

8/05/2014

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. August 5, 2014 pursuant to adjournment on July 29, 2014. Commissioners present were: Barth, Beninga, Heiberger, Kelly, and Pekas. 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 Pekas, to approve the agenda. 5 ayes.

MOTION by Pekas, seconded by Barth, to approve the July 29, 2014 Commission Minutes. 5 ayes.

#### VOUCHERS TO BE PAID

MOTION by Barth, seconded by Pekas, to approve the following bills in the amount of \$592,291.16. 5 ayes.

A-1 Septic Tank & Ex	Bldg/Yard Rep	172.50	Action Electric Co.	Road Maint. &	183.61
Airway Service Inc	Automotive/Sm	90.33	Airway Service Inc	Gas,Oil,Diese	40.55
Allied Oil & Tire Co	Automotive/Sm	97.36	Allied Oil & Tire Co	Truck Repair/	4,262.32
Amer Assn State Hwy/	Education & T	225.00	Anderson-Crane Rubbe	Communication	95.20
Armor Correctional H	Contr Serv	224,200.88	At & T	Safety & Resc	39.99
Automatic Building C	Coliseum Repa	321.00	Automatic Building C	HHS Maintenanc	201.00
Automatic Building C	Jail Repairs	487.56	Automatic Building C	Outside Repai	271.00
Avera Health Informa	Medical Recor	18.60	Avera McKennan Hospi	Blood Withdra	210.00
Avera McKennan Hospi	Hospitals	8,211.75	Bendorf Law Firm Pro	Child Defense	126.00
BI Inc	Program Suppl	6,039.00	Bierschbach Equipmen	Bridge Repair	554.00
Boyer Trucks Sioux F	Truck Repair/	19.33	Brown & Saenger	Furniture & O	737.36
Butler Machinery Com	Automotive/Sm	2,336.78	C & R Supply Inc	Automotive/Sm	62.36
Campbell Supply Co I	Bridge Repair	786.94	Carlson, Lisa	Court Reporte	13.60
Cartridge World	Data Processi	1,489.32	Cartridge World	Office Suppli	901.96
Cbm Managed Services	Board Of Pris	10,076.16	Century Business Pro	Maintenance C	428.27
Centurylink (Qwest)	Telephone	110.86	Chasing Willows Ltd	Welfare Rent	250.00
Christopherson, Ande	Attorney Fees	436.80	Church, Grace	Welfare Rent	450.00
Civic Research Insti	Subscriptions	179.95	Cody, Denise	Bd Exp. Fees	138.00
Cody, Denise	Dev Disabili	15.00	Cole Papers, Inc.	Heavy Eq. Rep	17.50
Cole Papers, Inc.	HHS Custodial	658.14	Columbia Dam Llc	Welfare Rent	600.00
Concrete Materials	Bridge Repair	1,437.00	Concrete Materials	Road Maint & 102,	340.54
Constellation New En	Natural Gas	1,919.18	Construction Product	Bridge Repair	545.13
Dakota Fluid Power,	Truck Repair/	132.72	Dakota Security Syst	Building Repa	880.90
Danko Emergency Equi	Other Miscell	1,087.75	Dash Medical Gloves	Other Supplie	233.40
Davis Equipment Corp	Motor/Machine	13.60	Deaver, Carey Jo	Business Trav	31.08
Decisionone Corporat	Maintenance C	168.52	Dell Rapids Ambulanc	Ambulance	240.91
Diesel Machinery Inc	Equip. (Lease	57.96	Duffert, Alvin	Welfare Rent	500.00
Ebert's Properties,	Co. Welfare -	440.00	EH Hospitality Llc	Motels	350.00
Ekeren, Marvin R.	Bd Exp. Fees	37.50	Electric Innovations	Outside Repai	1,114.68
EPSV Investments Llc	Welfare Rent	565.00	Etek Llc Dba Garfiel	Welfare Rent	425.00
Executive Functions	Education & T	150.00	Fastenal Company	Truck Repair/	20.23
Fenwick, Glen	Welfare Rent	300.00	Finberg Family Llc	Welfare Rent	440.00
Fleetpride / Holt, I	Truck Repair/	117.28	Fluth, Rodney P	Welfare Rent	500.00
Fox, Youngberg & Lew	Attorney Fees	906.60	Fremont Industries,	Heat,Vent & A	1,615.24
Garretson Community	Transportatio	374.40	Genzlinger, Janeen	Court Reporte	78.20
Goebel Printing, Inc	Printing/Form	40.00	Gourley Properties I	Welfare Rent	545.00
Graybar Electric Com	Electrical Re	88.20	Guzman, Sandra V.	Interpreters	50.00
HAI Inc Dba	Motels	229.00	Harmon, Karla	Bd Evaluation	382.50
Harold's Photo Cente	Program Activ	3.99	HDR Engineering Inc	Architects &	3,362.14
Heritage Apartments	Welfare Rent	423.00	Heritage Funeral Hom	Burials	2,250.00
Horn, Garrett	Attorney Fees	206.10	Humphreys, Robert/Ca	Welfare Rent	700.00
Hurtgen, Timothy T/P	Welfare Rent	2,000.00	Hybertson, Greg	Welfare Rent	740.00
I State Truck Center	Parts Invento	122.61	Institutions Service	Jail Repairs	578.53
Interstate Office Pr	Office Suppli	236.50	Interstate Office Pr	Publishing Fe	29.97
Iret Properties	Welfare Rent	600.00	ISI Llc	Interpreters	620.00
James, Carole	Business Trav	167.24	JCL Solutions-Janito	Janitorial/Ch	545.72
Jefferson Partners L	Transportatio	3,174.05	Johnson, Delbert L.	Welfare Rent	550.00
Johnson, Richard L	Attorney Fees	348.00	Johnson, Richard L	Child Defense	2,540.00

