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THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. January 6, 2015, pursuant to adjournment on December 30, 2014. Commissioners present were: Barth, Beninga, Heiberger, and Kelly. Also present were Cindy Jepsen, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

Judge John Pekas administered the Oath of Office to Register of Deeds Julie Risty, Sheriff Mike Milstead, and Commissioners Heiberger, Beninga, and Barth.

MOTION by Beninga, seconded by Kelly to amend the agenda by moving item #18 to item #1. 4 ayes.

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

#### PROCLAMATION

Commissioner Kelly read a proclamation recognizing and thanking the Minnehaha County Sheriff's Department, Minnehaha County Jail, Sioux Falls Police Department, and the South Dakota Highway Patrol for serving Minnehaha County. MOTION by Kelly, seconded by Beninga, to authorize the Minnehaha County Commission to issue the proclamation. 4 ayes.

#### ELECTION OF 2015 CHAIRPERSON AND VICE-CHAIRPERSON

Chairperson Heiberger called for nominations for the 2015 Commission Chairperson. MOTION by Beninga, seconded by Barth, to nominate Cindy Heiberger as Commission Chairperson for 2015. Commissioner Kelly stated he would not support Heiberger serving a consecutive term, as it has been tradition for the position to rotate among members of the majority party each year. VOTE on motion, 3 ayes, Kelly voted nay.

Chairperson Heiberger called for nominations for Commission Vice-Chairperson. MOTION by Barth, seconded by Kelly, to nominate Commissioner Beninga as Commission Vice-Chairperson for 2015. 4 ayes.

#### DESIGNATION OF OFFICIAL NEWSPAPERS

Ken McFarland, Commission Administrative Officer, reported on proposals received from the Argus Leader Media and Anderson Publications for designation as official county newspapers. The proposal from the Argus Leader Media included a rate for the Argus Leader of \$5.39 per inch, and for the Dell Rapids Tribune of \$.311 per line with a 10% discount for minutes. This is the same rate since 2004. They also offered a combo rate for publishing in both the Dell Rapids Tribune and Brandon Challenger of \$.555 per line if the Brandon Challenger is also designated as a legal publication. Anderson Publication's proposal requested designation of the Hartford Area News as an official county newspaper at a rate of \$.311 per line. This is the same rate as in 2014. In past years Anderson Publication also published in the Humboldt Journal and the Garretson Gazette at no additional charge. As of December 31, 2014, the Humboldt Journal will cease publication as a separate paper and will be joined with the Hartford area news. Their proposal also includes publishing of the Legals in the Garretson Weekly at no additional charge, resulting in a five community coverage area including Hartford, Humboldt, Garretson, Crooks, and Colton. MOTION by Beninga, seconded by Barth, to designate the Argus Leader, Dell Rapids Tribune, and the Hartford Area News as Minnehaha County's official newspapers for 2015. 4 ayes.

#### RECORD OF NON-ELECTED DEPARTMENT HEADS

Ken McFarland, Commission Administrative Officer, presented the following list of non-elected Department Heads, as of January 1, 2015.

Ken McFarland	Commission Office
Monte Watembach	Information Technology
DJ Buthe	Highway

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Jamie Gravett	Juvenile Court Center
Lloyd Olson	Facilities
Bill Hoskins	Museum
Carey Jo Deaver	Human Resources
Scott Anderson	Planning/Parks
Julie Hofer	Public Advocate
Traci Smith	Public Defender
Carol Muller	Human Services
Kyle Helseth	Equalization
Lynn DeYoung	Emergency Management

The following are listed as positions of public interest and are not department head positions:

Daren Ketcham	Metro Communications
Ralph Hammer	Weed & Pest
Patricia Kroupa	Veteran Service Officer
Charles Martinell	4-H Advisor

CORONER APPOINTMENT

MOTION by Kelly, seconded by Barth, to re-appoint Dr. Kenneth Snell as Coroner for a 1 year term beginning 1/1/15 to 12/31/15. 4 ayes.

COMMISSION SALARY

MOTION by Barth, seconded by Beninga, to approve a 1% salary increase for Commissioners in 2015. Commissioner Barth stated he believes it is more reasonable to make small increases every year or every other year rather than making a large increase after several years. VOTE on motion, 1 aye. Kelly, Heiberger, and Beninga voted nay. Motion fails.

MOTION by Beninga, seconded by Kelly, to elect salary, rather than the per diem method of payment to County Commissioners, and set the 2015 annual salary at \$26,000. 4 ayes.

ELECTION PAY

Robert Litz, Auditor, presented a resolution to set the 2015 pay schedule for election workers. MOTION by Beninga, seconded by Kelly, to approve Resolution MC15-01. 4 ayes.

RESOLUTION MC15-01

WHEREAS, it will be necessary to appoint election officials in 2015 and

WHEREAS, pursuant to SDCL 12-15-11, the fee paid to election officials shall be established annually by the board of county commissioners at its first regular meeting of the year; now, therefore, be it

Resolved by the Minnehaha County Board of Commissioners that for the year 2015, election officials shall be paid as follows:

Precinct Superintendent	\$140.00 per day
Precinct Deputy	\$125.00 per day

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General Election additional Compensation for Precinct Superintendent and Deputy	\$5.00 per day
Precinct – partial day	\$12.00 per hour
Absentee Precinct, Counting Center, and Precinct Assistants	\$10.50 per hour
Election school attendance	\$15.00 per session
Precinct set up prior to election	\$15.00 per session
Usage of Personal Cell phone at Precinct	\$10.00 flat rate

Dated this 6th day of January, 2015.

**APPROVED BY THE COMMISSION:**

Cindy Heiberger  
Chairperson

**ATTEST:**

Cynthia Jepsen  
Deputy Auditor

**MINUTES APPROVAL**

MOTION by Beninga, seconded by Barth, to approve the December 30, 2014, Commission Minutes. 4 ayes.

**VOUCHERS TO BE PAID**

MOTION by Barth, seconded by Beninga, to approve the following bills totaling \$1,295,587.47. 4 ayes.

A & B Business Equip	Lease-Rental	233.21	A & B Business Equip	Maintenance C	644.88
A To Z World Languag	Interpreters	150.00	Affordable Housing S	H.S. Donation	222.00
Affordable Housing S	Welfare Rent	700.00	Airway Service Inc	Automotive/Sm	341.49
Airway Service Inc	Gas,Oil,Diese	83.75	Alcohol Monitoring S	Alternatives	2,211.08
Anderson Publication	Publishing Fe	1,112.23	Arena Motel	Motels	1,277.72
Argus Leader - Adver	Publishing El	5,741.08	Argus Leader - Adver	Publishing Fe	7,828.66
Armor Correctional H	Contr Serv	182,465.72	Around The Clock Dra	Building Repa	174.20
At & T	Safety & Resc	40.60	Automatic Security C	Other Profess	900.00
Avera Health Informa	Clinics - Aux	17.40	Avera Health Informa	Medical Recor	15.00
Avera McKennan Hospi	Other Profess	2,433.43	Avera McKennan Hospi	Physicians	4,341.21
Avera Medical Group-	Physicians	155.54	Avera Radiology	Other Medical	10.00
Avera Radiology	Other Profess	78.22	Bailey, Jim	Welfare Rent	566.00
Beeners, Keith	Welfare Rent	600.00	Blackburn & Stevens,	Attorney Fees	504.42
Bob Barker Company,	Detox	534.08	Bourne, Anna	Bd Evaluation	765.00
Bradfield, Matt Db	Maintenance C	70.00	Brown & Saenger	Furniture & O	1,796.00
Brown & Saenger	Printing/Form	382.80	Builders Supply Comp	Bldg. & Outsi	490.00
Bureau Of Informatio	Data Communic	420.00	Bureau Of Informatio	Telephone	189.00
Byre, Elton W	Welfare Rent	1,200.00	CBM Managed Services	Board Of Pris	28,363.88
Century Business Pro	Lease-Rental	35.00	Centurylink (Qwest)	Data Communic	1,254.56
Centurylink (Qwest)	Detox	25.51	Centurylink (Qwest)	Telephone	2,432.08
Certified Languages	Attorney Fees	44.55	Chemco, Inc.	Bldg. & Outsi	418.46
Chemco, Inc.	Kitchen/Clean	2,028.42	Cheney Lake, Llc Db	Welfare Rent	1,200.00
Chicago Distribution	Store Invento	198.58	Climate Systems, Inc	Heat,Vent & A	154.00
Cody, Denise	Bd Exp. Fees	133.50	Counseling Resources	Attorney Fees	325.00

