

MINUTES

Government Operations & Audit Committee



Representative Randy Gross, Chair
Senator Kyle Schoenfish, Vice Chair

**Second Meeting, 2022 Interim
Wednesday, July 20, 2022**

**Room 414 – State Capitol
Pierre, South Dakota**

The second meeting of the 2022 Interim Government Operations and Audit Committee (Committee) was called to order by Chair Gross at 10:30 a.m., July 20, 2022, in room 414, State Capitol Building, Pierre, South Dakota.

A quorum was determined with the following members answering the roll call: Representatives Duba, Karr, Peterson, Otten, Gross, and Senators Nesiba, Steinhauer, Hunhoff, Wheeler, and Schoenfish.

Staff member present was Russell Olson, Auditor General for the Department of Legislative Audit (DLA).

NOTE: For purpose of continuity, the following minutes are not necessarily in chronological order. The bulleted items below each agenda item are documents sent out by the Committee.

Approval of Minutes

Senator Nesiba moved, seconded by Representative Otten, the minutes of the May 18, 2022 meeting be approved ([Minutes 5-18-22 Doc.1](#)). Motion prevailed unanimously on a voice vote.

Item 1 – Secretary of State to provide an update on procedures for the 2022 elections

- [Letter to Secretary of State Doc.2](#)

Secretary of State Steve Barnett provided an update on the turnout for the June 7, 2022 primary election along with historical turnout percentages. The June 7, 2022 primary election had a 32.09% turnout, compared to turnout percentages of 27.98% in 2020, 26.57% in 2018, 21.94% in 2016, 19% in 2014, 20% in 2012, and 34% in 2010. He informed the Committee that the general election will be held on November 8, 2022, the deadline for voter registration will be October 24, 2022 and the absentee voting period starts on September 23, 2022. Mr. Barnett added that during the June 7, 2022 primary election the tabulators were programmed to verify the ballots had been stamped by the election poll workers. This came about from past discussions with the Committee. He informed the Committee of election training for County election officials, which will be held on August 4, 2022, and on October 18 and 19, 2022. In addition, his office will participate in national training provided by the U.S. Department of Homeland Security. This training is also open to all the County Auditors and will be held August 18, 2022.

Mr. Barnett explained the two ballot questions voters will see this fall. The first being Constitutional Amendment D, which will expand Medicaid eligibility. The second being Initiated Measure 27, which will legalize the possession, distribution, and use of marijuana. He informed the Committee that the Secretary of State's website has been updated to include frequently asked questions about the election

process. We went through a number of commonly asked questions and provided the answers to the Committee.

Representative Gross asked if County election officials are expected to attend election training and for those that don't attend if training materials were made available to them. Mr. Barnett stated they are not required to attend; however, attendance has been good. It can be a challenge for smaller counties to attend when there may only be one or two people working in those smaller offices. Mr. Barnett stated that manuals, printed material, and power-point presentations are available to help them.

Representative Gross asked Mr. Barnett to go through the following Committee questions that were sent to Mr. Barnett, prior to the meeting:

1. What were the problems that occurred in Minnehaha County, the reasons the problems occurred, and what is being done to ensure they don't occur again?

Mr. Barnett stated 19 districts were split, due to redistricting and some voters were handed the wrong ballot. He estimated 12 voters received the incorrect ballot. This was human error, and it is necessary to remind poll workers to hand out the correct ballot. This won't be a problem in the general election since there will only be one type of ballot. The Secretary of State's office had two op-eds before the election reminding voters to review their polling place and sample ballot ahead of time to familiarize themselves with the candidates that were supposed to be on their ballots. Senator Nesiba stated that he was a poll worker and didn't realize initially that he was serving in a precinct that had split districts. He asked what could be done in the future, after the next redistricting process, to match district and precinct lines to be in greater congruence with what the Legislature has done through redistricting. Mr. Barnett stated it would be important for the County Auditors, the Legislature, election vendors and the Secretary of State to meet prior to the election and using current technology, come up with solutions to reduce the confusion and improve the process. Senator Nesiba suggested a task force be created after future redistricting to be better prepared and concluded by thanking the many poll workers that put in long days to make the process work.

