

6/25/2013

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. June 25, 2013 pursuant to adjournment on June 18, 2013. Commissioners present were: Barth, Heiberger, Kelly, and Pekas. Commissioner Beninga was absent. Also present were Cindy Jepsen, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

Vice Chairperson Heiberger called the meeting to order.

MOTION by Pekas, seconded by Barth, to approve the agenda. 4 ayes.

MOTION by Pekas, seconded by Barth, to approve the June 18, 2013 Commission Minutes. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Pekas, to approve the following bills totaling \$698,277.61. 4 ayes.

A & B Business Equip	Var. Depts	698.33	A-1 Septic Tank & Ex	Hwy Constr	172.50
ABN Army Surplus	Em Mgmt	798.82	Abukku, Mali	Courts	174.97
Alcohol Monitoring S	JDC	158.40	Alcopro	Sheriff	345.00
American Correctiona	JDC	35.00	Anchortex Corp	Jail	1,036.20
Appeara / Dudley Lau	Hwy Constr	32.70	Arena Motel	Human Svcs	597.00
Argus Leader - Adver	Var. Depts	1,740.52	Around The Clock/Dra	JDC	276.90
Arrow Ridge Townhome	Human Svcs	400.00	Avera McKennan Hospi	Var. Depts	13,834.15
Avera McKennan Hospi	Human Svcs	352.35	Avera Medical Group	Human Svcs	33.01
Avera Medical Group-	Human Svcs	635.09	Avera Pulmonary Asso	Human Svcs	411.75
Baete-Forseth Hvac L	Bldg Fund	34,090.00	Bain, Jeremy/Eidsnes	Mus Entpr	300.00
Bendorf Law Firm Pro	Courts	525.00	Bierschbach Equipmen	Hwy Constr	511.80
Bob Barker Company,	Var. Depts	7,427.64	Boyer Trucks Sioux F	Hwy Constr	395.86
Bradfield, Matt Db	JDC	70.00	Breit Law Offices, P	Courts	582.20
Brennan Hill Townhou	Human Svcs	600.00	Brookings City Finan	Atty Fees	257.84
Brosz Engineering In	Hwy Constr	12,270.00	Buck's Muffler Shop	Jail	72.00
Bureau Of Informatio	Var. Depts	776.03	Cadwell, Sanford, Deib	Bldg Fund	1,155.00
Carlson, Lisa	Courts	197.60	Carlson, Scott B Att	Courts	2,702.33
Cartridge World	24/7 Prog	187.96	CBM Managed Services	Var. Depts	27,980.09
Century Business Lea	Sheriff	148.91	Century Business Pro	Var. Depts	437.59
Centurylink (Qwest)	Var. Depts	3,427.12	Certified Languages	Courts	95.70
Chapelwood III Llc	Human Svcs	600.00	Chemco, Inc.	Var. Depts	1,500.87
Cliff Avenue Auto Pa	Var. Depts	127.26	Cole Papers, Inc.	Facilities	287.44
Complete Property Ll	Human Svcs	475.00	Concrete Materials	Hwy Constr	15,203.08
Constellation New En	Facilities	9,015.90	Construction Product	Hwy Constr	156.00
Correct Care Solutio	Jail	145,044.12	Counseling Resources	Courts	2,150.00
Country Meadows Apts	Human Svcs	533.00	Country View MHC	Human Svcs	292.00
Dakota Data Shred	Jail	134.03	Dakota Lettering Etc	Em Mgmt	578.10
Dakota Supply Group,	Parks	67.95	Dataware Svcs	Info Tech	437.50
Deboer Law Office Pc	Courts	164.00	Devaney, Tom	Hwy Constr	114.99
Dressen Custom Trail	Hwy Constr	142.27	Election Systems & S	St Atty	292.06
Etek Llc Db	Human Svcs	475.00	Evans Law Pc - Henry	Courts	1,246.40
Finnegan, Daniel	Hwy Constr	174.99	First Dakota Title	Treasurer	300.05
Fleetpride / Holt, I	Hwy Constr	16.95	Formatop Co	Mus Ops	600.00
Gansz, Kevin	Mus Entpr	222.08	Gemloc Llc	Human Svcs	650.00
GMIS International	Info Tech	150.00	Grainger, Inc.	Hwy Constr	292.82
Gunner, Andrea	Courts	60.80	Guzman, Sandra V.	Courts	105.00
H & R Roofing Of SD,	JDC	302.00	Harmelink, Fox & Ravn	Mental Ill	232.72
Heartland Paper Comp	Jail	1,294.08	Heimdal, Marie Ann	Courts	14.00
Hoskins, William J	Mus Entpr	133.20	Hosmer, David M. Law	Courts	92.90
Howes Oil Co., Inc.	Hwy Constr	27,137.12	Humphreys, Robert/Ca	Human Svcs	325.00
Hy-Vee Accounts Rece	Var. Depts	372.16	IABTI	Sheriff	450.00
Interstate Office Pr	Var. Depts	3,515.94	Jasper County (IA) S	St Atty	40.00
JCL Solutions-Janito	Var. Depts	1,847.92	Jerke, Heidi	Planning	182.00
JKR Rentals Llc	Human Svcs	425.00	Johnson, Richard L	Courts	1,785.00
Kennedy, Renee S	Courts	11.40	Klein, Rose	Human Svcs	525.00
Lake County (SD) Sher	Treasurer	29.00	Language Line Servic	Human Svcs	137.02
Lewis Drug Stores	Human Svcs	4,654.15	Lincoln County(SD) S	Treasurer	46.50

