

9/10/2013

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. September 10, 2013 pursuant to adjournment on September 3, 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 Kelly, seconded by Pekas, to approve the agenda. 5 ayes.

MOTION by Pekas, seconded by Heiberger, to approve the September 3, 2013 Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Pekas, to approve the following bills totaling \$314,706.85. 5 ayes.

A-Ox Welding Supp Co	Lease-Rental	49.60	A-Ox Welding Supp Co	Safety & Resc	147.39
Act*MPMA 2013 Confer	Program Activ	762.00	Advance Auto Parts	Truck Repair	109.40
Airway Service Inc	Automotive/Sm	186.26	All American Investm	Motels	659.97
Allied Oil & Tire Co	Automotive/Sm	247.30	Amazon Mktplace Pmts	Communication	25.56
Amazon Mktplace Pmts	Data Processi	1,971.60	Amazon Mktplace Pmts	Office Suppli	144.99
Amazon Mktplace Pmts	Repair/Renova	26.22	Amer Soc Civil Engin	Memberships	235.00
Anderson, Carol	Welfare Rent	700.00	Automatic Door Group	Building Repa	5,086.74
Avera McKennan Hospi	Blood Withdra	66.00	Avera McKennan Hospi	Clinics - Aux	1,047.00
Avera McKennan Hospi	Hospitals	5,767.07	Avera McKennan Hospi	Physicians	3,973.85
Avi Systems, Inc	Other Profess	347.64	Batteries Plus/Onesk	Building Repa	242.80
Batteries Plus/Onesk	Child Care It	49.58	Batteries Plus/Onesk	Electrical Re	108.00
Bechtel, Donald J	Welfare Rent	895.00	Best Buy	Investigators	59.99
Best Buy	Office Suppli	59.99	Best Buy	Small Tools,	49.99
Bierschbach Equipmen	Other Supplie	323.50	Billion's	Automotive/Sm	157.33
Bizcom Electronics	Building Repa	11.89	Bizcom Electronics	Coliseum Repa	75.94
Bizcom Electronics	Correction Ct	27.50	Bizcom Electronics	Elec. Motor,M	198.54
Bizcom Electronics	Voa - Dakotas	278.14	Bob Barker Company,	Inmate Suppli	2,580.54
Bob's Lock & Key/Haw	Building Repa	93.60	Border States Electr	Correction Ct	57.65
Boyer Trucks Sioux F	Truck Repair	15.27	Bp Products North Am	Gas,Oil,Diese	52.23
Brown & Saenger	Uniform Allow	153.88	Builders Supply Comp	Building Repa	37.73
Builders Supply Comp	Correction Ct	51.75	Butler Machinery Com	Parts Invento	447.75
C & R Supply Inc	Bldg/Yard Rep	18.96	Caliber Creative	Other Profess	2,650.00
Campbell Supply Co I	Automotive/Sm	16.58	Campbell Supply Co I	Building Repa	158.34
Campbell Supply Co I	Grounds & Par	245.18	Campbell Supply Co I	Jail Repairs	477.54
Campbell Supply Co I	Truck Repair	799.00	Canda Properties Llc	Welfare Rent	605.00
Cbcinnovis Inc	Recruitment	8.65	CBM Managed Services	Board Of Pris	28,062.58
Centurylink (Qwest)	Data Communi	1,256.18	Chapelwood Iii Llc	Welfare Rent	600.00
Christensen, David D	Heavy Eq. Rep	78.82	City Glass & Glazing	Building Repa	222.04
City Of Colton	Welfare Utili	201.00	Cliff Avenue Auto Pa	Automotive/Sm	92.72
Climate Systems, Inc	VOA, Dakotas	1,794.00	Coa*Airlinetaxes&Fee	Education & T	22.00
Cole Papers, Inc.	HHS Custodial	160.76	Cole Papers, Inc.	Janitorial/Ch	879.56
Cole's Petroleum Inc	Gas,Oil,Diese	5,016.90	Colt Defense	Education & T	900.00
Comfort Inn & Suites	Education & T	456.68	Con Expo Con/Agg	Education & T	455.00
Concrete Materials	Bridge Repair	1,061.60	Concrete Materials	Heavy Eq. Rep	326.30
Concrete Materials	Road Maint. &	60,369.85	Crescent Electric Su	Electrical Re	42.96
Cyntom Property Mana	Welfare Rent	550.00	Dakota Data Shred	Trash Removal	109.26
Daubys Sports Center	Park/Recreati	4.00	Daves Automotive	Automotive/Sm	312.57
Deboer Law Office Pc	Attorney Fees	638.88	Delta Air	Business Trav	545.50
Dominos	Other Profess	129.36	Doop, Michael	Welfare Rent	350.00
Eastern Lettering	Other Supplie	25.50	Ebert's Properties,	Motels	175.00
Ecowater / Coy Burk	Jail Repairs	3,250.00	Essem, Rashade	Welfare Rent	600.00
Etc/Expo For Her Mag	Advertising	350.00	Etc/Expo For Her Mag	Store Invento	470.00
Experts---Exchange.C	Education & T	99.95	Famous Footwear	Expenditures	200.00
Famous Footwear	Uniform Allow	47.99	Fedex Office	Printing/Form	199.91
First Dakota Nationa	2012 Homeland	2,686.25	Flaghouse Inc	Inmate Suppli	53.70
Fred The Fixer Inc	Automotive/Sm	2.50	Fred The Fixer Inc	Building Repa	144.25
Fresh Start Convenie	Gas,Oil,Diese	46.12	Frontier Ai	Education & T	193.30

