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THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. October 1, 2019, pursuant to adjournment on September 24, 2019. Commissioners present were: Barth, Bender, Heiberger, and Karsky. Commissioner Beninga was absent. Also present were Olivia Larson, Commission Recorder, and Margaret Gillespie, Senior Deputy State's Attorney.

MOTION by Barth, seconded by Heiberger, to amend the agenda to change Item 4a listed as "Minnehaha County Juvenile Detention Center Report for July 2019" to "Minnehaha County Juvenile Detention Center Report for August 2019". 4 ayes

MOTION by Barth, seconded by Heiberger, to approve the agenda as amended. 4 ayes.

MINUTES APPROVAL

MOTION by Karsky, seconded by Heiberger, to approve the September 24, 2019, Commission Minutes. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Karsky, to approve the following bills totaling \$3,103,467.91. 4 ayes.

A&B Business	Lease-Rental Amgt	309.10
A&B Business	Maint Contracts	578.19
Affordable Housing	Welfare Rent	754.00
Airway Svc	Automotive/Small Equip	344.76
Airway Svc	Gas Oil & Diesel	135.04
Ambush	Uniform Allowance	120.00
American Alliance	Memberships	100.00
American Ink	Uniform Allowance	512.20
Anderson, Jennifer	Bd Evals Minnehaha	3,060.00
Angel, Edward P	Attorney Fees	950.55
Apts On 18th	Welfare Rent	1,740.00
Apts On Majest	Welfare Rent	500.00
Appera	Program Activities	77.43
Armor Correctional	Contract Svcs	39,848.15
AT&T	Safety & Rescue Equip	43.23
Automatic Building	Coliseum Maint	344.00
Automatic Building	Jail Repairs & Maint	1,929.00
Automatic Building	Outside Repair	563.00
Avera Health Plans	Insurance Admin Fee	5,345.10
Avera McKennan	Contract Svcs	2,625.81
Avera McKennan	Hospitals	703.00
Avera McKennan	Psych Evals	1,500.00
BankSup	Office Sup	105.82
Barnett Lewis	Funeral Burials	1,500.00
Beck, Jeffrey R	Attorney Fees	285.00
Bob Barker	Child Care Items	24.60
Bob Barker	Child Care Uniforms	577.99
Boyd Properties	Maint Contracts	612.00
Boyd Properties	Professional Svcs	75.60
Boyd, Michelle	Business Travel	125.30
Boyer Ford Trucks	Automotive/Small Equip	825.73
Braun, Mason	Investigators Exps	142.80
Burns, Jason	Investigators Exps	144.06
Buthe, DJ	Business Travel	255.86
Carroll Institute	Misc Exp	4,777.91
Center For Family	Professional Svcs	1,365.72
Century Business	Lease-Rental Amgt	699.43
Century Business	Maint Contracts	416.79
Centurylink	Telephone	55.17
Chagolla, Albert	Interpreters	353.33
Childress, Tyler	Welfare Rent	550.00

