

4/08/2014

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. April 8, 2014 pursuant to adjournment on April 1, 2014. 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 Heiberger called the meeting to order.

MOTION by Pekas, seconded by Beninga, to approve the agenda with one change, to move Regular Business Item #10 after Item #12 . 4 ayes.

MOTION by Beninga, seconded by Pekas, to approve the April 1, 2014 Commission Minutes. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Pekas, seconded by Beninga, to approve the following bills with one correction to the posted agenda amount of an increase of \$3,139.89 to vendor #48658, SHI International, for a total of bills paid in the amount of \$332,460.75. 4 ayes.

A & B Business Equip	Office Equipm	70.11	A-Ox Welding Supp Co	Safety & Resc	95.56
Adix, Jenny	Other Miscell	54.54	Affordable Housing S	Welfare Rent	300.00
Albertson, Monte	Program Activ	50.00	Allied Oil & Tire Co	Automotive/Sm	810.96
Anderson Publication	Publishing Fe	2,127.04	Anderson, Carol	Welfare Rent	600.00
Arena Motel	Motels	549.00	Armor Correctional H	Detox	33,713.30
Aurora County (SD)Sh	Return Of Ser	10.00	Avera Health Informa	Medical Recor	39.43
Avera McKennan Hospi	Blood Withdra	66.00	Avera McKennan Hospi	Hospitals	23,029.15
Belitz, Clarence H	Welfare Rent	300.00	Bennett, Thomas L M	Other Profess	262.50
Bierschbach Equipmen	Automotive/Sm	49.30	Billion's	Automotive/Sm	881.34
Birmingham & Cwach L	Attorney Fees	106.64	Bourne, Anna	Bd Evaluation	640.00
BSC Holding Inc	Road Material	80,400.66	Butler Machinery Com	Truck Repair/	184.69
Butler, Craig	Gas,Oil,Diese	45.00	Callies, Kim E Court	Court Reporte	146.00
Cartridge World	Data Processi	471.96	Cbcinnovis Inc	Recruitment	8.65
CBM Managed Services	Board Of Pris	9,146.40	Century Business Pro	Lease-Rental	359.59
Cheney Lake, Llc Db	Welfare Rent	200.00	Childrens Home Socie	Other Miscell	7,579.00
Cliff Avenue Auto Pa	Parts Invento	82.10	Cliff Avenue Auto Pa	Small Tools,	61.80
Cody, Denise	Bd Exp. Fees	45.00	Cole Papers, Inc.	HHS Custodial	143.62
Cole Papers, Inc.	Janitorial/Ch	405.55	Compass Center Fka	Other Miscell	2,500.00
Connecting Point	Maintenance C	2,100.00	Constellation New En	Natural Gas	16,902.30
Country View MHC	Welfare Rent	355.00	Covrig, Mark	Welfare Rent	500.00
Dakota Alignment & F	Automotive/Sm	286.86	Dakota Fluid Power,	Heavy Eq. Rep	51.44
Dakota News Inc	Store Invento	84.20	Denherder Law Office	Attorney Fees	165.62
Duffert, Alvin	Welfare Rent	500.00	Ebert's Properties,	Motels	205.00
Ecowater / Coy Burk	Jail Repairs	125.00	Eh Hospitality Llc	Motels	1,920.00
Ekeren, Marvin R.	Bd Exp. Fees	60.00	Epic Sports	Inmate Suppli	7.35
G & R Controls Inc	Heat,Vent & A	117.35	G&W, Inc Db	Transportatio	118.60
Genzlinger, Janeen	Court Reporte	106.40	George Boom Funeral	Burials	2,875.00
George, Aaron	Welfare Rent	1,035.00	Glory House	Cops Meth Gra	2,390.04
Guzman, Sandra V.	Interpreters	50.00	Harmon, Karla	Bd Evaluation	405.00
HDR Engineering Inc	Architects &	21,521.97	Heartland Paper Comp	Kitchen/Clean	185.70
Heritage Funeral Hom	Burials	1,000.00	Hillyard, Inc.	Janitorial/Ch	13.85
Hoekstra, Denise A.	Court Reporte	159.60	Horn, Garrett	Attorney Fees	267.00
Hurtgen, Timothy T/P	Welfare Rent	400.00	I State Truck Center	Parts Invento	99.83
Ideal Yardware	Bridge Repair	659.95	Interstate Office Pr	Office Suppli	1,215.96
J.D.'S House Of Trop	Office Suppli	15.00	Jaros, Pete	Investigators	96.20
Johnson Controls, In	Building Repa	2,142.00	Johnson, Clara	Bd Exp. Fees	40.00
Kallemeyn, Richard	Other Miscell	9.00	Kmart Pharmacy	Pharmacies	437.90
Kramer, Sharon (Shay	Welfare Rent	800.00	Krueger Excavating,	Correction Ct	220.00
Krueger Excavating,	HHS Maintenan	310.00	Krueger Excavating,	Snow Removal	762.50
Laqua, David	Welfare Rent	500.00	Laughlin, Nicole	Child Defense	496.40
Leaf Inc.	Office Suppli	242.46	Leaf Inc.	Printing/Form	17.14
Lewno, Lucy	Bd Exp. Fees	345.98	Malone, Constance A	Other Miscell	9.00
Matheson Tri-Gas Inc	Lease-Rental	3.60	Matheson Tri-Gas Inc	Small Tools,	364.61

