

3/04/2014

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. March 4, 2014 pursuant to adjournment on February 25, 2014. Commissioners present were: Barth, Heiberger, Kelly and Pekas. Commissioner Beninga was absent. Also present were Cindy Jepsen, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

Chairman Heiberger called the meeting to order.

MOTION by Kelly, seconded by Barth, to approve the agenda. 4 ayes.

MOTION by Pekas, seconded by Barth, to approve the February 25, 2014 Commission Minutes. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Pekas, to approve the following bills totaling \$496,302.84. 4 ayes.

A & B Business Equip	Lease-Rental	227.28	A-1 Septic Tank & Ex	Bldg/Yard Rep	172.50
Advance Auto Parts	Automotive/Sm	23.22	Airway Service Inc	Gas,Oil,Diese	35.55
Al Dept Of Public Sa	Copy Fees	5.57	Argus Leader - Adver	Publishing Fe	666.22
Argus Leader - Subsc	Subscriptions	28.44	Automatic Building C	Jail Repairs	250.92
Avera Heart Hosp Of	Hospitals	7,161.43	Avera McKennan Hospi	Blood Withdra	66.00
Avera McKennan Hospi	Hospitals	19,057.72	Avera McKennan Hospi	Physicians	603.83
Birmingham & Cwach L	Attorney Fees	280.48	Blackburn & Stevens,	Attorney Fees	636.60
Bob Barker Company,	Inmate Suppli	1,154.81	Boyer Trucks Sioux F	Automotive/Sm	150.00
Boyer Trucks Sioux F	Parts Invento	40.76	BSC Holding Inc	Road Material	20,067.23
Builders Supply Comp	Building Repa	595.21	Bureau Of Informatio	Data Communic	420.00
Bureau Of Informatio	Telephone	38.00	C & R Supply Inc	Truck Repair/	64.66
Carlson, Lisa	Court Reporte	270.40	Carroll Institute	IVC Housing	18,555.00
Cartridge World	Data Processi	1,019.20	Cartridge World	Office Suppli	676.47
Cartridge World	Store Invento	54.99	Caterpillar Paving	Education & T	1,750.00
CBM Managed Services	Board Of Pris	9,322.20	Century Business Pro	Maintenance C	362.23
Centurylink (Qwest)	Data Communic	1,269.04	Centurylink (Qwest)	Telephone	1,808.73
Christiansen, Dan	HIDTA Grant	377.00	Cole Papers, Inc.	Janitorial/Ch	158.84
Connecting Point	Contract Serv	1,600.00	Constellation New En	Natural Gas	44,817.99
Correct Care Solutio	Contr Serv	116,385.00	Counseling Resources	Attorney Fees	850.00
Crew & Crew	Attorney Fees	808.20	Crew & Crew	Child Defense	2,052.00
Dakota Alignment & F	Heavy Eq. Rep	132.50	Dakota Riggers & Too	Small Tools,	54.39
Decisionone Corporat	Maintenance C	168.52	Dick, Carolyn Atty	Child Defense	804.00
Duffy, Ryan	Attorney Fees	1,459.90	Duffy, Ryan	Child Defense	590.00
Ebert's Properties,	Welfare Rent	585.00	Ekeren, Marvin R.	Bd Exp. Fees	37.50
Election Systems & S	Printing/Form	2,593.19	Fastenal Company	Office Suppli	12.61
Fastenal Company	Small Tools,	25.59	G & H Distributing I	Small Tools,	132.38
G & H Distributing I	Truck Repair	160.24	G & R Controls Inc	Building Repa	981.12
Genzlinger, Janeen	Court Reporte	504.00	George Boom Funeral	Burials	4,350.00
Getty Abstract	Architects &	4,420.00	Gunner, Andrea	Court Reporte	244.80
Guzman, Sandra V.	Interpreters	175.00	Hammer, Ralph	Business Trav	207.95
Harmelink,Fox & Ravn	Attorney Fees	495.54	Harmon, Karla	Bd Evaluation	180.00
Hellman, Joshua	Business Trav	70.00	Henry, Paul	Attorney Fees	344.00
Hewlett-Packard Comp	Data Processi	2,305.97	Hewlett-Packard Comp	DMC-JJDBA Gra	1,019.00
Holiday Credit Offic	Gas,Oil,Diese	22.37	Horn, Garrett	Attorney Fees	206.10
Hy-Vee Accounts Rece	Pharmacies	50.30	I State Truck Center	Parts Invento	293.28
Interstate Office Pr	Furniture & O	1,130.22	Interstate Office Pr	Office Suppli	1,336.78
ISI Llc	Interpreters	80.00	Jaymar Business Form	Printing/Form	93.50
JCL Solutions-Janito	Grounds & Par	370.00	JCL Solutions-Janito	Kitchen/Clean	1,672.60
Jefferson Partners L	Transportatio	231.00	Johnson, Clara	Bd Exp. Fees	136.00
Kennedy, Pier, Knoff	Attorney Fees	197.40	Kennedy, Renee S	Court Reporte	243.25
Koch, John Db	Welfare Rent	465.00	Koletzky, Sherlyn	Attorney Fees	176.00
Krueger Excavating,	Correction Ct	1,010.00	Krueger Excavating,	Hhs Maintenanc	1,770.00
Krueger Excavating,	Snow Removal	1,845.00	Lacroix, Heather	Attorney Fees	418.50
Larson, Jeff	Attorney Fees	825.90	Lassegaard, Samuel C	Welfare Rent	500.00
Laughlin, Nicole	Attorney Fees	2,319.30	Luther, Jeff	Medical Direc	2,500.00
Mattson, Monica	Child Defense	3,696.00	McKinley County (NM)	Return Of Ser	30.00
Menards - East	Bldg/Yard Rep	84.98	MidAmerican Energy C	Natural Gas	2,316.03