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Ciox Health	Clinics Auxiliary Svcs	65.40
Cole Papers	Janitorial Chemical Sup	139.80
Computer Forensic	Professional Svcs	860.00
Concrete Materials	Contracted Construction	768.80
Constellation	Natural Gas	56.50
Construction Supply	Lease-Rental Amgt	1,500.00
Cooks Correctional	Kitchen/Cleaning Sup	63.00
Country View Mhc	Welfare Rent	372.00
Cyntom Property	Welfare Rent	375.00
Dakota Law	Attorney Fees	1,339.99
Dakota Point Apt	Welfare Rent	500.00
Dakota Tree Nursery	Contracted Construction	3,375.00
Dakotaland Autoglass	Automotive/Small Equip	220.00
Decastro Law	Child Defense Attorney	532.00
Downrange Construct	Bridge Repair & Maint	33,423.27
Dust Tex Svc	Janitorial Chemical Sup	20.30
Eich Law	Attorney Fees	1,500.00
Eich Law	Child Defense Attorney	4,166.67
Elite Forensic Svc	Professional Svcs	2,100.00
Empire Prop Mgmt	Welfare Rent	500.00
English Law	Attorney Fees	1,500.00
Engquist, Molly J	Program Activities	78.12
EPI Investigations	Attorney Fees	825.00
Finberg Family	Welfare Rent	930.00
Force America Dist	Truck Repairs & Maint	471.46
Froehlich, Deborah	Welfare Rent	500.00
G&H Investments	Welfare Rent	800.00
Galls Quartermaster	Uniform Allowance	446.02
Garretson Community	Ambulance Svcs	12,500.00
Gaylord Bros	Program Activities	130.00
George, Aaron	Welfare Rent	1,195.00
Geotek Engineering	Architects & Engineers	516.00
Gourley Properties	Welfare Rent	2,100.00
Grainger	Jail Repairs & Maint	135.36
Grainger	Small Tools & Shop Sup	32.10
Guzman, Sandra V	Interpreters	100.00
Holiday Credit	Gas Oil & Diesel	128.94
Holiday Credit	Road Maint & Material	20.14
Hughes, Stuart	Attorney Fees	1,311.00
HyVee	Program Activities	3.98
Interim Healthcare	Professional Svcs	2,397.50
Interstate All	Communication Equip	37.50
Interstate Office	Office Sup	19.76
ISI	Interpreters	655.00
Jason Mccubbin	Business Travel	100.00
Jastram, Mark	Investigators Exps	23.94
Jaymar	Printing/Forms	658.80
Jaymar Business Form	Printing/Forms	109.75
JCL Solutions	Inmate Sup	2,263.14
JCL Solutions	Kitchen/Cleaning Sup	6,581.80
JE Dunn Construction	Jail Expansion Construct	2,354,032.00
Jeff Larson Law	Child Defense Attorney	551.50
JLG Architects	Jail Expansion Prof Svcs	33,724.80
Johnson Controls	Heat, Vent & AC Repairs	600.31
Kamrath, Lyndee	Business Travel	74.09
Katterhagen, Mark	Bd Exp Fees Yankton	75.00
Kauffman, David W Ph	Psych Evals	7,050.00
Kerri Cook Huber	Bd Exp Fees Yankton	230.00
Knecht, Andrew J	Attorney Fees	2,602.00
Kolbeck Law	Child Defense Attorney	798.20
Kruse Law	Child Defense Attorney	4,166.67
Kull, Lisa	Court Reporters	1,501.00
Landeem Law	Attorney Fees	1,500.00
Larson, Dana J	Bd Exp Fees Yankton	20.00
Laughlin Law	Attorney Fees	2,561.80

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Lawson Products	Small Tools & Shop Sup	74.34
Lewno Law	Bd Exp Fees Yankton	582.50
Lexisnexis Matthew	Subscriptions	500.00
Lisa Carlson Report	Court Reporters	54.40
Lockwood, Darcy	Bd Exp Fees Yankton	75.00
Loving, Philip	Bd Evals Minnehaha	3,472.50
Luther, Jeff	Medical Director	2,500.00
Mac's Hardware	Small Tools & Shop Sup	22.96
Maria Cabrera	Business Travel	34.28
Menard	Parks/Rec Repair & Maint	52.61
Menard	Program Activities	64.95
Midamerican Energy	Natural Gas	101.96
Midcontinent Com	Amounts Held For Others	155.00
Midwest Alarm	Security Alarm	95.00
Midwestern Mechanic	Plumbing & Welding	179.84
Multicultural Center	Interpreters	783.75
Murray Properties	Welfare Rent	660.00
Najarro-Izquierdo, C	Interpreters	25.00
Nguyen, Lam	Interpreters	75.00
Nichole Carper	Child Defense Attorney	2,633.30
Nies Properties	Welfare Rent	700.00
Nolz Dragline & Cons	Contracted Construction	270,025.44
Northeast Investment	Welfare Rent	800.00
Novak	Lease-Rental Amgt	71.04
P&G Townhomes	Welfare Rent	800.00
Paramedics Plus	Safety & Rescue Equip	144.00
Penbrooke Place Apt	Welfare Rent	490.00
Pennington County	Extradition & Evidence	11,836.85
Pettigrew Heights	Welfare Rent	350.00
Pharmchem	Testing Sup	571.00
Phil Leidholt	HIDTA Grant	616.00
Pioneer Enterprises	Burials	2,000.00
Polk County IA	Return Of Svc	80.00
Premier Real Estate	Welfare Rent	1,748.00
Prestox	Professional Svcs	58.00
Qualified Presort	Postage	141.75
Redwood Estates	Welfare Rent	1,745.00
Redwood Toxicology	Testing Sup	870.00
Rehntals	Welfare Rent	500.00
Reynolds Law	Child Defense Attorney	4,166.67
Risty, Maxine J	Court Reporters	432.60
Rochester Armored	Armored Car Svc	407.96
Rod'S Property	Welfare Rent	54.00
Rons, Norm	Welfare Rent	800.00
Safe Home	Misc Revenue	-629.73
Safe Home	Notes Rec Safe Home	-2,964.36
Safe Home	Rent Subsidies	11,084.00
Safe N Secure	Communication Equip Repair	760.46
Sanford Clinic	Misc Exp	24,931.42
Scilawforensics	Education & Training	500.00
SD Human Svcs	Clinics Auxiliary Svcs	22.40
SD State Bar	Legal Research	500.00
SF Specialty	Hospital Recruitment	2,179.00
Sioux Empire Fair	Misc Exp	12,500.00
Sioux Falls City	Electricity	15,945.40
Sioux Falls City	Gas Oil & Diesel	217.97
Sioux Falls City	Professional Svcs	320.70
Sioux Falls City	Welfare Utilities	69.96
Sioux Falls Ford	Automotive/Small Equip	126.57
Sioux Falls Rubber	Office Sup	40.50
Sioux Falls YMCA	Welfare Rent	500.00
Southeast SD Tourism	Advertising	3,208.00
Spring Hill	Welfare Rent	161.00
Springbrook Lloyd	Welfare Rent	770.00
Stan Houston Equip	Grounds & Parking Repair	299.05

