

6/17/2014

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. June 17, 2014 pursuant to adjournment on June 10, 2014. Commissioners present were: Beninga, Heiberger, and Kelly. Commissioners Barth and Pekas were 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 Beninga, seconded by Kelly, to approve the agenda. SUBSTITUTE MOTION by Kelly, seconded by Beninga, to approve the agenda with one change to the order by moving item #12 before item #10. 3 ayes.

MOTION by Beninga, seconded by Kelly, to approve the June 10, 2014 Commission Minutes. 3 ayes.

Commissioner Pekas joined the meeting.

VOUCHERS TO BE PAID

MOTION by Beninga, seconded by Kelly, to approve the following bills in the amount of \$623,125.89. 4 ayes.

A & B Business Equip	Lease-Rental	268.32	A To Z World Languag	Interpreters	80.00
Airway Service Inc	Gas,Oil,Diese	36.55	All American Towing	Other Profess	50.00
Allied Oil & Tire Co	Automotive/Sm	552.84	Allied Oil & Tire Co	Truck Repair/	45.50
American Engineering	Architects &	828.00	Anesthesia Physician	Physicians	288.00
Argus Leader - Adver	Publishing Fe	500.54	Armor Correctional H	Contr Serv	188,763.80
Around The Clock Dra	Building Repa	144.95	Associated Consult/E	Contr Serv	780.00
Audio Playground Ele	Automotive/Sm	292.45	Avera Intensivists C	Physicians	315.81
Avera McKennan Hospi	Blood Withdra	66.00	Avera McKennan Hospi	Hospitals	608.00
Avera McKennan Hospi	Other Profess	2,145.83	Avera McKennan Hospi	Physicians	3,372.81
Avera Medical Group-	Hospitals	123.17	Avera Medical Group-	Physicians	840.44
Avera Radiology	Other Medical	436.48	Avera Radiology	Other Profess	302.25
Avera Specialty Clin	Physicians	74.70	Axsom, Rodney	Uniform Allow	101.97
Beadle County (SD) S	Return Of Ser	26.72	Belitz, Clarence H /	Welfare Rent	425.00
Bierschbach Equipmen	Bldg/Yard Rep	214.00	Bierschbach Equipmen	Lease-Rental	100.00
Bound Tree Medical L	2011 Citizen	2,966.76	Boyer Trucks Sioux F	Automotive/Sm	7.42
Broesder, Jered	Education & T	55.00	Brooks Townhomes Lp	Welfare Rent	1,173.00
Builders Supply Comp	Building Repa	201.48	Building Sprinkler,	Building Repa	1,992.12
Butler Law Office Pc	Attorney Fees	1,470.00	C & R Supply Inc	Automotive/Sm	732.40
Campbell Supply Co I	Automotive/Sm	21.99	Campbell Supply Co I	Bridge Repair	24.99
Carlson, Lisa	Court Reporte	250.80	Center For Family Me	Other Profess	150.00
Century Business Lea	Lease-Rental	148.91	Century Business Pro	Lease-Rental	202.07
Certified Languages	Interpreters	66.00	Chemco, Inc.	Child Care It	390.00
Chemco, Inc.	Janitorial/Ch	1,127.02	Chicago Distribution	Store Invento	177.02
Christopherson, Ande	Attorney Fees	417.60	Civil Design Inc	Architects &	1,928.50
Cliff Avenue Auto Pa	Other Supplie	141.88	Codington County Eme	Investigators	189.59
Cole Papers, Inc.	Janitorial/Ch	179.80	Concrete Materials	Road Maint. &	48,804.34
Constellation New En	Natural Gas	10,759.25	Cooey, Carla F	Court Reporte	157.80
Crescent Electric Su	Electrical Re	5.70	Culligan Water Condi	Other Miscell	37.50
Dakota Data Shred	Lease-Rental	81.50	Dakota Data Shred	Other Profess	319.59
Dakota Data Shred	Trash Removal	98.99	Dakota Fluid Power,	Automotive/Sm	67.72
Dakota Fluid Power,	Small Tools,	409.80	Dakota News Inc	Store Invento	42.10
Dakota Supply Group,	Jail Repairs	397.65	Daybreak/T & H Conve	Gas,Oil,Diese	168.51
Deboer Law Office Pc	Child Defense	195.75	Delux Motel / Dakota	Motels	250.00
Dey Appliance	Building Repa	39.34	Duffy, Ryan	Attorney Fees	879.90
Dust Tex Service Inc	Maintenance C	22.56	Earthbend Llc	Building Repa	66.50
Ebert's Properties,	Co. Welfare	475.00	Ebert's Properties,	Motels	60.00
Eggert, Amber	Business Trav	3.56	EH Hospitality Llc	Co. Welfare	685.00
EH Hospitality Llc	Motels	590.00	Eirinberg, James A	Child Defense	1,654.80
Famestad, Angie	Other Misc. R	300.00	Fleetpride / Holt, I	Truck Repair/	464.82
Fluth, Rodney P	Welfare Rent	495.00	Fred The Fixer Inc	Automotive/Sm	45.00
Fuller & Williamson,	Child Defense	3,981.00	G & G Mfg. & Souveni	Store Invento	120.78
G & H Distributing I	Truck Repair/	66.01	Gansz, Kevin	Program Activ	313.22
Garbang, Kun	Interpreters	25.00	Genesis Employee Ben	Cobra Insuran	1,415.38