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G & R Controls Inc	Fairgrounds	3,670.00	Gage Bros Concrete P	Contracted Co	11,425.70
Gannett NSSC/Sioux F	Office Suppli	14.29	Gannett NSSC/Sioux F	Other Profess	363.02
Garnos, Bill	Real Estate	4,060.00	Genzlinger, Janeen	Court Reporte	22.80
Geotek Engineering &	Building Repa	2,131.60	Geotek Engineering &	Voa, Dakotas	907.60
Global Connect	Other Medical	4.63	Goebel Printing, Inc	Office Suppli	79.67
Golden West	Telephone	165.15	Goode To Go	Gas,Oil,Diese	59.03
Grainger, Inc.	Electrical Re	177.68	Grant Square Ltd	Welfare Rent	526.00
Graybar Electric	Electrical Re	621.28	Graybar Electric	Hhs Maintenanc	184.66
Graybar Electric	Small Tools,	269.91	Guest Services	Education & T	300.48
Guzman, Sandra V.	Interpreters	237.50	Heartland Paper Comp	Kitchen/Clean	707.60
Heartland Paper Comp	Other Supplie	114.52	Helseth, Ramona G.	Office Suppli	184.62
Hobby Lobby Stores I	Office Suppli	10.49	Hobby Lobby Stores I	Park/Recreati	22.33
Holiday Inn - Lincol	Education & T	14.00	Holiday Inn City Cen	Program Activ	314.60
Holiday Inn City Cen	Witness Fees	50.00	Holiday Stnstore	Gas,Oil,Diese	92.72
Humboldt Community D	Welfare Rent	345.00	Hy-Vee Accounts Rece	Child Care Fo	51.31
Hy-Vee Accounts Rece	Pharmacies	438.70	Hy-Vee Accounts Rece	Supplemental	89.37
Hy-Vee Accounts Rece	2012 Homeland	52.57	I State Truck Center	Parts Invento	24.48
I State Truck Center	Truck Repair	141.33	Institutions Service	Other Miscell	171.00
Interstate All Batte	Automotive/Sm	234.95	Interstate Office Pr	Office Suppli	1,889.59
ISI Llc	Interpreters	80.00	J And M Transmission	Cobra Insuran	923.84
J.C. Penney Company,	Uniform Allow	79.97	Jack's Sinclair	Gas,Oil,Diese	104.20
Jaros, Pete	Investigators	94.35	Jaymar Business Form	Printing/Form	89.50
JCL Solutions-Janito	Janitorial/Ch	88.44	JCL Solutions-Janito	Kitchen/Clean	269.82
Jefferson Partners L	Transportatio	268.00	Jim & Ron's Service	Other Profess	495.00
Johnson, Donald E	HIDTA Grant	260.00	Johnson, Richard L	Attorney Fees	662.50
Juice Stop - Arrowhe	Expenditures	150.00	Kahler, Monte	Welfare Rent	550.00
Kelolandemployment.C	Publishing Fe	99.00	Kings Inn Hotel And	Business Trav	50.00
Kirkus, Chris	Welfare Rent	1,000.00	Knology Inc Dba W	Telephone	59.20
Kohl's Department St	Uniform Allow	128.75	Kum & Go	Education & T	142.81
Kum & Go	Gas,Oil,Diese	113.72	Kum & Go	HIDTA Grant	77.56
Kum & Go	Other Profess	5.49	Labor Ready Midwest	Road Maint. &	965.76
Landscape Garden Cen	Grounds & Par	689.22	Lewis Drug Stores	Other Supplie	8.58