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State of SD	Amts Held-Daily Scram	2,119.00
State of SD	Amts Held-Remote Breath	1,051.00
State of SD	Notary Exp	30.00
State of SD	Telephone	24.00
Streichers	Education & Training	1,250.00
Streichers	Uniform Allowance	1,976.89
Sycamore Village Apt	Welfare Rent	500.00
Tally Ho Apts	Welfare Rent	500.00
Taylor Elverson	Sign Deposits	50.00
Taylor Shaw	Misc Revenue	150.00
TCN	Telephone	41.07
Tegra Group	Jail Expansion Prof Svcs	18,396.03
Thaddeus Brakke	Gas Oil & Diesel	20.00
The Mighty Bowtones	Program Activities	380.00
Thomson Reuters	Books	52.60
Thomson Reuters	Legal Research	3,438.21
Tiede, Pamela	Bd Exp Fees Minnehaha	168.00
Titan Machinery	Hvy Equip Repairs & Maint	1,313.98
Trane	Fairgrounds	64.72
Trugreen	Professional Svcs	58.06
Trugreen	Program Activities	318.00
Trumble, Hank	Business Travel	100.00
Tschetter & Adams	Attorney Fees	1,920.65
Two Way Solutions	Communication Equip Repair	105.57
Tyler Technologies	Maint Contracts	23,839.62
Tyler Technologies	Software	10,000.00
Tzadik	Welfare Rent	5,615.00
UPS	Postage	23.30
University Products	Program Activities	165.25
US Bank	Lease-Rental Amgt	136.72
US Foods	Professional Svcs	507.89
Vandiest Supply	Chemicals	5,338.50
Varitech Industries	Truck Repairs & Maint	173.72
Victoria Estate	Welfare Rent	700.00
Voisin, Alexander	Business Travel	23.94
Weerheim Law	Bd Exp Fees Minnehaha	3,382.00
Weerheim Law	Crisis Intervention Prog	114.00
Winner Police Dept	Extradition & Evidence	87.60
Winter	Bridge Repair & Maint	514.25
Woods Fuller Shultz	Jail Expansion Prof Svcs	1,910.00
Xcel Energy	Electricity	56,694.98
Xcel Energy	Welfare Utilities	3,343.03
Yankton County	Attorney Fees	1,151.25
Yankton County	Return Of Svc	302.50
Yemam, Nassir	Interpreters	412.46

REPORTS

The August 2019 Juvenile Detention Center Report was received and placed on file in the Auditor's Office.

PERSONNEL

MOTION by Karsky, seconded by Heiberger, to approve the following personnel changes. 4 ayes.

