

10/01/2013

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M. October 1, 2013 pursuant to adjournment on September 24, 2013. Commissioners present were: Beninga, Heiberger, Kelly, and Pekas. Commissioner Barth was 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 September 24, 2013 Commission Minutes. 4 ayes.

#### VOUCHERS TO BE PAID

MOTION by Pekas, seconded by Heiberger, to approve the following bills totaling \$645,497.08. 4 ayes.

A & B Business Equip	Lease-Rental	246.68	A & B Business Equip	Maintenance C	718.18
A To Z World Languag	Interpreters	400.00	Advance Auto Parts	Automotive/Sm	283.56
Airway Service Inc	Automotive/Sm	443.15	Airway Service Inc	Gas,Oil,Diese	74.40
Alcohol Monitoring S	Alternatives	356.40	Alexander, Corrie	Education & T	543.53
All Tune & Lube	Automotive/Sm	150.00	Allied Oil & Tire Co	Automotive/Sm	564.53
Allied Oil & Tire Co	Heavy Eq. Rep	73.50	Alsobrook, Danny D	Automotive/Sm	100.00
Alternative Wireless	Communication	233.50	Anderson, Carol	Welfare Rent	425.00
Arena Motel	Motels	398.00	Audio Playground Ele	Automotive/Sm	170.00
Avera Intensivists C	Physicians	561.96	Avera McKennan Hospi	Hospitals	10,290.54
Avera Medical Group-	Physicians	54.30	Avera Radiology	Other Medical	27.74
Avera Radiology	Other Profess	189.29	Avera Specialty Clin	Physicians	130.27
Baete-Forseth Hvac L	Fairgrounds	4,870.00	Baltic Fire Dept	Baltic F.D.	17,444.00
Batteries Plus/Onesk	Automotive/Sm	90.00	Benz, Kari	Other Miscell	60.00
Boyer Trucks Sioux F	Truck Repair/	142.92	Bradfeldt, Becky	Business Trav	257.15
Bradfield, Matt Db	Maintenance C	70.00	Brandon Fire Dept	Brandon F.D.	37,666.50
Brooks Townhomes Lp	Welfare Rent	495.00	Bureau Of Informatio	Natural Gas	432.00
Buthe, DJ	Business Trav	55.00	Cambridge Partnershi	Welfare Rent	600.00
Carroll Institute	Other Profess	18,014.58	Cartridge World	Data Processi	1,736.90
Cbm Managed Services	Board Of Pris	9,693.00	Century Business Pro	Lease-Rental	78.62
Century Business Pro	Maintenance C	142.42	Centurylink (Qwest)	Detox	25.03
Centurylink (Qwest)	Telephone	2,565.00	Chief Supply	Other Supplie	50.09
Christenson, Martha/	Dentists	158.87	Citimortgage, Inc.	Welfare Rent	500.00
Cleveland Heights Ap	Welfare Rent	600.00	Climate Systems, Inc	Voa, Dakotas	5,551.00
Cole, John R	Work Mileage	165.02	Colton Fire Dept	Colton F.D.	16,570.00
Concrete Materials	Road Maint. &	9,554.17	Constellation New En	Natural Gas	5,229.23
Crooks Fire Dept	Crooks F.D.	13,475.00	Culligan Water Condi	Jail Repairs	130.00
Cummins Central Powe	Electrical Re	569.62	Cummins Central Powe	Jail Repairs	1,435.78
Danko Emergency Equi	Safety & Resc	125.00	Deboer Law Office Pc	Attorney Fees	635.33
Dell Rapids Fire Dep	Dell Rapids F	23,026.00	Deyoung, Lynn	Business Trav	78.00
Duffy, Ryan	Attorney Fees	1,930.98	Ebert's Properties,	Motels	560.00
Ebert's Properties,	Welfare Rent	927.00	Fleetpride / Holt, I	Heavy Eq. Rep	59.05
Fodness, Jan/Beth	Welfare Rent	1,200.00	Fonder, Roger M Db	Automotive/Sm	196.79
Freeborn County (MN)	Return Of Ser	65.00	Fremont Industries,	Heat,Vent & A	1,392.60
Garretson Fire Dept	Garretson F.D	19,248.50	Garretson Fire Dept	Sherman F.D.	2,790.50
Gaylord Bros Inc	Exhibit Mater	45.87	Gaylord Bros Inc	Program Activ	231.64
Girton Adams Company	Building Repa	740.00	Guzman, Sandra V.	Interpreters	25.00
Harmon, Karla	Bd Evaluation	135.00	Hartford Fire & Resc	Hartford F.D.	29,390.50
Herman, Patricia	Education & T	25.00	Hewlett-Packard Comp	Data Processi	341.25
Hewlett-Packard Comp	Furniture & O	160.00	Holiday Credit Offic	Road Maint. &	96.30
Holiday Mobile Home	Welfare Rent	547.00	Home Federal Savings	Welfare Rent	478.00
Hoskins, William J	Program Activ	395.06	Humboldt Fire Dept	Humboldt F.D.	15,492.50
Hy-Vee Accounts Rece	Other Miscell	133.50	Hy-Vee Accounts Rece	Pharmacies	117.97
Interstate Office Pr	Office Suppli	524.08	JCL Solutions-Janito	Building Repa	1,398.60
JCL Solutions-Janito	Janitorial/Ch	145.21	Jefferson Partners L	Transportatio	2,557.70
JJT Ventures, Llc	Welfare Rent	600.00	Johnson County(IA)Sh	Return Of Ser	40.00
Johnson, Brett	Business Trav	18.50	Johnson, Donald E	Automotive/Sm	2,487.40
Kautz, William	Welfare Rent	325.72	Kennedy, Renee S	Court Reporte	632.00
Kjelden, Mike	Repair/Renova	10,174.40	Koens, Ray	Business Trav	290.82
Kone, Inc.	Jail Repairs	650.94	Kone, Inc.	Outside Repai	177.34
Koopman & Sons Gas C	Other Miscell	118.75	Krell, Lynn	Business Trav	78.00

