

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 AM on October 24, 2023, pursuant to adjournment on October 17, 2023. COMMISSIONERS PRESENT WERE: Beninga, Bleyenbergh, Karsky, and Kippley. Commissioner Bender was absent. Also present were Kym Christiansen, Commission Recorder, and Eric Bogue, Chief Civil Deputy State's Attorney.

Vice-Chair Karsky called the meeting to order.

MOTION by Kippley, seconded by Bleyenbergh, to amend the agenda by removing agenda item #13-Authorize the Chairperson to Sign the Agreement for Design of MC23-13 Gravel Pit Building. 4 ayes.

MOTION by Beninga, seconded by Kippley, to approve the amended agenda. 4 ayes

CONSENT AGENDA

MOTION by Kippley, seconded by Beninga, to approve the consent agenda. By roll call vote: 4 ayes. Public comment regarding the approval of the minutes was received Chet Ellsworth, Rapid City, SD. The consent agenda includes the following items:

Commission Meeting Minutes for October 17, 2023

Bills to be Paid \$1,628,137.17

A&B BUSINESS SOLUT Lease-Rental Agreement \$685.38, A&B BUSINESS SOLUT Maintenance Contracts \$467.75, AARON GEORGE PROPERT Welfare Rent \$1390, ABN ARMY SURPLUS COR Uniform Allowance \$700, AIRGAS USA LLC Gas Oil & Diesel \$114.65, AIRWAY SERVICE INC Automotive/Small Equipment \$109.39, AIRWAY SERVICE INC Gas Oil & Diesel \$146.14, ALCOHOL MONITORING S Program Supplies \$4594.2, ALL NATIONS INTERPRE Interpreters \$1040, ALL STAR INVESTIGATI Professional Services \$965.5, ANDERSON, JENNIFER Bd Evaluations (Minnehaha) \$1109.16, ANDREW PARROTT MacArthur SJC Grant \$198, ARCHITECTURE INC Architect, Engineers, and PMgt \$185229.23, AVERA MCKENNAN Hospitals \$22826.63, AVERA MCKENNAN Other Medical Services \$266.73, AVERA MCKENNAN Professional Services \$1000, AVERA QUEEN OF PEACE Other Medical Services \$510.36, AXIS FORENSIC TOXICO Lab Costs \$1227, BALTIC FIRE DEPT Rescue Squad Donations Exp \$400, BOYD, MICHELLE MacArthur SJC Grant \$198, BRADY LIEUWEN MacArthur SJC Grant \$198, BRENNAN HILLS TOWNHO Welfare Rent \$700, CANFIELD BUSINESS IN Furniture & Office Equipment \$17653.96, CENTER FOR FAMILY ME Professional Services \$134.4, CENTURY BUSINESS PRO Lease Principal \$719.04, CENTURY BUSINESS PRO Lease-Rental Agreement \$183, CENTURY BUSINESS PRO Maintenance Contracts \$772.95, CENTURY BUSINESS PRO Office Equipment Repair \$491.67, CINTAS CORPORATION Janitorial Chemical Supplies \$537.79, CINTAS CORPORATION Uniform Allowance \$161.71, COMPSYCH EMPLOYEE AS Insurance-Other Costs \$5922, CONSTELLATION Natural Gas \$3581.22, COUNTRY MEADOWS SF L Welfare Rent \$500, DAKOTA SEAL 2 LLC Fairgrounds \$36352.11, DAKOTALAND AUTOGLASS Automotive/Small Equipment \$59.99, DAN GRAPEVINE Uniform Allowance \$35.98, DANIELS OLSEN Jail Repairs & Maintenance \$40, DEMATTEO LAW FIRM PR Child Defense Attorney \$1318.7, DENNIS SUPPLY CO SF Fairgrounds \$4.98, DENNIS SUPPLY CO SF JDC Maintenance \$236.9, DUST TEX SERVICE INC Janitorial Chemical Supplies \$18.58, ENGLISH LAW Attorney Fees \$6300, ERIN M JOHNSON PLLC Bd Exp Fees (Minnehaha) \$5724.5, ERIN M JOHNSON PLLC Crisis Intervention Program \$203.3, FIRST DAKOTA NATIONA Lease Interest \$916.32, FIRST DAKOTA NATIONA Lease Principal \$2939.43, FIT MY FEET Uniform Allowance \$100, FOX, DANIEL Bd Exp Fees (Yankton) \$654.39, G & R CONTROLS INC Fairgrounds \$13.36, GALLS PARENT HOLDING Uniform Allowance \$344.31, GOEBEL PRINTING INC Printing/Forms \$114, GRAINGER Jail Repairs & Maintenance \$127.77, GUARANTEE ROOFING Coliseum \$316.33, GUARANTEE ROOFING HHS Maintenance \$316.33, GUARANTEE ROOFING Jail Repairs & Maintenance \$316.33, GUARANTEE ROOFING Outside Repair \$632.65, GUZMAN, SANDRA V Interpreters \$60, HELSETH, RAMONA G. Bd Exp Fees (Minnehaha) \$48, HENRY CARLSON CONSTR Construction Costs \$3093, HERITAGE FUNERAL HOM Burials \$2000, INNOVATIVE OFFICE SO JDC Custodial Supplies \$316.61, INTERSTATE OFFICE PR Office Supplies \$1170.8, JENNA GIRARD Business Travel \$60, JERKE, HEIDI Business Travel \$40, JIM BORK ENTERPRISES Printing/Forms \$946, JONES, DAWN County Cemetery \$70, JVR COUNSELING Psych Evals \$2000, KATTERHAGEN, MARK Bd Exp Fees (Yankton) \$52.5, KAUFFMAN, DAVID W PH Psych Evals \$2700, KELSEY SJAARDA MacArthur SJC Grant \$1413.51, KNECHT, ANDREW J Attorney Fees \$1112.8, KOCH HAZARD ARCHITEC Communication Equipment \$9262.5, KONE