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Country Meadows Apts	Welfare Rent	600.00	County Wide Director	Books	156.00
Criterion Prop Mgmt	Welfare Rent	700.00	Dakota News Inc	Store Invento	73.90
Dakota Photographic	Program Activ	500.00	Decastro Law Office,	Attorney Fees	7,254.40
Decisionone Corporat	Maintenance C	168.52	Duffy, Ryan	Attorney Fees	1,962.60
Ebert's Properties,	Motels	940.00	EH Hospitality Llc	Motels	1,515.00
Enercon, Inc	Bldg/Yard Rep	379.88	Engbrecht, Roger	Welfare Rent	475.00
Etc/Expo For Her Mag	Advertising	4,200.00	Fastenal Company	Small Tools,	167.63
Fitts, Rod Db	Welfare Rent	500.00	Frantzen, Paige	Depositions	271.50
G&W, Inc Db	Transportatio	118.97	Garnos, Graham Db	Welfare Rent	1,600.00
Gearman, Jason	Investigators	181.67	Golden Creek Investo	Welfare Rent	700.00
Grainger, Inc.	Bldg/Yard Rep	172.56	Gross, Rhonda	Other Misc. R	350.00
Gunderson, Geoff	Program Activ	100.00	Guzman, Sandra V.	Interpreters	200.00
Harold's Photo Cente	Program Activ	305.94	Hart 2 Hart Homes Ll	Welfare Rent	500.00
Healthport	Clinics - Aux	17.18	Heartland Paper Comp	Kitchen/Clean	400.32
Herc-U-Lift	Automotive/Sm	31.31	Heritage Apartments	Welfare Rent	40.00
Hewlett-Packard Comp	Data Processi	4,786.85	Hewlett-Packard Comp	Data Processi	288.09
High Point Networks	Data Processi	1,585.00	High Point Networks	Maintenance C	375.00
High Point Networks	Software	1,797.00	Hoekman, James	Business Trav	72.00
Hoekstra, Denise A.	Court Reporte	1,409.80	Hofer, Charlotte Db	Welfare Rent	437.10
Horn, Garrett	Attorney Fees	197.40	Howalt-McDowell Insu	Notary Exp	100.00
Howalt-McDowell Insu	Other Insuran	1,202.50	Howe Heating & Plumb	Plumbing & We	885.26
Hy-Vee Accounts Rece	Pharmacies	259.97	Infrastructure Mgmt	Architects &	4,869.76
Interstate Office Pr	GIS Supplies	672.58	Interstate Office Pr	Office Suppli	3,378.03
Intoximeters, Inc.	Testing Suppl	3,782.00	ISI Llc	Interpreters	260.00
JCL Solutions-Janito	Kitchen/Clean	2,298.88	Jefferson Partners L	Transportatio	150.00
Kennedy, Pier, Knoff	Attorney Fees	486.50	Kent, Michael	Welfare Rent	2,100.00
Khoroosi, Sam	Attorney Fees	400.20	Khoroosi, Sam	Child Defense	6,688.00
Kilpatrick, A Teresa	Interpreters	120.00	Kirschenmann, Jay	Program Activ	100.00
Kmart Pharmacy	Pharmacies	71.08	Kruse, Renae S	Attorney Fees	8,843.25
Kruse, Renae S	Child Defense	8,071.00	Lacey Rentals Inc	Lease-Rental	100.00
Lewis & Clark Bhs	Bd Evaluation	2,720.00	Lewno, Lucy	Bd Exp. Fees	1,295.18
Litetrionics Internat	Building Repa	720.00	Luther, Jeff	Medical Direc	2,500.00
Mac's, Inc.	Bridge Repair	21.49	Maclin Consulting Ll	Other Profess	5,989.90
