

7/16/2013

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M. July 16, 2013 pursuant to adjournment on July 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. 5 ayes.

MOTION by Heiberger, seconded by Barth, to approve the July 9, 2013 Commission Minutes. 5 ayes.

Commissioner Kelly reported that two years ago today he received a heart transplant and spoke on the importance of the donor program.

#### VOUCHERS TO BE PAID

MOTION by Pekas, seconded by Barth, to approve the following bills totaling \$551,288.43. 5 ayes.

|                      |            |           |                      |            |          |
|----------------------|------------|-----------|----------------------|------------|----------|
| A & B Business Equip | Var. Depts | 826.31    | A Bar K Inc          | Facilities | 227.19   |
| A To Z World Languag | Public Adv | 60.00     | Amazon.Com           | Bldg Fund  | 49.01    |
| Adv Electrical Train | Facilities | 181.00    | Advance Auto Parts   | Sheriff    | 38.77    |
| Advertising Arts Inc | Mus Ops    | 20.00     | Alamo Rent-A-Car     | Em Mgmt    | 933.04   |
| Alco Service & Suppl | Facilities | 143.18    | All American Investm | Human Svcs | 149.98   |
| Amazon Mktplace Pmts | Var. Depts | 1,549.32  | American Legion Chor | Em Mgmt    | 34.00    |
| American Planning As | Planning   | 200.00    | Anderson Publication | Commission | 813.75   |
| Anderson, Carol      | Human Svcs | 400.00    | Appleton Citgo       | Em Mgmt    | 105.33   |
| Arena Motel          | Human Svcs | 573.00    | Arrow Ridge Townhome | Human Svcs | 600.00   |
| Avera Health Informa | Public Def | 67.20     | Avera McKennan Hosp  | Var. Depts | 4,500.00 |
| Avera McKennan Hospi | Var. Depts | 2,208.32  | Avera Medical Group  | Mental Ill | 147.96   |
| Avera Medical Group- | Mental Ill | 34.33     | Avera Radiology      | Var. Depts | 290.07   |
| Axsom, Rodney        | Jail       | 157.95    | Baete-Forseth Hvac L | Bldg Fund  | 9,740.00 |
| Baldwin Supply Co    | Facilities | 297.95    | Batteries Plus/Onesk | Var. Depts | 2,188.36 |
| Best Buy             | St Atty    | 2,359.92  | Best Western Doublew | Dir Of Eq  | 231.00   |
| Best Western Ramkota | Human Svcs | 266.78    | Bierschbach Equipmen | Facilities | 54.30    |
| Billion's            | Sheriff    | 1,579.95  | Bizcom Electronics   | Facilities | 68.20    |
| Bob's Lock & Key/Haw | JDC        | 4.65      | Bobcat Of Brookings  | Facilities | 76.61    |
| Boulevard Investment | Human Svcs | 400.00    | Bourne, Anna         | Mental Ill | 750.00   |
| Boyce,Greenfield,Pas | Human Res  | 1,190.00  | BP Products North Am | Var. Depts | 293.30   |
| Braithwaite, Tacey E | Mental Ill | 102.00    | Brown & Saenger      | Sheriff    | 43.96    |
| Budget Rent-A-Car    | Public Def | 289.69    | Builders Supply Comp | Facilities | 1,104.72 |
| Campbell Supply Co I | Var. Depts | 764.97    | Cartridge World      | Var. Depts | 1,692.99 |
| Caseys               | Var. Depts | 61.81     | Cbcinnovis Inc       | Jail       | 8.65     |
| CBM Managed Services | Safe Home  | 193.97    | Cedar House Apts Llc | Human Svcs | 500.00   |
| Cedar Shore          | Human Svcs | 183.90    | Cellular Only - Dawl | Sheriff    | 109.22   |
| Central Salt Llc     | Hwy Constr | 4,105.81  | Century Business Pro | Public Def | 740.56   |
| Century Motels, Inc  | Elections  | 118.10    | Certified Auto Glass | JDC        | 185.00   |
| City Centre Hotel Co | Em Mgmt    | 450.00    | Civil Design Inc     | Hwy Constr | 8,932.50 |
| Clark Engineering Co | Hwy Constr | 4,348.75  | Clark                | Auditor    | 70.01    |
| Clean Cab Ohio       | Public Def | 43.00     | CM Information Spec/ | Public Def | 315.04   |
| Cody, Denise         | Mental Ill | 97.50     | Cole Papers, Inc.    | Hwy Admin  | 48.75    |
| Colton Lumber Co Inc | Hwy Constr | 68.22     | Communication Svcs F | Courts     | 82.00    |
| Concrete Materials   | Hwy Constr | 24,876.36 | Construction Product | Hwy Constr | 273.00   |
| Correct Care Solutio | Sheriff    | 70,606.50 | Counseling Resources | Courts     | 1,075.00 |
| County Fair, Inc.    | Extension  | 15.55     | Courtyard By Marriot | Air Guard  | 188.16   |
| Crysteel Truck Equip | Hwy Constr | 1,545.00  | Dakokta Magic C Stor | Dir Of Eq  | 45.00    |
| Dakota Auto Parts    | Facilities | 3.59      | Dakota Fluid Power,  | Hwy Constr | 133.02   |
| Dakota Splash        | Hwy Admin  | 100.00    | Data Mgmt Inc Db     | Facilities | 471.11   |
| Daves Automotive     | Dir Of Eq  | 80.75     | Decisionone Corporat | Info Tech  | 168.52   |
| Delta Air            | Var. Depts | 1,654.80  | Dennis Supply Co.    | Facilities | 222.00   |
| Dey Appliance        | JDC        | 3.13      | Dezotell, Dale       | Human Svcs | 1,200.00 |
| Displays2gocom       | St Atty    | 670.92    | Dollar General       | JDC        | 34.00    |
| Dust Tex Service Inc | Mus Maint  | 22.56     | DXP Enterprises Inc  | Facilities | 60.54    |
| Eastern Farmers Coop | Var. Depts | 317.15    | Ebert's Properties,  | Human Svcs | 795.00   |

