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THE MINNEHAHA COUNTY COMMISSION CONVENE AT 9:00 A.M. December 1, 2020, pursuant to adjournment on November 24, 2020. Commissioners present were: Bender, Beninga, Heiberger, and Karsky. Commissioner Barth was present via Zoom Videoconference. Also present were Olivia Larson, Commission Recorder, and via Zoom Teleconference Drew DeGroot, Chief Civil Deputy State's Attorney.

MOTION by Heiberger, seconded by Karsky, to remove Item 13, an item to consider a resolution to establish new fees for highway access permits from the agenda. By roll call vote: 5 ayes.

MOTION by Karsky, seconded by Beninga, to approve the agenda as amended. By roll call vote: 5 ayes.

MINUTES APPROVAL

MOTION by Heiberger, seconded by Beninga, to approve the November 24, 2020, Commission Minutes. By roll call vote: 5 ayes.

VOUCHERS TO BE PAID

MOTION by Heiberger, seconded by Barth, to approve the following bills totaling \$1,094,301.23. By roll call vote: 5 ayes.

A&B Business	Lease-Rental Agmt	321.46
A&B Business	Maint Contracts	139.63
Accurate Control	Construction Costs	239,891.48
Adam Apartments	Welfare Rent	500.00
Airway Svc	Automotive/Small Equip	599.36
Airway Svc	Gas Oil & Diesel	176.52
Angel, Edward P	Child Defense Attorney	2,525.30
Argus Leader Media	Publishing Fees	2,467.15
Armor Correctional	Contract Svcs	220,162.29
AT&T	Safety & Rescue Equip	43.23
Avera McKennan	Hospitals	30,109.01
Avera McKennan	Other Medical Svcs	1,612.45
Avera McKennan	Professional Svcs	1,500.00
Axis Forensic Toxicology	Lab Costs	837.00
Beck Motors	Automobiles	1,410.00
Benson, Charles	Welfare Rent	500.00
Birmingham & Cwach	Attorney Fees	262.45
Bob Barker	Child Care Uniforms	410.80
Budget Auto Repair	Gas Oil & Diesel	75.90
Budget Blinds	Building Repairs & Maint	5,318.00
Builders Supply	Building Repairs & Maint	5,070.75
Builders Supply	Jail Repairs & Maint	2,287.50
Builders Supply	JDC Maint	1,651.50
Buthe, DJ	Business Travel	349.44
C&R Supply	Heavy Equip Repairs & Maint	9.24
CDX Holdings	Welfare Rent	450.00
Century Business	Maint Contracts	182.64
Certified Auto Glass	Automotive/Small Equip	190.00
Certified Languages	Interpreters	340.75
Chagolla, Albert	Interpreters	100.00
Chapelwood	Welfare Rent	500.00
City Glass & Glazing	Jail Repairs & Maint	12,637.00
Cleveland Center Apt	Welfare Rent	800.00
Country Meadows	Welfare Rent	700.00
Dakota Fluid Power	Truck Repairs & Maint	17.93
Dakota Supply Group	JDC Maint	53.70
Decastro Law	Attorney Fees	13,261.90

