

4/29/2014

THE MINNEHAHA COUNTY COMMISSION CONVENE AT 9:00 A.M. April 29, 2014 pursuant to adjournment on April 22, 2014. Commissioners present were: Barth, Beninga, Heiberger, and Kelly. Commissioner Pekas 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 Barth, seconded by Beninga, to approve the agenda. 4 ayes.

Commissioner Pekas joined the meeting.

MOTION by Beninga, seconded by Barth, to approve the April 22, 2014 Commission Minutes and the April 22, 2014 Joint City/County Minutes. 5 ayes.

MOTION by Beninga, seconded by Barth, to approve a correction to the April 15, 2014 minutes to insert Resolution MC14-15 which was approved at that meeting. 5 ayes.

**RESOLUTION MC 14-15
SPEED LIMIT CHANGE
ON PORTION OF 479th AVENUE**

WHEREAS, the Minnehaha County Board of Commissioners has received a request from the Edison Township Board of Supervisors in Garretson, South Dakota to establish a temporary 45 miles per hour speed limit on 479th Avenue between 252nd Street and 254th Street for repairs and construction of bridges on Minnehaha County Road 121, with an estimated start date of April 21, 2014 and estimated completion date of September 18, 2014, and,

WHEREAS, SDCL 32-25-9.1 provides the authority for a board of county commissioners to establish speed limits within their respective jurisdictions, and,

WHEREAS, the Minnehaha County Commission believes it to be in the best interest of the traveling public to establish the speed limit as requested, now

THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners that the speed limit on that portion of 479th Avenue between 252nd Street and 254th Street, Garretson, South Dakota, is hereby established at 45 miles per hour effective April 21, 2014 thru and until bridge project completion estimated at September 18, 2014.

Dated this 15th Day of April, 2014, at Sioux Falls, SD.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chairman

ATTEST:

Cynthia Jepsen
Deputy County Auditor

VOUCHERS TO BE PAID

MOTION by Pekas, seconded by Barth, to approve the following bills in the amount of \$649,928.23. 5 ayes.

A To Z World Languag	Interpreters	660.00	ABN Army Surplus	Other Supplie	190.99
ABN Army Surplus	Uniform Allow	195.00	Adhikari, Bhim	Interpreters	165.07
Airway Service Inc	Automotive/Sm	507.53	Albers, Brent	Education & T	40.00