New Hires

1. Lori Gulbrandson, Tax and License Technician for the Treasurer, at \$16.30/hour (10/1) effective 10/2/19.

Step Increases

1. Monica Honkamp, Senior Property Technician for Equalization, at \$23.02/hour (12/11) effective 10/3/19.
2. Jeffrey Heronimus, Appraiser for Equalization, at \$22.47/hour (15/4) effective 10/6/19.

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3. Linda Race, Records Technician for the Register of Deeds, at \$21.39/hour (10/12) effective 10/7/19.
4. Michael Murer, Senior Deputy State's Attorney for the State's Attorney's Office, at \$2,803.20/biweekly (22/4) effective 7/5/19.
5. Joshua Rapp, Correctional Officer for the Jail, at \$19.37/hour (13/2) effective 8/26/19.
6. Michael Larson, Corporal for the Jail, at \$24.19/hour (17/3) effective 10/1/19.
7. Jason Roeder, Deputy Sheriff for the Sheriff's Office, at \$24.19/hour (17/3) effective 8/12/19.

Special Personnel Action

To recognize the following significant employee anniversaries for October 2019: 5 years – Linc Mitchell, Brandon Greiner, and Daniel Eide; 15 years – Rebecca Carpenter; 35 years – William Hoskins.

To record volunteers in County Departments for September 2019. This list is on file at Human Resources.

RESOLUTION

Jason Gearman, Emergency Management Director, presented a resolution for the declaration of disaster due to heavy rain and flooding. Private citizens were advised to call 211 for individual damage assessments. Regan Smith, City of Sioux Falls Emergency Manager, provided an update on the status of City damage, clean up, and costs. MOTION by Heiberger, seconded by Barth, to amend the proposed resolution to include "high winds" in the second paragraph as a cause of damage. 4 ayes. MOTION by Karsky, seconded by Barth, to approve Resolution MC19-44 as amended. By roll call vote: 4 ayes.

**RESOLUTION MC 19-44
2019 DECLARATION OF DISASTER BY THE
MINNEHAHA COUNTY BOARD OF COMMISSIONERS
DUE TO HEAVY RAIN AND FLOODING**

WHEREAS, Minnehaha County, South Dakota, suffered severe damage caused by heavy rain, and flooding beginning on or about September 11th 2019, and continuing thereafter; and,

WHEREAS, this heavy rain, high winds, and flooding events caused severe damage to roads, culverts, bridges and other public infrastructure; and,

WHEREAS, these events also caused damage to real property and personal property of the local governments and residents of Minnehaha County; and,

WHEREAS, as a result of these events, the county, townships, and some cities and towns have incurred significant expense and hardship;

NOW, THEREFORE, BE IT BE RESOLVED, THAT the Minnehaha County Board of Commissioners do hereby declare a flood disaster extending throughout the county and for the population of Minnehaha County; and,

The Minnehaha County Board of Commissioners respectfully request that any and all assistance that may be available from State and Federal agencies be provided to all local governments to include Minnehaha County, and the general population as we work to overcome this disaster; and

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BE IT FURTHER RESOLVED, THAT the Minnehaha County Board of Commissioners do hereby respectfully request the Governor of the State of South Dakota recognize Minnehaha County's disaster declaration, declare a disaster area, invoke applicable law to facilitate relief, and request a Presidential Declaration of Disaster to insure that the maximum amount of assistance is made available to affected local governments, businesses and residents.

Dated this 1st day of October, 2019.

Jean Bender
Jean Bender, Chairman
Minnehaha County Board of Commissioners

ATTEST:

Olivia Larson, Deputy
Bob Litz, Auditor

PROCLAMATION

Amy Carter, Operations Director of Children's Inn, and Kelly Peterson, State's Attorney's Office Victim/Witness Assistant, were present to request the Minnehaha County Commission issue a proclamation recognizing the month of October as Domestic Violence Awareness Month. Ms. Carter read the proclamation and reported that Take Back the Night will be on October 10, 2019, at the Multi-Cultural Center. MOTION by Heiberger, seconded by Barth, to issue a proclamation recognizing the month of October as Domestic Violence Awareness Month. 4 ayes.