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Dematteo Law	Attorney Fees	126.10
Dematteo Law	Child Defense Attorney	135.80
Double H Paving	Snow Removal	6,605.00
Duffy, Bonnie	Bd Exp Fees Minnehaha	332.20
EH Hospitality	Motels	360.00
Election Systems	Election & Office Equip	98,500.00
Election Systems	Professional Svcs	2,895.38
Election Systems	Software/Licensing	1,278.92
Element Tree Svc	JDC Maint	750.00
Fastenal	Small Tools & Shop Sup	96.68
First Dakota Nation	Homeland Security	3,764.75
First Dakota Title	Professional Svcs	750.00
Formatop	Jail Repairs & Maint	12,302.74
Four Directions Coun	Education & Training	200.00
Fox & Youngberg	Attorney Fees	2,421.30
G&R Controls	HHS Maint	781.89
G&R Controls	Jail Repairs & Maint	59.95
Galls Quartermaster	Uniform Allowance	1,614.00
Garretson Community	Ambulance Svcs	39,750.00
General Election	Election Workers	101,072.25
George, Aaron	Welfare Rent	454.00
Goebel Printing	Office Sup	160.01
Grainger	Election & Office Equip	444.63
Grainger	Small Tools & Shop Sup	120.84
Griese Law	Attorney Fees	1,435.70
Guzman, Sandra V	Interpreters	50.00
Heidepriem Purtell	Attorney Fees	380.50
Helseth, Ramona G	Bd Exp Fees Minnehaha	168.00
Hidden Hills Apt	Welfare Rent	400.00
Horizon Apts	Welfare Rent	700.00
Horn Law	Attorney Fees	627.00
Howe	Coliseum	172.50
HyVee	Pharmacies	376.36
Innovative Office	COVID Exps	198.80
Innovative Office	Janitorial Chemical Sup	162.01
Innovative Office	Office Sup	26.99
Intek	Coliseum	379.78
Intek	Contract Svcs	30,156.58
Intek	COVID Exps	5,445.00
Interstate Office	Office Sup	162.45
ISI	Interpreters	80.00
ISI	Interpreters	160.00
ISI	Interpreters	100.00
ISI	Interpreters	80.00
JCL Solutions	Inmate Sup	1,028.70
JCL Solutions	Kitchen/Cleaning Sup	1,314.56
JD Property Solution	One Sioux Falls-Shelter	519.50
Knecht, Andrew J	Attorney Fees	1,736.30
Koletzky Law	Attorney Fees	378.30
Kurita America Hold	Heat, Vent & AC Repairs	230.34
Kyra Enterprises	Motels	625.00
Laughlin Law	Child Defense Attorney	3,199.10
Loving, Philip	Bd Evals Minnehaha	1,858.30
Lutheran Social Svcs	Evening Report Center	5,479.55
Lutheran Social Svcs	Shelter Care/Rcptn Center	78,764.80
Marshall, Destinie	One Sioux Falls-Shelter	1,600.00
Medstar Paramedic	Transportation	2,400.00
Menard	Bldg/Yard Repair & Maint	17.85
Metro Comms	Clinics - Auxiliary Svcs	40.00
Midamerican Energy	Natural Gas	1,522.25

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Midcontinent Com	Amounts Held For Others	155.00
Midwestern Mechanic	Jail Repairs & Maint	5,830.00
MI Rentals	One Sioux Falls-Shelter	700.00
Mohrhauser, Adam	Bd Exp Fees Minnehaha	324.00
Multicultural Center	Interpreters	220.00
Murray Properties	One Sioux Falls-Shelter	675.00
Northeast Investment	One Sioux Falls-Shelter	925.00
Novak	Trash Removal	3,297.26
Nybergs Ace Hardware	Other Sup	15.16
Ode, Doug	Bd Exp Fees Minnehaha	292.92
Olivier Miles Holtz	Attorney Fees	969.90
Openlattice	Software	14,800.00
Osborn, Roxane R	Court Reporters	2,108.50
Otis Elevator	HHS Maint	3,075.24
Overhead Door	Bldg/Yard Repair & Maint	28.00
Pioneer Enterprises	Burials	2,000.00
Prestox	Outside Repair	510.00
Professional Develop	Education & Training	1,695.00
Qualified Presort	Postage	214.65
Quality Welding & Mf	Building Repairs & Maint	125.00
Ralston, Michael	Bd Exp Fees Minnehaha	313.30
Residence At Greenw	Welfare Rent	228.00
Ridgeview East Town	One Sioux Falls-Shelter	1,749.17
Running Supply	Small Tools & Shop Sup	80.99
Schumacher Elevator	Contract Svcs	3,861.28
SD Human Svcs	Clinics - Auxiliary Svcs	20.40
SD State Bar	Memberships	2,780.00
SF Specialty Hospit	Insurance Other Costs	6,760.03
SF Specialty Hospit	Professional Svcs	402.00
SF Specialty Hospit	Recruitment	2,106.00
Sioux Falls City	Electricity	11,909.35
Sioux Falls City	Gas Oil & Diesel	189.77
Sioux Falls City	Water Sewer	247.52
Sioux Falls Housing	Welfare Rent	250.00
Spring Centre Apts	Welfare Rent	300.00
St Francis House	Attorney Fees Repaid	67.20
Staples	COVID Exps	327.92
State of SD	Amts Held Daily Scram	2,887.00
State of SD	Amts Held Remote Breath	796.00
State of SD	Outside Repair	4.20
State of SD	Printing/Forms	183.74
State of SD	Sign Supply Inventory	1,098.24
Sturdevants Auto Par	Small Tools & Shop Sup	26.80
Summit Fire Protect	HHS Maint	196.50
Summit Food Svc	Board Of Prisoners-Meals	22,625.43
Summit Food Svc	Child Care Food	1,517.68
Summit Food Svc	School Lunch Program	2,463.55
Terveen Manufactured	One Sioux Falls-Shelter	700.00
Thomson Reuters	Legal Research	1,650.86
Transource Truck	Truck Repairs & Maint	4,539.73
Tri-State Nursing	Professional Svcs	1,309.01
Two Way Solutions	Automotive/Small Equip	150.00
Two Way Solutions	Comm Equip	6,239.94
Tzadik Sioux Falls	One Sioux Falls-Shelter	1,530.00
Tzadik Sioux Falls	Welfare Rent	326.50
Tzadik Sioux Falls P	One Sioux Falls-Shelter	995.00
US Foods	Other Sup	73.27
US Foods	Professional Svcs	669.31
Valley Properties	Welfare Rent	500.00
Vandervliet, Ryan	Bd Exp Fees Minnehaha	443.48

