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THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. August 27, 2019, pursuant to adjournment on August 20, 2019. Commissioners present were: Barth, Bender, Beninga, Heiberger, and Karsky. Also present were Olivia Larson, Commission Recorder, and Margaret Gillespie, Senior Deputy State's Attorney.

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

MINUTES APPROVAL

MOTION by Heiberger, seconded by Barth, to approve the August 20, 2019, Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Beninga, to approve the following bills totaling \$2,647,873.33. 5 ayes. Kim Adamson, Finance & Budget Officer, spoke on the fire insurance premium distributions listed in the bills. These represent a tax levied and collected by the State on fire insurance coverage throughout the County that is apportioned out to certified fire departments in the County.

A&B Business	Lease-Rental Agmt	95.00
A&B Business	Maint Contracts	331.75
Advanced Pest	Maint Contracts	70.00
Airgas USA	Lease-Rental Agmt	54.84
Airteq	Safety & Rescue Equip	222.72
Airway Svc	Automotive/Small Equip	1,430.19
Airway Svc	Gas Oil & Diesel	81.88
American Correctional	Education & Training	80.00
Anderson Bioscience	Attorney Fees	1,500.00
Anderson, Jennifer	Bd Evals Minnehaha	2,595.00
Angel, Edward P	Attorney Fees	114.00
Angel, Edward P	Child Defense Attorney	247.00
Apts On 18th	Welfare Rent	700.00
Apts On Majest	Welfare Rent	500.00
Appeara	Program Activities	92.35
Audio Playground	Automotive/Small Equip	160.00
Austad Properties	Welfare Rent	500.00
Avera McKennan	Psych Evals	1,500.00
Axis Forensic Toxicol	Lab Costs	1,003.00
Baltic Fire Dept	Amounts Held For Others	11,356.21
Bartels, Amber	Business Travel	84.12
Belitz, Clarence H	Welfare Rent	2,100.00
Bob Barker Company	Inmate Sup	3,361.54
Boyd, Michelle	Business Travel	48.00
Brandon Fire Dept	Amounts Held For Others	40,304.18
Braun, Mason	Investigators Exps	111.72
Brennan Hills Town	Welfare Rent	684.00
Brentwood Apts	Welfare Rent	325.00
Brownells	Other Sup	35.59
BSN Sports	Inmate Sup	623.28
Burns, Jason	Investigators Exps	66.36
Carroll Institute	Misc Exp	4,777.91
Century Business	Lease-Rental Agmt	1,396.19
Century Business	Maint Contracts	50.49
Centurylink	Telephone	151.78
Chagolla, Albert	Interpreters	120.83
Chasing Willows	Welfare Rent	541.00
Chris Cam	Inmate Sup	44.23
City Glass & Glazing	Jail Repairs & Maint	2,974.00
Civil Design	Architects & Engineers	765.00
Cluckin Good Chicken	Jury Fees	176.41
Colton Fire & Rescue	Amounts Held For Others	7,754.14
Concrete Materials	Grounds & Parking Repair	112.23
Constellation	Natural Gas	6,965.12

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Crooks Volunteer Fire	Amounts Held For Others	9,343.09
Crysteel Truck Equip	Automotive/Small Equip	2,000.00
Dakota Fresh	Store Inventory	457.74
Dakota Lettering	Uniform Allowance	2,189.44
Decisionone	Maint Contracts	168.52
Dell Rapids Fire	Amounts Held For Others	17,725.47
Dust Tex Svc	Janitorial Chemical Sup	20.30
Easy Badges	Inmate Sup	450.00
Eich Law	Attorney Fees	1,500.00
Eich Law	Child Defense Attorney	4,166.67
Electric Supply	Data Processing Equip	650.95
Emily Fancher	Misc Revenue	150.00
English Law	Attorney Fees	1,500.00
Etterman Enterprises	Small Tools & Shop Sup	40.00
Fastenal	Small Tools & Shop Sup	153.87
Fastenal	Truck Repairs & Maint	6.11
Fastsigns	Safety & Rescue Equip	71.73
Fox & Youngberg	Attorney Fees	2,714.98
Fully Promoted	Uniform Allowance	15.00
Galls Quartermaster	Uniform Allowance	3,055.37
Garretson Fire Dept	Amounts Held For Others	11,085.26
Gaylord Bros	Program Activities	137.90
George, Aaron	Motels	500.00
George, Aaron	Welfare Rent	500.00
Geotek Engineering	Architects & Engineers	188.00
Goering, James	Business Travel	56.00
Grainger	Small Tools & Shop Sup	227.75
Griese Law	Attorney Fees	834.00
Griesse, Chris	Road Maint & Material	6,307.76
Gumbrel, Thomas D	Welfare Rent	650.00
Gunner, Andrea	Court Reporters	38.00
Guzman, Sandra V	Interpreters	25.00
Hall, Vien V	Interpreters	50.00
Hartford Area Fire	Amounts Held For Others	27,259.47
Helpline Center	Education & Training	70.00
Helseth, Ramona G	Bd Exp Fees Minnehaha	64.00
Hidden Hills Apt	Welfare Rent	1,570.50
Horn Law	Attorney Fees	213.00
Humboldt Fire & Amb	Amounts Held For Others	6,149.36
HyVee	Jury Fees	45.90
HyVee	Program Activities	114.21
I State Truck Center	Parts Inventory	59.69
Interim Healthcare	Professional Svcs	2,263.50
Interstate Office	Office Sup	718.94
Intoximeters	Testing Sup	5,000.00
Iosty, James	Bd Exp Fees Minnehaha	8,845.40
Iosty, James	Crisis Intervention Program	206.80
Iret Properties	Welfare Rent	400.00
ISI	Interpreters	160.00
Jasper Rural Fire	Amounts Held For Others	801.51
Jastram, Mark	Investigators Exps	25.20
JCL Solutions	Inmate Sup	2,263.14
JCL Solutions	Janitorial Chemical Sup	168.31
JCL Solutions	Kitchen/Cleaning Sup	6,557.07
JE Dunn Construct	Jail Expansion Construct	1,353,702.00
Jeff Larson Law	Attorney Fees	3,130.95
Jeff Larson Law	Child Defense Attorney	2,595.75
Jefferson Partners	Transportation	424.00
Johnson, Erin M	Bd Evals Minnehaha	3,816.40
Josh Phillips	Business Travel	203.00
Katterhagen, Mark	Bd Exp Fees Yankton	82.50
Kennedy Pier & Loftu	Attorney Fees	1,681.30
Kennedy, Renee S	Court Reporters	977.20
Knecht, Andrew J	Attorney Fees	4,131.50
Kone	Outside Repair	174.35