6/25/2013

Livermont, Gary L	St Atty	273.40	Lloyd Companies	Human Svcs	600.00
Lutheran Social Svcs	St Atty	100.00	M & M Ventures Llc	Human Svcs	213.00
Mair, Bruce	Human Svcs	455.00	Malloy Electric Bear	Hwy Constr	54.88
Marion Park Apts	Human Svcs	500.00	McDaniel, Kaycee	Extension	370.94
Mclaughlin, David	Human Svcs	425.00	Meadowbrook Apartmen	Human Svcs	500.00
Menards - East	Parks	51.67	Meridian IT Solution	Info Tech	9,947.69
Merrow, Danielle	Human Svcs	900.00	Metro Communications	E911 Fund	176,985.39
Michaelson, Shirley	Human Svcs	500.00	Microfilm Imaging Sy	Reg Deeds	588.49
MidAmerican Energy C	Human Svcs	1,144.92	Midwest Alarm Compan	Jail	412.80
Midwest Residential	Human Svcs	410.00	Mills, John / NSAI	Mus Entpr	200.00
Miner County Sheriff	Treasurer	55.40	Minnehaha Cnty Histo	Mus Store	113.00
Minnehaha Cnty Treas	Treasurer	525.95	Mitel Technologies I	Info Tech	1,490.96
MJ Dalsin Co	Facilities	380.38	Morphotrak	Jail	4,859.00
Muller, Carol	Human Svcs	92.00	Multi-Cultural Cente	Courts	55.00
Nat'l Finance Center	Human Svcs	1,292.00	Nat'l Student Housin	Human Svcs	550.00
NE Dept Of Motor Veh	St Atty	3.00	Nesseim, Jessie	Mus Entpr	136.90
Neve's Uniforms	Var. Depts	881.02	Nicholson, Tschetter	Courts	2,237.61
North Central Farmer	Hwy Constr	22,622.25	Northeast Investment	Human Svcs	540.00
O'Dea, Steve C	Human Svcs	385.00	Office Depot, Inc.	Info Tech	579.22
Olson, Waltner & Sch	Courts	1,143.40	Osborn, Roxane R	St Atty	27.00
Pennington County Ja	Jail	10,516.95	Perspective Inc	Bldg Fund	4,964.00
Pharmchem Inc	24/7 Prog	155.00	Pheasantland Industr	Sheriff	325.44
PWC-Prof Wireless Co	Jail	6,507.50	Qualified Presort Se	Var. Depts	4,814.46
Quality Efficiencies	Human Svcs	460.00	Rac Rentals Llc	Human Svcs	800.00
Redwood Toxicology L	Jail	1,080.00	Reker, Zach	Hwy Constr	40.78
Richard-Ewing Equipm	Facilities	77.60	Rigsby Law Office Pl	Courts	2,287.00
Sanford Hospital Med	St Atty	11.00	Sanford Occupational	Hwy Admin	208.75
Satisfaction Plus In	Human Svcs	159.00	Schaaf, Susan	Human Svcs	450.00
Schabauer Invest Ltd	Human Svcs	317.50	Schrader, Alvan L Db	Human Svcs	450.00
SD Dept Of Public Sa	Human Svcs	50.00	SD Dept Of Revenue	Var. Depts	101.32
SD State Historical	Mus Store	242.08	SDN Communications	Var. Depts	1,020.00
Sejnoha, Shane	Human Svcs	500.00	Sentinel Offenders S	JDC	1,912.68
SF Auto Trim & Uphol	Hwy Constr	145.50	Sioux Falls City Fin	Planning	718.20
Sioux Falls City Fin	Var. Depts	16,707.83	Sioux Falls Humane S	Humane Soc	3,585.94
Sioux Falls Two Way	Sheriff	37.50	Sioux Falls Utilitie	Var. Depts	788.09
Sioux River Ltd Ptnr	Human Svcs	575.00	Sioux Valley Energy	Human Svcs	141.00
Solomon, Ghirmay	Courts	83.32	South Holly Prop Llc	Human Svcs	500.00
Southeastern Behavio	JDC	875.00	Srstka, Erin	Commission	159.00
St Francis House	Safe Home	445.04	Stan Houston Equipme	Hwy Constr	168.45
Sturdevant's Auto Pa	Hwy Constr	109.95	Szameit, Alexandra	Courts	25.00
T & A Service & Supp	Hwy Constr	9.90	Tactical Command Ind	Em Mgmt	2,437.25
Thorin, Deyanira T	Courts	25.00	Thyssenkrupp Elevato	Jail	2,635.64
Tires,Tires,Tires In	Var. Depts	1,044.31	Titze's Auto Repair	Jail	596.25
Tri-Tech Inc	St Atty	4,440.00	TSP, Inc.	Hwy Constr	2,630.31
TTT Investments Llc	Human Svcs	500.00	Turnkey Corrections	Jail	662.16
Ulmer, Thomas O	Human Svcs	680.00	United Parcel Servic	Reg Deeds	17.88
Univ Of OK Press	Mus Store	189.25	Variety Foods Llc	Safe Home	257.79
VOA Dakotas/SF VOA L	Human Svcs	50.00	Volunteers Of Americ	Var. Depts	10,694.22
Wal-Mart Pharmacy	Human Svcs	524.48	Wal-Mart Pharmacy	Human Svcs	259.96
Waldner, Ryan	Mus Store	132.00	Weerheim, Tom	Courts	310.80
Wegner Auto Comp Inc	Sheriff	23,358.00	West Group	St Atty	1,721.59
Westwick Motel, Inc.	Human Svcs	1,280.00	Winner Police Depart	Jail	136.51
Witte, Fred	Human Svcs	800.00	Xcel Energy, Inc.	Human Svcs	5,573.20
Yankton County Sheri	Mental Ill	200.00	Zabel Steel Co.	Hwy Constr	52.47
5-Forty Partnership	Human Svcs	700.00			

