

05/25/2021

THE MINNEHAHA COUNTY COMMISSION CONVENE AT 9:00 A.M. May 25, 2021, pursuant to adjournment on May 18, 2021. Commissioners present were: Barth, Bender, Beninga, Heiberger. and Karsky. Also present were Rhonda Bennett, Deputy Auditor, and Eric Bogue, Chief Civil Deputy State's Attorney.

MOTION by Heiberger, seconded by Beninga, to amend the agenda and remove item 25 and item 26. 5 ayes.

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

MOTION by Beninga, seconded by Barth, to approve the May 18, 2021, Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Beninga, to approve the following bills totaling \$632,316.83. 5 ayes.

A&B Business Data Processing Sup 196.96, A&B Business Lease-Rental Agmt 89.51, A-1 Pumping & Excav Parks/Rec Repair & Maint 805.00, Accurate Control Lease-Rental Agmt 23,665.91, Action Systems Bldg/Yard Repair & Maint 1,794.58, Active911 Memberships 325.00, Advanced Pest Maint Contracts 70.00, Airgas Gas Oil & Diesel 35.32, Airgas Small Tools & Shop Sup 8.50, Airway Svc Auto/Small Equip 650.77, Airway Svc Gas Oil & Diesel 74.60, Anderson, Jennifer Bd Evals (Minnehaha) 3,345.82, Andresen Prop Welfare Rent 700.00, Angel, Edward P Attorney Fees 2,591.90, Appera Program Activities 104.81, Argus Leader Professional Svcs 21.56, Argus Leader Publishing Fees 1,841.91, Avera Mckennan Hospitals 23,296.00, Avera Mckennan Other Medical Svcs 347.72, Avera Mckennan Physicians 84.07, Avera Mckennan Psych Evals 1,500.00, Axis Forensic Lab Costs 150.00, Bob Barker Co Child Care Items 27.08, Bob Barker Co Child Care Uniforms 83.28, Bob Barker Co Inmate Sup 568.70, Boyer Ford Auto/Small Equip 838.44, Brad Wagner Sign Deposit 50.00, Builders Sup Bldg/Yard Repair & Maint 487.26, Burns, Jason Investigators Exps 47.04, C & R Sup Auto/Small Equip 183.10, Century Business Lease-Rental Agmt 892.00, Century Business Maint Contracts 1,365.46, Century Business Office Sup 194.98, Centurylink Telephone 58.83, Certified Languages Interpreters 78.30, Chapel Hill Funeral Burials 2,000.00, Charlene Loterbauer Misc Revenue 300.00, City Glass & Glazing Building Repairs & Maint 609.17, Civil Design Architects & Engineers 720.00, Colton Redimix Bridge Repair & Maint 225.00, Computer Forensic Professional Svcs 210.00, Constellation Natural Gas 13,672.32, Construction Product Bridge Repair & Maint 194.40, Construction Sup Road Maint & Material 138.00, Correct Rx Contract Svcs 50.88, Cummins Coliseum 561.48, Dakota Law Attorney Fees 3,277.90, Deans Distrib Parts Inventory 150.85, Deans Distrib Small Tools & Shop Sup 243.86, Dell Marketing Data Processing Equip 111.79, Denherder Law Attorney Fees 348.10, Dennis Sup Fairgrounds 147.59, Dufault, Helena Bd Evals (Minnehaha) 247.50, Eich Law Child Defense Attorney 4,166.67, Empire Toner Data Processing Sup 683.93, English Law Attorney Fees 6,000.00, Eric Bartmann Sign Deposits 50.00, Erin M Johnson Bd Exp Fees (Minnehaha) 6,346.00, Erin M Johnson Crisis Intervention Program 66.50, Etterman Enter Small Tools & Shop Sup 430.30, First Dakota Title Professional Svcs 400.00, Frontier Precision Engineering Sup 249.64, G & R Controls Heat, Vent & AC Repairs 53.13, Global Tel Link Telephone 1.74, Goebel Printing Printing/Forms 66.55, Golden Creek Invest Welfare Rent 500.00, Graham Tire Heavy Equip Repairs & Maint 99.00, Grainger Small Tools & Shop Sup 121.09, Great Plains Psych Psych Evals 1,385.00, Greater Sioux Falls Misc Exp 60.00, Griesse Law Attorney Fees 138.90, Griesse Law Child Defense Attorney 838.50, Griesse, Chris Grounds & Parking Repair 1,050.00, Guzman, Sandra V Interpreters 102.50, Hava House One Sioux Falls-Shelter 800.00, Heidepriem Purtell Attorney Fees 388.80, Helseth, Ramona G. Bd Exp Fees (Minnehaha) 144.00, Henry Carlson Const Repair/Renovations 6,099.66, Heritage Funeral Burials 4,000.00, Hov Svcs Microfilming 434.15, Hyvee Pharmacies 39.68, Interstate Office Sup 27.60, ISI Interpreters 240.00, JCL Sol Inmate Sup 1,028.70, JCL Sol Janitorial Chemical Sup 105.16, JCL Sol Kitchen/Cleaning Sup 1,335.54, Je Dunn Constr Construction Costs 15,249.00, Jefferson Partners Transportation 310.50, JLG Architects Administration Bldg 30,546.88, JLG Architects Architect, Engineers, and PM 4,990.00, JLG Architects Architect, Engineers, and PM 30,546.87, Joseph Maeschen Taxable Meal Allowances 60.00, Kauffman, David W Psych Evals 2,000.00, Kirschbaum, Mark Business Travel 47.68, Knecht, Andrew J Attorney Fees 5,124.20, Knecht, Andrew J Child Defense Attorney 931.20, Kraayenhof, Nancy Welfare Rent 675.00, Kringen, Gregg Parks/Rec Repair & Maint 150.00, Kruse Law Child Defense Attorney 4,166.67, Lamp Interpreters 112.50, Laurel Ridge Barn Sign Deposits 50.00, LG Everist Bridge Repair & Maint 2,796.13, LG Everist Road Maint & Material 267.58, Light And Siren Auto/Small Equip 404.16, Lisa Carlson Court Reporters 7.60, Loving, Philip Bd Evals (Minnehaha) 5,041.77, Luther, Jeff Medical Director 2,500.00, Medstar Paramedic Transportation 2,000.00, Metastone Prop