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VB Falls Terrace	Welfare Rent	636.00
Ver Beek, Kelsey	Attorney Fees	453.96
Verizon Wireless	Investigators Exps	290.00
Weinstein, Daniel B	Attorney Fees	2,985.50
West Briar Commons	Welfare Rent	1,600.00
Windsor Heights Apt	Welfare Rent	480.00
Xcel Energy	One Sioux Falls-Shelter	448.91
Xcel Energy	Welfare Utilities	696.77
Yankton County	Attorney Fees	1,813.25

November 2020 Salaries Paid

Commission	Salaries	\$42,129.68	Equalization	Salaries	\$83,183.68
Auditor	Salaries	\$94,714.28	Register Of Deeds	Salaries	\$50,868.04
Treasurer	Salaries	\$78,530.41	Human Resources	Salaries	\$26,155.22
Information Technology	Salaries	\$77,254.27	Sheriff	Salaries	\$1,123,386.97
States Attorney	Salaries	\$314,694.39	Juvenile Detention Center	Salaries	\$155,990.54
Public Defender	Salaries	\$188,797.96	Highway	Salaries	\$145,106.24
Public Advocate	Salaries	\$67,636.80	Human Services	Salaries	\$130,123.73
Facilities	Salaries	\$44,932.05	Museum	Salaries	\$71,399.62
Extension	Salaries	\$2,686.40	Planning	Salaries	\$39,272.19

REPORTS

The Mobile Crisis Team Annual Statistics Report through October 2020 and the October 2020 Minnehaha County Coroner Report were received and placed on file in the Auditor's Office.

PERSONNEL

MOTION by Karsky, seconded by Heiberger, to approve the following personnel changes. By roll call vote: 5 ayes.

New Hires

1. To hire Jeremy Williams, Ronald Blackman, Heather Peters, Anthony Kittelson, Israel Perez, Najib Mohamud, and Matthew Johnson as variable hour Correctional Officers for the Jail at \$18.20/hour effective 11/30/2020.
2. To hire Matthew Winfrey, Jerad Warkenthien, Rafael Ramirez, Zayne Larson, Christina Johnson, and Mandy Berkhof as variable hour Correctional Officers for the Jail at \$18.20/hour effective 12/1/2020.

Step Increases

1. Kelli Nyhof, Assistant Treasurer for the Treasurer's Office, at \$31.90/hour (21/3) effective 12/5/2020.
2. Vince Fluckey, Programmer Analyst II for Information Technology, at \$36.99/hour (21/9) effective 11/24/2020.
3. Samuel Hemenway, Correctional Officer for the Jail, at \$28.20/hour (13/16) effective 11/20/2020.

Special Personnel Action

To recognize the following significant employee anniversaries for December 2020: 10 years – Abby Roesler, Monte Watembach, Daniel Christiansen, and Jessie Nesseim.

To record volunteers in County Departments for November 2020. This list is on file at Human Resources.

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RIGHT-OF-WAY VACATIONS

Kevin Hoekman, Planner II, was present for the public hearing and gave a briefing on Right-Of-Way Vacation #20-01. A petition to vacate a portion of right-of-way on County Highway 137 (470th Avenue) located in Burk Township north of County Highway 110 (258th Street) was submitted by the Minnehaha County Highway Department. The request was due to a reconstruction project on County Highway 137 where the highway needed to be adjusted for an existing church structure and parking lot. The new road base has already been installed. Marlin Visser, nearby property owner, spoke in favor of the vacation and inquired about fencing on the additional land that would be gained. The Commission directed Mr. Visser to contact the Highway Department to discuss the fencing. MOTION by Heiberger, seconded by Beninga, to approve Resolution MC20-71, a resolution to vacate a portion of right-of-way on County Highway 137. By roll call vote: 5 ayes.

