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THE MINNEHAHA COUNTY COMMISSION CONVENE AT 9:00 A.M. November 26, 2019, pursuant to adjournment on November 19, 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.

Commissioner Bender recognized County staff for their leadership on the implementation of the Enterprise Resource Planning (ERP) system. Monte Watembach, Information Technology Director, spoke on the history of the ERP project, the process of the implementation, and the effects it has had on County processes. Additionally, Mr. Watembach recognized the work and leadership of the following County staff members who were involved in the implementation: Kim Adamson, Finance & Budget Officer; Vicki Huitt, Accounting Manager; Dawn Lautwein, Programmer Analyst; Mary Zeeb, Property Tax Administrator; Rhonda Warren, Accountant; Carey Deaver, Human Resources Director; Maggie Garry, Human Resources Generalist; Steve Millage, Programmer Analyst; Kevin Nilson, Programmer Analyst; Vince Fluckey, Programmer Analyst; Jerry Hebert, Technical Analyst; Trish Olthoff, Senior Computer Support Technician; and Kelli Nyhof, Assistant Treasurer. Carol Muller, Commissioner Administrative Officer, was the sponsor of the project.

MOTION by Barth, seconded by Beninga, to amend the agenda as follows: 1) Remove Item 4b, an item for the Minnehaha County Highway Project Update for November 2019, and 2) Remove Item 13, an Item to Authorize Chairperson to Sign an Agreement between Minnehaha County and Short Elliot Hendrickson (SHE) for Final Design for Structure 50-206-100. 5 ayes.

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

MINUTES APPROVAL

MOTION by Beninga, seconded by Karsky, to approve the November 19, 2019, Commission Minutes. 5 ayes.

MOTION by Karsky, seconded by Beninga, to approve the November 19, 2019, Special Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Heiberger, seconded by Barth, to approve the following bills totaling \$7,675,919.83. 5 ayes. Kim Adamson, Finance & Budget Officer, spoke on the annual principal and semi-annual interest payments on the County’s bond issues that total over \$4 million.

A&B Business	Lease-Rental Agmt	95.00
A&B Business	Maint Contracts	274.98
A-1 Pumping & Excav	Bldg/Yard Repair & Maint	172.50
Abn Army Surplus	Uniform Allowance	100.00
Active Generations	Advertising	94.00
Advanced Pest	Maint Contracts	70.00
Advantage Property	Welfare Rent	1,000.00
Airgas USA	Small Tools & Shop Sup	3.11
Airway Svc	Auto/Small Equip	1,770.65
Airway Svc	Gas Oil & Diesel	80.88
Alec Szczawinski	Uniform Allowance	100.00
Anderson, Jennifer	Bd Evals Minnehaha	2,692.50
Angel, Edward P	Attorney Fees	1,736.90
Aspen Park Apts	Welfare Rent	660.00
At&T	Safety & Rescue Equip	43.23
Automatic Building	HHS Maint	93.88
Avera Health Plans	Cobra Ins	330.12
Avera McKennan	Hospitals	19,121.72
Avera McKennan	Other Medical Svc	503.96
Avera McKennan	Physicians	1,487.86

