THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M. December 26, 2017, pursuant to adjournment on December 19, 2017. Commissioners present were: Barth, Beninga, and Heiberger. Commissioners Bender and Karsky were absent. Also present were Olivia Larson, Commission Recorder, and Margaret Gillespie, Senior Deputy State's Attorney.

MOTION by Heiberger, seconded by Barth, to approve the agenda. 3 ayes.

## MINUTES APPROVAL

MOTION by Barth, seconded by Heiberger, to approve the December 19, 2017, Commission Minutes. 3 ayes.

## VOUCHERS TO BE PAID

MOTION by Barth, seconded by Heiberger, to approve the following bills totaling \$913,300.23. 3 ayes.

A&B Business	Maintenance 82.50	A Bar K	Truck Repair 29.40
A To Z World Language		Advantage Property	Welfare Rent 600.00
Airway Svc	Automotive 205.10	Airway Svc	Gas,Oil,Diesel 111.60
Alpine Property Mgmt	Welfare Rent 371.10	American Polygraph	Memberships 150.00
Anjelic		4.5 1	1 I I I I I I I I I I I I I I I I I I I
5		Argus Leader Auburn Manor	<u>-</u>
AT&T	Safety & Res 40.75		
Avera Health	Medical Record 10.00	Avera Health Plans	Expenditures 4,676.58
Avera McKennan	Hospitals 36,152.73	Axis Forensic Toxico	Lab Costs 250.00
Benco Products	Truck Repair 726.40	Billion Empire Motor	Automotive 53.79
Blackstrap	Road Material 27,430.27	Bowes Construction	Sign Deposits 50.00
Brevik Law	Attorney Fees 373.26	Bristol Court	Welfare Rent 700.00
Bruxvoort, Jordan	Interpreters 150.83	Bultje, Erwin	Welfare Rent 600.00
Bureau Of Info	Data Com 226.00	Bureau Of Info	Telephone 272.25
C&R Supply	Truck Repair 67.60	Cadwell Sanford	Attorney Fees 188.00
CBM Managed Svcs	Inmate Supplies 212.26	Center For Family	Other Prof 130.66
Century Business	Lease-Rental 241.34	Century Business	Maintenance 1,305.87
Century Business	Office Supplies 57.67	Centurylink	Telephone 53.04
Cheney Lake	Welfare Rent 500.00	Childs Voice	Other Prof 325.00
Constellation Newene	Natural Gas 12,015.29	Counseling Resources	Attorney Fees 700.00
Dakota Fluid Power	Truck Repair 436.19	Dakota Psychological	Psych Evals 6,689.50
Dakotaland Autoglass	Automotive 210.00	Deans Bulk Svc	Parts Inv 1,797.25
Dover, Sena S	Bd Eval 1,845.00	EH Hospitality	Motels 1,200.00
Eich Law	Attorney Fees 1,204.94	Environmental Energy	Truck Repair 90.00
Ergometrics	Recruitment 870.00	Etterman Enterprises	Small Tools 211.82
Exhaust Pros	Truck Repair 228.74	Fastenal	Small Tools 124.91
Fastenal	Truck Repair 79.55	Force America	Truck Repair 50.60
G&H Investments	Welfare Rent 250.00	Gearman, Jason	Uniform Allow 49.96
George Boom Funeral	Burials 2,000.00	Geotek Engineering	Architects 3,076.50
Glazier, David Alan	Welfare Rent 500.00	Graham Tire	Automotive 47.65
Graybar Electric	Electrical Repair 77.03	Guzman, Sandra V	Interpreters 233.33
Haffner, Marvin	Welfare Rent 500.00	Hardy Reynolds Law	Attorney Fees 1,077.27
Hardy Reynolds Law	Child Defense 754.60	Hartford's Best	Automotive 2,827.41
Heartland Paper	Office Supplies 54.85	Heidepriem, Purtell	Child Defense 1,584.80
-	Building Repai 4,200.00	Holiday Mobile Home	Welfare Rent 315.00
HP Hewlett	Other Misc 515.82	Humboldt Fire	Transportation 300.00
Hurtgen Properties	Welfare Rent 1,100.00	I State Truck Center	Truck Repair 9.60
Interstate All	Other Supplies 37.50	Interstate Office	Office Supplies 422.82
ISI	Interpreters 80.00	Jason Bruns Const	Fairgrounds 15,000.00
Jaymar	Printing/Form 104.95	JCL Solutions	Kitchen/Clean 3,032.84
Jeff Larson Law	Attorney Fees 4,620.60	Jeff Larson Law	Child Defense 479.40
JLG Architects	Jail Expansio 45,182.31	Johnson Controls	Heat, Vent 90.83
Johnson, Richard L	Attorney Fees 424.88	JPJ Enterprises	Right Of Way 100.00
JSA Consult Engineer	Architects 7,498.50	Katterhagen, Mark	Bd Exp Fees 97.50
Kibble Equipment	Heavy Eq Rep 140.85	5 .	Museum Collect 6,067.32
Kibble Equipment Kolbeck Law	Child Defense 47.00	Kone	Other Prof 61.23
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# REPORT

