

8/13/2013

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M. August 13, 2013 pursuant to adjournment on August 6, 2013. Commissioners present were: Beninga, Heiberger, and Pekas. Barth and Kelly were absent. 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. 3 ayes.

MOTION by Heiberger, seconded by Pekas, to approve the August 6, 2013 Commission Minutes. 3 ayes.

VOUCHERS TO BE PAID

MOTION by Heiberger, seconded by Pekas, to approve the following bills totaling \$814,331.01. 3 ayes.

A & B Business Equip	Lease-Rental	222.80	A & B Business Equip	Maintenance C	69.34
A & B Business Equip	Printing/Form	1.20	A To Z World Languag	Interpreters	60.00
A-Ox Welding Supp Co	Lease-Rental	48.00	A-Ox Welding Supp Co	Small Tools,	25.82
Advertising Arts Inc	Printing/Form	520.00	Airway Service Inc	Automotive/Sm	42.50
Airway Service Inc	Gas,Oil,Diese	71.90	All American Investm	Motels	800.00
Allied Oil & Tire Co	Heavy Eq. Rep	175.25	American Solutions F	Printing/Form	619.63
Andersen, Norma	Bd Exp. Fees	15.00	Anderson Publication	Publishing Fe	791.66
Automatic Building C	Coliseum Repa	308.00	Automatic Building C	Jail Repairs	1,509.00
Automatic Building C	Office Suppli	419.00	Automatic Building C	Outside Repai	446.00
Automatic Security C	Voa - Dakotas	397.00	Avera Health Informa	Clinics - Aux	146.40
Avera Health Informa	Medical Recor	32.40	Avera Health Plans	Expenditures	1,669.80
Avera McKennan Hospi	Hospitals	6,770.00	Avera McKennan Hospi	Investigators	120.00
Avera McKennan Hospi	Physicians	251.24	Babinski Properties	Welfare Rent	585.00
Batteries Plus/Onesk	Truck Repair	246.00	Beukelman, Ron	Welfare Rent	900.00
Blankers, Vance/Pugl	Other Misc. R	75.00	Bolen Family Dentist	Dentists	33.39
Bolger, Joe	Other Misc. R	300.00	Braithwaite, Tacey E	Attorney Fees	34.00
Braithwaite, Tacey E	Bd Exp. Fees	238.00	Brown & Saenger	Office Suppli	719.72
Builders Supply Comp	Building Repa	236.85	Bureau Of Informatio	Data Communic	432.00
Butler Machinery Com	Truck Repair	304.21	C & R Supply Inc	Automotive/Sm	85.74
Carlin, Cliff	Welfare Rent	700.00	Carlson, Lisa	Court Reporte	124.32
Carlson, Scott B Att	Attorney Fees	3,189.76	Cartridge World	Data Processi	1,312.82
Cartridge World	Office Suppli	995.94	Cbcinnovis Inc	Recruitment	8.65
CBM Managed Services	Board Of Pris	18,808.08	Center For Family Me	Other Profess	150.00
Central Salt Llc	Road Material	9,496.80	Century Business Pro	Lease-Rental	359.59
Century Business Pro	Maintenance C	529.69	Chemco, Inc.	Child Care Fo	701.95
Chemung Supply Corp	Parts Invento	47,275.20	Christiansen, Dan	HIDTA Grant	144.00
Cliff Avenue Auto Pa	Truck Repair	31.53	Climate Systems, Inc	VOA, Dakotas	2,416.00
Clinical Labs Of The	Other Profess	200.00	Cm Information Spec	Clinics - Aux	186.53
Cody, Denise	Bd Exp. Fees	30.00	Cole Papers, Inc.	Janitorial/Ch	1,522.35
Computer Forensic Re	Other Profess	225.00	Concrete Materials	Road Maint.	162,561.07
Construction Product	Bridge Repair	736.00	Cooley, Carla F	Court Reporte	102.20
Counseling Resources	Attorney Fees	375.00	Culligan Water Condi	Other Miscell	37.50
Dakota Data Shred	Trash Removal	89.18	Dakota Riggers & Too	Small Tools,	19.00
Dakota Security Syst	Building Repa	1,316.34	Dakotaland Autoglass	Automotive/Sm	165.00
Deans Bulk Svc Inc	Parts Invento	47.76	Decastro Law Office,	Attorney Fees	1,137.75
Decisionone Corporat	Maintenance C	168.52	Dialnet/Ahrens Telec	Communication	269.18
Dlrs Properties, Inc	Welfare Rent	500.00	Douglas County(Ne)Cl	Other Profess	2.00
Duffy, Ryan	Attorney Fees	321.50	Eastern Farmers Coop	Road Maint. &	169.00
Electric Supply Co.,	Repair/Renova	2,890.00	Etc/Expo For Her Mag	Advertising	350.00
Family Service Inc	Expenditures	325.00	First Dakota Nationa	2010 HLS Grant	2,686.25
Fm Acoustical Tile I	Repair/Renova	1,647.00	Fox Drywall & Plaste	Repair/Renova	3,369.39
G & R Controls Inc	Heat,Vent & A	112.25	Geotek Engineering &	Architects &	1,176.00
Geotek Engineering &	VOA - Dakotas	35.00	Global Connect	Telephone	39.90
Goebel Printing, Inc	Printing/Form	63.00	Golden West	Telephone	165.70
Good Samaritan Soc-L	Welfare Rent	1,200.00	Grainger, Inc.	Gas,Oil,Diese	31.37
Grant Square Ltd	Welfare Rent	400.00	Guzman, Sandra V.	Interpreters	150.00
Hanson, Larry	Welfare Rent	500.00	Hanson, Wade	Education & T	136.00