2. What caused the delay in reporting results from Lincoln County?

Mr. Barnett spoke with an election official from Lincoln County and the official stated the votes were in but until two officials from the County could verify the totals, they did not report the final results. Senator Hunhoff asked for additional explanation for what that verification entailed. Mr. Barnett stated it was reconciling the tally sheets to the poll books. Representative Peterson stated that she had received reports of the Sheriff being present at a voting site in Lincoln County and the public was not allowed to observe the count or to ask questions and were escorted out. She stated this is contrary to State law and asked for more information about this situation. Mr. Barnett stated this was the first time he had heard about this.

3. Are you aware of drop boxes and mobile drop boxes being used in South Dakota counties?

Mr. Barnett surveyed the Counties and learned that 21 standard drop boxes were used, and one mobile drop box was used during the last election. Representative Peterson asked Mr. Barnett if drop boxes

were in violation of South Dakota Codified Law (SDCL) 12-19-7. Mr. Barnett stated he had a 2020 email from the former Attorney General stating that drop boxes were permissible. Senator Schoenfish asked how long drop boxes have been used. Mr. Barnett stated that during his term as Secretary of State, the drop boxes were used during the pandemic. He mentioned there was more than one way of handling absentee voting throughout the Counties during the pandemic.

4. If the Secretary of State is aware of a violation of election law, what is your process for addressing that, reporting it, and to whom would you report it for enforcement?

Mr. Barnett stated that if something is brought to the attention of the Secretary of State's Office, they will contact the Attorney General's Office and they have the authority to enforce the law if need be. If necessary, the Attorney General's Office would contact local law enforcement.

5. Why were voters who have been lifetime Republicans denied Republican ballots at their polling places in the June 7, 2022 primary election?

Mr. Barnett stated the Secretary of State's Office was not aware of any republican voters that did not receive republican ballots. Mr. Barnett stated two phone calls were received, one from a registered democrat and one from a registered independent requesting a republican ballot. Only registered republicans can vote in the republican primary. Representative Peterson asked for more information about voters that renew the drivers licenses and don't put down a party affiliation. Kea Warne, Director of the Division of Elections, stated that new driver's license applicants that don't indicate a party affiliation are then designated non-party affiliation (NPA). Voters that renew their driver's license, that have a history of voting, and don't complete their party affiliation are left with the prior designated party affiliation.

6. In 2020, when you appeared before this Committee, we had an extensive conversation about training for County auditors and the manual your office had put together for them. Optional training and making the manual available has not eliminated the problems. When will the Secretary of State be conducting an enhanced, mandatory, stand-alone training (not as a breakout session of the County association conference) for all auditors and deputy auditors?

Representative Peterson expressed concern that the human errors were the result of inadequate training. She asked the Secretary of State for suggestions on how all poll workers could receive adequate training. Mr. Barnett stated the main error was poll workers not handing out the correct ballot. He added that it is incumbent upon the voters to double check where they are registered at and that they are getting the correct ballot. Mr. Barnett stated that all the poll workers are trained by the County Auditors and poll workers are required to attend those training events. He stated that the Secretary of State's Office could ramp up efforts to encourage more training by the County Auditors. Senator Nesiba asked how much poll workers are paid. Mr. Barnett said this is determined by the various County Commissions and ranges between \$90 and \$150 per day. Senator Nesiba stated that this was a difficult situation for the election officials since there was little time after Legislative redistricting to ensure each precinct only had one district. Representative Peterson encouraged County Commissions to look at paying a higher wage to poll workers.

7. Do you believe South Dakota election laws need any improvement? If so, what needs improving? If not, please describe the strengths of our election laws. Are there any weaknesses?