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Avera McKennan	Professional Svc	20.80
Axis Forensic Toxicology	Lab Costs	295.00
Banner Associates	Architects & Engineers	22,407.85
Bauer Built	Truck Repairs & Maint	55.00
Bierschbach Equip	Road Maint & Material	500.00
Blackburn & Stevens	Attorney Fees	246.33
Bob Barker	Child Care Items	160.29
Bob Barker	Inmate Sup	1,325.51
Boyd, Michelle	Business Travel	220.91
Boyer Ford Trucks	Parts Inventory	91.73
Boyer Ford Trucks	Truck Repairs & Maint	41.85
Brady Knodel	Uniform Allowance	100.00
Braun, Mason	Business Travel	100.00
Burns, Jason	Investigators Exps	20.16
Butler Machinery	Hvy Equip Reps & Maint	52.91
Butler Machinery	Truck Repairs & Maint	82.52
Cartridge World	Data Processing Sup	930.90
Center For Family	Professional Svc	1,313.80
Century Business	Lease-Rental Agmt	264.78
Century Business	Maint Contracts	117.54
Centurylink	Telephone	55.33
Centurylink Long Dis	Telephone	180.31
Chagolla, Albert	Interpreters	75.00
Chapelwood III	Welfare Rent	552.00
Civil Design	Architects & Engineers	6,368.75
Cole Papers	Janitorial Chemical Sup	161.64
Cole Papers	JDC Custodial Sup	279.60
Concrete Materials	Bridge Repair & Maint	350.33
Concrete Materials	Road Maint & Material	-114.18
Connecting Point	Data Processing Sup	319.00
Constellation	Natural Gas	8,794.16
Country Meadows	Welfare Rent	600.00
Crc Prop /Syc Oak/Ba	Welfare Rent	700.00
Dakota Fluid Power	Auto/Small Equip	29.18
Dakota Fluid Power	Truck Repairs & Maint	18.57
Dakota Law Firm	Attorney Fees	583.00
Dakota Law Firm	Child Defense Attorney	655.50
Dakotaland Autoglass	Auto/Small Equip	29.99
Data Systems	Office Sup	194.00
David Denson	Uniform Allowance	100.00
Dean Schaefer Court	Court Reporters	1,755.00
Decastro Law	Child Defense Attorney	4,766.10
Dedula, Carla F	Court Reporters	421.60
Dell Rapids Com	Transportation	900.00
Diamond Mowers	Auto/Small Equip	172.00
Dindotklusmann Fune	Burials	2,000.00
Dust Tex Svc	Janitorial Chemical Sup	8.10
Easy Badges	Inmate Sup	505.00
EH Hospitality	Motels	2,435.00
Eich Law	Attorney Fees	1,500.00
Eich Law	Child Defense Attorney	4,166.67
Elizabeth Callies	Education & Training	134.00
Embe	Education & Training	100.00
English Law	Attorney Fees	1,500.00
Fastenal	Small Tools & Shop Sup	438.35
Fit My Feet	Uniform Allowance	100.00
Fleetpride	Parts Inventory	617.52
Galls Quartermaster	Uniform Allowance	1,440.25
George, Aaron	Welfare Rent	500.00
Geraets, Amanda I	Welfare Rent	1,000.00
Glader, David	Welfare Rent	525.00
Goebel Printing	Printing/Forms	40.00
Governmentjobs.Com	Software/Licensing	675.00
Grainger	Small Tools & Shop Sup	1,554.92
Guzman, Sandra V	Interpreters	149.96

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HD Machine	Welfare Rent	500.00
Heimdal, Marie Ann	Court Reporters	136.00
Helpsystems	Maint Contracts	1,759.83
Heritage Funeral Hom	Burials	2,000.00
Hewlett Packard	Office Sup	54.51
Horizon Apts	Welfare Rent	800.00
Hurtgen, Timothy T	Welfare Rent	700.00
HyVee	Pharmacies	14.99
I State Truck Center	Parts Inventory	118.31
I State Truck Center	Truck Repairs & Maint	574.24
Identity Automation	Professional Svc	945.50
Inland Truck Parts	Truck Repairs & Maint	132.37
Interim Healthcare	Professional Svc	2,095.25
Interstate Office	Office Sup	418.96
Iret Properties	Welfare Rent	699.40
ISI	Interpreters	80.00
JCL Solutions	Inmate Sup	822.96
JCL Solutions	Kitchen/Cleaning Sup	2,222.31
JE Dunn Construct	Jail Expansion Construct	2,321,592.00
Jefferson Partners	Transportation	1,566.80
JLG Architects	Jail Expansion Prof Svc	33,106.47
Johnson, Erin M	Bd Exp Fees Minnehaha	5,177.50
Johnson, Erin M	Crisis Intervention Prog	133.00
JW Niederauer	Road Maint & Material	93.93
Katheryn Cranbrook	Attorney Fees	300.00
Kennedy, Renee S	Court Reporters	383.60
Knecht, Andrew J	Attorney Fees	2,051.00
Kruse Law	Child Defense Attorney	4,166.67
Kyra Enterprises	Motels	670.00
Lacroix Law	Attorney Fees	95.80
Landeem Law	Attorney Fees	1,500.00
Leads Online	Investigators Exps	2,148.00
Ledd Properties	Motels	125.00
Lewis Drugs	Pharmacies	1,257.67
LG Everist	Road Maint & Material	774.93
Lift Pro Equip	Bldg & Outside Equip	378.69
Lisa Carlson Report	Court Reporters	163.40
Litz, Bob	Business Travel	80.22
Lockwood Law	Attorney Fees	388.55
Lonestar Invest	Burials	3,000.00
Loving, Philip	Bd Evals Minnehaha	1,507.50
Luken, Vernon B Jr	Welfare Rent	500.00
Luther, Jeff	Medical Director	2,500.00
Lutheran Social Svcs	Diversion Progs	1,807.21
Madison Apts	Welfare Rent	500.00
Matthew P Beal	Attorney Fees Repaid	238.84
Mcclure & Hardy	Attorney Fees	318.70
Medstar Paramedic	Transportation	1,400.00
Menard	Bridge Repair & Maint	62.04
Menard	Building Repairs & Maint	144.81
Menard	Prog Activities	12.99
Menard	Truck Repairs & Maint	29.98
Mid Dakota Vegetat	Bridge Repair & Maint	7,500.02
Midamerican Energy	Natural Gas	2,569.90
Midstates Utility	Small Tools & Shop Sup	73.08
Midway Svc	Gas Oil & Diesel	2,470.90
Minnehaha County	Gas Oil & Diesel	5.07
Minnehaha County	Investigators Exps	130.00
Minnehaha Petty Cash	Child Care Items	60.00
Minnehaha Petty Cash	Gas Oil & Diesel	24.24
Minnehaha Petty Cash	Postage	1.15
Minnehaha Petty Cash	Supplemental Food	4.99
Monroe NY County	Return Of Svc	24.00
Monroe Systems For	Furniture & Office Equip	359.25
Multicultural Center	Interpreters	508.75

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Myers & Billion	Attorney Fees	7,252.60
National Student	Welfare Rent	245.00
Nebraska Salt & Gr	Road Material Inventory	14,437.82
Noregon Systems	Small Tools & Shop Sup	998.00
North Ridge	Welfare Rent	543.00
Northeast Invest	Welfare Rent	2,020.00
Oconnor	Building Reps & Maint	299.29
Olson Law Firm	Attorney Fees	3,318.00
Omnitech	Maint Contracts	600.00
Ovation Invest	Welfare Rent	1,400.00
Overhead Door	Building Reps & Maint	2.55
Penbrooke Place Apt	Welfare Rent	601.97
Pennington County	Extradition & Evidence	13,887.55
Pharmchem	Testing Sup	456.80
Pioneer Enterprises	Burials	4,800.00
Polk County IA	Return Of Svc	80.00
Prestox	Professional Svc	58.00
Prov 16:3	Auto/Small Equip	30.50
Quality Efficiencies	Motels	1,250.00
RDO Construct	Hvy Equip Reps & Maint	86.72
Reagan Richardson	Office Sup	20.00
Redwood Toxicology	Testing Sup	870.00
Reynolds Law	Child Defense Attorney	4,764.67
Richmond II	Welfare Rent	570.00
Rochester Armored	Armored Car Svc	407.96
Ron Turley Assoc	Small Tools & Shop Sup	743.75
Ryan Duffy Law	Attorney Fees	5,942.10
Salem, Karla R	Bd Evals Minnehaha	1,395.00
Sanford	Other Medical Svc	2,573.20
Sanford Clinic	Contract Svc	24,931.42
Scheels All Sports	Uniform Allowance	484.93
SD Building Official	Memberships	50.00
SD State Bar	Memberships	11,865.00
Short Elliott Hend	Architects & Engineers	32,016.79
Sioux Empire Fair	Miscellaneous Exp	12,500.00
Sioux Falls City	Electricity	13,034.95
Sioux Falls City	Gas Oil & Diesel	335.99
Sioux Falls City	Water Sewer	14,503.37
Sioux Falls Rubber	Office Sup	76.70
Sioux Valley Energy	Welfare Utilities	60.00
South Fourth Proper	Welfare Rent	250.00
Southeastern Behav	Professional Svc	2,437.50
State of SD	Amts Held Daily Scram	2,466.00
State of SD	Amts Held Remote Breath	804.00
State of SD	Bldg/Yard Repair & Maint	155.52
State of SD	Contracted Construct	100.00
State of SD	Data Coms	113.00
State of SD	Inmate Sup	1,435.00
State of SD	Professional Svc	173.00
Stenopat	Depositions	50.25
Stockwell Engineers	Architects & Engineers	2,406.84
Strange Farrell John	Attorney Fees	1,578.00
Stronghold Counsel	Psych Evals	1,500.00
Summit Fire Protect	HHS Maint	1,217.25
Summit Food Svc	Board Of Prisoners Meal	27,629.42
Summit Food Svc	Child Care Food	7,778.36
Summit Food Svc	Inmate Sup	186.74
Tally Ho Apts	Welfare Rent	500.00
Tegra Group	Jail Expansion Prof Svc	18,568.40
Terrones, Jared	Investigators Exps	8.32
Terveen Manufactured	Welfare Rent	695.00
Tessman Seed Comp	Grounds & Parking Rep	2,247.50
Testpoint Medical	Blood Withdrawal	4,920.00
The Crabgrass Crew	Prog Activities	300.00
Tiede, Pamela	Bd Exp Fees Minnehaha	208.00

