

MINNEHAHA COUNTY, SD  
BOARD OF COMMISSIONERS

RULES OF PROCEDURE



## Preface

All references to South Dakota Codified Law refer to statutes as currently enacted as of the date of adoption of these rules of procedure or as amended thereafter.

These rules of procedure are intended to provide general guidance in conducting the meetings of the Minnehaha County Commission.

## Table of Contents

Preface .....	2
Table of Contents .....	3
COMMISSION CALENDAR .....	5
ARTICLE I - BOARD ORGANIZATION.....	7
1.1 Board Membership.....	7
1.2 Terms of Commissioners .....	7
1.3 Vacancies in Offices .....	7
1.4 Compensation of County Commissioners.....	7
1.5 General Powers of County Commissioners .....	7
ARTICLE II - RULES OF GENERAL CONDUCT.....	9
2.1 General Conduct.....	9
ARTICLE III - OFFICERS AND STAFF.....	10
3.1 Chair and Vice Chair - Election - Vacancy .....	10
3.2 Election of Chair and Vice Chair - Method and Order .....	10
3.3 Duties and Powers of Chair.....	10
3.4 Auditor as Clerk of Board of Commissioners.....	10
3.5 State’s Attorney - Opinions and Advice to County Officers .....	10
ARTICLE IV - MEETINGS .....	11
4.1 Quorum .....	11
4.2 Regular Meetings.....	11
4.3 Special Meetings .....	12
4.4 Executive or Closed Meetings.....	12
4.6 Canvass of Elections.....	12
4.7 Budget Meetings.....	12
4.8 Board of Equalization.....	12
4.9 Agenda Preparation.....	13
4.10 Order of Business for Regular Meetings.....	13
4.11 Consent Agenda.....	13
4.12 Preparation and Publication of Minutes .....	14
4.13 Video Recording.....	14
ARTICLE V - MEETING PROCEDURES .....	15
5.1 Parliamentary Procedure .....	15
5.2 Voting .....	15
5.3 Conflict of Interest.....	16

5.4	Gifts .....	17
5.5	Information Disclosure .....	17
5.6	Citizen Participation .....	17
5.7	General Meeting Conduct .....	19
5.8	Personal Privilege.....	19
5.9	Proclamations .....	19
ARTICLE VI - COMMITTEES.....		20
6.1	Liaison Assignments - Committee Assignments .....	20
6.2	Special (Ad Hoc) Committee or Task Force .....	20
6.3	Building Committee.....	20
6.4	Other Committee Appointments.....	20
ARTICLE VII - AMENDMENTS.....		21
7.1	Review of Rules of Procedure .....	21
7.2	Procedure for Modification of Rules of Procedure.....	21

## COMMISSION CALENDAR

Board of Commissioners Meetings: 1<sup>st</sup>, 3<sup>rd</sup> and 4<sup>th</sup> Tuesdays (Monthly)  
Joint City/County Meetings 4<sup>th</sup> Tuesday (Monthly)

### January

- New Year's Day
- Martin Luther King Jr. Day
- Election of Chair and Vice Chair
- Designation of County Newspapers
- Establish Record of Non-Elected Department Heads
- Appoint County Coroner and Highway Supt
- Establish Salary of County Commissioners
- Review the County Facility Power Outage Response Protocol
- Establish Rate of Pay for Election Workers and Designate Polling Places
- Department Presentations (January - April)
- Odd years: swearing in of newly elected officials

### February

- Department Presentations (January - April)

### March

- Equalization Sends Property Assessments
- Local Equalization Board Meetings
- Department Presentations (January - April)
- Carry-over Supplements

### April

- Deadline to file Equalization Assessment Appeal
- County Equalization Board Meetings
- Department Presentations (January - April)

### May

- Voter Registration Deadline (for June elections)
- County Bus Tour (hosted by Sioux Metro Growth Alliance)
- Memorial Day
- Absentee Voting
- Certify Number of Liquor Licenses
- Annual Malt Beverage License Renewals

