

3/26/2013

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. March 26, 2013 pursuant to adjournment on March 19, 2013. Commissioners present were: Barth, Beninga, Heiberger, Kelly, and Pekas. Also present were Cindy Jepsen, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

Chairman Beninga called the meeting to order.

MOTION by Pekas, seconded by Barth, to approve the agenda. 5 ayes.

MOTION by Pekas, seconded by Heiberger, to approve the March 19, 2013 Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Heiberger, seconded by Barth, to approve the following bills totaling \$861,099.48 and March 2013 salaries. 5 ayes.

A & B Business Equip	Mus Ops	580.53	A To Z World Languag	Courts	400.00
Agan Drywall Supply	Mus Entpr	380.00	Allied Oil & Tire Co	Hwy Constr	538.20
American Engineering	Hwy Constr	8,061.50	Amiotte Law Pc	Courts	2,829.21
Anesthesiology Assoc	Human Svcs	264.00	Applied Concepts Inc	Sheriff	2,312.50
Armstrong Medical In	Jail	247.34	Aschmeller, Dan	Human Svcs	450.00
Audio Playground Ele	Hwy Constr	377.40	Automatic Building C	Mus Maint	891.00
Avera Health Plans	Human Svcs	1,045.88	Avera Mckennan Hospi	Var. Depts	701.00
Baumgartner's Electr	Bldg Fund	3,520.00	Beninga, Gerald	Commission	25.00
Berg, Scott	Hwy Constr	213.77	Billion's	Sheriff	49.19
Bourne, Anna	Mental Ill	262.50	Boyer Trucks Sioux F	Hwy Constr	1,128.39
Brown & Saenger	St Atty	586.77	Brown County (SD)She	Treasurer	26.29
Buthe, DJ	Hwy Admin	35.00	Butler Machinery Com	Hwy Constr	261.52
BXCC	Hwy Constr	280.00	Cadwell,Sanford,Deib	Courts	1,156.20
Canfield Business In	Jail	302.50	CBM Managed Services	Var. Depts	9,512.20
Century Business Lea	Extension	202.07	Century Business Pro	Var. Depts	195.23
Centurylink (Qwest)	Var. Depts	164.28	Certified Languages	Courts	66.00
Cole Papers, Inc.	Facilities	387.77	Com-Tec Security, Ll	Jail	1,675.00
Communication Svcs F	Public Def	78.00	Complete Property Ll	Human Svcs	345.00
Constellation New En	Facilities	15,771.99	Correct Care Solutio	Sheriff	137,333.34
Creosent Electric Sc	Mus Entpr	33.99	Dakota Fluid Power,	Hwy Constr	180.06
Deboer Law Office Pc	Courts	1,086.50	Devaney, Tom	Hwy Constr	99.99
Dialnet/Ahrens Telec	Jail	135.53	Eagle Three Llc	Human Svcs	600.00
Ekeren, Marvin R.	Mental Ill	15.00	Electric Supply Co.,	Jail	1,809.13
Empire Plastics	Mus Entpr	528.00	Erpenbach, John E	Jail	750.00
First Dakota Title	Treasurer	1,250.00	Fleetpride / Holt, I	Hwy Constr	617.65
Fox, Youngberg & Lew	Mental Ill	342.00	Fred The Fixer Inc	Sheriff	75.00
Genzlinger, Janeen	Courts	349.60	George Boom Funeral	Human Svcs	2,250.00
Grainger, Inc.	Hwy Constr	193.68	Great Plains Roofing	Facilities	807.65
Griesse, Chris	Hwy Admin	35.00	Gunner, Andrea	Courts	19.00
Guzman, Sandra V.	Var. Depts	287.50	Heartland Paper Comp	Jail	2,032.81
Heirigs, Mary Ellen	Mental Ill	64.00	High Point Networks	Info Tech	20,830.00
Howalt-McDowell Insu	Public Def	100.00	Howe Heating & Plumb	Facilities	339.00
Hughes County (SD) S	St Atty	25.00	Hurtgen, Timothy T/P	Human Svcs	1,000.00
Hy-Vee Accounts Rece	Mus Entpr	34.37	I State Truck Center	Hwy Constr	79.40
Interstate Office Pr	Var. Depts	1,638.55	ISI Llc	Courts	360.00
ISS Facility Svcs-Mi	Facilities	10,735.00	Jaros, Pete	Mental Ill	57.35
JCL Solutions-Janito	Jail	3,627.87	Jefferson Partners L	Human Svcs	2,897.40
Jim Bork Enterprises	Reg Deeds	525.00	Khorooosi, Sam	Courts	1,510.34
Kmart Pharmacy	Human Svcs	153.97	Krueger Excavating,	Facilities	5,610.00
Kunkel, Parker J	Human Svcs	200.00	Lamb's Chevrolet & I	Sheriff	17,879.00
Larson, Jeff	Courts	578.80	Lason Systems Inc	Reg Deeds	560.42
Laughlin, Nicole	Courts	217.00	Leaf Inc.	Var. Depts	189.77
Lesnar, Randy	Human Svcs	475.00	Lewno, Lucy	Mental Ill	249.92
Lexisnexis Matthew B	Commission	39.49	Lincoln County (SD)	Treasurer	45.64
Marberg, Richard	Reg Deeds	2,652.68	Mcfarland, Kenneth	Commission	20.00
Menards - East	Mus Entpr	57.90	Metro Communications	Var. Depts	183,566.60

