3,952.00/biweekly (22/8) effective 10/1/2023.

5. James Larson, STI Security Office for the STI Security, at \$27.98/hour (13/7) effective 8/16/2023.

6. Michelle Boyd, Program and Services Manager for the Sheriff's Office, at \$4,050.40/biweekly (21/13) effective 9/21/2023.

Other Salary Changes

1. To begin Interpreter specialty pay for Marta Rechtenbaugh, Correctional Officer for the Jail, resulting in a rate of \$24.66/hour effective 9/16/2023.

Notices and Requests

Notice of Vacancy Nominating Petitions for East Dakota Water Development Director, Dist. Area 4
Authorize the Auditor to publish a Notice of Hearing for a Retail (On-Sale) Liquor License

Items within Policy Guidelines

Approve Special Event Consume & Blend Beverage License Number C&B 23-06 for an Event on October 6, 2023

LIQUOR LICENSE

Kym Christiansen, Commission Recorder, was present for a public hearing to consider a Special Event On-Sale Malt Beverage and On-Sale Wine Retailer's License for The Banquet at the W.H. Lyon Fairgrounds on October 9. The application was provided to the Sheriff's Department, State's Attorney's Office, and Planning Department for review and there were no objections and concerns reported.

Chair Bender asked for proponents and opponents to speak on the topic. There was one person in attendance to speak in favor of the license and there was no one in attendance to speak against the issuance of the special event license.

MOTION by Beninga, seconded by Bleyenbergh, to approve a Special Event Malt Beverage and On-Sale Wine Retailer's License for The Banquet at W.H. Lyon Fairgrounds on October 19, 2023. By roll call vote: 5 ayes.

PLANNING RESOLUTION

Mason Steffen, Planner, was present for the public hearing and gave a briefing on the plat vacation petition. The Minnehaha County Planning Department has received a petition from the South Dakota Department of Veteran Affairs to vacate a recorded plat within the unincorporated area of the county. The property requesting to be vacated is a highway right-of-way plat that was prepared during the Slip Up Creek Road reconstruction between 476th Avenue and the new South Dakota Veterans Cemetery. The piece of property described in the H-1 lot was never acquired from the landowner, and the plat was mistakenly recorded as an official document. In accordance with SDCL 11-3-22.1, a petition to vacate a recorded plat must be heard of the county commission after proper notice via the official county newspaper.

Chair Bender asked for proponents and opponents to speak on the topic. Aaron Pollard, proponent, spoke about the reasoning behind the need to vacate the recorded plat. There was no one in attendance to speak in opposition to the request.

MOTION by Karsky, seconded by Bleyenbergh, to approve Resolution MC23-27, a Resolution to Vacate a Recorded Plat. By roll call vote: 5 ayes.

RESOLUTION MC 23-27

RESOLUTION TO VACATE A RECORDED PLAT

WHEREAS, a public hearing was held on September 26, 2023 pursuant to the provisions of SDCL 11-3-22.1 to consider a petition to vacate a legally recorded plat; and

WHEREAS, said hearing was for the purpose of determining whether the public interest will be better served by such proposed vacation; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Minnehaha County Board of Commissioners that the following described recorded plat, is hereby declared vacated:

Lot H-1; Lot A of Tract 1 of Laurel Ridge Addition SE 1/4 SE 1/4 Section 23-T102N-R49W, Minnehaha County, SD.

BE IT FURTHER RESOLVED, that this resolution be placed on file with the Minnehaha County Auditor and recorded with the Minnehaha County Register of Deeds.

Dated this 26th day of September, 2023

Minnehaha County Board of Commissioners:

Jean Bender

Chair

Attest: Leah Anderson Auditor

Kym Christiansen

Deputy Auditor

BRIEFING

Jeff Schaefer, South Dakota Department of Legislative Audit, gave a presentation regarding the fiscal and compliance audit for Fiscal Year 2022, which resulted in an unmodified audit opinion.

BUDGET

Susan Beaman, Finance & Budget Officer, presented the final FY 2024 budget for Minnehaha County. The following changes from the Provisional Budget to the Final Budget were made: Revenue: Total Taxes Levied from \$73,895,441 to \$73,905,395, Intergovernmental Revenue from \$22,242,454 to \$22,753,988; Expenditures: Elections from \$858,741 to \$872,271, State's Attorney from \$8,311,471 to \$8,353,516, Sheriff from \$9,166,353 to \$9,173,440, County Jail from \$23,616,959 to \$639,084, Highway Construction from \$0 to \$480,000, Fire Protection from \$719,583 to \$720,193; Total Budget from \$168,173,191 to \$168,738,588. MOTION by Beninga, seconded by Kippely, to approve Resolution MC 23-28 for the adoption of the FY2024 Budget for Minnehaha County. By roll call vote: 5 ayes.

RESOLUTION MC23-28

ADOPTION OF THE ANNUAL BUDGET FOR MINNEHAHA COUNTY, SOUTH DAKOTA

Whereas, (7-21-5-thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and,

Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and

Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, eliminations and additions have been made thereto.