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Kruse Law	Child Defense Attorney	4,166.67
Kull, Lisa	Court Reporters	221.80
Lacey Rentals	Lease-Rental Agmt	111.00
Landeem Law	Attorney Fees	1,500.00
Laughlin Law	Attorney Fees	3,688.90
Ledd Properties	Motels	725.00
Lewno Law	Bd Exp Fees Yankton	937.50
Lin, Yi-Chun	Program Activities	950.00
Lockwood Law	Attorney Fees	1,401.25
Lockwood, Darcy	Bd Exp Fees Yankton	82.50
Loving, Philip	Bd Evals Minnehaha	4,440.00
Luther, Jeff	Medical Director	2,500.00
Lyons Volunteer Fire	Amounts Held For Others	1,867.48
Martinell, Charles	Business Travel	222.60
Medstar Paramedic	Transportation	2,800.00
Menard	Automotive/Small Equip	34.98
Menard	Bridge Repair & Maint	204.88
Menard	Office Sup	58.64
Menard	Program Activities	169.72
Metro Coms	Misc Exp	189,314.92
Midamerican Energy	Natural Gas	880.60
Miles Maas	Business Travel	56.00
Miller, Frances F	Bd Exp Fees Minnehaha	80.00
Milstead, Michael W	Business Travel	54.00
Minnehaha Petty Cash	Business Travel	34.28
Minnehaha Petty Cash	Child Care Items	30.00
Monick Pipe & Supply	Jail Repairs & Maint	1,100.17
Montrose Fire Dept	Amounts Held For Others	343.95
Morse Correctional	Contract Svcs	800.00
Multicultural Center	Interpreters	55.00
Myers & Billion	Attorney Fees	2,522.70
Napa Auto Parts	Small Tools & Shop Sup	10.00
Northeast Investment	Welfare Rent	1,500.00
Novak	Office Sup	37.11
Nyangamoi, Andrew	Welfare Rent	500.00
Pharmchem	Testing Sup	314.05
Pheasant View Apt	Welfare Rent	356.45
Phoenix Supply	Child Care Uniforms	127.76
Prahm Construct	Contracted Construct	32,396.11
Prestox	Outside Repair	356.00
Price, Thomas L	Attorney Fees	1,200.00
Pride Neon	Automotive/Small Equip	200.00
Qualified Presort	Postage	99.75
Quality Efficiencies	Welfare Rent	225.00
Renner Fire Rescue	Amounts Held For Others	9,042.23
Reynolds Law	Child Defense Attorney	4,166.67
Russell, Mark	Education & Training	421.89
Sanford Clinic	Misc Exp	24,931.42
Sanford Clinic	Other Medical Svcs	100.20
Sanford Home Medical	Medical Equip	21.00
SD Assoc Of County	Education & Training	185.00
SF Specialty Hospital	Recruitment	1,220.00
SHI International	Software	3,992.40
Sioux Empire Fair	Misc Exp	12,500.00
Sioux Falls City	Amounts Held For Others	511,923.05
Sioux Falls City	Electricity	16,183.87
Sioux Falls City	Water Sewer	23,443.30
Sioux Falls Rubber	Office Sup	38.00
Snoozy, Scott	Welfare Rent	880.00
Southeastern Behav	Professional Svcs	3,437.50
Split Rock Apt	Welfare Rent	500.00
Splitrock Fire Dept	Amounts Held For Others	15,326.98
State of SD	Amts Held-Daily Scram	2,276.00
State of SD	Amts Held-Remote Breath	867.00
State of SD	Data Coms	113.00

