

4/16/2013

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. April 16, 2013 pursuant to adjournment on April 9, 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 Heiberger, to approve the agenda and include consideration of a resolution for a winter storm disaster declaration for Minnehaha County during opportunity for public comment. 5 ayes.

MOTION by Pekas, seconded by Barth, to approve the April 9, 2013 Commission Minutes. 5 ayes.

#### VOUCHERS TO BE PAID

MOTION by Heiberger, seconded by Barth, to approve the following bills totaling \$247,101.41. 5 ayes.

Ab Propane Inc	Em Mgmt	21.48	Abrahams Lady	Mus Entpr	189.17
Amazon Mktplace Pmts	Var. Depts	2,159.11	American Ai	Var. Depts	1,713.30
Appeara / Dudley Lau	Hwy Constr	32.70	Applied Engineering	Hwy Admin	4,675.00
Automatic Building C	Facilities	335.58	Avera Health Plans	Expenses	1,692.84
Al Svc Inc/Laceys Ch	Hwy Constr	95.00	Baldwin Supply Co	Facilities	494.69
Ban-Koe Systems, Inc	Facilities	380.55	Batteries Plus/Onesk	Var. Depts	62.89
Benco Equipment Co	Hwy Constr	32.00	Best Buy	Sheriff	69.98
Best Buy Gov/Ed Llc	Jag Grants	2,993.25	Bierschbach Equipmen	Hwy Constr	676.50
Big D Oil Co	Em Mgmt	15.99	Billion's	Hwy Constr	51.34
Bizcom Electronics	Facilities	11.65	Black Hills Econo Lo	Human Svcs	4.67-
Bob Barker Company,	JDC	295.50	Border States Electr	Facilities	32.35
Brosz Engineering In	Hwy Constr	540.00	Builders Supply Comp	Facilities	24.08
C & J Inc Db	Hwy Constr	450.00	Campbell Supply Co I	Var. Depts	369.33
Carlson, Scott B Att	Courts	2,319.24	Cartridge World	Info Tech	2,025.45
Catepillar Paving01	Hwy Constr	2,100.00	Cbm Managed Services	Jail	8,995.12
CDX Holdings	Human Svcs	595.00	Cedar Shore	Var. Depts	327.80
Century Business Pro	Dir Of Eq	38.73	Charm-Tex Inc	JDC	609.30
Childrens Home Socie	Dom Abuse	5,990.00	City Glass & Glazing	Facilities	195.03
Clark Engineering Co	Hwy Constr	7,835.97	Clark	Human Res	58.89
Classic Cleaners	Jail	130.00	Cliff Avenue Auto Pa	Hwy Constr	98.42
Climate Systems, Inc	Facilities	7,850.00	Coa*Airlinetaxes&Fee	Sheriff	62.90
Cody, Denise	Mental Ill	67.50	Cole Papers, Inc.	Facilities	595.06
Compass Center Fka	Dom Abuse	2,500.00	Conexis Benefit Admi	Human Svcs	150.84
Constellation New En	Facilities	15,718.54	Construction Product	Facilities	28.08
Correct Care Solutio	Sheriff	58,023.67	Counseling Resources	Courts	150.00
Country Meadows Apts	Human Svcs	724.00	Crescent Electric Su	Facilities	96.12
Cruzers Pitstop	Sheriff	66.02	Culligan Water Condi	Human Svcs	37.50
Cummins Central Powe	Facilities	577.05	Dakota Auto Parts	Facilities	3.10
Dakota Data Shred	Var. Depts	261.83	Dakota Riggers & Too	Var. Depts	575.34
Deboer Law Office Pc	Courts	1,478.93	Decisionone Corporat	Info Tech	168.52
Dey Appliance	Facilities	38.15	Dockendorf Equipment	Hwy Constr	77.16
Dominos	Safe Home	115.32	Dorfman Museum Figur	Mus Entpr	2,340.00
Dressen Custom Trail	Hwy Constr	129.90	Duffy, Ryan	Courts	5,616.64
Dwd Mtn Grand Hotel	Hwy Admin	570.00	Eastern Farmers Coop	Var. Depts	151.40
Eb *Ota 2013	Mus Entpr	474.48	Electric Supply Co.,	Jail	270.34
Emdeon Business Serv	Human Svcs	39.95	Empire Plastics	Facilities	71.74
Engels Law Office Pc	Courts	1,500.00	Excal Visual Llp	Hwy Constr	509.75
Fairfield Inn&Suites	Hwy Admin	508.95	Falcon Road Maint Eq	Hwy Constr	1,521.14
Fastenal Company	Facilities	159.69	Federal Risk Pool	Human Svcs	3,568.00
Fedex	Var. Depts	21.65	Fleetpride / Holt, I	Hwy Constr	241.16
Fonder, Roger M Db	Planning	54.40	Fred The Fixer Inc	Facilities	20.60
Frontier Ai	Hwy Admin	20.00	Gannett Nssc/Sioux F	St Atty	34.42
Gas Stop	Hwy Constr	9.00	Genzlinger, Janeen	Courts	129.20
Grainger, Inc.	Facilities	223.17	Graybar Electric	Facilities	721.80
Green Eggs And Ram	Info Tech	29.99	Gustave A. Larson Co	Facilities	69.96
Habitat Restore	Jail	318.00-	Hampton Inns	Sheriff	269.62
Hancock Fabrics, Inc	Jail	81.44	Harold's Photo Cente	Public Def	158.73