### June

- Primary Election
- Canvass Election Results
- Budget Meetings
- Juneteenth

### July

- Adopt the Provisional Budget by July 30
- Independence Day

### August

- City/County Joint Meeting (Museum, Library, Metro budgets required by JPA)

### September

- Budget Hearing (first Tuesday)
- Budget Adoption (before October 1<sup>st</sup>)
- Labor Day
- Absentee Voting

### October

- Voter Registration Deadline (general election)
- Native American Day
- Absentee Voting
- Annual Liquor & Wine License Renewals

November

- General Election
- Canvass Election Results
- Veteran's Day
- Thanksgiving Day
- Thanksgiving - Day after

December

- Christmas Day
- Year-End Budget Supplements
- Medical Cannabis License Renewal



**MINNEHAHA**  
COUNTY

## ARTICLE I – BOARD ORGANIZATION

### 1.1 Board Membership

Minnehaha County shall have a Board of Commissioners consisting of not less than three nor more than seven members, each of whom shall be elected at a general election only. (See SDCL § 7-8-1)

### 1.2 Terms of Commissioners

The term of office for a commissioner shall be four (4) years, beginning on the first Tuesday of January following the election. (See SDCL § 7-8-1). Commissioners are not term limited.

### 1.3 Vacancies in Offices

If any County Commissioner fails to attend the commission meetings for four consecutive months, the office shall be declared vacant and such vacancy shall be filled pursuant to SDCL chapter 3-4. (See SDCL § 7-8-2)

When a vacancy occurs in the Board of County Commissioners, it shall be the duty of the remaining members of such board to immediately appoint some suitable person to fill such vacancy. If there is an even number of County Commissioners remaining on the Board of County Commissioners, the County Auditor shall be called in and shall act as a member of such board to fill such vacancy. (See SDCL § 3-4-4)

If a vacancy occurs within thirty days preceding an election day at which it may be filled, no appointment shall be made unless it be necessary to carry out such election and the canvass of the same according to law; in that case an appointment may be made at any time previous to such election to hold until after such election or until a successor is elected and qualified. (See SDCL § 3-4-5)

### 1.4 Compensation of County Commissioners

The method of payment, whether per diem or salary, and the amount of per diem or salary shall be determined by the Board of County Commissioners. The Commission shall determine the method of payment and amount at the first regular meeting date in January of each year. It is the practice of the Board of County Commissioners to set the commissioner salary by resolution. (See SDCL § 7-7-5)

### 1.5 General Powers of County Commissioners

Per SDCL § 7-8-20, in addition to others specified by law, County Commissioners shall have power:

- (1) To institute and prosecute civil actions in the name of the county, for and on behalf of the county;
- (2) To make orders respecting the care and preservation of all property belonging to the county and to sell any real property of the county when authorized by law so to do;
- (3) To levy a tax not exceeding the amount authorized by law, and to liquidate indebtedness;

- (4) To audit the accounts of all officers having the care, management, collection, or disbursement of any money belonging to the county or appropriated for its benefit;
- (5) To construct and repair bridges; to open, lay out, vacate, and change highways; to purchase or acquire grounds for courthouse, jail, or other building sites, locate or relocate the courthouse on such sites; to establish election precincts in its county and appoint the judges of election; and, as a board of equalization, to equalize the assessment roll of its county in the manner provided by law;
- (6) To furnish necessary blank books, blanks, and stationery for the county auditor, register of deeds, county treasurer, state's attorney, sheriff, and other elected or appointed county officers, to be paid out of the county treasury; also, a fireproof safe or vaults, when in its judgment the same shall be advisable, in which to keep all the books, records, vouchers, and papers pertaining to the business of the board;
- (7) To superintend the fiscal concerns of the county and secure their management in the best possible manner;
- (8) To regulate the transaction of business in alcoholic beverages and the use and consumption of alcoholic beverages, to establish the number of on-sale licenses which may be issued, to provide for reasonable classification of on-sale licenses and fix the fees to be charged for the licenses consistent with the provisions of Title 35;
- (9) To make ordinances prohibiting the sale or exhibition of any obscene matter; however, no county resolution shall be effective in any incorporated area within said county;
- (10) To do and perform such other duties and acts as it is or may hereafter be required to do and perform;
- (11) To provide additional compensation to the county treasurer, county auditor, county register of deeds, state's attorney, and sheriff. This compensation shall be in addition to the salaries prescribed in §§ 7-7-9.1, 7-7-12, and 7-12-15;
- (12) To provide office space, in addition to that provided in the county courthouse, for state's attorneys, appointed officials of the county and other employees;
- (13) To receive and administer grants, loans, and assistance and to enter into agreements for cooperative action, with or on behalf of any public agency or nonprofit organization, to establish, promote and support community development;
- (14) To enact ordinances to regulate and prevent the placing of ashes, dirt, garbage or any offensive matter in any highway or public ground or in any body or stream of water within the county, but outside of an incorporated municipality or outside of the one-mile limits of any incorporated municipality;
- (15) To enact ordinances to regulate and compel the cleansing, abatement or removal of any sewer, cesspool or any unwholesome or nauseous thing or place;
- (16) To license and regulate transient merchants, hawkers, solicitors, peddlers, itinerant vendors, and every person retailing tangible personal property or services, unless such business is carried on exclusively within the boundaries of a municipality or is carried on through home solicitation or from a fixed permanent location and place of business in this state where such goods and services are offered on a continuing basis;
- (17) To enact by ordinance, for any portion of the county which is zoned, certain building codes pursuant to § 11-10-5;
- (18) To prohibit or restrict open burning, after consultation with local fire officials and law enforcement officials, in order to protect the public health and safety.





## ARTICLE II – RULES OF GENERAL CONDUCT

### 2.1 General Conduct

The Minnehaha County Board of Commissioners places great emphasis and importance on the proper discharge of their responsibilities.

County Commissioners respect the operations within a County Office or Department and understand the role of a County Commissioner as a policy maker and department liaison.

No County Commissioner shall use or attempt to use their official position or any property or resource which may be within their trust to secure a special privilege, benefit, or exemption for themselves or others.

## ARTICLE III – OFFICERS AND STAFF

### 3.1 Chair and Vice Chair – Election – Vacancy

The County Commission shall elect a Chair and Vice Chair at the first meeting in January. The Chair shall continue to serve as Chair until a successor is elected. The Chair, or the Vice Chair in the Chair's absence, shall preside at the meetings of the Board and sign all orders and claims approved by the Board. (See SDCL § 7-8-15)

### 3.2 Election of Chair and Vice Chair – Method and Order

At the first Commission meeting of each year, the County Commission shall elect the Chair and Vice Chair. The election of Chair and Vice Chair will begin first with the Chair. Once the newly elected Chair has replaced the outgoing Chair, the Vice Chair position will be filled. (See SDCL § 7-8-15)

### 3.3 Duties and Powers of Chair

The Chair of the Commission shall:

- Preside over Commission meetings
- Assign Commissioner liaison assignments
- Approve agenda items
- Act as liaison to the Commission Administrative Officer
- Close County offices in instances of emergency or severe weather
- Exercise authority as delegated by the Commission

### 3.4 Auditor as Clerk of Board of Commissioners

The County Auditor is the clerk of the Board of Commissioners and shall be responsible for keeping an accurate record of all official proceedings and carefully preserving all the documents, books, records, maps, and other papers required to be deposited or kept in their office. (See SDCL § 7-10-1). The Minnehaha County Auditor employs a Commission Recorder to carry out these duties.

### 3.5 State's Attorney – Opinions and Advice to County Officers

The State's Attorney shall give opinions and advice to the Board of County Commissioners. (See SDCL § 7-16-8). The State's Attorney or their designee will, upon request of the Chair in advance of the meeting, attempt to attend or provide advice as requested by the Chair.

## ARTICLE IV – MEETINGS

### 4.1 Quorum

To conduct business, a minimum of three commissioners shall constitute a quorum. A majority of the board shall consist of three commissioners.

Members of the Board of Commissioners may attend public events where a quorum may be present. The County Commission Office will follow the notice requirements set by SDCL § 1-25-1. It is the practice of Minnehaha County to publish a weekly calendar noticing meetings where a quorum may be present.

At all other times, no more than two Commissioners may be present and discuss County business. Email discussion, where a quorum is present, may also be in violation of South Dakota open meetings law. It is the practice of Minnehaha County to contact commissioners using email. Emails from department heads which include a quorum should generally be avoided unless necessary and then should include an admonition to “Do Not Reply All”. No email communication should ever use a “reply all” when a quorum of commissioners is listed. Commissioners will use their best judgment in all circumstances to follow open meetings law.

If both the Chair and Vice Chair are absent, the Commissioners present shall elect a Chair Pro Tem for the meeting.

### 4.2 Regular Meetings

Except as otherwise required by law, the regular meetings of the Board of Commissioners shall be held as follows:

- (1) A “regular meeting” shall mean the convening of a quorum of the Board of Commissioners for the purpose of conducting business;
- (2) The official meetings of the Board of Commissioners are open to the public unless a specific law is cited by the County to close the official meeting to the public;
- (3) South Dakota Codified Law 1-25 Meetings of Public Agencies govern the Board of Commissioners meetings;
- (4) The Board of Commissioners meet on the first, third, and fourth Tuesdays of each month. The Board of Commissioners may reschedule regular meetings as necessary to accommodate County-recognized holidays;
- (5) The Board of Commissioners hold meetings in the Board of Commissioners Chambers located in the County Administration Building 415 N. Dakota Ave., Sioux Falls, SD 57104 or any other suitable location in the county as set forth in the notice for such meeting;
- (6) The Board of Commissioners may conduct a regular meeting by teleconference. If a regular meeting is held by teleconference or if any member is present by teleconference, each vote of the Board of Commissioners may be taken by voice vote. SDCL § 1-25-1.5 The public will be provided a place for listening and participating in the teleconference meeting. SDCL § 1-25-1.6
- (7) The Board of Commissioners may call additional meetings as needed to conduct the business of the county.

### 4.3 Special Meetings

The County Auditor or the Chair of the Board of Commissioners may call special meetings if the interest of the county demands it by giving notice of the special meeting to each county commissioner and the public. (See SDCL § 7-8-14)

In the event the Board of Commissioners schedules a special meeting, the meeting information shall be distributed in accordance with applicable state statute. (See SDCL § 1-25-1.1)

### 4.4 Executive or Closed Meetings

The Board of Commissioners, upon a majority vote, may enter executive or closed meetings pursuant to SDCL 1-25-2.

No official action will be taken during an executive or closed session meeting. Any official action will be taken during an open session of a meeting.

### 4.6 Canvass of Elections

It is the practice of the Minnehaha County Board of Commissioners to hold a special meeting to canvass the results of an election. Within six calendar days of an election, the Board of Commissioners meet as the canvassing board to canvass the votes. A majority of the board is required. (See SDCL § 12-20-36)

### 4.7 Budget Meetings

Prior to the deadline to file a provisional budget, the Minnehaha County Board of Commissioners shall meet to hear the financial position of the County. These proceedings are considered open meetings but are not live streamed. Recordings are prepared and made available on the County website.