Marshall & Swift	Subscriptions	924.15	McKinney, James	Program Activ	320.00
McLeod's Print & Off	Printing/Form	1,168.92	Michaels Purple Petu	Building Repa	95.00
MidAmerican Energy C	Natural Gas	7,184.79	Midcontinent Communi	Amounts Held	170.00
Mikelson, Gary E	Attorney Fees	230.83	Miller Funeral Home,	Burials	2,250.00
Moody County (SD)Aud	Attorney Fees	3,469.26	MPI Technologies Inc	Data Processi	1,603.50
Multi-Cultural Cente	Interpreters	2,557.50	Murray Properties, L	Welfare Rent	2,208.00
Nicholson, Tschetter	Attorney Fees	2,619.02	North Central Heart	Other Profess	278.37
North Ridge Apartmen	Welfare Rent	400.00	Northern Heights Dev	Welfare Rent	1,900.00
Nyberg's Ace Hardwar	Program Activ	11.97	Orthopedic Institute	Other Profess	484.26
Oscar's Mini-Storage	Lease-Rental	94.00	Palmer, Barbara	Bd Evaluation	4,455.00
Palmer, Barbara	Transportatio	67.50	Peters Distributing	Jail Study/Co	1,715.56
Peters, Scott N Pc	Bd Exp. Fees	1,368.00	Peters, Scott N Pc	Crisis Interv	36.00
Peterson, Thomas W	Program Activ	100.00	Pharmchem Inc	Testing Suppl	591.00
Physicians Laborator	Other Profess	71.68	Pollard & Larson Llp	Attorney Fees	358.70
Qualified Presort Se	Postage	3,529.68	Redwood Toxicology L	Testing Suppl	1,080.00
River Tower Apartmen	Welfare Rent	420.00	Roberts, Yvonne	Welfare Rent	450.00
Robotex Inc	2013 Jag Gran	9,738.18	Rochester Armored Ca	Armored Car S	379.50
Safe Home Ltd Ptnrsh	Notes Rec (Sf	-2,089.54	Safe Home Ltd Ptnrsh	Other Misc. R	-1,504.55
Safe Home Ltd Ptnrsh	Rent Subsidie	11,501.20	Sam's Club - Members	Books	215.93
Sam's Club - Members	Furniture & O	39.76	Sam's Club - Members	Other Miscell	19.91
Sam's Club - Members	Other Profess	960.55	Sam's Club - Members	Supplemental	479.07
Sanford Clinic - Fi	Other Miscell	23,262.50	Sanford Home Medical	Medical Equip	11.00
Sanford Hosp Usd Med	Clinics - Aux	12,600.00	Sanford Occupational	Other Profess	257.34
Sanford Occupational	Professional	72.40	Schaefer, Dean	Court Reporte	708.00
Schlosser, Kevin	Hospital Prep	19.53	Schrader, Alvan L Db	Welfare Rent	300.00
SD Assn Of County Of	Memberships	12,387.76	SD Attorney General	Amts Held-Dai	17,523.00
SD Dept Of Transport	Road Maint. &	3,043.35	SD Esgr 2015 Dining	Education & T	30.00
SD Public Assurance	Comprehensive	43,757.36	SD Public Assurance	Professional	109,816.64
SD Public Assurance	Property & Li	28,404.14	SD Secretary Of Stat	Memberships	30.00
SD Secretary Of Stat	Notary Exp	60.00	SD State Bar	Memberships	9,420.00
SD State's Attorneys	Memberships	2,250.00	SD Symphony Orchestr	Program Activ	300.00
SDML Workers' Compen	Workers Comp	382,567.00	Sehr, Francis J/Sehr	Welfare Rent	700.00