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Tomacelli's Too	Jury Fees	115.42
Trugreen	Prog Activities	318.00
Tzadik	Welfare Rent	1,690.00
Tzadik Taylors Place	Welfare Rent	850.00
US Bank	Bond Interest	4,833,646.26
US Bank	Cash With Trustee	-38.09
US Foods	Professional Svc	1,127.94
US Foods	Safe Home Donations	12.47
Valley Springs City	Welfare Utilities	244.60
Van Asselt, Mark	Right Of Way	380.76
Vanderweide, Lindsey	Welfare Rent	509.00
VB Falls Park Apts	Welfare Rent	1,299.00
Vik, Darrell	Prog Activities	650.00
Walgreens	Pharmacies	335.38
Walmart Stores	Pharmacies	123.57
Waste Management	Trash Removal	6.78
Weerheim Law	Bd Exp Fees Minnehaha	1,814.50
Weerheim Law	Crisis Intervent Prog	76.00
Westbrooke Apts	Welfare Rent	500.00
Whittier Apartments	Welfare Rent	253.00
Xcel Energy	Electricity	52,021.13
Xcel Energy	Welfare Utilities	269.78
Yankton County	Return Of Svc	300.00
Zabel Steel	Road Maint & Material	75.50

## REPORTS

The Auditor's Office Financial Reports for October 2019 were received and placed on file in the Auditor's Office. Vicki Huitt, Accounting Manager, reported on the following Auditor's Office Financial Reports: General Fund Cash Balance Report, Highway Fund Cash Balance Report, the General Fund YTD Expenditures Report, and the General Fund YTD Revenue Report.

## PERSONNEL

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

### Promotions

1. Elizabeth Atkins, Correctional Systems Operator to Correctional Officer in Training for the Jail, at \$17.98/hour (12/1) effective 11/30/19.

### Step Increases

1. Jackson Neal, Correctional Officer for the Jail, at \$19.37/hour (13/2) effective 11/27/19.
2. Erin Friedericks, Correctional Officer for the Jail, at \$19.37/hour (13/2) effective 11/18/19.
3. Kevin Keegan, Corporal for the Jail, at \$25.42/hour (17/5) effective 11/7/19.
4. Michael Walsh, Captain for the Sheriff's Office, at \$3,588.00/biweekly (23/10) effective 11/14/19.
5. Molly Engquist, Curator of Exhibits for the Museum, at \$2,539.20/biweekly (19/10) effective 11/29/19.
6. John Shields, Building Facilities Maintenance Technician, at \$24.80/hour (14/10) effective 11/12/19.
7. Grant Edgecomb, Custodian for the Museum, at \$17.12/hour (6/11) effective 11/30/19.
8. Victoria Reker, Senior Deputy Public Advocate for the Public Advocate's Office, at \$3,171.20/biweekly (22/9) effective 12/1/19.

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9. Vincent Fluckey, Programmer Analyst II for Information Technology, at \$35.04/hour (21/8) effective 11/24/19.

#### ABATEMENTS

Upon the recommendation of Kyle Sexe, Deputy Director of Equalization, MOTION by Heiberger, seconded by Karsky, to approve the following abatements for the City of Crooks, 2018 property taxes, representing tax exempt status: Parcel ID 60143 in the amount of \$1,472.57 and Parcel ID 82420 in the amount of \$120.39. By roll call vote: 5 ayes.