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State of SD	Inmate Sup	18,308.00
State of SD	Misc Exp	10.00
State of SD	Outside Repair	14.70
State of SD	Printing/Forms	184.86
State of SD	Safety & Rescue Equip	123.00
State of SD	Telephone	312.00
Street Smart Rental	Automotive/Small Equip	1,145.00
Streichers	Uniform Allowance	112.16
Stronghold Counsel	Psych Evals	750.00
Summit Food Svc	Child Care Food	2,902.97
Tammen Auto & Tire	Gas Oil & Diesel	43.35
Taylor Place	Welfare Rent	500.00
TCN	Telephone	48.49
The Mighty Bowtones	Program Activities	380.00
Thomson Reuters	Amounts Held For Others	708.75
Thomson Reuters	Books	52.60
Thomson Reuters	Legal Research	2,652.25
Thurman, Creighton	Attorney Fees	643.35
Tires Tires Tires	Gas Oil & Diesel	51.99
Trane	Fairgrounds	11.73
True Care Family	Pharmacies	42.00
Tschetter & Adams	Attorney Fees	4,505.94
Two Way Solutions	Com Equip Repair	177.50
Two Way Solutions	Vehicle Equip	445.49
Tyler Technologies	Software	1,147.50
Tzadik	Welfare Rent	1,624.50
US Foods	Professional Svcs	392.91
Valley Springs Vol	Amounts Held For Others	6,222.49
Valley Springs Vol	Valley Springs Fire Dept	13,425.50
Ver Beek, Kelsey	Attorney Fees	1,034.30
Ver Beek, Kelsey	Child Defense Attorney	754.07
Verizon Wireless	Safety & Rescue Equip	40.01
Victory Supply	Inmate Sup	9,233.67
Vogel Motors	Gas Oil & Diesel	35.00
Wagner, Heidi	Bd Evals Minnehaha	225.00
Walton, Marcus	Attorney Fees	3,976.20
Waterbury Plbg	Tea-Ellis Range	632.65
Watkins, Larry R	Welfare Rent	500.00
Weeg Trailer Park	Welfare Rent	230.00
Weerheim Law	Bd Exp Fees Minnehaha	1,627.20
Westport Investors	Welfare Rent	500.00
Windsor Heights Apt	Welfare Rent	500.00
Xcel Energy	Electricity	75,001.55
Xcel Energy	Welfare Utilities	4,974.03
Yankton County	Attorney Fees	2,141.00
Yankton County	Return Of Svc	100.00
Yemam, Nassir	Interpreters	75.00
Zahrbock Kool Law	Attorney Fees	1,486.12
Zuercher Tech	Professional Svcs	561.30

PERSONNEL

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

Step Increases

1. Kari Gackle, Legal Office Assistant for the State's Attorney's Office, at \$21.92/hour (10/13) effective 7/10/19.
2. Lori Ehlers, Senior Trial Attorney for the State's Attorney's Office, at \$3,250.40/biweekly (23/6) effective 6/14/19.

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3. Joseph Flynn, Senior Deputy State's Attorney for the State's Attorney's Office, at \$3,093.60/biweekly (22/8) effective 6/6/19.
4. Lyndsay DeMatteo, Senior Deputy Public Advocate for the Public Advocate's Office, at \$3,018.40/biweekly (22/7) effective 8/20/19.
5. Steven Pigott, Tax and License Technician for the Treasurer, at \$16.71/hour (10/2) effective 8/15/19.
6. Travis Krueger, Air Guard Security Officer II for the Air Guard, at \$25.42/hour (13/13) effective 8/8/19.
7. Heather Richarz, Correctional Officer for the Jail, at \$26.71/hour (13/15) effective 6/23/19.
8. Wyatt Walton, Correctional Officer for the Jail, at \$26.71/hour (13/15) effective 8/21/19.
9. Brandon Greiner, Corporal for the Jail, at \$24.19/hour (17/3) effective 8/12/19.

Other Salary Changes

1. To begin Accident Reconstruction specialty pay for Phillip Leidholt, Deputy Sheriff for the Sheriff's Office, resulting in a rate of \$31.47/hour effective 8/24/19.
2. To begin Accident Reconstruction specialty pay for Justin Lammer, Deputy Sheriff for the Sheriff's Office, resulting in a rate of \$24.10/hour effective 8/24/19.

PUBLIC COMMENT

Robert Kolbe, Sioux Falls, SD, commented on the passing of Pilot Al Haynes, on the crash that took place 30 years ago in Sioux City, and the preparations taken in Sioux Falls in case the plane needed to land in Sioux Falls.

MOTION by Karsky, seconded by Heiberger, to recess the Minnehaha County Commission Meeting. 5 ayes.

MOTION by Heiberger, seconded by Barth, to enter into a joint meeting with the City of Hartford City Council. 5 ayes.

City of Hartford City Council Members present were: Mayor Jeremy Menning, Mark Brenneman, Brittany Glanzer, Travis Kuehl, and Scott Nelson.

JOINT JURISDICTION

Scott Anderson, Planning Director, was present for a public hearing on a proposed joint zoning jurisdictional area beyond the municipal corporate limits of the City of Hartford (City). Teresa Sidel, City of Hartford Administrator, spoke on the City's request for the creation of a new joint jurisdictional area with the County. Responsible growth, cooperative land use, and cooperative decision making were listed as advantages of a joint zoning jurisdiction. It was acknowledged that a joint jurisdiction can add another layer of government and can slow down processes. The City would prefer that the joint jurisdiction follow the City's Major Street Plan Map within the City's 2017-2037 Comprehensive Plan. Additionally, the City would draft the joint zoning ordinance and model it after the joint zoning ordinance between the City of Dell Rapids and the County. No public meetings were held to receive input from the affected property owners. The City's intention was to hold public meetings upon approval by the County and before the approval of a joint zoning ordinance. The Hartford Planning and Zoning Board and the Minnehaha County Planning Commission unanimously recommended approval of the Hartford 2017-2037 Comprehensive Plan in order to begin the joint jurisdiction process on June 24, 2019.

