

SOUTH DAKOTA

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# The Director's Corner o

NADO is a Washington, DC-based membership association of regional development organizations that promotes programs and policies that strengthen local governments, communities, and economies through regional cooperation, program delivery, and comprehensive strategies. The association's Innovation Awards program recognizes regional development organizations and their partners for improving the economic and community competitiveness of our nation's regions and local communities. 2017 marked NADO's 50-year anniversary of supporting regional economic development across the country.

In 2010, the South Eastern Development Foundation, through a partnership with the South Eastern Council of Governments, was awarded a grant from the Solid Waste Management Program that is administered by the South Dakota Department of Environment and Natural Resources. The grant helped to capitalize SEDF's regional revolving loan fund to finance for-profit businesses in the waste management industry. Through the years, SEDF has received \$1.8 million in grant funding. Loans available via this program are geared specifically towards garbage haulers and recycling firms. The rate for projects financed via this program is 2.25% fixed for a seven-year term and amortized over the life of the item being financed. The program is frequently used to finance trucks and other equipment required for waste management companies. It can also be used to finance real estate associated with waste management operations.

SEDF's Solid Waste Management program has successfully financed 19 projects in the amount of \$2.498 million since its inception in 2010. Funds leveraged in association with those projects total \$18.2 million for a total economic impact of \$20.67 million. Those projects have created and/or retained 57 jobs in SEDF's region over the past seven years. In addition to the economic impacts of this program, it has also had a positive impact on the environment.

## The South Eastern Council of Governments Receives NADO 2017: Innovation Award

"The Innovation Awards program is an opportunity to recognize the important work of regional development organizations that are promoting economic development and improving quality of life for local residents. These projects demonstrate the diversity of work that regional development organizations undertake to benefit the communities and regions that they serve." -NADO President Lynne Keller Forbes



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## **Upcoming Funding Application Deadlines**

Please contact Leslie Mastroianni or Melissa Gibson, if you are interested in applying for any of these funding opportunities.

October 31

January 1

GOED LIIP & EDPP December 8 Park Recreation Grant **Application Deadline** DENR State Revolving Fund

# **drive**to**help**

Drive to Help recruits volunteer drivers for Project CAR and Workers-On-Wheels. Volunteers provide transportation services to seniors and persons with disabilities in an effort to support individuals' independent lifestyle. Volunteers can provide transportation to medical appointments, grocery stores, etc. Drive to Help is a great way to be more involved in your community, and is flexible with any schedule. Additional information is available to view at http://siouxfallsmpo.org/resources/help/

## Melissa & Leslie's Notes

The City of Elk Point Awarded EDA Funds for **Elk Point Industrial Park** Access Road Project

The Department of Commerce's Economic Development Administration (EDA) has approved the City of Elk Point's application for a \$470,959 EDA investment for the Elk Point Industrial Park Access Road Project.

EDA's mission is to lead the federal economic development agenda by promoting innovation and competitiveness, preparing American regions for growth and success in the worldwide economy. Through strategic investments that foster job creation and attract private investment; EDA supports development in economically distressed and other areas of the United States.

## Park Recreation Grant Funds Available

The South Dakota Department of Game, Fish and Parks announced that applications are being accepted for grants from the Land Water Conservation Fund (LWCF). The grant funds may be used for the development or renovation of public outdoor recreation facilities or the acquisition of park land.

LWCF provides up to 50 percent reimbursement for approved outdoor recreation projects. The grants will be a minimum of \$10,000 and the maximum will be \$75,000 in federal funds. Statewide, there is \$425,000 available for recreation projects.

The application deadline is December 8, 2017.

For projects in Minnehaha, McCook or Clay Counties, contact Leslie Mastroianni at 605-681-8184. Those who have projects in Turner, Lincoln or Union Counties should contact Melissa Gibson at 605-681-8188.

## SECOG Office New Direct Phone Line

Lynne Keller Forbes: (605) 681-8172 Patrick Andrews: (605) 681-8176 Kristen Benidt: (605) 681-8174 Aspen Ducheneaux: (605) 681-8179 Jessica Evans: (605) 681-8177 Amber Gibson: (605) 681-8175 Melissa Gibson: (605) 681-8188 Haley Henrichs: (605) 681-8182 Leslie Mastroianni: (605) 681-8184 Lisa Olson: (605) 681-8173 Daniel Park: (605) 681-8178 Kim Severson: (605) 681-8171 Trisha Viss: (605) 681-8187

#### Pre-Disaster Mitigation Plan Update Public Forums Scheduled

The 2017 Pre-Disaster Mitigation Plan Update will be available for review at two public forums. The first forum is scheduled for October 24, 2017 at 3:00 pm at the Lincoln County Courthouse in Canton. The second forum will be held at the Minnehaha County Emergency Management Office in Sioux Falls on October 26, 2017 at 3:00 pm.