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Harmon, Karla	Bd Evaluation	1,687.50	Harvey, Randiann C	Court Reporte	77.00
Heritage Place Apts	Welfare Rent	375.00	Herman, Patricia	Memberships	60.00
Hibu Inc - West	Advertising	914.82	Hobby Lobby Stores I	Program Activ	100.74
Hoekstra, Denise A.	Court Reporte	523.40	Howe Heating & Plumb	Repair/Renova	1,236.74
Hurtgen, Timothy T/P	Welfare Rent	650.00	Hy-Vee Accounts Rece	Other Miscell	275.00
Hy-Vee Accounts Rece	Pharmacies	69.60	I State Truck Center	Parts Invento	100.48
I State Truck Center	Truck Repair/	143.75	IBE, Inc.	Maintenance C	289.00
Infectious Disease S	Physicians	225.73	Institutions Service	Jail Repairs	25.36
Interstate Office Pr	Office Suppli	618.08	ISI Llc	Interpreters	80.00
Jaros, Pete	Investigators	75.85	Jaydee Inc/Jaymar	Printing/Form	242.00
Jaymar Business Form	Office Suppli	209.38	JCL Solutions-Janito	Hhs Custodial	419.22
JCL Solutions-Janito	Janitorial/Ch	3,672.06	Jim & Ron's Service	Other Profess	47.50
Johnson, Richard L	Attorney Fees	609.00	Kauffman, David W. P	Psych Evals	4,015.00
Kirkus, Chris	Welfare Rent	300.00	Kish, Paul Erwin	Other Profess	3,875.00
Knology	Telephone	59.08	Kollars, Collin	Welfare Rent	800.00
Kruse, Renae S	Attorney Fees	3,345.38	Kuhle, Donald	Welfare Rent	475.00
Larson, Jeff	Attorney Fees	524.35	Laughlin, Nicole	Attorney Fees	4,436.48
Lawson Products	Small Tools,	396.77	Live Well Props Llc/	Welfare Rent	1,250.00
Luk, Anna - Luk In	Welfare Rent	600.00	Lutheran Social Svcs	Other Profess	2,771.76
Lutzke, David L	Court Reporte	70.00	Malloy Electric Bear	Electrical Re	142.00
Mannie, Corey	Welfare Rent	595.00	Marco	Lease-Rental	154.80
Marco	Maintenance C	115.40	Marco	Office Suppli	127.70
McCulloch, Mary A	Welfare Rent	375.00	Meile-Rasmussen, Jac	Education & T	158.00
Menards - East	Building Repa	12.81	Menards - East	Exhibit Mater	22.56
Menards - East	Grounds & Par	147.97	Metro Communications	Attorney Fees	30.00
Metro Communications	Clinics - Aux	330.00	Microfilm Imaging Sy	Furniture & O	360.00
MidContinent Communi	Telephone	55.00	Midwest Alarm Compan	Building Repa	447.94
Midwest Alarm Compan	Security Eq.	555.00	Midwest Residential	Welfare Rent	150.00
Minn Cnty Human Svcs	Other Supplie	143.35	Myers & Billion Llp	Child Defense	697.00
NDL - National Direc	Plumbing & We	1,260.00	Neve's Uniforms	Uniform Allow	85.45
Newman Signs Inc	Sign Supply/I	2,730.00	Nicholson, Tschetter	Attorney Fees	489.46
Nicholson, Tschetter	Child Defense	2,539.43	Nolz Construction Co	Contracted Co	27,226.04
Norberg Paints Inc	Building Repa	34.01	Norberg Paints Inc	Exhibit Mater	46.47