TAX DEED

Bob Litz, Auditor, presented items related to the disposition of tax deed properties. On August 26, 2019, the Minnehaha County Surplus Appraisal Board visited and reviewed the following properties: RDID 11412, RDID 11419, RDID 27054, RDID 47471, RDID 62130, RDID 63567, RDID 64111, RDID 65784, RDID 66872, RDID 80746, and RDID 83988. Since the date of the appraisal, RDIDs 11412 and 11419 have been paid in full and will no longer need to be placed on the tax deed auction. Due to RDID 65784 not being listed on the agenda for action, the Commission directed Mr. Litz to come forward at the next Commission Meeting for action on that property. MOTION by Heiberger, seconded by Barth, to accept the findings of the Minnehaha County Surplus Property Appraisal Board Report. 4 ayes.

Based on the recommendations of the Minnehaha County Surplus Property Appraisal Board Report, the following actions were taken:

MOTION by Heiberger, seconded by Karsky, to declare RDID 27054, RDID 47471, RDID 62130, and RDID 64111 as surplus for sale at public auction and approve the minimum bid amounts for the properties. By roll call vote: 4 ayes.

MOTION by Karsky, seconded by Heiberger, to declare RDID 66872, RDID 80746, and RDID 83988 as surplus for transfer to the City of Sioux Falls and approve Resolution MC19-45, authorizing the County Treasurer to issue Quit Claim Deed and authorizing the Auditor to abate of outstanding taxes, interest and penalties levied against the property. By roll call vote: 4 ayes.

RESOLUTION MC19-45

WHEREAS, Minnehaha County holds under Tax Deed proceedings the following properties:

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- 1) Deed #2563, RDID #66872, covering property legally described as Lot 7 in Block 12 of Raegan Addn to City of Sioux Falls, Minnehaha County, South Dakota, according to the recorded plat thereof.
- 2) Deed #2564, RDID #80746, covering property legally described as Lot 42 in Block 4 of Richmond Estates 3rd Addn to the City of Sioux Falls, Minnehaha County, South Dakota, according to the recorded plat thereof.
- 3) Deed #2611, RDID #83988, covering property legally described as Lot 16C in Block 1 of Westwood Valley Addition to the City of Sioux Falls, Minnehaha County, South Dakota, according to the recorded plat thereof.

WHEREAS, these properties serve as drainage and are not suitable for other purposes and;

WHEREAS, the City of Sioux Falls has agreed to the transfer of these properties; now therefore, be it

RESOLVED, by the Minnehaha County Commission, that the above described properties are hereby declared surplus for transfer to the City of Sioux Falls; and be it further

RESOLVED, that the County Treasurer is here by authorized to issue Quit Claim Deeds thereto, and the County Auditor is hereby authorized to abate all outstanding taxes, interest, and penalties levied against these properties.

Approved this 1st day of October, 2019.

Jean Bender
 Chair
 ATTEST:
 Olivia Larson
 Deputy Auditor

MOTION by Barth, seconded by Heiberger, to declare RDID 63567 as surplus for the purpose of transfer. By roll call vote: 4 ayes.

MOTION by Heiberger, seconded by Karsky, to remove RDID 11412 and RDID 11419 from the Notice of Sale and authorize the Auditor to publish a Notice of Sale for public auction on October 26, 2019, at 10:00 am. 4 ayes.

BRIEFING

Bob Litz, Auditor, gave a briefing on the status of the tax deed payment plans that are currently in effect for the following properties: RDID 17131, RDID 59806, RDID 48029, RDID 48028, RDID 48030, RDID 36882, RDID 40892, RDID 23978, RDID 75076, RDID 20031, RDID 28966, RDID 28855, and RDID 73342. In response to a question from Commissioner Karsky, Hayden Graff, Senior Tax & License Technician, and Kelli Nyhof, Assistant Treasurer, spoke on the process when a payment is received in the form of a check for a payment plan.

RESOLUTION

Shannon Schultz, Assistant Highway Superintendent, gave a briefing on a resolution to set weight load limits on certain bridges in Minnehaha County. After the inspection of Structure 50-206-100, the posting was recommended to be posted at 18 tons for single units and 30 tons for combination units due to increased deterioration of outer beams and stems. Postings may be removed for Structures 50-205-060, 50-231-130, and 50-032-060 due to completion of structure replacements. The resolution would allow the posting of reductions in

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legal weight limits for twenty-three (23) structures. MOTION by Heiberger, seconded by Barth, to approve Resolution MC19-46. By roll call vote: 4 ayes.