05/25/2021

Welfare Rent 500.00, Metro Comm Misc Exp 199,001.63, Midamerican Energy Natural Gas 171.10, Midamerican Energy Welfare Utilities 373.40, Midcontinent Comm Data Comms 350.00, Midwest Boiler Heat, Vent & AC Repairs 7,399.16, Miller, Frances F Bd Exp Fees (Minnehaha) 80.00, Multicultural Center Interpreters 55.00, Myers Entrp Safety & Rescue Equip 1,525.00, Napa Auto Parts Small Tools & Shop Sup 64.56, National Student Welfare Rent 500.00, Nelson Commercial Real Estate - Studies 1,000.00, Nguyen, Lam Interpreters 50.00, North Carolina Dept Contract Svcs 280.50, Nutrien Ag Solutions Chemicals 5,816.00, Olivier Miles Holtz Attorney Fees 714.10, Olson Law Attorney Fees 2,159.08, One Sky Bldg/Yard Repair & Maint 27.80, Oreilly Auto Parts Auto/Small Equip 34.97, Osborn, Roxane R Court Reporters 1,297.75, Pfeifer Impl Auto/Small Equip 42.30, Platinum Point One Sioux Falls-Shelter 869.00, Premier Real Estate Welfare Rent 668.00, Qualified Presort Postage 200.00, R&L Sup Parks/Rec Repair & Maint 69.23, Reynolds Law Child Defense Attorney 4,166.67, Sanford Other Medical Svcs 739.61, Sanford Clinic Contract Svcs 25,936.17, Schiltz, Ann C Bd Exp Fees (Minnehaha) 48.00, Schuster, Paul Investigators Exps 23.52, SD Human Svc Clinics - Auxiliary Svcs 51.80, Security Labs Maint Contracts 100.00, Severtson, Allen Business Travel 38.44, SF Specialty Hospit Recruitment 520.00, SF Specialty Hospita Insurance-Other Costs 182.00, Short Elliott Hendr Architects & Engineers 25,497.30, Sioux Empire Fair Misc Exp 12,500.00, Sioux Falls City Water - Sewer 318.14, Sioux Falls City Welfare Utilities 85.50, Sioux Falls Family Optometric Svcs 306.60, Sioux Falls Ministry Welfare Rent 450.00, Sioux Falls Rubber S Office Sup 71.90, Sioux Falls Treat Pharmacy-MAT 154.00, Sisson Printing Printing/Forms 359.20, Snoozy, Scott Welfare Rent 700.00, Solheim, Virginia Business Travel 39.28, Southeastern Behav Professional Svcs 1,600.00, State of SD Amts Held-Daily Scram 4,662.00, State of SD Amts Held-Remote Breath 938.00, State of SD Blood/Chemical Analysis 8,765.00, State of SD Inmate Sup 2,543.10, State of SD Misc Exp 43.00, State of SD Printing/Forms 80.25, State of SD Professional Svcs 778.50, State of SD Sign Sup Inventory 469.44, State of SD Telephone 852.00, State of SD Witness Fees/Exps 400.00, Summit Fire Protect Safety & Rescue Equip 210.00, Summit Food Svc Child Care Food 996.29, Summit Food Svc Inmate Sup 91.70, Summit Food Svc School Lunch Program 1,700.21, Tally Ho Apts Welfare Rent 1,000.00, Targets Online Other Sup 158.40, Tegra Group Architect, Engineers, and PM 8,400.00, The Preserve Welfare Rent 450.00, Thomson Reuters Amounts Held For Others 744.19, Thomson Reuters Legal Research 3,520.76, Thomson Reuters Subscriptions 263.66, Tiede, Pamela Bd Exp Fees (Minnehaha) 160.00, Traffic Solutions Road Maint & Material 1,019.38, Tristate Garage Door Building Repairs & Maint 1,375.00, Tri-State Nursing Professional Svcs 1,491.88, Trittech Software Professional Svcs 6,978.51, Trittech Software Software 1,350.00, True Care Pharmacies 113.20, Tschetter & Adams Attorney Fees 3,425.00, Two Way Solutions Comm Equip 935.96, University Park Professional Svcs 500.00, US Foods Other Sup 46.44, US Foods Professional Svcs 578.07, Ver Beek, Kelsey Attorney Fees 896.94, Ver Beek, Kelsey Bd Exp Fees (Minnehaha) 2,429.15, Voisin, Alexander Business Travel 40.32, Vuong Law Attorney Fees 816.75, Wagner, Heidi Bd Evals (Minnehaha) 440.00, Washington Pavilion MacArthur SJC Grant 349.05, Willuweit, Wesley Welfare Rent 540.00, Woodland Hills Welfare Rent 1,400.00, Woods Fuller Shultz Professional Svcs 315.00, Xcel Energy Electricity 21,198.68, Xcel Energy Road Maint & Material 16.56, Xcel Energy Welfare Utilities 689.00, Xigent Solutions Maint Contracts 15,795.00.