Mr. Barnett started by identifying strengths, one being the paper ballots with marks on the sides to enhance security. Another strength is not allowing the absentee ballots to be received after the polls close. Another strength is not allowing the tabulating machines, that the County Auditors use, to be connected to the internet. Requiring a photo identification is also a strength. Mr. Barnett mentioned a weakness being the fact that humans work the polls and humans can make errors from time-to-time.

8. Have there been any FOIA requests with regard to 2022 South Dakota primary election information?

Mr. Barnett said they have received a FOIA request and have responded to it.

9. Is it still a challenge to find poll workers? Why were some who signed up and who were scheduled to work, subsequently removed from the schedule with no explanation?

Mr. Barnett stated that there was an adequate number of poll workers. He speculated that in one precinct there was a person that was a candidate, consequently, could not be a poll worker, in accordance with SDCL 12-15-14.3. Representative Peterson asked if a person could work in a precinct they are not registered in. Kea Warne answered there is a state law that says you can only be a poll worker in the precinct you are registered to vote in. You can't work in another precinct. Senator Nesiba shared his experience as a poll worker in Minnehaha County. He offered to go wherever the County Auditor needed poll workers. Senator Nesiba did not have a primary election and was not on a ballot. Representative Gross asked that the Secretary of State's Office provide the Committee clarification regarding the laws pertaining to poll workers.

10. What kind of post-election verification is done by South Dakota County Auditors?

Mr. Barnett stated the official canvas is when the tally sheets and poll books are reconciled against each other to ensure the number of ballots tabulated matches the number of voters given ballots.

11. Are you available on election day and recount days on your cell phone if questions or issues arise?
We have reports from numerous sources that you were not able to be reached.

Mr. Barnett stated that he and his staff were available throughout the day. He received his first call at 7:19 a.m. from the Hartford area where 12 ballots were incorrectly handed out. He also was emailing County Auditors throughout the day. He and his staff were in the office until 2:45 a.m. the next day.

Jessica Pollema, State Lead of South Dakota Canvassing Group, provided public testimony on the recent primary election.

Rick Weible, representing himself, provided public testimony on research he conducted pertaining to the Secretary of State's Office and South Dakota elections.

Item 2 – Department of Education to report on the use of the civics grant money approved by the Legislature during the 2021 Legislative Session

- [Letter to Education Doc.3](#)
- [K-12 History-Civics Grants Doc.3a](#)

Shannon Malone, Director of the Division of Learning and Instruction and Mary Stadick Smith, Deputy Secretary of the Department of Education, were present to address the Committee. Ms. Malone referred the Committee to the [K-12 History-Civics Grant Report](#) and shared information relating to the \$900,000 funding approved during the 2021 Session. She stated the funding was at the request of Governor Noem for the purpose of strengthening history and civics education in South Dakota's K-12 public schools. She stated the Department of Education (DOE) was directed to restart the social studies standards revision process and because of this, three of the four areas of focus of the history and civics initiative were put on hold until the DOE is aligned with the revised standards. The Social Studies Standards Revisions Commission will conclude its work over the next several weeks. Around the middle of August, the social studies standards will be made available for public comment. The Board of Education Standards will then hold the first of four public hearings at its September 2022 meeting. In coordination with their public hearings the DOE will start to focus efforts on the other aspects of the appropriated \$900,000 in the areas of professional development, instructional materials review and development, and history and civics grants. She stated the report provided is in response the Committee's interest in the use of funds for the history and civics grants. The purpose of the grants is to support and increase the capacity of K-12 educators, provide high quality standards aligned resources, provide real-life experiences for students, foster students who appreciate our country, state, and story. She stated the goal is to increase the knowledge and experience of the students to become informed citizens. During the first round of applications for the history and civics grants, the DOE received sixteen applications and funded six. For the second round, the DOE received nine applications and funded three. The nine projects funded received \$95,000. Three have completed their grants and those districts are Mitchell, Dell Rapids, and Arlington. Several of the grants awarded will be purchasing instructional material to develop civics and history courses. She highlighted some of the other ways districts are utilizing these funds, such as:

- developing a new elective civics course,
- the purchase of "project citizen" and "we the people" for eight and ninth graders,
- students in the sixth and seventh grade participated in national history day and three of those students made it to the state national history day competition,
- teachers plan to take a course at a South Dakota University to build knowledge on South Dakota history,
- fifth, sixth, and seventh grade students took a trip to the Crazy Horse Memorial,
- students will research a South Dakota "fallen hero" from World War II and present a eulogy at the soldier's gravesite in the Black Hills National Cemetery.

