

6/18/2013

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. June 18, 2013 pursuant to adjournment on June 11, 2013. Commissioners present were: Barth, Beninga, Heiberger, Kelly, and Pekas. Also present were Cindy Jepsen, Commission Recorder, and Sara Snow, Senior Deputy State's Attorney.

Chairman Beninga called the meeting to order.

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

MOTION by Barth, seconded by Kelly, to approve the June 11, 2013 Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Heiberger, to approve the following bills totaling \$243,948.55. 5 ayes.

A & B Business Equip	Var. Depts	256.06	A To Z World Languag	Var. Depts	3,860.00
All American Investm	Human Svcs	59.99	Allied Oil & Tire Co	Hwy Constr	861.46
Anderberg, Craig	Apportmnt	67.01	Anderson Publication	Commission	1,622.99
Argus Leader - Adver	Commission	3,510.33	Avera Health Plans	Expenses	1,682.08
Avera McKennan Hospi	Var. Depts	10,348.58	Billion's	Sheriff	174.54
Blackburn & Stevens,	Mental Ill	740.82	Boadwine Farms Inc/L	Planning	250.00
Boulevard Investment	Human Svcs	500.00	Brucklacher, Adam	Human Svcs	750.00
Builders Supply Comp	Bldg Fund	1,598.00	Cadwell, Sanford, Deib	Courts	549.40
Cedar House Apts Llc	Human Svcs	500.00	Century Business Pro	Var. Depts	921.11
Chase, Alex	Mus Entpr	375.00	City Centre Hotel Co	Public Adv	50.00
Civil Design Inc	Hwy Constr	21,005.50	Clark Engineering Co	Hwy Constr	5,719.91
Cody, Denise	Mental Ill	75.00	Cole Papers, Inc.	Facilities	504.79
Computer Forensic Re	Public Def	1,645.00	Concrete Materials	Hwy Constr	38.70
Construction Product	Hwy Constr	100.00	Counseling Resources	Courts	925.00
Country Meadows Apts	Human Svcs	600.00	Culligan Water Condi	Human Svcs	37.50
Dakota Data Shred	Var. Depts	201.94	Dakota Fluid Power,	Hwy Constr	397.65
Dakota News Inc	Mus Store	779.57	Dakota Riggers & Too	Hwy Constr	777.26
Dakotaland Autoglass	Sheriff	210.00	Dale Carnegie Traini	Hwy Constr	1,595.00
Data Mgmt Inc Db	Facilities	2,256.01	Davis Equipment Corp	Mus Maint	48.10
Daybreak/T & H Conve	Hwy Constr	197.10	Deer Hollow Ltd Ptnr	Human Svcs	1,090.00
Diamond Mowers Inc	Hwy Constr	44.84	Dirigo Software	Jag Grants	119.00
Donahue, Mike	Human Svcs	600.00	Dust Tex Service Inc	Mus Maint	33.84
Eastern Farmers Coop	Hwy Constr	22.77	Ehlen, Roy	Human Svcs	600.00
Eirinberg, James A	Courts	1,360.00	Ekeren, Marvin R.	Mental Ill	30.00
Emdeon Business Serv	Human Svcs	39.95	Erpenbach, John E	Mental Ill	967.50
Etc/Expo For Her Mag	Mus Ops	350.00	Family Service Inc	Expenses	260.00
First Premier Bank	Sheriff	68.90	Fleetpride / Holt, I	Hwy Constr	228.12
Fox, Youngberg & Lew	Mental Ill	534.12	G & H Distributing I	Hwy Constr	84.42
G & R Controls Inc	Facilities	1,064.63	Garnos, Graham Db	Human Svcs	680.00
Garry, Maggie	Human Res	15.91	Geotek Engineering &	Hwy Constr	2,395.50
Goebel Printing, Inc	Sheriff	995.05	Graham Tire Co.	Mus Maint	25.47
Guzman, Sandra V.	Var. Depts	100.00	Haggar, Daniel	Public Def	578.91
Harmelink, Fox & Ravn	Mental Ill	247.00	Harmon, Karla	Mental Ill	405.00
Haugaard, Steven G	Mental Ill	603.50	Horn, Garrett	Mental Ill	282.80
Hurtgen, Timothy T/P	Human Svcs	1,200.00	I State Truck Center	Hwy Constr	14.56
Institutions Service	Facilities	405.96	Interstate Office Pr	Var. Depts	2,940.31
ISI Llc	Courts	80.00	Jaros, Pete	Mental Ill	101.75
Johnson, Clara	Mental Ill	168.00	Johnson, Richard L	Courts	399.00
Kauffman, David W. P	Courts	2,795.00	Khoroosi, Sam	Courts	254.20
Kittelson, Joan M	Mental Ill	52.50	Kmart Pharmacy	Human Svcs	88.00
Koistinen, Jason	Public Def	205.00	Kone, Inc.	Pettigrew	57.16
Lacroix, Heather	Courts	391.15	Lason Systems Inc	Reg Deeds	315.00
Lewis & Clark Bhs	Mental Ill	6,258.00	Lewno, Lucy	Mental Ill	1,490.30
Light And Siren	Hwy Constr	405.00	Loving, Philip	Mental Ill	2,655.00
Lovro, Eric	Public Def	254.10	Mailway Printers	Mus Ops	80.00
Mannie, Corey	Human Svcs	595.00	Master Blaster Inc	Hwy Constr	82.24
Matheson Tri-Gas Inc	Facilities	40.44	Maximum Promotions I	Var. Depts	243.40
McFarland, Sean	Mus Entpr	300.00	Mcgrath, Michael J,	Public Def	927.50