REPORTS

The Sioux Empire Fair Association Audit Report for 2019 was received and placed on file in the Auditor's Office.
PERSONNEL

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

New Hires

1. Abby Kainrath, Custodian, \$15.90/hour (7/4) effective 5/25/2021.

Promotions

1. Temporarily promote Anthony Stransky Corporal to Sergeant, Jail, \$24.18/hour (17/1) effective 5/29/2021.
2. Ryan McFall, Deputy State's Attorney to Senior Deputy State's Attorney, State's Attorney's Office, \$2,873.60/biweekly (22/3) effective 5/6/2021.

05/25/2021

3. Madison Roberts, Legal Office Assistant, State's Attorney's Office to Commission Recorder, Auditor's Office, \$20.87/hour (14/1) effective 5/29/2021.

Step Increases

1. Michael Haugaard, Air Guard Security Officer I, Air Guard, \$20.87/hour (12/5) effective 4/4/2021.
2. Wallace Wynia, Air Guard Security Officer II, Air Guard, \$27.37/hour (13/14) effective 4/21/2021.
3. Jenna Girard, Engineering Specialist, Highway Department, \$26.05/hour (17/4) effective 5/13/2021.
4. David Denson, Correctional Officer, Jail, \$20.35/hour (13/2) effective 2/22/2021.
5. Cydney Porter, Correctional Officer, Jail, \$20.35/hour (13/2) effective 3/23/2021.
6. James Williamson, Correctional Officer, Jail, \$20.35/hour (13/2) effective 3/23/2021.
7. Andrew Kelly, Correctional Officer, Jail, \$21.38/hour (13/4) effective 5/20/2021.
8. Seamus Walsh, Corporal, Jail, \$34.19/hour (17/15) effective 5/12/2021.
9. Adam Nyhaug, Museum Registrar, Museum, \$28.76/hour (14/14) effective 5/27/2021.
10. Monica McConnell, Administrative Assistant for the Public Advocate's Office, at \$21.38/hour (12/6) effective 5/1/2021.
11. Candace Steele, Tax and License Technician for the Treasurer's Office, at \$20.35/hour (10/8) effective 5/13/2021.
12. Scot Graff, Senior Tax and License Technician for the Treasurer's Office, at \$20.87/hour (12/5) effective 5/17/2021.

