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THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. June 18, 2019, pursuant to adjournment on June 11, 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 Karsky, to approve the agenda. 5 ayes.

#### MINUTES APPROVAL

MOTION by Beninga, seconded by Barth, to approve the June 11, 2019, Commission Minutes. 5 ayes.

#### VOUCHERS TO BE PAID

MOTION by Barth, seconded by Heiberger, to approve the following bills totaling \$4,438,021.84. 5 ayes.

A&B Business	Lease-Rental Agmt	638.20
A&B Business	Maint Contracts	218.88
Active Generations	Advertising	47.00
Airgas USA	Lease-Rental Agmt	54.84
Airteq	Jail Repairs & Maint	1,054.55
Airway Svc	Automotive/Small Equip	2,258.65
Airway Svc	Gas Oil & Diesel	294.43
All About Travel	Crisis Response Grt	2,168.00
All Nations Interp	Interpreters	885.00
American Asoc	Memberships	285.00
American Business	Office Sup	882.96
Anderson, Jennifer	Bd Evals (Minnehaha)	3,697.50
Angel, Edward P	Attorney Fees	143.00
Angel, Edward P	Child Defense Attorney	550.15
Anna Kirchenwitz	Witness Fees/Exps	90.00
Appeara	Program Activities	245.34
Armor Correctional	Contract Svcs	324,117.34
Associated Consult	Fairgrounds	1,666.00
Automatic Building	Coliseum Maint	422.45
Avera McKennan	Hospitals	9,139.00
Avera McKennan	Professional Svcs	3,500.00
Avera McKennan	Psych Evals	1,250.00
Belitz, Clarence H	Welfare Rent	724.00
Benz, Kari	MacArthur SJC Grt	123.00
Berte, Mohamed	Interpreters	50.00
Brentwood Apts	Welfare Rent	500.00
Brevik Law	Attorney Fees	185.65
Bridgewood Estates	Welfare Rent	411.00
Bristol Court	Welfare Rent	687.00
Brookings Register	Advertising	179.00
Brouwer, Richard	Welfare Rent	500.00
Campbell Supply	Janitorial Chemical Sup	41.38
Carpenter, Donovan	Business Travel	32.56
CBM Managed Svcs	Board Of Prisoners-Meals	40,805.64
CBM Managed Svcs	Child Care Food	4,793.62
CBM Managed Svcs	Inmate Sup	264.43
Center For Family	Professional Svcs	385.00
Century Business	Maint Contracts	54.10
Century Business	Professional Svcs	136.74
Centurylink	Contract Svcs	13.43
Centurylink	Data Coms	1,270.44
Centurylink	Telephone	1,757.47
Chagolla, Albert	Interpreters	99.98
Chris Cam	Inmate Sup	64.33
CHS	Road Maint & Material	369.75
City Glass & Glazing	Building Repairs & Maint	5,523.00
CJ Sayles	Store Inventory	673.50