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Menards - East	Mus Maint	6.86	Menards - West	Safe Home	4.77
Metro Communications	Var. Depts	150.00	Microfilm Imaging Sy	M & P Fund	1,929.38
MidAmerican Energy C	Var. Depts	2,118.82	MidContinent Communi	Mus Ops	55.00
Midwest Alarm Compan	Var. Depts	491.40	Midwest Residential	Human Svcs	805.00
Mikelson, Gary E	Mental Ill	639.84	Miller Funeral Home,	Human Svcs	2,250.00
Miller, Steve	Courts	1,329.36	Mineral Miner	Mus Store	197.50
Minn Cnty Human Svcs	Human Svcs	118.59	Minn Cnty JDC Petty	JDC	99.28
Minndev Llc	Human Svcs	240.00	Mj Dalsin Co	Facilities	807.84
Murray Properties, L	Human Svcs	515.00	Myers & Billion Llp	Courts	2,427.20
Narem, Inc	Hwy Constr	13.99	Neve's Uniforms	Jail	45.90
Next 2 New Wireless	Auditor	102.00	Nicholson, Tschetter	Courts	192.21
Nolz Construction Co	Hwy Constr	89,160.45	North Central Heart	Human Svcs	866.07
Novak Sanitary Servi	Pettigrew	38.20	Olson, Waltner & Sch	Courts	9,492.57
Oriental Trading Com	Mus Entpr	109.99	Pollard & Larson Llp	Mental Ill	342.00
Presto-X-Company	Facilities	188.30	Quality Efficiencias	Human Svcs	410.00
Quest Engineering, I	Hwy Constr	38.23	Ramirez, Porfirio/Tr	Human Svcs	1,600.00
Rangel, Danielle	Mus Entpr	300.00	Rdo Equipment Co.	Hwy Constr	650.01
Record Keepers, Inc.	Public Def	249.54	Risty, Julie	Reg Deeds	18.54
River Tower Apartmen	Human Svcs	435.00	Rods Properties Llc	Human Svcs	400.00
Ronning Commercial,	Human Svcs	465.00	Sanford Hospital - R	Human Svcs	475.00
Satisfaction Plus In	Human Svcs	159.00	Schlimgen, Catherine	Public Def	247.00
Schuneman Equip Co	Hwy Constr	430.00	SD Dept Of Public Sa	Human Svcs	20.00
SD Dept Of Revenue	Var. Depts	457.89	SD One Call	Facilities	15.75
Senior Citizens Svcs	Mus Ops	54.00	Servall Towel & Line	Var. Depts	145.34
Shepherd Reporting L	Mental Ill	233.75	Shiple's Laundry &	Mus Entpr	41.20
Sieler, Justin	Air Guard	52.00	Sioux Empire FCU	Mus Maint	69.66
Sioux Falls City Fin	Facilities	599.32	Sioux Falls Utilitie	Var. Depts	2,446.85
Sioux Falls Woman Ll	Mus Ops	595.00	Solomon, Ghirmay	Courts	100.00
Stoney Creek Townhom	Human Svcs	500.00	Street Smart Rental	Hwy Constr	3,500.00
Sturdevant's Auto Pa	Hwy Constr	115.37	Swanda, Karen	Mental Ill	97.50
Sweets, John	Human Svcs	650.00	Syverson Tile Co Inc	Mus Maint	881.28
Szameit, Alexandra	Courts	125.00	Tenth Street Lodging	Human Svcs	75.99
The Economist Newspa	Auditor	160.00	Tires,Tires,Tires In	Sheriff	1,220.85
Versteeg, Jake Or Ni	Mus Entpr	460.00	Wal-Mart Pharmacy	Human Svcs	25.00
Weerheim, Tom	Courts	1,116.80	Western Housing	Sheriff	300.00
Wilson, Dean M.	Human Svcs	250.00	Xcel Energy, Inc.	Var. Depts	3,036.11
Yankton County Sheri	Mental Ill	175.00	Yankton County Treas	Mental Ill	2,102.75
Yellow Cab Inc	Human Svcs	42.18	Zabel Steel Co.	Hwy Constr	199.35
Zambrano, Josh	Sheriff	557.22	Zee Medical Service	Hwy Admin	95.35
Zimmer, Bernie	Human Svcs	400.00			

REPORT

The Minnehaha County Regional Juvenile Detention Center Report and the Register of Deeds Official Statement of Revenue Report for May, 2013 were received and placed on file in the Auditor's Office. The Auditor's Account with the County Treasurer as of May 31, 2013 was received and placed on file in the Auditor's Office.

On Deposit in Banks	
Interest-bearing open accounts	39,566,320.13
CD's and savings	15,000,000.00
Cash	17,703.01
Checks/drafts in Treasurer's possession for more than 3 days	8,876.99
Total Cash on Hand	54,592,900.13
Total Reconciled AS/400 Cash Balance	54,592,900.13

PERSONNEL

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

1. To hire Dianne Eggen as temporary, part-time Grounds Worker for Facilities at \$10.00/hour effective

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6/19/13 to 10/31/2013.

2. To accept the resignation of Ryan Streff as Planner II for Planning effective 6/20/13.

Step Increases Due:

1. Douglas Huffer – Lead Mechanic – Highway – 16/10 to 16/11 – 6/19/13 – \$25.035/hour
2. Robbin Ketcham – Senior Records Technician – Register of Deeds – 12/7 to 12/8 – 6/22/13 \$19.081/hour
3. Mark Russell – Air Guard Security Officer II – Air Guard – 13/13 to 13/14 – 6/20/13 – \$23.248/hour
4. Steven Breuer – Correctional Officer – Jail – 13/14 to 13/15 – 6/21/13 – \$23.829/hour
5. Samantha Kastner– Correctional Officer – Jail – 13/5 to 13/6 – 5/14/13 – \$19.081/hour
6. Raymond Koens – Caseworker II – Human Services – 17/9 to 17/10 – 6/4/13 – \$25.661/hour
7. Alan Hightree – Safe Home Program Worker – Safe Home – 9/2 to 9/3 – 5/16/13 – \$14.542/hour

Special Commission Action Request:

MOTION by Kelly, seconded by Pekas, to approve the extension of the temporary, grant-funded Senior Deputy State's Attorney DUI/Vehicular Crimes Prosecutor, in the State's Attorney's Office, from September 2013 through December 2013. 5 ayes.

ABATEMENT

MOTION by Barth, seconded by Pekas, to approve abatement of 2012 property taxes for ID #46236, \$339.02, representing an Elderly Assessment Freeze. 5 ayes.

NOTICE

Notice was received from the South Dakota Department of Transportation of a public meeting on July 17, 2013 at the Ramkota Hotel, Sioux Falls, to receive input on the Tentative 2014-2017 Four Year Statewide Transportation Improvement Program.

LIEN COMPROMISE

Commissioner Pekas gave a briefing on a second request for compromise of lien for DPNO #61730 in the amount of \$7,045.91. The applicant is attempting to close on the sale of her home and the lien was identified during a title search. She is requesting a release of the lien only as it applies to the real property legally described as Lot 31, Blk 4, Homestead Trails to City of Sioux Falls, located at 1104 N. Leadale Ave., Sioux Falls. The applicant previously submitted a request for compromise of this lien which was denied on March 12, 2013. The Public Defender's Office has indicated they have one felony file and one misdemeanor file open for the applicant, and bills for those cases will likely be submitted and recorded as liens after the cases are resolved. Since the applicant filed this second request for compromise, Minnehaha County has received a check from the title company in the amount of \$7,045.91 for payment in full of the lien. The applicant is now requesting for that payment to be returned to her and for the lien to be released as it applies to the real property. MOTION by Kelly, seconded by Barth, to deny the request to return the \$7,045.91 payment from the title company to the applicant, and to deny the request for compromise of lien. 5 ayes.

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Commissioner Pekas gave a briefing on a request for compromise of lien for DPNO #61269 in the amount of \$2,234.22. The lien consists of Human Services assistance from Minnehaha County in the amount of \$216.66. The balance of the lien consists of charges from other counties filed with the Minnehaha County Register of Deeds. The applicant provided documentation showing the assistance from Minnehaha County was provided to his ex-wife after their divorce was final. The Commission Office has determined the liens filed from the other counties are also for services received by the applicant's ex-wife. MOTION by Pekas, seconded by Heiberger, to approve Resolution MC13-29. 5 ayes.

RESOLUTION MC13-29

WHEREAS, a County Aid Lien in the amount of \$216.66 purports to exist in favor of Minnehaha County and against DPNO #61269 as Lienee, and

WHEREAS, said lienee has filed an application with the County Auditor stating such facts as provided for by Law,

NOW, THEREFORE, BE IT RESOLVED that after due consideration of the circumstances the Board of County Commissioners finds it advisable and proper to authorize the Chairman of the County Board and the County Auditor to execute the following:

Remove the Applicant's Name from DPNO #61269 leaving the lien in force only against the person listed as "Spouse".

Dated at Sioux Falls, South Dakota, this 18th day of June, 2013.

APPROVED BY THE COMMISSION:

Gerald Beninga
Chairman

ATTEST:

Cynthia Jepsen
Deputy County Auditor

HEARING

A public hearing was held to consider applications for Malt Beverage and Wine Licenses from Rocco's Catering, Sioux Falls, for The Riviera by Rocco's. The licensed property is legally described as Lot 2 of Tract 1 Jeanne's Addition NE ¼ and SE ¼ of Section 28-T101N-R48 W, and is located at 26665 481st Avenue, Brandon, SD. The applications have been reviewed by the State's Attorney's Office, Sheriff's Office, and Planning & Zoning Department and there were no objections or concerns reported. The Riviera by Rocco's is a banquet hall and catering establishment that is being constructed in the Red Rock Corridor. The applicant, Matt Sapari, was present. No one spoke in opposition. MOTION by Barth, seconded by Pekas, to approve a Retail On-Off Sale Malt Beverage License and Retail On-Off Sale Wine License for Rocco's Catering, The Riviera by Rocco's. 5 ayes.

BID AWARDS

Tom Wilsey, Assistant Highway Superintendent, reported that bids for annual highway materials were opened on June 12, 2013. The following companies submitted bids: Jebro Inc., Concrete Materials, Inc., Winter Inc., LG Everest, Hancock, Cretex Concrete Products, Lyle Signs, Winter Equipment Co., RDO Equipment, Diesel Machinery, Inc., Titan Machinery, Ironhawk Industrial Distribution LLC, BX Civil Construction, Highway Improvement, and Myrl and Roy's Paving, Inc. Mr. Wilsey recommended award to the low, overall, acceptable bidder in each category. In the event of a multiple award, the recommendation was based on availability, geographic location of the supplier or other conditions that would make a multiple award to be in the best interest

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of Minnehaha County. MOTION by Pekas, seconded by Barth to award the bid for 2013-2014 Highway Materials as follows. 5 ayes.