6/17/2014

Giles, Scott	Welfare Rent	600.00	Global Connect	Other Medical	5.15
Goebel Printing, Inc	Printing/Form	89.28	Golden Creek Investo	Welfare Rent	600.00
Graybar Electric	Building Repa	29.45	Gunner, Andrea	Court Reporte	768.60
Guzman, Sandra V.	Interpreters	125.00	H & R Roofing Of SD,	Building Repa	3,500.00
Hanson, Michael W.	Attorney Fees	391.50	Heimdal, Marie Ann	Court Reporte	1,151.40
Himler, Thomas C Phd	Child Defense	1,834.20	Hobby Lobby Stores I	Program Activ	45.02
Hoffman, Katelynn	Attorney Fees	253.30	Hopf, Roger Db	Welfare Rent	600.00
Hoskins, William J	Program Activ	67.00	Humphreys, Robert/Ca	Welfare Rent	700.00
Hy-Vee Accounts Rece	Pharmacies	62.10	I State Truck Center	Parts Invento	124.42
I State Truck Center	Truck Repair/	86.66	Interstate All Batte	Automotive/Sm	120.65
Interstate Office Pr	Blood Withdra	21.13	Interstate Office Pr	Office Suppli	313.02
ISI Llc	Interpreters	360.00	ISS Facility Svcs-Mi	Contract Serv	11,058.00
ISS Facility Svcs-Mi	HHS Maintenanc	500.00	Jaros, Pete	Investigators	75.85
JCL Solutions-Janito	Janitorial/Ch	234.12	Jebro, Inc.	Road Material	20,150.95
Jefferson Partners L	Transportatio	3,534.50	Jin, Suming	Interpreters	50.00
Johnson Controls, In	Building Repa	356.17	Johnson, Heidepriem,	Child Defense	231.00
Johnson, Richard L	Child Defense	1,018.50	Josiahs's Coffeehous	Education & T	60.50
Kagey, Emilie	Other Misc. R	150.00	Kappenman, Thomas L	Welfare Rent	575.00
Kauffman, David W. P	Psych Evals	9,345.00	Kennedy, Renee S	Court Reporte	396.80
Khorroosi, Sam	Attorney Fees	1,614.60	Khorroosi, Sam	Child Defense	1,329.00
Koch, John Db	Welfare Rent	600.00	Kone, Inc.	Other Profess	57.16
Language Line Servic	Interpreters	246.23	Language Line Servic	Telephone	365.81
Larson, Jeff	Attorney Fees	156.60	Lassegaard, Samuel C	Welfare Rent	200.00
Laughlin, Nicole	Attorney Fees	2,020.30	Law Enforcement Targ	Ammunition	83.72
Lindquist, Cliff	Return Of Ser	35.00	Locators & Supplies,	Bridge Repair	71.31
Locators & Supplies,	Parts Invento	31.00	Lutheran Social Svcs	Interpreters	125.00
Lutheran Social Svcs	Other Profess	4,388.39	Marco	Lease-Rental	170.00
Marco	Maintenance C	130.50	Matheson Tri-Gas Inc	Plumbing & We	32.51
Maximum Promotions I	Building Repa	30.00	McCulloch, Mary A	Welfare Rent	375.00
Meridian It Solution	Maintenance C	22,333.16	Microfilm Imaging Sy	Furniture & O	230.00
Microfilm Imaging Sy	Lease-Rental	400.00	MidAmerican Energy C	Natural Gas	2,091.22
MidAmerican Energy C	Welfare Utili	386.00	MidContinent Communi	Telephone	55.00
Midwest Alarm Compan	Building Repa	393.12	Midwest Alarm Compan	Lease-Rental	412.80