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|----------------------|------------|-----------|----------------------|------------|-----------|
| Elite Business Syste | Human Svcs | 152.90    | Erpenbach, John E    | Sheriff    | 250.00    |
| Etc/Expo For Her Mag | Mus Ops    | 350.00    | Etek Llc DbA Garfiel | Human Svcs | 425.00    |
| Family Dollar        | Public Def | 17.00     | Family Service Inc   | Expenses   | 65.00     |
| Family Vac           | JDC        | 70.00     | Family Visitation Ct | Mus Entpr  | 150.00    |
| Faragher, Scott      | Public Def | 95.00     | Fastenal Company     | Var. Depts | 418.03    |
| Fastsigns            | Mus Entpr  | 2,606.50  | Finnegan, Daniel     | Hwy Constr | 135.17    |
| First Premier Bank   | Sheriff    | 68.90     | Folsland, David/Cind | Mus Store  | 253.50    |
| Fowler, Lisa S       | Courts     | 25.00     | Frantzen, Paige      | Human Svcs | 189.00    |
| Fred The Fixer Inc   | Hwy Constr | 168.00    | Freeborn County (MN) | St Atty    | 65.00     |
| Frerichs, Adam       | Em Mgmt    | 60.00     | Fresh Start Convenie | Var. Depts | 178.61    |
| Frisbee, Inc.        | JDC        | 1.30      | G & R Controls Inc   | Bldg Fund  | 35,250.00 |
| Gannett NSSC/Sioux F | Var. Depts | 55.86     | Gas Stop             | Hwy Constr | 9.00      |
| Geotek Engineering & | Hwy Constr | 2,942.00  | Goebel Printing, Inc | Human Svcs | 53.60     |
| Goodge, Adam         | Mus Store  | 77.50     | Grainger, Inc.       | Var. Depts | 67.59     |
| Graybar Electric     | Var. Depts | 308.67    | Great Plains Psychol | Courts     | 1,812.50  |
| Greentree Psychologi | Mental Ill | 315.00    | Gunner, Andrea       | Courts     | 15.20     |
| Gustave A. Larson Co | Facilities | 82.15     | Guzman, Sandra V.    | Var. Depts | 100.00    |
| Halverson, Eileen    | Mus Entpr  | 150.00    | Hander, Inc.         | JDC        | 555.10    |
| Hanson Logowear      | JDC        | 1,848.53  | Harold's Photo Cente | Mus Entpr  | 18.24     |
| Harr Development Co  | Human Svcs | 600.00    | Hauff Mid-America Sp | JDC        | 493.08    |
| HDR Engineering Inc  | Hwy Constr | 36,087.25 | Hewlett-Packard Comp | Var. Depts | 12,281.78 |
| High Point Networks  | M & P Fund | 422.79    | Hobby Lobby Stores I | Mus Entpr  | 39.85     |
| Holiday Inn Express  | Dir Of Eq  | 389.97    | Holiday Inn Express  | Hwy Admin  | 451.06    |
| Holiday Inn Express  | Em Mgmt    | 1,415.90  | Holiday Stnstore     | Public Def | 43.31     |
| Home Federal Savings | Human Svcs | 700.00    | Horizon Agency Inc   | Expenses   | 2,307.50  |
| Houston Reporting Se | Public Def | 468.83    | Howard, Cynthia A    | Public Adv | 98.42     |
| Humane Restraint Co  | JDC        | 167.50    | Hurtgen, Timothy T/P | Human Svcs | 1,650.00  |
| Hy-Vee Accounts Rece | Var. Depts | 294.19    | Inca Mexican Restaur | Info Tech  | 174.20    |
| Indata Corporation   | St Atty    | 1,668.00  | Indiana Bureau Of Mo | St Atty    | 8.00      |
| Int'l Assn Of Assess | Dir Of Eq  | 79.00     | Interstate Office Pr | Var. Depts | 1,205.03  |
| IOD Inc              | Public Def | 34.33     | ISI Llc              | Public Adv | 90.00     |
| J.C. Penney Company, | JDC        | 31.99     | Jack's Sinclair      | Var. Depts | 436.50    |
