

7/23/2013

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M. July 23, 2013 pursuant to adjournment on July 16, 2013. Commissioners present were: Barth, Beninga, Heiberger, Kelly, and Pekas. Also present were Cindy Jepsen, Commission Recorder, and Sara Show, Senior Deputy State's Attorney.

Chairman Beninga called the meeting to order.

MOTION by Pekas, seconded by Barth, to amend the agenda and defer Personnel Item 5) b. until after hearing the Regular Business Item #14. 5 ayes. MOTION by Pekas, seconded by Barth, to approve the amended agenda. 5 ayes.

MOTION by Pekas, seconded by Barth, to approve the July 16, 2013 Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Heiberger, seconded by Barth, to approve the following bills totaling \$678,022.05. 5 ayes.

A & B Business Equip	Jail	239.68	A To Z World Languag	Var. Depts	3,305.00
Abdulle, Mohamed	Courts	62.50	ADP Benefit Services	Human Svcs	2,247.37
Albers, Richard E	Hwy Constr	280.00	Allied Oil & Tire Co	Hwy Constr	146.50
Appera / Dudley Lau	Hwy Constr	32.64	Arena Motel	Human Svcs	91.40
Argus Leader Adver	Var. Depts	2,861.43	Ashbury Apts, Ltd Pa	Human Svcs	600.00
Avera Dells Area Hea	St Atty	56.00	Avera Health Informa	St Atty	15.00
Avera McKennan Hospi	Var. Depts	21,788.64	Avera Radiology	Human Svcs	36.31
Baete-Forseth Hvac L	Bldg Fund	8,070.01	Baumgartner's Electr	Jail	537.82
Beckman Investments	Human Svcs	550.00	Begeman, Mark Db	Human Svcs	450.00
Bierschbach Equipmen	Hwy Constr	635.20	Black Inc	Mus Entpr	475.00
Blackburn & Stevens,	Mental Ill	772.13	Bosman, Joseph	Sheriff	64.00
Boyer Trucks Sioux F	Hwy Constr	174.91	Bradfield, Matt Db	JDC	70.00
Breidenbach, Pam/Mik	Human Svcs	700.00	Brosz Engineering In	Hwy Constr	6,687.50
C & R Supply Inc	Hwy Constr	31.19	Campbell Supply Co I	Hwy Constr	299.00
Canda Properties Llc	Human Svcs	340.00	Carper, Nichole A	Courts	52.00
CBM Managed Services	Var. Depts	12,170.33	Central Salt Llc	Hwy Constr	10,795.79
Century Business Lea	Sheriff	148.91	Century Business Pro	Var. Depts	1,332.32
Centurylink (Qwest)	Var. Depts	3,821.53	Certified Languages	Courts	62.70
Claims Associates, I	Insurance	2,546.14	CM Information Spec/	Public Def	103.41
Cobraguard Processin	Human Svcs	247.70	Cody, Denise	Mental Ill	153.00
Cole Papers, Inc.	Facilities	1,706.00	Concrete Materials	Hwy Constr	29,629.15
Cooley, Carla F	Courts	64.60	Cornell, William D/L	Hwy Constr	510.00
Correct Care Solutio	Jail	115,438.46	Country Meadows Apts	Human Svcs	885.00
Country View MHC	Human Svcs	292.00	Culligan Water Condi	Human Svcs	37.50
Cummins Central Powe	Facilities	753.96	Dakota Fluid Power,	Hwy Constr	66.02
Deboer Law Office Pc	Courts	357.00	Decastro Law Office,	Courts	982.80
Diamond Mowers Inc	Hwy Constr	91.34	Donovan's Hobby & Sc	Em Mgmt	129.09
Duffy, Ryan	Courts	3,563.87	Eirinberg, James A	Courts	5,805.60
Ellis, Dar	Human Svcs	500.00	Emdeon Business Serv	Human Svcs	39.95
Engbrecht, Roger	Human Svcs	400.00	Erpenbach, John E	Mental Ill	855.00
First Premier Bank	Human Svcs	404.85	Fleetpride / Holt, I	Hwy Constr	46.08
George Boom Funeral	Human Svcs	3,875.00	George, Aaron	Human Svcs	450.00
Golden Valley Apts L	Human Svcs	600.00	Gulson, Deloris A	Human Svcs	500.00
Guzman, Sandra V.	Courts	50.00	Haber, John Db	Human Svcs	600.00
Hanson, Beatrice	Human Svcs	270.00	Heartland Paper Comp	Var. Depts	2,209.41
Heritage Funeral Hom	Human Svcs	2,775.00	Hopf, Roger Db	Human Svcs	500.00
Hosmer, David M. Law	Mental Ill	269.92	House Of Cans Inc	Hwy Constr	136.99
Hy-Vee Accounts Rece	Mus Entpr	298.43	I State Truck Center	Hwy Constr	12.80
Interstate Office Pr	Var. Depts	1,246.34	Intoximeters, Inc.	Jail	193.45
ISI Llc	Courts	100.00	JCL Solutions-Janito	Var. Depts	1,566.88
Jefferson Partners L	Human Svcs	488.48	Jerke, Heidi	Planning	74.00
Keloland Tv	Mus Ops	700.00	Kone, Inc.	Var. Depts	9,224.86
Kuchenreuther, Derek	Sheriff	216.00	Lacroix, Heather	Mental Ill	170.45
Lake County Auditor	Atty Fees	50.00	Larson, Jeff	Courts	468.60
Lassegaard, Samuel C	Human Svcs	395.00	Laughlin, Nicole	Courts	2,825.00
Lewis Drug Stores	Human Svcs	3,414.04	Lewno, Lucy	Mental Ill	1,652.85