Midwest Alarm Compan	Security Alar	98.28	Midwest Family Mutua	Hazard Insura	19,804.60
Midwest Residential	Welfare Rent	595.00	Mike Kroger Masonry,	Building Repa	8,440.00
Miller Funeral Home,	Burials	2,850.00	Mineral Miner	Store Invento	225.50
Minn Cnty So Petty C	Automotive/Sm	3.17	Minn Cnty So Petty C	Extradition &	39.10
Minn Cnty So Petty C	Gas,Oil,Diese	5.50	Minn Cnty So Petty C	Other Supplie	5.00
Mobile Electronic Se	Communication	580.00	Morphotrak	Lease-Rental	5,102.00
Morse Correctl Healt	Contract Serv	2,409.60	Multi-Cultural Cente	Interpreters	1,952.50
Murray Properties, L	Welfare Rent	1,750.00	Niedringhaus, Paul	HIDTA Grant	47.00
Norberg Paints Inc	Program Activ	30.82	Norm Feldman's Glass	Automotive/Sm	59.50
Norm Feldman's Glass	Bldg/Yard Rep	4.00	North American Truck	Heavy Eq. Rep	17.10
North American Truck	Truck Repair/	3,165.00	Northern States Supp	Sign Supply/I	28.53
Novak Sanitary Servi	Tea-Ellis Ran	67.00	Novak Sanitary Servi	Trash Removal	2,621.81
Nyhaug, Adam	Program Activ	67.00	ODonnell, Deborah	Education & T	154.00
Office Depot, Inc.	Data Processi	662.80	Olson's Pest Technic	Other Profess	67.75
Prahn Construction I	Contracted Co	67,737.50	Primary Products Co	Child Care It	406.00
Prostrollo, Casey D	Welfare Rent	940.00	Qualified Presort Se	Postage	189.32
Reclaiming Youth Int	Psych Evals	12,500.00	Record Keepers, Inc.	Other Profess	263.24
Record Keepers, Inc.	Records Stora	2,910.80	Redi Towing Inc	Other Profess	64.00
Rensberger, Ron	Welfare Rent	525.00	Rhomar Industries In	Small Tools,	105.16
Rods Properties	Welfare Rent	500.00	Runnels-Murphy, Ange	Business Trav	35.52
Sanford Hospital	Hospitals	13,649.66	Scheels All Sports	Program Activ	22.00
SD Dept Of Revenue	Blood/Chemica	45.00	SD Dept Of Revenue	Other Miscell	28.00
SD Dept Of Revenue	Store Sales	163.64	SD Human Services Ce	Clinics - Aux	115.60
Sealpros Inc	Repair/Renova	372.45	Sechser, Jenna - Crt	Court Reporte	1,817.51
Security Labs, Ltd	Maintenance C	325.00	Servall Towel & Line	Building Repa	16.75
Servall Towel & Line	Program Activ	61.14	Sherwin Williams	Building Repa	75.51
Shopko Pharmacy	Pharmacies	35.79	Signs Plus Graphics	Safety & Resc	10,500.00
Sioux Falls Rubber S	Office Equipm	10.20	Sioux Falls Utilitie	Welfare Utili	516.82
Sioux Falls Woman Ll	Advertising	595.00	Skorczewski, Jena	Court Reporte	10.80
Stratman, John	Welfare Rent	1,200.00	Stronghold Counselin	Attorney Fees	1,535.00
Szameit, Alexandra	Interpreters	125.00	T&K Enterprises Db	Automotive/Sm	49.00
T&K Enterprises Db	Other Profess	190.00	Test Point Paramedic	Blood/Chemica	1,560.00