| Jaros, Pete          | Mental Ill | 88.80     | JE Llc               | Human Svcs | 330.00    |
| Jebro, Inc.          | Hwy Constr | 50.00     | Jefferson City Count | St Atty    | 40.00     |
| Jefferson Partners L | Human Svcs | 852.40    | JH Larson Company    | JDC        | 34.60     |
| Jim & Ron's Service  | Sheriff    | 687.50    | Jim Bork Enterprises | Reg Deeds  | 210.00    |
| Jimmy Johns          | Em Mgmt    | 117.50    | JKR Rentals Llc      | Human Svcs | 425.00    |
| John E Reid & Assoc  | Sheriff    | 104.95    | Johnstone Supply     | Facilities | 484.07    |
| JSA Consult Engineer | Hwy Constr | 28,447.00 | Kahler, Monte        | Human Svcs | 1,100.00  |
| Kauffman, David W. P | Courts     | 2,320.00  | Kelolandemployment.C | Public Def | 99.00     |
| Kennedy, Pier, Knoff | Mental Ill | 656.45    | Kennedy, Renee S     | Courts     | 100.60    |
| Kittelson, Joan M    | Mental Ill | 60.00     | Kmart                | Var. Depts | 92.92     |
| Kohl's Department St | JDC        | 126.97    | Kum & Go             | Dir Of Eq  | 31.25     |
| Landscape Garden Cen | Facilities | 469.58    | Language Line Servic | Var. Depts | 126.22    |
| Larson, Jeff         | Courts     | 58.80     | Lebourget Aero Suite | Human Svcs | 510.00    |
| Lewis Drug Stores    | Var. Depts | 217.00    | Lewno, Lucy          | Mental Ill | 1,029.76  |
| Lincoln County Audit | Welf Recov | 30.00     | Lincoln County(SD) S | Treasurer  | 130.04    |
| Live Well Props Llc/ | Human Svcs | 600.00    | Ludens, Inc          | Hwy Constr | 135.00    |
| Mac's, Inc.          | Facilities | 21.92     | Mahlander's          | Planning   | 1.20-     |
| Mailway Printers     | Mus Ops    | 808.00    | Mannie, Corey        | Human Svcs | 595.00    |
| Marriott             | Public Def | 2,000.10  | Matheson Tri-Gas Inc | Facilities | 39.45     |
| Mathison Company     | Hwy Admin  | 163.18    | Maximum Promotions I | Mus Maint  | 213.00    |
| May & Johnson, P.C.  | Courts     | 1,192.80  | McDonald's           | Jail       | 6.41      |
| Menards - East       | Var. Depts | 612.34    | Menards - West       | Var. Depts | 447.43    |
| Mentele, Aaron/Jenni | Human Svcs | 700.00    | Microfilm Imaging Sy | M & P Fund | 360.00    |
| MidAmerican Energy C | Var. Depts | 2,019.98  | Midcontinent Communi | Mus Ops    | 55.00     |
| Midwest Alarm Compan | Facilities | 572.76    | Midwest Residential  | Human Svcs | 700.00    |
| Mikelson, Gary E     | Mental Ill | 569.44    | Miller Funeral Home, | Human Svcs | 1,350.00  |
| Minn Cnty Museum Pet | Var. Depts | 47.99     | Minn Cnty Prisoner A | Jail       | 65.00     |
| Minn Cnty So Petty C | Sheriff    | 252.32    | Misterek, Calleen    | Public Def | 38.90     |
| Monick Pipe & Supply | Facilities | 510.84    | Monoprice Inc        | Var. Depts | 112.57    |
| Monroe Systems For B | Treasurer  | 68.00     | Moulton, Darla       | Human Svcs | 300.00    |
| Murray Properties, L | Human Svcs | 550.00    | Myrl & Roys Paving I | Facilities | 156.58    |
| NACDL                | Public Def | 105.00    | Naga Company         | Mus Entpr  | 79.00     |
| Neve's Uniforms      | Facilities | 109.75    | Newegg.Com Inc       | Info Tech  | 1,322.12  |