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Krier, Fran/Jeanette	Welfare Rent	600.00	Kunkel, Parker J	Welfare Rent	450.00
Labor Ready Midwest	Road Maint. &	1,033.68	Lacey Rentals Inc	Lease-Rental	95.00
Lassegaard, Samuel C	Welfare Rent	250.00	Laughlin, Nicole	Attorney Fees	1,844.00
Lewis Drug Stores	Clinics - Aux	323.45	Lewis Drug Stores	Pharmacies	5,744.76
Luther, Jeff	Medical Direc	2,333.33	Lutheran Social Svcs	Interpreters	50.00
Lyons Fire Dept	Lyons F.D.	5,858.50	Mailway Printers	Publishing Fe	807.00
Malloy Electric Bear	Truck Repair/	4.48	McKerin Software Inc	Consultants	3,306.25
Menards - East	Automotive/Sm	49.24	Menards - East	Building Repa	12.01
Menards - East	Sign Supply/I	22.79	Menards - East	Small Tools,	6.49
Morrow, Danielle	Welfare Rent	500.00	MidAmerican Energy C	Natural Gas	1,077.76
Midamerican Energy C	Welfare Utili	752.30	Midwest Alarm Compan	Electrical Re	540.00
Midwest Oil Company,	Gas,Oil,Diese	131.75	Minn Cnty So Petty C	Printing/Form	124.38
Mobile Electronic Se	Communication	142.50	Muller, Carol	Business Trav	50.00
Multi-Cultural Cente	Interpreters	82.50	Murray Properties, L	Welfare Rent	105.00
Narem, Inc	Automotive/Sm	34.24	Narem, Inc	Small Tools,	156.00
Nelson, Glen	Welfare Rent	475.00	Nielson, Andrew	Business Trav	100.00
Northern Truck Equip	Truck Repair/	636.00	Northridge Propertie	Welfare Rent	521.27
Olson, Waltner & Sch	Attorney Fees	2,974.40	Overhead Door Compan	Outside Repai	177.34
Palmer, Barbara	Bd Evaluation	270.00	Paramount Reporting	Depositions	94.50
Perspective Inc	Real Estate	10,638.50	Pfeifer Implement Co	Heavy Eq. Rep	175.70
Pheasantland Industr	Printing/Form	50.00	Physio-Control Inc F	Safety & Resc	4,145.00
Pine Knoll Inc Db	Welfare Rent	440.00	Presto-X-Company	Outside Repai	460.12
Qualified Presort Se	Museum Report	552.96	Qualified Presort Se	Postage	7,206.21
Quality Efficiencies	St Francis Hs	410.00	Rdo Equipment Co.	Heavy Eq. Rep	99.75
Rdo Equipment Co.	Parts Invento	343.68	Renner Fire Rescue	Renner F.D.	12,731.00
Rochester Armored Ca	Armored Car S	379.50	Rods Properties	Welfare Rent	635.00
Safe Home Ltd Ptnrsh	Notes Rec (Sf	-1,651.96	Safe Home Ltd Ptnrsh	Other Misc. R	-1,942.13
Safe Home Ltd Ptnrsh	Rent Subsidie	9,366.00	Sanford Clinic Finan	Other Miscell	22,250.00
Sanford Health Plan-	Expenditures	2,275.41	Sanford Hospital	Hospitals	4,017.55
