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THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. February 21, 2017, pursuant to adjournment on February 14, 2017. Commissioners present were: Barth, Bender, Beninga, Heiberger, and Karsky. Also present were Olivia Larson, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

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

MINUTES APPROVAL

MOTION by Heiberger, seconded by Barth, to approve the February 14, 2017, Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Heiberger, to approve the following bills totaling \$3,636,200.71. 5 ayes.

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|----------------------|---------------|-----------|----------------------|---------------|-----------|
| A To Z World Languag | Interpreters | 1,780.00 | A-1 Septic | Bldg/Yard Rep | 172.50 |
| Affordable Housing S | Welfare Rent | 260.00 | Airgas Inc | Lease-Rental | 41.25 |
| Airgas Inc | Small Tools | 6.90 | Allen, Stephen L | Welfare Rent | 400.00 |
| Allied Oil & Tire Co | Automotive/Sm | 93.50 | Allied Oil & Tire Co | Truck Repair | 39.50 |
| Amazon/Syncb | Other Supplie | 137.30 | Anderson, Julie | Uniform Allow | 19.98 |
| Automatic Building C | Other Profess | 441.00 | Avera McKennan Hospi | Hospital Prep | 6,742.50 |
| Bechtel, Dave | Welfare Rent | 500.00 | BI Inc | Program Suppl | 7,555.60 |
| Bob Barker Co | Inmate Suppli | 1,245.54 | Bob's Lock & Key/Haw | Other Supplie | 12.40 |
| Boyer Trucks Sioux F | Truck Repair | 791.00 | Brown & Williams Pro | Welfare Rent | 300.00 |
| Butler Machinery Co | Truck Repair | 187.54 | C&J Inc Db | Trash Removal | 325.00 |
| C&R Supply Inc | Truck Repair | 646.12 | Campbell Supply Co I | Truck Repair | 21.00 |
| CBM Managed Services | Board Of Pris | 24,995.87 | CBM Managed Services | Child Care Fo | 7,410.83 |
| CBM Managed Services | Inmate Suppli | 566.20 | Century Business Pro | Lease-Rental | 157.79 |
| Century Business Pro | Maintenance C | 381.43 | Centurylink | Contract Serv | 13.40 |
| Centurylink | Telephone | 1,685.62 | Christopherson Ander | Attorney Fees | 1,297.20 |
| City Centre Hotel Co | Program Activ | 110.00 | Constellation New En | Natural Gas | 21,219.94 |
| Convergint Technolog | Building Repa | 141.66 | Country Meadows Apts | Welfare Rent | 700.00 |
| Country View MHC | Welfare Rent | 719.70 | Dakota Data Shred | Lease-Rental | 158.44 |
| Dakota Data Shred | Other Profess | 155.25 | Dakota Data Shred | Trash Removal | 45.00 |
| Dakota Fluid Power | Small Tools | 150.88 | Dakota Point Apartme | Welfare Rent | 500.00 |
| Daniels-Olsen Bldg P | Exhibit Mater | 333.00 | Daybreak | Gas,Oil,Diese | 114.40 |
| Dover, Sena S | Bd Evaluation | 3,510.00 | Driveline Service In | Truck Repair | 62.26 |
| Duffy, Ryan | Attorney Fees | 3,359.40 | East Park Apartments | Welfare Rent | 300.00 |
| EH Hospitality LLC | Motels | 70.00 | Eirinberg, James A | Child Defense | 2,133.12 |
| Empire Baptist Templ | Other Misc R | 150.00 | Empire Plastics | Program Activ | 2,003.00 |
| ETMC Ems | Education & T | 3,455.00 | Etterman Enterprises | Parts Invento | 62.48 |
| Evans, Preston | Investigators | 302.40 | Faini, Caramie | Gas,Oil,Diese | 20.00 |
| First Dakota Title | Other Profess | 2,550.00 | Force America Distri | Truck Repair | 84.92 |
| G&H Distributing I | Kitchen/Clean | 269.56 | Gaylord Bros Inc | Collections S | 492.73 |
| Good Home Rentals LL | Welfare Rent | 300.00 | Heartland Paper Co | Kitchen/Clean | 93.32 |
| Heartstarters LLC | Education & T | 55.00 | HP Co Hewlett | Data Processi | 1,200.00 |
| I State Truck Center | Truck Repair | 5.43 | Interstate Office Pr | Office Suppli | 1,050.75 |
| Iosty, Alysia A | Business Trav | 69.00 | ISI LLC | Interpreters | 180.00 |
| JCL Solutions | Kitchen/Clean | 8,112.23 | Jerke, Heidi | Education & T | 112.00 |
| Jim & Rons Service I | Automotive/Sm | 50.00 | Johnson Janklow Abda | Other Profess | 8,139.95 |
| Johnson, Richard L | Attorney Fees | 150.00 | JSA Consult Engineer | Architects | 849.00 |
| Kull, Lisa | Court Reporte | 235.60 | Lantgen, Jessica | Other Misc R | 425.00 |
| Ledd Properties LLC | Motels | 600.00 | Lewis & Clark Bhs | Bd Evaluation | 2,240.00 |
| Lewis Drug Stores | Pharmacies | 90.34 | Lewno Law Office | Bd Exp Fees | 376.42 |
| Light And Siren | Automotive/Sm | 319.00 | Lutheran Social Svcs | Diversion Pro | 4,724.81 |
| Lutheran Social Svcs | Evening Repor | 6,299.56 | Lutheran Social Svcs | Interpreters | 1,050.00 |
| Lutheran Social Svcs | Shelter Care | 44,997.54 | Martinell, Charles | Work Mileage | 224.28 |
| Metro Communications | Other Miscell | 26,179.67 | Midamerican Energy C | Natural Gas | 3,922.00 |
| Midco | Telephone | 85.00 | Murray Properties L | Welfare Rent | 400.00 |
| Narem Inc | Parts Invento | 71.88 | Narem Inc | Small Tools | 54.95 |
| NASW-SD | Education & T | 398.00 | Navex Global Inc | Lease-Rental | 2,575.00 |