Budget Process Key Dates and Deadlines:

- A provisional budget shall be filed by July 30<sup>th</sup>. (See SDCL § 7-21-5)
- The Board of County Commissioners shall meet on the first Tuesday of September to consider the budget. (See SDCL § 7-21-8)
- The Board of County Commissioners shall approve and adopt the budget before October first of each year. (See SDCL § 7-21-10)
- The deadline to opt out of the tax levy is July 15 of the year prior to the year the taxes are payable. (See SDCL § 10-13-36)

### 4.8 Board of Equalization

The Minnehaha Board of County Commissioners shall meet annually as the Board of Equalization on the second Tuesday in April. Each member of the Board shall take an oath to fairly and impartially perform the duties of a member of the Board of Equalization. The Board of Equalization meets to hear appeals and equalize the assessments of property. A majority of the board constitutes a quorum. (See SDCL § 10-11-25)

#### 4.9 Agenda Preparation

The Commission Office will prepare the agenda with final approval by the Chair. Meeting materials must be submitted by departments online through CivicClerk by 12:00 PM on the Thursday preceding the meeting. In the event of a holiday or special meeting, staff will be notified of any new deadline. All agenda items, including consent items, shall have a briefing memo.

Legal review must be completed by the States Attorney's office for approval of language and form on certain agenda items. Contracts, agreements, memorandums of understanding, resolutions, ordinances, as well as contracts which are not required to go to the Commission will need to be routed through the States Attorney Office for approval. If these items have not been reviewed for approval and have been added to an agenda, the item should be delayed, denied, or re-routed to the State's Attorney Office.

An agenda item which proposes to amend the Minnehaha County Department Head Policies and Procedures Manual or the Minnehaha County Employee Handbook shall be presented first with a briefing memo explaining the proposed amendment(s). The proposed amendment will not be acted on by the Commission until the first briefing has occurred.

#### 4.10 Order of Business for Regular Meetings

The order of business for regular meetings will typically follow this order:

- (1) Call to Order
- (2) Pledge of Allegiance
- (3) Routine Business
- (4) Consent Agenda
- (5) Regular Business
- (6) Commissioner Liaison Reports
- (7) Non-Action Commission Discussion
- (8) Opportunity for Public Comment
- (9) Executive Session (as necessary)
- (10) Adjournment

#### 4.11 Consent Agenda

The Board of County Commissioners may use a consent agenda, which shall include:

- Unapproved Minutes from Previous Meetings
- Bills to be Paid
- Reports
- Personnel Action
- Abatement Applications for Approval
- Notices and Requests
- Items within Policy Guidelines



**MINNEHAHA**  
COUNTY

The Chair of the County Commission shall ask if any Commissioner wants an item removed from the consent agenda for discussion. Agenda items removed from the consent agenda will be considered as Regular Business to allow for staff to appear before the Commission.

There will be no discussion of any individual item on the consent agenda. Commissioners may make comments related to consent agenda items during the Non-Action Commission Discussion portion of the agenda.

Examples:

- Items designated for surplus
- Purchase of vehicles that are in the current budget can be on consent.
- Annual contracts requiring signature for renewal
- Abatements to be approved. (Abatements to be denied are regular business.)
- Reports from Departments and pertinent outside agencies
- Temporary/Consume-Blend Permits
- Fireworks
- State Notices of Disinterment

#### 4.12 Preparation and Publication of Minutes

The unapproved draft minutes of any public meeting held pursuant to § 1-25-1 shall be available for inspection by any person within ten business days of the meeting. This section does not apply if there is an audio or video recording of the meeting available within five days of the meeting. (See SDCL § 1-27-1.17)

The minutes of official county meetings are published in a minimum of three legal newspapers as designated by the Commission at the first meeting of the year. (See SDCL § 7-18-3)

Meeting minutes and documents are available on the County website and from the County Auditor.

#### 4.13 Video Recording

The Board of Commissioners will make every effort to publish a video recording of the meeting. The recording will be available on the county website. It is the practice of the Board of County Commissioners to live-broadcast regular commission meetings on City Link Channel 16, to replay meetings on City Link, publish to YouTube, and publish to the County website. It is the practice of the Board of County Commissioners to record budget meetings and make them available on YouTube and the County website.