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Johnstone Supply	Heat,Vent & A	3,878.96	Johnstone Supply	Small Tools,	39.99
Kahler, Monte	Welfare Rent	275.00	Kelly & Assoc Insur	Cobra Insuran	310.75
Khoroosi, Sam	Attorney Fees	478.50	Kittelton, Joan M	Bd Exp. Fees	39.00
Knoff, Dave	Attorney Fees	166.50	Knology Inc Db	Telephone	61.04
L.G. Everist Inc	Bridge Repair	850.73	Lacey Rentals Inc	Lease-Rental	100.00
Larson, Jeff	Attorney Fees	1,252.80	Lathrop, Timothy A	Welfare Rent	550.00
Lewno, Lucy	Bd Exp. Fees	1,437.89	Lewno, Lucy	Dev Disabili	161.93
Locators & Supplies,	Parts Invento	46.50	Lose, Jeffrey R Db	Contract Serv	689.55
Luk, Anna - Luk In	Welfare Rent	600.00	Lutheran Social Svcs	Other Profess	4,177.88
Malloy Electric Bear	Heat,Vent & A	217.34	Malloy Electric Bear	HHS Maintenan	215.20
Master Blaster Inc	Automotive/Sm	91.60	Meierhenry Sargent L	Attorney Fees	630.75
Menards - East	Building Repa	7.40	Menards - East	Plumbing & We	94.64
MidAmerican Energy C	Natural Gas	2,728.79	Midwest Alarm Compan	Security Alar	80.00
Midwest Residential	Welfare Rent	700.00	Mikelson, Gary E	Attorney Fees	112.50
Mishra, Thakur	Interpreters	75.00	Multi-Cultural Cente	Interpreters	976.25
Narem, Inc	Automotive/Sm	34.24	Narem, Inc	Parts Invento	-88.99
Narem, Inc	Small Tools,	34.90	Narem, Inc	Truck Repair/	40.46
Nat'l Student Housin	Welfare Rent	450.00	Nehlich, Sara	Other Misc. R	150.00
Nicholson, Tschetter	Attorney Fees	368.24	Nies Properties Llc	Welfare Rent	325.00
Northeast Investment	Welfare Rent	1,350.00	Nyberg's Ace Hardwar	Correction Ct	3.99
Nyberg's Ace Hardwar	VOA - Dakotas	11.99	Oconnor Company	HHS Maintenan	97.64
Office Depot, Inc.	Office Suppli	60.53	Osborn, Roxane R	Court Reporte	1,671.50
Overhead Door Compan	Jail Repairs	152.96	Pecaut, Jon Db	Welfare Rent	1,175.00
Petersen, Miranda	Business Trav	118.03	Pheasantland Industr	Printing/Form	258.57
Pollard & Larson Llp	Attorney Fees	45.00	Presto-X-Company	Outside Repai	134.55
Price, Richard	Welfare Rent	475.00	Raak Properties Llc	Welfare Rent	600.00
RDO Equipment Co.	Automotive/Sm	97.74	RDO Equipment Co.	Heavy Eq. Rep	442.60
RDO Equipment Co.	Parts Invento	151.38	Reaves, Jason	Business Trav	47.00
Refinish Supply Cent	Bridge Repair	101.68	Roberts, Yvonne	Welfare Rent	460.00
Rods Properties	Welfare Rent	1,400.00	Ronning Commercial,	Welfare Rent	575.00
Safe Home Ltd Ptnrsh	Rent Subsidie	9,309.91	Sanford Clinic Finan	Other Miscell	58.00
Sanford Home Medical	Medical Equip	150.00	Sanford Hospital	Welfare Rent	425.00