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|----------------------|---------------|--------------|----------------------|---------------|-----------|
| Neve's Uniforms | Uniform Allow | 2,274.00 | Nichole Carper | Attorney Fees | 940.91 |
| North American Truck | Truck Repair | 756.46 | Northridge Estates | Welfare Rent | 1,200.00 |
| Oreilly/First Call A | Truck Repair | 46.77 | PCCS Inc | Safety & Resc | 14,103.90 |
| Peters, Staci | Program Activ | 21.00 | Pharmchem Inc | Testing Suppl | 1,591.00 |
| Pheasantland Industr | Printing/Form | 393.65 | Phoenix Supply LLC | Child Care It | 48.95 |
| Phoenix Supply LLC | Child Care Un | 232.93 | Phoenix Supply LLC | Inmate Suppli | 1,112.00 |
| Real Property Manage | Welfare Rent | 600.00 | Record Keepers Inc | Records Stora | 2,384.85 |
| Redwood Toxicology L | Program Suppl | 1,080.00 | Redwood Toxicology L | Testing Suppl | 3,600.00 |
| Risty, Maxine J | Court Reporte | 108.80 | Sanford Clinic Fi | Other Miscell | 58.00 |
| Sanford Clinic Fam P | Clinics Aux | 43.63 | Sanford Hospital | Hospitals | 12,111.44 |
| SD Dept Of Revenue | Amounts He | 3,061,881.87 | SD Dept Of Revenue | Commitment | 17,600.98 |
| SD Dept Of Revenue | Commitment | 1,080.00 | SDEMTA Dist II | Education & T | 4,480.00 |
| Sentinel Offender Sv | Electronic Mo | 2,366.01 | SF Leased Housing As | Welfare Rent | 609.00 |
| Sheehan Mack Sales | Trucks/Tract | 236,388.00 | Sioux Empire FCU | Program Activ | 65.88 |
| Sioux Falls Area Hum | Other Miscell | 3,249.11 | Sioux Falls City Fin | Program Activ | 25.00 |
| Sioux Falls City Fin | Gas,Oil,Diese | 181.43 | Sioux Falls Utilitie | Water Sewer | 3,610.11 |
| Sioux Falls Utilitie | Welfare Utili | 419.10 | Skillpath Seminars | Education & T | 199.00 |
| Southeastern Behavio | Alternatives | 1,650.00 | Southeastern Behavio | Other Profess | 2,250.00 |
| Spring Hill Ltd Ptnr | Welfare Rent | 38.00 | Stangeland, Lori | Business Trav | 80.00 |
| Starr Enterprises I | Attorney Fees | 947.40 | Sturdavants Cliff Av | Automotive/Sm | 14.08 |
| Sturdevant's Auto Pa | Small Tools | 25.40 | Sunshine Foods | Welfare Food | 58.47 |
| Szameit, Alexandra | Interpreters | 726.63 | Taunton Direct/Fine | Subscriptions | 34.95 |
| Tires Tires Tires In | Gas,Oil,Diese | 140.53 | Vandenbos, Dallas | Welfare Rent | 550.00 |
| Variety Foods LLC | Other Profess | 371.42 | Variety Foods LLC | Other Supplie | 18.88 |
| Verizon Wireless | Data Processi | 1,132.24 | Verizon Wireless | HIDTA Grant | 94.04 |
| Verizon Wireless | Safety & Resc | 163.73 | Verizon Wireless | Telephone | 4,482.35 |
| Victoria Estates Ltd | Welfare Rent | 600.00 | Volunteers Of Americ | Other Profess | 5,030.00 |
| Waltner Kolbeck Scha | Attorney Fees | 5,028.40 | Waste Management Of | Trash Removal | 222.07 |
| Weerheim Law Office | Attorney Fees | 1,519.60 | Wet Rhino Truck Wash | Truck Repair | 1,020.00 |
| Winner Police Depart | Board Of Pris | 150.00 | Winner Police Depart | Extradition | 134.80 |
| Wisconsin Scrub & Sw | Small Equipme | 14,000.00 | Xcel Energy Inc | Electricity | 1,384.73 |
| Xcel Energy Inc | Road Maint | 27.16 | Xcel Energy Inc | Welfare Utili | 771.47 |
| Yankton County Treas | Attorney Fees | 1,614.25 | Zabel Steel Co | Heavy Eq Rep | 20.49 |