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Classic Convenience	Gas Oil & Diesel	126.15
Cole Papers	JDC Custodial Sup	947.34
Computer Forensic	Professional Svcs	840.00
Counseling Resources	Attorney Fees	350.00
Country Meadows	Welfare Rent	514.00
Country View MHC	Welfare Rent	1,078.00
Court, Taylor	Business Travel	235.00
Culligan Water	Maint Contracts	35.00
Dakota Fluid Power	Parts Inventory	1,913.07
Dakota Fluid Power	Truck Repairs & Maint	35.66
Dakota Law	Attorney Fees	498.50
Dakota News	Store Inventory	376.81
Dakota Supply Group	JDC Maint	177.38
Dakotaland Autoglass	Truck Repairs & Maint	360.00
Dalsin	VOA Dakotas	485.00
Damgaard, Natalie D	MacArthur SJC Grt	98.80
Data Management	Maint Contracts	467.92
Dust Tex Svc	Janitorial Chemical Sup	13.82
Dynamic Svcs	Welfare Rent	500.00
Easy Badges	Inmate Sup	900.00
Erick Doppenberg	Extradition & Evidence	55.00
Fastenal Company	Small Tools & Shop Sup	258.59
Ferguson Enterp	Small Tools & Shop Sup	346.34
Force America Dist	Truck Repairs & Maint	58.62
Forum Com	Advertising	380.00
Franken, Jill	MacArthur SJC Grt	87.00
Fully Promoted	Uniform Allowance	27.58
Galls Quartermaster	Uniform Allowance	214.21
Garfield Apts	HS Donations	500.00
Garfield Apts	Welfare Rent	700.00
George, Aaron	Motels	475.00
George, Aaron	Welfare Rent	1,690.00
Geotek Engineering	Jail Expansion Prof Svcs	4,179.50
Geotek Engineering	Parking	513.00
Goebel Printing	Office Sup	51.00
Goebel Printing	Printing/Forms	84.64
Golden Creek Invest	Welfare Rent	800.00
Grainger	HHS Maint	53.66
Grainger	HHS Maint	(53.66)
Grainger	Small Tools & Shop Sup	78.15
Graybar Electric Com	Electrical Repairs & Maint	1,987.52
Great Plains Psych	Psych Evals	705.00
Guzman, Sandra V	Interpreters	25.00
Haffner, Marvin	Welfare Rent	500.00
Hava House	Welfare Rent	500.00
Heiberger, Cindy	MacArthur SJC Grt	126.00
Heimdal, Marie Ann	Court Reporters	250.80
Helpline Center	Homeless Initiatives	491.07
High Point Networks	Data Coms	87.50
Hobby Lobby Stores	Program Activities	35.95
Horizon Apts	Welfare Rent	690.00
Howe	Jail Repairs & Maint	1,221.41
Hughes Law	Attorney Fees	3,049.40
HyVee	Pharmacies	450.03
Initiative Invest	Welfare Rent	700.00
Innovative Office	Office Sup	33.55
Integrated Tech	Professional Svcs	95.00
Intek	Contract Svcs	24,429.55
Interprecorps	Interpreters	180.00
Interstate	Other Sup	37.50
Interstate Office	Office Sup	924.88
ISI	Interpreters	80.00
JCL Solutions	Inmate Sup	798.00
JCL Solutions	Kitchen/Cleaning Sup	1,858.03
Jim & Rons Svc	Investigators Exps	182.00