Special Personnel Action Requests

MOTION by Beninga, seconded by Heiberger, to approve a reclassification of the Office Manager in the State's Attorney Office from a pay grade 14 to pay grade 16.

COMPROMISE OF LIEN

Melinda Storley, Commission Assistant, gave a briefing on an application for compromise of lien for DNPO 34566 in the amount of \$2,997.83. The Lien represented legal fees and poor relief from 1993 to 2009. Poor relief representing \$1,728.24 of the amounts owed to the county. Payments on the lien to date of \$900.00. MOTION by Beninga, seconded by Bender, decision to accept \$500.00 payment on DNPO 34566 and release petitioner from remaining \$2,4997.83. Roll Call Vote: 4 ayes, 1 nay -Barth.

RESOLUTION MC21-25

WHEREAS, a County Aid Lien in the amount of \$ 2997.83, purports to exist in favor of Minnehaha County and against DPNO 34566 as Lienee, and WHEREAS, said lienee has filed an application with the County Auditor stating such facts as provided for by Law NOW, THEREFORE, BE IT RESOLVED that after due consideration

05/25/2021

of the circumstances the Board of County Commissioners finds it advisable and proper to authorize the Chair of the County Board and the County Auditor to execute the following:

Compromise and release the lien in full upon payment of \$500.00.

If payment is not made within one year of approval, this agreement is null and void.

Dated at Sioux Falls, South Dakota, this 25th day of May, 2021.

APPROVED BY THE COMMISSION:

Dean Karsky

Chair

ATTEST:

Rhonda Bennett

Deputy Auditor

ALCOHOL LICENSES

A Public Hearing was held to consider fifteen (15) Special Event On-Sale Liquor License Applications for the Barrel House at Huset's Speedway Race Events Between June 2021 and September 2021. Proponent, Mark Fonder, Barrell House, expressed the need for the license. No Opponents were present. Motion was deferred on the agenda until after item 27 to allow Eric Bogue, Chief Civil State's Attorney a chance to verify number and jurisdictional issues.

A representative from the Siouxland Renaissance Association, Anna Vorhes appeared before the County Commission to speak on behalf of the organizations request for a liquor license. MOTION by Heiberger, seconded by Barth, to approve a Special Event on-Sales Wine Retailers License for the Siouxland Renaissance Association for a June 5th & 6th, 2021 festival at the W.H. Lyons Fairground. 5 ayes.

Curt Madson, owner of Pump N Pack appeared before the County Commission to speak on behalf of the request for renewal of the liquor license. Mr. Madson said that the employee involved in the failed compliance check was a long-term employee of the company and had made a mistake. Pump N Pack does provide regular training on liquor compliance and also offers a \$500 bonus to employees that participate in a compliance check that passes.

MOTION by Barth, seconded by Heiberger, to approve a Liquor License Renewal Application for Pump N Pack due to a Liquor License Compliance Check Violation by the applicant in the current licensing year. 5 ayes.

MOTION by Barth, seconded by Bender, to approve the 2021-2022 Malt Beverage and SD Farm Wine License Renewal Applications. The following renewals were approved: Baltic Corner, Mighty Corson Art Players, Friendly's Fuel Stop, Crooks Gun, Club 38 Roadhouse, Emerald Pines, Greatlife @ Rocky Run Golf Course, I-90 Speedway, Hunters Pointe Shooting Complex, Buffalo Trading Post, State Line Casino, The Riveria by Roccas, Chasers Food & Spirits, A Homestead Brew, Northern Links Golf Course, Ultimate Golf, Renner Corner, W.H. Lyons Fairgrounds, Yogi Bear Campground, Strawbale Winery, Izaak Walton League Post 307, The Alibi, Bottom's Up, Tuckers Walk Vineyard, Uncle Ed's Specialty Meats, Wall Lake Oil, Wild Water West Waterpark, Wild Prairie Winery, and Huset's Speedway. 5 ayes.