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Mathison Company	Office Suppli	285.11	McFarland, Kenneth	Business Trav	17.00
Menards	Park/Recreati	198.00	MidAmerican Energy C	Natural Gas	9,793.23
Midwestern Mechanica	Building Repa	373.49	Mikelson, Gary E	Attorney Fees	904.19
Mobile Electronic Se	Communication	176.25	Moser, Andrea	Other Misc. R	150.00
Murray Properties, L	Welfare Rent	835.00	Nat'l Student Housin	Welfare Rent	400.00
Neve's Uniforms	Uniform Allow	1,334.74	Niedringhaus, Paul	HIDTA Grant	36.00
Nies Properties Llc	Welfare Rent	580.00	Nyberg's Ace Hardwar	Advertising	12.99
Office Depot, Inc.	Data Processi	672.68	Palmer, Barbara	Bd Evaluation	1,822.50
Peterson, Wade	Welfare Rent	1,200.00	Physio-Control Inc F	Safety & Resc	261.77
Pierre Parkside Deve	Education & T	181.98	Pine County (MN) She	Return Of Ser	45.00
Pollard & Larson Llp	Attorney Fees	201.75	Price, Richard	Welfare Rent	1,225.00
Qualified Presort Se	Postage	210.00	Quality Efficiencies	Motels	435.00
R & L Supply, Ltd	Plumbing & We	885.73	Raak Properties Llc	Welfare Rent	500.00
Reaves, Jason	Business Trav	30.00	Redwood Estates Llc	Welfare Rent	500.00
Rehntals Llc	Welfare Rent	525.00	Retail Data Systems	Office Suppli	54.00
Rochester Armored Ca	Armored Car S	379.50	Sanford Hospital	Hospitals	2,939.25
Sanford Hospital Med	Investigators	42.50	Schaub, Constance M	Amounts Held	144.14
SD Dept Of Revenue	Blood/Chemica	313.00	SD Dept Of Revenue	Bulletin Boar	92.32
SD Dept Of Revenue	Coroner Fee/T	1.70	SD Dept Of Revenue	Fingerprint/T	108.25
SD Dept Of Revenue	Misc. Auditor	17.82	SD Dept Of Revenue	Misc. Dir. Eq	41.32
SD Dept Of Revenue	Misc. Treasur	17.56	SD Human Services Ce	Other Profess	600.00
SDN Communications	Data Communic	331.50	SDN Communications	Telephone	688.50
Security Labs, Ltd	Maintenance C	325.00	Sehr Rentals Llc	Welfare Rent	758.00
Shepherd Reporting L	Court Reporte	30.00	Sherwin Williams	Building Repa	20.76
SHI, International C	Contract Serv	2,327.58	SHI, International C	Software	9,464.03
Sioux Empire Shrm	Education & T	118.00	Sioux Falls Conventi	Advertising	200.00
Sioux Falls Ford, In	Automotive/Sm	351.74	Sioux Falls Ford, In	Deductibles	2,491.63
Sioux Falls Utilitie	Welfare Utili	232.91	Sioux Valley Energy	Electricity	262.12
Sioux Valley Energy	Road Maint. &	135.21	Sioux Valley Energy	Tea-Ellis Ran	314.00
Southeast Technical	Recruitment	200.00	Southeastern Behavio	SCAAP Funds	5,000.00
St Francis House	Other Profess	828.35	Sturdevant's Auto Pa	Parts Invento	114.96
Sturdevant's Auto Pa	Small Tools,	497.01	Sutton, Thomas	Welfare Rent	500.00
Tessco Technologies	Vehicle Equip	622.07	Thorin, Deyanira T	Interpreters	175.00
Tires,Tires,Tires In	Automotive/Sm	770.10	Toering, Jason	Data Processi	11.54
Town Estates Llc	Welfare Rent	600.00	Trana, John	Business Trav	49.21
Van Loh, Jerry L	Welfare Rent	850.00	Variety Foods Llc	Other Profess	831.98
Venenga, Gene/Wanda	Welfare Rent	900.00	Vogel Motors Llc	Gas,Oil,Diese	26.40
Wal-Mart Pharmacy	Pharmacies	31.09	Wilson, Robert	Business Trav	17.00
Xcel Energy, Inc.	Electricity	14,206.19	Xcel Energy, Inc.	Welfare Utili	2,924.51
Yankton County Sheri	Amounts Held	220.00	Yellow Robe, Luke	ICWA Professi	24,720.00
Zandt, Kurt (Prop Mg	Welfare Rent	400.00			