JANUARY SALARIES PAID

| | | | | | |
|----------------------|----------|------------|---------------------------|----------|------------|
| Commission | Salaries | 32,270.15 | Auditor | Salaries | 46,582.71 |
| Treasurer | Salaries | 69,307.93 | Information Technology | Salaries | 67,240.18 |
| States Attorney | Salaries | 239,808.08 | Public Defender | Salaries | 163,108.75 |
| Public Advocate | Salaries | 52,529.21 | Facilities | Salaries | 47,340.41 |
| Equalization | Salaries | 78,722.88 | Register Of Deeds | Salaries | 44,871.16 |
| Human Resources | Salaries | 23,321.89 | Sheriff | Salaries | 874,983.98 |
| Emergency Management | Salaries | 16,145.60 | Juvenile Detention Center | Salaries | 144,890.54 |
| Highway | Salaries | 130,992.57 | Human Services | Salaries | 117,889.69 |
| Museum | Salaries | 64,160.74 | Planning | Salaries | 32,912.00 |
| Extension | Salaries | 3,145.60 | | | |

REPORTS

The January 2017 Register of Deeds Official Statement of Revenue Report has been received and placed on file in the Auditor's Office.

PERSONNEL

MOTION by Bender, seconded by Barth, to approve the following personnel changes. 5 ayes.

1. To hire Michael Haugaard, Yiseth Gerdes, Corrina Leach, and Zachary Olson as Correctional Officers in Training (12/3) for the Jail at \$17.37/hour effective 2/27/17.
2. To promote Cassandra Tompkins from Corrections System Operator to Correctional Officer (13/3) for the Jail at \$18.26/hour effective 2/25/17.

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3. To promote Skyler Earley Stonearrow from Correctional Officer in Training for the Jail to Deputy Sheriff (17/3) for the Sheriff's Office at \$22.24/hour effective 2/25/17.
4. To transfer Linc Mitchell from Corporal for the Jail to Deputy Sheriff (17/3) for the Sheriff's Office at \$22.24/hour effective 2/25/17.
5. To accept the resignation of Justine Griesse as Administrative Assistant for the Public Advocate's Office effective 2/23/17.

Step Increases

1. Benjamin Burns and Byron Jennings – Correctional Officer – Jail – 13/5 – 1/27/17 - \$19.18/hour
2. Robert Harrison – Investigator – State's Attorney's Office – 16/8 – 1/22/17 - \$23.95/hour
3. Janet Eden – Office Manager - State's Attorney's Office – 14/9 – 1/21/17 - \$22.24/hour

Special Personnel Action

MOTION by Bender, seconded by Heiberger, to reclassify the vacant Assistant Auditor position (pay grade 21) to a new classification of Accounting Supervisor (pay grade 19) and to approve immediate recruitment for the newly classified position. 5 ayes.

ABATEMENTS

MOTION by Barth, seconded by Karsky, to approve abatement of 2016 property taxes representing property destroyed in a storm for the following: RDID 23145, \$138.48; and representing the Elderly Assessment Freeze for the following: RDID 23220, \$79.72; RDID 22489, \$281.05; RDID 22733, \$1,120. 5 ayes.

BID AWARDS

DJ Buthe, Highway Superintendent, reported on the February 15, 2017, bid opening for Project MC17-03 for mill and overlay of County Highways 103, 120, and 122. Eight bids were received from the following companies: Bituminous Paving, Inc., \$1,432,844.60; Duininck, Inc., \$1,509,277.05; Central Specialties, Inc., \$1,528,748.40; Border States Paving, Inc., \$1,540,069.05; Double H Paving, Inc., \$1,544,069.50; Black-Top Paving, Inc., \$1,587,903.35; Asphalt Surfacing Company, \$1,598,777.21; and Myrl & Roys Paving Co. Inc., \$2,194,931.00. The estimated construction cost was \$1,777,027.75. Staff recommends accepting the low bid submitted by Bituminous Paving, Inc. MOTION by Barth, seconded by Karsky, to award the bid for MC17-03 to Bituminous Paving, Inc. in the amount of \$1,432,844.60. 5 ayes.

DJ Buthe, Highway Superintendent, reported on the February 15, 2017, bid opening for Project MC17-06 for micro-surfacing of County Highways 114 and 140. Three bids were received from the following companies: Martin Resource Corp dba Monarch Oil Company, \$307,737.74; Missouri Petroleum Products Co., \$428,159.86; and Intermountain Slurry Seal, Inc., \$513,274.28. The estimated construction cost was \$387,568.50. Staff recommends accepting the low bid submitted by Martin Resource Corp dba Monarch Oil Company. MOTION by Bender, seconded by Barth, to award the bid for MC17-06 to Martin Resource Corp dba Monarch Oil Company in the amount of \$307,737.74. 5 ayes.

