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THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. September 3, 2013 pursuant to adjournment on August 27, 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 Barth, seconded by Kelly, to approve the agenda. 5 ayes.

MOTION by Barth, seconded by Pekas, to approve the August 27, 2013 Commission Minutes and the August 27, 2013 Joint City/County Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Heiberger, to approve the following bills totaling \$1,295,901.18. 5 ayes.

A & B Business Equip	Lease-Rental	247.66	Airway Service Inc	Automotive/Sm	2,130.98
Airway Service Inc	Gas,Oil,Diese	113.65	Allied Oil & Tire Co	Truck Repair	142.00
Anderson-Crane Rubbe	Automotive/Sm	118.80	Appeara / Dudley Lau	Lease-Rental	32.64
Argus Leader - Adver	Advertising	440.00	Argus Leader - Adver	Publishing Fe	1,554.80
Asphalt Surfacing Co	Contract. Co	319,551.48	At & T	Safety & Resc	71.88
Ato Systems Llc	Safety & Resc	450.00	Audra Malcomb Consul	Physicians	134.13
Avera McKennan Hospi	Blood Withdra	66.00	Avera McKennan Hospi	Hospitals	4,890.00
Avera McKennan Hospi	Physicians	1,900.39	Avera Medical Group	Physicians	260.44
Avera Medical Group	Physicians	74.13	Bakken, Larry	Education & T	130.00
Belitz, Clarence H	Welfare Rent	300.00	Black-Top Paving Inc	Contr. Co	558,183.70
Blackburn & Stevens,	Attorney Fees	475.17	Boeckholt, Angie	Education & T	163.00
Bourne, Anna	Bd Evaluation	262.50	Bradfield, Matt Db	Maintenance C	70.00
Braithwaite, Tacey E	Attorney Fees	76.50	Bureau Of Informatio	Data Communic	432.00
Bureau Of Informatio	Detox	6.34	Bureau Of Informatio	Telephone	546.14
Carper, Nichole A	Child Defense	17.50	Carroll Institute	Other Profess	18,014.58
Cartridge World	Data Processi	1,604.64	Cedar Prop Llc Db	Welfare Rent	500.00
Central Salt Llc	Road Material	5,665.80	Century Business Pro	Lease-Rental	202.07
Century Business Pro	Maintenance C	397.22	Century Business Pro	Office Suppli	189.73
Century Business Pro	Printing/Form	11.22	City Centre Hotel Co	Interpreters	50.00
Cliff Avenue Auto Pa	Truck Repair	11.48	Cody, Denise	Bd Exp. Fees	37.50
Cole Papers, Inc.	Janitorial/Ch	366.60	Cole, John R	Education & T	130.00
Columbia Dam Llc	Welfare Rent	1,300.00	Concrete Materials	Road Maint. &	89,435.70
Connecting Point	Data Processi	359.00	Connecting Point	HIDTA Grant	315.29
Constellation New En	Natural Gas	2,042.31	Courtyard By Marriot	Cobra Insuran	308.88
Dakota Enhancement L	Welfare Rent	380.00	Dakota Police & Spor	Uniform Allow	39.00
Dakota Riggers & Too	Heavy Eq. Rep	168.00	Dakotaland Autoglass	Automotive/Sm	480.00
Deboer Law Office Pc	Attorney Fees	1,028.37	Dex Media East	Advertising	558.00
Dosch, Korey	Education & T	130.00	Dunn, Theresa L	Education & T	130.00
Electric Supply Co.,	Repair/Renova	2,515.00	Erpenbach, John E	Bd Evaluation	112.50
Etek Llc Db	Welfare Rent	600.00	Federal Express Corp	Postage	11.21
Fenwick, Glen	Welfare Rent	600.00	First Dakota Title	Other Profess	50.00
Fitts, Rod	Welfare Rent	415.00	Fleetpride / Holt, I	Truck Repair	1,114.81
Flex Compensation In	Cobra Insuran	1,010.40	G & R Controls Inc	Building Repa	19.96
Garretson Community	Ambulance Ser	25,000.00	Goebel Printing, Inc	Printing/Form	362.03
Guzman, Sandra V.	Interpreters	200.00	Hanson, Russ	Education & T	130.00
Haugaard, Steven G	Bd Exp. Fees	195.50	Heartland Paper Comp	Kitchen/Clean	1,673.61
Heimdahl, Marie Ann	Court Reporte	72.20	Helseth, Kyle	Business Trav	130.00
Hemmer, Charles	Business Trav	41.81	Hewlett-Packard Comp	Data Processi	1,196.00
Holiday Credit Offic	Gas,Oil,Diese	27.74	Howalt-McDowell Insu	Notary Exp	50.00
Howard, Stacy	Other Misc. R	300.00	Hoy Trial Lawyers Pr	Attorney Fees	2,621.80
HTC Inc	Heavy Eq. Rep	42.45	Hy-Vee Account	Pharmacies	242.10
I State Truck Center	Parts Invento	9.92	Interstate Office Pr	Office Suppli	1,386.88
Iosty, Alysia A	Education & T	130.00	James E Aiken & Asso	Clinics - Aux	3,248.20
JCL Solutions-Janito	Janitorial/Ch	67.20	Jebro, Inc.	Parts Invento	20,220.40
Johnson County(IA)Sh	Return Of Ser	40.00	Johnson, Clara	Bd Exp. Fees	130.59
Kauffman, David W. P	Psych Evals	2,532.50	Kennedy, Pier, Knoff	Attorney Fees	138.40