PERSONNEL

MOTION by Barth, seconded by Pekas, to approve the following personnel changes. 4 ayes.

1. To hire Matthew Abel as Deputy State's Attorney (21/1) for the State's Attorney's Office at \$2,002.80/bi-weekly effective 7/1/13.

6/25/2013

2. To promote Janel Ingalls from Juvenile Correctional Officer I to Juvenile Correctional Officer II (14/14) for the Juvenile Detention Center at \$24.425/hour effective 6/27/13.
3. To accept the retirement of John Norberg as STI Security Officer for STI Security effective 6/28/13.
4. To rescind the action from the memo dated 5/28/13 for the promotion of Mathias Weinmann from Corrections System Operator (9/1) to Correctional Officer in Training (12/1) for the Jail.

Step Increases Due:

1. Julie Hofer – Senior Deputy Public Advocate – Public Advocate’s Office – 22/11 to 22/12 – 6/20/13 – \$2,900.72/bi-weekly
2. Donna Frank – Tax and License Technician – Treasurer’s Office – 10/3 to 10/4 – 6/9/13 – \$15.660/hour

REPORT

Jenny Adix, Human Resources Generalist and Diversity Committee member, introduced fellow committee members and thanked them for their dedication and commitment. Committee member, Wes Garcia presented the Minnehaha County Diversity Committee Annual Report highlighting activities of the past year that included reviewing and providing input on the Minnehaha County Affirmative Action Plan, planning and organizing the 2012 Native American Resource Fair on Native American Day, and organizing the “Souper” Bowl Food Drive.