## ARTICLE V – MEETING PROCEDURES

### 5.1 Parliamentary Procedure

The Board of County Commissioners have not adopted a method for parliamentary procedure. In instances where there is a question of procedure, the State’s Attorney office may provide guidance.

### 5.2 Voting

The voting procedure shall be as follows:

- A. Tie vote of commissioners. When the Board of County Commissioners is equally divided on any question, it shall defer a decision until the next meeting and the matter shall then be decided by a majority of the Board. (See SDCL § 7-8-18)
- B. The Chair is permitted to vote on all questions, unless the Chair has identified a conflict of interest.
- C. The Chair will not make a motion or second any motion.
- D. The Chair will ensure that all Commissioners have been given an opportunity to speak.
- E. Except as otherwise provided by statute or rule, the majority vote of all members of the Commission shall determine all actions.
- F. All votes must be made in open session and duly recorded by the Commission Recorder.
- G. If a Commissioner intends to abstain, they shall state their intention immediately after the Chair announces the agenda item. A Commissioner who chooses to abstain shall not participate in the discussion or vote on the agenda item.
- H. The Commission may discuss an item once a motion and second have been recorded.
- I. Any member of the Board may call for a roll call vote for any motion.
- J. The Chair will state the vote tally, including identifying any Commissioners who abstain.
- K. The Commission Recorder is responsible for calling the roll. The following items require a roll call vote:
  - Adoption of Resolutions
  - Adoption of Ordinances
  - Compromise of liens
  - Abatements not Recommended for Approval
  - Acceptance of grants
  - Declaring items as surplus
  - Awarding a bid
  - Awarding an RFP
  - Approving the annual budget
  - Approving budget supplements
  - Changes to County policy
  - Any item requiring a public hearing
  - Any application requiring Commission approval (e.g., grant applications)
  - Any appointment made to fill a County office vacancy
  - Any time there is a tie vote of the Commissioners
  - Approval of Consent Agenda
  - Canvassing Election Results



- Approval of Medical Cannabis Dispensary Licenses
- Approval of Liquor Licenses

### 5.3 Conflict of Interest

The Minnehaha County Board of Commissioners have adopted section 15.5 Conflicts of Interest in the County Employee Handbook. This Conflict of Interest statement is provided below:

As a general statement, a conflict of interest is defined to include any situation in which a County official, employee, or board member, in the discharge of official duties, would be required to take any action or make any decision that may cause financial benefit to:

- 1) that same County official, employee, or board member;
- 2) any member of that official's, employee's, or board member's immediate family defined to include spouse, a parent, a child, or a sibling related by blood, marriage or adoption; or
- 3) a business enterprise owned in whole or in part by the public official, employee or board member; unless the benefit is extended to the general public or a broad segment of the public at large.

As soon as a County official, employee, or board member is actually aware or should reasonably be aware of a conflict of interest, such person is required either to make full public disclosure of such conflict of interest or abstain from deliberation, action, vote, and involvement in such conflict of interest.

County officials, employees, and board members are prohibited from:

- 1) using their County position or any influence, power, authority, or confidential information derived from it, or any County time, equipment, property, or supplies for private gain; or
- 2) receiving any outside compensation, gift, or gratuity, for the performance of County duties, except as outlined below in Section 5.4.

Persons found to have violated conflict of interest guidelines may be subject to disciplinary action up to and including termination.

If a Commissioner with a direct pecuniary interest participates in discussion or votes on a matter before the Commission, the sole legal remedy is to invalidate that official's vote. (See SDCL § 6-1-17)

Where a Commissioner has a conflict of interest, the Commissioner shall not participate in the Board discussion, any executive session, or any vote on the agenda item. If a Commissioner has a conflict of interest and chooses to participate in the discussion, the Commissioner should address the commission in the same manner as a member of the public.



