

THE MINNEHAHA COUNTY COMMISSION CONVENED IN JOINT SESSION WITH THE SIOUX FALLS CITY COUNCIL AT 5:00 P.M., July 17, 2006, pursuant to adjournment on July 12, 2006.

Commissioners present were: Kolbe, Hajek, Pekas, Twedt, and Zweep. Sandy Kinder, Deputy Auditor, was also present.

City Council Members present: Beninga, Brown, Costello, Jamison, Kavanaugh, Knudson, Staggers, and Mayor Munson.

Chairman Kolbe called the meeting to order.

#### HEARING

Pat Herman, Planner, was present for the scheduled hearing to consider an amendment to the 2002 Revised Zoning Ordinance for Minnehaha County and the City of Sioux Falls that would add a definition for same ownership as it pertains to the transfer of building eligibilities in the A-1 and RC Recreation/Conservation districts. The amendment is being proposed in an effort to alleviate confusion pertaining to who can apply for a building eligibility transfer stemming from a request in April 2006. No one spoke in opposition to the request. MOTION by Zweep, seconded by Pekas to approve Ordinance MC30-13-06. 5 ayes. The City concurred.

#### ORDINANCE MC30-13-06

An ordinance amending ordinance MC30-02, the 2002 Revised Zoning Ordinance for Minnehaha County and the City of Sioux Falls related to the A-1 Agriculture District.

BE IT ORDAINED BY MINNEHAHA COUNTY, SOUTH DAKOTA:

That Ordinance MC30-02, the 2002 Revised Joint Zoning Ordinance for Minnehaha County and the City of Sioux Falls is hereby amended as follows:

Section 1: That Article 3.04 is hereby amended to read:

- (u) The transfer of a building eligibility from one parcel to another parcel when all the following conditions are met:
  - (1) The transfer of building eligibility shall occur only between contiguous parcels under the same ownership. For purposes of this section, same ownership means: Two or more parcels of land owned or controlled by an individual or combination of individuals, corporations, partnerships, or other legal entities; with said owners described uniformly on the deed or other legally binding conveyance of each parcel.
  - (2) Suitability as a building site based on the following factors:
    - a) Agricultural productivity of the soil.
    - b) Soil limitations.
    - c) Orientation of the building site(s) with respect to road circulation and access to public rights-of-way.
  - (3) The minimum lot size shall be one acre but a larger area may be required when soil conditions warrant.
  - (4) The parcel from which the eligibility is transferred shall continue as agricultural land or remain in its present use.
  - (5) Approval has been granted by the appropriate governing entity for access onto a public road.

Section 2: That Article 13.04 is hereby amended to read:

- (j) The transfer of a building eligibility from one parcel to another parcel when all the following conditions are met:
- (1) The transfer of building eligibility shall occur only between contiguous parcels under the same ownership. For purposes of this section, same ownership means: Two or more parcels of land owned or controlled by an individual or combination of individuals, corporations, partnerships, or other legal entities; with said owners described uniformly on the deed or other legally binding conveyance of each parcel.
  - (2) Suitability as a building site based on the following factors:
    - a). Agricultural productivity of the soil.
    - b). Soil limitations.
    - c). Orientation of the building site(s) with respect to road circulation and access to public rights-of-way.
  - (3) The minimum lot size shall be one acre but a larger area may be required when soil conditions warrant.
  - (4) The building site is not in the 100-year flood plain as identified on the Flood Insurance Rate Map.
  - (5) The parcel from which the building eligibility is transferred shall continue as agricultural land or remain in its present use.
  - (6) Approval has been granted by the appropriate governing entity for access onto a public road.

Adopted this 17<sup>th</sup> day of July, 2006.

#### MINNEHAHA COUNTY

Robert Kolbe, Chair, Board of County Commissioners

#### ATTEST:

Sandy Kinder, Deputy Auditor

#### AGREEMENT

Gordy Swanson, Chief Civil Deputy State's Attorney, presented a revised Joint Cooperative Agreement for Communication Services between the City of Sioux Falls and Minnehaha County for consideration. He explained that in July 2005, a request was made by the County to look at renegotiating the terms of the joint agreement to better define the roles and responsibilities of each entity and Metro Communications. The revisions include changes to the structure of the Metro Management Council, User's Committee, funding, and makes Metro Communications a stand-alone agency. Metro Council will be a joint agency of the City and County and will contract with the County for human resources administration and with the City for external quality assurance. Employees will remain part of the County's health pool and state retirement system. Both entities will retain budgetary authority over the agency. Metro Communications is currently funded 50/50 (County/City) for operational and capital costs and 25/75 (County/City) for personnel expenses. The proposed revision would change the operational/capital costs split to 25/75 (County/City). The cost split proposed better represents the actual call volume which is 80% city and 20% county generated. The revisions will also allow the City and County to move towards future regionalization with other counties. MOTION by Twedt, seconded by Hajek to approve the agreement. 5 ayes. The City concurred.

MOTION by Twedt, seconded by Hajek to adjourn until 9:00 a.m. on Tuesday, July 18, 2006. 5 ayes.

7/17/06

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APPROVED BY THE COMMISSION:

Robert Kolbe, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor