

5/28/2013

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. May 28, 2013 pursuant to adjournment on May 21, 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.

Vice Chairman Heiberger called the meeting to order.

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

MOTION by Barth, seconded by Pekas, to approve the May 21, 2013 Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Beninga, seconded by Barth, to approve the following bills totaling \$436,266.35. 5 ayes.

A To Z World Language	Courts	3,410.00	ABN Army Surplus	Var. Depts	1,037.28
Advance Auto Parts	Jail	30.99	Alligare Llc	Hwy Constr	21,325.00
Andersen, Norma	Mental Ill	60.00	Appeara / Dudley Lau	Hwy Constr	32.70
Applied Concepts Inc	Sheriff	9,250.00	Argus Leader - Adver	Var. Depts	412.82
Argus Leader - Subsc	Planning	258.04	Avera McKennan Hospi	Mental Ill	1,242.00
Axsom, Rodney	Jail	57.99	Bargain Barn Tire Ct	Em Mgmt	104.00
Batteries Plus/Onesk	Hwy Constr	88.00	Benz, Vergil C	EFSP Fund	166.00
Billion's	Hwy Constr	268.22	Blue Earth County (M	St Atty	65.00
Bon Homme Cnty Sheri	St Atty	35.32	Boyer Trucks Sioux F	Hwy Constr	602.07
Brown & Saenger	Var. Depts	1,144.68	Brownells Inc.	Sheriff	85.40
Bureau Of Informatio	Var. Depts	147.00	BX Civil & Construct	Hwy Constr	500.00
C & R Supply Inc	Hwy Constr	104.36	Campbell Supply Co I	Hwy Constr	104.52
Carlson, Lisa	Courts	30.40	Carper, Nichole A	Courts	402.00
Carroll Institute	Courts	125.00	Cartridge World	Var. Depts	2,208.87
Cbm Managed Services	Jail	9,288.58	Cedar House Apts Llc	Human Svcs	364.00
Century Business Pro	Var. Depts	335.75	Champion, Chris	Mus Entpr	100.00
Chemco, Inc.	JDC	138.00	Cliff Avenue Auto Pa	Hwy Constr	14.42
Climate Systems, Inc	Facilities	283.28	Cody, Denise	Mental Ill	120.00
Cole Papers, Inc.	Var. Depts	3,963.28	Connecting Point	Info Tech	225.00
Constellation New En	Facilities	13,275.45	Construction Product	Var. Depts	189.15
Cooey, Carla F	Courts	76.00	Counseling Resources	Courts	150.00
Covert Track Group I	Sheriff	131.33	Crop Production Svcs	Hwy Constr	12,700.00
Davison County Audit	Atty Fees	94.25	Devore, Camille	Mus Entpr	300.00
Dialnet/Ahrens Telec	JDC	60.00	Dougherty & Comp	Bldg Fund	1,000.00
Duffy, Ryan	Courts	1,884.31	Ebert's Properties,	Human Svcs	195.00
Ehlen, Roy	Human Svcs	600.00	Ellis, Dar	Human Svcs	500.00
Erpenbach, John E	Mental Ill	360.00	Etek Llc Dba Garfiel	Human Svcs	625.00
Fastenal Company	Hwy Constr	164.63	Gaylord Bros Inc	Mus Entpr	364.65
Genzlinger, Janeen	Courts	110.20	Gjertson, Dean	Human Svcs	500.00
Graham, Robert C	Human Svcs	900.00	Grainger, Inc.	Facilities	29.30
Great Plains Psychol	Courts	1,037.50	Gromer, Jeff	Jail	524.92
Guzman, Sandra V.	Courts	287.50	Heartland Paper Comp	Jail	2,357.45
Heimdal, Marie Ann	Courts	37.40	Heirigs, Mary Ellen	Mental Ill	57.60
Hewlett-Packard Comp	Var. Depts	2,688.76	Hillyard, Inc.	Facilities	903.16
Holiday Stnstore	Hwy Constr	61.80	Horn, Garrett	Mental Ill	591.60
Hosmer, David M. Law	Mental Ill	720.90	Hy-Vee Accounts Rece	Var. Depts	119.44
Hy-Vee Food Store	Commission	90.00	Interstate Office Pr	Sheriff	102.35
ISI Llc	Courts	160.00	ISS Facility Svcs-Mi	Facilities	10,735.00
Jaydee Inc/Jaymar	Auditor	738.00	JCL Solutions-Janito	Var. Depts	3,367.26
Jefferson City Count	St Atty	40.00	Johnson, Darlene	Auditor	40.00
Johnson, Richard L	Courts	462.00	Kaskade Builders Inc	Var. Depts	1,145.00
Kauffman, David W. P	Courts	2,025.00	Khoroosi, Sam	Courts	343.80
Kmart Pharmacy	Human Svcs	382.82	Koletzky, Sherlyn	Mental Ill	586.20
Kone, Inc.	Var. Depts	1,211.73	Laboratory & Forensi	Public Adv	3,175.25
Lacrosse Forage & Tu	Hwy Constr	2,283.25	Language Line Servic	Jail	628.23
Larson, Jeff	Courts	342.20	Lassegaard, Samuel C	Human Svcs	600.00
Lewis Drug Stores	Human Svcs	2,883.76	Lewno, Lucy	Mental Ill	2,043.98
Lietz, Rich	Auditor	21.00	Litz, Bob	Auditor	193.00