North American Truck	Truck Repair	300.00	Nyberg's Ace Hardwar	Other Supplie	59.33
Office Depot, Inc.	Data Processi	54.17	Olson, Waltner & Sch	Attorney Fees	989.48
Palmer, Barbara	Bd Evaluation	2,475.00	Pride Neon, Inc	Automotive/Sm	100.00
Pride Neon, Inc	Truck Repair	92.00	Qualified Presort Se	Postage	220.00
RAAK Properties Llc	Welfare Rent	800.00	RDO Equipment Co.	Heavy Eq. Rep	22.50
Record Keepers, Inc.	Other Profess	238.24	Record Keepers, Inc.	Records Stora	2,691.74
Rensberger, Ron	Welfare Rent	560.00	Rozenboom, Bruce/Sun	Conditional U	250.00
Rural Metro Ambulanc	Lab Costs	150.00	Rural Metro Ambulanc	Transportatio	1,050.00
Sanford Clinic Finan	Other Miscell	174.00	Sanford Health Plan-	Expenditures	2,327.36
Sanford Hospital	Hospitals	210,612.42	Sanford Hospital	Lab Costs	395.00
Sanford Laboratories	Lab Costs	2,143.22	Satisfaction Plus In	Motels	159.00
Schetnan, Thad/Kim	Welfare Rent	430.00	SD Dept Of Health	Clinics - Aux	41.75
SD Dept Of Public Sa	Other Miscell	50.00	SD Dept Of Revenue	Bulletin Boar	117.28
SD Dept Of Revenue	Fingerprint/T	182.55	SD Dept Of Revenue	Misc. Dir. Eq	44.80
SD Dept Of Revenue	Misc. Treasur	18.10	SD Div Of Criminal I	Professional	43.25
SD Human Services Ce	Clinics - Aux	129.20	SD Human Services Ce	Other Profess	600.00
SD Secretary Of Stat	County Cemete	10.00	SDPRA Maint School	Education & T	160.00
Sejnoha, Shane	Welfare Rent	1,000.00	Senior Citizens Svcs	Advertising	54.00
Shepherd Reporting L	Court Reporte	300.00	Sherwin Williams	Repair/Renova	75.45
Shi, International C	Maintenance C	7,479.93	Sioux Empire Fcu 148	Program Activ	150.84
Sioux Falls Chamber	Education & T	174.00	Sioux Falls City Fin	Gas,Oil,Diese	746.35
Sioux Falls Construc	Contr Co	131,548.32	Sioux Falls Rubber S	Other Miscell	6.95
Sioux Falls Utilitie	Welfare Utili	97.75	Solomon, Ghirmay	Interpreters	50.00
Stan Houston Equipme	Bridge Repair	456.70	Stoney Creek Townhom	Welfare Rent	443.00
Stronghold Counselin	Clinics - Aux	1,697.50	Sunshine Foods	Other Supplie	86.85
Sunshine Foods	Welfare Food	344.26	Super 8 Motel	Motels	525.00
Swanda, Karen	Bd Exp. Fees	45.00	Swingen Const Co Inc	Contr. Co	44,605.53
Szameit, Alexandra	Interpreters	225.00	Thomson Reuters - We	Legal Researc	189.00
Thorin, Deyanira T	Interpreters	150.00	Thornell, Ryan F	Alternatives	2,181.25
Thornton Carpets/Flo	Repair/Renova	4,485.36	Tires,Tires,Tires In	Automotive/Sm	582.72
Tires,Tires,Tires In	Gas,Oil,Diese	76.20	US Bank-Corporate Tr	Trust-Adminis	4,500.00
US Postal Service	Postage	200.00	Variety Foods Llc	Other Profess	353.27