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Midwest Alarm Compan	Building Repa	243.00	Midwest Oil Company,	Parts Invento	296.00
Midwest Oil Company,	Small Tools,	58.15	Mobile Electronic Se	Communication	287.50
Moore Medical Corp.	Clinics - Aux	76.58	Mulder Refrigeration	Building Repa	72.50
Murillo, Georgina	Interpreters	73.44	NCRAAO 2014	Education & T	2,240.00
Neve's Uniforms	Uniform Allow	536.58	Nicholson, Tschetter	Attorney Fees	1,610.31
North Central Farmer	Gas,Oil,Diese	24,385.50	North Central Heart	Physicians	80.33
Northeast Investment	Welfare Rent	640.00	Office Depot, Inc.	Data Processi	237.52
Office Depot, Inc.	Office Suppli	126.37	Olson, Waltner & Sch	Attorney Fees	4,067.38
Palmer, Barbara	Bd Evaluation	1,080.00	Pennington County Ja	Extradition &	7,321.80
Phillips, Joshua	Education & T	99.00	Polk County (IA) She	Return Of Ser	35.60
Qualified Presort Se	Postage	18,884.71	RDO Equipment Co.	Parts Invento	65.36
Rural Metro Ambulanc	Transportatio	150.00	Safe Home Ltd Ptnrsh	Notes Rec (SF	-1,845.18
Safe Home Ltd Ptnrsh	Other Misc. R	-1,748.91	Safe Home Ltd Ptnrsh	Rent Subsidie	11,056.00
Sam's Club - Members	Child Care Fo	17.24	Sam's Club - Members	Clinics - Aux	36.94
Sam's Club - Members	Memberships	135.00	Sam's Club - Members	Office Suppli	17.98
Sam's Club - Members	Other Miscell	135.00	Sam's Club - Members	Other Profess	1,122.20
Sam's Club - Members	Supplemental	93.36	Sanford Clinic Finan	Other Miscell	22,806.00
Sanford Health Plan	Expenditures	2,368.92	SD Dept Of Revenue	Lab Costs	140.00
SD Div Of Criminal I	Professional	129.75	SF Specialty Hospita	Hospitals	484.00
Sheehan Mack Sales &	Heavy Eq. Rep	1,109.04	Shi, International C	Software	431.59
Simon, Anthony (Or)	Other Profess	70.00	Sioux Empire Fair As	Other Miscell	12,500.00
Sioux Falls Chamber	Other Miscell	2,500.00	Sioux Falls City Fin	Blood/Chemica	4,480.00
Sioux Falls Kenworth	Truck Repair/	51.94	Sioux Falls Rubber S	Office Suppli	13.90
Sioux Falls Utilitie	Building Repa	166.08	Sioux Falls Utilitie	Electricity	9,217.85
Sioux Falls Utilitie	Water - Sewer	10,603.15	Southeastern Behavio	Alternatives	8,824.77
Storer, Dave	Welfare Rent	248.00	Sturdevant's Auto Pa	Parts Invento	42.52
Swanda, Karen	Bd Exp. Fees	51.00	Szameit, Alexandra	Interpreters	100.00
Test Point Paramedic	Blood Withdra	1,140.00	Thorin, Deyanira T	Interpreters	75.00
Tires,Tires,Tires In	Automotive/Sm	1,112.73	Tires,Tires,Tires In	Gas,Oil,Diese	23.40
Titan Machinery	Truck Repair/	246.71	Tri-Tech Inc	Blood Withdra	140.76
Triangle Properties	Welfare Rent	350.00	Ultramax	Ammunition	1,596.00
United Parcel Servic	Postage	18.48	Variety Foods Llc	Other Profess	325.63
Vogel Motors Llc	Automotive/Sm	15.00	Vogel Motors Llc	Gas,Oil,Diese	26.40
Weerheim, Tom	Attorney Fees	1,254.10	Weld County (CO)Sher	Return Of Ser	48.44
Wheelco Brake & Supp	Truck Repair/	49.12	Wilka & Welter Llp	Attorney Fees	407.27
Xcel Energy, Inc.	Electricity	39,738.47	Xcel Energy, Inc.	Road Maint. &	27.63
Xcel Energy, Inc.	Welfare Utili	32.00	Yankton County Treas	Attorney Fees	1,693.50