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|----------------------|------------|------------|----------------------|------------|-----------|
| Newspapers SD Mt Co  | Safe Home  | 39.15      | Nolz Construction Co | Hwy Constr | 25,790.11 |
| Novak Sanitary Servi | Var. Depts | 360.38     | Nyberg's Ace Hardwar | Var. Depts | 331.52    |
| Office Depot, Inc.   | Public Def | 930.97     | Officemax            | Public Def | 113.08    |
| Old Navy             | JDC        | 58.97      | Old-House Journal    | Mus Ops    | 27.00     |
| Olson, Waltner & Sch | Courts     | 176.40     | Omnicare Of South Da | JDC        | 69.94-    |
| Oriental Trading Com | Mus Ops    | 26.99      | Osborn, Roxane R     | St Atty    | 54.00     |
| Paganini, Loretta A  | Human Svcs | 425.00     | Palmer, Barbara      | Mental Ill | 6,525.00  |
| Paypal               | Var. Depts | 523.01     | PC Gold              | Jail       | 159.98    |
| Pfeifer Implement Co | Facilities | 27.25      | Phillips 66 Company  | Jail       | 77.46     |
| Phoenix Supply Llc   | JDC        | 339.96     | Pilot                | Human Svcs | 56.32     |
| Pizza Ranch/L & H Pr | Em Mgmt    | 110.00     | Pollard & Larson Llp | Mental Ill | 884.50    |
| Psych Assoc Of Yankt | Mental Ill | 875.00     | Public Broadcasting  | JDC        | 33.74     |
| Pump & Pantry        | Jail       | 42.58      | Qualified Presort Se | Commission | 200.00    |
| Quality Efficiencies | Human Svcs | 175.00     | Queen City Wholesale | Mus Entpr  | 13.64     |
| Quill Corp.          | JDC        | 63.28      | R & L Supply, Ltd    | Var. Depts | 708.74    |
| Rasmussen, Eric/Lisa | Human Svcs | 300.00     | Record Keepers, Inc. | Public Def | 238.24    |
| Red Oak Senior Apts  | Human Svcs | 335.00     | Redwood Estates Llc  | Human Svcs | 700.00    |
| Retail Data Systems  | Treasurer  | 72.00      | Rew, Dan             | JDC        | 37.71     |
| Richard-Ewing Equipm | Facilities | 130.00     | Ridecharge Inc       | Sheriff    | 30.00     |
| River Junction Trade | Mus Ops    | 46.10      | Robsons Inc Db a Rob | Var. Depts | 170.65    |
| Rosenbauer/Central S | Em Mgmt    | 140.00     | Scheels All Sports   | Mus Entpr  | 22.00     |
| Schmuck, Jan         | Mental Ill | 176.00     | Schuneman Equip Co   | Hwy Constr | 15.84     |
| Scotts Bluff County  | Public Def | 13.75      | Scotty's Automotive  | Safe Home  | 144.68    |
| SD Attorney General  | Sob Fees   | 5,498.00   | SD Dept Of Public Sa | Human Svcs | 40.00     |
| SD Dept Of Revenue   | Var. Depts | 569.01     | SD Div Of Criminal I | Human Res  | 43.25     |
| SD Public Assurance  | Hwy Constr | 1,400.90   | SDN Communications   | Var. Depts | 1,020.00  |
| Security Labs, Ltd   | Info Tech  | 325.00     | Senior Citizens Svcs | Mus Ops    | 54.00     |