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Miller Funeral Home,	Human Svcs	1,000.00	Mills & Miller Inc	Hwy Constr	12,219.79
Moulton, Darla	Human Svcs	400.00	Murray Properties, L	Human Svcs	331.00
Narem, Inc	Hwy Constr	13.46	Nat'l Assn Of County	Hwy Admin	650.00
Natl Commission On	Jail	250.00	Neve's Uniforms	Var. Depts	5,114.18
New World Systems	Var. Depts	288,704.00	Nicholson, Tschetter	Courts	2,860.96
Northeast Investment	Var. Depts	1,135.00	Northern Truck Equip	Hwy Constr	2,480.56
Northland Systems, I	Info Tech	7,199.00	Nyberg's Ace Hardwar	Courts	62.93
Oharco	Mus Entpr	96.40	Olson, Waltner & Sch	Courts	4,580.79
Pharmchem Inc	24/7 Prog	42.00	Pheasantland Industr	Jail	147.92
Price, Thomas L Phd	Public Def	2,880.00	Quail Hollow Townhou	Human Svcs	270.00
Qualified Presort Se	Var. Depts	5,025.12	Quest Engineering, I	Hwy Constr	258.36
Quill Corp.	JDC	463.50	Radco - Sioux Falls	Hwy Constr	99.95
Real Vision Software	Info Tech	4,500.00	Retail Data Systems	Treasurer	302.00
Revier Pressure Wash	Jail	246.55	Riedemann, Gayleen	Human Svcs	430.00
River Tower Apartmen	Human Svcs	500.00	Rock County (MN)Sher	Public Def	40.00
Rural Metro Ambulanc	Coroner	900.00	Satisfaction Plus In	Human Svcs	636.00
Schetnan, Kim	Human Svcs	290.00	Schoeneman Bros. Co.	Mus Entpr	235.77
Schultz, Shannon	Hwy Admin	35.00	SD Dept Of Public Sa	Human Svcs	110.00
SD Dept Of Revenue	Sheriff	79.00	SD Dept Of Transport	Hwy Constr	682.00
SD One Call	Facilities	2.10	Security Labs, Ltd	Var. Depts	625.00
Semmler, Justine	Hwy Admin	35.00	Sentinel Offenders S	JDC	1,857.24
SF Leased Housing As	Human Svcs	120.00	Sherwin Williams	Facilities	126.40
SHI, International C	Hwy Admin	241.57	Shopko Stores Operat	Public Def	15.00
Siegel, Barnett, & S	Courts	148.37	Sigler Fire Equipmen	Facilities	435.00
Sioux Equipment Co I	Hwy Constr	454.01	Sioux Falls Chamber	Commission	340.00
Sioux Falls City Fin	Var. Depts	11,586.85	Sioux Falls Humane S	Humane Soc	3,271.78
Sioux Falls Two Way	Hwy Constr	159.92	Sioux Falls Utilitie	Var. Depts	12,756.22
Skorczewski, Jena	Courts	419.60	Solomon, Ghirmay	Courts	75.00
Soo Alinement Inc	Hwy Constr	111.24	St Francis House	Safe Home	343.48
Stan Houston Equipme	Hwy Constr	24.50	Sturdevant's Auto Pa	Hwy Constr	94.32
Swanda, Karen	Mental Ill	15.00	Szameit, Alexandra	Courts	25.00
Tammen Oil	Sheriff	153.98	Taylor Place Llc	Human Svcs	250.00
Thorin, Deyanira T	Courts	25.00	Tires,Tires,Tires In	Sheriff	853.37
TK Enterprises	Human Svcs	385.00	Tomacelli's Pizza	Courts	65.11
TSP, Inc.	Hwy Constr	5,965.48	Uline	Jail	764.18
Variety Foods Llc	Safe Home	259.32	Vision Care Associat	Human Svcs	263.84
Wal-Mart Pharmacy	Human Svcs	43.62	Walgreens Pharmacy	Human Svcs	170.64
West Group	Public Def	2,249.88	Wilsey, Thomas M	Hwy Admin	35.00
Wilson-Smith Propert	Human Svcs	600.00	Xcel Energy, Inc.	Var. Depts	7,527.09
Yankton County Sheri	Mental Ill	25.00	112 Inc Dba Huey Ap	Human Svcs	435.00
Commission	Salaries	28,479.36	Auditor	Salaries	37,740.12
Treasurer	Salaries	61,204.05	Information Tech	Salaries	59,276.32
States Attorney	Salaries	183,682.77	Public Defender	Salaries	130,297.88
Public Advocate	Salaries	35,316.96	Facilities	Salaries	53,125.17
Equalization	Salaries	65,532.28	Register Of Deeds	Salaries	39,121.33
Human Resources	Salaries	14,391.03	Sheriff	Salaries	773,686.44
Juvenile Detention	Salaries	154,971.25	Highway	Salaries	118,644.72
Human Services	Salaries	92,334.31	Museum	Salaries	55,798.05
Planning	Salaries	34,091.69	Extension	Salaries	2,665.36