Sanford Hospital - R	Welfare Rent	430.00	Sanford Hospital Med	Medical Recor	130.00
Sayre Associates Inc	Building Repa	152.24	Schaefer, Dean	Court Reporte	651.00
Schaefer, Dean	Dev Disabili	30.00	Schultz, Shannon	Education & T	47.00
SD Attorney General	Amts Held-Dai	6,378.00	SD Dept Of Public Sa	Other Miscell	20.00
SD Dept Of Revenue	Blood/Chemica	335.00	Sechser, Jenna - Crt	Court Reporte	152.00
Sentinel Offenders S	Alternatives	2,905.92	Servall Towel & Line	Janitorial/Ch	16.45
Servall Towel & Line	Program Activ	50.73	SF Ambulance--Rural/	Transportatio	900.00
SF Leased Housing As	Welfare Rent	783.00	SF Leased Hsg Author	Welfare Rent	990.00
Sherwin Williams	Building Repa	103.73	Shi International Co	Data Processi	241.56
Siegel, Barnett, & S	Child Defense	500.00	Sioux Falls City Fin	Gas,Oil,Diese	21,420.69
Sioux Falls City Fin	HIDTA Grant	347.78	Sioux Falls Utilitie	Electricity	325.99
Sioux Falls Utilitie	Water - Sewer	533.20	Sioux Falls Utilitie	Welfare Utili	343.32
Sioux Valley Energy	Electricity	257.16	Sioux Valley Energy	Road Maint. &	126.55
Sioux Valley Energy	Tea-Ellis Ran	69.13	Solomon, Ghirmay	Interpreters	75.00
Southeastern Behavio	Other Profess	1,750.00	Strum, Steve A	Welfare Rent	475.00
Swanda, Karen	Bd Exp. Fees	139.50	Swanda, Karen	Dev Disabili	15.00
Szameit, Alexandra	Interpreters	291.66	Taylor Place Llc	Welfare Rent	1,000.00
TCP Properties, Inc.	Welfare Rent	950.00	Thomson Reuters - We	Books	111.00
Thorin, Deyanira T	Interpreters	169.99	Timmer, Reed/Kelli	Welfare Rent	425.00
Tires,Tires,Tires In	Automotive/Sm	859.39	Tires,Tires,Tires In	Gas,Oil,Diese	123.96
Titan Energy Systems	Electrical Re	895.00	Tractor Supply Co.	Maintenance C	50.95
Trane	Coliseum Repa	503.76	Trane	Heat,Vent & A	799.68
Turning Leaf Llc	Welfare Rent	1,520.00	Ultramax	Ammunition	4,140.00
Variety Foods Llc	Other Profess	677.17	Verizon Wireless	Data Processi	1,088.63
Verizon Wireless	HIDTA Grant	93.56	Verizon Wireless	Safety & Resc	123.50
Verizon Wireless	Telephone	4,537.27	Volunteers Of Americ	DMC-JJDP	4,084.96
Volunteers Of Americ	Other Profess	3,350.00	Wal-Mart Pharmacy	Pharmacies	878.27
Weerheim, Tom	Attorney Fees	513.30	Weiland & Assoc Inc	Jury Fees	241.79
Westwick Motel, Inc.	Motels	215.00	Williams, Bill	Welfare Rent	665.00
Xcel Energy, Inc.	Electricity	71,530.58	Xcel Energy, Inc.	Welfare Rent	246.89
Xcel Energy, Inc.	Welfare Utili	1,926.87	Yankton County Sheri	Dentists	25.00
Yankton County Sheri	Return Of Ser	150.00	Yankton County Treas	Attorney Fees	1,913.50
Yogi Holdings Inc	Motels	350.00	Zimmer, Duncan & Col	Attorney Fees	2,299.77