| Servall Towel & Line | Var. Depts | 119.30     | Shell Oil            | Var. Depts | 339.03    |
| Sherwin Williams     | Facilities | 84.64      | SHI, International C | M & P Fund | 241.56    |
| Shipley's Laundry &  | Mus Entpr  | 41.20      | Shopko Store         | Var. Depts | 110.70    |
| Shreves, Brian       | Mental Ill | 400.48     | Sioux Falls City Fin | Bldg Fund  | 198.00    |
| Sioux Falls Rubber S | Info Tech  | 7.95       | Sioux Falls Two Way  | Sheriff    | 37.50     |
| Sioux Falls Utilitie | Human Svcs | 399.71     | Sioux Falls Winpump  | Parks      | 73.30     |
| Sioux Valley Energy  | Var. Depts | 467.60     | Solomon, Ghirmay     | Courts     | 50.00     |
| Southeastern Behavio | Se Behav   | 42,367.00  | Southwest Airlines   | Public Adv | 12.50-    |
| Srstka, Erin         | Commission | 147.88     | Staples              | Var. Depts | 189.53    |
| Stenopat Ltd Inc     | Var. Depts | 646.50     | Street Smart Rental  | Hwy Constr | 409.00    |
| Sunshine Foods       | Var. Depts | 514.95     | Swanda, Karen        | Mental Ill | 97.50     |
| Swingen Const Co Inc | Hwy Constr | 110,624.45 | Szameit, Alexandra   | Courts     | 224.99    |
| Target Pharmacy      | Safe Home  | 330.78     | Terrace Hills Apts L | Human Svcs | 600.00    |
| Thorin, Deyanira T   | Var. Depts | 400.00     | Thurman, Creighton A | Mental Ill | 184.10    |
| Tires, Tires         | JDC        | 22.99      | Tires,Tires,Tires In | Var. Depts | 1,263.28  |
| Tool Depot           | Facilities | 24.34      | Tractor Supply Co.   | Facilities | 147.97    |
| Trane                | Facilities | 113.14     | United Air           | Var. Depts | 310.00    |
| University Products, | Dir Of Eq  | 33.95      | US Bank-Corporate Tr | Bldg Fund  | 1,000.00  |
| Usps.Com             | Var. Depts | 364.89     | Variety Foods Llc    | Safe Home  | 81.96     |
| Verizon Wireless     | JDC        | 14.99      | Volunteers Of Americ | JDC        | 2,580.00  |
| Wal-Mart Pharmacy    | Var. Depts | 913.70     | Wal-Mart Pharmacy    | Var. Depts | 203.40    |
| Walmart.Com          | Mus Entpr  | 742.97     | Washington County (N | St Atty    | 2.00      |
| Weber, Judy Prp      | Var. Depts | 75.00      | West Group           | Public Def | 189.00    |
| Westin Charlotte     | Sheriff    | 159.00     | White, Ben           | Human Svcs | 215.00    |
| Winter Inc           | Hwy Constr | 959.50     | Xcel Energy, Inc.    | Var. Depts | 1,515.91  |
| Yankton County Sheri | Mental Ill | 75.00      | Yankton County Treas | Mental Ill | 890.75    |
| Younkers             | JDC        | 39.99      | Zee Medical Service  | Hwy Admin  | 87.30     |
| 1111 Fannin - Howell | Public Def | 20.00      |                      |            |           |