MOTION by Heiberger, seconded by Barth, to approve a Consume & Blend Alcohol Beverage License Application from Joshua Nelson for an Event on June 5, 2021 at the Isaak Walton League. 5 ayes

MOTION by Barth, seconded by Beninga, to approve a Consume & Blend Alcohol Beverage License Application from Todd Spomer for an Event on July 21, 2021 at the Isaak Walton League. 5 ayes

05/25/2021

MOTION by Barth, seconded by Beninga, to approve a Consume & Blend Alcohol Beverage License Application from Andrea Carson for an Event on June 26, 2021 at the Isaak Walton League. 5 ayes

Auditor Ben Kyte requested a MOTION by Bender, seconded by Barth, to authorize the chair to sign the Coronavirus Fiscal Recovery Fund Agreement. Mr. Kyte said that if the application is approved Minnehaha County would receive approximately \$37.5mm and would have until December 31, 2024 to commit those funds to use under the terms of the American Recovery Fund Act. 5 Ayes

BREIFINGS

Jay Marchand, Lutheran Social Services, gave a presentation on the Family Violence Project. Offenders are ordered by the judges to be assessed by LSS to make recommendation for treatment.

Michelle Trent, Director, Compass Center, gave a presentation on the work by Compass Center related to domestic violence. She noted that the intensity of violence in domestic assault cases has increased with the pandemic.

AGREEMENT

Jacob Maras from the Minnehaha County Highway Department appeared before the commission to request approval to apply for the RAISE Grant. This grant would help with the design of Maple Park Street. The grant is under \$50,000 but requires Commission approval since it is not in Highway Department 2021 budget. Upon the request of Jacob Maras, Senior Project Engineer, Highway, MOTION by Bender, seconded by Barth, to authorize chair to sign a Professional Services Agreement with HDR Engineering, Inc. to complete the 2021 RAISE Grant Application. 5 ayes

BREIFINGS

Kris Swanson, Treasurer, gave a presentation addressing the challenges the continued growth of Minnehaha County has brought to the Treasurer's office.

Daniel Haggar, State's Attorney, gave a presentation on the State's Attorney's Office's commitment to public safety, community service, and equal justice under the law. The office provides prosecution for adults and juveniles.

Alicia Collura, Assistant Director of Public Health for the city of Sioux Falls, briefed the Commission on available Federal funding that the organization is eligible to receive. The organization is eligible to receive up to \$1.1mm in Federal funding through the American Recovery Act for health centers to be used for capital improvements. MOTION by Barth, seconded by Heiberger, to authorize the chair to sign a Landlord Letter of Consent to allow the City of Sioux Falls to apply for Federal Funding. 5 ayes.

Upon the request of Carol Muller, Commission Administrative Officer, MOTION by Barth, seconded by Barth, to authorize chair to sign the Construction Manager-At-Risk Contract with Henry Carlson for the Extension and Administration Remodel. 5 ayes.

Upon the request of Eric Bogue, Chief Civil Deputy State's Attorney, MOTION by Barth, seconded by Bender, to authorize the chair to appoint a committee of two members of the Minnehaha County Board of Commissioners to the IM-26 Task Force to meet with a like committee on the part of Lincoln County and the City of Sioux Falls. The committee will work to develop a possible ordinance regarding the licensing and regulation of medical

05/25/2021

marijuana under the Initiated Measure 26 and then report its findings to the Minnehaha County Board of Commissioners no later than July 31, 2021. 5 ayes.

Eric Bogue, Chief Civil Deputy State's Attorney, was able to verify the maximum number of Special Event Licenses that Minnehaha County allows is limited to 15 per year per applicant and that the county had the proper jurisdiction. Motion by Heiberger, seconded by Barth, to approve the Special Event On-Sale Liquor Licenses for the Barrel House at Huset's Speedway Race Events between June 2021 and September 2021. 5 ayes.

LIASON REPORTS

Commission Beninga was present at the County Fair Board when they reviewed the 2019 Audit Report.

Commission Barth attended the Planning & Zoning Commission Meeting and reported on the Peterson Trailer Park being converted to lots for stick-built homes. The Board approved a CAFO (concentrated animal feeding operation) that was approved in Wellington Township with the condition of landscaping to limit effects on the neighbors. East Dakota Water Development District was given funds towards the purchase of radar to detect water and help with drainage issues.

MOTION by Barth, seconded by Heiberger, to recess the Minnehaha County Commission Meeting at 10:46 a.m. 5 ayes.

MOTION by Barth, seconded by Bender, to enter into to enter into Executive Session at 11:00 a.m. pursuant to SDCL 1-25-2 (1), (3) and (4). 5 ayes.

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

The Commission adjourned until 9:00 a.m. on Tuesday June 1, 2021.

APPROVED BY THE COMMISSION:

Dean Karsky
Chair

ATTEST:

Rhonda Bennett
Deputy Auditor