Now therefore be it resolved, That such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, shall be approved and adopted as the Annual Budget of the appropriation and expenditures for Minnehaha County, South Dakota and all its institutions and

agencies for calendar year beginning January 1, 2024 and ending December 31, 2024 and the same is hereby approved and adopted by the Board of County Commissioners of Minnehaha County, South Dakota, this 26th day of September, 2023. The Annual Budget so adopted is available for public inspection during normal business hours at the office of the County Auditor Minnehaha County, South Dakota. The accompanying taxes are levied by Minnehaha County for the year January 1, 2024 through December 31, 2024.

BOARD OF COUNTY COMMISSIONERS OF MINNEHAHA COUNTY, SOUTH DAKOTA

Jean Bender, Chair

Dean Karsky, Commissioner

Gerald Beninga, Commissioner

Jen Bleyenbergh, Commissioner

Joe Kippley, Commissioner

ATTEST

Leah G. Anderson, Auditor

COUNTY TAX LEVIES: General - \$58,857,872 \$2.492/1000; Library - \$1,467,150, \$0.261/1000; Building Fund - \$4,993,616 \$0.211/1000; Fire Protection - \$720,193 \$0.120/1000; & Bond Redemption \$7,866,564, \$0.333/1000.

GRANT APPLICATION

Jason Gearman, Director of Emergency Management, presented a request for authorization for Minnehaha County to sponsor a grant for Split Rock Township. Split Rock Township is seeking assistance to reconstruct 264th Street where flooding has eroded the road. Due to flood damage, Split Rock Township erected barricades removing through traffic access. Minnehaha County has already paid to reconstruct several bridges in the Split Rock Township area near Beaver Creek. Reconstructing 264th Street would allow Split Rock Township to remove the barricades and allow residents safe and full use of the reconstructed bridges and road. Split Rock Township is seeking assistance from a FEMA Hazard Mitigation Grant, but in order for them to apply for the grant, Minnehaha County needs to sponsor the grant and be the fiduciary for the reconstruction project. The funding for this project through the grant will be the responsibility of FEMA, the State of South Dakota, and Split Rock Township, with no Minnehaha County funds used for this project. MOTION by Karsky, seconded by Bleyenbergh, to authorize Minnehaha County to sponsor a grant for Split Rock Township. By roll call vote: 5 ayes.

MEDICAL CANNABIS LICENSE

Tom Greco, Commission Administrative Officer, presented for a public hearing for the acceptance of a written forfeiture of medical cannabis dispensary license, No. 23-01 by Genesis Fars, LLC. On August 22, 2023, the Minnehaha County Board of County Commissioners issued an order to Genesis Farms, LLC, to appear before the Minnehaha County Board of County Commissioners on the 26th day of September, 2023, at 9:00 a.m., in the Minnehaha County Commission Chambers to show cause as to why the Board of County Commissioners should not find the medical cannabis dispensary license issued to Genesis Farms, LLC, to be Inactive in violation of ordinance MC 60-21 and if found to be inactive why the Minnehaha County Board of Commissioners should not thereafter revoke such pursuant to Ordinance MC 60-21. On September 15, 2023, Genesis Farms, LLC, delivered a letter forfeiting the license issued by the County Commission. MOTION by Kippley, seconded by Karsky, to accept the written forfeiture of medical cannabis dispensary license, No. 23-01, by Genesis Farms, LLC, in lieu of the Order to Show Cause Issued on August 22, 2023 by the Minnehaha County Board of Commissioners. By roll call vote: 5 ayes.

Upon the request of Tom Greco, Commission Administrative Officer, MOTION by Karsky, seconded by Kippley, to direct the Minnehaha County Auditor to implement the procedures in Ordinance MC 60-21 for the issuance of a medical cannabis establishment license due to the availability of such a license. 5 ayes.

CHANGE ORDER

Upon the request of Tom Greco, Commission Administrative Officer, MOTION by Karsky, seconded by Beninga, to approve change order #4 to close out the Extension and Administration Building Remodel Project with net decrease of \$122,223 for a new contract price of \$4,559,528. By roll call vote: 5 ayes.

SURPLUS DECLARATION

Steve Groen, Highway Superintendent, requested the former Highway Facility be declared surplus and authorized the demolition of the building. The structure is a 5,700 square foot single story structure that was built in 1958. The Highway Department moved in to the new highway facility earlier in 2023. At the August 22nd Commission Meeting, the remaining fixtures and equipment in the old facility were declared as surplus and authorized for disposal through an auction, which will be held on October 4th. MOTION by Kippley, seconded by Bleyenbergh, to declare the former Highway Facility as surplus and authorize the demolition of the building. By roll call vote: 5 ayes.