PERSONNEL

MOTION by Pekas, seconded by Heiberger, to approve the following personnel changes. 5 ayes.

1. To hire Sara Buker as Juvenile Correctional Officer I (12/1) for the Juvenile Detention Center at \$16.052/hour effective 4/1/13.
2. To hire John Mork as temporary, part-time Parks Supervisor for the Parks Department at \$19.40/hour effective 4/1/13 through 12/1/13.
3. To promote Brent Albers from Correctional Officer to Corporal (16/4) for the Jail at \$21.061/hour effective 3/30/13.

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4. To promote Julie Ladwig from Correctional Officer to Corporal (16/7) for the Jail at \$22.681/hour effective 3/30/13.
5. To promote Steven Mahlstedt from Correctional Officer to Corporal (16/3) for the Jail at \$20.548/hour effective 3/30/13.
6. To promote Justin Winters from Correctional Officer to Corporal (16/1) for the Jail at \$19.558/hour effective 3/30/13.
7. To promote Tony Andress from Corrections System Operator to Correctional Officer in Training (12/1) for the Jail at \$16.052/hour effective 3/16/13.
8. To promote Michael Newkirk from Corrections System Operator to Correctional Officer in Training (12/1) for the Jail at \$16.052/hour effective 3/16/13.
9. To accept the resignation of Casie Mellema-Scott as Deputy Sheriff for the Sheriff's Office effective 3/30/13.
10. To accept the resignation of MaryAnn Elston as part-time Correctional Officer for the 24/7 Program effective 3/19/13.
11. To accept the resignation of Tim Suurmeyer as part-time Correctional Officer for the 24/7 Program effective 3/25/13.
12. To discharge Troy Christie as Correctional Officer in Training for the Jail effective 3/19/13.
13. To record the removal of EMT specialty pay for Jeff Thoreson, Deputy Sheriff for the Sheriff's Office, effective 3/16/13.