Ms. Malone concluded that the six uncompleted grants will be extended for one additional year. Those uncompleted grants have been amended to include language attesting that all activities carried out under the amended agreements will be conducted in alignment with Executive Order 2022-02.

Representative Gross asked for the reasons some applications were not accepted. Ms. Malone stated the reviewers, using a rubric, didn't believe some of the applications met the required qualifications. She added that the rubric was provided to applicants as part of the application process. Representative

Gross and Senator Hunhoff asked that the rubric be provided to the Committee as follow-up information.

Representative Duba asked for a breakdown of how the remaining \$805,000 will be allocated to the areas of focus for the history and civics initiative. Ms. Malone indicated it is not clear at this time how the remaining funds will be assigned. Representative Duba asked who did the reviews of the grant applications. Ms. Malone stated all the reviewers were DOE staff.

Senator Nesiba asked if any of the grants were in violation of Executive Order 2022-02. Ms. Malone stated all the grants were awarded prior to the issuance of the Executive Order. The agreements relating to the six uncompleted grants have been amended to ensure alignment with Executive Order 2022-02. Senator Nesiba asked the DOE for an example of a specific author, text, or article that would clearly be in violation of the Executive Order. Ms. Smith stated the Executive Order is clear and lays out what is a divisive concept and that is the lens to look through. She added that the DOE has been going through a review and they are using the Executive Order as their definition. They have provided a report on what the DOE has done. The DOE will continue their work in making sure actions and policies are following the Executive Order. Senator Nesiba disagreed that it is clear as to what a divisive concept is and asked the DOE, going forward, to keep a list of what constitutes a divisive concept that the government is banning. He expressed concern that this puts educators in a difficult situation. Ms. Smith added that local school boards are autonomous and make their decisions about staffing, budgets, programming, curriculum, and instruction. When you talk about books and materials that is a local decision. At the State level, where we can impact instruction is through our academic content standards.

Senator Schoenfish asked if the Executive Order impacts anything the K-12 schools do or does it just impact the DOE. Ms. Smith stated the Executive Order is targeted to DOE policies, resources, and technical guidance; however, the DOE interacts with the K-12 school districts so there is that flow-through or connection. Representative Gross asked if the grants provided through the DOE would be impacted by the Executive Order. Ms. Smith said "yes".

Representative Peterson liked the accountability measures called for in Executive Order 2022-02 and asked that the Committee be provided a copy of the report called for in the Executive Order. She encouraged the DOE to bring to the Committee any proposed legislation that resulted from the DOE's review. Ms. Smith believed the report was an internal document but would follow-up and see if the DOE could share it with the Committee. Representative Peterson expressed concerns that some of the history and civics grants were not in alignment with the Governor's Executive Order. Ms. Malone stated the DOE would revisit the completed grants to see if changes are necessary and what actions can be taken.

Representative Karr expressed concerns that too much emphasis is being placed on the public input during the public meetings for social studies standards revisions. He wondered what the DOE is going to do to analyze the standards revisions to ensure they are in accordance with the wishes of the Legislative and Executive branches. Ms. Smith stated the process of adopting new standards is laid out in State law and that process will be followed. The process allows for feedback from the public.

Representative Peterson asked the DOE if their history and civics grant application was following a recently issued U.S. Supreme Court ruling that public funds can be used by private schools. Ms. Malone stated the DOE would look into this with legal counsel.