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Los Angeles County	St Atty	35.00	Lutheran Social Svcs	Courts	1,568.75
Mac's, Inc.	Hwy Constr	18.88	McDaniel, Kaycee	Extension	119.25
Metro Communications	E911 Fund	177,464.73	Microfilm Imaging Sy	M & P Fund	778.99
MidAmerican Energy C	Var. Depts	1,216.20	Midwest Oil Company,	Hwy Constr	1,260.88
Midwestern Mechanica	Pettigrew	65.00	Miller Funeral Home,	Human Svcs	3,250.00
Milstead, Michael W	Sheriff	61.00	Minn Cnty Museum Pet	Mus Entpr	10.58
Mogen, John	Mus Entpr	300.00	Montrose Public Scho	Mus Entpr	196.18
Mr. Goodcents/Asgard	Commission	191.17	Multi-Cultural Cente	Courts	220.00
Murray Properties, L	Human Svcs	495.00	NCDC	Public Adv	2,125.00
Nelson, Glen	Human Svcs	700.00	Neve's Uniforms	Var. Depts	3,924.30
Nguyen, Lam	Courts	1,149.96	Nicholson, Tschetter	Courts	1,693.02
Niedringhaus, Paul	Sheriff	53.00	Northeast Investment	Human Svcs	700.00
Northland Systems, I	Info Tech	900.00	Office Depot, Inc.	Info Tech	1,445.55
Olson, Waltner & Sch	Courts	1,958.00	Olson's Pest Technic	Jail	67.75
Ort, Dr Larry	Public Def	885.00	Osborn, Roxane R	St Atty	75.00
Palmer, Barbara	Mental Ill	5,940.00	Pennington County Ja	Jail	7,178.55
Pfeifer Implement Co	Hwy Constr	172.29	Pheasantland Industr	Hwy Constr	170.00
Phoenix Supply Llc	Jail	1,112.00	Pollard & Larson Llp	Mental Ill	174.00
Pollock, James	Mus Entpr	200.00	Presto-X-Company	Facilities	452.53
Price, Thomas L Phd	Courts	2,880.00	Qualified Presort Se	Var. Depts	690.07
Quest Engineering, I	Hwy Constr	12.07	Rapiscan Systems, In	Jail	4,944.00
Rasmussen, Eric/Lisa	Human Svcs	300.00	Realnet Of SD Llc	Human Svcs	700.00
Relm Partners, Llc	Human Svcs	500.00	Ridgeview Apts Ltd P	Human Svcs	500.00
Risty, Julie	Reg Deeds	165.76	Rods Properties Llc	Human Svcs	300.00
Sage Software Inc	Auditor	1,525.00	Sanford Hospital	Coroner	835.00
Satisfaction Plus In	Human Svcs	659.00	Schulte, Kenneth F	Human Svcs	450.00
SD Dept Of Public Sa	Human Svcs	25.00	SD Dept Of Revenue	Mus Entpr	12.86
SD Dept Of Transport	Hwy Constr	1,124.27	SDN Communications	Var. Depts	1,020.00
SDSU Ag Finance (Coo	Extension	5,374.00	Security Labs, Ltd	Info Tech	325.00
Senn, Kyle	Mus Entpr	300.00	Sentinel Offenders S	JDC	1,292.84
Servall Towel & Line	Var. Depts	197.60	Shi, International C	Jail	241.57
Sigler Fire Equipmen	JDC	235.62	Simon, Anthony (OR)	Commission	55.00
Sioux Falls City Fin	Var. Depts	22,644.14	Sioux Falls Humane S	Humane Soc	3,282.21
Sioux Falls School D	Mus Entpr	125.00	Sioux Falls Two Way	Hwy Constr	100.00
Sioux Falls Utilitie	Var. Depts	10,232.32	Sioux Valley Energy	Human Svcs	99.00
Solomon, Ghirmay	Courts	25.00	Soo Sport Sales	Em Mgmt	89.04
Steeplechase Apts Lp	Human Svcs	600.00	Stoney Creek Townhom	Human Svcs	385.00
Swanda, Karen	Mental Ill	180.00	Swets, Brian T	Em Mgmt	142.00
Szameit, Alexandra	Courts	1,227.72	Tenth Street Lodging	Human Svcs	350.00
Thorin, Deyanira T	Courts	75.00	Tires,Tires,Tires In	Sheriff	1,458.03
Tomacelli's Pizza	Courts	80.95	TSP, Inc.	Hwy Constr	5,263.82
Turner County Sherif	St Atty	28.92	United Parcel Servic	Reg Deeds	18.20
Valley West Apartmen	Human Svcs	525.00	Variety Foods Llc	Safe Home	414.18
Volunteers Of Americ	JDC	770.00	Wal-Mart Pharmacy	Human Svcs	443.14
Walgreen Co.	Human Svcs	325.17	Walgreens Pharmacy	Human Svcs	46.99
Wali, Khadija M.	Courts	50.00	Washington Pavilion	Commission	175.05
Weerheim, Tom	Courts	688.80	Weiland & Assoc Inc	Courts	204.82
Wheelco Brake & Supp	Hwy Constr	102.84	Williams County (OH)	St Atty	45.00
Xcel Energy, Inc.	Var. Depts	3,230.18	Yankton County Sheri	Mental Ill	700.00
Zahrbock Kool, Tress	Courts	3,819.51			