ITEM NUMBER	DESCRIPTION	VENDER
Item 1	MC70 Liquid Asphalt	Jebro
Items 2.1 through 2.3	Class A Concrete and Flowable Fill	Winter Inc.
Items 3.1 through 3.4	Erosion Stone and Class A, B, and C Rip Rap	LG Everest Inc.
Items 4.1 through 19	Reinforced Concrete Pipe – Various Sizes	Hancock
Items 20.1 through 25	Signs with various coatings	Lyle Signs
Items 37.1 through 37.8	Cutting Edges	Titan Machinery
Item 37.9	Specialized Cutting Edges	Ironhawk Ind. Dist.
Item 38	Specialized Cutting Edges	Winter Equipment Co.
Item 39	Salt Sand	Concrete Materials
Item 40	Guardrails	BX Civil & Const.
Item 41	Asphalt Rubber Sealant	Highway Improvement Item 42
Item 42	Hot Pour Asphalt Material Equiv to Crafcoc	Highway Improvement

No bids were received for the following items:

ITEM NUMBER	DESCRIPTION
Items 26.1 through 29.2	Signs with Flashing LEDs
Items 30 through 36	Sign Posts and Delineator Posts; various sizes and lengths
Item 43	Jackhammer Bits
Item 44	Sand Blasting Media

Asphalt Concrete and De-Icing Salt are being purchased on the City of Sioux Falls Bid.
Tires are being purchased off the State of SD Bid.

Tom Wilsey, Assistant Highway Superintendent, reported on the bid opening held on June 12, 2013 for Project Seal 2013. Two bids were received from ASCO, \$751,171.50 and The Road Guy Construction Company, \$810,319.78. Mr. Wilsey recommended the contract be awarded to the low bidder. MOTION by Kelly, seconded by Pekas, to award the bid for Project Seal 2013 to ASCO in the amount of \$751,171.50. 5 ayes.

Tom Wilsey, Assistant Highway Superintendent, reported on the bid opening held on June 12, 2013 for Project MC50-150-202-2; Superstructure Replacement for Ellis Bridge. Two bids were received from Sioux Falls Construction Co., Inc., \$682,683.01 and Swingen Construction Co., \$837,422.00. Mr. Wilsey recommended the contract be awarded to the low bidder. MOTION by Pekas, seconded by Heiberger, to award the bid for Project MC50-150-202-2 to Sioux Falls Construction Co., Inc. in the amount of \$682,683.01. 5 ayes.

Tom Wilsey, Assistant Highway Superintendent, reported on the bid opening held on June 12, 2013 for Project MC140MS-13, micro-surfacing on Minnehaha County Highway 140 from 1.25 miles east of Highway 139. Only one bid was received from Astech Corp., \$148,781.90. MOTION by Pekas, seconded by Barth, to award the bid for Project MC140MS-13 to Astech Corp. in the amount of \$148,781.90. 5 ayes.

RESOLUTION

Scott Anderson, Planning Director, gave a briefing on a proposed resolution that would revise building permit valuations. The resolution would increase building permit fees by 1%, resulting in an \$11.66 increase to a building permit for a 1,500 square foot home, unfinished basement and double stall garage. This increase is based on the Consumer Price Index and reflects the added cost in the materials. MOTION by Barth, seconded by Heiberger, to approve Resolution MC13-30. 5 ayes.

RESOLUTION MC13-30

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WHEREAS, Minnehaha County has adopted the 2012 Editions of the International Building Code, International Residential Code, and International Existing Building Code; and

WHEREAS, Section 109.2 of the International Building Code, and Section R108.2 of the International Residential Code require the County as governing authority to establish a permit fee schedule; and

WHEREAS, the permit fees are utilized by the County to administer the International Building Code, International Residential Code, and International Existing Building Code.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners establishes the following building permit fees for Minnehaha County:

BUILDING PERMIT VALUATION/FEE SCHEDULE
2012 INTERNATIONAL BUILDING CODE AND
2012 INTERNATIONAL RESIDENTIAL CODE AND
2012 INTERNATIONAL EXISTING BUILDING CODE

The valuation to determine permit fees for residential buildings and additions are based on a dollar per square foot schedule per the following. The bid price must be quoted for renovation and remodeling work.