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Heartland Paper Comp	Jail	1,010.40	Hewlett-Packard Comp	Var. Depts	3,308.67
High Plains Technolo	Info Tech	618.00	High Point Networks	Info Tech	245.46
Holiday Mobile Home	Human Svcs	281.83	Howe Heating & Plumb	Facilities	150.00
Hy-Vee Accounts Rece	Var. Depts	91.74	Interstate Office Pr	Var. Depts	3,094.77
J.D.'S House Of Trop	Commission	140.98	Jack's Sinclair	Sheriff	140.51
Jamar Technologies,	Hwy Constr	715.43	Jarden Consumer Solu	Mus Entpr	94.95
Jas. Townsend & Son,	Mus Entpr	79.00	JCL Solutions-Janito	Var. Depts	1,583.10
JE Llc	Human Svcs	350.00	Jim & Ron's Service	Sheriff	80.00
Kelly, Dick	Commission	29.60	Kelolandemployment.C	Info Tech	99.00
Knoff, Dave	Mental Ill	90.00	Kohl's Department St	JDC	69.98
Kum & Go	Sheriff	41.11	Lakewood Inn	Sheriff	162.75
Language Line Servic	Human Svcs	164.38	Larson, Jeff	Courts	206.20
Lehmans	Mus Entpr	57.80	Lewno, Lucy	Mental Ill	528.34
Lexjet	Mus Entpr	423.99	Locators & Supplies,	Hwy Constr	6,074.92
Lowes	Var. Depts	119.37	Mac's, Inc.	Var. Depts	62.37
Macy*S East	JDC	95.97	Malloy Electric Bear	Facilities	112.00
Matheson Tri-Gas Inc	Facilities	40.44	Maxwell Food Equipme	JDC	64.73
McDaniel, Kaycee	Extension	111.74	Mcfarland Supply Co	Facilities	161.72
Menards - East	Var. Depts	663.29	Menards - West	Var. Depts	178.36
MidAmerican Energy C	Facilities	2,752.53	Miller Funeral Home,	Human Svcs	2,250.00
Mills & Miller Inc	Hwy Constr	15,947.12	Minnehaha Community	Var. Depts	50.00
Monick Pipe & Supply	Facilities	824.64	Monoprice Inc	Info Tech	208.77
Motorola Solutions	Hwy Constr	4,092.00	Mr. Goodcents/Asgard	Human Res	39.12
Murdo Amoco	Hwy Constr	52.77	NACDL	Public Def	279.00
Naddi.Org	Sheriff	150.00	NASW-SD	Commission	100.00
Nat'l Sheriffs Assn	Sheriff	275.00	NCDC	Public Def	25.00
Netflix.Com	Info Tech	7.99	Newark Electronics	Facilities	267.66
Newegg.Com Inc	Var. Depts	1,620.26	Norm Feldman's Glass	Hwy Constr	178.05
Northern Truck Equip	Hwy Constr	530.07	Novak Sanitary Servi	Var. Depts	2,530.20
Nyberg's Ace Hardwar	Var. Depts	73.70	Office Depot, Inc.	Var. Depts	1,223.12
Officemax	Var. Depts	148.35	Omnicare Of South Da	JDC	3.84
Paypal	Var. Depts	1,362.67	Pheasantland Industr	Var. Depts	863.04