LIEN COMPROMISE

Commissioner Pekas gave a briefing on an application for a compromise of lien for DPNO 18632 for Public Defender services in the amount of \$813.80. One \$5.00 payment has been made on the account. The applicant was present and addressed the commission through an interpreter. She stated the lien is an economic hardship due to her unemployment and the financial position of her family. She is asking for a compromise and release of the lien upon payment of \$200.00. Commissioners Barth and Kelly stated they felt the applicant should continue to make regular payments for a period of time to reduce the lien, and then re-submit a request for a compromise of lien. MOTION by Pekas, seconded by Barth, to take no action on the request to compromise the lien for DPNO 18632. 4 ayes.

OPPORTUNITY FOR PUBLIC COMMENT

Bob Kolbe, Minnehaha County resident, addressed the commission regarding concerns over procedures that would be done in the mass fatality trailer the county is acquiring through a grant award from the SD Department of Health. Mr. Kolbe stated he believed there would be a greater need for a refrigerated unit in the event of a mass fatality. Lynn DeYoung, Emergency Management Director, explained that Pennington County has acquired a refrigerated unit that would be available for use anywhere in the State of South Dakota and also explained how the mass fatality trailer would be utilized when needed.

REQUEST

Mike Lodmel, Superintendent of the Tri-Valley School District, requested consideration for a severe weather warning siren to be placed at their school district site. Mike McAreavey, Chairman of the Tri Valley School Board, stated that the school district’s funds are limited and they have just gone through an opt-out. Lynn DeYoung, Emergency Management Director, reported on several options for providing emergency storm warnings for the school district. MOTION by Kelly, seconded by Barth to form a committee consisting of two Commissioners and Lynn DeYoung to consider the options and bring a recommendation back to the commission for consideration in the near future. 4 ayes.

6/25/2013

ADDENDUM

Keith Wynia, Air Guard Supervisor, requested consideration of a second Addendum to the Joint Security Protection Agreement between the State of SD Department of Military and Veterans Affairs and Minnehaha County for the contract period October 1, 2012 thru September 30, 2013. The original agreement for FY 2013 was for \$934,300. This amount was reduced to \$894,300 with the approval of the first addendum on June 4, 2013. This second addendum reconciles the final cost at \$858,300. MOTION by Barth, seconded by Pekas to approve the second addendum to the Joint Security Protection Agreement for the contract period October 1, 2012 thru September 30, 2013 reducing the contract amount to \$858,300. 4 ayes.

AGREEMENTS

Tom Wilsey, Assistant Highway Superintendent, gave a briefing on an agreement with the South Dakota Department of Transportation for the plant inspection of the precast concrete beams to be used on the Ellis bridge project. The beams are being constructed by Gage Brothers of Sioux Falls. MOTION by Kelly, seconded by Barth, to authorize the Chairman to sign the Joint Powers Inspection Agreement with the SD Department of Transportation in the amount of \$15,000. 4 ayes.

Tom Wilsey, Assistant Highway Superintendent, gave a briefing on an agreement with HDR Engineering, Inc. of Sioux Falls, SD for construction management services for the construction of Project MC50-150-202-2, the Ellis Bridge. MOTION by Barth, seconded by Pekas, to authorize the Chairman to sign the agreement with HDR Engineering, Inc. for Project MC50-150-202-2 in an amount not to exceed \$95,546. 4 ayes.

Tom Wilsey, Assistant Highway Superintendent, gave a briefing on an agreement with HDR Engineering, Inc. of Sioux Falls, SD for the survey, design, and plans preparation for a deck overlay for Structure No. 50-300-118. The structure is on County Road 109 (484th Ave.) two miles south and one mile west of Garretson, SD. MOTION by Barth, seconded by Pekas, to authorize the Chairman to sign the agreement with HDR Engineering, Inc. for overlay project for Structure No. 50-300-118 in an amount not to exceed \$22,944. 4 ayes.