INC Maintenance Contracts \$1071.39, KRUSE LAW OFFICE Attorney Fees \$2900, KYLE VANDE WEERD Business Travel \$40, KYRA ENTERPRISES LLC Welfare Rent \$1490.55, LAMP Interpreters \$124.2, LARSON, VALERIE Bd Exp Fees (Yankton) \$45, LEWIS & CLARK BEHAVI Bd Evaluations (Yankton) \$2130, LEWNO LAW OFFICE Bd Exp Fees (Yankton) \$73.38, LINDA K WHALEN Court Reporters \$142, LINDAHL, JOSETTE S Professional Services \$3000, LOPEZ, REBECA Interpreters \$25, LOVING, PHILIP Bd Evaluations (Minnehaha) \$2374.2, LUTHER, JEFF Medical Director \$2750, LUTHERAN SOCIAL SVCS Evening Report Center \$6538.76, LUTHERAN SOCIAL SVCS Shelter Care/Reception Center \$77042.68, MARAS, JACOB Business Travel \$60, MEADOWLAND APARTMENT Welfare Rent \$661, MEDSTAR PARAMEDIC IN Transportation \$1200, METRO COMMUNICATIONS Miscellaneous Expense \$208301.96, MIDAMERICAN ENERGY C Natural Gas \$58.03, MIDCONTINENT COMMUNI Subscriptions \$546.22, MIDCONTINENT COMMUNI Telephone \$115.39, MIDWEST CONTRACTING Contracted Construction \$183527.03, MIDWEST WELLNESS Professional Services \$4620, MINNEHAHA CNTY TREAS Miscellaneous Expense \$16.5, MINNEHAHA COUNTY Administrative Charges \$10, MINNEHAHA COUNTY Gas Oil & Diesel \$32, MINNEHAHA COUNTY Memberships \$35, MINNEHAHA COUNTY Miscellaneous Expense \$36.75, MINNEHAHA COUNTY Prisoner/Bond Accounts \$828.8, MINNEHAHA COUNTY Tea-Ellis Range \$26.99, NAPA AUTO PARTS Automotive/Small Equipment \$32.26, NAPA AUTO PARTS Other Supplies \$43.14, Natalie Surkalovic Business Travel \$64, NORIX FURNITURE Inmate Supplies \$1171.77, NORTHERN TRUCK EQUIP Truck Repairs & Maintenance \$201.85, NOVAK Other Supplies \$69.91, NOVAK Trash Removal \$597.61, NYBERGS ACE HARDWARE Other Supplies \$45.57, OLD ORCHARD CAFE MacArthur SJC Grant \$422.62, OLSON, ROBERT Taxable Meal Allowances \$18, OMALLEY, JOHN Business Travel \$64, OPEKE G NIEMEYER HHS \$4669.5, PAYTON, ARISTARCHUS Business Travel \$120.36, PECHOUS, COREY Uniform Allowance \$106.01, PFEIFER IMPLEMENT CO Heavy Equip Repairs & Maint \$31.92, PRAHM CONSTRUCTION I Contracted Construction \$566787.5, PRICE, THOMAS L Professional Services \$2400, PURPLE COMMUNICATION Interpreters \$609.82, REEVES, MEGAN Court Reporters \$204, RENTOKIL NORTH AMERI Contract Services \$325.84, RINGING SHIELD, NICHOLAS Bd Evaluations (Minnehaha) \$770, RISK