**RESOLUTION MC19-46
SET WEIGHT LOAD LIMITS ON
CERTAIN BRIDGES WITHIN MINNEHAHA COUNTY**

WHEREAS, the Minnehaha County Highway Department performs regular bridge inspections to assess the condition of individual bridges and consider recommendations for improvements, and

WHEREAS, the Minnehaha County Highway Department performs bridge maintenance projects and bridge replacement projects in an effort to improve the overall condition of the bridge network, and

WHEREAS, the Minnehaha County Highway Superintendent has identified *twenty-three* (23) bridges in Minnehaha County that are recommended for weight load limits, and

WHEREAS, **SDCL 32-22-47** gives the county commission the authority to establish and identify through the proper signage the maximum weight of any vehicle, laden or un-laden, which may enter upon or cross over the bridge, now

THEREFORE, BE IT RESOLVED by the Minnehaha County Board of Commissioners that all of the existing bridge weight load limits described in previous resolutions are hereby removed and superseded with the following gross vehicle weight load limits:

	STRUCTURE NUMBER	APPROXIMATE LOCATION	SINGLE UNIT LIMIT (TON)	COMBINATION UNIT LIMIT (TON)
1	50-070-098	5.2 miles north and 2.0 miles west of Hartford (461st Ave. on County Highway 155)	24	35
2	50-072-100	5.0 miles north and 1.8 miles west of Hartford (254th St. on County Highway 122)	27	35
3	50-087-120	3.5 miles north and 0.2 miles west of Hartford (256th St. on a township road)	18	33
4	50-109-105	1.9 miles south and 2.1 miles west of Lyons (Grand Meadow St. on a township road)	29	50
5	50-135-229	3.4 miles south and 1.5 miles west of Ellis (Wayne Ave. on a township road)	27	46
6	50-137-217	2.3 miles south and 1.5 miles west of Ellis (266th St. on a township road)	28	46
7	50-154-180	1.5 miles north and 0.5 miles east of Ellis (262nd St. on a township road)	25	44
8	50-198-085	2.0 miles south and 0.1 miles west of Baltic (Norway St. on a township road)	21	34
9	50-199-104	3.9 miles south of Baltic Meadowland St. (on a township road)	26	44
10	50-206-100	4 miles south and 0.6 miles east of Baltic (254th St on County Highway 122)	18	30

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11	50-208-130	1.0 mile north and 0.3 miles east of Renner (257th St. on a township road)	13	22
12	50-226-020	1.0 miles east and 0.5 miles south of Dell Rapids (246th St. on a township road)	27	46
13	50-237-120	3.7 miles east and 6.0 miles south of Baltic (256th St. on a township road)	18	31
14	50-239-090	7.1 miles west of Garretson (253rd St. on a township road)	29	49
15	50-245-050	4.5 miles east and 1.0 mile north of Baltic (249th St. on a township road)	19	33
16	50-272-030	6.2 miles east and 1.5 miles south of Dell Rapids (247th St. on a township road)	13	20
17	50-273-090	3.8 miles west of Garretson (253rd St. on a township road)	29	48
18	50-276-120	4.0 miles north and 0.3 miles west of Corson (256th St. on a township road)	30	49
19	50-278-130	3.0 miles north and 0.2 miles west of Corson (257th St. on a township road)	30	50
20	50-290-131	2.9 miles north and 1.0 mile east of Corson (483rd Ave. on a township road)	15	25
21	50-329-160	2.0 miles north and 0.1 miles west of Valley Springs (260th St. on a township road)	25	42
22	50-330-159	2.1 miles north of Valley Springs (487th Ave. on a township road)	19	32
23	50-337-130	1.8 miles east and 4.0 miles south of Garretson (257th St. on a township road)	18	31

BE IT FURTHER RESOLVED, that the Minnehaha County Highway Superintendent is hereby directed to erect and post the appropriate signage in accordance with SDCL 32-22-47, and

BE IT FURTHER RESOLVED, by the Minnehaha County Commission that an emergency exists and that the posting of weight limits on the above bridges is immediately in effect and will remain in effect until changed by action of the county commission; and

BE IT FURTHER NOTED, that the violation of these weight load limits is a Class 2 misdemeanor and that pursuant to SDCL 32-22-48, Minnehaha County may recover damages from any person who drives or operates a vehicle exceeding these load limits and causes any injury or damage to said bridge by reason thereof.