## 5.4 Gifts

The Minnehaha County Board of Commissioners have adopted section 15.6 Gifts and Gratuities in the County Employee Handbook. The Gifts and Gratuities policy is provided below:

County employees are expected to conduct business with the highest level of legal, moral and ethical standards. No exchange of gifts or gratuities shall be made or accepted as improper inducement to the recipient for any reason. Examples of gifts and gratuities includes cash, discounts, clothing, flowers, food items, desk items, logo items, prizes, sporting equipment, sporting event tickets, recreational outings, airline tickets, and use of vacation/resort accommodations.

County officials, employees, and board members are prohibited from receiving any outside compensation, gift, or gratuity, for the performance of County duties, except as follows:

- a) awards for meritorious public contribution publicly awarded;
- b) receipt of honoraria or expenses paid for papers, talks, demonstrations, or appearances made by employees with the approval of the employee's department head or the County Commission; or
- c) receipt of social amenities, ceremonial gifts, or advertising gifts, worth less than \$100 in value.

Cash or cash equivalents shall not be accepted under any circumstances.

## 5.5 Information Disclosure

An elected or appointed County Officer may receive and consider relevant information from any source to perform the duties of their office. An elected or appointed County Officer may rely on their own experience and background on any official matters, subject to the applicable law and policy concerning recusal and disqualification of a public officer. (See SDCL § 6-1-18)

Any public hearing or meeting conducted by an elected or appointed County Officer regarding a quasi-judicial matter as defined in SDCL 1-32-1(10) may be conducted informally to secure the information required for decision making. The formal rules of procedure and evidence do not apply to the conduct of the public hearing or meeting. If a County Officer relies upon any evidence not produced at a public hearing or meeting, the officer shall disclose the evidence publicly and include the information in the public record to afford all parties an opportunity to respond or participate. (See SDCL § 6-1-20)

Failure to make this disclosure may be grounds for the County Officer's disqualification for that particular discussion, pursuant to SDCL 6-1-21.

## 5.6 Citizen Participation

Any person making irrelevant, disrespectful, or slanderous remarks while addressing the Board shall not be considered orderly or decorous. Any person who becomes disorderly or who fails to confine remarks to the

identified subject or business at hand shall be cautioned by the Chair and given the opportunity to conclude remarks in a decorous manner and within the designated time limit. Any person failing to comply as cautioned may be barred from making any additional comments during the meeting by the Chair.

(1) PUBLIC COMMENT

The agenda section Opportunity for Public Comment shall be a time for citizens to express concerns to the board. Public comment shall not pertain to items listed on the agenda. Public comment shall last no more than five minutes per person and, in total, shall last no more than thirty minutes. Video presentations shall not be allowed. Speakers are asked to fill out the sign-in sheet prior to the start of the meeting and to state their name and county of residence when addressing the Board.

It is the practice of the Board of Commissioners to not comment on any item brought forward during the Opportunity for Public Comment. The Commission will not act on an item brought during the Opportunity for Public Comment. The Chair may limit the public comment period at their discretion, but not so limited as to provide no public comment. (See SDCL § 1-25-1)

(2) PUBLIC HEARINGS

For regular agenda items requiring a public hearing, the Chair will ask:

- For the staff to present the item
- For proponent testimony
- For opponent testimony
- If the proponent wants to provide any rebuttal

Following proponent rebuttal, testimony is closed and commission discussion is opened. Proponents and opponents may be asked to provide additional information by the Commission

(3) AGENDA ITEMS

Public input is allowed for any item under Consent Agenda and Regular Business. Individuals are limited to no more than three minutes and comments are limited to the agenda item under consideration only.

For items on the agenda, if a member of the public wishes the Board of County Commissioners to consider written comments or documents, they must submit the materials at least 24 hours in advance of the meeting to allow for Commissioners to consider the information.