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APPEAL

Brandon Water Tower

Scott Anderson, Planning Director, gave a briefing on an appeal filed by the City of Brandon on the Planning Commission's decision to deny Conditional Use Permit (CUP) #16-49 to allow the construction of a 149 foot tall, 1.25 million gallon water tower on property legally described as Tract 5, Nelson's Addition, S1/2, Section 26-T102N-R48W. The property is located at the NW Corner of Redwood Blvd. & Chestnut Blvd., approximately 0.5 mile northeast of Brandon. The Planning Commission denied the CUP five (5) to one (1) at their January 23, 2017, meeting. Lisa Marso, Attorney for the City of Brandon, gave an overview of the project citing the chosen location is within the City's growth plan, the City's need for a new water tower, and similar CUP's that have been granted for nearby municipalities. Jon Brown, Stockwell Engineers, presented the three locations that were considered for the water tower. He explained the proposed location was chosen due to it being the most cost effective choice that meets the requirements and needs for a water tower. Benjamin and Elizabeth Aaker, 2215 E Redwood Blvd., Brandon; Chris Constant, 920 N. Chestnut Blvd., Brandon; David and Sandy Elofson, 1102 N. Chestnut Blvd., Brandon; Jess Elofson, 1104 N. Chestnut Ave., Brandon; Bradyn Ames, 435 N Chestnut Blvd., Brandon; and Alexandra Elofson, 117 S Yellowstone Dr., Brandon, all spoke in opposition of CUP #16-49. Those speaking in opposition brought the following concerns forward: 1) the affect the water tower would have on property values, 2) condition of the nearby roads, 3) the overall size of the water tower and aesthetic concerns, 5) suggested the water tower be built on property that the Brandon School District has acquired for a future school, choose a location within City limits, or locations that are more likely to be annexed into the City, 6) proximity of the proposed water tower to Mr. Constant's home, 7) how the water tower may affect people applying for Federal Housing Administration home loans, 8) rural residents would not benefit from the tower since the City of Brandon does not supply their water and, 9) how the water tower would be funded. Ms. Marso addressed the concerns raised by the opposition and further explained the choice of the location, how the water tower would be funded, and noted the site is within the 20 year growth plan created by Stockwell Engineers. Mr. Brown stated the physical structure of the water tower would be similar to those within the City of Sioux Falls and is based on the current size and expected growth of the City. He also noted the Constant's property is beyond the fall zone. The 20 year growth map representing future annexations was presented by Mr. Brown showing the location for the proposed water tower and explaining how future development will affect the area. Bryan Read, City Administrator for the City of Brandon, 304 S Main Ave, stated Marmen Energy is most likely the single largest user of Brandon City water. Scott Anderson, Planning Director, stated this CUP meets County requirements. Mr. Brown stated the cost to build the water tower on the proposed land is \$3.2 million and would be, at least, an additional \$410,000 for a different location. For the record, Commissioners Heiberger and Karsky stated they did speak with Mr. Aaker over the phone on February 20, 2017, in regard to this appeal. MOTION by Bender, seconded by Heiberger, to overturn the Planning Commission's denial and to approve CUP #16-49. Commissioner Bender stated the CUP legally fits within the criteria and there is no option to place it within the City. Therefore it has to go somewhere outside the City of Brandon. Commissioner Bender also noted that Minnehaha County ordinances are made to help Commissioners make these types of decisions where there are conflicting viewpoints. Commissioner Heiberger stated she will also be making her decision based on Minnehaha County zoning ordinances and South Dakota Law. Commissioner Karsky referenced the growth map and stated the opponents are going to be fighting more battles like this if they do not want to see a lot of change in their neighborhood pointing out that growth is coming. VOTE on the motion. 5 ayes.

Hefty Penalty Fee

David Heinold, Planner, gave a briefing on an appeal filed by Brian Hefty on an administrative decision to charge a \$500 penalty fee for conducting drainage work without a permit on the property legally described as the N1/2 NE1/4 (Ex. H-1) in Section 33 and SE1/4 (Ex. H-1 & Ex. Tract 1 Ronning Addn.) in Section 28, Dell Rapids Township. Staff received a complaint of drainage work being conducted without a permit on October 26, 2016. On October 28, 2016, Mr. Hefty came to the Planning Department for a drainage permit, at

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which time he was informed of the complaint and the \$500 penalty fee for conducting the cleanout work on Silver Creek near Baltic. At this time, Mr. Hefty told staff he checked with sources outside the County who informed him he did not need a permit to excavate dirt out of a named stream. On November 8, 2016, Mr. Hefty picked up forms for the drainage work as well as notification for the ditch cleanout on the natural waterway, Silver Creek. Staff inspected the property on December 8, 2016, and found dirt piles had been removed from the side and placed onto the adjacent farm fields. Staff noted there appeared to be about 2 feet of silt and vegetation removed from the waterway. Commissioner Heiberger suggested deferring the item until April while the drainage ordinance is being reconsidered. Kersten Kappmeyer, Chief Civil Deputy State's Attorney, stated that deferring is an option unless it would impede further work Mr. Hefty would need to conduct or impede the work of the Planning Department. Mr. Heinold stated a deferral would not impede the department's work. Brian Hefty, Baltic, SD, stated he has a permit for tile work that still needs to be conducted and spoke on his reasons for not getting a permit for the drainage work on Silver Creek including his contact with the Ryne Brende, who is a member of the Silver Creek Watershed District, the Natural Resources Conservation Service, and the U.S. Army Corps of Engineers. Scott Anderson, Planning Director, stated if they choose to defer it in order to wait on the potential ordinance changes, then April would not be enough time due to hearing notice requirements. MOTION by Karsky seconded by Bender, to waive the \$500 penalty fee. 5 ayes.