The November 2017 Register of Deeds Official Statement of Revenue Report was received and placed on file in the Auditor's Office.

### PERSONNEL

MOTION by Barth, seconded by Heiberger, to approve the following personnel changes. 3 ayes.

1. To accept the retirement of Sandra Wardell as Custodian for Facilities effective 12/29/17.

- 2. To accept the resignation of Sonya Brown as Administrative Secretary for the Sheriff's Office effective 12/29/17.
- 3. To begin Interpreter specialty pay for Javier Garcia-Perez, Correctional Officer in Training for the Jail, resulting in a rate of \$18.13/hour effective 12/30/17.
- 4. To promote Presley Helm from Correctional Officer in Training to Correctional Officer (13/3) for the Jail at \$18.53/hour effective 12/31/17.
- 5. To promote Zachery Kieffer from Correctional Officer in Training to Correctional Officer (13/3) for the Jail at \$18.26/hour effective 10/11/17.
- 6. To promote Adam Eschen from Correctional Officer in Training to Correctional Officer (13/3) for the Jail at \$18.26/hour effective 11/28/17.
- 7. To promote Jason Purkapile from Correctional Officer in Training to Correctional Officer (13/3) for the Jail at \$18.26/hour effective 11/28/17.
- 8. To hire Michael Hartley, Martin Jackson-Ratliff, Drew Freeman, Rawlett Miranda, and Baleigh Weber as Correctional Officers in Training (12/3) for the Jail at \$17.63/hour effective 1/2/18.

### Step Increases

- 1. Tricia McKee and Vicki Fuglsby Senior Records Technician Register of Deeds 12/13 12/27/17 \$22.57/hour
- 2. Rhonda Warren Accountant Auditor 16/13 12/27/17 \$27.51/hour
- 3. Jessie Nesseim Museum Interpreter Museum 9/10 12/27/17 \$18.08/hour
- 4. Shelly Sjovold Collections Assistant Museum 12/13 12/27/17 \$22.57/hour
- 5. Jill VanVeldhuizen Education Assistant Museum 12/15 12/21/17 \$23.72/hour
- 6. Adam Nelson Marketing Coordinator Museum 17/13 12/21/17 \$28.90/hour
- 7. Kevin Gansz Curator of Education Museum 19/17 12/21/17 \$2,816.80/bi-weekly
- 8. William Hoskins Museum Director Museum 24/13 12/27/17 \$3,980.00/bi-weekly
- 9. Patricia Allen and Sandra Wardell Custodian Facilities 6/13 12/27/17 \$16.78/hour
- 10. Safiya Godi Custodian Facilities 6/13 12/27/17 \$16.78/hour
- 11. Natalie Surkalovic Paralegal Public Defender's Office 16/13 12/27/17 \$27.51/hour
- 12. Heidi Hesvik Legal Office Assistant Public Defender's Office 10/4 12/28/17 \$16.38/hour
- 13. Nikki Pederson Administrative Clerk Sheriff's Office 9/15 12/27/17 \$20.45/hour
- 14. Mary Yu Administrative Secretary Sheriff's Office 10/16 12/27/17 \$22.03/hour