Lewis Drug Stores	Postage	15.95	Lexjet	Exhibit Mater	126.00
Lowes	Program Activ	35.96	Luk, Anna - Luk In	Welfare Rent	600.00
Luxury Automall Of S	Automotive/Sm	35.38	M & M Ventures Llc	Welfare Rent	197.00
Mac's, Inc.	Building Repa	19.26	Mailway Printers	Publishing Fe	966.00
Map*Macneil Automoti	Automotive/Sm	117.95	Marberg, Richard	Archive/Prese	4,984.42
Marriott Des M	Education & T	258.00	Matheson Tri-Gas Inc	Other Supplie	116.87
Maxwell Food Equipme	Child Care Fo	63.07	Meineke Car Care 212	Truck Repair	32.95
Menards - East	Building Repa	408.19	Menards - East	Electrical Re	21.66
Menards - East	Grounds & Par	855.18	Menards - East	Other Repairs	68.43
Menards - East	Small Tools,	40.06	Menards - West	Building Repa	8.86
Menards - West	Grounds & Par	540.80	Menards - West	Repair/Renova	2,014.14
Midamerican Energy C	Natural Gas	1,064.99	Midcontinent Communi	Telephone	55.00
Midway Service Inc	Truck Repair	18.00	Midwest Alarm Compan	Electrical Re	93.76
Midwest Boiler Repai	VOA, Dakotas	1,856.40	Midwest Oil Company,	Parts Invento	1,630.32
Midwest Residential	Welfare Rent	500.00	Minnehaha Community	Park/Recreati	25.00
Minnehaha Community	Tea-Ellis Ran	31.50	MJ Dalsin Co	VOA - Dakotas	1,460.00
Mobile Electronic Se	Communication	4,451.27	Monick Pipe & Supply	Grounds & Par	94.94
Monick Pipe & Supply	VOA - Dakotas	13.74	Mountain-Plains Muse	Memberships	200.00
Mr. Goodcents/Asgard	Other Supplie	45.99	Multi-Cultural Cente	Interpreters	728.75
Murray Properties, L	Welfare Rent	50.00	N B Golf Cars	Building Repa	52.87
NACDL	Education & T	249.00	Nat'l Student Housin	Welfare Rent	237.50
Neve's Uniforms	Uniform Allow	282.50	Newark Electronics	Electrical Re	141.47
Newegg.Com Inc	Data Processi	124.99	Newspapers SD Mt Co	Other Miscell	39.15
Nicholson, Tschetter	Attorney Fees	3,145.72	Norment Security Gro	Jail Repairs	219.58
Northern Heights Dev	Welfare Rent	675.00	Northland Rehab Supp	Building Repa	120.00
Northstar Auto Glass	Automotive/Sm	25.00	Novak Sanitary Servi	Tea-Ellis Ran	108.80
Novak Sanitary Servi	Trash Removal	2,381.05	Nyberg's Ace Hardwar	Building Repa	62.06
Nyberg's Ace Hardwar	Coliseum Repa	21.99	Nyberg's Ace Hardwar	Correction Ct	101.99
Nyberg's Ace Hardwar	Office Suppli	19.96	Nyberg's Ace Hardwar	Other Profess	12.01
Nyberg's Ace Hardwar	Voa - Dakotas	12.45	Nyhaug, Adam	Automotive/Sm	64.41
Oconnor Company	Heat,Vent & A	298.56	Office Depot, Inc.	Office Suppli	786.25
Officemax	Program Activ	8.99	Officemax	Publishing Fe	28.98
Oriental Trading Com	Program Activ	40.99	Orthopedic Physical	Office Suppli	26.30