Step Increases Due:

1. Robert Wilson – Assistant Commission Administrative Officer – Commission – 21/4 to 21/5 – 3/16/13 – \$2,210.72/bi-weekly
2. Dean Hodgen – Caseworker I – Human Services – 16/3 to 16/4 – 3/17/13 – \$21.061/hour
3. Jason Doppenberg – Tax & License Technician – Treasurer's Office – 10/3 to 10/4 – 3/29/13 – \$15.660/hour
4. Alex Anderson – Juvenile Correctional Worker – Juvenile Detention Center – 9/3 to 9/4 – 3/23/13 – \$14.906/hour
5. Jared Terrones – Deputy Sheriff – Sheriff's Office – 16/2 to 16/3 – 2/28/13 – \$20.548/hour
6. Jason Ingemansen – Air Guard Security Officer II – Air Guard – 13/13 to 13/14 – 3/13/13 – \$23.248/hour

ABATEMENTS

MOTION by Pekas, seconded by Kelly, to approve a 2011 property tax abatement for Douglas Beltman, ID #78010, \$803.04, representing owner occupied status removed in error. 5 ayes.

MOTION by Heiberger, seconded by Pekas, to approve a 2011 & 2012 property tax abatement for Francisco

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Madrigal, ID #53727, \$861.84, representing owner occupied status removed in error. 5 ayes.

MOTION by Barth, seconded by Pekas, to approve 2012 property tax abatements for Caroline Anawski, ID #46251, \$327.22; John Olinger, ID#45042, \$1,176.22; Marlene Slendy, ID #40805, \$603.86; Morris Moon, ID #33189, \$816.82; Lawrence Hecht, ID #40453, \$435.60, representing the elderly assessment freeze. 5 ayes.

NOTICE

Notice was received from the South Dakota Department of Environment & Natural Resources of guidelines and procedures for South Dakota's Abandoned Underground Tank Removal Program.

APPEAL

Carol Muller, Human Services Director, gave a briefing on an appeal requested by Doug Cummings, East River Legal Services, for denial of financial services by Minnehaha County Human Services for Case #50695. The applicant requested assistance with food, shelter and gas for herself and one child on February 21, 2013. On February 26, 2013, based on the written and signed information provided by the applicant, her request for assistance was denied due to the applicant being over-income according to Minnehaha County Guidelines for Human Services, and that the County does not supplement social security payments. On March 5, 2013 the applicant requested assistance with a motel for herself and two children. The request was denied on the basis that there are other available local shelters for temporary or emergency housing, and that the County does not supplement social security payments. Doug Cummings was present to speak on behalf of his client and stated that she is waiting on a decision from Sioux Falls Housing on whether she gets Low Income Housing vouchers back following a situation from her previous place of residence. Mr. Cummings also stated that Low Income Housing vouchers are transferable from state to state. He stated that his client is requesting assistance to rent a motel room for her and her two children and is planning to move to Arizona after the decision from Sioux Falls Housing is made regarding the low income housing vouchers. Mr. Cummings stated that he believes the county cannot use available shelters as a basis for denial of assistance. MOTION by Pekas to defer action until a determination is rendered by Sioux Falls Housing regarding whether the low income housing voucher is transferrable. Motion dies for lack of a second. MOTION by Kelly, seconded by Heiberger to deny the request for assistance. Kersten Kappmeyer, Chief Civil Deputy State's Attorney, referred to SD Statute 28-1-18 that addresses duplication of public assistance and exhausting other sources of assistance as prerequisite to state and local assistance. Mr. Kappmeyer stated that he believes Minnehaha County policy is consistent with that statute. Commissioner Kelly stated that the applicant has several sources of income and spoke in support of the Union Gospel Mission and the services it provides to those in need. Commissioner Barth stated he is sympathetic to the applicant and also stated that the county does subsidize some of the non-governmental organizations that provide assistance to those in need. Commissioner Pekas stated that he believes the Commission needs to take into account the decision that will be made by Sioux Falls Housing regarding the housing vouchers prior to making a decision on the appeal. Chairman Beninga stated that he agreed with Commissioner Pekas. VOTE on motion, 2 ayes, Barth, Pekas, and Beninga voted nay. Motion fails. MOTION by Barth, seconded by Pekas to defer this item for one week. 4 ayes, Kelly voted nay. Motion carries.