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Commissioners expressed the following concerns: the lack of notification of the affected property owners, the fact that the affected property owners cannot elect the members of the City Council, and whether or not the City will be able to ensure a quorum at joint meetings. The Commission also expressed interest in the City's Comprehensive Plan, and would prefer more specifics on the City's expected growth.

Mr. Anderson spoke on the following topics in response to questions from the Commission: the average number of miles within a joint jurisdictional area, the process needed to establish a joint zoning jurisdiction, the County Planning & Zoning Department being the administrator of a joint zoning jurisdiction, and a recommendation to include and notify property owners throughout the process.

In response to a question from Commissioner Beninga, Ms. Sidel explained that annexations are land owner driven, and that the City has not done a forced annexation.

Mike Grace and Adam Prunty, both of Hartford, SD, commented that, as property owners in the proposed joint jurisdictional area, they would have liked to have been notified of the City's request for a joint zoning jurisdiction with the County. Mr. Prunty further stated that he has no intention of developing his property.

MOTION by Beninga to defer action. Margaret Gillespie, Senior Deputy State's Attorney, spoke on the potential effect of deferring the item. Commissioner Beninga withdrew his motion.

Commissioner Karsky expressed his opposition to the request, and asked that the City provide more details on their ability to service the projected growth areas. In response to a question from Commissioner Heiberger, Ms. Gillespie advised the Commission to take action on the item and explained that the City may come back to the County with a request at any time. Commissioner Barth spoke in favor of the City's request and his belief that the City has good intentions. Commissioner Bender spoke in favor of organizational growth, but also expressed concerns with property owners not being able to elect the City Council and not having been notified by the City of the request.

MOTION by Heiberger, seconded by Karsky, to deny the proposed joint zoning jurisdictional area beyond the municipal corporate limits of the City of Hartford.

Jeremy Menning, Hartford Mayor, spoke on the City's position indicating that they want to ensure there is a good process for growth that works for everyone, and that the City does not intend to be an encumbrance to property owners. City Councilor Scott Nelson spoke on his involvement in the history of the City pursuing a joint jurisdiction stating that the City has worked well with their neighbors in the past.

Commissioner Karsky explained that by opposing the request now does not mean that he would not be open to considering the request again if more details were brought forward and the property owners were given the opportunity to provide input.

VOTE ON MOTION by roll call vote: 4 ayes. Barth voted nay.

MOTION by Karsky, seconded by Barth, to adjourn the joint meeting with the City of Hartford City Council. 5 ayes. The City Concurred.

MOTION by Barth, seconded by Karsky, to reconvene the Minnehaha County Commission Meeting. 5 ayes.

PUBLIC HEARINGS

Scott Anderson, Planning Director, was present for a public hearing regarding a proposed real estate exchange for two emergency access easements at the Perry Nature Area. The Real Estate Exchange Agreement specifies

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lots to be transferred to the County in exchange for the easements. A resolution for a land exchange was presented that would authorize the Chair to execute an Access Easement and a Real Estate Exchange Agreement between Minnehaha County and Quoin Financial Bank upon the County's receipt of an appraisal. The first easement would clarify the use of an existing roadway by indicating that it can be used by residents and park goers, as well as part of the emergency ingress and egress. The second easement would be used as an emergency ingress and egress for the future development to the north of the property. Additionally, it would provide walking access into the Perry Nature Area. Both easements are identified in the Access Easement. Robert Kolbe, Sioux Falls, SD, expressed concerns regarding the value of Lots 16, 17, and 18. Mr. Kolbe also commented that the Access Easement could be a burden to the County or the City due to the need for it to be maintained and patrolled. Colin Barron, Sioux Falls, SD, requested clarification regarding the location and use of the Access Easement in relation to his property. Mr. Anderson stated that the property was surveyed and the easement is on County property. Vince Jones, Attorney representing Quoin Financial Bank, spoke on the Bank's belief that there is value in Lots 16, 17, and 18 and Track 6. Mr. Jones stated that the Bank will be responsible for constructing a road for the Emergency Access Easement that will have a connection to the Access Easement. Margaret Gillespie, Senior Deputy State's Attorney, advised the Commission on how to word the motion if they were to approve. MOTION by Barth, seconded by Beninga, to adopt the Access Easement and the Real Estate Exchange, and authorize the Chair to sign the Access Easement, the Real Estate Exchange Agreement, and Resolution MC19-34. By roll call vote: 5 ayes.

**RESOLUTION MC 19-34
RESOLUTION FOR A LAND EXCHANGE**

WHEREAS, a public hearing was held on August 27, 2019, pursuant to the provisions of SDCL § 6-5-4 to consider a real property exchange between Minnehaha County, a political subdivision of the State of South Dakota and Quoin Financial Bank, a South Dakota Corporation; and

WHEREAS, said public hearing was for the purpose of determining whether the public interest will be served by such real property exchange; and

WHEREAS, Quoin Financial Bank, a South Dakota corporation, owns the following described real property:

Lots 16, 17, and 18 in Willow Ridge Estates, an Addition in the Southeast Quarter (SE¼) of Section Twenty (20), Township One Hundred One (101) North, Range Forty-eight (48) West of the 5th P.M., Minnehaha County, South Dakota.