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Kennedy, Renee S	Court Reporte	98.60	KGA Properties	Welfare Rent	433.00
Kincade Funeral Home	Burials	2,685.00	King, Duane	Education & T	130.00
King, Peter	Program Activ	150.00	Kruse, Renae S	Child Defense	3,640.16
Lacey Rentals Inc	Lease-Rental	95.00	Larson, Jeff	Attorney Fees	168.00
Lason Systems Inc	Archive/Prese	272.06	Leaf Inc.	Office Suppli	365.97
Leaf Inc.	Printing/Form	32.55	Lewno, Lucy	Bd Exp. Fees	323.42
Luther, Jeff	Medical Direc	2,333.33	Lutheran Social Svcs	Interpreters	112.50
Mac's, Inc.	Small Tools,	43.08	Mailway Printers	Publishing Fe	107.00
McGrath, Michael J,	Other Profess	1,767.50	McKinney Olson Insur	Other Profess	50.00
McManus, William (Pa	Attorney Fees	1,271.80	Menards - East	Building Repa	86.80
Metro Communications	Attorney Fees	30.00	Metro Communications	Clinics - Aux	30.00
Microfilm Imaging Sy	Office Suppli	83.08	MidAmerican Energy C	Natural Gas	938.98
Midwest Alarm Compan	Building Repa	350.50	Midwest Alarm Compan	Security Alar	199.00
Midwest Oil Company,	Parts Invento	542.03	Midwest Oil Company,	Truck Repair	195.91
Miller, Michael	Education & T	72.00	Minnesota Dept Of Pu	Clinics - Aux	9.50
Multi-Cultural Cente	Interpreters	838.75	Murray Properties, L	Welfare Rent	500.00
Narem, Inc	Automotive/Sm	71.50	Nat'l Tactical Offic	2012 Homeland	18,781.00
Neavill, Patricia	Education & T	130.00	Nicholson, Tschetter	Child Defense	522.07
Northern Truck Equip	Automotive/Sm	114.91	Office Depot, Inc.	Data Processi	373.86
Peters, Scott N Pc	Bd Exp. Fees	18,017.16	Peters, Scott N Pc	Crisis Interv	387.00
Peters, Scott N Pc	Dev Disabili	99.00	Peters, Scott N Pc	Lt Gov Work G	171.00
Pheasantland Industr	Bldg. & Outsi	187.46	Pirrung, Sheila M	Welfare Rent	300.00
Price Land & Cattle	Welfare Rent	600.00	PSC Properties Llc	Welfare Rent	575.00
Psych Assoc Of Yankt	Bd Evaluation	500.00	Pusch, Randy	Welfare Rent	700.00
Qualified Presort Se	Postage	3,590.79	Quinn, Molly	Business Trav	93.83
Rac Rentals Llc	Welfare Rent	650.00	Redwood Toxicology L	Program Suppl	1,080.00
Redwood Toxicology L	Testing Suppl	1,080.00	Retail Data Systems	Office Suppli	194.00