6/17/2014

The Lodge At Deadwo	Business Trav	1,456.00	Thorin, Deyanira T	Interpreters	545.80
Thyssenkrupp Elevato	Lease-Rental	2,721.32	Timmer, Reed/Kelli	Welfare Rent	425.00
Tires,Tires,Tires In	Automotive/Sm	3,712.06	Tires,Tires,Tires In	Gas,Oil,Diese	54.71
Titan Machinery	Automotive/Sm	445.37	Titan Machinery	Truck Repair/	83.18
US Postal Service	Postage	2,500.00	Vanlaecken, Jackie	Other Misc. R	150.00
Variety Foods Llc	Other Profess	363.80	Volunteers Of Americ	Alternatives	14,987.92
Volunteers Of Americ	Other Profess	3,742.17	Waltner, Kolbeck, Sc	Attorney Fees	1,035.00
Waltner, Kolbeck, Sc	Child Defense	793.00	Waste Management Of	Trash Removal	367.31
Weerheim, Tom	Attorney Fees	478.50	Wegner Auto Comp Inc	Automobiles	25,263.00
Wells Fargo Home Mor	Welfare Rent	700.00	Westwick Motel, Inc.	Motels	49.00
Wilka & Welter Llp	Attorney Fees	989.50	Wilka & Welter Llp	Child Defense	525.40
Williams, Beverlee	Welfare Rent	700.00	Wolf, John	Welfare Rent	500.00
Xcel Energy, Inc.	Electricity	104.00	Xcel Energy, Inc.	Road Maint. &	25.24
Xcel Energy, Inc.	Welfare Utili	2,428.63	Yellow Cab Inc	Transportatio	40.30
Zabel Steel Co.	Automotive/Sm	90.29	Zee Medical Service	Office Suppli	21.25
3D Specialties, Inc.	Bridge Repair	533.92			

REPORTS

The following reports were received and placed on file in the Auditor’s Office: The Register of Deeds Official Statement of Fees Collected During May, 2014; the Minnehaha County General Fund Surplus Analysis as of 3/31/14 (Undesignated Fund Balance \$2,271,111.95, 4.72% of the 2014 General Fund Budget); and the Auditor’s Account with the County Treasurer as of May 31, 2014.

On Deposit in Banks	
Interest-bearing open accounts	35,829,775.59
CD’s and savings	15,000,000.00
Cash	18,195.14
Checks/drafts in Treasurer’s possession for more than 3 days	8,384.86
Total Cash on Hand	50,856,355.59
Debt Svc Pmnt (5/30 ACH) outstanding to Treasurer	(618,551.33)
Non Reconciled amount in AS-400	2.00
Total Reconciled AS/400 Cash Balance	50,237,806.26

PERSONNEL

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

1. To hire Amber Bartels as Caseworker I (16/1) for Human Services at \$19.75/hour effective 6/23/14.
2. To hire Andrew Robertson as Deputy Public Defender (21/1) for the Public Defender’s Office at \$2,023.20/bi-weekly effective 6/23/14.
3. To accept the resignation of Sarah Dalldorf as Juvenile Correctional Officer I for the Juvenile Detention Center effective 6/20/14.
4. To promote Shaun Mitchell from Correctional Officer in Training to Correctional Officer (13/1) for the Jail at \$17.03/hour effective 6/22/14.
5. To accept the resignation of Jeremiah Larson as Corporal for the Jail effective 6/20/14.