An unplatted parcel of land within Tract 6, Willow Run Addition in Section Twenty (20), Township One Hundred One (101) North, Range Forty-eight (48) West of the 5th P.M., Minnehaha County, South Dakota, according to the recorded plat thereof, consisting of approximately 27,817 square feet, more or less (to be platted prior to transfer), depicted as Lot Two (2) of Block One (1), Willow Addition to the City of Sioux Falls, Minnehaha County, South Dakota,

hereinafter referred to as the Quoin Property; and

WHEREAS, Minnehaha County, a political subdivision of the state of South Dakota, owns the following real property:

Blocks 6, 7, 8, 9, and 10 of Riley's Addition to the City of East Sioux Falls, Split Rock Township, Minnehaha County, South Dakota, according to the recorded plat thereof; and Tract 1 of the G.H. Perry Addition in the North Half (N1/2) of Section Twenty-eight (28), Township One Hundred One (101), Range Forty-eight (48) West of the 5th Principal Meridian, Minnehaha County, South Dakota,

hereinafter referred to as the County property; and

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WHEREAS, Minnehaha County may benefit from the real property exchange if the real property tax base is increased as a result of an Access Easement for the Quoin Property; and

WHEREAS, the Minnehaha County Board of Commissioners finds that the proposed real property exchange will enhance the existing park and surrounding area, and is in the best interest of the public; and,

WHEREAS, SDCL § 6-5-4 requires a method of appraisal to be selected and conducted prior to the County entering into a contract for the exchange of real property;

NOW, THEREFORE, BE IT RESOLVED by the Minnehaha County Board of Commissioners, upon the County's receipt of an appraisal as required by SDCL § 6-5-4, the Chair of the Board of Commissioners is authorized to execute a Real Estate Exchange Agreement and an Access Easement between Minnehaha County and Quoin Financial Bank for the exchange of the Quoin Property for an Access Easement over the County's property:

AND BE IT FURTHER RESOLVED, that this Resolution be placed on file with the Minnehaha County Auditor, and a copy attached to any Real Estate Exchange Agreement and Access Easement executed by the Chair on behalf of the Board, and recorded with any executed Warranty Deed and Access Easement in the Office of the Minnehaha County Register of Deeds.

Dated this 27th day of August, 2019.

BOARD OF COUNTY COMMISSIONERS

Jean Bender

Chair

Dean Karsky

Vice Chair

Cindy Heiberger

Commissioner

Gerald Beninga

Commissioner

Jeff Barth

Commissioner

ATTEST:

Olivia Larson, Deputy

County Auditor

Joe Bosman, Deputy Sheriff Captain, was present for the scheduled hearing to consider the 2019 Byrne Justice Assistance Grant (JAG) Joint Spending Plan. The City of Sioux Falls, as the fiscal agent, will be receiving an allocation of \$122,987.00 for the 2019 program. The Sioux Falls Police Department will receive 65% of the allocation (\$79,941.55) to be used for turtle tracks for patrol, transcend tactical robot, and night vision devices. The Minnehaha County Sheriff's Office will receive 35% of the allocation (\$43,045.45) to be used for the following: digital cameras, binoculars, tablet computers, a sedan type vehicle, Conducted Electrical Weapon (CEW), and emergency medical training. No public input was given.

AGREEMENT

Joe Bosman, Deputy Sheriff Captain, presented the Interlocal Agreement between Minnehaha County and the City of Sioux Falls for the 2019 Byrne Justice Assistance Grant (JAG) Program Award for the disparate allocation of funds. The City of Sioux Falls and Minnehaha County will receive \$122,987.00 through the 2019 Byrne Justice Assistance Grant (JAG) Program Award. The program provides local governments with funding to support a

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range of areas including law enforcement programs, training, and equipment. Under a joint spending plan proposal, the City of Sioux Falls will receive 65% (\$79,941.55) and the County will receive 35% (\$43,045.45). MOTION by Barth, seconded by Heiberger, to authorize the Chair to sign the Interlocal Agreement between the City of Sioux Falls and Minnehaha County for the 2019 Byrne/JAG Program Award. 5 ayes.

SURPLUS

Joe Bosman, Deputy Sheriff Captain, presented four capital assets for the purpose of surplus. Security equipment and a surveillance camera that have passed their life expectancy would be given to the South Dakota Division of Criminal Investigation (SDDCI) to be used in a newer security trailer that would be available to the Sheriff's Office upon request. A Mac Pro Computer with expired technology that the SDDCI purchased in 2009 would be returned to the SDDCI as requested. A 2008 Lenco Bearcat Armored Vehicle would be given to the South Dakota Highway Patrol that the Sheriff's Office and the Sioux Falls Police Department would have access to when two armored vehicles are needed at the same time. MOTION by Heiberger, seconded by Beninga, to declare the following four capital assets as surplus for the purposes of giving to other government agencies: 1) Security Equipment for a SWAT Trailer (Asset #0537) to the South Dakota Division of Criminal Investigation, 2) Surveillance Camera (Asset #0543) to the South Dakota Division of Criminal Investigation, 3) Mac Pro Computer (Asset #0844) to the South Dakota Division of Criminal Investigation, and 4) 2008 Lenco Bearcat Armored Vehicle (Asset #0784) to the South Dakota Highway Patrol. 4 ayes. Commissioner Barth left the meeting at 10:28 a.m.