Sanford Occupational	Education & T	300.00	Satisfaction Plus In	Motels	2,175.00
Schultz, Shannon	Business Trav	55.00	SD Corrections Assoc	Education & T	100.00
SD Dept Of Legislati	Auditing	47,994.00	SD Dept Of Public Sa	Other Miscell	40.00
SD Dept Of Transport	Bridge Repair	118.97	SD Div Of Criminal I	Professional	43.25
SD Federal Property	Truck Repair	200.00	SD Human Services Ce	Clinics - Aux	29.20
Sealpros Inc	Repair/Renova	7,639.92	Sentinel Offenders S	Alternatives	2,378.56
SF Leased Housing As	Welfare Rent	659.00	Shriver, Greg	Welfare Rent	485.00
Sigler Fire Equipmen	Automotive/Sm	204.00	Sigler Fire Equipmen	Bldg/Yard Rep	961.90
Sigler Fire Equipmen	Truck Repair/	136.00	Signs Plus Graphics	Automotive/Sm	719.12
Sioux Empire Fair As	Other Miscell	12,500.00	Sioux Falls Humane S	Other Miscell	3,803.68
Sioux Falls Two Way	Communication	526.90	Sioux Falls Utilitie	Building Repa	778.22
Sioux Falls Utilitie	Electricity	3,361.57	Sioux Falls Utilitie	Water - Sewer	12,786.35
Sioux Falls Utilitie	Welfare Utili	157.12	Skorczewski, Jena	Court Reporte	216.60
Southeastern Behavio	Alternatives	1,050.00	Southeastern Electri	Welfare Utili	187.83
Splitrock Fire Dept	Split Rock F.	18,481.50	Stoebner, Cynthia	Welfare Rent	700.00
Taylor Place Llc	Welfare Rent	550.00	Telvent Dtn/Schneide	Lease-Rental	3,066.79
Thomson Reuters - We	Legal Researc	2,102.10	Thorin, Deyanira T	Interpreters	125.00
Tires,Tires,Tires In	Automotive/Sm	1,168.76	Total Filtration Ser	Electrical Re	117.95
Total Filtration Ser	Jail Repairs	302.12	TSP, Inc.	Architects &	558.90
Uline	Program Activ	469.16	United Parcel Servic	Postage	17.96
University Products,	Archive/Prese	80.50	Valley Springs Fire	Valley Spring	11,079.50
Van Batavia, Roger D	Program Activ	139.08	Variety Foods Llc	Other Profess	257.78
Vb Falls Terrace Apt	Welfare Rent	700.00	Verizon Wireless	Data Processi	1,067.24
Verizon Wireless	Hidta Grant	93.47	Verizon Wireless	Safety & Resc	163.09
Verizon Wireless	Telephone	5,133.97	Wal-Mart Pharmacy	Pharmacies	25.54
Wayne Township	Wayne Twp. F.	10,257.00	Weeks, Reed	Welfare Rent	425.00
Xcel Energy, Inc.	Electricity	84,558.01	Xcel Energy, Inc.	Road Maint. &	36.00
Xcel Energy, Inc.	Welfare Utili	3,681.03	Yankton County Sheri	Return Of Ser	150.00
2701 Realty Llc	Welfare Rent	394.00			