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Light And Siren	Sheriff	9,948.39	Locators & Supplies,	Hwy Constr	73.98
Lutheran Social Svcs	St Atty	12.50	Majestic View Apartm	Human Svcs	350.00
Marco	Reg Deeds	270.20	Mattson, Monica	Courts	2,093.50
Meadowbrook Apartmen	Human Svcs	465.00	Menards - East	Facilities	48.80
Metro Communications	Var. Depts	200,630.10	Michaels Fence & Sup	Hwy Constr	111.92
Michaelsen, Gene	Human Svcs	415.00	Microfilm Imaging Sy	M & P Fund	2,430.00
MidAmerican Energy C	Human Svcs	615.65	Midwest Alarm Compan	Hwy Admin	85.00
Midwestern Mechanica	Mus Maint	149.92	Mikelson, Gary E	Mental Ill	54.00
Miller Funeral Home,	Human Svcs	3,250.00	Miller, Steve	Courts	5,345.00
Minn Cnty Pub Def Pe	Public Def	121.73	Moen, Stephanie L	Human Svcs	57.80
Neve's Uniforms	Air Guard	1,405.22	Newman, Scott G	Human Svcs	500.00
Nyberg's Ace Hardwar	Facilities	13.02	Olson, Waltner & Sch	Courts	1,165.20
Palmer, Barbara	Mental Ill	2,340.00	Pennington County Sh	Jail	6,587.55
Pharmchem Inc	24/7 Prog	210.00	Pheasantland Industr	Jail	6,187.48
Pollard & Larson Llp	Mental Ill	147.00	Presto-X-Company	Facilities	188.88
Price, Richard	Human Svcs	400.00	Price, Thomas L Phd	Courts	3,840.00
Primary Products Co	JDC	580.00	Professional Wireles	Jail	152.00
Qualified Presort Se	Var. Depts	3,932.70	Redwood Court Ltd Pt	Human Svcs	400.00
Rehfuss, Cathy A	Mental Ill	55.50	Risty, Maxine J	Human Svcs	261.00
Rods Properties Llc	Human Svcs	740.00	Rural Metro Ambulanc	Coroner	600.00
Sam's Club Pharmacy	Human Svcs	46.08	Satisfaction Plus In	Human Svcs	326.00
Scheid, Pamela M.	Mental Ill	132.45	Schulte Law Office	Courts	126.00
Scotting, Gregory G	Human Svcs	525.00	SD Assn Of County Of	M&P Fund	6,392.00
SD Dept Of Public Sa	Human Svcs	25.00	SD Dept Of Revenue	Var. Depts	620.00
SD Div Of Criminal I	Human Res	43.25	SD Human Services Ce	Var. Depts	1,800.00
SD One Call	Facilities	31.50	SECOG	Pass-Thru	5,000.00
SF Leased Housing As	Human Svcs	350.00	SF Leased Hsg Author	Human Svcs	595.00
Shopko Pharmacy	Human Svcs	35.19	Shreves, Brian	Mental Ill	299.40
Siemonsma, Robert T/	Hwy Constr	510.00	Simon, Anthony (OR)	Commission	80.00
Sioux Falls City Fin	St Atty	3,290.00	Sioux Falls City Fin	Var. Depts	17,835.35
Sioux Falls Humane S	Humane Soc	3,094.73	Sioux Falls Two Way	Var. Depts	870.41
Sioux Falls Utilitie	Var. Depts	2,849.43	Sioux Valley Energy	Human Svcs	73.00
Southeast Technical	Pass-Thru	8,390.00	Southeastern Behavio	Var. Depts	17,085.65
Spring Hill Ltd Ptnr	Human Svcs	39.00	Stan Houston Equipme	Hwy Constr	304.73
Swanda, Karen	Mental Ill	75.00	T & A Service & Supp	Hwy Constr	275.44
Tally Ho Apartments	Human Svcs	550.00	Thomas, Bradley	Dir Of Eq	165.76
Thorin, Deyanira T	Public Def	225.00	Tires,Tires,Tires In	Sheriff	69.79
Triangle Properties	Human Svcs	325.00	Turbes, Dale Db	Bldg Fund	6,632.74
Turnkey Corrections	Jail	630.62	Uline	Jail	536.28
United Parcel Servic	Reg Deeds	17.88	Variety Foods Llc	Safe Home	177.30
Verizon Wireless	Var. Depts	6,083.84	Vik, Darrell	Mus Entpr	600.00
VOA Dakotas / Pettig	Human Svcs	369.00	Vogel Traffic Svcs I	Facilities	42.97
Volunteers Of Americ	Var. Depts	13,445.22	Wal-Mart Pharmacy	Human Svcs	370.88
Walgreen Co.	Human Svcs	334.37	Weber, Judy Prp	Mental Ill	100.00
Weerheim, Tom	Courts	420.00	Weiland & Assoc Inc	Courts	240.35
West Group	Var. Depts	4,637.20	Westbrooke Apts/Inve	Human Svcs	250.00
Wheelco Brake & Supp	Hwy Constr	221.66	Wilka & Welter Llp	Courts	2,258.55
Wolf, Ione	Public Def	16.00	Xcel Energy, Inc.	Var. Depts	3,722.76
Yankton County Sheri	Mental Ill	525.00	Yankton County Treas	Mental Ill	1,614.75
Yellow Cab Inc	Human Svcs	64.16	Yellow Robe, Luke	Pass-Thru	24,000.00
Zahrbock Kool, Tress	Courts	1,076.49			