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Vesely, Josh	Uniform Allow	96.91	Volunteers Of Americ	Alternatives	5,940.00
Volunteers Of Americ	Other Profess	2,520.00	Wall Lake Sanitary D	Water - Sewer	70.00
Weerheim, Tom	Attorney Fees	1,117.20	Weiland & Assoc Inc	Jury Fees	128.90
Willert, Tiffany	Postage	14.63	Willow Wood Apts	Welfare Rent	500.00
Winter Inc	Bridge Repair	2,262.00	Wixon, Angie	Other Misc. R	150.00
Wynia, Marc	Investigators	111.00	Xcel Energy, Inc.	Welfare Utili	3,881.11
Yankton County Sheri	Return Of Ser	125.00	Yellow Robe, Luke	icwa Professi	720.00
Zee Medical Service	Office Suppli	73.30			

REPORTS

The following reports for July 2013 were received and placed on file in the Auditor's Office: Minnehaha County Human Services, Minnehaha County Sheriff's Office, Minnehaha County Regional Juvenile Detention Center, and the Auditor's Account with the County Treasurer as of July 31, 2013.

On Deposit in Banks	
Interest-bearing open accounts	12,702,064.51
CD's and savings	15,000,000.00
Cash	22,886.21
Checks/drafts in Treasurer's possession for more than 3 days	3,693.79
Total Cash on Hand	27,728,644.51
TASC True-up outstanding to Treasurer	-1,346.20
Payroll ACH not updated until August	-12.28
Total Reconciled AS/400 Cash Balance	27,727,286.03

PERSONNEL

MOTION by Heiberger, seconded by Pekas, to approve the following personnel changes. 3 ayes.

1. To hire Mandy Jongeward as Air Guard Security Officer I (12/1) for the Air Guard at \$16.052/hour effective 8/12/13.
2. To hire Demetrius Washington as a part-time Correctional Officer in Training (12/1) for the Jail at \$16.052/hour effective 8/7/13.
3. To extend unpaid Military Leave for Joshua Zambrano, Deputy Sheriff for the Sheriff's Office, to 8/8/13.
4. To end the temporary, part-time employment of Anthony Dannen as Laborer for the Highway Department effective 8/1/13.
5. To accept the retirement of Dennis Schotzko as Mechanic for the Highway Department effective 8/6/13.

Step Increases Due

1. Jeremy Loftesness – Juvenile Correctional Worker – Juvenile Detention Center – 9/4 to 9/5 – 8/11/13 – \$15.278/hour
2. Alyssia Hanson – Juvenile Correctional Officer I – Juvenile Detention Center – 12/1 to 12/2 – 8/20/13 – \$16.453/hour
3. Michael Ladd – Correctional Officer – Jail – 13/13 to 13/14 – 7/21/13 – \$23.248/hour
4. Steven Maciejewski – Deputy Sheriff – Sheriff's Office – 16/16 to 16/17 – 5/30/13 – \$29.033/hour

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5. Patricia Herman – Assistant Planning Director – Planning – 21/10 to 21/11 – 8/10/13 – \$2,563.84/bi-weekly

Special Commission Action Request:

MOTION by Pekas, seconded by Heiberger, to move Brian Vandenhul, Juvenile Correctional Officer I, from 12/5 to 12/6, \$18.161 per hour effective 7/16/13. 3 ayes.

NOTICES

A notice was received from Wilde Prairie Winery of their intent to conduct a fundraising raffle on September 14, 2013 to benefit the Edith Sanford Breast Cancer Foundation.

A notice was received from East Dakota Water Development District of their regular Board of Director's Meeting to be held on August 15, 2013 at 10:00 a.m. at the EDWDD Office, 132B Airport Avenue, Brookings, SD.

AMENDMENT

Ken McFarland, Commission Administrative Officer, reported that Warden Gromer is requesting a deferral on an amendment to the agreement between Minnehaha County and the South Dakota Department of Corrections to house state work release inmates in the Minnehaha County Community Corrections Center. MOTION by Heiberger, seconded by Pekas, to defer indefinitely consideration of a modified contract with the SD Department of Corrections. 3 ayes.