ANALYSIS & MANA Insurance Admin Fee \$2873, RUNNING SUPPLY INC Uniform Allowance \$169.98, SALEM, KARLA R Bd Evaluations (Minnehaha) \$2640, SANFORD Investigators Expenses \$19.88, SANFORD Other Medical Services \$9119.53, SANFORD CLINIC Contract Services \$27777.66, SANFORD CLINIC Professional Services \$764.4, SCHILTZ, ANN C Bd Exp Fees (Minnehaha) \$32, SD ASSOC OF COUNTY C Miscellaneous Expense \$1000, SD STATE BAR Legal Research \$500, SF SPECIALTY HOSPITAL Professional Services \$210, SHERWIN WILLIAMS Building Repairs & Maintenance \$354.18, SHERWIN WILLIAMS JDC Maintenance \$65, SHORT ELLIOTT HENDRI Architects & Engineers \$15946.96, SILOS Welfare Rent \$3023.55, SIOUX EMPIRE FAIR AS Miscellaneous Expense \$12500, SIOUX FALLS AREA HUM Miscellaneous Expense \$4388.79, SIOUX FALLS CITY Electricity \$57.57, SIOUX FALLS CITY Water - Sewer \$18086.92, SIOUX FALLS RUBBER S Office Supplies \$148.77, SPLITROCK FIRE DEPT Education & Training \$1275, SRF CONSULTING GROUP Architects & Engineers \$207.72, STAN HOUSTON EQUIPME Bridge Repair & Maintenance \$1215, STATE OF SOUTH DAKOTA Amts Held-Daily Scram \$3215, STATE OF SOUTH DAKOTA Amts Held-Remote Breath \$645, STATE OF SOUTH DAKOTA Miscellaneous Expense \$43, STREICHERS INC Uniform Allowance \$658, SUMMIT FIRE PROTECTI Jail Repairs & Maintenance \$540, SUMMIT FIRE PROTECTI JDC Maintenance \$246, SUMMIT FOOD SERVICE Board Of Prisoners-Meals \$31115.17, SUMMIT FOOD SERVICE Child Care Food \$707.46, SUMMIT FOOD SERVICE Inmate Supplies \$241.24, SUMMIT FOOD SERVICE School Lunch Program \$1418.39, SURAJ CHHETRI Taxable Meal Allowances \$18, TECHNOLOGY HEIGHTS I Welfare Rent \$744, TEGRA GROUP INC Architect, Engineers, and PMgt \$28850, THOMSON REUTERS - WE Legal Research \$1886, TRISTATE GARAGE DOOR Outside Repair \$195.05, TWO WAY SOLUTIONS IN Communication Equipment Repair \$4661.76, TZADIK TAYLORS PLACE Welfare Rent \$1237, US FOODS INC Other Supplies \$147.38, US FOODS INC Professional Services \$2211.14, VCI ENVIRONMENTAL IN Bldg/Yard Repair & Maintenance \$12120, VER BEEK, KELSEY Bd Exp Fees (Minnehaha) \$877.4, VITAL RECORDS Records Storage \$3488.13, WHITE MOUNTAIN PUZZL Store Inventory \$464.89, XCEL ENERGY Construction Costs \$14668.9, XCEL ENERGY INC Welfare Utilities \$420, ZISHKA, ADAM MacArthur SJC Grant \$198.