If the Chair anticipates a significant number of members of the public intend to speak on an agenda item or during the public comment period, the Chair may limit the time for each speaker. The Chair may make provisions so that extra time may be allowed. The Chair may also ask for a spokesperson to represent members of the public.

(4) PLACING AN ITEM ON THE AGENDA

If a Commissioner wishes to place an item on the agenda under Regular Business, they must:

- a. Secure the support of one Commissioner.
- b. Contact the Commission Chair and confirm in writing the support of one Commissioner and explain their intent to be placed on the agenda.



**MINNEHAHA**  
COUNTY

- c. Submit their materials to be part of the agenda item, including a memo and relevant attachments, at least 7 days before the meeting.

## 5.7 General Meeting Conduct

### (1) ORDER AND DECORUM

The Chair shall preserve order and decorum. No Commissioner or member of the public shall speak until duly recognized by the Chair. If a Commissioner or member of the public speaks without being recognized by the Chair, they shall cease speaking if ruled out of order. The Commission aspires to maintain a professional setting and encourages citizens to behave accordingly.

### (2) ELECTIONS

If the County Administration building is being used as a polling place (which includes absentee voting), no election-related campaigning or otherwise interfering with the free access to the polling place. (See SDCL § 12-18-3)

## 5.8 Personal Privilege

Commissioners may request a Point of Personal Privilege. Personal privilege shall not be used to express opinions or otherwise extend discussion of an agenda item. The Chair shall have the discretion to grant or deny the request.

## 5.9 Proclamations

Proclamations are ceremonial decrees signed by the Commission Chair and issued at the discretion of the Board of County Commissioners, which reserves the right to modify or deny any proclamation request. Proclamations must be related to or otherwise recognize matters relevant to Minnehaha County. Reading a proclamation is in no way an endorsement of the proclamation.

Groups and citizens are invited to submit a proclamation request in writing to the Commission Office three weeks in advance of the date the proclamation is requested to be read. A draft proclamation must be included with the request. A designated representative must be present at the meeting to read the proclamation.



## ARTICLE VI – COMMITTEES

### 6.1 Liaison Assignments – Committee Assignments

The Chair of the Board of County Commissioners will assign department liaison responsibilities at the beginning of each year. The Liaison is responsible for coordinating the performance of the department head. The Liaison is responsible for reviewing the department budget proposal prior to budget hearings.

For public organizations which the County has an interest, the Chair of the Board of County Commissioners may assign Commissioners to represent the County. The Chair will make these assignments at the beginning of the year. Commissioners serving on a Board shall serve as ex officio members, unless specified otherwise.

### 6.2 Special (Ad Hoc) Committee or Task Force

The Board of County Commissioners may establish special committees or task forces that are deemed necessary. Special committees or task forces shall be advisory in nature. The purpose of a special committee or task force shall be determined at the same time the committee is created. A special committee or task force may report recommendations to the Board of County Commissioners for appropriate action and shall be automatically dissolved when its specific task is complete.

### 6.3 Building Committee

The Board of County Commissioners, Auditor, Facilities Director, and Commission Administrative Officer shall comprise the Minnehaha Building Committee. This committee is responsible for the review and recommendation of projects which involve county facilities and their upkeep, renovation, and construction. The Building Committee may only make recommendations – any final action must be taken by the Board of County Commissioners.

### 6.4 Other Committee Appointments

County Commissioners may be appointed or otherwise receive appointment to local, state, federal, or advocacy group committees.

## ARTICLE VII – AMENDMENTS

### 7.1 Review of Rules of Procedure

The Board of County Commissioners shall review the Rules in July of each year at a regularly scheduled Commission meeting.

### 7.2 Procedure for Modification of Rules of Procedure

These rules may be amended or repealed by a majority vote of the Board of County Commissioners at any regular or special meeting, provided intention to amend has been included on the agenda.

The Rules of Procedure of the Minnehaha County Board of Commissioners are here by adopted.

Date of Adoption: 9/27/2022

Revised: 8/1/2023