PERSONNEL

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

1. To accept the resignation of Mathias Weinmann as Corrections System Operator for the Jail effective 4/10/14.
2. To accept the resignation of Dennis Pottebaum as part-time, temporary Certified Civil Process Server for the Sheriff's Office effective 4/4/14.
3. To promote Michael Newkirk from Correctional Officer in Training to Correctional Officer (13/1) for the Jail at \$17.03/hour effective 3/16/14.
4. To accept the resignation of Paul Clarke as Chief Building Inspector for Planning effective 4/11/14.
5. To hire John Mork as part-time, temporary Park Supervisor for the Parks Department at \$19.40/hour effective 4/9/14 to 11/1/14.

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6. To hire Shantel Meester as Legal Office Assistant (10/1) for the Public Defender's Office at \$14.69/hour effective 4/9/14.
7. To hire Kallie Steffens as temporary, part-time Juvenile Correctional Worker (9/1) for the Juvenile Detention Center at \$13.98/hour effective 4/10/14.

Step Increases Due

1. Diane Rypkema – Deputy Director of Equalization – Equalization – 21/10 to 21/11 – 4/3/14 – \$2,589.60/bi-weekly
2. Julie Person – Property Technician – Equalization – 10/3 to 10/4 – 4/3/14 – \$15.82/hour
3. Mark Narveson – Road Maintenance Team Member – Highway – 12/6 to 12/7 – 4/7/14 – \$18.80/hour
4. Maggie Garry – Human Resources Generalist – Human Resources – 16/5 to 16/6 – 2/9/14 – \$22.35/hour
5. Sara Buker – Juvenile Correctional Officer I – Juvenile Detention Center – 12/1 to 12/2 – 4/1/14 – \$16.62/hour

ABATEMENTS

MOTION by Pekas, seconded by Kelly, to approve abatement of 2013 Property Taxes for RDID #23776 in the amount of \$30.55 representing tax exempt property for the City of Hartford. 4 ayes.