The public is invited to review the Plan Update and provide comments. The Plan is also available for review on our website at Secog.org.

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## From Amber's Desk

### Meetings & Dates

November 8, 2017 CAC Meeting @ 3:00pm

November 9, 2017 TAC Meeting @ 2:00pm

November 9, 2017 UDC Meeting @ 4:00pm



## Sioux Falls MPO 2018 Meeting Schedule

The Sioux Falls Metropolitan Planning Organization (MPO) meeting schedule for 2018 has been posted on the MPO website at http://siouxfallsmpo.org/. The MPO has three committees that meet seven times per year:

The Citizens Advisory Committee (CAC) is the committee that has been established to solicit public input into the local transportation planning process. The CAC's membership is comprised of interested citizens representing either themselves or various businesses or organizations within the metro area.

The Technical Advisory Committee (TAC) is the committee comprised of staff from each of the participating units of government as well as representatives from various modes of transportation. The TAC's role in the local process is to advise the policy board (UDC) on the technical aspects of transportation plans under consideration.

The Urbanized Development Commission (UDC) is primarily comprised of elected officials from each of the local governmental participants in the process. The UDC, with input from the other committees, makes area transportation planning decisions. All meetings are open to the public..

Additional information can be found at http://siouxfallsmpo.org/

# Planners' Plans



### Zoning Adult Oriented Businesses: The Shortcomings of SDCL 11-12

In a nutshell, SDCL Ch. 11-12 restricts the location of and operating hours of "adult oriented businesses." As defined therein, "adult oriented businesses" include "any adult arcade, adult bookstore or video store, cabaret, adult live entertainment establishment, adult motion picture theater, adult theater, massage establishment that offers adult service, or nude model studios." See SDCL 11-12-1(5). Specifically, at issue in RE Real Estate, LLC, was the law's definition of "adult bookstore or video store." SDCL Ch. 11-12-1(2)(a)-(b) defines it as being, "a commercial establishment that offers for sale or rent any of the following as one of its principal business purposes: (a) Books, magazines, periodicals, or other printed matter, photographs, films motion pictures, videocassettes or reproductions or slides, or other visual representations that depict or describe specific sexual activities or specific anatomical areas; (b) Instruments, devices, or paraphernalia, that are designed for use in connection with specific sexual activities." The phrase "one of its principal business purpose" is not defined in the statute and became the focal point of the litigation.

In its order declaring the phrase to be unconstitutionally vague and therefore a violation of due process, the Court reasoned that, "the determination of what constitutes 'a principal business purpose' under the statute is an entirely subjective one." "[T]he statute provides no guidelines to enable a reasonable person to determine at what point the offering of sexually-explicit material to the public becomes 'one of its principal business purposes." Instead, "enforcement of the statute is left to the personal predilections of those officially empowered to enforce it." As such, absent corrective action by the Legislature, a local government is obligated to establish the threshold, whether they choose to do so in terms of a certain percentage of adult inventory, a percentage of gross sales of adult material, an amount of floor space dedicated to adult material, a combination of these, or some other way that they deem to be more practicable. According to the Court, doing so "will eliminate the First Amendment issues inherent in the statute and its enforcement."

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## New **Approved Loans**

**Dakota BUSINESS Finance** South Eastern Development Foundation



Omega Liner Company, Inc (Canton) Purpose: Working Capital Participating Lender: Jason Appel (Plains Commerce Bank)



The Resort by SDK (Sioux Falls) Purpose: Purchase existing business



Grand Junction Grilled Subs (Sioux Falls) Purpose: Purchase equipment and complete leasehold improvements



DMM Systems (Hartford) Purpose: Purchase land and construct new building (First Dakota National Bank)



Marco's Pizza (Brookings) Purpose: Purchase and renovate real estate (First Dakota National Bank)



Home Definition (Sioux Falls) Purpose: Purchase land and construct new building Participating Lender: Trevor Dierks Participating Lender: Mike Flint Participating Lender: Pam Hanneman (First Premier Bank)

## New Approved Loans



Lazy U Motel (Rapid City) Purpose: Purchase existing real estate (First National Bank)



Autoland (Sioux Falls) Purpose: Purchase land and construct new building (CorTrust Bank)



Fast Signs (Sioux Falls) Purpose: Purchase land and construct new building Participating Lender: Tom Lessin Participating Lender: Chris Bauer Participating Lender: Aaron Neiman (Dacotah Bank)