Rochester Armored Ca	Armored Car S	379.50	Rural Metro Ambulanc	Transportatio	600.00
Rypkema, Diane	Education & T	163.00	Safe Home Ltd Ptnrsh	Notes Rec (Sf	1,643.74
Safe Home Ltd Ptnrsh	Other Misc. R	1,950.35-	Safe Home Ltd Ptnrsh	Rent Subsidie	10,208.57
Sam's Club - Members	Office Suppli	18.98	Sam's Club - Members	Other Miscell	338.52
Sam's Club - Members	Other Profess	234.84	Sanford Clinic Finan	Other Miscell	22,250.00
Sanford Hospital	Hospitals	7,417.00	Sanford Hospital	Lab Costs	352.63
Satisfaction Plus In	Motels	636.00	SD Assn Of County Of	Education & T	330.00
SD Dept Of Public Sa	Other Miscell	25.00	SD Div Of Criminal I	Professional	43.25
SD Secretary Of Stat	Notary Exp	30.00	SD Secretary Of Stat	Other Profess	30.00
Servall Towel & Line	Janitorial/Ch	46.70	Servall Towel & Line	Program Activ	278.25
SF Specialty Hospita	Recruitment	222.00	Shaykett Appraisal C	Welfare Rent	475.00
Shiple's Laundry &	Program Activ	20.60	Simon, Anthony (OR)	Other Profess	70.00
Sioux Empire Fair As	Other Miscell	12,500.00	Sioux Falls Utilitie	Electricity	11,751.64
Sioux Falls Utilitie	Welfare Utili	65.16	Sioux Valley Energy	Welfare Utili	440.00
Skorczewski, Jena	Court Reporte	138.00	Smith, Traci M.	Education & T	72.00
Snoozy, Scott	Welfare Rent	500.00	Solheim, Virginia	Business Trav	49.58
Solomon, Ghirmay	Interpreters	50.00	South Holly Prop Llc	Welfare Rent	450.00
Stangeland, Lori	Education & T	163.00	Street Smart Rental	Equip. (Lease	3,500.00
Swanda, Karen	Bd Exp. Fees	37.50	The Printers, Inc.	Printing/Form	158.20
Thomas, Bradley	Education & T	130.00	Thorin, Deyanira T	Interpreters	76.67
Thurman, Creighton A	Attorney Fees	184.10	Tires,Tires,Tires In	Automotive/Sm	730.79
Tires,Tires,Tires In	Gas,Oil,Diese	129.00	Tomacelli's Pizza	Jury Fees	106.76
United Parcel Servic	Postage	17.88	Vandervliet, Rodney	Business Trav	59.20
Variety Foods Llc	Other Profess	316.22	Wal-Mart Pharmacy	Pharmacies	698.00
Walgreen Co.	Pharmacies	729.95	Westwick Motel, Inc.	Motels	460.00
Xcel Energy, Inc.	Electricity	68,063.46	Xcel Energy, Inc.	Road Maint. &	33.96
Xcel Energy, Inc.	Welfare Utili	1,677.08	Yankton County Treas	Attorney Fees	2,527.75