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PERSONNEL

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

1. To accept the resignation of Steven Mahlstedt as Corporal for the Jail effective 8/3/14.
2. To accept the resignation of Patrick Bumann as Correctional Officer in Training for the Jail effective 8/10/14.
3. To promote Nathan Obeslo from Correctional Officer to Corporal (16/1) for the Jail at \$19.75/hour effective 8/2/14.
4. To promote Timothy Ruhland from Correctional Officer to Corporal (16/1) for the Jail at \$19.75/hour effective 8/2/14.
5. To promote Tracie Lohrman from Correctional Officer to Corporal (16/6) for the Jail at \$22.35/hour effective 8/2/14.
6. To promote Ashley Miles from Deputy Public Defender to Senior Deputy Public Defender (22/1) for the Public Defender's Office at \$2,232.80/bi-weekly effective 8/6/14.

Step Increases Due

1. Andrew Berg and Nicholas Rebnord – Correctional Officer – Jail – 13/1 to 13/2 – 7/21/14 – \$17.46/hour
2. Joseph Bosman – Deputy Sheriff – Sheriff's Office – 16/10 to 16/11 – 6/20/14 – \$25.29/hour
3. Christine Slaight – Corrections System Operator – Jail – 9/13 to 9/14 – 4/26/14 – \$19.27/hour
4. Julie Amdahl – Administrative Clerk – Human Services – 9/4 to 9/5 – 7/21/14 – \$15.43/hour
5. Deborah O'Donnell – Administrative Clerk – Human Services – 9/7 to 9/8 – 7/6/14 – \$16.62/hour
6. Cynthia Jepsen – Commission Recorder – Auditor – 14/6 to 14/7 – 8/9/14 – \$20.75/hour

Special Personnel Actions

1. To recognize the following significant employee anniversaries for August 2014: 5 years – Kenneth Jacobs, Angie Martell, Corey Heise, Michael Markstrom, Timothy Gustafson, Michael Walker, Patricia Neavill; 10 years – Douglas Blomker, Heidi Jerke, Korey Dosch; 15 years Marie Fox; 35 years – Daniel Grapevine, Susan Hopkins; 40 years – Mona Helseth.
2. To record volunteers in County Departments for July 2014. The list is on file at Human Resources.

MOTION by Pekas, seconded by Barth, to approve conversion of a vacant Senior Custodian position to a Building Maintenance Technician position and approve immediate recruitment. 5 ayes.