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Paypal	Data Processi	31.95	Paypal	Data Processi	37.23
Paypal	Education & T	265.00	Paypal	Memberships	242.33
Paypal	Safety & Resc	78.80	Pesicka, Michael J	Building Repa	95.00
Pfeifer Implement Co	Motor/Machine	229.70	Phillips 66 Company	Gas,Oil,Diese	111.02
Phoenix Supply Llc	Child Care Un	582.83	Pilot	Education & T	43.71
Pine Meadows/Univers	Welfare Rent	940.00	Pizza Hut	Other Supplie	44.50
Plums Cooking Compan	Other Supplie	229.90	Quality Welding & Mf	Building Repa	50.00
Quill Corp.	Office Suppli	485.16	R & L Supply, Ltd	Building Repa	30.75
R & L Supply, Ltd	Correction Ct	22.88	R & L Supply, Ltd	Jail Repairs	25.00
R & L Supply, Ltd	Plumbing & We	70.66	R & L Supply, Ltd	VOA - Dakotas	208.01
Raco Industries	Other Supplie	248.72	Raterman, Cody	Other Misc. R	300.00
RDO Equipment Co.	Heavy Eq. Rep	15.19	Redwood Court Ltd Pt	Welfare Rent	693.00
River Tower Apartmen	Welfare Rent	400.00	Robinson, Eugene R L	Attorney Fees	84.00
Robsons Inc Dba Rob	Correction Ct	3.15	Rockhurst College Co	Education & T	299.00
Ruben, Dori	Welfare Rent	450.00	Rural Metro Ambulanc	Transportatio	450.00
Safariland Llc	Safety & Resc	137.21	Sanford Hospital	Hospitals	2,826.56
Satisfaction Plus In	Motels	783.00	Scheid, Pamela M.	Depositions	34.10
Scotty's Automotive	Automotive/Sm	25.84	SD Achieve	Program Activ	20.97
SD Dept Of Public Sa	Other Miscell	40.00	SD Dept Of Revenue	Other Miscell	14.00
SF Insulation Supply	Heat,Vent & A	310.70	Sheehan Mack Sales &	Parts Invento	63.49
Shell Oil	Education & T	40.15	Sheraton Dallas	Business Trav	651.25
Shopko Store	Child Care It	22.95	Shopko Store	Education & T	16.13
Sigler Fire Equipmen	Correction Ct	195.00	Sigler Fire Equipmen	Jail Repairs	318.24
Sigler Fire Equipmen	Outside Repai	2,108.50	Sioux Empire Fcu	Program Activ	252.41
Sioux Falls City Fin	Amounts Held	434.03	Sioux Falls City Fin	Building Repa	17.00
Sioux Falls Construc	Contracted Co	52,165.13	Sioux River Ltd Ptnr	Welfare Rent	575.00
Sioux Valley Energy	Electricity	247.68	Sioux Valley Energy	Road Maint. &	139.53