- 15. Scott Dubbe Deputy Sheriff Sergeant Sheriff's Office 20/10 12/31/17 \$31.12/hour
- 16. Darcie Kuemper Correctional Officer Jail 13/5 9/13/17 \$19.18/hour
- 17. Kimberly Vyhlidal Correctional Officer Jail 13/4 1/2/18 \$18.99/hour
- 18. Andrey Skots Correctional Officer Jail 13/4 9/21/17 \$18.71/hour
- 19. Jena Naber Correctional Officer Jail 13/4 11/2/17 \$18.71/hour
- 20. Maria Nevarez-Maturin Corrections System Operator Jail 9/4 11/28/17 \$15.36/hour
- 21. Douglas Blomker Emergency Management Assistant Director Emergency Management 20/13 12/27/17 \$2,681.60/bi-weekly
- 22. Lynn DeYoung Emergency Management Director Emergency Management 24/11 12/27/17 \$3,787.20/bi-weekly
- 23. Angela Boeckholt CAMA Specialist Equalization 16/13 12/27/17 \$27.51/hour
- 24. Theresa Dunn Appraiser Equalization 15/14 12/27/17 \$26.84/hour
- 25. Vicki Busse Senior Property Technician Equalization 12/18 12/27/17 \$25.54/hour
- 26. Patricia Henry Accountant Treasurer 16/11 12/28/17 \$26.19/hour
- 27. Deb Critser Senior Tax and License Technician Treasurer 12/13 12/27/17 \$22.57/hour
- 28. Barbara Donaldson Caseworker Human Services 16/14 12/23/17 \$28.19/hour
- 29. Anny Libengood Caseworker Human Services 16/15 12/27/17 \$28.90/hour
- 30. Emmanuel Gutierrez Caseworker Human Services 16/13 12/26/17 \$27.51/hour
- 31. Chelsy Olson Victim Witness Assistant State's Attorney's Office 16/4 12/7/17 \$21.70/hour
- Abby Roesler Senior Deputy State's Attorney State's Attorney's Office 22/7 12/6/17 -\$2,775.20/bi-weekly
- 33. Chad Wilson Certified Network Engineer Information Technology 21/17 12/21/17 \$40.83/hour

Variable Hour Increases Effective 12/16/2017

- 1. Orlando George Safe Home Program Worker Safe Home \$15.65/hour
- 2. Dennis Clauson Correctional Officer Jail \$22.35/hour

#### **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 is to rezone from an A-1 Agriculture District to C Commercial District for the property legally described as the W 600 ft of the E 1400 ft

of the S 790 ft of the NE ¼, S36-T101N-R51W, Minnehaha County, SD. The property is approximately 10.88 acres of land located approximately 3 miles west of Sioux Falls at 26767 466<sup>th</sup> Ave. The petitioner and property owner is Francis D. Phillips, who was present and spoke on his request. The petitioner intends to develop the proposed area into a commercial use that will augment his adjacent business, Wild Water West. The Planning Commission voted unanimously to approve the rezoning. MOTION by Heiberger, seconded by Barth, to approve Ordinance MC16-151-17, an ordinance amending the 1990 revised zoning ordinance for Minnehaha County by rezoning certain property from A-1 Agriculture to C Commercial District, Rezoning #17-05. 3 ayes. The entire ordinance is on file and available in the Auditor's Office.