October 2023 Commission Salaries

COMMISSION	Salaries	\$35,997.32
AUDITOR	Salaries	\$58,019.89
TREASURER	Salaries	\$100,193.94
INFORMATION TECHNOLOGY	Salaries	\$92,094.85
STATES ATTORNEY	Salaries	\$439,783.43
PUBLIC DEFENDER	Salaries	\$269,696.82
PUBLIC ADVOCATE	Salaries	\$82,217.53
FACILITIES	Salaries	\$58,919.62

EQUALIZATION	Salaries	\$115,856.86
REGISTER OF DEEDS	Salaries	\$49,781.63
HUMAN RESOURCES	Salaries	\$36,908.29
SHERIFF	Salaries	\$1,381,478.08
JUVENILE DETENTION CENTER	Salaries	\$202,308.10
HIGHWAY	Salaries	\$157,610.42
HUMAN SERVICES	Salaries	\$162,340.52
MUSEUM	Salaries	\$90,439.47
PLANNING	Salaries	\$47,114.29
EXTENSION	Salaries	\$3,497.60

The following report was received and placed on file in the Auditor's Office:
Juvenile Detention Center - August 2023 Report

Routine Personnel Actions

Promotions

1. Amber Whittington, Senior Deputy Public Defender to Senior Trial Attorney for the Public Defender's Office, at \$3,856.00/biweekly (23/3) effective 10/14/2023.

Step Increases

1. Kari Benz, Director of Human Services, at \$5,058.40/biweekly (24/10) effective 9/23/2023.
2. Tarlue Zulu, Juvenile Correctional Officer I for the Juvenile Detention Center, at \$24.16/hour (13/2) effective 10/11/2023.
3. Staci Peters, Events Coordinator for the Museum, at \$31.67/hour (14/10) effective 10/31/2023.
4. Eli Show, Museum Preparator for the Museum, at \$33.27/hour (17/6) effective 11/2/2023.
5. Jessie Nesseim, Curator of Collections for the Museum, at \$2,796.00/biweekly (19/4) effective 10/19/2023.
6. Trista Severson, Paralegal for the Public Defender's Office, at \$27.98/hour (16/2) effective 10/1/2023.
7. Craig Butler, Sergeant for the Sheriff's Office, \$47.02/hour (20/14) effective 10/31/2023.
8. Nicholas Michels, Senior Deputy State's Attorney for the State's Attorney's Office, at \$3,669.60/biweekly (22/5) effective 10/1/2023.
9. Brooke Quinlivan, Senior Deputy State's Attorney for the State's Attorney's Office, at \$3,761.60/biweekly (22/6) effective 10/9/2023.

ZONING APPEAL

Mason Steffen, Planner, was present for the continued public hearing regarding the appeal of a decision by the Minnehaha County Planning Commission to approve Conditional Use Permit #23-51 to allow a Rubble Dump (Tree Grinding Operation) on the property legally described as the N1/2 NW 1/4 (Ex. H-1 & R-1) Section 34-T101N-R51W Wall Lake Township. The Minnehaha County Planning Commission unanimously approved Conditional Use Permit #23-51 at their September 25, 2023, meeting. This appeal was originally heard by the Minnehaha County Commission at the October 17 meeting, at which a motion to approve Conditional Use Permit

#23-51, as amended, received an equally divided vote which then required the item to be deferred to this meeting for final action on the appeal.

The Commissioners continued the discussion on the pending motion to approve Conditional Use Permit #23-51, as amended, originally made and seconded on October, 17, 2023.

Vice Chair Karsky outlined the procedures that would be used for the testimony from both the proponents and opponents attorneys as well as the comments made by members of the public.

Attorney Arguments

Paul Tschetter, legal counsel for the proponents, spoke about the petitioner filing of a solid waste permit application with the Minnehaha County Planning Department and that the proposed tree grinding operation would help extend the life of the Sioux Falls Landfill. Mr. Tschetter went on to discuss how the conditional use permit approval would allow departments to review the proposed tree grinding operation through the various conditions set by the recommendation from the Planning Commission and that the petitioners would abide by all conditions that are set forth in the conditional use permit.