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Arena Motel	Co. Welfare -	700.00	Argus Leader - Adver	Publishing Fe	4,178.52
Association Of SD Mu	Memberships	100.00	Association Of SD Mu	Program Activ	102.00
At&T Nat'l Complianc	Investigators	125.00	Automatic Security C	Building Repa	95.00
Avera Health Informa	Clinics - Aux	116.40	Avera Health Plans	Expenditures	1,787.41
Avera Health Plans I	Cobra Insuran	1,031.18	Avera McKennan Behav	Education & T	1,000.00
Avera McKennan Behav	Other Profess	15.50	Avera McKennan Behav	Professional	2,000.00
Avera McKennan Hosp	Physicians	63.59	Avera McKennan Hospi	Hospitals	5,793.48
Avera McKennan Hospi	Physicians	3,456.91	Avera Medical Group-	Other Profess	3,750.00
Avera Medical Group-	Physicians	178.44	Avera Radiology	Other Profess	179.30
Avera Specialty Clin	Physicians	95.34	Baltic Fire Dept	Baltic F.D.	18,113.00
Belitz, Clarence H /	Welfare Rent	325.00	Bennett, Thomas L M	Other Profess	350.00
Big Chief Inc	Bldg. & Outsi	602.35	Billion's	Gas,Oil,Diese	45.65
Braithwaite, Tacey E	Bd Exp. Fees	2,244.00	Brandon Fire Dept	Brandon F.D.	38,920.00
Bridgewood Sd Inv Ii	Welfare Rent	395.00	Brown & Saenger	Office Suppli	223.82
Brown & Saenger	Uniform Allow	39.96	BSC Holding Inc	Road Material	20,395.90
Builders Supply Comp	Building Repa	838.13	Buthe, DJ	Business Trav	169.00
Campbell Supply Co I	Bridge Repair	79.88	Carper, Nichole A	Child Defense	1,484.00
Carroll Institute	Ivc Housing	18,555.00	Century Business Lea	Lease-Rental	455.52
Century Business Pro	Lease-Rental	833.90	Century Business Pro	Maintenance C	548.03
Centurylink (Qwest)	Detox	23.39	Centurylink (Qwest)	Telephone	640.25
Chau Properties Llc	Welfare Rent	500.00	Chemco, Inc.	Child Care Fo	213.27
Chemco, Inc.	Janitorial/Ch	179.66	Chief Supply	Vehicle Equip	680.00
Christopherson, Ande	Attorney Fees	435.00	City Glass & Glazing	Jail Repairs	983.00
CNA Surety	Notary Exp	50.00	Colton Fire Dept	Colton F.D.	17,376.00
Complete Property Ll	Welfare Rent	500.00	Constellation New En	Natural Gas	45,786.59
Counseling Resources	Attorney Fees	200.00	Country View MHC	Welfare Rent	297.00
Crescent Electric Su	Electrical Re	335.92	Crooks Fire Dept	Crooks F.D.	13,913.50
Dakota Fluid Power,	Truck Repair/	847.23	Dakota Police & Spor	Volunteer Per	182.50
Dakotacare Cobra Ser	Cobra Insuran	1,462.48	Dell Rapids Fire Dep	Dell Rapids F	23,913.50
Dolan, Patrick	Welfare Rent	450.00	Douglas County (SD)	Return Of Ser	29.80
Eggert, Amber	Business Trav	4.07	EH Hospitality Llc	Motels	1,180.00
Election Systems & S	Printing/Form	2,510.91	G & R Controls Inc	Heat,Vent & A	8,821.00
Gann, Jamie	Other Misc. R	150.00	Garnos, William	Real Estate -	539.00
Garretson Fire Dept	Garretson F.D	20,053.50	Garretson Fire Dept	Sherman F.D.	2,802.50
Global Connect	Telephone	34.15	Goebel Printing, Inc	Office Suppli	266.86
Goebel Printing, Inc	Printing/Form	215.90	Golden Creek Investo	Welfare Rent	550.00
Grainger, Inc.	Bldg/Yard Rep	446.68	Grimms Pump & Indust	Heat,Vent & A	288.18
Hartford Fire & Resc	Hartford F.D.	30,717.50	Hartford's Best Pain	Automotive/Sm	965.30
Heartland Paper Comp	Kitchen/Clean	1,459.16	Heartstarters Llc	Education & T	22.50
Helseth, Ramona G.	Office Suppli	37.88	Heritage Funeral Hom	Burials	1,000.00
High Plains Technolo	Maintenance C	648.00	Hillyard, Inc.	HHS Custodial	1,994.28
Hillyard, Inc.	Janitorial/Ch	105.18	Hoekman, James	Uniform Allow	371.70
Howalt-McDowell Insu	Hazalt-Insura	5,499.00	Humboldt Fire Dept	Humboldt F.D.	16,214.00
Hy-Vee Accounts Rece	Pharmacies	99.98	Institutions Service	Jail Repairs	358.86
Interstate Arms Corp	Fed Drug Fund	946.51	Interstate Office Pr	Office Suppli	855.42
Intoximeters, Inc.	Safety & Resc	345.00	Iss Facility Svcs-Mi	Contract Serv	11,058.00
Jaros, Pete	Investigators	66.60	JCL Solutions-Janito	Janitorial/Ch	216.88
JCL Solutions-Janito	Kitchen/Clean	3,408.53	Je Llc	Welfare Rent	335.00
Joat-Jesus Only Apos	Welfare Rent	1,100.00	Johnson, Richard L	Attorney Fees	345.75
Johnstone Supply	Heat,Vent & A	1,189.86	Kennedy, Renee S	Court Reporte	686.80
Khoroosi, Sam	Attorney Fees	184.80	Language Testing Int	Other Profess	50.00
Larson, Jeff	Attorney Fees	609.00	Lason Systems Inc	Microfilming	219.80
Lassegaard, Samuel C	Welfare Rent	500.00	Lickide-Split Car Cl	Automotive/Sm	360.00
Locators & Supplies,	Road Maint. &	200.00	Luther, Jeff	Medical Direc	2,500.00
Lutheran Social Svcs	Interpreters	162.50	Lyons Fire Dept	Lyons F.D.	6,095.50
Matheson Tri-Gas Inc	Small Tools,	346.65	Mayer, Michael P	Business Trav	78.00
Menards - East	Bridge Repair	39.84	Metro Communications	Clinics - Aux	750.00
Microfilm Imaging Sy	Furniture & O	230.00	MidAmerican Energy C	Welfare Utili	993.64
Midwest Oil Company,	Parts Invento	2,156.45	Miller Funeral Home,	Burials	2,250.00
Misterek, Calleen	Court Reporte	24.78	Mobile Electronic Se	Communication	285.00
Morse Correctl Healt	Contract Serv	1,221.18	Murray Properties, L	Welfare Rent	1,385.00
Myers & Billion Llp	Bd Exp. Fees	663.48	Narem, Inc	Parts Invento	88.99
Narem, Inc	Small Tools,	32.97	NE Dept Of Motor Veh	Copy Fees	3.00
NE Dept Of Motor Veh	Return Of Ser	3.00	Neve's Uniforms	Uniform Allow	1,007.95
Nicholson, Tschetter	Attorney Fees	1,850.24	Nielsen Ogdahl, Erin	Attorney Fees	2,125.00