### **SUPPLEMENTS**

Kim Adamson, Finance and Budget Officer, gave a briefing on requests from county departments for authorization to utilize savings in their personnel budgets to offset other current expenses and capital outlay as mandated by County Policy. The Auditor's Office is requesting to use \$5,000 of their personnel savings to cover overages in the following areas: ASN 15384, employment advertising; ASN 15356, Financial Action Network material printing; ASN 15353, office supplies; and ASN 15364, Financial Action Network meals. The Juvenile Detention Center (JDC) is requesting to use \$23,500 in personnel savings to replace radio equipment and floor mats. Juvenile Alternatives is requesting to use \$50,000 of their personnel savings to partially offset the Lutheran Social Services contract costs for Shelter Care/Reception Center, ASN 16225. The Public Defender's Office is requesting to use \$74,000 of their personnel savings to offset ASN 15734 - Other Professional Services for expert witness costs. The State's Attorney's Office is requesting to use \$40,000 of personnel savings to offset the following costs: ASN 15631, Blood Withdrawal; ASN 15633, Blood/Chemical Analysis; and ASN 15640, Publishing Fee. Jamie Gravett, JDC Director, spoke on his request to utilize personnel savings to replace all 52 radios utilized by JDC staff. Commissioner Heiberger expressed concern for supplementing \$21,000 from personnel savings to replace all 52 JDC radios. MOTION by Barth, seconded by Heiberger, to authorize the use of personnel savings in the amount of \$4,000 for the replacement of radio equipment for the Juvenile Detention Center. 3 ayes. MOTION by Barth, seconded by Heiberger, to authorize the use of personnel savings in the amount of \$2,500 for the replacement of floor mats for the Juvenile Detention Center. 3 ayes. MOTION by Barth, seconded by Heiberger, to authorize the utilization of personnel savings for the Auditor's Office, Juvenile Alternatives, Public Defender's Office, and State's Attorney's Office. 3 ayes.

Kim Adamson, Finance and Budget Officer, gave a briefing on requests from county departments for contingency fund transfers. The 2017 General Fund budget includes \$325,000 in contingency funds available to transfer to other departments. Two supplements have been requested as follows: 1) a supplement of \$69,000 for Pretrial Services to fund staff, computer hardware, software, training, and research services, and 2) a supplement of \$15,000 to Juvenile Alternatives Diversion Program for an allocation to the Boy Scouts of America for the RISE, Teen Court, and CAB programs. MOTION by Heiberger, seconded by Barth, to transfer \$69,000 from the Contingency Fund to Pretrial Services and \$15,000 to Juvenile Alternatives Diversion Programs. 3 ayes.

Kim Adamson, Finance & Budget Officer, presented budget supplements needed to close out the year for various items which are reimbursements and pass-through dollars. MOTION by Heiberger, seconded by Barth, to approve the following supplements: From the General Fund to the Commission budget, ASN 15085, Innovation Grant, \$50,000 representing private grant funds received from the McArthur Foundation for community development of a triage center. From the General Fund to the Human Services budget, ASN 17370, HS Exercise Account, \$225.85 representing reimbursement from the employee's share of the vending machines. From the General Fund to the Human Services budget, ASN 17373, Bus Passes, \$1,754 representing reimbursement from various organizations for the cost of printing bus passes that are donated to the County. From the General Fund to the Human Services budget, ASN 17374, HS Donations, \$4,000 representing donations for out of the ordinary Human Services expenses. From the General Fund to the Human Services budget, ASN 18180, Safe Home Donations, \$1,855.66 representing donations to Safe Home. From the General Fund to the Planning budget, ASN

18234, Pictometry, \$20,825 representing reimbursement from the City of Sioux Falls for shared costs of the 2017 contract. From the General Fund to the Public Defender budget, ASN 15700, Full Time Salaries, \$20,000 representing proceeds in excess of budget for the Gideon's Promise grant award from Hofstra University. From the Pass-Thru Grants Fund to the Pass-Thru Grants budget, ASN 20353, Hospital Preparedness Grant, \$112,500 representing Federal grant funds. From the Pass-Thru Grants Fund to the Pass-Thru Grants Fund to the Pass-Thru Grants Sudget, ASN 20356, ICWA Professional Services, \$108,276 representing Federal and State grant funds. 3 ayes.