#### ORDINANCE AMENDMENT

Kevin Hoekman, Planner, was present for the second reading and public hearing to consider major amendment #19-05 to ordinance MC16-90, the 1990 Revised Zoning Ordinance for Minnehaha County. The amendment pertains to the High Prairie Ranch Planned Development District, to amend the subarea designation of the property described as Lots 18 & 18A High Prairie Ranch Addn., NW1/4 all in Section 8-T102N-R49W from Subarea C to Subarea D. By changing the Subarea designation, the allowed use would change from park and recreation to agricultural land. The High Prairie Ranch Planned Development District is located at 47312 Rogness Place, approximately 2.5 miles east of Crooks at the end of Renberg Street. The petitioner and property owner is Robert Binstock. The Planning Commission unanimously voted to recommend approval of major amendment #19-05 at their October 28, 2019, meeting. Robert Binstock, 47312 Rogness Place, Renner, spoke on the location of the cattle pen and the enrollment of the land in the Seasonal Riparian Area Management (SRAM) conservation program for the protection of the nearby river. In response to a question from Commissioner Karsky, Mr. Binstock, spoke on the zoning history of the property and his intentions for the use of the property. For the purposes of disclosure, Commissioner Karsky noted that he communicated with a Mr. Brende and has been to the site in question. No one came forward to speak in opposition. MOTION by Barth, seconded by Heiberger, to approve Ordinance MC16-164-19, An Ordinance Amending The 1990 Revised Zoning Ordinance For Minnehaha County By Amending Certain Property Within The High Prairie Ranch Planned Development District, major amendment #19-05. By roll call vote: 5 ayes. The entire ordinance is on file and available in the Auditor's Office.

#### MEMORANDUM OF UNDERSTANDING

Scott Anderson, Planning Director, gave a briefing on a Memorandum of Understanding (MOU) with the City of Sioux Falls for Pictometry services. An agreement with Pictometry International Corp. was approved by the Commission on November 5, 2019, to provide new aerial imagery. The City will partner with the County on the project and share data. Additionally, the City will pay the County \$23,428.75 annually for three years. MOTION by Beninga, seconded by Heiberger, to authorize the Chair to sign the Memorandum of Understanding with the City of Sioux Falls for Pictometry services for the years 2020, 2021, and 2022 with annual payments of \$23,428.75 to be paid by the City to the County. 5 ayes.

#### AGREEMENTS

Jamie Gravett, Juvenile Detention Center Director, presented an agreement between Minnehaha County, Lutheran Social Services, and fifteen (15) partner counties for juvenile inmate housing services made available at a daily rate of \$236.90 per bed, per day for Juvenile Detention Center (JDC) housing and Shelter Care housing. Lincoln County will be charged a daily rate of \$64.60 for Community Supervision and a daily rate of \$22.00 for Evening Report Center services. MOTION by Beninga, seconded by Barth, to authorize the Chair to sign the 2020 JDC Partner County Agreements for juvenile inmate housing services between Minnehaha County, Lutheran Social Services, and the following counties beginning on January 1, 2020, and ending on December 31, 2020: Bon Homme, Brookings, Clay, Charles Mix, Davison, Hanson, Hutchinson, Lake, Lincoln, McCook, Miner, Moody, Turner, Union, and Yankton. 5 ayes.

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DJ Buthe, Highway Superintendent, presented six (6) Right-Of-Way Purchase Agreements for property owned by Wendel L & Susan M Potratz, Michael & Lola Baum, Terry & Nancy Jellis, Sensible Properties LLC, Glen M & Pauline J Scott, and Paula A and Brenda J Scott. 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 Barth, to approve the following Right-Of-Way Purchase Agreements:

- 1) The Wendel L Potratz and Susan M Potratz land will be purchased for the amount of \$2,558.67, is a total of 0.11 acres, and is legally described as Tract 2 Of Eggers Addition In The North Half Of The Northwest Quarter Of Section 30, Township 101 North, Range 47 West Of The 5th P.M., Minnehaha County, South Dakota.
- 2) The Michael Baum and Lola Baum land will be purchased for the amount of \$2,558.67, is a total of 0.11 acres, and is legally described as The North 218 Feet Of The West 337 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.
- 3) The Terry Jellis and Nancy Jellis land will be purchased for the amount of \$1,860.85, is a total of 0.08 acres, and is legally described as The West 359.5 Feet Of The North 969.44 Feet Of The Northeast Quarter Of Section 25, Township 101 North, Range 48 West Of The 5th P.M., Minnehaha County, South Dakota.
- 4) The Sensible Properties LLC land will be purchased for the amount of \$697.82, is a total of 0.03 acres, and is legally described as The East 314.5 Feet Of The North 969.44 Feet Of The West 674 Feet Of The Northeast Quarter, Except The North 240 Feet Of The East 181.5 Feet Thereof, Of Section 25, Township 101 North, Range 48 West Of The 5th P.M., Minnehaha County, South Dakota.
- 5) The Glen M Scott and Pauline J Scott land will be purchased for the amount of \$686.69, is a total of 0.07 acres, and is legally described as The East 523 Feet Of The North 1024.6 Feet Of The Northeast Quarter Of Section 28, Township 101 North, Range 47 West Of The 5th P.M., Minnehaha County, South Dakota.
- 6) The Paul A Scott And Brenda J Scott land will be purchased for the amount of \$465.21, is a total of 0.02 acres, and is legally described as Tract 1 Of Scott's Addition In The Northeast Quarter Of The Northeast Quarter Of Section 28, Township 101 North, Range 47 West Of The 5th P.M., Minnehaha County, South Dakota.

VOTE ON MOTION: 5 ayes.

DJ Buthe, Highway Superintendent, presented a Professional Services Agreement between Minnehaha County and Infrastructure Design Group Inc. (IDG) to conduct land surveying for Highway Project MC20-03. IDG will provide boundary survey and preparation of forty-four (44) H-plats to properly record right-of-way documents from a 6.5 mile project completed in 2004 along Highway 110 (248<sup>th</sup> Street) east of Colton. The Highway Department discovered that these documents were never recorded with the Register of Deeds. To move forward, new H-lots and warranty deeds will be prepared. There is proof of payment from the original transactions. MOTION by Heiberger, seconded by Karsky, to authorize the Chair to sign the Professional Services Agreement between Minnehaha County and Infrastructure Design Group Inc. to conduct land surveying for Highway Project MC20-03 in an amount not to exceed \$45,030 with a completion date of June 30, 2020. 5 ayes.

#### SURPLUS PROPERTY

Bob Litz, Auditor, gave a briefing on the 2019 Surplus Property Auction Report. After deducting the auctioneer's fee of \$2,006.41, the net proceeds of the sale were \$30,096.09. MOTION by Karsky, seconded by Heiberger, to allocate \$4,429.68 to the Highway Fund Sale of County Property (GL Account 3111000-374000),

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and \$25,666.41 to the General Fund Sale of County Property (GL Account 1000000-374000). By roll call vote: 5 ayes.

#### TAX DEED

Bob Litz, Auditor, presented a resolution for the restoration of a tax deed to the former owner of record for RDID 62130. The former owner of record was served notice on parcels that were delinquent. However, due to service issues for RDID 62130, the State's Attorney's Office has recommended restoring the title to the former owner of record. MOTION by Heiberger, seconded by Beninga, to approve Resolution MC19-55. By roll call vote: 5 ayes.

#### RESOLUTION MC19-55

WHEREAS, Minnehaha County holds under Tax Deed proceedings RDID# 62130, covering property legally described as:

Lot 2 in Block 3 of Fairway Drive Addition to the City of Sioux Falls, Minnehaha County, South Dakota, according to the recorded plat thereof

WHEREAS, Merton Peterson, 5155 E. Fairway Pl., Sioux Falls, SD, 57110, is the prior record owner of the above described property; and

WHEREAS, SDCL § 10-25-3 establishes the service requirements for property subject to tax deed proceedings; and

WHEREAS, the above-named owner was personally served with Notice of Intent to Take Tax Deed for certain parcels but inadvertently was not served on parcel 62130;

Now, therefore, be it

RESOLVED, by the Minnehaha County Commission, that the property be restored to Merton Peterson, and that the Minnehaha County Treasurer is hereby authorized to issue a quitclaim deed thereto.

Dated at Sioux Falls, South Dakota, this 26<sup>th</sup> day of November, 2019.