Phillips 66 Company	Var. Depts	268.79	Phoenix Supply Llc	Var. Depts	1,309.02
Physicians Laborator	Human Svcs	47.55	Pierre Parkside Deve	Sheriff	154.00
Pilot	Jail	27.01	Pine Meadows/Univers	Human Svcs	488.20
Printersupplies.Com	Info Tech	536.00	Qualified Presort Se	Dir Of Eq	1,034.61
Quality Efficiencies	Human Svcs	475.00	Quill Corp.	Public Def	257.95
R & L Supply, Ltd	Var. Depts	1,803.61	Radio Shack Corporat	Var. Depts	37.97
Radisson Hotels	Hwy Admin	498.00	Ramada Inn / Dakota	Sheriff	70.00
Ramada Plaza Suites	Var. Depts	1,090.00	Richard-Ewing Equipm	Facilities	48.38
Runnings Farm & Flee	Facilities	125.00	Scotty's Automotive	Var. Depts	561.18
SD Dept Of Public Sa	Human Svcs	20.00	SD Dept Of Revenue	Var. Depts	992.29
SD One Call	Facilities	4.20	SDES (SD Engineering	Hwy Admin	195.00
SDN Communications	Var. Depts	1,020.00	Security Labs, Ltd	Info Tech	325.00
Shell Oil	Var. Depts	366.91	Sheraton Seattle Hot	Human Svcs	394.72
Sherwin Williams	Facilities	43.96	Shi, International C	Sheriff	241.57
Shopko Store	Var. Depts	379.90	Simon, Anthony (Or)	Commission	70.00
Sioux Falls City Fin	Facilities	38.00	Sioux Falls Rubber S	JDC	14.75
Sioux Falls Utilitie	Human Svcs	421.21	Southeastern Electri	Human Svcs	152.74
Springhill Stes Warr	Sheriff	177.60	Sprint	Jail	5.96
St Vincent Depaul Th	Public Def	15.90	Staples	Sheriff	101.89
State Steel Of SD	Hwy Constr	82.00	Stone's Truck Stop	Hwy Constr	40.47
Sunshine Foods	Var. Depts	138.54	Swanda, Karen	Mental Ill	67.50
Tamarack Materials D	Facilities	26.40	Teex	Em Mgmt	2,500.00
The Home Depot	Jail	19.26	Tires, Tires, Tires	JDC	22.99
Travelocity.Com	Em Mgmt	30.00	Turnkey Corrections	Jail	1,020.04
United Air	Var. Depts	2,653.97	United Parcel Servic	Info Tech	17.76
Usps.Com	Var. Depts	260.55	Variety Foods Llc	Safe Home	223.42
Volunteers Of Americ	JDC	4,180.00	Wal-Mart Pharmacy	Var. Depts	1,013.59
Wal-Mart Pharmacy	Var. Depts	126.48	Walgreens Pharmacy	JDC	72.78
Walmart - Associates	Human Svcs	170.00	Walmart.Com	JDC	100.85
Wash Metrorail	Hwy Admin	30.00	Waste Management Of	Jail	358.55
Weerheim, Tom	Courts	287.00	West Group	Public Adv	1,481.14
Winair	Facilities	13.40	Wolf, John	Human Svcs	450.00
Xcel Energy, Inc.	Var. Depts	2,985.70	Zee Medical Service	Hwy Admin	82.05