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Johnson Controls	Heat, Vent & AC Repairs	5,610.00
Johnson, Erin M	Bd Evals (Minnehaha)	2,162.00
Katterhagen, Mark	Bd Exp Fees (Yankton)	117.00
Kirschbaum, Mark	Business Travel	47.68
Kraayenhof, Nancy	Welfare Rent	1,812.00
Kyra Enterprises	Welfare Rent	500.00
Lamar Texas	Program Activities	1,360.00
Lamp	Interpreters	30.00
Languageline	Interpreters	868.57
Laughlin Law	Attorney Fees	1,042.90
Leach, Jason Duane	MacArthur SJC Grt	181.38
Leaf Capital Funding	Office Sup	137.02
Ledd Properties	Motels	1,195.00
Lewis Drugs	Pharmacies	2,479.98
Lewno Law	Bd Exp Fees (Yankton)	1,205.50
Lexisnexis Matthew	Subscriptions	500.00
LG Everist	Bridge Repair & Maint	155.53
Lisa Carlson Report	Court Reporters	1,848.00
Lockwood, Darcy	Bd Exp Fees (Yankton)	117.00
Machado, Sagaya Vasa	Welfare Rent	500.00
Marsh & Mclennan	Notary Exp	100.00
Matheson Trigas	Small Tools & Shop Sup	42.16
Mattson, Monica	Child Defense Attorney	1,696.75
Mclaughlin, David	Welfare Rent	1,000.00
Menard	Exhibit Materials	55.89
Menard	Park & Recreation Material	11.98
Menard	Program Activities	42.30
Menard	Road Material Inventory	248.75
Metro Com	Clinics Auxiliary Svcs	760.00
Metro Com	Misc Exp	29,970.50
Microfilm Imaging	Contract Svcs	7,150.10
Microfilm Imaging	Software	750.00
Midamerican Energy	Natural Gas	453.60
Midcontinent Com	Data Coms	248.00
Midcontinent Com	Telephone	85.00
Midwest Alarm	Outside Repair	101.28
Midwest Alarm	Security Alarm	263.78
Midwest Alarm	VOA Dakotas	101.28
Millborn Seeds	Tea-Ellis Range	400.00
Minnehaha Cnty	Other Sup	120.00
Murray Properties	Welfare Rent	1,000.00
Myers Enterprises	Safety & Rescue Equip	525.00
Myrl & Roys Paving	Tea-Ellis Range	495.02
Nebraska Salt & Gr	Road Material Inventory	8,191.28
Newman Signs	Sign Supply Inventory	1,707.93
Northeast Investment	Welfare Rent	1,100.00
Northern Safety Tech	Truck Repairs & Maint	252.88
Novak	Office Sup	168.48
Novak	Trash Removal	974.21
Nybergs Ace Hardware	Exhibit Materials	12.33
Oldhouse Journal	Program Activities	67.00
Olivier Miles Holtz	Attorney Fees	1,467.60
Olson Painting	Program Activities	3,417.00
Oreilly Auto Parts	Automotive/Small Equip	48.85
Oreilly Auto Parts	Truck Repairs & Maint	31.17
P&G Townhomes	Welfare Rent	1,303.18
PCCS	Lease-Rental Agmt	3,518.00
Penbrooke Place	Welfare Rent	401.00
Pennington Cnty	Extradition & Evidence	9,637.40
Phipps, Ahmed N	Interpreters	100.00
Phoenix Supply	Child Care Items	13.00
Phoenix Supply	Child Care Uniforms	327.21
Phoenix Supply	Inmate Sup	1,616.00
Pioneer Enterprises	Burials	2,000.00
Prestox	Professional Svcs	55.00

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Pride Neon	Automotive/Small Equip	240.00
Qualified Presort	Postage	200.00
Quality Efficiencies	Motels	525.00
Rdo Construction	Heavy Equip Repairs & Maint	1,239.90
Record Keepers	Professional Svcs	125.31
Redwood Estates	Welfare Rent	1,200.00
Redwood Toxicology	Testing Sup	870.00
Reynolds Law	Child Defense Attorney	2,234.50
Richard Ewing Equip	Jail Repairs & Maint	138.58
Richard Ewing Equip	JDC Maint	63.36
Risty, Maxine J	Court Reporters	197.60
Rochester Armored	Armored Car Svc	407.96
Sabastian Acuna Acos	Business Travel	577.08
Sanford Clinic	Professional Svcs	528.00
Sayre Associates	Parking	5,184.00
Schmuck, Jan	Bd Exp Fees (Minnehaha)	72.00
SD Assoc Of Cnty	Due To Other Governments	4,932.00
SD Human Svcs	Clinics Auxiliary Svcs	26.60
Sechser, Jenna	Court Reporters	528.20
Security Labs	Maint Contracts	325.00
Severtson, Allen	Business Travel	38.44
Shaina Rasmussen	Misc Revenue	150.00
Sioux Falls City	Gas Oil & Diesel	15,075.66
Sioux Falls City	HIDTA Grt	63.21
Sioux Falls City	Water Sewer	92.56
Sioux Falls City	Welfare Utilities	76.71
Sioux Falls Rubber	Notary Exp	23.45
Sioux Falls Seminary	Professional Svcs	563.00
Sioux Falls Woman	Advertising	595.00
Sioux Valley Energy	Welfare Utilities	187.02
Siouxland Properties	Welfare Rent	500.00
Southeast SD Tourism	Memberships	245.00
Southeastern Behav	Professional Svcs	2,625.00
Srstka, Erin	MacArthur SJC Grt	121.80
St Francis House	Professional Svcs	99.54
State of SD	Amts Held-Daily Scram	3,864.00
State of SD	Commitment HSC	20,767.49
State of SD	Commitment Redfield	1,020.00
State of SD	Data Coms	113.00
State of SD	Due To Other Governments	3,673,974.81
State of SD	MacArthur SJC Grt	94,500.00
State of SD	Misc Exp	2,882.44
State of SD	Notary Exp	60.00
State of SD	Sign Supply Inventory	1,087.68
State of SD	Store Sales	85.12
Taylor Place	Welfare Rent	1,265.00
TCN	Telephone	54.61
Thomson Reuters	Amounts Held For Others	708.75
Thomson Reuters	Legal Research	2,652.25
Three In One	Professional Svcs	3,120.00
Tomacelli'S Too	Jury Fees	99.43
Transource Truck	Truck Repairs & Maint	37.49
Tristate Garage Door	Jail Repairs & Maint	553.13
Trugreen	Professional Svcs	58.06
Trumble, Hank	Business Travel	676.00
University Products	Program Activities	1,652.50
Verizon Wireless	Data Processing Equip	1,258.79
Verizon Wireless	HIDTA Grt	84.12
Verizon Wireless	Misc Exp	132.33
Verizon Wireless	Safety & Rescue Equip	204.58
Verizon Wireless	Telephone	4,464.45
Victoria Estate	Welfare Rent	700.00
Voisin, Alexander	Business Travel	21.84
Walmart Stores	Pharmacies	375.00
Walton, Marcus	Attorney Fees	1,071.60