HIGHWAY CHANGE ORDER

Tom Greco, Commission Administrative Officer, presented a request for approval for change order #4 for the Minnehaha County Highway Department Facility Project. The proposed change order is for \$79,236.00. Under the current contract, \$11.8M has been invested in the construction of a new facility to house Highway Department offices, vehicles, and maintenance. There are currently \$108,000 of funds remaining in the Highway facility budget that can be used to cover the change order. Change Order #4 includes demolition of the pre-existing highway offices and shop and associated electrical supply work. The demolition of the existing shop and office building was contemplated in the early stages of original project planning but ultimately not included due to other needs. Mr. Greco also noted that the new facility project is substantially complete with no foreseen need for the additional funds others than the demolition and electrical work. The work associated with the change order would take place in mid- to late October. MOTION by Kippley, seconded by Beninga, to approve change order #4 to the Minnehaha County Highway Department Facility Project for \$79,236.00. By roll call vote: 5 ayes.

VEHICLE PURCHASE

Upon the request of Steve Groen, Highway Superintendent, MOTION by Kippley, seconded by Karsky, to authorize the Highway Department to purchase a 2024 Chevrolet Silverado 3500 under State of South Dakota Procurement Contract #17618 in the amount of \$49,459.00 from Lamb Chevrolet. 5 ayes.

AGREEMENTS

Upon the request of Steve Groen, Highway Superintendent, MOTION by Kippley, seconded by Bleyenbergh, to authorize the Chairperson to sign Amendment 1 to the Final Design Agreement with Ulteig Engineers for Project MC22-07, Structure 50-337-130 Bridge Replacement in amount to exceed \$18,180.00. By roll call vote: 5 ayes.

Upon the request of Steve Groen, Highway Superintendent, MOTION by Karsky, seconded by Bleyenbergh, to authorize the Chairperson to sign the Balancing Change Order for MC21-10 50-330-066 with a net reduction of \$48,694.40 for a new contract price of \$1,264,163.00. By roll call vote: 5 ayes.

Upon the request of Steve Groen, Highway Superintendent, MOTION by Karsky, seconded by Beninga, to authorize the Chairperson to sign Amendment 1 to the Final Design Agreement with Short Elliot Hendrickson Inc. for MC20-12 50-087-120 in an amount not to exceed \$3,939.58. By roll call vote: 5 ayes.

Upon the request of Steve Groen, Highway Superintendent, MOTION by Bleyenbergh, seconded by Kippley, to

Authorize the Chairperson to sign Amendment 1 for the SDDOT Grant Agreement for Project MC22-13 PCN 08WK Structure 50-330-026 Rehab. By roll call vote: 5 ayes.

Upon the request of Amanda Halsey, Register of Deeds, MOTION by Karsky, seconded by Beninga, to authorize the Chairperson to sign an agreement with Tyler Technologies for Register of Deeds Document Pro Recording Software. 5 ayes. Public comment was received from Allen Wentz.

SURPLUS PROPERTY SALE

Upon the request of Leah Anderson, Auditor, MOTION by Bleyenbergh, seconded by Karsky, to approve a Method of Auction as on-line, and authorize the Auditor to publish a Notice of Public Auction for County Surplus Property. 5 ayes.

ELECTION SYSTEM & SOFTWARE

Upon the request of Leah Anderson, Auditor, MOTION by Karsky, seconded by Kippley, to approve an invoice from Election Systems & Software, LLC in the amount of \$31,368.10. By roll call vote: 5 ayes.

Upon the request of Leah Anderson, Auditor, MOTION by Kippley, seconded by Karsky, to authorize the Chair to sign a services agreement with Election Systems & Software, LLC. 5 ayes. Public comment was received from Allen Wentz, Ralph Soles, Michael Stangeland, Jr, Penny BayBridge, Gary Meyer, Randy Amundson, Cindy Meyer, Darla Shelbug, Jennifer Foss, Mike Austand, Reone Ullom, Bob Kolbe, and Brenda Hudelson.

OPPORTUNITY FOR PUBLIC COMMENT

Bob Kolbe, Sioux Falls, SD, spoke about the history of Minnehaha County and pipelines.

Penny BayBridge, Sioux Falls, SD, spoke about understanding the process of speaking on issues that are of importance to residents.

Betty Strom, Sioux Falls, SD, spoke in appreciation of the work done regarding the ordinance regulating pipelines.

COMMISSIONER LIAISON REPORTS

Commissioner Karsky spoke about the recent South Dakota Association of County Commissioners meeting.

Commissioner Kippley spoke about the recent meeting of the Minnehaha County Planning Commission.

Commissioner Beninga spoke about recent meetings regarding the Juvenile Justice Center and the Sioux Empire Fair Association.

Commissioner Bleyenbergh spoke about a recent with the director of the Siouxland libraries.

Commissioner Bender spoke about the recent meeting regarding the MacArthur grant.

MOTION by Kippley, seconded by Beninga, to enter into Executive Session pursuant to SDCL 1-25-2 (1), (3), (4), and (6) at 10:40 a.m. 5 ayes.

Chair Bender declared the executive session concluded at 11:04 a.m.

MOTION by Karsky, seconded by Kippley, to adjourn at 11:05 a.m. 5 ayes. The Commission adjourned until

09/26/2023

17239

9:00 a.m. on Tuesday, October 3rd, 2023.

APPROVED BY THE COMMISSION:

Jean Bender
Chair

ATTEST:

Kym Christiansen
Commission Recorder