Sioux Valley Energy	Tea-Ellis Ran	88.54	Sioux Valley Energy	Welfare Utili	160.00
Sisson Printing, Inc	Safety Commit	671.00	Skorzewski, Jena	Court Reporte	307.80
Southeastern Behavio	Alternatives	1,450.00	SSI	Program Activ	182.55
Staples	Domestic Viol	89.99	Staples	Office Suppli	6.99
State Steel Of SD	Jail Repairs	50.91	Stonepoint Propertie	Welfare Rent	525.00
Storhaug, Adrean	Welfare Rent	325.00	Sturdevant's Auto Pa	Small Tools,	188.00
Subway	2012 HLS Grant	90.00	Sunshine Foods	Other Profess	60.51
Szameit, Alexandra	Interpreters	137.50	Target Pharmacy	Office Suppli	26.99
Taylor Place Llc	Welfare Rent	370.00	The Home Depot	Investigators	8.45
The Home Depot	Small Tools,	241.95	Thue, Steve/Barb	Welfare Rent	700.00
Thyssenkrupp Elevato	Lease-Rental	2,635.64	Tigerdirect Inc	Building Repa	319.17
Tires, Tires, Tires	Automotive/Sm	669.04	Tires,Tires,Tires In	Automotive/Sm	70.99
Tires,Tires,Tires In	Gas,Oil,Diese	106.81	Titan Energy Systems	Hhs Maintenanc	212.17
Tractor Supply Co.	Building Repa	30.58	Triangle Properties	Welfare Rent	500.00
True North Steel	Parts Invento	1,439.36	True North Steel	Pipe & Culver	8,770.80
Tuesday Morning	Telephone	6.99	United Air	Education & T	546.10
United Parcel Servic	Postage	23.56	Usps.Com	Postage	583.33
Variety Foods Llc	Other Profess	243.59	Vb Falls Terrace Apt	Welfare Rent	450.00
Volunteers Of Americ	Welfare Rent	454.00	Wal-Mart Pharmacy	Child Care It	60.80
Wal-Mart Pharmacy	Inmate Suppli	57.51	Wal-Mart Pharmacy	Office Suppli	81.19
Wal-Mart Pharmacy	Other Profess	1,130.72	Wal-Mart Pharmacy	Other Supplie	252.15
Wal-Mart Pharmacy	Program Equip	48.69	Wal-Mart Pharmacy	Office Suppli	.86
Wal-Mart Pharmacy	Other Supplie	25.99	Wal-Mart Pharmacy	2010 Jag Gran	28.03
Wall Lake Sanitary D	Water - Sewer	70.00	Wheelco Brake & Supp	Truck Repair	85.29
Wilson, Robert	Gas,Oil,Diese	49.87	Xcel Energy, Inc.	Electricity	603.53
Xcel Energy, Inc.	Welfare Utili	3,950.23	Yellow Checker Shutt	Business Trav	39.10
Zabel Steel Co.	Truck Repair	66.45	Zandt, Kurt (Prop Mg	Welfare Rent	675.00
Zee Medical Service	Office Suppli	28.10			