Dwellings - site built

Finished habitable space	\$81.00 per square foot
Finished basements	\$54.00 per square foot
Unfinished space (basement)	\$32.50 per square foot
Attached garages	\$32.50 per square foot
Detached garages, accessory structures, & decks	\$27.00 per square foot

Dwellings - moved

Finished habitable space	\$27.00 per square foot
Finished basements	\$54.00 per square foot
Unfinished space (basement)	\$32.50 per square foot
Attached garages (moved on)	\$22.00 per square foot
Detached garages & accessory structures (moved on)	\$11.25 per square foot

Manufactured and Mobile Homes

Finished habitable space	\$32.50 per square foot
Finished basements	\$54.00 per square foot
Unfinished space (basement and upper level)	\$31.50 per square foot
Foundation (no basement)	\$11.25 per square foot
Attached garages	\$31.50 per square foot
Detached garages	\$27.00 per square foot

Agricultural Structures

\$22.00 per square foot

Approved this 18th day of June, 2013.

MINNEHAHA COUNTY

Gerald Beninga

Chair, Board of County Commissioners

ATTEST:

Cynthia Jepsen

6/18/2013
Deputy County Auditor

CONTRACT

Ken McFarland, Commission Administrative Officer, gave a briefing on a contract with Turbes Plumbing & Heating for plumbing repairs in the Expo Building at the W.H. Lyon Fairgrounds. The Building Committee approved a request from the Sioux Empire Fair Association to re-allocate funding for asphalt work to be used for this project due to the asphalt work being provided by the City of Sioux Falls. MOTION by Heiberger, seconded by Pekas, to authorize the Chairman to sign the contract with Turbes Plumbing & Heating for an amount not to exceed \$6,632.74. 5 ayes.

AWARD

Aaron McGowan, State's Attorney, reported the State's Attorney's Office has been awarded \$7,411.88 from the Drug Control Fund through the Office of the Attorney General to purchase equipment to update their trial preparation technology. The funds are provided pursuant to SDCL 34-20B-64, which requires forfeited funds or assets be used for drug apprehension purposes. MOTION by Kelly, seconded by Barth to accept the funding from the Office of the Attorney General's Drug Control fund in the amount of \$7,411.88.

LIAISON REPORTS

Commissioner Heiberger reported that asphalt work is being done around the Johnson/Nordstrom building at the Sioux Empire Fairgrounds and that the City of Sioux Falls will be doing gravel work in the area that was used as a drop off site for tree branches following the ice storm.

NEW BUSINESS

Commissioner Barth suggested the commission start considering any legislative issues they would like to bring to the state convention.

Chairman Beninga reported that budget hearings begin this evening at 6:00 p.m. in the commission room.

Bob Litz, Auditor, reported on a meeting he attended at Carnegie Town Hall with election representatives from the City of Sioux Falls and Sioux Falls School District. They discussed an up-coming Americans with Disabilities Act (ADA) inspection of common election sites, the use of e-poll books, and future replacement of the ballot counting machines.

OLD BUSINESS

Commissioner Barth reported that the labor unions are supporting the Jaycee's 4th of July fireworks.

The Commissioners, Ken McFarland, Commission Administrative Officer, and Bob Litz, Auditor, discussed the process and time line for considering refunding Series 2004 Limited Tax General Obligation Certificates of Participation.

Commissioner Kelly reported that former Minnehaha County Highway Superintendent, Bob Meister, is being inducted into the Highway Hall of Fame.

Ken McFarland, Commission Administrative Officer, reported that a request was received from the Tri-Valley School District for an emergency siren to be installed near the location of the school. The Commission will consider their request at the June 25, 2013 commission meeting.

MOTION by Pekas, seconded by Barth, to adjourn into Executive Session for personnel, contract, and legal

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briefing. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, June 25, 2013.

APPROVED BY THE COMMISSION:

Gerald Beninga
Chairman

ATTEST:

Cynthia Jepsen
Deputy Auditor