ABATEMENT

MOTION by Pekas, seconded by Kelly, to approve abatement of 2013 property tax for RDID 18034, \$1,043.43, representing the Elderly Assessment Freeze. 5 ayes.

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## PLANNING &amp; ZONING NOTICES

Scott Anderson, Planning & Zoning Director, gave the first reading of a proposed amendment to MC16-90, the 1990 Revised Zoning Ordinance for Minnehaha County to rezone from the A-1 Agricultural District to C Commercial District and R1 Residential for property legally described as Tract 1 Miller's Addition, SW ¼ Section 10, T102N-R49W of the 5<sup>th</sup> P.M. Minnehaha County. The Planning Commission recommends approval of rezoning the entire parcel to R-1 Residential. MOTION by Pekas, seconded by Barth, to authorize the County Auditor to publish Notice of Hearing on 8/26/2014. 5 ayes.

Scott Anderson, Planning & Zoning Director, gave the first reading of a proposed amendment to MC16-90, the 1990 Revised Zoning Ordinance for Minnehaha County to rezone from RC Recreation/Conservation District to C Commercial District for future development at Renner Corner. The property is legally described as Lot 1, Block 3 (Ex S. 25' W 25'') of Berry's Subdivision, Lots 2 & 3, Block 3 of Berry's Subdivision and Lot 4, Block 3 (Except H-1) and The S 430', N 863' E 476' (Except H-2) all in the NE ¼ NE ¼ of Section 16, T102N, R49W, Minnehaha County, South Dakota. The Planning Commission recommends approval of the rezoning. MOTION by Pekas, seconded by Kelly, to authorize the County Auditor to publish Notice of Hearing on 8/26/2014. 5 ayes.

Scott Anderson, Planning & Zoning Director, gave the first reading on proposed text amendments to Article 19.05 of the 1990 Revised Zoning Ordinance for Minnehaha County. The proposed amendments would adopt criteria which the Planning Commission would use when considering a conditional use permit request. The Planning Commission recommends approval of the text amendments. MOTION by Beninga, seconded by Barth, to authorize the County Auditor to publish Notice of Hearing on 8/26/2014. 5 ayes.

David Heinold, Planner I, gave a briefing on a petition to vacate a private right-of-way described as the Remaining Portion of South Prince of Peace Place beginning at East 52<sup>nd</sup> Street lying adjacent to Block 1 and Lot 12A, Block 2 Prince of Peace Addition to the City of Sioux Falls and extending to the edge of Lot 12A, Block 2; all in Section 35-T101N-R49W. MOTION by Kelly, seconded by Barth, to authorize the County Auditor to publish Notice of Hearing on 9/2/2014. 5 ayes.

## LIEN COMPROMISE

Commissioner Pekas gave a briefing on a petition for compromise of lien for DPNO 78123. The applicant is attempting to sell her home at 804 S. Conklin Avenue, Sioux Falls, in an attempt to move into a cheaper housing arrangement. During a title search a county aid lien in the amount of \$11,046.99 was noted against the applicant and her property. The lien is for medical poor relief services. The applicant has made regular payments on the lien totaling \$1,650. The applicant's 2013 tax return shows an annual income of \$16,227. She lists assets of \$133,242 consisting primarily of the value of her home and liabilities of \$125,049 consisting primarily of the outstanding mortgage on her home, the county aid lien, and a Sioux Falls Community Development loan of \$11,979 that must be paid upon the sale of her home. The applicant is asking for a compromise and release of the lien in full with no further payments. Commissioner Pekas stated the applicant could consider filing for Chapter 13 bankruptcy. Commissioner Kelly stated the applicant could ask Sioux Falls Community Development for forgiveness on that loan. MOTION by Kelly, seconded by Pekas, to approve Resolution MC14-45. 5 ayes.