REPORTS

The Minnehaha County Sheriff's Department and Human Services Reports for August 2013 were 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 promote Molly Quinn from Deputy Public Defender to Senior Deputy Public Defender (22/1) for the Public Defender's Office at \$2,210.72/bi-weekly effective 9/6/13.
2. To promote Andrew Berg from Correctional Officer in Training to Correctional Officer (13/1) for the Jail at \$16.864/hour effective 7/21/13.
3. To promote Patrick Bumann and Tyler Mowery from Corrections System Operator to Correctional Officer in Training (12/1) for the Jail at \$16.052/hour effective 9/14/13.
4. To rescind the action from the memo dated 9/3/13 for the hire of Scott McLaughlin as temporary, part-time Correctional Officer in Training (12/1) for the Jail.
5. To end the temporary, part-time employment of Taylor Droz as Laborer for the Highway Department effective 8/29/13.
6. To correct the memo dated 9/3/13 which should have reflected a start date of 9/4/13 as opposed to 9/6/13 for Stacy Acker, temporary, part-time Safe Home Program Worker for Safe Home.

Step Increases Due

1. Darlene Johnson – Assistant Auditor – Auditor's Office – 21/5 to 21/6 – 9/14/13 – \$28.325/hour
2. Richard Lietz – Property Tax Administrator – Auditor's Office – 19/6 to 19/7 – 9/14/13 – \$26.303/hour
3. Eric Lovro – Senior Deputy Public Defender – Public Defender's Office – 22/2 to 22/3 – 9/13/13 – \$2,322.64/bi-weekly
4. Carol Muller – Human Services Director – Human Services – 24/10 to 24/11 – 8/30/13 – \$3,448.00/bi-weekly
5. Richard Schmitt – Civil Process Server – Sheriff's Office – 12/11 to 12/12 – 7/21/13 – \$21.061/hour
6. Willard Huffman – Civil Process Server – Sheriff's Office – 12/4 to 12/5 – 7/27/13 – \$17.718/hour
7. Dennis Pottebaum – Certified Civil Process Server – Sheriff's Office – 13/2 to 13/3 – 8/31/13 – \$17.718/hour
8. Michael Brenden – Certified Civil Process Server – Sheriff's Office – 13/11 to 13/12 – 9/10/13 – \$22.128/hour
9. Jered Broesder – Correctional Officer – Jail – 13/8 to 13/9 – 8/20/13 – \$20.548/hour
10. Wyatt Walton – Correctional Officer – Jail – 13/8 to 13/9 – 8/21/13 – \$20.548/hour
11. Benjamin Baxa – Correctional Officer – Jail – 13/8 to 13/9 – 9/6/13 – \$20.548/hour
12. Robert Olson – Correctional Officer – Jail – 13/8 to 13/9 – 9/12/13 – \$20.548/hour
13. Benjamin Devlin – Museum Interpreter – Museum – 9/1 to 9/2 – 9/26/13 – \$14.188/hour

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14. Cheryl Olson – Administrative Records Specialist – Register of Deeds – 14/8 to 14/9 – 9/25/13 – \$21.588/hour

15. Mary Yale – Assistant Register of Deeds – Register of Deeds – 19/8 to 19/9 – 9/25/13 – \$27.634/hour

ABATEMENT

MOTION by Barth, seconded by Kelly, to approve abatement of 2012 property tax for RDID #34893, \$1,504.77 representing disabled veterans exemption. 5 ayes.

NOTICE

Carey Deaver, Human Services Director, gave a briefing on a Request for Proposals for a compensation study. The study will look at salary ranges to see if they are still competitive and also look at options for different pay methods. MOTION by Kelly, seconded by Pekas, to authorize the Auditor to publish a Request for Proposals for a Minnehaha County Compensation Study. 5 ayes.

PUBLIC COMMENT

Bret Healy, Pukwana, SD, Consultant with Four Directions, Inc., asked that for the next meeting of the Minnehaha County Commission they schedule a motion to disapprove of the actions of the South Dakota Public Assurance Alliance to pursue recovering court costs from the Oglala Sioux Tribe plaintiffs associated with the Brooks vs Gant voting rights case.

HEARING

A public hearing was held to consider an application for a Special Event On-Sale Liquor License for All Occasions by Hy-Vee to sell alcoholic beverages at a wedding reception on October 19, 2013. The event will be held at the Crook's Gun Club, North Country Events Hall. Mary Ann Lux from All Occasions was present to answer questions regarding the event. MOTION by Pekas, seconded by Heiberger, to approve the Special Event On-Sale Liquor License for All Occasions by Hy-Vee for a wedding reception on October 19, 2013 at the Crook's Gun Club. 5 ayes.

AWARD

Carol Muller, Human Services Director, presented the Jim Melgaard Award from the South Dakota Department of Veterans Affairs to Pat Kroupa, Minnehaha County Veteran Service Officer. The award distinguishes Ms. Kroupa as the 2013 County Veteran Service Officer of the Year.

EASEMENT

Kristin Trana, Administrative Coordinator for the Sheriff's Office, gave a briefing on a right-of-way easement with Minnehaha Community Water (MCW) to allow MCW to own and operate the water lines that service the range office for the Minnehaha County Sheriff's Department shooting range. MOTION by Pekas, seconded by Heiberger, to authorize the Chairman to sign the Right-Of-Way Easement with the Minnehaha Community Water Corp. for a water service connection line on the E ½ SE ¼ (Ex. Railroad Right of Way) Section 6-T101N-R50W. 5 ayes.