PERSONNEL

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

1. To hire Travis Halm as temporary, part-time Intern for the Planning Department at \$9.00/hour effective 5/29/13 to 11/1/13.
2. To hire David Talbert as temporary, part-time Seasonal Grounds Worker for Facilities at \$10.00/hour effective 5/29/13 to 9/15/13.
3. To convert Dennis Wojciechowski from a full-time Juvenile Correctional Officer I to a part-time

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Juvenile Correctional Worker (9/4) for the Juvenile Detention Center at \$14.906/hour effective 6/1/13.

4. To accept the resignation of Greg Brostad as Juvenile Correctional Worker for the Juvenile Detention Center effective 5/20/13.
5. To promote Mathias Weinmann from Corrections System Operator to Correctional Officer in Training (12/1) for the Jail at \$16.052/hour effective 6/1/13.

Step Increases Due

1. Kamal Yusuf – Custodian – Facilities – 6/4 to 6/5 – 6/1/13 – \$13.175/hour
2. Daniel Finnegan – Highway Maintenance Worker – Highway – 12/4 to 12/5 – 6/3/13 – \$17.718/hour
3. Julie Morrison – Legal Office Assistant – State’s Attorney Office – 10/1 to 10/2 – 5/2/13 – \$14.906/hour
4. Christine Slaight – Corrections Systems Operator – Jail – 9/12 to 9/13 – 4/26/13 – \$18.615/hour
5. Nathan Kroesche – Juvenile Correctional Officer II – Juvenile Detention Center – 14/13 to 14/14 – 5/24/13 – \$24.425/hour

Special Commission Action Requests:

MOTION by Barth, seconded by Pekas, to approve the conversion of one budgeted, part-time Legal Office Assistant for the Public Defender’s Office to a full-time Legal Office Assistant position. 5 ayes.

Motion by Pekas, seconded by Kelly, to approve a salary increase for Kari Benz, Assistant Director of Human Services, from \$2,266.00 (21/6) to \$2,380.72 (21/8) beginning May 25, 2013, for permanent additional responsibilities. 5 ayes.

ABATEMENTS

MOTION by Pekas, seconded by Beninga, to approve abatement of 2012 property taxes for The Point is to Serve, ID #59542, \$24,520.19 representing tax exempt status. 4 ayes. Kelly abstained.