## RESOLUTION MC14-45

WHEREAS, a County Aid Lien in the amount of \$11,046.99 purports to exist in favor of Minnehaha County and against DPNO 78123 as Lienee, and

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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 the lien in the amount of \$5,000 with no payment leaving a lien balance of \$6,046.99.

Dated at Sioux Falls, South Dakota, this 5<sup>th</sup> day of August, 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 70110 and DPNO 45358. The applicants are attempting to purchase a home at 904 W. 6<sup>th</sup> Street, Sioux Falls. The closing is scheduled for August 14, 2014. During a title search the two county aid liens were noted. DPNO 70110 is in the name of both applicants. The lien is for poor relief services and has a present balance of \$1,265.36. DPNO 45358 in the amount of \$1,739.04 is in the name of the husband only. This lien is for Public Defender and Court Appointed Attorney services. Only \$172.30 of this lien is owed to Minnehaha County. The remaining balance is associated with a lien from Clay County. The total amount of the Minnehaha County liens is \$1,437.66. The wife is employed and lists an annual income of \$31,543 on their 2013 income tax return. The husband provides daycare for the couples minor children. They list assets of \$22,710 consisting mostly of their vehicle, and liabilities of \$19,546 consisting of their vehicle loan and credit card debt. They are requesting a compromise and release of the Minnehaha County portion of the liens with no payment. MOTION by Pekas to approve a compromise and release of the liens with no payment. Motion dies for lack of a second. MOTION by Barth, seconded by Pekas, to approve Resolution MC14-46. SUBSTITUTE MOTION by Kelly to approve a compromise and release of the liens upon payment of \$500.00. Motion dies for lack of a second. VOTE on main motion. 4 ayes, Kelly voted nay. Motion carries.

#### RESOLUTION MC14-46

WHEREAS, a County Aid Lien in the amount of \$1,265.36 purports to exist in favor of Minnehaha County and against DPNO 70110 as Lienee, a and County Aid Lien in the amount of \$172.30 purports to exist in favor of Minnehaha County and against DPNO 45358 as Lienee,

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 against DPNO 70110 in full with no payment.

Compromise and release the lien against DPNO 45358 in the amount of \$172.30 for the balance owing Minnehaha County with no payment.

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Dated at Sioux Falls, South Dakota, this 5<sup>th</sup> day of August, 2014.

APPROVED BY THE COMMISSION:

Cindy Heiberger

Chairman

ATTEST:

Cynthia Jepsen

Deputy County Auditor

CONTRACT

DJ Buthe, Highway Superintendent, reported that LaMesa Avenue is in need of re-grading as a result of the June flooding. The Highway Department has received two informal quotes from Black-Top Paving Company in the amount \$34,500.00 and First Rate Excavating Inc. in the amount of \$44,716.00. Both of the quotes are under the public improvement threshold of \$50,000 for formally advertising for bids (SDCL 5-18A-14). Mr. Buthe recommended the Commission approve the contract with Black-Top Paving Company. The cost of the project is expected to be 100% reimbursed by the FHWA ER Program that is being administered by the South Dakota Department of Transportation. The project is expected to be completed prior to the start of school, weather permitting. MOTION by Barth, seconded by Pekas, to authorize the Chairman to sign the contract with Black-Top Paving Company in the amount of \$34,500.00. 5 ayes.

SPEED STUDY

Scott Anderson, Planning & Zoning Director, reported that the Planning Commission is recommending that Planning staff request that the South Dakota Department of Transportation (SD DOT) conduct a speed limit and traffic speed study on a section of SD Highway 115. The requested area is a 2 mile segment running 1 mile north and 1 mile south of the Renner Corner. MOTION by Pekas, seconded by Barth, to authorize Planning staff to contact the SD DOT to conduct the traffic study on SD Highway 115. 5 ayes.

TAX DEED

Robert Litz, Auditor, requested approval of a resolution to restore Tax Deed #2483, RDID #14174 to the heirs of the former owner of record. All taxes, assessments, interest, and costs owing on the tax deed have been paid. MOTION by Pekas, seconded by Barth, to approve Resolution MC14-47. 5 ayes.