Tom Wilsey, Assistant Highway Superintendent, gave a briefing on Construction Change Order No. 1 to the contract with Nolz Dragline, Inc. for Project MC121STR-12, Replacement of Structures 50-240-069 and 50-240-073. Unstable material and debris were found in the region of the structures requiring additional work that increases the contract amount by \$23,369.68. MOTION by Kelly, seconded by Barth, to authorize the Chairman to sign Change Order #1 for Project MC121STR-12, increasing the contract amount with Nolz Dragline, Inc. to \$525,350.98. 4 ayes.

EASEMENTS

DJ Buthe, Highway Superintendent, gave a briefing on two temporary construction easements for State Project Number BTO 8050(64), PCN 032U that will replace the existing pony truss bridge with a 96 foot continuous concrete bridge. The bridge is located 2.8 miles east of Hwy 11 on 264th Street. One easement is with Gary & Jane Newman who will receive \$600 in damages for the loss of three trees. The other easement is with Suzette Nordstrom Revocable Intervivos Trust, who did not ask for any money damages. MOTION by Barth, seconded by Pekas, to authorize the Chairman to sign the Temporary Construction Easements, Utility Certificate, Letting Authorization, Right of Way Certificate and Encroachment Survey Certification for SD Department of Transportation Project BRO 8050 (64) PCN 032U. 4 ayes.

AGREEMENTS

Warden Jeff Gromer gave a briefing on the 2013-2014 jail housing contracts with surrounding counties. Under the terms of the contracts, the daily rate for housing inmates in other than a work-release setting is \$80.20 and the daily rate for work release inmates is \$35.00. The contracts will be valid from 7/1/13 to 6/30/14. MOTION by

6/25/2013

Barth, seconded by Kelly, to approve the 2013-2014 jail housing agreements with the counties of Aurora, Brookings, Deuel, Gregory, Hanson, Hutchinson, Hyde, Jerauld, Kingsbury, Lake, McCook, Miner, Moody, Pennington, Sanborn, and Turner. 4 ayes.

SUPPLEMENT

MOTION by Barth, seconded by Pekas, to supplement \$7,411.88 from the General Fund to the State's Attorney Budget, ASN 15691 Data Processing Equipment, representing reimbursement from the South Dakota Drug Control Fund. 4 ayes.

GRANT

Ken McFarland, Commission Administrative Officer, gave a briefing on a \$15,000 grant available through the Council of Juvenile Services (CJS) to fund the salary for the local Juvenile Detention Alternative Initiative (JDAI) Coordinator from June 2013 through December 2013. Since Minnehaha County was unaware this grant funding was available until recently, county funding was appropriated for this position through the end of 2013. Minnehaha County presented an alternative to the CJS to use the grant funds for part-time help for our local JDAI Coordinator to assist in the expansion activities into the First Judicial Circuit. This idea was accepted by the CJS. However, because of the pending move of the expansion of JDAI from the CJS to the SD Unified Judicial System (UJS) and the need to coordinate expansion activities with the UJS once their plans are formulated, Mr. McFarland recommended not applying for the \$15,000 grant through the CJS. Motion by Kelly, seconded by Barth to take no action to submit the \$15,000 grant application with the CJS. 4 ayes.

AGREEMENTS

Ken McFarland, Commission Administrative Officer, presented the FY2014 agreement with the State of South Dakota for funding of the detox facility in the amount of \$127,220. The new contract begins June 1, 2013 and ends May 31, 2014. The City of Sioux Falls provides \$210,000 and the County is responsible for the difference between the budget and the city/state payments. MOTION by Kelly, seconded by Barth to authorize the Chairman to sign the FY2014 State of South Dakota Department of Human Services Division of Alcohol and Drug Abuse Purchase of Service Agreement between Minnehaha County and the State of SD Department of Human Services Division of Alcohol and Drug Abuse in the amount of \$127,220. 4 ayes.

NEW BUSINESS

Ken McFarland informed the Commissioners that next week's agenda will have an item to solicit ideas on potential legislative changes they would like to have considered by the SD Association of County Commissioners during the state convention in September. Resolutions for the changes that are identified will be drafted by the Commission Office and brought to the County Commission prior to the July 31st submission deadline.

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

The Commission adjourned until 9:00 a.m. on Tuesday, July 2, 2013.

APPROVED BY THE COMMISSION:

Gerald Beninga

Chairman

ATTEST:

Cynthia Jepsen

Deputy Auditor