PERSONNEL

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

1. To hire Amel Nezirevic as temporary, part-time Juvenile Correctional Worker (9/1) for the Juvenile Detention Center at \$13.841/hour effective 9/4/13.
2. To hire Danielle Tejral-Becker as temporary, part-time Juvenile Correctional Worker (9/1) for the

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Juvenile Detention Center at \$13.841/hour effective 9/4/13.

3. To discharge Randall Gasca as Juvenile Correctional Officer I for the Juvenile Detention Center effective 8/23/13.
4. To accept the resignation of Brianna Gearhart as Juvenile Correctional Officer II for the Juvenile Detention Center effective 9/6//13.
5. To accept the retirement of David Oswald as Groundskeeper for Facilities effective 9/3/13.
6. To hire Scott McLaughlin as temporary, part-time Correctional Officer in Training (12/1) for the Jail at \$16.052/hour effective 8/31/13.
7. To begin Interpreter specialty pay for Bojan Salihagic, Deputy Sheriff for the Sheriff's Office, effective 8/17/13.
8. To hire Stacy Acker as temporary, part-time Safe Home Program Worker (9/1) for Safe Home at \$13.841/hour effective 9/6/13.
9. To hire Shanna VonHoltum as temporary, part-time Clerical Worker for the Highway at \$11.00/hour effective 8/29/13.

Step Increases Due

1. Mark Kriens – Assistant Director of Facilities – Facilities – 18/8 to 18/9 – 8/16/13 – \$26.303/hour
2. Brianna Gearhart – Juvenile Correctional Officer II – Juvenile Detention Center – 14/2 to 14/3 – 8/18/13 – \$18.615/hour
3. Jorge Vicuna – Juvenile Correctional Officer II – Juvenile Detention Center – 14/10 to 14/11 – 8/18/13 – \$22.681/hour

Special Commission Action Requests:

1. To recognize the following significant employee anniversaries for September 2013: 5 Years – James Sondroth and Colleen Albrecht; 15 Years – Dalvin Ross and Daniel Friedbauer
2. To record volunteers in County Departments for August 2013. The list is on file in Human Resources.

MOTION by Pekas, seconded by Kelly, to move Darlene Johnson, Assistant Auditor for the Auditor's Office, from 21/3 to 21/5 (\$27.634/hour) effective 9/4/13.

NOTICE

MOTION by Barth, seconded by Heiberger, to authorize the County Auditor to publish a Request for Proposals for Development and Installation of a Pavement Management System (Project MC 13PvMS) for the Highway Department. 5 ayes.

RESOLUTION

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Robert Litz, Auditor, gave a briefing on a resolution relating to the refunding of not more than \$12,000,000 of 2013A Certificates of Participation. MOTION by Pekas, seconded by Heiberger, to approve Resolution MC13-48. 5 ayes.

RESOLUTION MC13-48

RESOLUTION RELATING TO REFUNDING OUTSTANDING CERTIFICATES OF PARTICIPATION; AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE-PURCHASE AGREEMENT AND APPROVING AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS

BE IT RESOLVED by the Board of Commissioners of Minnehaha County, South Dakota (the "County"), as follows:

Section 1. Recitals.

1.01. The County is authorized by South Dakota Codified Laws, Chapter 7-25, inclusive, as amended (the "Act"), to enter into lease-purchase agreements for acquisition of real or personal property that the governing body considers necessary or appropriate to carry out its governmental and proprietary functions. The governing body finds that it is necessary and appropriate to issue Certificates of Participation (Limited Tax General Obligation), Series 2013A in one or more series to refund all or a portion of principal and interest on the Certificates of Participation (Limited Tax Obligation) Series 2004 (the "Series 2004 Certificates") that mature on or after December 1, 2014 which were issued to finance the acquisition, remodeling, expansion, construction and equipping of facilities, which included some or all of the following: (i) a work release facility, (ii) a law enforcement facility, (iii) the juvenile corrections facility and (iv) the County courthouse.