Chair Beninga called for a 4 minute break at 10:36 a.m. The break ended at 10:40 a.m.

Confined Animal Feeding Operation

Kevin Hoekman, Planner, gave a briefing on an appeal filed by four (4) nearby property owners of Conditional Use Permit (CUP) #17-02. The CUP is to allow a 950 animal unit, Class C Confined Animal Feeding Operation (CAFO) on the property legally described as W1/2 SW1/4 (Ex. Trs. 2-5 Alderson Addn.) & Tr. 1 Alderson Addn. SW1/4, Section 17-T101N-R1W. The property is generally located 1.5 miles northwest of Wall Lake and five (5) miles southwest of Hartford. The Planning Commission approved CUP #17-02 with seven (7) conditions on January 23, 2017, with Commissioner Mike Cypher recusing himself as he is a neighbor to the petitioner. The petitioner of CUP #17-02, Brian Alderson, 26464 461st Ave., Hartford, currently operates two (2) Class D CAFOs on two adjacent parcels of land, one is an open lot facility and the other is within a hoop barn. CUP #17-02 allows for the replacement of the two existing operations with one CAFO where all animals and manure storage will be located in one barn. The petitioner is applying for financial assistance through the Environmental Quality Incentives Program and has worked with the Natural Resources Conservation Service (NRCS) for the design and management plan of the CAFO. For the size of the Class C CAFO, the petitioner must obtain a signed waiver from everyone within 1,980 feet of the operation. The petitioner was not able to obtain a waiver from one of the neighbors. When a waiver is not obtained, documentation on "new technology, management practices, topographic features, soil conditions, or other factors which substantiate a reduction in the minimum separation criteria" must be presented. For the record, Commissioner Barth stated he spoke with the petitioner prior to the Planning Commission vote over the phone. Brian Donahoe, Attorney representing Brian Alderson, stated the Alderson farm has been in operation for over a century, explained how the proposed CAFO meets the ordinance requirements, and explained how new technology would meet the minimum setback requirements. Brian Alderson, 26464 461st Ave., Hartford, spoke on the environmental impact of the proposed CAFO and his work with the NRCS, the use of the South Dakota Odor Footprint Tool, and his other research stating the environmental impact, community acceptance, efficiency, and profitability were all considerations when designing the CAFO. Mr. Alderson highlighted the following points: 1) reduction/elimination of nesting grounds for flies and vermin, 2) reduction in the number of annual agitation days; 3) better odor control through landscaping design and the reduction of the release of ammonia into the atmosphere, 4) zero runoff, and 5) the reduction in the use of diesel fuel petroleum based chemical fertilizers. Dana Loseke, 2701 E Thomas Circle, Sioux Falls, Chair of both the East River Sierra Club and Friends of the Big Sioux River, and Brian Top, 2836 Old Orchard Trl., Sioux Falls, former employee of NRCS and currently contracts for the Minnehaha County Conservation District, spoke in support of the CAFO due to their desire to see the protection of natural resources in the community and Mr. Top's work experience with Mr. Alderson. Steve Dick, 301 N. VanDemark Ave., Hartford, the Executive Director of Ag United for South Dakota, stated his organization supports the approval of the CAFO and stated the Minnehaha