Step Increases Due

1. Douglas Huffer – Mechanic Team Leader – Highway – 16/11 to 16/12 – 6/19/14 – \$25.92/hour

6/17/2014

2. Thomas DeVaney – Senior Sign Maintenance Team Member – Highway – 14/13 to 14/14 – 6/4/14 – \$24.67/hour
3. Joshua Vesely – Road Maintenance Team Member – Highway – 12/4 to 12/5 – 6/14/14 – \$17.90/hour
4. James Wipf – Deputy Sheriff – Sheriff’s Office – 16/16 to 16/17 – 5/2/14 – \$29.32/hour
5. Jason Burns and Zachary Cegelske – Deputy Sheriffs – Sheriff’s Office – 16/6 to 16/7 – 4/13/14 – \$22.91/hour
6. Craig Boetel and Willilam Hoier – Correctional Officers – 24/7 Program – 13/9 to 13/10 – 5/27/14 – \$21.27/hour
7. Robbin Ketcham – Senior Records Technician – Register of Deeds – 12/8 to 12/9 – 6/22/14 – \$19.75/hour

Special Personnel Action Request

MOTION by Kelly, seconded by Pekas, to approve a salary increase for Carol Muller, Human Services Director, 24/11 to 24/12, \$3,569.60/bi-weekly, effective 7/1/14. 4 ayes.

ABATEMENTS

MOTION by Kelly, seconded by Beninga, to approve the following abatement of 2013 Property Taxes representing Veterans Exemptions: RDID #26532, \$1,532.38; RDID #37680, \$1,560.97; RDID #39522, \$780.00; RDID #39850, \$57.78; RDID #41072, \$1,372.30; RDID #55408, \$1,560.97; RDID #57534, \$786.90; RDID #61439, \$778.35; RDID #63110, \$650.05; RDID #69044, \$1,560.97; RDID #69924, \$1,308.73. 4 ayes.

MOTION by Beninga, seconded by Pekas, to approve the following abatement of 2013 Property Taxes representing tax exempt property: Phillip’s Home, RDID #32705, \$1,227.29; TLC Community Development, RDID 25487, \$2,265.02; Downtown Good Sam Housing, RDID #27664, \$4,610.78; South Dakota Achieve, RDID #77671, \$10,697.54. 4 ayes.

NOTICES

Notice was received from East Dakota Water Development of a meeting at 9:00 a.m., June 19, 2014, EDWDD Office, 132 B Airport Avenue, Brookings, SD.

LIEN COMPROMISE (deferred from 6/10/2014)

Commissioner Pekas gave a briefing on a request for compromise of lien that was deferred from the June 10, 2014 commission meeting so a complete copy of the applicant’s tax return could be obtained. Andrew S. Wilka, Attorney with Wilka & Welter, LLP, submitted a request for compromise of lien on behalf of their client for DPNO 1101 in the amount of \$6,707.29. The lien is for public defender services and human services assistance between 1983 and 2008. The applicant has been offered a \$10,000 settlement from a motor vehicle accident. The settlement amount is approximately \$4,100 short of covering all expenses and debts related to the accident. The applicant receives \$7,212.00 in annual disability benefits and his wife has an annual income of \$23,000. Recently submitted 2013 tax return documents show the applicant and his wife received an income tax return in the amount of \$9,826. The applicant lists total assets of \$360 and liabilities of approximately \$4,000. He is requesting a compromise and release of the lien in full upon payment of \$1,000 or a release of the lien as it pertains to the insurance settlement upon payment of \$1,000 leaving the balance of the lien in place against the applicant. MOTION by Pekas, seconded by Beninga to approve Resolution MC14-29. 4 ayes.