Lisa Prostrullo, legal counsel for the opponents, spoke about the recent discovery of a Dakota Access Pipeline easement running across a portion of the proposed operations site plan. Ms. Prostrullo believes that the presence of the pipeline easement will cause the proposed operations to change the site plan that was submitted with the conditional use application. In addition, Ms. Prostrullo also highlighted the various concerns that have been raised by surrounding property owners regarding access to the proposed location as well as the for the pipeline easement in addition to drainage, dust, and traffic concerns.

Paul Tschetter, proponent attorney, stated in rebuttal that no changes would need to be made to the site plan with regards to the pipeline or the associated easement. Mr. Tschetter also stated again that the petitioner will comply with any conditions that are associated with the conditional use permit and that there is no requirement to disclose all easements that are associated with property.

Following various questions from the Commission, Vice-Chair Karsky then opened the hearing for public comment.

Proponents:

Abby Murphy, Sioux Falls, SD, spoke about the need for this kind of business and the various records that are kept by the company.

Chad Fortress, Tea, SD, spoke about the trucking of the product that is produced and the number of trucks that would be used at the proposed facility.

Rebecca Jongeling, Sioux Falls, SD, spoke about the company not making alternations to the land and that they are good neighbor to the surrounding properties.

Phil Mueller, Sioux Falls, SD, spoke about the company's history of following all applicable rules and regulations.

Shaun Bruesch, Sioux Falls, SD, spoke about the use of wood chips in the agricultural industry.

Jim Bruns, Sioux Falls, SD, spoke about the traffic that would still be on the road whether or not the business would be in operation or not.

Amendment Opponents:

Lee Kriens, Hartford, SD, spoke about concerns about the pipeline easement that is located on the proposed property and access to the farmland.

Glenn Fuerstenberg, Sioux Falls, SD, spoke about concerns regarding the location of the proposed business, access to the easements that are currently in place on the property, as well as concerns regarding the asbestos that is contained in the buildings at the proposed location.

Chet Hofer, Hartford, SD, spoke about concerns about the highway and the size of the trucks that would be used in the proposed tree grinding operation.

Diane Runge, Hartford, SD, spoke about concerns about the location as well as the company being a good neighbor.

Marilyn Kewley, Hartford, SD, spoke about concerns about traffic that may increase along with county highway.

Cully Valnes, Hartford, SD, spoke about concerns related to the nearby electric substation.

Discussion among the Commissioners included concerns regarding access to the farmland that was not a part of the proposed tree grinding operation, the potential need for an access permit for the farmland, hours and days of the operation as compared to other nearby facilities, notification of the pipeline with regards to the easement, and who to notify if there is debris on the highway.

MOTION by Kippley to further amend the pending motion by amending condition #10 to reduce the number of years for the Conditional Use Permit from 10 years to 5 years, second by Beninga. By roll call vote: 4 ayes.

MOTION by Bleyenberg to further amend the pending motion to amend condition #5 to require that the driveway be hard surfaced, either with asphalt or concrete seconded by Beninga. Following Commission discussion, Commissioner Bleyenberg, with the consent of Commissioner Beninga, amended her motion to state that the first one-hundred fifty feet (150') of the driveway be hard surfaced, either with asphalt or concrete. By roll call vote: 4 ayes.

Eric Bogue, State's Attorney's Office, explained that the previous motions to amend were amendments to the pending motion to approve Conditional Use Permit #23-51, as amended and that such motion to approve was still pending as now being further amended.

MOTION to approve Conditional #23-51, as amended at the October 17th meeting and as further amended at the October 24th meeting, pursuant to SDCL 7-8-18. By roll call vote: 3 ayes, 1 nay-Bleyenberg.

REZONING HEARING

Kevin Hoekman, Planner, was present for the public hearing and gave the reading of an amendment to the 1990 Revised Zoning Ordinance for Minnehaha County. The rezone would be for a six-lot subdivision approximately 34.22 acres in size from the A-1 Agriculture District to the RR Rural Residential District. The property is legally described as Prairie View Estates Addition in W1/2 NW 1/4 Section 36-T101N-R51W in Wall Lake Township and is located approximately 3 miles west of Sioux Falls. Following the first reading of this rezoning request, staff received a written withdrawal of the rezoning application by the petitioner. This item was noticed in the official county newspapers for a public hearing, but no decision is required with the petitioner's withdrawal.