MOTION by Pekas, seconded by Beninga, to approve abatement of 2012 property taxes for Special Olympics of SD, ID #84860, \$1,151.56 representing tax exempt status. 5 ayes.

MOTION by Kelly, seconded by Pekas, to approve the following abatement of 2012 property taxes: ID #73600, \$1,617.97; ID #442 (Decal), \$67.01; ID #25414, \$1,504.77; ID #31063, \$1,504.77; ID #39356, \$602.47; ID #46875, \$1,504.77; ID #49780, \$1,376.96; ID #51698, \$1,504.77; ID #58227, \$1,339.86; ID #64418, \$593.66; ID #70605, \$1,504.77; ID #72383, \$342.20; ID #74566, \$1,504.77; ID #79662, \$1,504.77 representing Veterans Exemptions; ID #70608, \$1,504.77; ID #40059, \$1,504.77; ID #36994, \$1,504.77 representing Surviving Spouse Veteran Exemptions; and ID #46753, \$1,575.99, representing Paraplegic Veteran Exemption. 5 ayes.

MOTION by Pekas, seconded by Barth, to approve abatement of 2012 property taxes for ID #23010, \$902.60, representing the Elderly Assessment Freeze. 5 ayes.

NOTICES

Motion by Kelly, seconded by Pekas, to authorize the Auditor to publish a Notice of Hearing to consider

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applications for Retail On-Off sale Malt Beverage and Retail On-Off Sale Wine license for the Riviera by Rocco's Lot 2 of Tract 1 Jeanne's Addition NE ¼ SE ¼ Section 28-T101N-R48W, 26665 481st Ave. Brandon, SD. 5 ayes.

PROPOSAL

Jeff Gromer, Warden, gave a briefing on a proposal from Bill Garnos for Inmate Population Forecasting and Analysis Update for Minnehaha County. Mr. Garnos was retained during the planning for construction of the new Jail to provide inmate population forecasts that served as a basis for sizing the new jail. Mr. Garnos has submitted a proposal to update that forecast giving attention to how Senate Bill 70 might impact our jail bed needs and the Community Corrections Center bed needs. Under the terms of the proposal, Mr. Garnos will complete the work for a fee of \$12,472. This includes \$9,600 for 128 hours of professional services and \$2,872 for project expenses. The Community Corrections Committee reviewed the proposal and recommends acceptance. MOTION by Pekas, seconded by Beninga, to accept the proposal from Bill Garnos for Inmate Population Forecasting and Analysis Update for Minnehaha County. 5 ayes.

AGREEMENT

Ken McFarland, Commission Administrative Officer, presented the annual agreement with the SD Department of Corrections to house juveniles at the Juvenile Detention Center beyond the seven day county obligation. The contract incorporates a per-diem of \$250. This is an increase to the last contract rate of \$245. MOTION by Pekas, seconded by Kelly to authorize the Chairman to sign the State of South Dakota Contract/Letter of Agreement for Services between Minnehaha County and the Department of Corrections valid 6/1/13 to 5/31/14. 5 ayes.

GRANT

Erin Srstka, JDAI Coordinator, gave a briefing on the submittal a Juvenile Accountability Block Grant Application on behalf of the Lutheran Social Services (LSS) Middle School Diversion Officer Program and Volunteers of America (VOA) Community Service Program. The recommended funding allocations of the grant are \$47,593 for a LSS Middle School Diversion Officer and \$4,723 for the VOA Community Service Program & After-School/Evening Report Center. The grant requires a 10% local match which will be provided by each awarded entity based on their allocation of funds. MOTION by Pekas, seconded by Barth, to approve the submission of the Juvenile Accountability Block Grant and recommended funding allocations. 5 ayes.

Commissioner Beninga left the meeting.

AGREEMENT

DJ Buthe, Highway Superintendent, gave a briefing on an agreement with Geotek Engineering & Testing Services to provide construction materials testing for Project MC142CONC-13, County Highway 142 Pavement Restoration and Concrete Repair. The testing will make sure all materials used meet the standard specifications of the projects requirements. MOTION by Barth, seconded by Pekas, to authorize the Chairman to sign the agreement with Geotek Engineering & Testing Services for Project MC142CONC-13 in an amount not to exceed \$5,997. 4 ayes.