Commissioner Barth returned to the meeting at 10:32 a.m.

AGREEMENTS

Professional Services

DJ Buthe, Highway Superintendent, presented a Professional Services Agreement between Minnehaha County and Short Elliott Hendrickson Inc. for preliminary engineering and Type, Size, and Location Study for Structure 50-206-100. The structure is located in Sverdrup Township on Highway 122 approximately 0.5 miles west of South Dakota 115. Due to accelerated deterioration and the updated sufficiency rating, the structure will be included in the revised construction plan for 2020. MOTION by Heiberger, seconded by Karsky, to authorize the Chair to sign the Professional Services Agreement between Minnehaha County and Short Elliott Hendrickson Inc. for engineering design on Structure 50-206-100 at a cost not to exceed \$44,047.50 ending on or before December 31, 2019. 5 ayes.

Right-Of-Way

DJ Buthe, Highway Superintendent, presented twenty (20) Right-Of-Way Purchase Agreements for land owned by the following: Gregory J. Lorenzen; Allen E. & Deborah J. Donkersloot; John D. & Anna M. Schreurs; Glenn H. Scott (Trustee of Richard B. Scott Trust); Glen H. & Gaylin J. Scott; Gregory L. & Debra Mitchell; Terrence L. Brick & Kathleen M. Parkinson-Brick; Beverly & Arthur Richert; Dwayne & Joann Roemen; Patricia A. & Frank R. Wright (Co-Trustees of G. Russell Wright Testamentary Family Trust); Patricia A. Wright, Frank Wright, and Georgia Bender (Trustees of the Patricia A. Wright Revocable Trust); Duane & Janine Rippentrop; Paul B. & Carolyn A. Thoreson; Barton W. & Holly M. Bickley; Curtis L. & Doris A. Phillips; and Shirley J. Myrlie (Trustee of the Donald E. & Shirley J. Myrlie Revocable Trust). In conjunction with Infrastructure Design Group, Inc., the Highway Department is rebuilding Highway 146 from South Dakota Highway 11 seven miles to the Minnesota Border. In order to meet safety standards, additional right-of-way is required. MOTION by Heiberger, seconded by Karsky, to approve the following Right-Of-Way Purchase Agreements:

1) The Gregory J. Lorenzen land will be purchased for the amount of \$1,860.85, is a total of 0.08 acres, and is legally described as The North 413 Feet Of The East 213 Feet Of The West 550 Feet Of The Northwest Quarter Of The Northwest Quarter Of Section 27, Township 101 North, Range 48 West Of The 5th P.M., Minnehaha County, South Dakota.

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- 2) The Allen E. & Deborah J. Donkersloot land will be purchased for the amount of \$5,349.94, is a total of 0.23 acres, and is legally described as Tract 1 Of Johnson's Addition In The Southeast Quarter Of The Southeast Quarter Of Section 23, Township 101 North, Range 48 West Of The 5th P.M., Minnehaha County, South Dakota.
- 3) The John D. & Anna M. Schreurs land will be purchased for the amount of \$2,326.06, is a total of 0.10 acres, and is legally described as the North 466.69 Feet Of The East 466.69 Feet Of The Northeast Quarter Of The Northeast Quarter Of Section 25, Township 101 North, Range 48 West Of The 5th P.M., Minnehaha County, South Dakota.
- 4) The Richard B. Scott Trust land will be purchased for the amount of \$4,708.70, is a total of 0.48 acres, and is legally described as The Northeast Quarter Of Section 27, Township 101 North, Range 47 West Of The 5th P.M., Minnehaha County, South Dakota.
- 5) The Glen H. & Gaylin J. Scott land will be purchased for the amount of \$5,297.29, is a total of 0.54 acres, and is legally described as The North Half Of The Northwest Quarter Of Section 27, Township 101 North, Range 47 West Of The 5th P.M., Minnehaha County, South Dakota.
- 6) The Gregory L. & Debra Mitchell land will be purchased for the amount of \$1,395.64, is a total of 0.06 acres, and is legally described as Tract 1a Of Morgan Country Addition In The Northwest Quarter Of Section 27, Township 101 North, Range 48 West Of The 5th P.M., Minnehaha County, South Dakota.
- 7) The Terrence L. Brick & Kathleen M. Parkinson-Brick land will be purchased for the amount of \$4,419.51, is a total of 0.19 acres, and is legally described as Tract 2 Of Morgan Country Addition In The Northwest Quarter Of Section 27, Township 101 North, Range 48 West Of The 5th P.M., Minnehaha County, South Dakota.
- 8) The Beverly & Arthur Richert land will be purchased for the amount of \$4,414.41, is a total of 0.45 acres, and is legally described as That Part Of The Northwest Quarter Of Section 27, Township 101 North, Range 48 West Of The 5th P.M., Minnehaha County, South Dakota, Lying North Of Railroad Right Of Way Except The West 1044 Feet Thereof, Except The East 475.1 Feet Of The West 1519.1 Feet Thereof, Except Prehim's Addition Contained Therein, Except Morgan Country Addition Contained Therein, Except Cronn's Addition Contained Therein, And Except Lots H-1 And H-2 Contained Therein.
- 9) The Beverly & Arthur Richert land will be purchased for the amount of \$8,632.62, is a total of 0.88 acres, and is legally described as That Part Of The West Half Of The Northeast Quarter Lying North Of The Railroad Right Of Way, And The Northeast Quarter Of The Northeast Quarter, Except The East 429 Feet Of The North 602 Feet Thereof, All Of Section 27, Township 101 North, Range 48 West Of The 5th P.M., Minnehaha County, South Dakota, Except Preston Acres Contained Therein, Except Cronn's Tract Contained Therein, And Except Lot H-2 Contained Therein.
- 10) The Beverly & Arthur Richert land will be purchased for the amount of \$5,003.00, is a total of 0.51 acres, and is legally described as The Northwest Quarter Of The Northwest Quarter Of Section 26, Township 101 North, Range 48 West Of The 5th P.M., Minnehaha County, South Dakota.
- 11) The Beverly & Arthur Richert land will be purchased for the amount of \$4,512.51, is a total of 0.46 acres, and is legally described as The West Half Of The Southwest Quarter Of Section 23, Township 101 North, Range 48 West Of The 5th P.M., Minnehaha County, South Dakota.
- 12) The Dwayne & Joann Roemen land will be purchased for the amount of \$1,079.08, is a total of 0.11 acres, and is legally described as The East Half Of The Southeast Quarter Of Section 24, Township 101 North, Range 48 West Of The 5th P.M., Minnehaha County, South Dakota, Except Lot H-1 And County Auditor's Lot Th-2