AGREEMENT

Todd Cheever, Juvenile Detention Center Director, gave a briefing on an agreement with Prairie View Prevention

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Services for prevention education classroom instruction on drug & alcohol abuse at the Minnehaha County Regional Juvenile Detention Center (JDC). Prairie View Prevention Center is willing to provide weekly, one hour classes at the JDC by utilizing their own grant dollars for the program. When those grant dollars are exhausted, the JDC will be billed \$60.00 per hour for the classroom instruction. MOTION by Pekas, seconded by Heiberger, to authorize the Chairman to sign the agreement with Prairie View Prevention Services for prevention education classroom instruction on drug & alcohol abuse at the Minnehaha County Regional Juvenile Detention Center for a term beginning September 10, 2013 thru August 31, 2014. 5 ayes.

GRANT

Doug Blomker, Assistant Emergency Management Director, gave a briefing on an application for an Office of Homeland Security for Citizens Corp Grant in the amount of \$10,000. The grant dollars will be used for the enhancement of current Citizens Corps programs that include the Community Emergency Response Teams and Volunteers in Police Service in Minnehaha County. Motion by Pekas, seconded by Heiberger, to authorize the Chairman to sign the application for the Office of Homeland Security for Citizens Corp Grant in the amount of \$10,000. 5 ayes.

BID

DJ Buthe, Highway Superintendent, requested authorization to purchase approximately 6,000 tons of rock salt off a contract competitively bid by the City of Sioux Falls. MOTION by Pekas, seconded by Kelly, to approve the purchase of rock salt from Central Salt LLC, at a unit cost of \$59.87 per ton off contract #13-0108 competitively bid and awarded by the City of Sioux Falls. 5 ayes.

SURPLUS PROPERTY

Ken McFarland, Commission Administrative Officer, reported that the Information Technology Department has identified a number of additional items that they would like have declared as surplus for disposition at the surplus property auction. MOTION by Pekas, seconded by Heiberger, to declare six printers, six notebooks, 47 monitors, 42 desktop computers, and 12 office chairs from the Information Technology Department as surplus for disposal at the joint Minnehaha County/City of Sioux Falls surplus property auction. 5 ayes. A detailed list of the surplus property is on file in the Auditor's Office.

RESOLUTION

Robert Litz, Auditor, gave a briefing on a resolution relating to the refunding of outstanding certificates of participation. The resolution contains two changes to the previously approved Resolution MC 13-48. One change is to the refunding of Series 2004 Certificates of Participation maturing on or after 2013 as opposed to 2014, and the second revision is for the refunding of not more than \$12,500,000 of 2013A Certificates of Participation as opposed to \$12,000,000. MOTION by Pekas, seconded by Barth to approve Resolution MC 13-49. 5 ayes.

RESOLUTION MC 13-49

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.

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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, 2013 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").

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

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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, 2013.

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 \$12,500,000, 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, 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.

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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.

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 10th day of September, 2013.

Gerald Beninga
By: Its Chairman

ATTEST:
Cynthia Jepsen
By: Its County Auditor

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LIAISON REPORTS

Commissioner Barth reported that he attended a drainage meeting in Luverne where a new drainage control process was discussed as well as bio reactors which remove nitrates from the water.

NEW BUSINESS

Commissioner Barth stated that he would be attending the South Dakota Association of County Commissioners state convention in Spearfish, SD next week, and asked what issues the commission would like him to represent them on. The Commissioners and Ken McFarland, Commission Administrative Officer, discussed the need for on-going discussion regarding Senate Bill 70.

Commissioner Kelly reported that there is a meeting at 10:30 today, of the Criminal Justice Advisory Committee and all commissioners are invited to attend.

OLD BUSINESS

Commissioner Beninga stated that the draft of the Fleet Management Policy and a Space Needs Study should be brought back to the Commission for revision in the next few weeks. Ken McFarland, Commission Administrative Officer, stated that a briefing on proposed changes to the Fleet Management Policy will be on the September 24th agenda.

MOTION by Pekas, seconded by Heiberger, to adjourn into Executive Session for personnel, contract, and litigation discussions. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, September 24, 2013.

APPROVED BY THE COMMISSION:

Gerald Beninga
Chairman

ATTEST:

Cynthia Jepsen
Deputy Auditor