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1085argusleadercirc Var. Depts 53.39 6199 Asm Kc Hwy Constr 88.60

## REPORTS

The Register of Deeds Official Statement of Revenue Collected during March, 2013 was received and placed on file in the Auditor's Office.

## PERSONNEL

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

1. To hire Tiffany Willert as Human Resources Technician (10/1) for Human Resources at \$14.542/hour effective 4/17/13.
2. To hire Jacki Waldner as Corrections System Operator (9/1) for the Jail at \$13.841/hour effective 4/22/13.
3. To hire Sara Show as Senior Deputy State's Attorney (22/3) for the State's Attorney's Office at \$2,322.64/bi-weekly effective 4/23/13.
4. To hire Morris Gjoraas, Gregg Kringen, and Edward Powderly as temporary, part-time Park Workers for the Parks Department at \$11.50/hour effective 4/22/13 to 10/15/13.

### Step Increases Due:

1. Aaron Curry – Paralegal – Public Advocate's Office – 16/7 to 16/8 – 4/13/13 – \$23.248/hour
2. Zachary Cegelske – Deputy Sheriff – Sheriff's Office – 16/5 to 16/6 – 4/13/13 – \$22.128/hour
3. Corey Heise & Angie Martell – Correctional Officer – Jail – 13/1 to 13/2 – 4/16/13 – \$17.286/hour
4. Kathryn Emerson – Corrections System Operator – Jail – 9/7 to 9/8 – 4/21/13 – \$16.453/hour
5. Wallace Wynia – Air Guard Security Officer II – Air Guard – 13/5 to 13/6 – 4/21/13 – \$19.081/hour

### Special Action Request:

MOTION by Barth, seconded by Kelly, to promote Jeffrey Gromer from Deputy Lieutenant to Warden for the Jail 24/7 \$3,123.68 bi-weekly effective 4/20/2013. 5 ayes.

MOTION by Pekas, seconded by Barth, to authorize the Chairman to sign a proclamation recognizing National Volunteer Week, April 20-26, 2013 in Minnehaha County. 5 ayes.

Jenny Adix, Human Resource Generalist, gave a briefing on the proposed 2013 Affirmative Action Plan. The document includes two separate plans in accordance with The Office for Federal Contract Compliance Programs. One plan is for women and minorities and the other is for veterans and individuals with disabilities. It also includes a work force analysis, job group analysis, policy reviews, and action oriented programs.

## ABATEMENTS

MOTION by Barth, seconded by Pekas, to approve abatement of 2012 property taxes for Patricia Clifford, ID #28453, \$333.24; Carol Zakrzewski, ID #36113, \$463.04; Martha Kniep, ID #39890, \$1,182.44; Joyce Questad,

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ID #48977, \$388.53; Lyle Hanson, ID #57973, \$581.84; Donald Kiszer, ID #75097, \$265.50, representing the Elderly Assessment Freeze. 5 ayes.

**NOTICE**

Notice was received from the East Dakota Water Development District of a regular Board of Directors Meeting on Thursday, April 18<sup>th</sup> at 9:30 a.m. at the SD Association of Rural Water Systems Office, 203 Center Street West, Madison, SD.