Item 3 – South Dakota High School Activities Association to present their annual report (SDCL 13-36-4)

- [Letter to SDHSAA Doc.4](#)
- [Annual Report of SDHSAA Doc.4a](#)

Dr. Dan Swartos, Executive Director of the South Dakota High School Activities Association (SDHSAA) was present to address the Committee. He presented the [FY21 financial audit report](#) of the SDHSAA. Dr. Swartos explained to the Committee the one audit finding contained in the audit report. The finding related to dues and fees charged to the schools in the fall and then each June schools would be reimbursed for costs that schools incurred for attending state tournaments. It ended up being an exchange of dollars and starting in FY22 a decision was made to no longer do this. An audit adjustment of around \$250,000 was needed to report this transaction in the proper fiscal year and because of the size of the audit adjustment this became an audit finding. In terms of corrective action, we no longer charge dues and fees to our schools and on the back side we no longer reimburse the schools for expenses incurred by the schools at state tournaments, so this won't happen again.

Dr. Swartos provided a general overview of the financial activity. He described the changes that occurred between FY20 and FY21. In FY20 the SDHSAA was unable to hold the state basketball and track tournaments and the SDHSAA ended up with around a \$60,000 net loss. In FY21 the SDHSAA ended up with a surplus. For the 2021-2022 school year the SDHSAA saw a lot of attendance records at our state events and had a great year financially.

Senator Hunhoff asked how you plan to replace the federal covid dollars. Dr. Swartos explained that the SDHSAA received two rounds of Payroll Protection Program (PPP) loans and a small business grant from the State of South Dakota. Both the PPP loans were forgiven by the federal government. In terms of replacing those dollars, when we have full crowds at our sub-state and state events, and we are able to hold all our events we can replace this revenue. Those programs certainly helped us financially.

Senator Schoenfish asked Dr. Swartos to compare FY21 to a normal year such as FY19. Dr. Swartos stated we normally have around 35-40 state events. For the 2019-2020 school year we had only about 20 state events. We lost about \$900,000 in revenue and didn't have around \$500,000 in expenses, so we had a net loss of around \$400,000. The first round of PPP loans helped with this. Senator Schoenfish asked what the administrative workload was like during FY21. Dr. Swartos explained the extra amount of work that was done to have a plan ready to deal with the pandemic.

Russell Olson, Auditor General, stated an unmodified opinion was issued on the financial statements. Mr. Olson thanked Dr. Swartos for their cooperation during the audit engagement.

Representative Otten moved, seconded by Senator Schoenfish to approve the SDHSAA's annual report. The motion passed unanimously on a roll call vote.

Item 4 – Department of Game, Fish and Parks to present their agency performance measures (SDCL 2-6-37)

- [Letter to GF&P Doc.5](#)
- [Proposed Performance Measures Doc.5a](#)

Kevin Robling, Secretary of the Department of Game, Fish and Parks (GFP) was present to address the Committee. He presented the [GFP Performance Measures](#) and stated the mission of the GFP is to serve and connect people and families to the outdoors through effective management of our state's parks, fisheries and wildlife resources. He described the four goals in their strategic plan, which are opportunities, resources, confidence, and excellence. Mr. Robling stated the performance measures have been overhauled to match with the GFP's strategic plan. Mr. Robling described GFP's four priorities, which are: 1) habitat access, 2) asset management, 3) customer service, and 4) operational excellence.

Mr. Robling started with strategic plan goal 1: To provide outdoor recreational opportunities – optimize the quantity and quality of sustainable hunting, fishing, camping, trapping and other outdoor recreational opportunities. To accomplish this the GFP will expand and create new partnerships with landowners and conservation groups and remain focused on improving existing aquatic and terrestrial habitat on private and public lands while seeking additional habitat acres. He went on to describe how the GFP will measure success toward achieving this goal. Success will be measured through various metrics relating to habitat access. More specifically describing the activity as terrestrial habitat development and improvement. The specific metrics identified acres of public and private land habitat enhancement programs. He stated the habitat stamp dollars, a funding source approved by the Legislature in 2020, will be used for enhancements on public lands. Mr. Robling described a second activity as public access opportunities, followed by the metric of increasing public access opportunities to private lands. He provided examples of existing programs, such as, the walk-in area program, the James River CREP program, and the controlled hunting access program. In addition, Mr. Robling identified the Big Sioux River CREP program to be launched in about three months. This will open up 25,000 acres of private land to public access.