**RESOLUTION MC20-71
RESOLUTION TO VACATE A PORTION OF RIGHT-OF-WAY**

WHEREAS, a public hearing was held on December 1, 2020, pursuant to the provisions of SDCL 31-3-6 and SDCL 31-3-7 to consider a petition to vacate a right-of-way; and

WHEREAS, said hearing was for the purpose of determining whether the public interest will be better served by such proposed vacation; and

WHEREAS, the Board finds that the right-of-way proposed to be vacated does not provide access to public lands.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the Minnehaha County Board of Commissioners that the following described right-of-way, is hereby declared vacated:

Portions of the 470th Avenue right-of-way lying north of 248th Street and over portions of Lot A of the SE1/4 of Section 22, Township 104 North, Range 50 West of the 5th Principal Meridian, Minnehaha County, South Dakota; And Tract 4 of Visser's Addition an Addition in the Southeast Quarter of Section 22, Township 104 North, Range 50 West of the 5th Principal Meridian, Minnehaha County, South Dakota; And SE 1/4 of Section 22, Township 104 North, Range 50 West of the 5th Principal Meridian, Minnehaha County, South Dakota; And S1/2 of the SW1/4 of Section 23, Township 104 North, Range 50 West of the 5th Principal Meridian, Minnehaha County, South Dakota, as depicted within Exhibit A.

AND BE IT FURTHER RESOLVED, that this resolution be placed on file with the Minnehaha County Auditor and recorded with the Minnehaha County Register of Deeds.

Dated this 1st day of December, 2020.

BOARD OF COUNTY COMMISSIONERS

Jean Bender

Chair

ATTEST:

Olivia Larson, Deputy
County Auditor

Kevin Hoekman, Planner II, was present for the public hearing and gave a briefing on Right-Of-Way Vacation #20-02. A petition to vacate a portion of right-of-way located at the intersection of County Highways 137 (470th Avenue) and County Highway 126 (256th Street) 0.5 miles north of Crooks in Benton Township was submitted by Carol A Johnson, Leon D Johnson, and John C Quaintance. In 2011, the intersection was reconstructed and a curve was removed. Since that time, the corner ground has already been replanted as part of an agricultural field.

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MOTION by Heiberger, seconded by Karsky, to approve Resolution MC20-72, a resolution to vacate a portion of right-of-way at the intersection of County Highways 137 and 126. By roll call vote: 5 ayes.

**RESOLUTION MC20-72
RESOLUTION TO VACATE A PORTION OF RIGHT-OF-WAY**

WHEREAS, a public hearing was held on December 1, 2020, pursuant to the provisions of SDCL 31-3-6 and SDCL 31-3-7 to consider a petition to vacate a right-of-way; and

WHEREAS, said hearing was for the purpose of determining whether the public interest will be better served by such proposed vacation; and

WHEREAS, the Board finds that the right-of-way proposed to be vacated does not provide access to public lands.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the Minnehaha County Board of Commissioners that the following described right-of-way, is hereby declared vacated:

Portions of the right-of-way at the intersection of 470th Avenue and 256th Street lying within CO. AUD. Tract 1 (except the North 17 feet lying adjacent to the statutory Right-Of-Way & except the East 17 feet lying adjacent to the statutory Right-Of-Way) and CO. AUD. Lot H-3 (except the North 8.75 feet lying adjacent to CO. AUD. Lot H-2 & except the East 17 feet lying adjacent to the statutory Right-Of-Way), all located in the Northeast Quarter (NE ¼) of Section 3, Township 102 North, Range 50 West of the 5th Principal Meridian, Minnehaha County, South Dakota, as depicted within Exhibit A.

AND BE IT FURTHER RESOLVED, that this resolution be placed on file with the Minnehaha County Auditor and recorded with the Minnehaha County Register of Deeds.

Dated this 1st day of December, 2020.

BOARD OF COUNTY COMMISSIONERS

Jean Bender

Chair

ATTEST:

Olivia Larson, Deputy

County Auditor

APPOINTMENT

Carol Muller, Commission Administrative Officer, presented a resolution for the appointment of the Minnehaha County Auditor. Due to the retirement of the current Auditor, Bob Litz, taking place mid-term, a new Auditor must be appointed by the County Commission. A search process was conducted and four candidates were interviewed. Bennett Kyte was selected as the best candidate with 37 years of experience at Citibank, recently serving in a finance leadership role. MOTION by Beninga, seconded by Heiberger, to approve resolution MC20-73, to appoint Bennett Kyte as Minnehaha County Auditor. By roll call vote: 5 ayes. Mr. Kyte was present and spoke on the following: his appreciation for the Commission, looking forward to working with the Auditor's Office staff, and looking forward to starting his new position.