**OPPORTUNITY FOR PUBLIC COMMENT**

Lynn DeYoung, Emergency Management Director, gave a briefing on the emergency service response to the severe winter storm that began on April 9, 2013. The Emergency Operations Center opened at 8:30 a.m. Tuesday, April 9<sup>th</sup> and is still in operation during the clean up process. Mr. DeYoung stated that they are coordinating with FEMA for the disaster declaration process and preliminary damage assessment. The Minnehaha County Planning Department's GIS staff has taken damage assessment photographs of rural communities. Sheriff Mike Milstead gave a briefing on the response of law enforcement and corrections to the storm event and stated that local, county, and state agencies are working together to best serve the public and assist in the clean-up efforts. DJ Buthe, Highway Superintendent, gave a briefing on the Highway Department's response to the storm event and clean-up efforts. Regan Smith, City of Sioux Falls, gave a briefing on the clean-up efforts of the City of Sioux Falls. Mr. Smith reported that the Helpline Center will be leading the volunteer clean-up effort. Mike Huether, Mayor, City of Sioux Falls submitted a letter asking the Minnehaha County Commission to request the Governor to declare a disaster to exist in the City of Sioux Falls. Daren Ketcham, Metro Communications Director, reported that his department received triple the volume of phone calls during the storm event. Lynn DeYoung requested approval of a winter storm disaster declaration for Minnehaha County. MOTION by Kelly, seconded by Barth, to approve Resolution MC13-18. 5 ayes.

**RESOLUTION MC13-18  
WINTER STORM DISASTER DECLARATION  
FOR MINNEHAHA COUNTY**

WHEREAS, a severe winter storm has hit Minnehaha County, South Dakota, beginning April 9, 2013; and,

WHEREAS, said winter storm has caused extensive damage and loss to critical infrastructure, trees and threatened the health and safety of residents within Minnehaha County; and,

WHEREAS, the winter storm will require extensive debris removal within Minnehaha County; now therefore,

BE IT RESOLVED by the Minnehaha County Board of Commissioners that they do hereby request that Minnehaha County be designated a disaster area due to the severe winter storm and debris removal conditions; and

BE IT FURTHER RESOLVED by the Minnehaha County Board of Commissioners request the Governor of the State of South Dakota to declare and an emergency / disaster to exist in the County of Minnehaha.

Dated this 16<sup>th</sup> Day of April, 2013

APPROVED BY THE  
MINNEHAHA COUNTY COMMISSION  
Gerald Beninga  
Chairman

ATTEST: Bob Litz, Auditor

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Cynthia Jepsen  
Deputy Auditor

#### HEARING

Dan Grider with the Sioux Valley Cycle Club was present for the public hearing to consider approval of a Special Event Malt Beverage License for the Sioux Falls Mud Run. No objections were reported to the issuance of the license. MOTION by Kelly, seconded by Pekas, to approve a Special Event Malt Beverage License for the Sioux Valley Cycle Club to sell malt beverages at the Sioux Falls Mud Run on June 8, 2013. 5 ayes. Commissioner Barth left the meeting.

#### AGREEMENT

DJ Buthe, Highway Superintendent, gave a briefing on an agreement with Civil Design Inc. for engineering, design, and plan preparation for the replacement of Structure #50-215-010. The existing bridge is a 32 foot simple span I-beam bridge built in 1933 and has reached the end of its useful life. The bridge is currently posted for reduced loads of 11 tons for a straight truck. The structure will be replaced by a triple barrel box culvert. MOTION by Heiberger, seconded by Kelly, to authorize the Chairman to sign the agreement between Minnehaha County and Civil Design Inc. for preliminary engineering services for Structure #50-215-010 in the amount of \$40,000. 4 ayes. Commissioner Barth re-joined the meeting.

#### PURCHASE OFF BEADLE COUNTY BID

MOTION by Heiberger, seconded by Pekas, to authorize the Highway Department to purchase off the Beadle County Metal Pipe (Culverts) and Bridge Materials Bid as awarded to True North Steel on January 7, 2013. 5 ayes.