Joe Bosman, Deputy Sheriff Lieutenant, was present to request supplements to various expenditure ASNs in the Sheriff's Budget and Jail Budget representing reimbursement from various State and Federal Grants and donations. MOTION by Heiberger, seconded by Barth, to supplement \$44,665 from the Byrne/JAG Grant Fund to ASN 20461, 2017 Byrne/JAG Allocation; and to supplement \$241,194.01 from the General Fund to the following expenditures in the Sheriff's Budget: ASN 16531, \$14,100, HIDTA Grant - equipment, training, supplies; ASN 16573, \$651.00, Explorer Donations - donations, community service payments; ASN 16574, \$15,000, State Drug Fund – warrant task force vehicle; ASN 16689, \$75,000, State Drug Fund – body scanner; ASN 16594, \$10,617.60, Vehicle Equipment – Highway Safety Grant for radar systems; ASN 16544, \$6,000.00, Outside Agency contributions to Tea-Ellis Range; ASN 16593, \$4,263.86, Safety & Rescue Equipment – SFPD/MCEM portion of Mobile Command Post; ASN 16564, \$2,497.50, Education & Training – polygraph course fee reimbursement from the State; ASN 16575, \$24,669.83, Federal Asset Forfeiture – asset forfeiture allocation; ASN 16526, \$402.76, Investigators Expenses – found property converted; ASN 16572, \$2,100, Donations received; ASN 16501, \$25,887.20, Overtime – US Marshall Task Force reimbursement; ASN 16501, \$13,338.58, Overtime – highway safety grant reimbursement for patrol; ASN 16601, \$3,165.68, Overtime – highway safety grant reimbursement for patrol; ASN 16601, \$3,165.68, Overtime – highway safety grant reimbursement for patrol; ASN 16601, \$3,165.68, Overtime – highway safety grant reimbursement for services. 3 ayes.

Lynn DeYoung, Emergency Management Director, presented a request for budget supplements for various grant programs. MOTION by Barth, seconded by Heiberger, to approve the following supplements totaling \$302,441.76 to the Emergency Management budget: ASN 16921 – 2016 Homeland Security Grant \$100,000; ASN 16921 – 2016 Special SWAT Training Grant \$36,264.76; ASN 16921 – 2016 Local Fusion Center Grant \$43,677; ASN 16936 – 2017 Homeland Security Law Enforcement Grant \$100,000; and ASN 16932 – FEMORS Exercise-Mass Fatality Grant \$10,000. From Pass-Thru Grant to Emergency Management Budget, ASN 16993, \$12,500 for Hospital Preparedness Coalition Grant for administrative fees. 3 ayes.

## HEARING FOR GENERAL FUND SUPPLEMENTS

Kim Adamson, Finance & Budget Officer, was present and gave a briefing for the public hearing on various supplements to the FY2017 budget. No one spoke in opposition. MOTION by Barth, seconded by Heiberger, to approve Resolution MC17-58. 3 ayes.

## RESOLUTION MC17-58 FOR SUPPLEMENTAL BUDGET

WHEREAS it is necessary to supplement the 2017 Annual Budgets in order to carry on the indispensable functions of Minnehaha County; and

WHEREAS, the adoption of the proposed Supplemental Budget was duly considered by the Minnehaha County Commission on the 26<sup>th</sup> day of December, 2017, at 9:15 a.m., in the Commission Meeting Room, pursuant to due notice; now, therefore, be it

RESOLVED by the Minnehaha County Commission that the following Supplemental Budget be, and the same is, hereby approved for the purpose of providing budget to conduct the indispensable functions of Government, to-wit:

ASN 15228	Courts-Legal Services	\$ 237,000
ASN 16225	Juvenile Alternatives-Shelter Care	\$ 50,000