## REPORTS

The Minnehaha County Regional Juvenile Detention Center Report for June 2013 was received and placed on file in the Auditor's Office.

## PERSONNEL

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

1. To hire Randy Gasca as Juvenile Correctional Officer I (12/1) for the Juvenile Detention Center at \$16.052/hour effective 7/17/13.
2. To promote Cassandra Tompkins from Correctional Officer in Training to Correctional Officer (13/1) for the Jail at \$16.864/hour effective 7/21/12.
3. To accept the resignation of Matthew Dunn as Correctional Officer for the Jail effective 7/28/13.
4. To place Jeremy Hartman, Mechanic for the Highway, on Military Leave without pay effective 7/15/13 to 8/1/13.

#### Step Increases Due

1. Joni Brunkow – Deputy Sheriff – Sheriff’s Office – 16/8 to 16/9 – 6/8/13 – \$23.829/hour
2. Eric Johnson – Senior Deputy State’s Attorney – State’s Attorney’s Office – 22/4 to 22/5 – 7/2/13 – \$2,440.24/bi-weekly

#### NOTICES

Pat Herman, Assistant Planning Director, gave the first reading of a petition to vacate a public right-of-way legally described as: That portion of Jeannie Drive beginning at the east edge of Kathleen Drive and extending east to its end; and laying adjacent to Lot 3A Block 2 Hartford Heights Addition NW ¼, Lot 4A Block 2 Hartford Heights Addition NW ¼, and Lot 6 Block 4 Hartford Heights Addition NW ¼; All in Section 25-T102N-R51W. The petition was filed by Thomas & Margie Scheurenbrand. The right-of-way is located in the joint platting jurisdiction shared by Minnehaha County and the City of Hartford. The request to vacate will be heard by the Hartford City Commission on August 20, 2013. Ms. Herman requested authorization for the Auditor to publish a Notice of Hearing at 9:15 a.m. on August 13, 2013, at which time the Minnehaha County Commission will consider the petition to vacate the public right-of-way. MOTION by Pekas, seconded by Barth, to authorize the Auditor to publish the Notice of Hearing. 5 ayes.

MOTION by Pekas, seconded by Barth, to authorize the Auditor to publish a Notice to Bidders for Minnehaha County Highway Project MC 121STR-13 Bridge #'s 50-240-085 & 50-240-095 on Highway 121 North of Highway 122. 5 ayes.

#### LIEN COMPROMISE

Commissioner Pekas gave a briefing on a petition for compromise of lien for DPNO 56419 in the amount of \$399.20. The lien is for court appointed attorney and Public Defender services. The applicant believes the fee he was charged in 2010 for Public Defender services was excessive. The Public Defender’s Office indicates staff worked on his file for a total of 4.1 hours that was billed at \$82.00 per hour. The lien has been turned over to Hauge Associates. The applicant was recently released from the Department of Corrections and lists no assets. He lists liabilities of approximately \$23,000 that consist primarily of student loans. He is asking for a compromise in full upon payment of \$200.00. MOTION by Pekas, seconded by Heiberger, to approve Resolution MC13-34. Commissioner Heiberger stated that the applicant has paid almost 75% of what the original bill was. Commissioner Barth stated that he believes the Public Defender’s Office put in the time they billed the applicant for. Commissioner Kelly stated that the hourly rate the Public Defender’s Office charges are deeply discounted. VOTE ON MOTION, 3 ayes. Barth and Kelly voted nay.

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WHEREAS, a County Aid Lien in the amount of \$399.20 purports to exist in favor of Minnehaha County and against DPNO 56419 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:

Compromise and release the lien in full upon payment of \$200.

If payment is not made within one year from approval, this agreement is null and void.

Dated at Sioux Falls, South Dakota, this 16<sup>th</sup> day of July, 2013.

APPROVED BY THE COMMISSION:

Gerald Beninga

Chairman

ATTEST:

Cynthia Jepsen

Deputy County Auditor

Commissioner Pekas gave a briefing on a petition for compromise of lien for DPNO 47736 in the amount of \$968.80 and DPNO 53186 in the amount of \$710.10. The applicants are a married couple who need to have the liens resolved before they can close on the purchase of a home. DPNO 47736 is in the name of the husband and the lien is for Public Defender and Public Advocate services. DPNO 53186 is in the name of the wife and the lien is for Public Defender, Public Advocate and Court Appointed attorney services. The couple believed that the liens were discharged through a bankruptcy action seven years ago. According to an itemized fee worksheet the couple is purchasing a \$280,000 home and will owe approximately \$25,000 at the time of the closing. They are requesting a compromise and release of the liens in full with no payment, or whatever amount the commission determines they should pay. They list assets of \$49,076.30 that includes \$22,000 in cash and \$16,000 in retirement savings. They list liabilities of \$6,400 consisting primarily of credit card debt. According to their 2012 tax return the couple had a combined income of \$65,776. MOTION by Kelly, seconded by Barth, to deny the request for compromise of lien for DPNO 47736 and DPNO 53186. 5 ayes.