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Contained Therein, Except Tract One Of Risty's Addition Contained Therein And Except That Portion Of The South 535 Feet Of The East Half Of The Southeast Quarter Lying East Of Said Tract One Of Risty's Addition.

13) The Patricia A. Wright Revocable Trust land will be purchased for the amount of \$2,746.74, is a total of 0.28 acres, and is legally described as The West Half Of The Southeast Quarter Of Section 24, Township 101 North, Range 48 West Of The 5th P.M., Minnehaha County, South Dakota.

14) The G. Russell Wright Testamentary Family Trust land will be purchased for the amount of \$2,354.35, is a total of 0.24 acres, and is legally described as The Northeast Quarter Of Section 25, Township 101 North, Range 48 West Of The 5th P.M., Minnehaha County, South Dakota, Except H-1, H-2 And H-4, As Well As Highway, And Except The North 969.44 Feet Of The East 741.9 Feet; And Except The Est 466.69 Feet Of The North 1489.98 Feet Thereof.

15) The G. Russell Wright Testamentary Family Trust land will be purchased for the amount of \$588.59, is a total of 0.06 acres, and is legally described as Tract 1 Of Junck Addition In The Northeast Quarter Of Section 25, Township 101 North, Range 48 West Of The 5th P.M., Minnehaha County, South Dakota.

16) The Duane & Janine Rippentrop land will be purchased for the amount of \$2,093.45, is a total of 0.09 acres, and is legally described as The South 535 Feet Of The East Half Of The Southeast Quarter, Except Tract 1 Of Risty's Addition, Of Section 24, Township 101 North, Range 48 West Of The 5th P.M., Minnehaha County, South Dakota.

17) The Paul B. & Carolyn A. Thoreson land will be purchased for the amount of \$5,983.98, is a total of 0.61 acres, and is legally described as the Southwest Quarter, Of Section 21, Township 101 North, Range 47 West Of The 5th P.M., Minnehaha County, South Dakota.

18) The Barton W. & Holly M. Bickley land will be purchased for the amount of \$2,791.27, is a total of 0.12 acres, and is legally described as Tract 3 Of Morgan Country Addition In The Northwest Quarter Of Section 27, Township 101 North, Range 48 West Of The 5th P.M., Minnehaha County, South Dakota.

19) The Curtis L. & Doris A. Phillips land will be purchased for the amount of \$5,591.59, is a total of 0.57 acres, and is legally described as The North Half Of The Northeast Quarter Of Section 29, Township 101 North, Range 47 West Of The 5th P.M., Minnehaha County, South Dakota.

20) The Donald E. And Shirley J. Myrlie Revocable Trust land will be purchased for the amount of \$5,983.98, is a total of 0.61 acres, and is legally described as Tract 1 Of Smith Myrlie Tracts In Northwest Quarter Of Section 28, Township 101 North, Range 47 West Of The 5th P.M., Minnehaha County, South Dakota.

VOTE ON MOTION: 5 ayes.

TAX DEED PAYMENT PLAN

Carol Muller, Commission Administrative Officer, presented a resolution for the approval of a property tax payment proposal on tax deed action for record 020031. In response to a question from Commissioner Barth, Bob Litz, Auditor, spoke on the notification process for property owners who are delinquent on their taxes. MOTION by Barth, seconded by Heiberger, to approve Resolution MC19-35. By roll call vote: 5 ayes.