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Waste Management	Trash Removal	11.30
White Mountain	Store Inventory	146.60
Xcel Energy	Electricity	1,272.65
Xcel Energy	Welfare Utilities	1,737.54
Yankton Cnty	Return Of Svc	150.00
Yellow Cab	Transportation	19.75
Yemam, Nassir	Interpreters	25.00

## REPORTS

The Mobile Crisis Team Annual Statistics Report through May 2019 and the Minnehaha County Monthly Sheriff's Report for May 2019 were received and placed on file in the Auditor's Office.

## PERSONNEL

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

### New Hires

1. Carolyn Johnson, Museum Interpreter for the Museum, at \$16.30/hour (9/3) effective 6/24/19.
2. Jason Meadowcroft, variable hour Juvenile Correctional Worker for the Juvenile Detention Center, at \$14.85/hour effective 6/10/19.

### Promotions

1. Dallas Davis, Appraiser in Training to Appraiser for Equalization, at \$21.39/hour (15/2) effective 6/18/19.

### Step Increases

1. Emily Bashus, Juvenile Correctional Officer I for the Juvenile Detention Center, at \$18.44/hour (12/2) effective 5/7/19.
2. Cheryl Olson, Assistant Register of Deeds for the Register of Deeds, at \$30.21/hour (19/8) effective 6/20/19.
3. Jaime Irwin, Senior Records Technician for the Register of Deeds, at \$22.47/hour (12/10) effective 6/20/19.
4. Robbin Ketcham, Senior Records Technician for the Register of Deeds, at \$24.80/hour (12/14) effective 6/22/19.
5. Susan Hopkins, Administrative Records Specialist for the Register of Deeds, at \$26.71/hour (14/13) effective 6/20/19.
6. Michelle Franzen, Tax and License Technician for the Treasurer, at \$17.12/hour (10/3) effective 6/7/19.
7. Mason Braun, Deputy Sheriff Sergeant for the Sheriff's Office, at \$37.73/hour (20/15) effective 6/4/19.
8. Crystal Johnson, Senior Trial Attorney for the State's Attorney's Office, at \$4,060.00/biweekly (23/15) effective 5/23/19.
9. Randy Sample, Senior Trial Attorney for the State's Attorney's Office, at \$4,160.80/biweekly (23/16) effective 5/29/19.
10. Olivia Larson, Commission Recorder for the Auditor, at \$21.39/hour (14/4) effective 6/13/19.

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11. Vicki Huitt, Accounting Manager for the Auditor, at \$32.54/hour (19/11) effective 6/19/19.