ASN 18284	Planning-Nuisance Abatement	\$	2,148	
ASN 20627	Coroner-Transportation	\$	12,000	
ASN 20633	Coroner-Lab Costs	\$	6,000	
<b>Total General Fund</b>		\$	307,148	
From the Highway Fur	nd to the following budgets:			
<b>e</b> .	Highway Intergovernmental	\$	6,500	
Total Special Revenue Fund			6,500	
From the Emergency M	Management Fund to the following bud	lgets:		
ASN 16996	Emergency Mgt-Automobiles	\$	20,000	
Total Special Revenu	e Fund	\$	20,000	
From the Building Fun	d to the following budgets:			
•	Museum Collections Storage	\$1	,250,000	
Total Building Fund			\$1,250,000	
From the Capital Proje	cts Fund to the following budgets:			
1 5	Jail Expansion Project	\$1	,750,000	
Total Capital Project		,750,000		

APPROVED BY THE COUNTY COMMISSION: Gerald Beninga Chair ATTEST: Olivia Larson Deputy Auditor

#### AGREEMENTS

Jamie Gravett, Juvenile Detention Center Director, presented an agreement among Minnehaha County, Lutheran Social Services, and fifteen (15) partner counties for juvenile inmate housing services made available at a daily rate of \$224.40 per day, per bed for JDC housing and \$186.08 per day, per bed for Shelter Care housing. A provision within the contract allows for the change of the Shelter Care rate as it is dependent upon the State's calculation in April 2018 for their next fiscal year starting July 1, 2018. The rate for Community Supervision services to Lincoln County is set at \$61.20 per day, per youth and \$20.40 per day for Evening Report Center services. MOTION by Barth, seconded by Heiberger, to authorize the Chair to sign the 2018 JDC Partner County Agreements with Davison, Moody, Lincoln, Turner, Lake, Clay, McCook, Yankton, Charles Mix, Brookings, Hutchinson, Union, Bon Homme, Hanson, and Miner counties. 3 ayes.

Jamie Gravett, Juvenile Detention Center Director, gave a briefing on an agreement between Minnehaha County and Lutheran Social Services for the Evening Report Center. Total payments shall not exceed \$77,992.32. The program will include four (4) hours of service delivery per week, and will run six (6) days a week. MOTION by Heiberger, seconded by Barth, to authorize the Chair to sign the agreement between Minnehaha County and Lutheran Social Services for the Evening Report Center with total payments not to exceed \$77,992.32. 3 ayes.

Jamie Gravett, Juvenile Detention Center Director, presented the renewal contract with Southeastern Behavioral HealthCare to provide on call qualified mental health professional (QMHP) services and ongoing needs counseling for the youth detained in the Juvenile Detention Center (JDC). The contract rate remains the same for on call services at \$100 per week. The cost for counseling and training to residents of the JDC remains the same as the current contract at \$50.00 per hour. MOTION by Heiberger, seconded by Barth, to

authorize the Chair to sign the one year renewal agreement between Minnehaha County and Southeastern Behavioral HealthCare, Inc. for Qualified Mental Health Professional services. 3 ayes.

# BUDGET SUPPLEMENT

Lori Montis, Human Services Assistant Director, requested a supplement of \$19,187.50 from the Emergency Food & Shelter Program (EFSP) Fund to the EFSP Budget representing the 2018 EFSP Allocation. The funds will be a pass through to the Bishop Dudley Hospitality House to help supplement services provided by the organization. MOTION by Barth, seconded by Heiberger, to supplement \$19,187.50 from the Emergency Food & Shelter Program Fund to the Emergency Food & Shelter Program Budget, ASN 21137. 3 ayes.

# BRIEFING

Lori Montis, Human Services Assistant Director, gave a briefing on the 2018 Helpline Center Contract renewal. The annual fee for services provided to the Human Services Department from the Helpline Center has increased from \$4,375 to \$5,000. The Helpline Center handles tracking and relaying of all after hours and weekend emergency calls.