#### AGREEMENTS

Scott Wick, Co-Manager, Sioux Empire Fair, gave a briefing on an extension of the Sioux Empire Fairgrounds Management Agreement. The Fair Association is asking for the current agreement to be renewed for another 5 year period effective immediately, thereafter, on the anniversary of the agreement date, the agreement would be automatically renewed for subsequent 5 year periods subject to the right of termination upon 90 days written notice of either party. They are asking for the change to account for the leasehold improvements and long term depreciation of those assets on the association's financial statements, and to show stability and commitment in the association's management agreement for a longer period of time to make it easier for the association to attract outside investment in events and improvements to the fairgrounds. MOTION by Heiberger, seconded by Barth, to authorize the Chairman to sign the Management Agreement for W.H. Lyon Fairgrounds for a five year term effective April 16, 2013 for a five (5) year term with an automatic renewal for subsequent five (5) year terms on the anniversary date of the agreement. 5 ayes.

Scott Wick, Co-Manager, Sioux Empire Fair, gave a briefing on three agreements to repair/replace/and balance the air handling system in the Expo Building. The total project cost is \$129,585. MOTION by Heiberger, seconded by Barth, to authorize the Chairman to sign the contract with G & R Controls for repairing and replacing as needed the components of the existing air handling control system in the Expo Building in the amount of \$47,400; the contract with Baete-Forseth for servicing and installation of exhaust fans, roof top units, unit heaters, etc. in the amount of \$48,700; and the contract with Balancing Professionals for the balancing of the entire air handling system once all the repairs of the control system are made and the installation of new components in the amount of \$33,485. 5 ayes.

#### GRANT APPLICATIONS

Kristin Trana, Administrative Coordinator for the Sheriff's Office, requested authorization to submit an application for funding through the SD Department of Public Safety Highway Safety Grant program for FFY2014. The funds will provide 450 hours of overtime deputy pay totaling \$22,077 to support sobriety checkpoints, saturation patrols, and special event patrols. Five traffic radar units will also be requested through the grant. These items require an 80/20 hard match. The county will receive \$12,000 in grant funds with the county paying \$3,000 in matching funds. The total grant request will be \$34,077. MOTION by Kelly, seconded

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by Barth to authorize the submission of the FFY2014 SD Department of Public Safety Highway Safety Grant application. 5 ayes.

Kristin Trana, Administrative Coordinator for the Sheriff's Office, requested authorization to submit an application for the 2013 Bulletproof Vest Partnership Grant. The grant would reimburse up to 50% of the cost for bulletproof vests, depending on the number of requests for funding they receive. The cost of the vests as well as the number of vests will be provided through the grant application. Following the award, the reimbursements can be applied to vests purchased on or after April 1, 2013. MOTION by Barth, seconded by Heiberger to authorize the submission of the FFY 2013 Bulletproof Vest Partnership Grant Application. 5 ayes.

Kristin Trana, Administrative Coordinator for the Sheriff's Office, requested authorization to submit a grant application for the 2013 State Criminal Alien Assistance Program (SCAAP). The funds are designated by the Federal Government to be used for reimbursement of costs for detaining individuals whom are believed to be criminal aliens based on investigative and other information, for which no formal DHS documentation of alien status is available. MOTION by Kelly, seconded by Barth to authorize submission of the 2013 SCAAP application. 5 ayes.

#### LIAISON REPORTS

Commissioner Pekas reported that the Metro Management meeting is postponed.

#### NEW BUSINESS

MOTION by Kelly, seconded by Barth, to send a thank you letter to all of the energy companies who assisted in restoring power that was lost during last week's severe winter storm, and issue a proclamation some time in May recognizing all of the volunteers who assisted with the storm clean-up. 5 ayes.

Commissioner Barth stated that he feels it would benefit Minnehaha County to have one or two Commissioners attend the National Association of County Commissioners national convention. Commissioner Pekas stated that doing so would have to be contingent on the travel budget. Commissioner Kelly stated that he feels the travel budget is better used for attending the state convention or for trips to Pierre. Chairman Beninga asked the Commission Office to report on the status of the Commission travel budget.

MOTION by Barth, seconded by Pekas, to adjourn into Executive Session for personnel discussion and litigation. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, April 23, 2013.

#### APPROVED BY THE COMMISSION:

Gerald Beninga  
Chairman

ATTEST:

Cynthia Jepsen  
Deputy Auditor