REPORTS

The Register of Deeds Official Statement of Fees Collected During June, 2013 and the Auditor's Account with the County Treasurer as of June 30, 2013 were received and placed on file in the Auditor's Office.

On Deposit in Banks	
Interest-bearing open accounts	16,968,259.66
CD's and savings	15,000,000.00
Cash	17,455.11
Checks/drafts in Treasurer's possession for more than 3 days	9,124.89
Total Cash on Hand	31,994,839.66

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Total Reconciled AS/400 Cash Balance

31,994,839.66

PERSONNEL

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

1. To hire Sarah Dalldorf as Juvenile Correctional Officer I (12/1) for the Juvenile Detention Center at \$16.052/hour effective 7/24/13.
2. To hire Jeralyne Boelman, Jessimae Breuer, Drew McCarty, Dan Muller, Matthew Rabine, Annie Woodward, and Tyler Wynthein as Corrections System Operators (9/1) for the Jail at \$13.841/hour effective 8/5/13.
3. To correct the memo dated 7/16/13 which should have reflected a start date of 7/18/13, as opposed to 7/17/2013, for Randy Gasca, Juvenile Correctional Officer I for the Juvenile Detention Center.
4. To place Joshua Zambrano, Deputy Sheriff for the Sheriff's Office, on Military Leave without pay effective 7/24/13 to 8/7/13.
5. To place Jeffrey Barnable, Deputy Sheriff for the Sheriff's Office, on Military Leave without pay effective 7/17/13 to 8/8/13.
6. To promote Ryan Bakeberg from Correctional Officer to Corporal (16/1) for the Jail at \$19.558/hour effective 7/20/13.
7. To promote Tyson Anderson from Correctional Officer in Training to Corporal (16/1) for the Jail at \$19.558/hour effective 7/20/13.
8. To promote Timothy Ruhland from Correctional Officer in Training to Correctional Officer (13/1) for the Jail at \$16.864/hour effective 7/21/13.
9. To accept the resignation of Deborah Berreth as Parking Attendant for the Sheriff's Office effective 7/24/13.
10. To end the temporary, part-time employment of Stacy Wiebersch as temporary, part-time Clerical Worker for the Public Advocate's Office effective 7/31/13.
11. To hire Gloria Davis as temporary, part-time Clerical Worker for the Public Advocate's Office at \$10.00/hour effective 8/1/13 to 8/30/13.