## REPORTS

The SD Public Assurance Alliance 2012 Membership Annual Report was received and placed on file in the Auditor's Office

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PERSONNEL

MOTION by Heiberger, seconded by Pekas, to approve the following personnel changes. 4 ayes.

1. To end the temporary, part-time employment of Travis Halm as Intern for the Planning Department effective 10/4/13.

Step Increases Due

1. Lena Schaaf – Correctional Officer – Jail – 13/12 to 13/13 – 9/8/13 – \$22.681/hour
2. Aileen McPherson – Correctional Officer – Jail – 13/8 to 13/9 – 9/6/13 – \$20.548/hour
3. Phillip Leidholt – Deputy Sheriff – Sheriff’s Office – 16/9 to 16/10 – 9/10/13 – \$24.425/hour
4. Joshua Hellman – GIS Analyst – Planning – 17/4 to 17/5 – 10/3/13 – \$22.681/hour
5. Linda Race – Records Technician – Register of Deeds – 10/5 to 10/6 – 10/7/13 – \$16.453/hour
6. Travis Urban – Highway Maintenance Worker – Highway – 12/11 to 12/12 – 8/5/13 – \$21.061/hour
7. Ryan Sage – Senior Deputy State’s Attorney – State’s Attorney’s Office – 22/6 to 22/7 – 9/25/13 – \$2,563.84/bi-weekly
8. Daniel Beacom – Home Detention Caseworker – Juvenile Detention Center – 17/15 to 17/16 – 9/19/13 – \$29.759/hour

Special Commission Action Requests

1. To recognize the following significant employee anniversaries for October 2013: 10 Years – Leanne Harries; 5 Years – Corey VanWesten
2. To record volunteers in County Departments for September 2013. The list is on file in Human Resources.

MOTION by Pekas, seconded by Heiberger, to approve reclassification of the vacant Accountant Position (pay grade 16) in the Auditor’s Office to a new classification of Finance and Budget Officer (pay grade 23). 4 ayes.

NOTICE

MOTION by Heiberger, seconded by Pekas, to authorize the Auditor to publish a Notice of Sale for \$12,180,000 Limited Tax General Obligation Certificates of Participation, Series 2013A. 4 ayes.

LIEN COMPROMISE

Commissioner Pekas gave a briefing on a request for compromise of lien for DPNO 21379 in the amount of \$12,922.05. The applicant is in the process of purchasing a home when a title search noted the lien. The lien is for public defender, court appointed attorney, and public advocate services from July 2000 thru September 2012. There has been a total of \$150 paid on the lien. The applicant lists an annual income of \$37,883, assets of \$3,550, and liabilities of \$1,595. In December 1998, the County Commission compromised a prior lien for the applicant in the amount of \$3,572.50 in full with no payment. The applicant is asking for a compromise and release of the lien in full upon payment of \$1,000. MOTION by Pekas, seconded by Heiberger, to approve Resolution MC13-

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54. Attorney Arley Brende with Brende, Schroeder, and Meadows, spoke on behalf of the applicant stating he was never told that he owed the attorney fees, and since his release from prison he has worked on his credit and has qualified as a first time home buyer. VOTE on the motion, 3 ayes, Kelly voted nay. Motion carried.

#### RESOLUTION MC13-54

WHEREAS, a County Aid Lien in the amount of \$12,922.05 purports to exist in favor of Minnehaha County and against DPNO 21379 as Lienee, and

WHEREAS, said lienee has filed an application with the County Auditor stating such facts as provided for by Law,

NOW, THEREFORE, BE IT RESOLVED that after due consideration of the circumstances the Board of County Commissioners finds it advisable and proper to authorize the Chairman of the County Board and the County Auditor to execute the following:

Compromise and release the lien in full upon payment of \$1,000.

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

Dated at Sioux Falls, South Dakota, this 1<sup>st</sup> day of October, 2013.

#### APPROVED BY THE COMMISSION:

Gerald Beninga

Chairman

ATTEST:

Cynthia Jepsen

Deputy County Auditor

#### OPPORTUNITY FOR PUBLIC COMMENT

Pat Herman, Assistant Planning Director, introduced David Heinold, the new Planner for the Planning and Zoning Department. Ms. Herman also reported that Planning & Zoning Intern Travis Halm has accepted a position as a Planner for Lawrence Kansas.

Pam Nelson, Treasurer, stated her concern regarding significant changes in some job descriptions that have recently been made which impacts the salary schedule and has an effect on all departments. Ms. Nelson asked that the commission consider expanding the scope of their salary compensation study to include a review of all job description.