AGREEMENT

DJ Buthe, Highway Superintendent, gave a briefing on an agreement with JSA Engineers and Land Surveyors Inc. of Sioux Falls, SD for preliminary engineering that includes hydraulic hydrologic storm water modeling and evaluation and a type, size, and location study for the replacement of two bridge structures located between Brandon and Garretson over Split Rock Creek on 483rd Avenue. MOTION by Heiberger, seconded by Pekas, to authorize the Chairman to sign the Preliminary Engineering Agreement with JSA Engineers and Land Surveyors Inc., for the replacement of Structures 50-290-131 and 50-290-135 at an hourly rate not to exceed a total cost of \$13,170. 3 ayes.

BID

DJ Buthe, Highway Superintendent, reported on the bid opening for Project MC121STR-13 that was held August 7, 2013 at 10:30 a.m. One bid was received from Sioux Falls Construction in the amount of \$1,447,979.11. The bid exceeded the engineer's estimate of \$1,100,000 by approximately 32%. Mr. Buthe recommended rejecting the bid and re-advertise for bids in November or December to allow for spring and summer construction in 2014. MOTION by Pekas, seconded by Heiberger, to reject the bid from Sioux Falls Construction and re-advertising for bids in November or December. 3 ayes.

LIAISON REPORT

Commissioner Heiberger reported that the 2013 Sioux Empire Fair ended on Sunday and preliminary reports are that it was very successful.

NEW BUSINESS

Chairman Beninga reported on emails received from Mayor Mike Huether and a concerned citizen in regard to

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people having criminal backgrounds that include drug charges and sex offences, being able to be at the fairgrounds. A request was made that the Sioux Empire Fairgrounds be designated a drug free and sex offender free zone. Kersten Kappmeyer, Chief Civil Deputy State's Attorney, gave his recommendation to request the South Dakota State Legislature add "fairgrounds" to the designated drug free, sex offender free zones that are defined by state statute, rather than attempt to reclassify the fairgrounds by county ordinance as a "park" or "playground" currently within the statutory prohibitions.

OLD BUSINESS

Ken McFarland, Commission Administrative Officer, reported on resolutions that were approved by the South Dakota Association of County Commissioners Resolutions Committee that will be forwarded to the state convention for consideration.

REQUEST TO VACATE

Pat Herman, Assistant Planning Director, gave a briefing on a petition to vacate a Public Road 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 1/4, Lot 4A Block 2 Hartford Heights Addition NW 1/4, and Lot 6 Block 4 Hartford Heights Addition NW 1/4; all in Section 25-T102N-R51W. The petitioners are Thomas and Margie Scheurenbrand. The vacation will result in Thomas and Margie Scheurenbrand and the adjoining property owners, Wayne and Bernadine Boggs, each receiving a 33 foot parcel of land. 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 Council on August 20, 2013. MOTION by Pekas, seconded by Heiberger, to approve Resolution MC13-44. 3 ayes.

RESOLUTION MC13-44 RESOLUTION TO VACATE A HIGHWAY

WHEREAS, a public hearing was held on August 13, 2013, pursuant to the provisions of SDCL 31-3-7 and SDCL 31-18-3 to consider a petition to vacate a highway; and

WHEREAS, said hearing was for the purpose of determining whether the public interest will be better served by such proposed vacation; and

WHEREAS, the Board finds that the proposed highway to be vacated does not provide access to public lands.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the Minnehaha County Board of Commissioners that the following described highway, is hereby declared vacated:

That portion of Jeannine Drive beginning at the east edge of Kathleen Drive and extending east to its end; and lying adjacent to Lot 3A Block 2 Hartford Heights Addition NW1/4, Lot 4A Block 2 Hartford Heights Addition NW1/4, and Lot 6 Block 4 Hartford Heights Addition NW1/4; all in Section 25-T102N-R51W Minnehaha County.

AND BE IT FURTHER RESOLVED, that this resolution be placed on file with the Minnehaha County Auditor and recorded with the Minnehaha County Register of Deeds.

Dated this 13th day of August, 2013.

BOARD OF COUNTY COMMISSIONERS

Gerald Beninga

Chairman

ATTEST:

8/13/2013
Cynthia Jepsen
Deputy County Auditor

MOTION by Heiberger, seconded by Pekas, to adjourn into Executive Session for personnel discussion. 3 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, August 20, 2013.

APPROVED BY THE COMMISSION:

Gerald Beninga
Chairman

ATTEST:

Cynthia Jepsen
Deputy Auditor