PUBLIC COMMENT

Ron Weber, resident of Country Acres, thanked whoever is responsible for cleaning up 41st Street, and he reported that Highway 42 is also in need of a clean-up. Mr. Weber stated that he reviewed the Zoning Ordinances, and it appears his neighbor is in violation due to the following: several vehicles are lined up on the right-of-way next to the road; more than three recreational vehicles are on his property; and he is running his business out of a residential area. Mr. Weber stated that it's time for the Ordinances to be enforced. Commissioner Kelly stated that Scott Anderson, Planning & Zoning Director, should investigate the charges and if they are founded, take action to enforce them.

Commissioner Heiberger thanked Ken McFarland, Commission Administrative Officer, for serving Minnehaha County and the Commission for the past 35 years. Commissioners Pekas, Kelly, and Beninga also stated their thanks and appreciation for all that Mr. McFarland has done for Minnehaha County.

PRESENTATIONS

Carey Deaver, Human Resources Director, introduced Elliot Susseles, CCP Senior Vice President & National Practice Leader from Segal Consulting. Mr. Susseles gave a status report on the Compensation Study they are conducting, and also presented options for the Commission to consider when choosing a pay delivery system. The final report on the Compensation Study will be available by late April.

Craig Anderson, public representative and Chair of the Criminal Justice Advisory Committee, presented the Minnehaha County Correctional Facilities Interim Report. The report contains the following recommendations: 1) The Community Corrections Center is inadequate for its current use and should be phased out as a correctional facility and repurposed for other County needs or sold. 2) The County should begin the process on planning for the addition of at least 400 new inmate beds over the next ten years with room to expand that capacity for additional growth. 3) The County should create a long term facility development plan. Bill

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Garnos, Jail Consultant, gave a briefing on the final report of the Inmate Population Forecast and Analysis Update for Minnehaha County. The information in the report was used by the Criminal Justice Advisory Committee to form their recommendations. Mr. Anderson presented four requests from the Criminal Justice Advisory Committee for the Commission to consider. The Commission took the following action: MOTION by Pekas, seconded by Beninga, to accept the Minnehaha County Correctional Facilities Interim Report, 4 ayes; MOTION by Kelly, seconded by Beninga to accept the Garnos forecast as the basis for planning for future facility capacity, 4 ayes; MOTION by Pekas, seconded by Kelly to authorize the Criminal Justice Advisory Committee to proceed with a detailed planning study of possible options for correctional facility expansion consistent with the Garnos forecast, 4 ayes; MOTION by Pekas, seconded by Kelly for the Commission to retain architectural and structural engineering consultants to assist in the evaluation of possible facility expansion options, 4 ayes. Mr. Anderson spoke on the need to involve the other government entities that the jail serves in planning for the facility expansion, and that Minnehaha County should explore financial and other contributions from these entities, specifically the State of South Dakota, the City of Sioux Falls, and Lincoln County. Sheriff Mike Milstead commented on the Minnehaha County Correctional Facilities Interim Report and on the Inmate Population Forecast and Analysis Update. Sheriff Milstead stated that Craig Anderson's leadership on the committee has been very important and hopes that he will stay on board as this process moves forward. Ken McFarland stated that this topic will be brought back to the Commission on April 22, 2014.