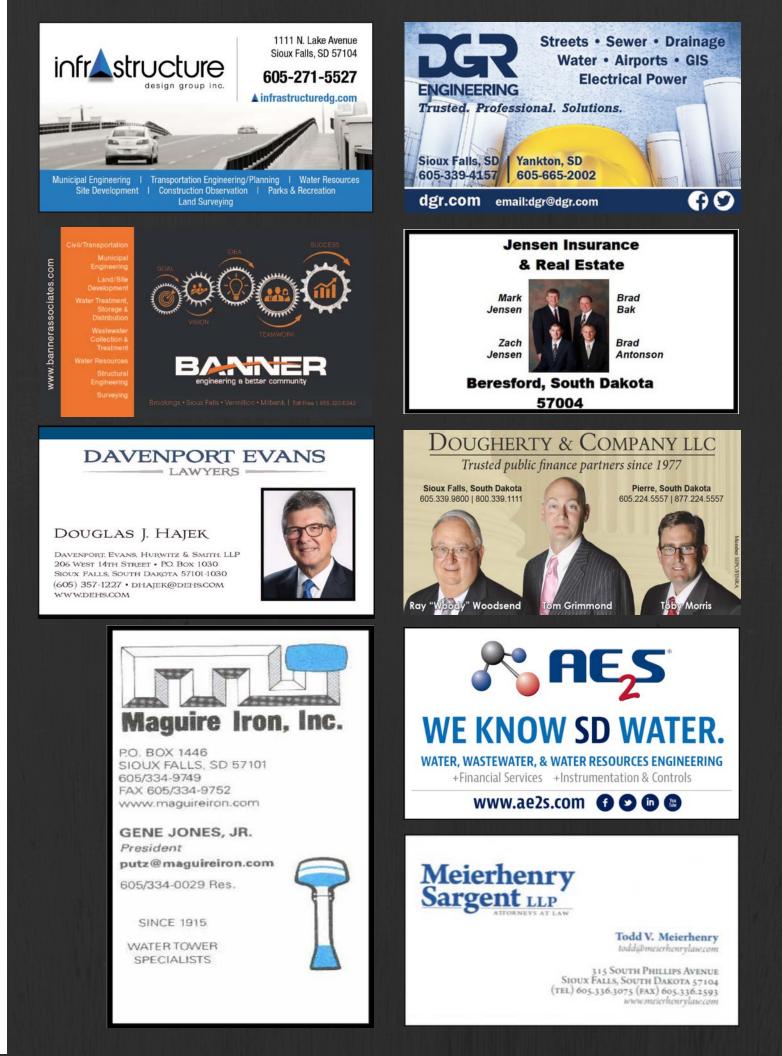


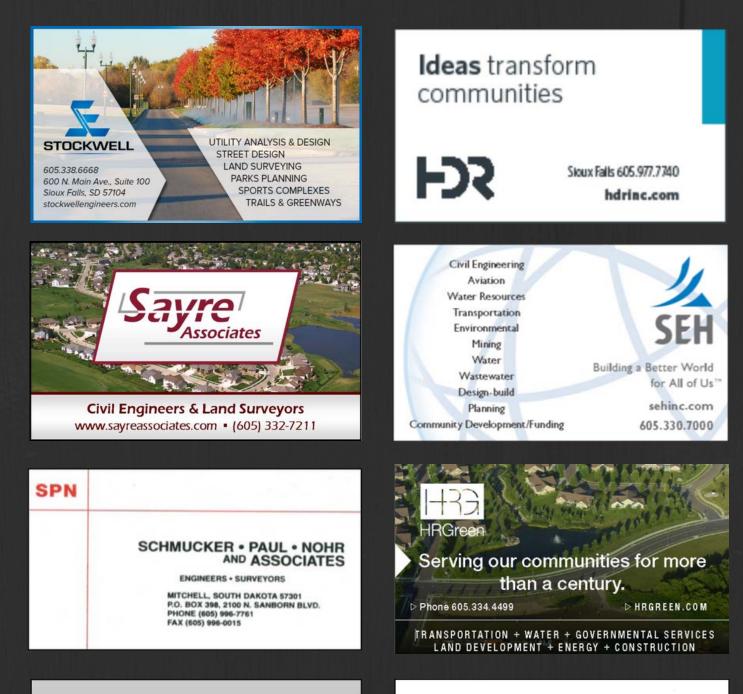
T&L Auto Sales (Sioux Falls) Purpose: Purchase existing real estate Participating Lender: Trina Lyons (CorTrust Bank)



Tires Tires Tires (Sioux Falls) Purpose: Purchase land and construct new building Participating Lender: Brent Plantage (Northwest Bank)

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## South Eastern Council of Governments



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Amber Gibson Planner II amber@secog.org (605) 681-8175







#### Haley Henrichs | Loan Assistant

Haley graduated from Buena Vista University of Storm Lake, IA with a Bachelor Degree in Communication Studies and Political Science. Prior to SECOG, Haley worked at Sioux Falls Federal Credit Union as a Member Service Officer, specializing in consumer loans. In her spare time, she enjoys spending time with her family and playing tennis.

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