1.02. The County has agreed with U.S. Bank National Association (the "Trustee") that the Trustee has, pursuant to a Ground Lease Agreement, dated as of September 1, 1992, as amended and supplemented between the County and the Trustee (the "Ground Lease"), acquired certain interests in real property (the "Land") from the County, and the Trustee has leased its interest in the Land and has leased and agreed to sell the Facilities to be acquired, renovated, constructed and equipped thereon to the County pursuant to a Lease-Purchase Agreement, dated as of September 1, 1992 (the "Original Lease"), as amended and supplemented by the First Amendment to Lease-Purchase Agreement, dated as of November 1, 1994 (the "First Amendment to Lease"), the Second Amendment to Lease-Purchase Agreement, dated as of April 1, 1997 (the "Second Amendment to Lease"), the Third Amendment to Lease-Purchase Agreement, dated as of April 1, 1999 (the "Third Amendment to Lease"), the Fourth Amendment to Lease-Purchase Agreement, dated as of December 1, 2000 (the "Fourth Amendment to Lease"), the Fifth Amendment to Lease-Purchase Agreement, dated as of September 1, 2004 (the "Fifth Amendment to Lease"), the Sixth Amendment to Lease-Purchase Agreement, dated as of October 1, 2005 (the "Sixth Amendment to Lease"), the Seventh Amendment to Lease-Purchase Agreement, dated as of October 1, 2005 (the "Seventh Amendment to Lease"), the Eighth Amendment to Lease-Purchase Agreement, dated as of October 1, 2006 (the "Eighth Amendment to Lease"), the Ninth Amendment to Lease-Purchase Agreement, dated as of August 1, 2007 (the "Ninth Amendment to Lease"), the Tenth Amendment to Lease-Purchase Agreement, dated as of October 1, 2007 (the "Tenth Amendment to Lease"), the Eleventh Amendment to Lease-Purchase Agreement, dated as of September 1, 2008 (the "Eleventh Amendment to Lease"), the Twelfth Amendment to Lease-Purchase Agreement, dated as of November 1, 2010 (the "Twelfth Amendment to Lease") and the Thirteenth Amendment to Lease-Purchase Agreement, dated as of September 1, 2011 (the "Thirteenth Amendment to Lease") between the Trustee and the County (the Original Lease as amended and supplemented by the First Amendment to Lease, the Second Amendment to Lease, the Third Amendment to Lease, the Fourth Amendment to Lease, the Fifth Amendment to Lease, the Sixth Amendment to Lease, the Seventh Amendment to Lease, the Eighth Amendment to Lease, the Ninth Amendment to Lease, the Tenth Amendment to Lease, the Eleventh Amendment to Lease, the Twelfth Amendment to Lease and the Thirteenth Amendment to Lease are referred to herein as the "Lease").

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1.03. The Trustee will execute and deliver a Fourteenth Supplemental Declaration of Trust (the “Fourteenth Supplemental Trust”), which will supplement and amend the Declaration of Trust, dated as of September 1, 1992 (the “Original Trust”), as amended by the First Supplemental Declaration of Trust, dated as of November 1, 1994 (the “First Supplemental Trust”), the Second Supplemental Declaration of Trust, dated as of April 1, 1997 (the “Second Supplemental Trust”), the Third Supplemental Declaration of Trust, dated as of April 1, 1999 (the “Third Supplemental Trust”), the Fourth Supplemental Declaration of Trust, dated as of December 1, 2000 (the “Fourth Supplemental Trust”), the Fifth Supplemental Declaration of Trust, dated as of September 1, 2004 (the “Fifth Supplemental Trust”), the Sixth Supplemental Declaration of Trust, dated as of October 1, 2005 (the “Sixth Supplemental Trust”), the Seventh Supplemental Declaration of Trust, dated as of October 1, 2005 (the “Seventh Supplemental Trust”), the Eighth Supplemental Declaration of Trust, dated as of October 1, 2006 (the “Eighth Supplemental Trust”), the Ninth Supplemental Declaration of Trust, dated as of August 1, 2007 (the Ninth Supplemental Trust), the Tenth Supplemental Declaration of Trust, dated as of October 1, 2007 (the “Tenth Supplemental Trust”), the Eleventh Supplemental Declaration of Trust, dated as of September 1, 2008 (the Eleventh Supplemental Trust), the Twelfth Supplemental Declaration of Trust, dated as of November 1, 2010 (the “Twelfth Supplemental Trust”) and the Thirteenth Supplemental Declaration of Trust, dated as of September 1, 2011 (the Thirteenth Supplemental Trust) (the Original Trust as amended and supplemented by the First Supplemental Trust, the Second Supplemental Trust, the Third Supplemental Trust, the Fourth Supplemental Trust, the Fifth Supplemental Trust, the Sixth Supplemental Trust, the Seventh Supplemental Trust, the Eighth Supplemental Trust, the Ninth Supplemental Trust, the Tenth Supplemental Trust, the Eleventh Supplemental Trust, the Twelfth Supplemental Trust and the Thirteenth Supplemental Trust are referred to herein as the “Trust Agreement”), pursuant to which the Trustee will (i) issue Certificates of Participation, Series 2013A (the “2013A Certificates”) in the lease payments to be made by the County under the Lease and (ii) receive, hold and invest the proceeds of the sale of the 2013A Certificates and deposit in escrow such proceeds to refund the 2004 Certificates maturing on and after December 1, 2014.