Senator Hunhoff asked if there was a fee charged to hunters on the private lands. Mr. Robling stated the private landowners sign an agreement that they will allow free and reasonable access to the land. That does not mean hunting is allowed 100% of the time.

Senator Steinhauer asked how many acres were in the Controlled Hunting and Access Program (CHAP). Tom Kirschenmann, Director of the Wildlife Division at GFP, stated that are approximately 19 landowners in the program with 19,000 to 20,000 acres in the program. Senator Steinhauer asked if any type of hunting was available in the CHAP program. Mr. Kirschenmann state that this program is more restrictive than the walk-in area program. The landowners can restrict such things as the number of hunters, days of the week that are opened to hunting, and the species of animal that can be hunted. Senator Steinhauer asked if prairie dogs can be hunted on the land in the CHAP program. Mr. Kirschenmann was not aware of any currently allowing prairie dog hunting. Senator Steinhauer encouraged the GFP to continue to pursue this because of the off-season benefits and the potential economic benefits to the state.

Representative Gross asked what mechanisms are in place to communicate to the public how they can obtain permission to hunt on private lands, that are in the GFP enhancement programs. Mr. Kirschenmann stated landowners are not listed on the GFP website or atlas. He added that a hunter can ask the GFP for landowner names and the GFP will give the hunter those names. Representative Gross encouraged the GFP to look at ways to improve the communication with the public.

Senator Nesiba asked what the long-term plan was for the Big Sioux River CREP program. Mr. Robling stated the next five years will be focused on enrolling producers into 10–15-year CRP contracts, which would allow hunting access. Mr. Robling said the goal, over the next five years, is to have 25,000 acres in the program. Senator Nesiba concluded that this is a great program for both hunters and the landowners and offered Mr. Robling ongoing support.

Representative Karr ask why the GFP was focusing now on the Big Sioux River CREP program. Mr. Robling stated with the new Habitat Stamp funding source we wanted to replicate the success we have seen in the James River CREP program. There is limited hunting access in this part of the state, and this is where the populous is. Representative Karr expressed concerns about public access and making information more available about where the public can hunt. He believed the GFP was subsidizing habitat, not providing public hunting access. He concluded that if landowners are going to accept public dollars, public hunting information should be more readily available, and if not, we should not be funding these programs. Mr. Robling stated the habitat enhancement programs produce more wildlife in South Dakota. Regarding the public access part, Mr. Robling stated the goal is to increase public access from 1.4 million acres to 1.5 million acres. He will investigate ways to improve communication with the public.

Mr. Robling described Activity C, the trapping license metric. He stated this is the number of resident trapping licenses issued over the last five calendar years. Their target is to issue more than 4,000 licenses each year. The trapping season runs from November to February. Mr. Robling stated the GFP is proud of the trapping license numbers and the numbers are heading in the right direction.

Mr. Robling described Activity D, the resident and nonresident hunting and fishing licenses. Except for 2019, which was the covid year, the resident hunting licenses have been trending upward with a target of 150,000 resident hunting licenses issued each year. He described the resident fishing license goal of 145,000 licenses issued each year. In 2019 the fishing licenses issued were down, there was flooding throughout areas of the state and many boat ramps were inaccessible. The resident fishing licenses rebounded in 2020, during covid. In 2021, activities started up again and fewer residents purchased fishing licenses. He explained that the nonresident hunting licenses were down during covid years in 2019 and 2020, they rebounded in 2021. For nonresident fishing licenses, Mr. Robling explained 2019 was a down year due to the flooding in many parts of the state. Flooding helped the perch and walleye populations in 2020 and 2021 and the GFP saw improvements in the sale of nonresident fishing licenses in 2020 and 2021.