#### Other Salary Changes

1. To begin Interpreter specialty pay for Sieha Ouch, Correctional Officer in Training for the Jail, resulting in a rate of \$18.48/hour effective 6/15/19.
2. To begin EMT specialty pay for Linc Mitchell, Deputy Sheriff for the Sheriff's Office, resulting in a rate of \$25.69/hour effective 6/15/19.

#### HANDBOOK UPDATE

Carey Deaver, Human Resources Director, requested approval of an update to the Minnehaha County Employee Handbook for meal reimbursement rates. The rates would increase for in-state meals from \$11.00 to \$14.00 for lunch and \$15.00 to \$20.00 for dinner. The rates would increase for out-of-state meals from \$14.00 to \$18.00 for lunch and \$21.00 to \$28.00 for dinner. The reimbursement rates for breakfast would not change. The proposed rate increases mirror the State of South Dakota increases that will become effective on of July 1, 2019. MOTION by Heiberger, seconded by Beninga, to approve updates to the Minnehaha County Employee Handbook, Section 14.2, Allowable Expenses effective July 1, 2019, for the following meal reimbursement rates: In-State Lunch at \$14.00, In-State Dinner at \$20.00, Out-of-State Lunch at \$18.00, Out-of-State Dinner at \$28.00. 5 ayes.

#### PUBLIC COMMENT

John Cunningham, 4904 S Oxbow, Sioux Falls, commented on the County's current budget concerns and voiced concerns regarding the utilization of funds for the new jail.

Michelle Boyd, Programs & Services Manager, introduced Scott McMahon as the new Metro Communications Director. Mr. McMahon spoke on his appreciation for being chosen for the position and his previous work experience.

#### REZONING HEARING

Scott Anderson, Planning Director, was present for the public hearing and gave the second reading of an amendment to Ordinance MC16-90, the 1990 Revised Zoning Ordinance. The amendment, Rezone #19-05, is to rezone from A-1 Agricultural District to Almond Branch Planned Development District for the property legally described as Tract 1, Hanson Addition, E ½ SE ¼, Section 14-T103N-R50W, Minnehaha County, South Dakota, located approximately 4 miles southwest of Baltic. The property is a 5 acre parcel of land. The petitioner and property owner is Parth Patel. The rezoning request is to construct an event barn to be used for private gatherings such as corporate meetings and weddings. Additionally, the petitioner would build a private single family residence. Due to the poor road infrastructure leading to the proposed site and potential land use conflicts with nearby agricultural operations, staff recommended denial of the rezoning request. The rezone was recommended for denial six to one by the Planning Commission on March 20, 2019. Parth Patel, 1518 W Havens Ave, Mitchell, SD, petitioner, spoke on his request for the rezone. Mr. Patel stated the he intends to give an incentive to customers to use an alternate route to his proposed facility to address the road condition concerns. Additionally, Mr. Patel stated that he has no concerns with the confined animal feeding operation (CAFO) being close to the proposed facility. In response to Commissioner Karsky's question, Mr. Anderson spoke on the potential future impact of the land use conflict between the proposed facility and the nearby CAFO. Commissioner Beninga commented on his concern for halting free enterprise due to a potential land use conflict when there is no land use violation. Mr. Anderson stated that the majority of the Planning Commission was concerned about the proximity to the CAFO. In response to a question from Commissioner Beninga, Mr. Anderson estimated that the number of cars utilizing the road would be 100-150 per event based on a 250 people capacity for the proposed facility. The