RESOLUTION MC14-47

WHEREAS, Minnehaha County holds under Tax Deed proceedings Tax Deed #2483, Record ID #14174, covering property described as Lot 2, Except the West 57 Feet Thereof, and all of Lot 3 of Nesson's Subdivision of Tract 1 of County Auditor's Plat of Tracts 1 and 2 of the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) of Section 4, Township 102 North, Range 49 West of the 5<sup>th</sup> P.M., Minnehaha County, South Dakota, according to the recorded plat thereof.

WHEREAS, James Heezen, 47435 257<sup>th</sup> St., Renner, SD 57055 is the prior record owner of above described property and is deceased, and

WHEREAS, SDCL 10-25-41 provides for the restoration of title to said record owner or his assignees or successors upon payment of all taxes, interest and cost represented in the Tax Deed: and

WHEREAS, Citifinancial 6400 Las Colinas Blvd., Irving, TX 75039 has deposited \$9,286.27 with the Minnehaha County Treasurer, this amount representing all the taxes, assessments, interest, and costs owing on said Tax Deed: now therefore, be it

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RESOLVED, by Minnehaha County Commission, that the property be restored to The Heirs and Devisees of James Heezen, and that the Minnehaha County Treasurer is hereby authorized to issue a quit claim deed thereto.

Dated at Sioux Falls, South Dakota on this 5<sup>th</sup> day of August, 2014.

Approved by the Commission:

Cindy Heiberger

Chairman

ATTEST:

Cynthia Jepsen

Deputy Auditor

#### CONTRACT

Robert Litz, Auditor, gave a briefing on a sales order agreement with Election Systems & Software for the purchase of two Model DS850 ballot scanners in the amount of \$217,625.00. Included in this amount is the cost of the equipment, installation, training, first election on-site support, and shipping fees. Also reflected in the sales order agreement is a \$15,000 trade-in allowance on two (2) model 650 ballot scanners. This purchase will be covered by Help America Vote Act funds which are administered by the South Dakota Secretary of State's Office. Kersten Kappmeyer requested deferral of this item to allow time to review bid laws as they apply to the purchase of software/hardware equipment. Monte Watembach, Information Technology Director, stated the technology aspect of the current 650 ballot scanners is very old and they are not able to be updated. MOTION by Kelly, seconded by Pekas, to defer this item for one week. 5 ayes.

#### BUDGET

Keith Wynia, Air Guard Division Supervisor, requested permission to use \$25,000 to \$35,000 of anticipated surplus in Personnel Services to be spent on Education/Training, ASN 16460 and Clothing/Equipment, ASN 16464. MOTION by Pekas, seconded by Beninga, to authorize the use of \$25,000 to \$35,000 surplus Personnel Services for Education/Training, ASN 16460 and Clothing/Equipment, ASN 16464. 5 ayes.

#### SUPPLEMENT

On the request of Carol Muller, Human Service Director, MOTION by Barth, seconded by Beninga, to supplement \$16,828.88 from the Emergency Food & Shelter Program (EFSP) Fund to the EFSP Budget ASN 21137, representing the second half of the 2014 EFSP allocation. 5 ayes.

#### LIAISON REPORTS

Commissioner Beninga reported that interviews were conducted on August 4<sup>th</sup> with the top four architect firms submitting proposals in response to a Request for Proposals for Minnehaha County Jail Expansion Needs. They will be moving forward in the selection process in the near future.

#### OLD BUSINESS

Commissioner Barth and Heiberger encouraged people to attend the 75<sup>th</sup> Annual Sioux Empire Fair.

MOTION by Beninga, seconded by Pekas, to go into executive session for contract negotiations, pending litigation, and legal briefing. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, August 12, 2014.

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APPROVED BY THE COMMISSION:

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
Deputy Auditor