#### PUBLIC COMMENT

Rick Tupper, 9208 W. Norma Trail, Sioux Falls, SD, spoke on behalf of the Commemorative Air Force Group whose mission is to restore and fly military aircraft and also to recognize those men and women who flew and maintained those aircraft. There is an event planned on August 12, 2013 from 5:30 p.m. to 10:00 p.m. at the Joe Foss Field to celebrate the establishment of the Joe Foss Squadron that is being established in Sioux Falls.

#### CONTRACT

Jeff Gromer, Warden, requested approval of a contract with the SD Department of Corrections to house state work release inmates at the Minnehaha County Community Correction Center. Under the terms of the contract, SD DOC will pay Minnehaha County \$29.00 per day, per state inmate that is being housed at the Correction Center and is structured to not exceed payment of \$317,550.00. MOTION by Pekas, seconded by Kelly to authorize the Chairman to sign the State of SD Consultant Contract/Letter of Agreement for Consultant Services between Minnehaha County and the SD Department of Corrections effective July 1, 2013 through June 30, 2014. 5 ayes.

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## AGREEMENT

Ken McFarland, Commission Administrative Officer, gave a briefing on an agreement with Infrastructure Design Group, Inc. for construction management services for the construction of Project MC 121STR-13. The project will replace two bridge structures on HWY 121 located just north of HWY 122. MOTION by Kelly, seconded by Barth, to authorize the Chairman to sign the agreement with Infrastructure Design Group at a cost not to exceed \$74,517. 5 ayes.

## DISCUSSION

Ken McFarland, Commission Administrative Officer, gave a briefing on the Sioux Falls Area Chamber of Commerce's Leadership Sioux Falls 28 program. Minnehaha County for the past several years has sponsored a county employee's participation in the program. This year the tuition and fees total \$455. Mr. McFarland reported that this year there are two employees interested in attending. Commissioner Kelly stated that he feels there should be a selection committee to designate only one applicant to the program. MOTION by Kelly, seconded by Pekas to sponsor one applicant to the Leadership Sioux Falls 28 program. 5 ayes.

## SUB-GRANT

Ken, McFarland, Commission Administrative Officer, gave a briefing on the FFY2011 Juvenile Accountability Block Grant (JABG) Sub-grant Notice of Award in the amount of \$52,316. The funds will support the services of the Lutheran Social Services Middle School Diversion Officer and the Volunteers of America Community Service Program & Evening Report Center. MOTION by Pekas, seconded by Heiberger, to authorize the Chairman to sign the JABG SUBGRANT Notice of Award, Special Conditions, Assurances, & Certifications RFP#FFY2011-JABG-01. 5 ayes.

## AGREEMENT

Ken McFarland, Commission Administrative Officer, gave a briefing on an agreement with Jensen Electric to replace a pole mount transformer at the W.H. Lyon Fairgrounds. The Fair Association identified this as a critical electrical issue that needs to be addressed before this summer's fair. MOTION by Heiberger, seconded by Pekas, to authorize the Chairman to sign the agreement with Jensen Electric to replace a transformer pole at the W.H. Lyon Fairgrounds at a cost of \$9,149.40. 5 ayes.

## NEW BUSINESS

Scott Anderson, Planning & Zoning Director, reported that he is investigating a claim that was received which indicates the gun club by Corson violated their conditional use permit. Mr. Anderson, on the recommendation of Kerstin Kappmeyer, Chief Civil Deputy State's Attorney, will complete his investigation of the incident and report his findings at the August Planning Commission meeting.

## OLD BUSINESS

Commissioner Heiberger reported that the ribbon cutting for the new Baltic Bridge will be held tonight, July 16<sup>th</sup> at 6:00 p.m.

Chairman Beninga reported that there is a budget hearing on capital improvements tomorrow evening, July 17, 2013 at 6:00 p.m. Another budget hearing will be held at 9:00 a.m. on Thursday, July 18, 2013.

MOTION by Pekas, seconded by Barth, to adjourn into Executive Session for contract negotiations, legal briefing and personnel discussion. 5 ayes.

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

7/16/2013

APPROVED BY THE COMMISSION:

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Deputy Auditor