Approved by the Commission:

Jean Bender

Chairman

ATTEST:

Olivia Larson

Deputy Auditor

#### ALCOHOL LICENSE COMPLIANCE

Olivia Larson, Deputy Auditor, gave a briefing on recent alcohol compliance check failures. The Minnehaha County Sheriff's Office conducted a compliance check of 40 alcohol beverage licensees in November 2019. Of the five failing licensees, two of them, 38 Roadhouse and the Friendly's Fuel Stop (Baltic), are licensed by Minnehaha County. At the time of their next renewal, the failing licensees will be required to have a public hearing. Additionally, the South Dakota Department of Revenue will be imposing monetary penalties to the licensees, and the employee that served the alcohol to a minor will be charged with a crime.

#### SURPLUS

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Carol Muller, Commission Administrative Officer, presented a resolution to declare a 2005 John Deere Gator CS UTB (small) and a 2010 John Deere Gator TS UTV (large) as surplus for donation to the Sioux Empire Fair Association. The City of Sioux Falls, through their Resolution No. 98-19, gifted the Gators to Minnehaha County for the purpose of the County gifting the Gators to the Sioux Empire Fair Association. MOTION by Beninga, seconded by Barth, to accept the donation of two John Deere Gators from the City of Sioux Falls for the purpose of donation to the Sioux Empire Fair Association. By roll call vote: 5 ayes. MOTION by Heiberger, seconded by Beninga, to approve Resolution MC19-56 to declare two John Deere Gators as surplus and authorize the donation of surplus equipment to the Sioux Empire Fair Association. By roll call vote: 5 ayes.

**RESOLUTION MC19-56  
A RESOLUTION AUTHORIZING THE GIFT OF CERTAIN UTILITY VEHICLES  
TO THE SIOUX EMPIRE FAIR ASSOCIATION**

WHEREAS the Sioux Falls Public Works Fleet Division declared as surplus two John Deere Gator utility vehicles identified as follows:

- 2005 JD Gator CS UTV (small) – 2345 hours
- 2010 JD Gator TS UTV (large) – 2172 hours

WHEREAS the Sioux Empire Fair Association seeks to have these items gifted to them;

WHEREAS the City of Sioux Falls gifted the two John Deere Gators to Minnehaha County for the purpose of the County to then gift the John Deere Gators to the Sioux Empire Fair Association;

NOW, THEREFORE BE RESOLVED BY THE MINNEHAHA COUNTY BOARD OF COMMISSIONERS, that the 2004 JD Gator CS UTV (small) and the 2010 JD Gator TS UTV (large) be declared surplus and are gifted to the Sioux Empire Fair Association.

Approved this 26th day of November 2019

APPROVED BY THE COMMISSION:

Jean Bender

Chairperson

ATTEST:

Olivia Larson

Deputy Auditor

**LIAISON REPORT**

Commissioner Barth reported that, during last week's liaison report, he forgot to mention Carol Muller, Commission Administrative Officer, was also in attendance at the November 18, 2019, Towns & Township Meeting.

Commissioner Barth reported on the November 25, 2019, Planning Commission Meeting where two items were approved on the consent agenda.

Commissioner Barth reported on attending the November 20, 2019, Southeast District Meeting hosted by Bon Homme County where representatives from the South Dakota Department of Transportation spoke on the resilience of structures being a difficulty.

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Commissioner Barth reported on attending an East Dakota Water Development District Meeting where there was a presentation on riparian barriers.

Commissioner Beninga reported on attending a November 25, 2019, meeting with Commissioner Barth and County staff to review insurance vendors.

**OLD BUSINESS**

Commissioner Beninga reported on people inquiring about the status of the audit report for the fairgrounds. The audit report draft is currently under review and will be presented at a later time.

MOTION by Beninga, seconded by Barth, to recess the Minnehaha County Commission Meeting at 9:45 a.m. 5 ayes.

MOTION by Karsky, seconded by Heiberger, to reconvene the Minnehaha County Commission Meeting at 10:04 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. 4 ayes.

The Commission adjourned until 5:00 p.m. on Tuesday, November 26, 2019.

**APPROVED BY THE COMMISSION:**

Jean Bender

Chair

**ATTEST:**

Olivia Larson

Deputy Auditor