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alternate route suggested by Mr. Patel would approximately shorten the use of the road by a mile. Mr. Anderson stated that requiring the petitioner to maintain dust control on the road is not feasible due to the distance from the property to the highway and the amount of agricultural traffic. Commissioner Heiberger voiced concerns with the amount of additional traffic that would put a lot of stress on an already poor road. Additionally, Commissioner Heiberger brought up concerns regarding how the facility would affect agricultural operations. Commissioner Karsky commented that there would be added value in tax from the facility that would be paid to the County, a portion of which would be dispersed to the township to maintain the road. In response to a question from Commissioner Karsky, Mr. Patel stated he intends to operate the facility on Friday, Saturday, and Sunday with the potential for additional days for preparation of an event. MOTION by Karsky, seconded by Beninga, to reverse the Planning Commission's decision and approve Rezone #19-05. By roll call vote: 2 ayes. Commissioners Bender, Barth, and Heiberger voted nay. Motion failed. Commissioner Karsky stated that, from a land use perspective, it is an acceptable use and isn't infringing upon anyone else. Commissioner Heiberger expressed her opposition to approving the rezone due to the lack of a plan for the road issue. Commissioners Barth and Bender spoke in opposition due to the conflicting land use and road condition issues. No one from the public spoke in opposition. MOTION by Barth, seconded by Heiberger, to uphold the Planning Commission's decision to deny Rezone #19-05. By roll call vote: 5 ayes.

## APPEALS

### CUP #19-17

Scott Anderson, Planning Director, gave a briefing on an appeal filed by Roger & Dana Mulder for Conditional Use Permit (CUP) #19-17. The CUP is to allow the transfer of one (1) building eligibility on the property legally described as the W1/2 SW1/4 (Ex. Ry & Ex. Tr. 1, Kjergaard's Addn.) & E1/2 SW1/4, N of Ry & Tract 1, Jacobson's Second Addn., From the NW1/4 SW1/4 to the SW1/4 SW1/4; all in Section 34-T101N-R47W. The property is located approximately seven (7) miles east of Sioux Falls. The Planning Commission approved CUP #19-07 unanimously on May 20, 2019, with the following condition: 1) A right-to-farm notice covenant shall be placed on the deed prior to the issuance of a building permit for the single family dwelling. The petitioner of CUP #19-17, Earl Grimmus, requested to transfer one (1) building eligibility from cropland to cropland with the intention of building a single family dwelling. Staff recommended approval of the CUP due to the request being consistent with density zoning. Dalton Grimmus, 48250 268<sup>th</sup> Street, Brandon, petitioner's son, spoke on the request for the CUP and responded to a question regarding the placement of the driveway. Jen Mulder, 2930 N Jessica Ave, Sioux Falls, appellant's daughter, spoke on concerns regarding drainage, the effects on her parent's water pressure through the addition of another home, and the proximity of the proposed house to her parent's house. Mr. Grimmus addressed drainage concerns and provided an elevation map stating the runoff would flow to the southeast avoiding the stock damn. Mr. Grimmus stated that the septic system would be positioned downhill from the house, making it further away from the stock damn. Ms. Mulder provided a picture of the nearby wetlands to illustrate her drainage concerns. Commissioner Barth commented that change is likely to come to the area due to the growth of Sioux Falls, the nearby casino, and the Gitche Manitou State Preserve. Commissioner Heiberger stated that the driveway will be regulated by the Highway department, the septic system is regulated by the State of South Dakota, and the water company is responsible for concerns regarding water pressure. MOTION by Heiberger, seconded by Barth, to uphold the Planning Commission's decision to approve CUP #19-17 with one condition. By roll call vote: 5 ayes.

### CUP #19-22

David Heinold, Planner, gave a briefing on an appeal filed by Jim Soukup for Conditional Use Permit (CUP) #19-22. The CUP is to allow gravel extraction on the property legally described as the SW1/4 (Ex. Tract 1 Tyler's Addn. & H-1), Section 25-T102N-R51W. The property is approximately fifty-five (55) acres of land, located approximately two (2) miles east of Hartford. The petitioner for the CUP was Jim Soukup. The owner of the property is David Tyler.