BID

On the request of DJ Buthe, Highway Superintendent, MOTION by Barth, seconded by Pekas, to approval the purchase road salt from Central Salt, \$53.26 per ton, and hot mix asphalt from Concrete Materials, \$43.00 per ton, from contracts competitively bid by the City of Sioux Falls. 4 ayes.

CAPITAL ASSETS

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DJ Buthe, Highway Superintendent, requested a transfer of capital asset inventory used solely by the Parks Department from the Highway Department to the Parks Department. MOTION by Barth, seconded by Pekas, to approve the transfer of the following capital assets from the Highway Department to the Parks Department: ID #PK1 1996 Dodge 1-Ton Pickup; ID #PK10 2005 Chevy 250 Pickup; ID#PK12 2000 John Deere 4200 Tractor; ID#PK14 1996 John Deere JD5400 Tractor; ID#PK4 2003 John Deere X485 Tractor; ID#PK5 2005 HHTC 8x20 Blk Trailer; ID #PK6 2006 John Deere Mower; and ID# W8 1995 John Deere Gator 6x4. 4 ayes.

AGREEMENT/BOND REFUNDING

Robert Litz, Auditor, requested approval to enter into an Independent Financial Advisor Agreement with Public Financial Management, Inc. (PFM), and to authorize proceeding with a refunding of Series 2004 Certificates. Jessica Cameron with PFM, Inc. answered questions related to an analysis submitted by PFM, Inc., for refunding the bonds. Rich Lauer, 2017 S. Austin Dr., Sioux Falls, and John Fromelt, 602 W. Garden Pl., Sioux Falls, spoke in support of Minnehaha County hiring an Independent Financial Advisor to avoid any conflict of interest that may exist when same entity serves as both the Financial Advisor and the Underwriter. They also urged the County to issue bonds competitively instead of a negotiated issuance. Kerstin Kappmeyer, Chief Civil Deputy State's Attorney, stated that he reviewed the Independent Financial Advisor Agreement submitted by PFM, Inc. and finds the contract to be legally sound. Commissioner Barth stated that he would like more time to review the material presented before making a decision. Commissioner Kelly stated he would like to defer action until June 25th to give Dougherty & Company an opportunity to respond with a proposal. Ken McFarland, Commission Administrative Officer stated the need to look at how the bond refunding will impact bond schedules and capital improvement plans. Commissioner Heiberger stated that she would like to defer these items until sometime during the budget hearing process to allow the commissioners the opportunity for further discussion. MOTION by Pekas to defer action for three weeks. Motion dies for lack of a second. MOTION by Kelly, seconded by Pekas, to table the items. 4 ayes.

DISCUSSION

Ken McFarland, Commission Administrative Officer, was present for a follow-up discussion and answered questions relating to material presented during a briefing on the FY 2014 Long Range Plan/Preliminary Budget Overview that was held on May 21, 2013.

LIAISON REPORTS

Commissioner Barth reported on an airport event he attended and on the Lewis & Clark annual business meeting he attended. MOTION by Barth, seconded by Pekas to write a letter to the Federal Legislators and Chief Executive encouraging support for funding the Lewis & Clark water project. 4 ayes.

Commissioner Kelly reported on the Metropolitan Planning tour of the airport that he went on.

NEW BUSINESS

Pastor Jeff Hayes of Faith Temple Church addressed the Commission regarding the need for approximately \$35,000 to complete the utilities and fence for the Nordstrom/Johnson building at the Sioux Empire Fairgrounds that will be used by Faith Temple Church for their food giveaways as well as for other functions. Commissioner Kelly stated that the County has not received a formal request for the funding. Commissioner Barth stated he believes the funds should be raised through private donations. Commissioner Heiberger stated she believes if people understand the need for this building they will be able to get the needed donations. Ken McFarland, Commission Administrative Officer, stated if the Commission would consider funding the installation of the utilities and fence this year, it would require a notice of hearing to supplement the building fund or the funding could be built into the budget in future years.

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MOTION by Barth, seconded by Pekas, to adjourn into Executive Session for personnel discussion. 4 ayes.

The Commission adjourned until 5:00 p.m. on Tuesday, May 28, 2013.

APPROVED BY THE COMMISSION:

Gerald Beninga
Chairman

ATTEST:

Cynthia Jepsen
Deputy Auditor