Dated this 24th day of September, 2019

APPROVED BY THE COMMISSION:

Jean Bender
Commission Chairman

ATTEST:
Olivia Larson
Deputy Auditor

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AGREEMENTS

Shannon Schultz, Assistant Highway Superintendent, presented four (4) Right-Of-Way Purchase Agreements for property owned by Miles H. Lacey and Richard D. & Konny R. Lacey (Trustees of the Richard D. and Konny R. Lacey Living 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 Barth, to approve the following Right-Of-Way Purchase Agreements:

- 1) The Richard D. Lacey and Konny R. Lacey (Trustees of the Richard D. and Konny R. Lacey Living Trust) land will be purchased for the amount of \$5,689.80, is a total of 0.58 acres, and is legally described as The Northeast Quarter Of Section 30, Township 101 North, Range 47 West Of The 5th P.M., Minnehaha County, South Dakota, Except Lot H-1 Thereof.
- 2) The Richard D. Lacey and Konny R. Lacey (Trustees of the Richard D. and Konny R. Lacey Living Trust) land will be purchased for the amount of \$5,689.80, is a total of 0.58 acres, and is legally described as The Southeast Quarter Of Section 19, Township 101 North, Range 47 West Of The 5th P.M., Minnehaha County, South Dakota.
- 3) The Richard D. Lacey and Konny R. Lacey (Trustees of the Richard D. and Konny R. Lacey Living Trust) land will be purchased for the amount of \$2,550.60, is a total of 0.26 acres, and is legally described as Tract 3 Of Anderson's Subdivision Of The South Half Of Section 20, Township 101 North, Range 47 West Of The 5th P.M., Minnehaha County, South Dakota.
- 4) The Miles H. Lacey land will be purchased for the amount of \$6,474.60, is a total of 0.66 acres, and is legally described as Tract 1 Of Anderson's Subdivision Of The South Half Of Section 20, Township 101 North, Range 47 West Of The 5th P.M., Minnehaha County, South Dakota.

VOTE ON MOTION: 4 ayes.

ALCOHOL BEVERAGE LICENSE

Olivia Larson, Deputy Auditor, presented an application for a consume and blend alcohol beverage license for a wedding event being held at the Izaak Walton League on October 12, 2019. The license would allow Tanner Jacobson, the groom, to provide, but not sell, alcoholic beverages for his wedding. MOTION by Barth, seconded by Heiberger, to approve an application for license to consume and blend alcoholic beverages at the Izaak Walton League, Sioux Falls Chapter, 5000 N Oakview Place, Sioux Falls, on October 12, 2019, for the Jacobson Wedding. 4 ayes.

CONTRACT

Monte Watembach, Information Technology Director, presented contracts between Minnehaha County and Heartland Payment Systems for GovTech solutions. GovTech allows the public to pay their property taxes online via credit card with a convenience fee of 2.35%. There is no cost to the County due to GovTech charging an ACH fee of \$1.50 per transaction to the tax payer. Larger tax payers will have the option to utilize GovTech features, Portfolio and Escrow Pro. Additionally, GovTech will process the ACH transfer. MOTION by Heiberger, seconded by Karsky, to authorize GovTech as the online vendor for property tax payments and Heartland as the credit card processing vendor; and to authorize Monte Watembach, Information Technology Director, to sign the contracts on behalf Minnehaha County. 4 ayes.

10/01/2019

RESOLUTION

Upon the request of Carol Muller, Commission Administrative Officer, MOTION by Heiberger, seconded by Barth, to approve Resolution MC19-47. By roll call vote: 4 ayes.