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North Ridge Apartmen	Welfare Rent	582.00	Northern States Supp	Sign Supply/I	25.98
Nyberg's Ace Hardwar	Other Supplie	31.96	Olson, Lloyd	Business Trav	275.60
Parkview, Llc	Welfare Rent	475.00	Pechous, Corey	Business Trav	78.00
Pennington County Ja	Extradition &	7,695.55	Pharmchem Inc	Testing Suppl	588.00
Qualified Presort Se	Postage	88.91	Quill Corp.	Office Suppli	611.78
Raak Properties Llc	Welfare Rent	450.00	Rapid City Regional	Hospitals	1,216.00
Record Keepers, Inc.	Other Profess	263.24	Reker, Zach	Business Trav	78.00
Renner Fire Rescue	Renner F.D.	13,058.00	Risty, Julie	Office Suppli	18.54
River Tower Apartmen	Welfare Rent	445.00	Russell, Dawn Crt R	Court Reporte	41.40
Sanford Clinic Finan	Other Miscel	22,806.00	Sanford Hospital	Hospitals	19,275.17
Sanford Hospital Med	Clinics - Aux	45.54	Sanford Occupational	Expenditures	394.14
Schreurs, John	Welfare Rent	600.00	SD Dept Of Transport	Contracted Co	7,068.24
SD Div Of Criminal I	Professional	129.75	SD Human Services Ce	Other Profess	24.20
Sentinel Offenders S	Alternatives	2,608.56	Servall Towel & Line	Janitorial/Ch	25.55
Servall Towel & Line	Program Activ	77.61	Sheehan Mack Sales &	Automotive/Sm	583.95
Shipley's Laundry &	Program Activ	20.60	Siegel, Barnett, & S	Attorney Fees	463.82
Silver Stone Group,	Other Profess	5,000.00	Sioux Empire Fair As	Other Miscell	12,500.00
Sioux Falls City Fin	Gas,Oil,Diese	15,723.91	Sioux Falls City Fin	HIDTA Grant	255.95
Sioux Falls City Fin	Uniform Allow	287.81	Sioux Falls Two Way	Communication	449.49
Sioux Falls Utilitie	Building Repa	175.17	Sioux Falls Utilitie	Electricity	8,777.90
Sioux Falls Utilitie	Water - Sewer	12,793.33	Sisson Printing, Inc	Printing/Form	39.50
Southeastern Behavio	Alternatives	2,150.00	Southeastern Electri	Welfare Utili	211.59
Splitrock Fire Dept	Split Rock F.	18,975.50	Springbrook II, Ltd	Welfare Rent	500.00
Stan Houston Equipme	Road Maint. &	61.00	Stoney Creek Townhom	Amounts Held	390.00
Stoney Creek Townhom	Welfare Rent	1,200.00	Stronghold Counselin	Other Profess	435.00
Suretest Inc	Professional	375.00	Tammen Oil	Automotive/Sm	7.95
Tammen Oil	Gas,Oil,Diese	116.27	Test Point Paramedic	Blood Withdra	600.00
The Mitographers, In	Truck Repair	160.37	Thomson Reuters - We	Legal Researc	2,476.10
Tires,Tires,Tires In	Automotive/Sm	1,506.92	Tires,Tires,Tires In	Gas,Oil,Diese	213.82
Trane	Heat,Vent & A	1,198.68	TSP, Inc.	Repair/Renova	706.25
Tuschen, Michael E	Business Trav	78.00	United Parcel Servic	Postage	19.58
University Products,	Office Suppli	370.95	Valley Springs Fire	Valley Spring	11,429.50
Vanderlinde, David/C	Welfare Rent	400.00	Veracity Research, I	Polygraph Fee	500.00
Vesely, Josh	Business Trav	78.00	Volunteers Of Americ	Alternatives	14,987.92
Wayne Township	Wayne Twp. F.	10,543.50	Weerheim, Tom	Attorney Fees	556.80
West Twelfth Propert	Welfare Rent	550.00	Wheelco Brake & Supp	Truck Repair/	274.76
White, Ben	Welfare Rent	213.00	Wilde, Bret	Other Supplie	741.00
Wilka & Welter Llp	Child Defense	428.00	Xcel Energy, Inc.	Electricity	53,473.75
Xcel Energy, Inc.	Road Maint. &	31.58	Xcel Energy, Inc.	Welfare Utili	3,319.77
Yellow Cab Inc	Transportatio	27.42			