1.04. The 2013A Certificates will be sold competitively pursuant to an Official Statement (the “Official Statement”). Dougherty & Company LLC will act as the financial advisor to the County and will prepare the Official Statement.

1.05. Forms of the following documents relating to the Facilities are directed to be prepared by Lindquist & Vennum LLP, as Bond Counsel, and submitted to the County and are hereby directed to be filed with and approved by the County Auditor and the Deputy State’s Attorney: (a) the Fourteenth Amendment to Lease, (b) the Fourteenth Supplemental Trust and (c) the Certificate Purchase Agreement (collectively, the Fourteenth Amendment to Lease, the Fourteenth Supplemental Trust and the Certificate Purchase Agreement are herein referred to as the “Documents”).

Section 2. Authorization and Approval of the Documents. The financing described above is found to be favorable and is hereby approved. The Chairman and County Auditor are authorized to approve the principal amount of the Fourteenth Amendment to Lease, the 2013A Certificates, not exceeding \$12,000,000, the term thereof not exceeding eight (8) years, the interest rate or rates thereon not exceeding an average bond yield of 4.00% per annum and the price (exclusive of original issue discount) not less than 98% of par and at an original issue discount of not more than 2% and at which the 2013A Certificates are to be sold to the Purchaser. The forms of Documents to be prepared are hereby approved if the County Auditor deems them appropriate and the Documents are approved by the Deputy State’s Attorney. The Chairman and the County Auditor are directed to execute the Documents if approved by the County Auditor. Copies of all Documents shall be delivered, filed and recorded as provided therein. The Chairman and the County Auditor and the Deputy State’s Attorney are also authorized and directed to execute such other instruments as may be required to give effect to the transactions therein contemplated. The County will cooperate in the issuance of the 2013A Certificates and the Chairman, the County Auditor and the Deputy State’s Attorney shall execute such other instruments as are necessary to the issuance of the 2013A Certificates.

Section 3. Modification. Absence of Officers. The approval hereby given to the Documents includes an approval of such additional details therein as may be necessary and appropriate and such modifications thereto,

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deletions therefrom and additions thereto as may be necessary and appropriate and approved by the Deputy State's Attorney prior to the execution of the Documents. The execution of any instrument by the appropriate officer or officers of the County herein authorized shall be conclusive evidence of the approval of such documents in accordance with the terms hereof. In the absence of the Chairman or the County Auditor, any of the Documents authorized by this resolution to be executed may be executed by such officer as, in the opinion of the Deputy State's Attorney, may execute documents in their stead.