PRESENTATIONS

Joleen Thompson, Family Visitation Center Director of Services, presented their supervised visitation program highlighting the focus on the long-lasting effects the pandemic has and continues to have on mental health and addiction, causing children in those situations to experience undue trauma. Prior to the COVID-19 pandemic, Family Visitation Center conducted 10 to 15 private pay intakes a month, which has now increased to that amount in a week. In 2022, the Family Visitation Center serves over 700 individuals with 330 being children and most are being referred through Child Protection Services and the others come to the center through the courts.

Jay Marchand, Lutheran Social Services Re-entry Services Director, provided an update regarding the Family Violence Project through Lutheran Social Services. The funding received from Minnehaha County provides for individualized assessments, abusive partner intervention groups and case management for individuals that have used abuse in their relationships. Our services fall under the pillars of what Lutheran Social Services consider to an effective abusive intervention program: Assessment, Action, Accountability and Accommodation. Those pillars hold up the goal of helping our clients create emotional and physical safety for themselves and others.

AMERICAN RESCUE PLAN BRIEING

Susan Beaman, Finance and Budget Officer, presented a briefing regarding the 2023 3rd Quarter American Rescue Plan Expenditures. The Auditor's Office plans to report to the US Treasury regarding last quarter's expenditures of \$901,727.31. The expenditures breakdown as follows: COVID Sick Leave had an expenditure of \$26,978.39; Jail Staffing for COVID Isolation Unit had an expenditure of \$191,200.04; Retention Bonus had an expenditure of \$29,065.50; Burials had an expenditure of \$69,034.47; Motels had an expenditure of \$12,968.67; Jail Booking Registered Nurse had an expenditure of \$146,587.48; Jail Mental Health Counselor had an expenditure of \$20,359.00; New Positions had an expenditure of \$301,309.12; Welfare Rent had an expenditure of \$89,791.83; Welfare Utilities had an expenditure of \$5,107.63; Mortgage Assistance had an expenditure of \$1,948.93; Emergency Response Infrastructure Improvements had an expenditure of \$213.75; Juvenile Detention Center-Psychiatric Services had an expenditure of \$7,162.50. The total ARPA expenditures through September 30, 2023, were \$20,262,932.71.

RESOLUTIONS

Jacob Maras, Assistant Highway Superintendent, presented a resolution to delete a bridge from the National Bridge Inventory (NBI). Structure 50-100-066 no longer meets the definition of a structure due to it being removed and replaced with a box culvert that no longer meets National Bridge Inspection Standards length requirements. The new culvert allowed for the removal of guardrail, extra signage, and will experience less deterioration from vehicle weight. MOTION by Beninga, seconded by Kippley, to authorize the Chairperson to sign Resolution MC 23-31 to Delete Structure 50-100-066 from NBI. By roll call vote: 4 ayes.

RESOLUTION MC 23-31

RESOLUTION TO DELETE BRIDGE FROM NBI

The Minnehaha County Board of Commissioners is in agreement with SDDOT that the following structure(s) should be deleted from the National Bridge Inventory (NBI) for the following reason(s):

STRUCTURE ID, LOCATION and REASON FOR DELETION:

50-100-066	2.6S COLTON	Structure has been replaced with culverts that no longer meet NBIS length requirements.
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The Commission is aware of the following stipulations once a structure is deleted from the NBI:

1. Federal and State Bridge funds will not be available for structure replacement or rehabilitation and
2. The structure will only be added to the Inventory following replacement, using County funds.

Upon receipt of this resolution, the above structure(s) will be deleted from the inventory.

Vote of Commissioners: Yes 4 No 0

Dates at Sioux Falls, SD, this 24th Day of October, 2023.