REPORTS

The Inter-Lakes Community Action Partnership 2013 Annual Report was received and placed on file in the Auditor's Office.

PERSONNEL

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

1. To accept the retirement of Ron Christensen as Air Guard Security Officer II (13/18) for the Air Guard effective 3/14/14.

Step Increases Due

1. Lynne Haagenson – Safe Home Program Worker – Safe Home – 9/5 to 9/6 – 1/29/14 – \$15.82/hour
2. John Olson – Safe Home Program Worker – Safe Home – 9/5 to 9/6 – 1/14/14 – \$15.82/hour
3. Gerald Winter – Deputy Sheriff Sergeant – Sheriff's Office – 20/15 to 20/16 – 2/12/14 – \$34.86/hour
4. Corey Stanley – Deputy Sheriff – Sheriff's Office – 16/11 to 16/12 – 1/15/14 – \$25.92/hour

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5. Adam Gonnerman – Deputy Sheriff – Sheriff’s Office – 16/2 to 16/3 – 1/22/14 – \$20.75/hour

Special Personnel Actions

1. To recognize the following significant employee anniversaries for March 2014: 5 years – Robert Wilson, Heather Tjaden; 10 years – Joshua Phillips, Anny Libengood.
2. To record volunteers in County Departments for February 2014. The list is on file at Human Resources.

COMPROMISE OF LIEN

Commissioner Pekas gave a briefing on a request for compromise of lien for DPNO 58115 in the amount of \$4,439.60. The applicant currently resides at the Human Services Center in Yankton and is making application for a lien compromise through his social worker. The lien is for Public Defender and poor relief services between November 2005 and August 2008. The applicant has no assets and is in the process of applying for SSI benefits. He lists liabilities of just over \$4,000 owed to Hauge & Associates for this lien. The applicant is preparing for a discharge from the Human Services Center and hopes to move into a HUD apartment building in Sioux Falls. HUD rules do not allow participating properties to accept tenants with outstanding liens, therefore the applicant is asking for a full compromise and release of the lien with no payment. Hauge & Associates are supportive of his request. MOTION by Pekas, seconded by Kelly, to approve Resolution MC14-10. 4 ayes.