# EASEMENT

Carol Muller, Commission Administrative Officer, gave a briefing on a temporary construction easement for the City of Sioux Falls for improvements on South Ellis Road. The property is located south of West 32<sup>nd</sup> Street and Ellis Road and is legally described as Lot 2 in Block 2 of Westwood Valley Addition to the City of Sioux Falls, Minnehaha County, South Dakota. The easement will be effective upon execution of the easement and will remain in effect for one year after the completion of the project. Bob Litz, Auditor, spoke on how small pieces of development drainage property become County owned properties. MOTION by Heiberger, seconded by Barth, to authorize the Chair to sign the Temporary Construction Easement Agreement with the City of Sioux Falls. 3 ayes.

## RESOLUTION

Commissioner Heiberger presented a resolution to request the South Dakota legislature to repeal the ninety percent (90%) appraisal requirement to sell county property via a broker. MOTION Barth, seconded by Heiberger, to approve Resolution MC17-59. 3 ayes.

## **RESOLUTION MC17-59**

## Legislative Repeal of the Ninety Percent Appraisal Requirement to Sell County Property Via a Broker

WHEREAS, county property must be declared surplus and appraised before it can be sold; and

**WHEREAS**, sale of land through a broker must currently meet or exceed ninety percent of the appraised value while sale of the same piece of land has no minimum requirement for other approved methods of sale including notice to bidders or auction;

**THEREFORE BE IT RESOLVED**, by the Minnehaha County Commission that South Dakota Codified Law be amended during the 2018 Legislative Session to remove the ninety percent appraisal requirement for selling surplus property through a broker; pursuant to this process the Minnehaha County Commission intends to work with legislators to draft a bill and actively promote its passage at the State Legislature.

# Supporting Criteria

**Justification for the resolution:** The wording of SDCL 6-13-5.2 currently prohibits Counties from accepting an offer for sale of surplus property through a broker if the offer is not at least ninety percent of the appraisal value. Currently SDCL creates an uneven playing field between the methods of sale. 6-13-5.2 as written gives Counties the authority to accept offers through the bid or auction process that have no minimum threshold requirement as long as the bid or auction in question accepts the highest offer made. The bid or auction price has no minimum floor requirement as long as the accepted offer is the highest offer in the bid process or auction.

Certain organizations or large corporations may need more time to investigate options than a 30, 60, or 90 day bid process or auction notice allows. A broker actively cultivates a potential buyer who may not read the legal section of the local newspaper. A natural incentive exists for the broker to increase the price because the broker gets paid when the sale price is increased. Any sale through a broker would still be subject to acceptance by a Commission vote with notice requirements like all other options for sale of surplus property.

## Counties affected by the resolution: All South Dakota counties

**Impact of the resolution**: Repealing the ninety percent requirement for sale of surplus property via a broker will allow counties to utilize a broker to maximize the sale price of land.

Dated at Sioux Falls, SD, this 26th day of December 2017.

APPROVED BY THE BOARD OF COMMISSIONERS Gerald Beninga Chairman ATTEST: Bob Litz, Auditor Olivia Larson Deputy Auditor

#### NEW BUSINESS

Commissioner Heiberger wished everyone a Happy New Year.

Commissioner Barth stated the official County newspapers will be chosen at the January 2, 2018, Commission meeting, noted the importance of choosing a reliable newspaper, and suggested choosing the Garretson Gazette for next year.

Commissioner Barth commented on personnel savings noting turn-over at the County is greater when the economy is doing well.

Commissioner Barth stated the 2018 Commission Chair will be chosen at the January 2, 2018, Commission meeting noting his availability for the position.

MOTION by Heiberger, seconded by Barth, to adjourn. 3 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday January 2, 2018.

APPROVED BY THE COMMISSION: Gerald Beninga Chair ATTEST: Olivia Larson Deputy Auditor