6/17/2014

RESOLUTION MC14-30

WHEREAS, a County Aid Lien in the amount of \$6,707.29 purports to exist in favor of Minnehaha County and against DPNO 1101 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 only as it applies to the proceeds of a personal injury claim from Progressive Insurance, upon payment of \$1,000, leaving the balance of the lien in the amount of \$5,707.29 in the name of the applicant.

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

Dated at Sioux Falls, South Dakota, this 17th day of June, 2014.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chairman

ATTEST:

Cynthia Jepsen
Deputy County Auditor

PUBLIC COMMENT

Pam Nelson, Treasurer, reported that the state computer system was down for four hours yesterday, June 16, 2014, and also stated one of her employees was stranded in her car last night because of road closures due to flooding from the heavy rains. Ms. Nelson stated she thinks there needs to be a better way of letting employees know if they should go home early or if they should stay and not go home during severe weather situations.

Lynn DeYoung, Emergency Management Director, Mike Milstead, Sheriff, D.J. Buthe, Highway Superintendent, and Darin Ketcham, Metro Communications Director, gave updates and commented on issues associated with the April 16, 2014 severe weather.

Robert Wilson, Assistant Commission Administrative Officer, commented on current county policy regarding severe weather and stated if there is something more that could be done, they would be happy to have that conversation.

AGREEMENTS

Lynn DeYoung, Emergency Management Director, gave a briefing on the State and Local Agreement with the State of South Dakota to be used to support salary and administrative expenses within the Minnehaha County Emergency Management Office. This is a 50% reimbursement grant and requires a 50% match from the county. This year's grant amount is \$227,360.22. In past years the grant amount has been greater than what is needed to support salary and administrative expenses within the county. Mr. DeYoung stated he will develop a list of special projects that may be funded with the remaining amount. MOTION by Pekas, seconded by Beninga, to authorize the Chairman and Emergency Management Director to sign the 2014 Emergency Management State and

6/17/2014

Local Agreement Addendum between the State of South Dakota and Minnehaha County in the amount of \$227,360.22. 4 ayes.

HEARING

Scott Anderson, Planning & Zoning Director, was present for the public hearing and gave a briefing on an appeal filed by Robert Schulte of a decision by the Planning Commission to approve Conditional Use Permit (CUP) #14-22 (with eight conditions) issued to Mark Schoenfelder to allow mini-storage units on the property legally described as Lot 1, Block 3 of Brower's 2nd Addition, SW ¼ of Section 27-T102N-R51W. Mr. Schulte is appealing the decision to approve CUP #14-22 due to concerns about the condition of the road and drainage issues. Mark Schoenfelder, 26138 463rd Ave., Hartford, SD, was present and stated landowners need to do their part to keep culverts and ditches clean to allow water to drain properly and also keep their property graded properly. Mr. Schoenfelder showed pictures of water standing in front of Mr. Schulte's property and of a culvert on the property that appears to not be draining properly. Mr. Schoenfelder stated that the road district is not doing anything to improve the road conditions in the development. Kersten Kappmeyer, Chief Civil Deputy State's Attorney, stated road districts are entities that are formed whose limited purpose is building and maintain roads. Mr. Kappmeyer also stated that the county cannot forcibly tax people in road districts. No one spoke in opposition to the approval of the CUP. MOTION by Beninga, seconded by Pekas, to deny the appeal and approve CUP #14-22 with the 8 conditions. Mr. Schoenfelder stated that he applied for the CUP in the first week in April and requested more time to comply with condition #6 that requires hard surface parking. SUBSTITUTE MOTION by Beninga, seconded by Pekas, to deny the appeal and approve CUP #14-22 and the 8 conditions with a change to the deadline date for condition #6 to November 1, 2015. 4 ayes.