**RESOLUTION MC19-35
APPROVAL OF PROPERTY TAX PAYMENT PROPOSAL ON
TAX DEED ACTION FOR RECORD 020031**

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WHEREAS, Minnehaha County has initiated tax deed action to property record 020031 in accordance with state statutes; and

WHEREAS, as of August 16, 2019 a total of \$4,917.95 in back taxes, plus penalties and interest is owing on the property; and

WHEREAS, the published notice for Minnehaha County's Tax Deed Sale, scheduled for October 26, 2019 includes property record 020031; and

WHEREAS, SDCL 10-25-42 allows the county commission to set conditions or qualifications as they may decide for re-conveyance of the property to the former record owner; and

WHEREAS, the former record owner, Robert E. Yager, has presented the following payment plan to the county commission for consideration in order to satisfy all outstanding taxes, penalties, and interest with payments to begin September 10, 2019:

- Eight installment payments of \$614.75 by the 10th of each month from September 2019 through April 2020.
- Final and 8th installment of \$614.75 plus payment of additional accrued interest and penalties by the 10th of April, 2020.

WHEREAS, in the event that the former owner of record does not pay all back taxes, penalties and interest owing on property record 020031 in accordance with the aforementioned terms, Minnehaha County may proceed with the sale of these properties through the tax deed process.

NOW, THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners, the proposed payment plan, as described above is hereby approved and property record 020031 is removed from the Tax Deed Sale.

Dated this 27th Day of August, 2019.

APPROVED BY THE COMMISSION

Jean Bender

Chairperson

ATTEST: Bob Litz, Auditor

Olivia Larson

Deputy Auditor

SURPLUS PROPERTY

Bob Litz, Auditor, gave a briefing on items identified by County Departments as surplus property, and requested action on disposition of items listed on Exhibits A, B, and C.

Exhibit A: MOTION by Barth, seconded by Beninga, to declare property shown on Exhibit A as surplus for transfer from the Parks Department to the Facilities Department for use as parts. 5 ayes.

Exhibit B: Exhibit B lists items requested for donation to non-profit agencies. MOTION by Heiberger, seconded by Barth, to declare the following items as surplus for the purpose of donation to the entities listed: one HP ELITEBOOK 8470P, Serial #CNU407CH36, to Glory House; one HP PROBOOK 4730S, Serial #CNU2021PF8, to Glory House; one Black & Decker drill and saw set to Glory House; one DeWalt drill set to Glory House; one Wii game system with games, controllers, cables to Glory House; one HP ELITEBOOK 8570P, Serial #5CB3093077, to St. Francis House; one HP ELITEBOOK 8470P, Serial #CNU411BWGW, to St. Francis

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House; one HP ELITEBOOK 4530P, Serial #2CE912015Z, to St. Francis House; one HP ELITE 8300 ULTRA SLIM, Serial #MXL40507QW, to St. Francis House; one HP ELITEDESK 800 G1 USDT, Serial #MXL5050R7R, to St. Francis House; one HP ELITE 8300 ULTRA SLIM, Serial #MXL307142V, to St. Francis House; one HP 8200 ELITE SFF, Serial #MXL221025Z, to St. Francis House; one HP LASERJET P1102W, Serial #VNB3V23932, to St. Francis House; one HP LASERJET P4515, Serial #CNDY374360, to St. Francis House. By roll call vote: 5 ayes.

Exhibit C: MOTION by Beninga, seconded by Karsky, to declare property shown on Exhibit C as surplus for sale at the surplus auction on September 21, 2019. 5 ayes.

MOTION by Beninga, seconded by Heiberger, to authorize the Auditor to publish the notice of sale on September 21, 2019. 5 ayes.

AGREEMENT

Carol Muller, Commission Administrative Officer, presented a Lease Agreement between Minnehaha County and the Sioux Empire Fair Association for the property located at 100 N. Lyon Boulevard, Sioux Falls. The lease allows for the use of the property while the Sioux Empire Fair Association fulfills its contractual obligations by managing the fair and facilities. MOTION by Heiberger, seconded by Karsky, to authorize the Chair to sign the Lease Agreement between Minnehaha County and the Sioux Empire Fair Association expiring on April 15, 2023. 5 ayes.

LIAISON REPORT

Commissioner Karsky reported on an e-mail from Chris Lilla, Director of Equalization, informing him that Josh Marbach completed his certification to be a certified assessor.

Commissioner Barth reported on a Minnehaha County Fire Chiefs Association meeting where an issue regarding non-functioning radio towers was discussed. Metro Communications will continue to insure and repair the towers.

Commissioner Beninga reported that the Juvenile Detention Center's operations were approved by the U.S. Marshall.

OLD BUSINESS

Commissioner Barth commented on the property that was declared a public nuisance at the August 20, 2019, Commission Meeting and stated that he would like the property owner to come in and speak on his efforts.

Commissioner Barth stated that 17 years ago he proposed opening the Commission Meetings with the Pledge of Allegiance.

MOTION by Karsky, seconded by Barth, to recess the Minnehaha County Commission Meeting at 10:47 a.m. 5 ayes.

MOTION by Karsky, seconded by Barth, to reconvene the Minnehaha County Commission Meeting at 10:59 a.m. 5 ayes.

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

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

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The Commission adjourned until 5:00 p.m. on Tuesday, August 27, 2019.

APPROVED BY THE COMMISSION:

Jean Bender

Chair

ATTEST:

Olivia Larson

Deputy Auditor