**RESOLUTION MC20-73
APPOINTMENT OF MINNEHAHA COUNTY AUDITOR**

WHEREAS, the Minnehaha County Auditor is resigning is position effective December 31, 2020; and

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WHEREAS, the Board of County Commissioners is responsible to fill by appointment vacancies in county offices per SDCL 3-4-3(2);

NOW, THEREFORE, BE IT RESOLVED BY THE MINNEHAHA COUNTY BOARD OF COMMISSIONERS, that it hereby appoints Bennett Kyte to serve as the Minnehaha County Auditor, effective January 1, 2021, and shall serve until the first Monday of March, 2023 at such time as the swearing in of the Auditor elected by Minnehaha County voters in November, 2022.

Dated this First Day of December, 2020

APPROVED BY THE COMMISSION:

Jean Bender
Chairman

ATTEST: Bob Litz, Auditor
Olivia Larson
Deputy Auditor

ALCOHOL BEVERAGE LICENSING

Olivia Larson, Deputy Auditor, presented a Wine & Cider License renewal application for the 2021 licensing year received from MAS LLC dba The Riviera By Roccas. The application was reviewed by the State's Attorney's Office, the Sheriff's Office, and the Planning & Zoning Department. There were no violations, objections, or concerns reported. MOTION by Karsky, seconded by Heiberger, to approve the 2021 Retail On-Off Sale Wine & Cider Renewal License Application for MAS LLC dba The Riviera By Roccas located at the property legally described as Lot 2 of Tract 1 Jeanne's Addition NE1/4 and SE 1/4 of Section 28-T101N-R48W. By roll call vote: 5 ayes.

OWNER AUTHORIZED TRANSFER

Carol Muller, Commission Administrative Officer, requested the approval of a change order in the form of an Owner Authorized Transfer (OAT) #0130 for the Minnehaha County Jail Expansion with JE Dunn to provide remediation in the event of heavy rainfall. The OAT results in a total cost of \$59,573.28 for north frontage improvements to provide a drainage solution. Revisions to the pumping system to accommodate existing utilities is included. The funds for the additional cost will come from the construction contingency. MOTION by Karsky, seconded by Beninga, to approve Owner Authorized Transfer #0130 with JE Dunn Construction Company at a cost of \$59,573.28 to the construction contingency for north frontage improvements. By roll call vote: 5 ayes.

CHRISTMAS EVE

Carol Muller, Commission Administrative Officer, requested the Commission consider declaring the morning of Christmas Eve, December 24, 2020, as a holiday for Minnehaha County Employees. Current County policy states the afternoon of Christmas Eve is a holiday for employees. The request was made in recognition of 2020 being a challenging year and in recognition of the work of employees during the COVID-19 pandemic. MOTION by Heiberger, seconded by Beninga, to declare the four hours of Christmas Eve morning as an administrative holiday for County Employees. By roll call vote: 5 ayes.

COMMISSION MEETING SCHEDULE

Carol Muller, Commission Administrative Officer, requested eliminating certain dates as part of the regularly scheduled Commission Meetings. With the exception of a holiday, election day, or annual association meeting, the Minnehaha County Commission meets in regular session once a week. In recognition that meetings can support the spread of COVID-19, a request was made to consider eliminating one meeting a month from January

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2021 to April 2021. MOTION by Heiberger, seconded by Beninga, to eliminate the following dates in 2021 from the regularly scheduled Commission Meeting calendar: January 12, February 9, March 9, March 30, and April 13. By roll call vote: 5 ayes.

LIAISON REPORT

Commissioner Heiberger reported on a November 30, 2020, phone call with the National Association of Counties (NACo) where an agency hired by NACo interviewed individuals involved with the criminal justice aspect of NACo to see what is being done and the types of resources available to enhance the work being done.

Commissioner Karsky reported a major announcement will be made on Thursday December 3, 2020, at 12:00 p.m. regarding Link, the triage center.

Commissioner Bender reported on the December 1, 2020, morning call with local legislators to discuss priorities for the upcoming legislative session. Commissioner Heiberger was also on the call.

MOTION by Heiberger, seconded by Beninga, to adjourn. By roll call vote: 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday December 8, 2020.

APPROVED BY THE COMMISSION:

Jean Bender

Chair

ATTEST:

Olivia Larson

Deputy Auditor