The Planning Commission approved CUP #19-22 unanimously on May 20, 2019, with the following twenty-three (23) conditions: 1) An annual fee shall be paid to the County in accordance with Section 15.14 of the zoning

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regulations. (Note: An annual fee of \$10 per acre of un-reclaimed land is assessed to the operator.) 2) There shall be no fuel storage on the site. 3) Hours of operation shall be from 7:00 am to 6:00 pm on weekdays and 8:00 am to noon on Saturdays. 4) That the only dewatering shall be for use in dust control, road projects and rock washing. The applicant shall obtain any required permits from the state for use of the water. 5) That all of the requirements in the Haul Road Agreement between Hartford Township be followed continually. Dust control shall be applied twice yearly on 261st St. for one mile. 6) The ambient air quality standards for total suspended particulate matter shall be 150 micrograms per cubic meter of air as a 24-hour average not to be exceeded more than once a year, and 60 micrograms per cubic meter of air as an annual arithmetic mean. The standards for PM10 (10 micrometers or less in size) shall be consistent with the regulations of the State of South Dakota. 7) The County Planning Department shall direct the operator to install air quality sampling stations if the standards appear to be exceeded. Such monitoring shall be at the operator's expense. 8) The sound level from on-site operations shall not exceed an average of 55 decibels recorded over a 10 minute period measured at the nearest residence. 9) That one (1) off-street parking place for each employee and two (2) customer off-street parking spaces shall be provided. 10) The boundaries of the extraction area shall conform to the site plan submitted with the application. 11) Topsoil shall remain on the site and be used in final reclamation. 12) Only clean fill shall be used as backfill. 13) There shall be no storage or accumulation of inoperable or discarded equipment or parts. 14) A gate shall be required at the haul road entrance to the property. The entire haul road shall have a dust control agent applied at least twice per year. 15) That all mining activity is concluded by January 1, 2030 and that reclamation shall be in accordance with the plan filed with the State and outlined in the application and all reclamation of the site shall be completed by December 31, 2029. 16) That if one (1) or more acres of area is disturbed the applicant is required to obtain a General Permit from the Department of Environment and Natural Resources. 17) That the applicant provides the Minnehaha County Auditor with a surety bond or cash in the amount of \$5,000.00. 18) The applicant shall abide by all regulations outlined in Minnehaha County Flood Management Ordinance, MC32-03, when working in the 100 year floodplain and/or floodway. 19) That all trucks be covered/tarped when loaded and leaving the pit area. 20) The applicant shall install signs at the end of the haul road directing truck traffic leaving the pit to turn north and exit onto S.D. Highway 38. 21) The applicant shall arrange a site review with the Planning Director in July of 2025 to discuss the progress of the mining and reclamation operations, determine that all of the conditions of approval are being met and discuss any additional issues that may arise. 22) That the Planning & Zoning Department reserves the right to enter and inspect the gravel extraction operation at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and the Minnehaha County Zoning Ordinance. 23) No trucks are allowed west of the designated entrance and exit for the gravel extraction site on 261st St.

Commissioner Barth commented that the need for condition nineteen (19) is negated by SDCL 32-15-18, which makes it unlawful for a vehicle to be improperly loaded. Nate Gonseth, 525 E Lakeview Drive, Brandon, Soukup Construction Chief Financial Officer, was present to speak on Mr. Soukup's appeal to request the removal of condition nineteen (19). Mr. Gonseth spoke on the expense to retroactively adding tarps to their trucks. In response to a question from Commissioner Heiberger, Margaret Gillespie, Senior Deputy State's Attorney, advised the Commission on the wording of the motion if they wanted to remove condition nineteen (19). No one spoke in opposition to the appeal request.

MOTION by Heiberger, seconded by Karsky, to amend CUP #19-22 by striking condition nineteen (19), a condition that all trucks be covered/tarped when loaded and leaving the pit area. By roll call vote: 5 ayes.  
MOTION by Heiberger, seconded by Karsky, to approve CUP #19-22 as amended with twenty-two (22) conditions. By roll call vote: 5 ayes.