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County Planning Department operates well. For the record, Commissioners reported receiving an email from Mike Cypher, Planning Commissioner, in support of this CAFO. Warren Geide, 46134 263rd Street, Hartford, stated he is in favor of the CAFO and noted that there is going to be some give and take when it comes to progress. AJ Swanson, 27452 482nd Ave, Canton, Attorney representing Mike and Kim Sommers, spoke in opposition of the CAFO citing previous odor concerns with the existing CAFOs, the creation of a landscaping plan, and proximity concerns. Mr. Alderson stated that when his clients moved to their current residence, 26475 461st Ave., Hartford, the Aldersons did not have any CAFOs on their property, and stated the primary concern is to have a professionally designed landscaped plan in order to assist with odor control. Heather Gray, 26536 461st Ave., Hartford, spoke in opposition of the CAFO and cited concerns with aesthetics, odor control, and property values. Mr. Donahoe stated his client would be willing to add, as a condition of the CUP, a professionally approved landscape design. Mr. Swanson brought forward concerns with what entity is best suited to approve the professional landscaping plan. Mr. Donahoe stated the engineer Mr. Alderson is working with does have a landscape architect on staff that would approve the landscaping plan. Commissioner Heiberger referenced the Freedom to Farm Act in Minnehaha County and referenced hog confinements that have come up near her rural property. Commissioner Bender stated that this is a process where they must make a decision based on the ordinances and whether the petitioner meets the conditions of the permit. MOTION by Barth to approve the application. MOTION by Heiberger to amend Commissioner Barth's motion to include the NRCS and the Minnehaha County Conservation District approving the shelter belt line. Commissioner Barth withdrew his motion. Commissioner Heiberger withdrew her motion. MOTION by Bender, seconded by Heiberger, to approve CUP #17-02 for a Class C CAFO with the following 8 conditions: 1) The facility shall be limited to 950 animal units in size. 2) The CAFO shall comply with all applicable regulations of the County Zoning Ordinance. 3) The facility shall conform to the submitted site plans. Any minor changes may be approved by the Planning Director at the Minnehaha County Planning Department. Major changes will require an amendment to this permit and a public hearing. 4) The manure containment facility must be in conformance with South Dakota Department of Environment and Natural Resources design standards for any newly constructed waste containment facility. A registered professional engineer shall certify the plan specifications and the construction of the facility. 5) The proposed barn shall have engineer certified drawings that shall be submitted for review by the Building Inspector prior to the issuance of a building permit. 6.) A building permit is required for all structures prior to construction. 7) That the Planning & Zoning Department reserves the right to enter and inspect the CAFO at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and Minnehaha County Zoning Ordinance. 8) An additional condition where a shelter belt for the confined animal feeding operation shall be designed for the dispersion of odors in conjunction with NRCS and Minnehaha Conservation and approved by a Professional Landscape Architect. 5 ayes.

TRAINING APPLICATION

Erin Srstka, Juvenile Detention Alternatives Initiative Coordinator, requested approval of the Sequential Intercept Mapping (SIM) application to provide training and strategic planning for the triage center project committees. The SIM model would provide a 1.5 day workshop to assist stakeholders of the Community Triage Center planning project in identifying and discussing barriers among the criminal justice, mental health, and substance abuse systems in order to map out priorities and opportunities for the triage center project. If the County is awarded this training, then there is no cost to Minnehaha County. MOTION by Bender, seconded by Barth, to approve submission of the Sequential Intercept Mapping application. 5 ayes.

LEGISLATIVE UPDATE

Robert Wilson, Assistant Commission Administrative Officer, gave an update and status report of the 2017 Legislative Session on bills that impact Minnehaha County.

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LIAISON REPORTS

Commissioner Heiberger reported she and Commissioner Karsky attended the Public Defender's Office board meeting where it was reported that a Southeastern Behavioral HealthCare social worker was able to save a significant number of bed days by utilizing training she received on alternative sentencing.

Commissioner Barth reported there will only be three commissioners present next week due to a National Association of Counties conference. Due to this, he suggested postponing the approval of a Planning Department notice until all commissioners could be present. Scott Anderson, Planning Director, explained why the notice was scheduled for next week approval and stated he would schedule it for a different meeting when all commissioners will be available.

MOTION by Barth, seconded by Bender, to adjourn into executive session for personnel and litigation. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday February 28, 2017.

APPROVED BY THE COMMISSION:

Gerald Beninga

Chair

ATTEST:

Olivia Larson

Deputy Auditor