DRAINAGE HEARING

Commissioner Kelly left the meeting. David Heinold, Planner, gave a briefing on Drainage Permit Application #14-03 submitted by Darrell Helgeson. The permit would allow agricultural drainage on property legally described as Tract 1 Helgeson Tracts E ½ SE ¼ Section 10-T101N-R47W, Valley Springs Township. The proposed tile would flow into an intermittent stream that flows southwest and empties into Fourmile Creek about a mile and a quarter downstream. The applicant has downstream permission from all property owners within one-half mile of the proposed outlet. A Drainage Board hearing is required because of the inter-county significance regarding the installation of new tile on property directly adjacent with Rock County, Minnesota. No concerns from the Rock County Commission in regards to the drainage application have been received. Staff finds that the proposed tile will be placed in a traditionally wet area and should allow water to continue to flow into the intermittent stream. Staff recommends approval of Drainage Permit #14-03, with a condition that the tile outlet shall be at a level with the groundwater discharge and recharge wetland. No one spoke in opposition to the drainage permit. MOTION by Pekas, seconded by Beninga, to approve Drainage Permit #14-03 with a condition that the tile outlet shall be at a level with the groundwater discharge and recharge wetland. 3 ayes.

Commissioner Kelly re-joined the meeting.

BID

Jason Reaves, Project Engineer, reported on the bid opening on April 2, 2014 for Project MC 253-460BR-14, for the replacement of bridge structures 50-060-089 & 50-063-90 located on 460th Avenue and 253rd Street on the West Branch of Skunk Creek in Grand Meadow Township. Two bids were received from Prahm Construction in the amount of \$497,936.10 and Sioux Falls Construction in the amount of \$516,608.19. Mr. Schultz recommended the contract be awarded to the low bidder. MOTION by Pekas, seconded by Beninga, to award the contract for Project MC 253-460BR-14 to Prahm Construction in the amount of \$497,936.10. 3 ayes. Kelly voted nay.

AGREEMENTS

Ken McFarland, Commission Administrative Officer, gave a briefing on an agreement between Minnehaha County and Boyce, Greenfield, Pashby, and Welk to provide outside legal counsel to resolve title issues with a tax deed property located at 120 S. Walts Avenue, Sioux Falls, SD. All legal expenses are to be paid by South Eastern Council of Governments who is seeking to gain title of the property for purposes of development.

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MOTION by Pekas, seconded by Beninga, to authorize the Chairman to sign the agreement with Boyce Greenfield, Pashby, and Welk to provide outside legal counsel for tax deed title work. 4 ayes.

Bill Hoskins, Museum Director, gave a briefing on a request from the City of Deadwood to contract the Siouxland Heritage Museums to design and produce an exhibit on Baseball in the Black Hills. The Siouxland Heritage Museums will be paid \$6,000 upon completion of the project. The money will be used to support the museum's exhibits program. MOTION by Pekas, seconded by Beninga, to authorize the Chairman to sign the 2014 Traveling Baseball Exhibit Contract between Minnehaha County and the City of Deadwood in the amount of \$6,000. 4 ayes.

Ken McFarland, Commission Administrative Officer, gave a briefing on the listing agreement between Minnehaha County and Bender Commercial Real Estate Services for the sale of 19.75 acres of county property in Tract 1 of Halls Addition. The funds received from the sale of the property will be used for the museum archive construction project. MOTION by Beninga, seconded by Pekas, to authorize the Chairman to sign the listing agreement between Minnehaha County and Bender Commercial Real Estate Services with a listing price of \$3.40 per square foot for the sale of county property legally described as the North 450' of the East 940' of Tract 1 Halls Addition to the SE ¼ Section 31-T102N-R49W and the South 475' of the West 942' of Tract 1 Halls Addition to the SE ¼ Section 31-T102N-R49W. 4 ayes.

OLD BUSINESS

Ken McFarland, Commission Administrative Officer, reported that Commissioner Heiberger was appointed as Vice-Chair of the Statewide JDAI Steering Committee. Ms. Heiberger, Ken McFarland, and Erin Srstka will be going to Pierre on April 15th for the kick-off of that committee.

MOTION by Kelly, seconded by Pekas, to adjourn until 9:00 a.m. on Tuesday, April 15, 2014.

APPROVED BY THE COMMISSION:

Cindy Heiberger

Chairman

ATTEST:

Cynthia Jepsen

Deputy Auditor