PERSONNEL

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

1. To hire Jerald Hebert as Technical Analyst (19/3) for Information Technology at \$24.07/hour effective 4/30/14.
2. To hire Eric Anderson as Juvenile Correctional Officer I (12/1) for the Juvenile Detention Center at \$16.21/hour effective 4/30/14.
3. To hire Barbara Slater and Richard Engel as temporary, part-time Election Workers for the Auditor's Office at \$10.00/hour effective 4/29/14.
4. To hire Morris Gjoraas as temporary, part-time Parks Worker for the Parks Department at \$11.75/hour effective 4/28/14 to 10/15/14.
5. To accept the resignation of Rebecca Miller as Correctional Officer for the Jail effective 4/24/14.
6. To accept the retirement of Patrick Murphy as Civil Process Server for the Sheriff's Office effective

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5/1/14.

Step Increases Due

1. Jennifer Stanley – Correctional Officer – Jail – 13/11 to 13/12 – 4/21/14 – \$22.35/hour
2. Rick Lohnes – Correctional Officer – Jail – 13/13 to 13/14 – 4/21/14 – \$23.48/hour
3. Debra Knudsen – Administrative Assistant – Extension – 12/3 to 12/4 – 3/1/14 – \$17.46/hour

Jen Adix, Human Resource Generalist, gave a briefing on the proposed 2014 Affirmative Action Plan. The document includes two separate plans in accordance with The Office for Federal Contract Compliance Programs. One plan is for women and minorities and the other is for veterans and individuals with disabilities. It also includes a work force analysis, job group analysis, policy reviews, and action oriented programs.

ABATEMENT

MOTION by Barth, seconded by Kelly, to approve abatement of 2013 Property Taxes for RDID 78715, \$983.36, representing owner occupied status. 5 ayes.

NOTICE

MOTION by Pekas, seconded by Barth, to authorize the Auditor to publish Notice to Bidders for Architectural Services for Pre-Design Work, Development of Site Master Plan, and Preparation of Preliminary Cost Estimates for Various Construction Options for Minnehaha County Jail Expansion Needs. 5 ayes.

LIEN COMPROMISE

Commissioner Pekas gave a briefing on a request for compromise of lien for DPNO 37170 in the amount of \$3,386.08. The lien is solely in the name of the applicant's ex-wife and is for medical services she received prior to their marriage. The applicant is in the process of selling his home and a title search identified the lien against his home. The applicant requests a compromise and release of the lien only as it applies to the real property legally described as N ½ Vacated Alley Lying Adjacent and Lots 17, 18, & 19, Block 8, Lyons Village Addition 103-50 Lyons Township, 329 4th Street, Lyons, SD 57041. The lien is to remain in effect against the applicant's ex-wife only. MOTION by Pekas, seconded by Barth, to approve Resolution MC14-20. 5 ayes.

RESOLUTION MC14-20

WHEREAS, a County Aid Lien in the amount of \$3,386.08 purports to exist in favor of Minnehaha County and against DPNO 37170 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 with no payment only against the real property legally described as N ½ Vacated Alley Lying Adjacent and Lots 17, 18, & 19, Block 8, Lyons Village Addition 103-50 Lyons Township, leaving the lien in force against the individual.

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Dated at Sioux Falls, South Dakota, this 29th day of April, 2014.