RESOLUTION MC19-47

CROSS-APPOINTING MINNEHAHA COUNTY AND LINCOLN COUNTY CURRENT REGULAR AND ALTERNATE LAY MENTAL ILLNESS BOARD MEMBERS TO THE TEMPORARY JOINT COOPERATIVE MENTAL ILLNESS BOARDS BETWEEN MINNEHAHA, LINCOLN, AND YANKTON COUNTIES

WHEREAS, on September 24, 2019 Minnehaha and Lincoln Counties executed a Joint Cooperative Agreement for Consolidated Mental Illness Boards; and

WHEREAS, it is the recommendation of the Co-Chairs of the Joint Minnehaha-Lincoln County Board of Mental Illnesses that the Current Regular and Alternate Lay Mental Illness Board Members be Cross-Appointed as Regular and Alternate Lay Board Members of the Temporary Joint Cooperative Mental Illness Boards between Minnehaha, Lincoln, and Yankton Counties;

NOW, THEREFORE, BE IT RESOLVED BY THE MINNEHAHA COUNTY COMMISSION, that it hereby appoints Minnehaha County residents Pam Tiede, Mary Ellen Heirigs, Mona Helseth, Jan Schmuch and Lincoln County residents Janae Poppens, Candice Gearman, Laurie Wernke, and Francie Miller as regular and alternate lay members to the Temporary Joint Cooperative Mental Illness Boards between Minnehaha, Lincoln, and Yankton Counties to terms concurrent with those previously established by action of the Minnehaha County Commission, Lincoln County Commission, and Yankton County Commission pursuant to the terms of the Counties' Joint Cooperative Agreement.

Dated this 1st day of October, 2019

APPROVED BY THE COMMISSION:

Jean Bender
Chairman

ATTEST: Bob Litz, Auditor
Olivia Larson
Deputy Auditor

CHANGE ORDER

Carol Muller, Commission Administrative Officer, requested the approval of Change Orders #6 and #8 for the Minnehaha County Jail Expansion for the Construction Manager at Risk Agreement Amendment No. 1 with JE Dunn and Henry Carlson. Change Order #6 is a total reduction of \$607,788.00 due to the contractor returning 80% of the tariff protection contingency. Change Order #8 is a total addition of \$321,084.00 for the judicial courts buildout in the amount of \$292,425.00 and entry vestibule upgrades in the amount of \$28,659.00. MOTION by Karsky, seconded by Heiberger, to approve Change Orders #6 and #8 to the Construction Manager At Risk Agreement Amendment No.1 with JE Dunn Construction Company and Henry Carlson Construction for a reduction of \$607,788.00 and an addition of \$321,084.00 respectively. By roll call vote: 4 ayes.

LIAISON REPORT

Commissioner Heiberger reported on a letter she received from Sherman Township. The letter explained a situation where the township did not receive a check from the Treasurer's Office and the Treasurer's Office's quick response upon notification that the check was not received. In response to a question from Commissioner

10/01/2019

Heiberger, Bob Litz, Auditor, stated that direct deposit for property tax distributions to townships is not a current practice, but would be something to consider in the future.

Commissioner Heiberger reported on a Safety & Justice Challenge Workshop funded by the MacArthur Grant that she will be attending in Houston, TX from October 2, 2019, to October 4, 2019. During the workshop, attendees will be looking at racial and ethnic fairness and court process issues.

Commissioner Karsky reported on the September 24, 2019, Facilities Taskforce Meeting. A presentation is being put together by Craig Dewey, Assistant Commission Administrative Office, for the recommendations made by the taskforce. It was proposed that the presentation be handled similarly to a County Budget Hearing, as opposed to a Commission Meeting or Building Committee Meeting, due to the broadness of the topic.

NEW BUSINESS

Bob Litz, Auditor, spoke on his work with the South Dakota Secretary of State's Office regarding the auditing of ballots post-election to ensure the accuracy of ballot tabulations on the tabulating machines. He further stated that he would be attending an upcoming meeting in Pierre, SD for the certification of new software for the tabulation machines.

OLD BUSINESS

Carol Muller, Commission Administrative Officer, provided an update on the Legislative Audit noting that the response letter was filed by the County and that the documents are publicly available on the County website.

MOTION by Barth, seconded by Heiberger, to recess the Minnehaha County Commission Meeting at 10:00 a.m. 4 ayes.

MOTION by Heiberger, seconded by Karsky, to reconvene the Minnehaha County Commission Meeting at 10:08 a.m. 4 ayes.

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

MOTION by Barth, seconded by Heiberger, to adjourn. 4 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, October 8, 2019.

APPROVED BY THE COMMISSION:

Jean Bender
Chair

ATTEST:
Olivia Larson
Deputy Auditor