Step Increases Due

1. Bradley Thomas – Appraiser – Equalization – 15/9 to 15/10 – 7/10/13 – \$23.248/hour
2. Bradley Farniok – Corporal – Jail – 16/16 to 16/17 – 6/21/13 – \$29.033/hour
3. Harley Marek – Civil Process Server – Sheriff's Office – 12/11 to 12/12 – 6/21/13 – \$21.061/hour
4. Craig Wittrock – Air Guard Security Officer II – Air Guard – 13/8 to 13/9 – 7/31/13 – \$20.548/hour
5. Scott Anderson – Planning Director – Planning – 24/10 to 24/11 – 7/2/13 – \$3,448.00/bi-weekly

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6. Kari Gackle – Legal Office Assistant – State’s Attorney’s Office – 10/6 to 10/7 – 7/10/13 – \$16.864/hour
7. Kim Morstad – Administrative Assistant – Juvenile Detention Center – 12/17 to 12/18 – 7/16/13 – \$24.425/hour
8. Benjamin Finley – Juvenile Correctional Officer I – Juvenile Detention Center – 12/2 to 12/3 – 7/16/13 – \$16.864/hour
9. Brian Vandenhul – Juvenile Correctional Officer I – Juvenile Detention Center – 12/4 to 12/5 – 7/16/13 – \$17.718/hour
10. Brittani Crawford – Juvenile Correctional Officer I – Juvenile Detention Center – 12/1 to 12/2 – 7/14/13 – \$16.453/hour
11. Julie Amdahl – Administrative Clerk – Human Services – 9/3 to 9/4 – 7/21/13 – \$14.906/hour

NOTICES

MOTION by Pekas, seconded by Heiberger, to authorize the Auditor to publish a Request for Proposals for Financial Advisor Services. 5 ayes.

A notice was received from the East Dakota Water Development District of their regular Board of Director’s meeting on Thursday, July 25, 2013 at 9:00 a.m. at the EDWDD Office, 132B Airport Avenue, Brookings, SD. Jay Gilbertson, Director for EDWDD, was present and stated that all are welcome to attend the meeting.

LIEN COMPROMISE

Commissioner Pekas gave a briefing on a request for compromise of lien submitted by Wilka & Welter, LLP on behalf of DPNO 69127 in the amount of \$2,761.35. The lien is for poor relief and public defender services from March 2009 through January 2011. No payments have been made on the account. The lienee received an insurance settlement of \$20,000 resulting from a personal injury claim for a slip and fall down a flight of stairs. Due to the injuries, he is not able to meet the physical demands of manual labor and has not worked since the accident. They are requesting a release of the lien only as it pertains to net settlement proceeds from American Family upon payment of \$1,000. MOTION by Pekas, seconded by Barth, to approve Resolution MC13-35. 4 ayes. Kelly voted nay.

RESOLUTION MC13-35

WHEREAS, a County Aid Lien in the amount of \$2,761.35 purports to exist in favor of Minnehaha County and against DPNO 69127 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 only as it pertains to net settlement proceeds from American Family Claim #00-221-133155 upon payment of \$1,000.00 leaving the lien in force against the Lienee.

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

Dated at Sioux Falls, South Dakota, this 23rd day of July, 2013.

APPROVED BY THE COMMISSION:

Gerald Beninga
Chairman

ATTEST:

Cynthia Jepsen
Deputy County Auditor

AGREEMENTS

Kristin Trana, Administrative Coordinator for the Sheriff's Office, gave a briefing on the Interlocal Agreement between the City of Sioux Falls and Minnehaha County pursuant to the Disparate Allocation Determination for the US Department of Justice 2013 Byrne Justice Assistance Grant. Under the terms of the agreement, the City of Sioux Falls will retain \$43,488 of the grant allocation and the County will receive \$23,417. MOTION by Pekas, seconded by Barth, to authorize the Chairman to sign the Interlocal Agreement between the City of Sioux Falls and Minnehaha County for the FY2013 Byrne Justice Assistance Grant Program Award. 5 ayes.