APPROVED BY THE COMMISSION:

Cindy Heiberger

Chairman

ATTEST:

Cynthia Jepsen

Deputy County Auditor

Chairman Heiberger passed the gavel to Vice-Chairman Pekas

PUBLIC COMMENT

Bob Kolbe, Sioux Falls resident, stated that local county history has taken a big hit this past month with the passing of Sandra Aamlid, Dr. Carl Wagner, and Dr. Thomas Killian. Mr. Kolbe also commented on the book "Twelve Thousand Years of Human History".

CONSUME/BLEND

MOTION by Beninga, seconded by Barth, to approve an application to Consume/Blend Alcoholic Beverages for the Mary Jo Wegner Arboretum, 1900 Perry Place, Sioux Falls, SD, for their fundraiser on May 20, 2014. 5 ayes. Lori Kiesow was present to answer any question.

BRIEFING

Nick Fosheim, 200 N. Philips Ave., Sioux Falls, SD, Executive Director of the Lincoln & Minnehaha County Economic Development Associations, gave a briefing and update on the current activities of the associations. Mr. Fosheim reported that 2014 is off to a strong start and there has been more than \$5 million invested by companies with 130 new jobs projected to result from those investments. There has been a 14% increase in total taxable sales over the same period last year. Mr. Fosheim also reported that a Governor's Workforce Summit will be held in Sioux Falls on June 17, 2014 from 9 a.m. to 4 p.m. and pre-registration is required at www.southdakotawins.com/workforcesummits.

Chairman Heiberger left the meeting.

AGREEMENT

DJ Buthe, Highway Superintendent, gave a briefing on an agreement with HDR Engineering, Inc. for Construction Administration of Structure 50-300-118. The project involves rehabilitation of the structure by repairing deficiencies of the existing deck and overlaying the entire deck surface with new concrete pavement. The structure crosses Split Rock Creek approximately 1 mile west and 3 miles south of Garretson on 484th Avenue. MOTION by Barth, seconded by Beninga, to authorize the Chairman to sign the agreement for Professional Services with HDR Engineering, Inc. for Construction Administration of Structure 50-300-118 in the amount not to exceed \$26,534.60. 4 ayes.

BID

At the request of DJ Buthe, Highway Superintendent, MOTION by Barth, seconded by Beninga, to approve the purchase of concrete pipe (culverts) off a bid awarded on March 4, 2014 by Lincoln County to Hancock Concrete Products, Inc. 4 ayes. The price will be valid until March 4, 2015.

Commissioner Barth left the meeting.

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AMENDMENT

Jeff Gromer, Warden, gave a briefing on an amendment to the Inmate Telephone Agreement with Inmate Calling Solutions, LLC dba ICSolutions. The amendment changes the rate inmates are charged for certain types of phone calls from the current rate of \$0.25 per minute to \$0.21 per minute. The change is needed to bring the contract into compliance with new Federal Communications Commission rules. The amendment has no effect on Minnehaha County's guaranteed minimum commission rate that is included in the original contract. MOTION by Beninga, seconded by Kelly, to authorize the Chairman to sign the amendment to the Inmate Telephone Agreement with ICSolutions. 3 ayes.

Commissioner Barth re-joined the meeting.

LIAISON REPORT

Commissioner Barth reported that the Planning & Zoning Commission met on April 28th and they approved a Conditional Use Permit for a bulk fuel storage facility south of Hartford, SD. Mr. Barth also commented on the need for having more than three commissioners present at joint City/County meetings.

NEW BUSINESS

Commissioner Barth commented on the increase in crime in Sioux Falls and on the pharmaceutical drug problem. Commissioner Kelly stated that there should be a summit meeting of the officials involved in public safety that include the Sheriff, Public Defender, Public Advocate, State's Attorney, and Police Chief to see if there is something that can be done to address the problem.

Robert Wilson, Assistant Commission Administrative Officer, reported that the U.S. Environmental Protection Agency (EPA) and U.S. Army Corps of Engineers (Army Corps) jointly released a proposed rule to clarify protection under the Clean Water Act for streams and wetlands that form on the foundation of the nation's water resources. There is a concern from the National Association of County Officials that the proposed rule could have significant impact on streams, tributaries, and ditches that are currently under the jurisdiction of County Planning & Zoning Departments. The Commissioners requested that the Commission Office draft a letter stating concern over the proposed rule to send to our elected officials. Mr. Wilson stated that he will see that a letter is drafted for the commission's review and approval.

MOTION by Barth, seconded by Beninga, to go into executive session for contract negotiations. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, May 6, 2014.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chairman

ATTEST:

Cynthia Jepsen
Deputy Auditor