RESOLUTION MC14-10

WHEREAS, a County Aid Lien in the amount of \$4,039.60 purports to exist in favor of Minnehaha County and against DPNO 58115 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 with no payment.

Dated at Sioux Falls, South Dakota, this 4th day of March, 2014.

APPROVED BY THE COMMISSION:

Cindy Heiberger

Chairman

ATTEST:

Cynthia Jepsen

Deputy County Auditor

Commissioner Pekas gave a briefing on a request for compromise of lien for DPNO 72952 in the amount of \$626.40. A \$210 payment was recieved on the lien in 2011, bringing it to its current total. The lien is in the name of the applicant and his ex-wife and is for Public Defender services provided in 2010. The applicant and his ex-wife were married in February, 1996 and divorced in December, 2013. The applicant states that the Public Defender services were provided to his ex-wife for alleged assaults she committed against him. Research conducted by the Auditor’s Office indicates that a portion of the lien is for Public Defender services provided to the couple’s minor child. The applicant is trying to sell his home prior to finalization of foreclosure and expects to receive little if any proceeds from the sale. He is asking for a compromise and release of the lien

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in full with no payment. He lists assets of \$2,700, the value of a 1999 Chevy truck, and liabilities of \$134,493 which include his home mortgage and debts owed to Sanford Hospital and AAA Collections. His gross income in 2013 was \$14,439, and he will receive a tax return of \$4,334. MOTION by Pekas to compromise and release the lien upon payment of \$313.20. Motion dies for lack of a second. MOTION by Kelly, seconded by Pekas to deny the request for compromise of lien. 2 ayes, Barth and Heiberger voted nay. Motion fails. MOTION by Barth, seconded by Pekas to approve Resolution MC14-11 to compromise and release the lien upon payment of \$156.60 against the applicant and his home, leaving the balance of the lien \$469.80, in force against his ex-wife. SUBSTITUTE MOTION by Kelly to compromise and release the lien against the property only. Motion dies for lack of a second. VOTE on main motion, 3 ayes, Kelly voted nay.

RESOLUTION MC14-11

WHEREAS, a County Aid Lien in the amount of \$626.40 purports to exist in favor of Minnehaha County and against DPNO 72952 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 \$156.60 against the applicant and the real property legally described as lot twelve (12) of Riverview First Addition to the City of Garretson, Minnehaha County, South Dakota, according to the recorded plat thereof, leaving the balance of the lien in the amount of \$469.80 in force against the applicant's ex-wife.

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

Dated at Sioux Falls, South Dakota, this 4th day of March, 2014.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chairman

ATTEST:

Cynthia Jepsen
Deputy County Auditor

PUBLIC COMMENT

Virgil Anderson, Chair of the Siouxland Heritage Museum Board, reported that their facilities committee will present a recommendation for realtor services to their full board on Thursday, March 6, 2014. They are looking forward to the sale of the county property in order to raise the funds necessary to get the construction of the new museum archive building underway.

HIGHWAY MATERIALS

Shannon Schultz, Senior Project Engineer, requested authorization to purchase metal pipe (culverts) and bridge materials off a bid awarded by Beadle County to True North Steel. True North Steele has agreed to extend the bid price to Minnehaha County. MOTION by Pekas, seconded by Barth, to authorize the purchase of metal pipe (culverts) and bridge materials from True North Steel off the bid awarded by Beadle County on January 21, 2014. 4 ayes.