APPROVED BY THE COMMISSION:

DEAN KARSKY

VICE-CHAIR

ATTEST:

KYM CHRISTIANSEN

DEPUTY AUDITOR

Jacob Maras, Assistant Highway Superintendent, presented a resolution to delete a bridge from the National Bridge Inventory (NBI). Structure 50-100-051 no longer meets the definition of a structure due to it being removed and replaced with a box culvert that no longer meets National Bridge Inspection Standards length requirements. The new culvert allowed for the removal of guardrail, extra signage, and will experience less deterioration from vehicle weight. MOTION by Kippley, seconded by Bleyenbergh, to authorize the Chairperson to sign Resolution MC23-32 to Delete Structure 50-100-051 from NBI. By roll call vote: 4 ayes.

RESOLUTION MC 23-32

RESOLUTION TO DELETE BRIDGE FROM NBI

The Minnehaha County Board of Commissioners is in agreement with SDDOT that the following structure(s) should be deleted from the National Bridge Inventory (NBI) for the following reason(s):

STRUCTURE ID, LOCATION and REASON FOR DELETION:

50-100-051	1.1S COLTON	Structure has been replaced with culverts that no longer meet NBIS length requirements.
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The Commission is aware of the following stipulations once a structure is deleted from the NBI:

1. Federal and State Bridge funds will not be available for structure replacement or rehabilitation and
2. The structure will only be added to the Inventory following replacement, using County funds.

Upon receipt of this resolution, the above structure(s) will be deleted from the inventory.

Vote of Commissioners: Yes 4 No 0

Dates at Sioux Falls, SD, this 24th Day of October, 2023.

APPROVED BY THE COMMISSION:

DEAN KARSKY

VICE-CHAIR

ATTEST:

KYM CHRISTIANSEN

DEPUTY AUDITOR

AGREEMENT

Tyler Klatt, Assistant Commission Administrative Officer, presented a request for authorization for the chair to sign the Construction Manager At-Risk Contract for the Juvenile Justice Center with Henry Carlson Construction.

The two contracts establish the terms and conditions of the relationship between Henry Carlson and the County, but do not establish the guaranteed maximum price (GMP). The GMP will be established following the completion of the design documents phase and presented to the Commission for approval prior to the start of construction. Henry Carlson was actively involved in the conceptual design phase, ensuring cost estimates were aligned with building design needs and cost limits. The AIA Document A133-2019 is the standard format agreement between the owner and construction manager used when the basis of payment is the cost of the work plus a fee with a GMP. In recognition of the economic environment regarding construction materials, there is a provision that allows for the increase in price of materials identified and restricts the increase of GMP to no more than 10% of the original cost. The AIA Document A201-2017 is a document of the general conditions applied to the project which include terms and conditions under which the owner, contractor, and architect will work together during the building construction process. The reconstruction services have a total cost of \$27,276, while the construction phase fee is 3.5% of the cost of work. MOTION by Beninga, seconded by Bleyenberg, to authorize the Chair to sign the Construction Manager At-Risk Contract for the Juvenile Justice Center. By roll call vote: 4 ayes.

OPPORTUNITY FOR PUBLIC COMMENT

Gaylin Scott, Valley Springs, SD, spoke in appreciation of the work done regarding the ordinance regulating pipelines.

Sarah Koob, Sioux Falls, spoke about concerns regarding a venue in Sioux Falls.

COMMISSIONER LIAISON REPORTS

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

Commissioner Bleyenberg spoke about a recent meeting with the Museum and the number of outreach programs that they are undertaking.

Commissioner Karsky spoke about upcoming meetings involving The Link and the Greater Sioux Falls Chamber of Commerce.

MOTION by Kippley, seconded by Bleyenberg, to enter into Executive Session pursuant to SDCL 1-25-2 (1), (3), (4), and (6) at 11:23 a.m. 4 ayes.

Commissioner Kippley recused himself from the executive session at 11:38 a.m. without returning.

Vice-Chair Karsky declared the executive session concluded at 11:50 a.m.

MOTION by Beninga, seconded by Bleyenberg, at adjourn at 11:51 a.m. 3 ayes.

The Commission adjourned until 5:00 a.m. on Tuesday, October 24th, 2023.

APPROVED BY THE COMMISSION:

Jean Bender
Chair

ATTEST:

10/24/2023

17265

Kym Christiansen
Commission Recorder