AGREEMENTS

DJ Buthe, Highway Superintendent, gave a briefing on an agreement with JSA Engineers and Land Surveyors of Sioux Falls, SD, for concrete pavement restoration and joint repair on Highway 142 (Madison Street) between Powder House Road and SD Highway 11. The agreement is to provide evaluation, engineering design, and plan preparation for the project. MOTION by Heiberger, seconded by Pekas, to authorize the chairman to sign the agreement between Minnehaha County and JSA Engineers and Land Surveyors for Professional Engineering Services for Project MC142CONC-13 for an hourly rate not to exceed a total amount of \$25,100. 5 ayes.

DJ Buthe, Highway Superintendent, presented a lease agreement with Sod Busters Radio Control Model Airplane Club. The lease is for the use of County owned land located in Section 6 of Wayne Township. The agreement is

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for a two year term and the club uses the property free of charge. Either party may terminate the agreement upon 60 days written notice to the other party. Curt Anderson, 6512 W. 52nd St., Sioux Falls, SD, President of the club, thanked the County for the use of the property and requested that the agreement be extended to a four year term with all other provisions of the lease remaining the same. MOTION by Kelly to approve the lease for a term of two years. Motion dies for lack of a second. MOTION by Barth, seconded by Heiberger, to amend the agreement to a four year term and authorize the Chairman to sign the agreement. 5 ayes.

APPOINTMENT

Commissioner Kelly left the meeting.

Robert Wilson, Assistant Commission Administrative Officer, gave a briefing on a recommendation from Chairman Beninga to re-appoint Dick Kelly to the Minnehaha County Housing & Redevelopment Commission (MCHRC) for a five year term. The MCHRC is the Limited Partner in Safe Home. MOTION by Pekas, seconded by Barth, to concur with Chairman Beninga's recommendation and appoint Dick Kelly for a five (5) year term to the Minnehaha County Housing & Redevelopment Commission. 4 ayes.

Commissioner Kelly re-joined the meeting.

BRIEFING

Ken McFarland, Commission Administrative Officer, gave a briefing on proposed changes to the long range planning process and the annual budget process provisions in the Minnehaha County Policy & Procedure Manual. Pam Nelson, Treasurer, spoke against the proposed change that would allow an option for the commission to bring in a newly elected department head at a rate 10% below the previously established rate, with a 2.5% adjustment each year of his/her term until reaching the established flat rate. Action on the proposed changes will be taken at a later commission meeting.

LIAISON REPORTS

Commissioner Barth reported on the SDACC spring workshop in Pierre that he and Commissioner Heiberger attended. Topics discussed included Veteran's issues, the need to follow the chain of command on spending for Emergency Management operations, and reserve limits as they relate to building projects. Also discussed was Medicaid expansion that would cost the state \$37 million and would probably not be equally reflected in savings to counties across the state. Commissioner Heiberger stated that individuals who would have been covered under the Medicaid expansion would have primarily been able bodied people that don't have insurance.

Commissioner Kelly reported that a team will be coming in on Wednesday to audit the detox center and determine whether the County will receive accreditation. Mr. Kelly also reported that Minnehaha County Emergency Management assisted with the Baltic fire and with the rescue/recovery efforts at Falls Park.

Chairman Beninga reported on a letter he received from the South Dakota Association of County Commissioners asking for a commissioner or it's designee to attend the Veteran and Military Affairs Committee. Commissioner Heiberger suggested considering Pat Kroupa, Veteran's Services Officer for Minnehaha County, as the designee. Chairman Beninga requested that the appointment of the designee be put on the agenda for next week's commission meeting.

NEW BUSINESS

Kyle Helseth, Director of Equalization, reported that it is looking like a very light year for appeals to the Board of Equalization. Friday, March 29th at 5:00 p.m. is the deadline for appeals to be filed with the County Equalization Office.

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MOTION by Kelly, seconded by Barth to adjourn into Executive Session for legal briefing and pending litigation.
5 ayes.

The Commission adjourned until 5:00 p.m. on Tuesday, March 26, 2013.

APPROVED BY THE COMMISSION:

Gerald Beninga
Chairman

ATTEST:

Cynthia Jepsen
Deputy Auditor