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AMENDMENT

Shannon Schultz, Senior Project Engineer, gave a briefing on an amendment in the amount of \$3,975.73 to an agreement with Short Elliot Hendrickson, Inc. (SEH) for final design and construction for structure 50-082-110 located approximately three miles north of Hartford, SD on 255th Street over the West Branch of Skunk Creek. The amendment is for additional work requested by the Highway Department to investigate a low water crossing in hopes of abandoning the low volume road. Grand Meadow Township voted unanimously to keep the road open and install a 10 year storm event bridge. MOTION by Barth, seconded by Pekas, to authorize the Chairman to sign an amendment in the amount of \$3,975.73 to the contract with Short Elliot Hendrickson, Inc. for final design and construction administration agreement for structure 50-082-110 bringing the contract total to \$92,760.73. Commissioner Kelly stated he would not support the motion because of the low traffic volume on the bridge and he thinks it is a poor expenditure of money to repair this road. Commissioner Pekas stated that by Grand Meadow Township deciding to go ahead and maintain this road, there is now something etched and concrete that others can look to, and Grand Meadow Township is now on the hook to maintain this road. 3 ayes, Kelly voted nay.

PROCLAMATION

Robert Wilson, Assistant Commission Administrative Officer, read the 2014 St. Patrick's Day Proclamation of O'Minnehaha County. The proclamation will be read prior to the painting of the shamrock on March 15th at 11:45 a.m. on the corner of 9th Street and Phillips Avenue. MOTION by Kelly, seconded by Pekas, to issue the 2014 St. Patrick's Day Proclamation. 4 ayes.

AGREEMENT

Robert Wilson, Assistant Commission Administrative Officer, gave a briefing on a Memorandum of Understanding (MOU) between South Dakota State University (SDSU) Extension and Minnehaha County for the 4-H Youth Development Program. According to the terms of the MOU, Minnehaha County will pay SDSU \$8,627 for the calendar year 2014 for partial salary support of one part time 4-H Advisor. SDSU provides full salary and benefit support for one full-time 4-H Youth Advisor to work 100% in Minnehaha County. The County will also provide the secretarial support for the 4-H Youth Advisors and office space and office expenses for two Expanded Food and Nutrition Education program positions. MOTION by Pekas, seconded by Kelly, to authorize the Chairman to sign the 2014 Memorandum of Understanding between SDSU Extension and Minnehaha County. 4 ayes.

LEGISLATIVE UPDATE

Robert Wilson, Assistant Commission Administrative Officer, gave an update and status report on the 89th Legislative Session on bills that impact Minnehaha County. Ken McFarland, Commission Administrative Officer, commented on the cost impact to counties when the State Legislature makes changes to felony and misdemeanor laws. Commissioner Pekas stated that because of those Legislative changes, counties are forced to opt out in order to raise taxes so they can meet their obligations, which the State Legislature is unwilling to do. Commissioner Kelly stated that this makes a strong case for open caucuses and also commented on pursuing a tax on alcohol as a revenue source. Chairman Heiberger extended a challenge to all legislators in the State to attend their county budget hearings and find out what is going on locally.

LIAISON REPORTS

Commissioner Pekas reported on an email from Lynn DeYoung, Emergency Management Director regarding a request to install a light bar on a vehicle used by their paramedic when traveling from Brandon to Garretson if there is an emergency call. The request is under review.

Commissioner Kelly reported on the Safe Home audit and stated that Safe Home is doing well. Robert Wilson,

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Assistant Commission Administrative Officer, reported that at the end of the last two years Safe Home, LP was able to repay their loan from the county ahead of schedule.

Commissioner Barth reported that approximately \$27,000 was raised for the Heartland House at their fundraiser. Barth also commented on the March 3, 2014 Homeless Advisory Board (HAB) meeting and reported that the Salvation Army is looking at closing their warming center on March 15th. The HAB is looking for bids for housing parolees that will be released from prison and they have \$250,000 to spend.

Robert Wilson reported that the Criminal Justice Committee will be presenting their final report to the Minnehaha County Commission in the near future. The report will include inmate population projections over the next 10 to 20 years, and also suggest a road map of how to proceed with meeting those needs.

MOTION by Barth, seconded by Pekas, to go into executive session to discuss personnel and pending litigation. ayes. 4 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, March 11, 2014.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chairman

ATTEST:

Cynthia Jepsen
Deputy Auditor