Michelle Boyd, Chief Deputy Sheriff, requested a two week deferral on consideration of a modified contract between Minnehaha County and the State of South Dakota for state inmate work release housing. MOTION by Pekas, seconded by Barth, to defer this item for two weeks. 5 ayes.

HEARING

Kristin Trana, Administrative Coordinator for the Sheriff's Office, was present for the scheduled hearing and gave a briefing on the 2013 Byrne Justice Assistance Grant Joint Spending Plan. The City of Sioux Falls and Minnehaha County will be receiving an allocation of \$66,905 for the 2013 program. Under the joint Interlocal Agreement, the County will receive \$23,417 to be used to purchase a tactical robot with video camera for SWAT, web-based training program, and training and travel costs. The City of Sioux Falls will receive \$43,488 that will be used to purchase new 9mm Glock handguns. Michelle Boyd, Chief Deputy Sheriff, stated that they are limited in what they can purchase through the grant, and that the equipment would need to be purchased through their regular department budget if they did not receive this grant. Patty Lyon, Assistant Police Chief, City of Sioux Falls, stated that they have tested the new 9mm handguns and they are easier to shoot and train on than the handguns they are replacing, and the FBI is going in the direction of also using this handgun. MOTION by Barth, seconded by Kelly to approve the 2013 Byrne Justice Assistance Grant joint spending plan. 5 ayes.

REPORT

Jeff Schaefer, Department of Legislative Audit, presented the Management Letter for the 2012 Minnehaha County audit. Mr. Schaefer reported there were no deficiencies noted in internal control which are material weaknesses or significant deficiencies. There was a deficiency noted in internal control which is important enough to merit attention of those charged with Governance. That weakness being internal accounting controls over financial reporting were inadequate resulting in inaccurate information being presented to users of the annual financial reports. These errors were corrected. The following four (4) immaterial violations of laws, rules, and regulations and provisions of contract and grant agreements: 1) The County charged indirect administrative support costs in the amount of \$27,526.24 to the County Road and Bridge Fund for costs associated with payroll administration, personnel management, and Administrative/Legal. If the county's intention is to recover indirect costs, the county should establish an internal service fund to account for the actual cost of particular government functions and apply this practice consistently to all departments. 2) The County authorized general government expenditures in the amount of \$4,576.48 from County Road and Bridge Fund in violation of SDCL 32-11-2. It was recommended that the County refrain from making any general government expenditures from the County

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Road and Bridge Fund. 3) General Fund expenditures exceeded appropriations for Historical Museum by \$48,344.32 and for Debt service by \$16,750.00. It was recommended that sufficient budget be appropriated to eliminate line item overdrafts. 4) The SDN TIF agreement states that the TIF agreement is to continue for fifteen years after the completion of the project or until the public improvement project costs are recovered. The completion date and project costs have not been certified with the County. Mr. Schaefer also explained the formal audit adjustments that were made. MOTION by Pekas, seconded by Kelly to accept the Management Letter from the Department of Legislative Audit for the FY 2012 audit. 5 ayes.

BRIEFING

Scott Anderson, Planning & Zoning Director and Travis Halm, Planning Intern, presented a briefing on the Municipal Separate Storm Sewer System (MS4) program. Minnehaha County has been identified by the South Dakota Department of Environment and Natural Resources (DENR) as meeting the EPA's requirements for needing to address storm water. The MS4 program covers highly populated areas outside of urban areas to address highway, street, and development drainage systems. The program features a multi-faceted approach towards addressing storm water discharge into impaired bodies of water, which carry bacteria, sediments, and chemicals that pollute these rivers, lakes and streams. Impaired bodies of water identified in Minnehaha County include the Big Sioux River, Pipestone Creek, and Skunk Creek. Minnehaha County is required to submit a Notice of Intent to the DENR by December 31, 2013, stating the county will comply and participate in the program. Minnehaha County is expected to develop a Storm Water Management Program that will need to be fully implemented at the end of the first five-year permit term.

PERSONNEL

Scott Anderson, Planning Director, gave a briefing on the services provided by the Planning & Zoning Department in 2011 and 2012, and on staffing needs for his department in order to meet the needs of residences in Minnehaha County.

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

The Commission adjourned until 5:00 p.m. on Tuesday, July 23, 2013.

APPROVED BY THE COMMISSION:

Gerald Beninga
Chairman

ATTEST:

Cynthia Jepsen
Deputy Auditor