Section 4. Payment of Lease Payments. The County will pay to the Trustee promptly when due, all of the Lease Payments (as defined in the Lease) and other amounts required by the Lease. To provide moneys to make such payments, the County will include in its annual budget, for each fiscal year during the term of the Lease, moneys sufficient to pay and for the purpose of paying all Lease Payments and other amounts payable under the Lease, and will take all other actions necessary to provide moneys for the payment of the obligations of the County under the Lease from sources of the County lawfully available for this purpose, including the levy of such taxes as may be necessary therefor, including levies under South Dakota Codified Laws Section 10-13-35, subject only to the limitations on such levies imposed by South Dakota law.

The County agrees and covenants to include in its annual budget for each fiscal year during the term of the Lease moneys sufficient to pay and for the purpose of paying the Lease Payments pursuant to the Fourteenth Amendment to Lease, and to levy a tax pursuant to South Dakota Codified Laws Section 7-25-1, and in conformity with the South Dakota Codified Laws Section 10-13-35 and South Dakota Constitution Article XIII Section 5, in an amount which will generate an amount sufficient and for the purpose of paying the Lease Payments pursuant to the Fourteenth Amendment to Lease, to the extent permitted by law and to take all other actions necessary to provide moneys for the payment of the Lease Payments pursuant to the Fourteenth Amendment to Lease from sources of the County lawfully available for such purpose.

Section 5. Tax Matters. The County covenants and agrees with the Trustee and the registered owners from time to time of the 2013A Certificates that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the 2013A Certificates to become subject to taxation under the Internal Revenue Code of 1986, as amended (the "Code"), and applicable Treasury Regulations (the "Regulations"), and covenants to take any and all actions within its powers to ensure that the interest on the 2013A Certificates will not become subject to taxation under the Code and the Regulations. The County will cause to be filed with the Secretary of the Treasury an information reporting statement in the form and at the time prescribed by the Code. The County will comply with the provisions of Section. 148(f) of the Code, relating to the rebate of arbitrage profits to the United States, if and to the extent that such provisions are applicable to the Lease and the 2013A Certificates.

Section 6. Arbitrage Certification. The Chairman and the County Auditor, being the officers of the County charged with the responsibility for issuing the 2013A Certificates pursuant to this Resolution, are authorized and directed to execute and deliver to the Trustee a certificate in accordance with the provisions of Section 148 of the Code and Sections 1.148-1 et al of the Regulations, stating the facts, estimates and circumstances in existence on the date of issue and delivery of the 2013A Certificates which make it reasonable to expect that the proceeds of the 2013A Certificates will not be used in a manner that would cause the Lease or the 2013A Certificates to be arbitrage bonds within the meaning of the Code and Regulations.

Section 7. Official Statement. The County will participate in the preparation of the Preliminary Official Statement and the final Official Statement relating to the 2013A Certificates and hereby authorizes the County Auditor to consent to the distribution of the Official Statement by the Purchaser in connection with the sale of the 2013A Certificates. The Preliminary Official Statement, except for Permitted Omissions, will be deemed final by the County when authorized by the County Auditor as of its date within the meaning of Rule 15c2-12 of the Securities and Exchange Commission under the Securities Exchange Act of 1934. As used herein, "Permitted Omissions" shall mean the offering price(s), interest rate(s), selling compensation, aggregate principal amount, principal amount per maturity, delivery dates, rating, if any, and other terms of the 2013A Certificates depending on such matters.

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Section 8. Amendment. This resolution may be amended from time to time, prior to the issuance of the 2013A Certificates, by an administrative resolution adopted by this Board.

Section 9. Date Resolution Becomes Effective. This resolution shall become effective twenty days after publication in accordance with South Dakota Codified Laws Section 7-18A-8.

Adopted this 3rd day of September, 2013.