APPOINTMENT

Robert Wilson, Assistant Commission Administrative Officer, reported that the Multi-Cultural Center is offering a Commissioner to serve on their Board of Directors for a three year term. They hope to fill the position as soon as possible. Commissioners discussed the possibility of appointing someone to serve the remainder of 2014 and then make an annual appointment in January of each year when the other appointments are made.

AGREEMENT

Kersten Kappmeyer, Chief Civil Deputy State's Attorney, presented an agreement between Minnehaha County and Luke Yellow Robe to provide the Qualified Expert Witness service effective June 1, 2014 thru May 31, 2015. The Indian Child Welfare Act requires an expert witness in cases where placement of Native American Children in non-Indian homes is possible. The State of South Dakota contracts with Minnehaha County for this service and the amount paid to Mr. Yellow Robe matches the amount paid to the County by the State. Under the terms of the current agreement Luke Yellow Robe will be paid the sum of \$102,144 for the one-year term payable in four quarterly installments, with the first payment due upon funds being received by the county from the State of South Dakota. This is a 3.3% increase over the prior year. MOTION by Pekas, seconded by Beninga, to authorize the Chairman to sign the agreement with Luke Yellow Robe for Qualified Expert Witness Service. 4 ayes.

Robert Wilson, Assistant Commission Administrative Officer, gave a briefing on an agreement between Minnehaha County and Avera McKennan Hospital & University Health Center for court-ordered psychological evaluations of indigent defendants in criminal proceedings. These evaluations have been performed at the Human Services Center (HSC) in Yankton at a cost of \$600 per evaluation. The HSC will perform three evaluations per month for each county in the state. This is not sufficient for the volume of activity in Minnehaha County and currently there is a back log of scheduled evaluations resulting in a delay in court proceedings. In order to obtain evaluations on a timely basis, staff has negotiated a contract with Avera McKennan Hospital & University Health Center to perform these evaluations. Under the terms of the agreement Dr. Melissa Spangaard will provide forensic psychiatric services to the county on an as needed basis. Minnehaha County will pay \$250 per hour for all services rendered by Dr. Spangaard. Kersten Kappmeyer, Chief Civil Deputy States Attorney, stated that

6/17/2014

because of the back log at the HSC people spend more time in pre-sentence detention at the County Jail prior to being housed in the State Penitentiary. MOTION by Beninga, seconded by Pekas, to authorize the Chairman to sign the Services Agreement for psychological evaluations between Minnehaha County and Avera McKennan Hospital & University Health Center. 4 ayes.

LIAISON REPORTS

Commissioner Pekas reported that Scott Peters, Liaison for Mental Illness, is looking at moving into a semi-retirement phase, and Judge Long has appointment Jim Iosty who will be working with Mr. Peters in the interim.

NEW BUSINESS

Scott Anderson, Planning and Zoning Director introduced Kevin Hoekman who has been hired as a new Planner.

OLD BUSINESS

Robert Wilson, Assistant Commission Administrative Officer, gave an update on the U.S. Environmental Protection Agency (EPA) and U.S. Army Corps of Engineers (Army Corps) proposed rule to clarify protection under the Clean Water Act which would establish new definitions for streams and wetlands that form on the foundation of the nation's water resources. Mr. Wilson reported that the Commission Office has been in contact with the National Association of County Officials (NACO) and the State Association regarding this matter and they will keep Minnehaha County informed as there are further discussions. This afternoon at 2:00 p.m. there will be a conference call with NACO and EPA representatives to discuss issues that are currently in play regarding the new definitions. Mr. Wilson stated he will have an update on the conference call next week.

MOTION by Pekas, seconded by Beninga, to go into executive session for contract negotiations and personnel. 4 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, June 24, 2014.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chairman

ATTEST:

Cynthia Jepsen
Deputy Auditor