#### PROCLAMATION

Amy Carter and Heather Wegg from the Children's Inn and the Minnehaha County Family Violence Council, presented a proclamation recognizing October as Domestic Violence Awareness Month. Ms. Carter read the proclamation and spoke on the Take Back the Night Rally scheduled for Thursday, October 10, 2013. The event is held annually and is sponsored by the Minnehaha County Family Violence Council to raise awareness and honor victims of domestic violence.

#### AGREEMENT

Lynn DeYoung, Emergency Management Director, gave a briefing on the FY 2014 State and Local Agreement to be used to support salary and administrative expenses within the Minnehaha County Emergency Management Office. This is a 50% reimbursement grant from the State of South Dakota. The actual dollar amount will be

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determined when the federal fiscal budget is passed. MOTION by Kelly, seconded by Pekas to authorize the Chairman and the Emergency Management Director to sign the FY2014 Emergency Management State & Local Agreement between Minnehaha County and the State of South Dakota. 4 ayes.

## BIDS

DJ Buthe, Highway Superintendent, reported that the South Dakota Department of Transportation (SD DOT) opened bids on September 19, 2013 for the 50-298-200 Bridge Replacement Project. The low bid is from Swingen Construction Company from Grand Forks, ND in the amount of \$719,038.30. The bid is 11.4% above the Engineer's Estimate of \$645,239.50. As part of the federal bridge program, this project requires a local match of 20% by Minnehaha County. Prior to the SD DOT awarding the bid, Minnehaha County is required to concur with the bid award. MOTION by Pekas, seconded by Heiberger, to reject the bids and re-let the project next spring in anticipation of receiving more favorable bids. 4 ayes.

DJ Buthe, Highway Superintendent, reported on the bid opening on September 11, 2013 for two sport utility vehicles with trade-in for the Minnehaha County Highway Department. Only one bid was received from Billion Auto in the amount of \$40,200 with the trade in of two vehicles currently being used by the Highway Department with an approximate combined value of \$17,989. Commissioner Heiberger stated that she feels the vehicles that would be traded in should be used one more year before they are replaced. Commissioner Kelly agreed with Heiberger. Ken McFarland, Commission Administrative Officer, stated that he will be meeting with the department heads that maintain vehicle fleets within the county on October 7<sup>th</sup> to review the proposed vehicle policy and solicit their input. Following that meeting the policy will be brought back to the commission for formal action. Chairman Beninga stated that the vehicle replacement policy should be in place before making decisions about what purchases should be made. MOTION by Kelly, seconded by Pekas, to defer the bid award. Kelly withdrew the motion. Motion by Pekas to defer until next week or until a time when it's convenient to re-let the bid. Motion dies for lack of a second. MOTION by Heiberger to defer until the vehicle policy is completed. Motion dies for lack of a second. MOTION by Pekas, seconded by Kelly, to reject the bid. 4 ayes.

## BRIEFING

Ryan Thornell, Assistant Professor of Criminal Justice at the University of Sioux Falls gave a briefing on major revisions to the Minnehaha County Regional Juvenile Detention Center (JDC) Policy and Procedures Manual. The revised manual is consistent with the guidelines outlined in the Facility Inspection Report that was conducted as part of the Juvenile Detention Alternative Initiative (JDAI) process. Mr. Thornell worked with staff at the JDC, the Facility Inspection Team, the JDAI Coordinator, the Sioux Falls School District, and other key partners in the juvenile justice system to develop and review the policy manual. The manual will be considered for adoption on October 15, 2013 after a two week review period. Todd Cheever, JDC Director, reported that his staff is in the process of being trained and some policies have already been implemented. The entire revised Policy and Procedure Manual is anticipated to be fully implemented by November 1, 2013. Erin Srstka, JDAI Coordinator, stated the importance of having high standards for the policies and procedures that are followed once a juvenile has been admitted and is the responsibility of the Minnehaha County Regional Juvenile Detention Center.

MOTION by Pekas, seconded by Heiberger, to adjourn into Executive Session for legal briefing by counsel and personnel discussions. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, October 8, 2013.

## APPROVED BY THE COMMISSION:

Gerald Beninga  
Chairman

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ATTEST:

Cynthia Jepsen  
Deputy Auditor