By: Gerald Beninga
It's Chairman

ATTEST:

By: Robert Litz
It's County Auditor

AMENDMENT

Shannon Schultz, Senior Project Engineer, gave a briefing on Amendment #1 to the contract with JSA Engineers for Construction Administration Services on Minnehaha County Highway 142 Pavement Restoration and Joint Repair Project. Mr. Schultz reported that during construction of the joint repair, the shoulders of the road deteriorated. This was due in part to the age of the shoulders that consist of only two inches of pavement. Also contributing to the deterioration of the shoulders was that truck traffic did not abide by the posted detour signs and drove over the shoulders of the highway during the joint repair. MOTION by Pekas, seconded by Barth to authorize the Chairman to sign Amendment #1 to the contract with JSA Engineers and Land Surveyors for Construction Administration Services on County Highway 142 at an hourly rate not to exceed a total cost of \$8,887.00, amending the contract total to \$40,786. 5 ayes.

EMERGENCY REPAIRS

Shannon Schultz, Senior Project Engineer, requested authorization to solicit informal bids for emergency shoulder repairs on Minnehaha County Highway 142. The deterioration of the shoulder has made the road unsafe for the traveling public as well as for county snow plow drivers. MOTION by Pekas, seconded by Kelly to recognize an emergency exists to public health, welfare, and safety and to authorize the Minnehaha County Highway Department to solicit informal bids for emergency shoulder repairs on Minnehaha County Highway 142 pavement restoration and joint repair project pursuant to SDCL 5-18-3.1. 5 ayes.

HEARING

A public hearing was held for the FY 2014 Minnehaha County Budget. Ken McFarland, Commission Administrative Officer, gave a briefing on the FY 2014 budget which stands at \$68,671,401. The budget is supported by revenues that include a sluggish 1.92% growth in property taxes due to new construction within the county and a 2.1% CPI adjustment allowed by the property tax limitation statutes in total county property taxes collected. The budget is also supported by modest increases in the bank franchise tax, recording fees, board of prisoner fees, and an increase in vehicle registration fees. The budget includes three grant or temporary positions currently on staff in 2013 that are being authorized as permanent full time positions. They include a Deputy State's Attorney, a Deputy Public Defender, and the Coordinator for the Juvenile Detention Alternative Initiative. There are also two new positions which include a Human Services Caseworker and an Engineer in the Highway Department. The budget also includes five proposed Correction Officers and one proposed Deputy Sheriff Sergeant in the jail that are associated with on-going conversations about implementing a sobering center concept. A final determination on these positions will be made prior to the adoption of the final budget. The budget also includes a 1% increase in the county's pay plan for full and part-time employees along with normal step increases of approximately 2.5% in accordance with the parameters of the county's pay plan. The final adoption of the FY 2014 Budget will be

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on September 24, 2013. DJ Buthe, Highway Superintendent, gave a briefing on the FY 2014 Highway budget. No public input or comments were received.

CONTRACT

Todd Cheever, JDC Director, gave a briefing on an addendum to the Juvenile Detention Center (JDC) contract with CBM Foodservice. The addendum contains a 2.8 % increase based on the Consumer Price Index. The price per meal will increase from \$1.93 to \$1.98 and snacks will increase from \$.74 to \$.76 per snack. MOTION by Kelly, seconded by Pekas, to approve the food service contract addendum between Minnehaha County Juvenile Detention Center and CBM Food Service effective July 1, 2013 ending June 30, 2014. 5 ayes.

GRANT

Kristin Trana, Administrative Coordinator for the Sheriff's Office, requested acceptance of an award from the US Marshal Service for a vehicle to be used as part of the Sioux Falls Area Joint Fugitive Task Force and \$5,000 to purchase and outfit the vehicle with the necessary equipment. The vehicle will be used for undercover surveillance. MOTION by Heiberger, seconded by Barth to accept the award from the US Marshal Service and place the vehicle on the Fixed Asset List. 5 ayes.

OLD BUSINESS

Chairman Beninga stated that the Commission has had discussions on capital improvements for the Juvenile Detention Center, Highway, and Jail and they will continue to keep the community aware of updates.

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

The Commission adjourned until 9:00 a.m. on Tuesday, September 10, 2013.

APPROVED BY THE COMMISSION:

Gerald Beninga
Chairman

ATTEST:

Cynthia Jepsen
Deputy Auditor