## CONTRACTS

Michelle Boyd, Programs & Services Manager, gave a briefing on the per diem contracts with 13 counties to house inmates in the Minnehaha County correctional facilities. Under the terms of the contract, the daily rate for housing inmates, other than a work-release setting, is \$97.34. This is an increase from the current rate of \$96.45. For inmates authorized to participate in the Electronic Monitoring Work Release Program the rate is \$15.00 per



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day. Individual counties would be responsible for any medical expenses the inmate would require. The contracts will be subject to a 30 day written notice to rescind or cancel by either party. MOTION by Beninga, seconded by Karsky, to authorize the Chair to sign the Minnehaha County Jail Bed Per Diem Contracts with the counties of Aurora, Brookings, Deuel, Gregory, Hanson, Hutchinson, Hyde, Kingsbury, Lake, McCook, Moody, Sanborn, and Turner effective July 1, 2019, through June 30, 2020. 5 ayes.

#### APPOINTMENT

Craig Dewey, Assistant Commission Administrative Officer, reported applications were received from Anne Land and Jon Thiesen to serve as the Minnehaha County representative on the Siouxland Library Board of Trustees. The position became available in May 2019 with applications due on May 31<sup>st</sup>, 2019. Mr. Dewey noted that the by-laws of the Siouxland Library Board of Trustees strongly encourages rural representation. Jodi Fick, Director of Siouxland Libraries, spoke on the purpose of the board, commented on having spoken with Ms. Land, and stated that all the current members of the board live in the City of Sioux Falls and come from a variety of backgrounds. MOTION by Heiberger, seconded by Barth, to appoint Anne Land as the Minnehaha County representative on the Siouxland Library Board of Trustees for a three year term beginning June 18, 2019, through June 18, 2022. By roll call vote: 5 ayes. Anne Land, 47584 249<sup>th</sup> Street, Dell Rapids, thanked the Commission for the appointment.

#### LIAISON REPORT

Commissioner Karsky reported on attending a site visit of the Charleston Center in Charleston, SC from June 11-12, 2019, with Commissioner Heiberger and fourteen (14) other representatives. The site visit allowed for the sharing of best practices and to see how an operational triage center can work. While there, they met with a Charleston County Commissioner, who spoke on initiatives for criminal justice reform issues. Commissioner Heiberger explained that a grant through the State paid for her travel expenses, and that a grant given to Minnehaha County paid for Commissioner Karsky's travel expenses. She reported being able to look into first responders being trained in telehealth, pertaining to mental illness, that may go statewide. Additionally, Commissioner Heiberger had the opportunity to meet with a coordinated council, similar to the new Sioux Empire Leadership Council, to learn about the benefits the council has brought to their community and how it functions. In response to a question from Commissioner Barth, Commissioner Karsky stated that the funding for the Charleston Center is a hybrid of various entities including the city, the county, and the state in collaboration with a healthcare provider.

Commissioner Heiberger reported on meeting with the Treasurer regarding monthly bank reconciliations that had not been completed since June 2018. At this time, the June 2018 and July 2018 bank reconciliations have been filed with the Auditor's Office. The Treasurer's Office is continuing to work on completely the remaining reconciliations and have set goals for completion.

#### NEW BUSINESS

Commissioner Barth commented on a local recycling organization no longer accepting plastic bags, and he suggested the Commission consider getting rid of the use of plastic bags in the County.

#### OLD BUSINESS

Commissioner Barth suggested two separate items to submit for legislation. The first item would provide compensation for the additional work conducted by the Treasurer's Office when assisting property owners in remote locations, such as Puerto Rico. The second would give the County more authority on how to inexpensively take care of indigent funeral expenses.

06/18/2019

Commissioner Bender stated that the next Budget Hearing is scheduled for 8:00 a.m. on Wednesday, June 19, 2019.

MOTION by Barth, seconded by Heiberger, to recess the Minnehaha County Commission Meeting at 10:28 a.m. 5 ayes.

MOTION by Karsky, seconded by Heiberger, to reconvene the Minnehaha County Commission Meeting at 10:37 a.m. 5 ayes.

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

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

The Commission adjourned until 9:00 a.m. on Tuesday, June 25, 2019.

APPROVED BY THE COMMISSION:

Jean Bender

Chair

ATTEST:

Olivia Larson

Deputy Auditor