Representative Duba asked what the GFP did to improve the numbers in 2021. Regarding fishing licenses, Mr. Robling attributed the increases in fishing licenses to stocking efforts and upgrades to boat landings. He thanked the work done by the GFP fishery crews for the stocking efforts. Regarding hunting licenses, Mr. Robling stated 2020 was down for nonresidents, due to covid. He added that the

state has great habitat conditions, more public land to hunt, and the word is getting out that South Dakota is the pheasant capital of the world. Representative Duba asked if the advertising dollars come from the GFP budget or the Tourism budget. Mr. Robling stated it is a cost sharing situation with the Department of Tourism and each department pays half of the cost.

Senator Steinhauer asked why license service fees are charged on all licenses. Mr. Robling stated this was discussed with the Legislature in 2015. The vendor that sells the license receives a \$4 service fee for resident licenses and an \$8 service fee for nonresident licenses. He stated that if the service fee was not charged equally across the board, this could potentially take away business from those vendors selling hunting and fishing licenses.

Senator Hunhoff pointed out the numbers identified in the performance measures don't agree to similar numbers provided to the Appropriations Committee and the Rules Review Committee and that some of the categories were not properly labeled. Mr. Robling stated that these performance measures are on a calendar year basis and the numbers provided to the other Committees are on a fiscal year basis. After Committee discussion the consensus was that the agency should decide whether to use a calendar year or fiscal year and that the line items should be properly labeled as to what comprises the line item.

Mr. Robling described Activity E, the camping units metric. He stated there are around 4,300 campsites throughout the state park system, of which approximately 70% of the sites are rented to South Dakota residents and 30% are rented to nonresidents. He stated the usage numbers were down in 2019 because of flooding and that many campsites were under water. The usage numbers skyrocketed during covid.

Representative Otten asked for more information about the Good Earth Recreational Area and whether the GFP is continuing to meet with adjacent landowners. Mr. Robling stated the Parks and Wildlife Foundation purchased the property through a 10-year contract for deed in 2015. It will continue to be run as a golf course. This is currently a day-use area enjoyed by the residents of Sioux Falls for hiking. Mr. Robling stated his next meeting with adjacent landowners is August 30, 2022, and he is having ongoing conversations about issues they are bringing up.

Senator Hunhoff asked what the data points are for tracking visitation. Mr. Robling stated there are traffic counters at all the parks that count how many times a car rolls over the traffic counter. This number is multiplied by an average number of the people in the car. This method has been used for years.

Mr. Robling described Activity F, the proportion of camping units during peak season, during shoulder season, and capital project investment. Mr. Robling stated the peak season runs from Memorial Day to Labor Day and the shoulder season is October, November, March, and April. He described that historically there has been 5% to 7% use during the shoulder season. The GFP wants this to be 10% usage. Senator Steinhauer asked if occupancy rates during the two seasons would work better than ratios. Mr. Robling agreed with this and mentioned tracking weekend occupancy during the peak season and shoulder season. Mr. Robling mentioned this metric will only be able to be tracked going forward, as the old system didn't track the needed data points.

Mr. Robling addressed the last metric for capital project investment. He stated this is tied to usage of the park system. Dollars are put back into the parks to ensure continued usage. The GFP's annual funding goal is \$12 million for capital improvements. Representative Gross suggested this amount be tied to inflation as construction cost are rising. Scott Simpson, Director of the Parks Division agreed that this could be done or possibly making the funding level a percentage of the overall parks budget. Senator Hunhoff agreed with this approach.

Mr. Robling thanked the GOAC Subcommittee for helping them with the GFP performance measures. Representative Karr expressed concerns about the GFP's website and camping reservation system and hoped improvements could be made by the GFP. Mr. Robling stated the GFP is working hard each day to make improvements in these areas and customer service is the foundation of the Department.

Representative Otten moved, seconded by Senator Hunhoff to adopt the GFP's performance measures, subject to implementing the Committee recommended changes. The motion passed 8-0 on a roll call vote.

A motion was made by Senator Schoenfish to adjourn, seconded by Representative Otten. The motion passed on a voice vote.