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Servall Towel & Line	Program Activ	50.43	SF Specialty Hospita	Other Profess	2,507.89
Shi International Co	Software	299.10	Silverstone Group In	Hazard Insura	99,391.00
Silverstone Group In	Property & Li	42,623.00	Simmons, Michael	Welfare Rent	700.00
Simon, Anthony (OR)	Other Profess	75.00	Sioux Empire Fair As	Other Miscell	12,500.00
Sioux Falls Humane S	Other Miscell	3,654.82	Sioux Falls Utilitie	Welfare Utili	28.30
Sioux Valley Energy	Electricity	155.94	Sioux Valley Energy	Road Maint. &	138.27
Sioux Valley Energy	Tea-Ellis Ran	234.41	Sisson Printing, Inc	Other Miscell	80.00
Skorczewski, Jena	Court Reporte	105.40	Snell, Kenneth S MD	Other Miscell	286.20
Solomon, Ghirmay	Interpreters	75.00	Southeastern Behavio	Crisis Interv	9,949.13
Stenopat Ltd Inc	Depositions	168.75	Storhaug, Adrean	Welfare Rent	450.00
Swanda, Karen	Bd Exp. Fees	133.50	Szameit, Alexandra	Interpreters	250.00
Taylor Place Llc	Welfare Rent	1,026.00	Thomson Reuters - We	Amounts Held	1,037.25
Thorin, Deyanira T	Interpreters	1,517.43	Tires,Tires,Tires In	Automotive/Sm	1,385.22
Tires,Tires,Tires In	Gas,Oil,Diese	99.43	TLS Trust	Welfare Rent	450.00
Tomacelli's Pizza	Jury Fees	89.14	United Parcel Servic	Postage	17.98
V & S Inc	Uniform Allow	294.43	Variety Foods Llc	Other Profess	315.64
Verizon Wireless	Telephone	427.10	Virchow, Christy	Other Misc. R	150.00
Volunteers Of Americ	DMS-JJDPA Gra	4,084.96	Wal-Mart Pharmacy	Pharmacies	44.73
Wal-Mart Pharmacy	Pharmacies	30.00	Waltner, Kolbeck, Sc	Attorney Fees	671.39
Watters, Rocky	Welfare Rent	600.00	Weed And Pest Confer	Education & T	220.00
Weerheim, Tom	Attorney Fees	2,449.50	Wheelchair Express I	Other Profess	155.00
Wheelco Brake & Supp	Parts Invento	34.48	Wheelco Brake & Supp	Small Tools,	31.22
Wheelco Brake & Supp	Truck Repair/	295.65	Wilson, Dean M.	Welfare Rent	350.00
Xcel Energy, Inc.	Electricity	44,230.68	Xcel Energy, Inc.	Welfare Utili	433.88
Yankton County Sheri	Return Of Ser	375.00	Yankton County Treas	Attorney Fees	2,214.90
Avera Health Plan	Cobra Ins.	303.14			

PERSONNEL

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

1. To accept the resignation of Daniel Hagggar as Senior Deputy Public Defender for the Public Defender’s Office effective 1/9/15.

Step Increases Due

1. Susan Broveak – Real Estate Specialist – Register of Deeds – 14/10 to 14/11 – 1/8/15 – \$22.91/hour
2. Scott Dubbe – Deputy Sheriff – Sheriff’s Office – 16/8 to 16/9 – 12/27/14 – \$24.07/hour
3. Julie Meyer – Administrative Secretary – Sheriff’s Office – 10/15 to 10/16 – 12/21/14 – \$21.27/hour
4. Barbara Larson – Administrative Secretary – Sheriff’s Office – 10/15 to 10/16 – 12/21/14 – \$21.27/hour
5. Miranda Petersen – Paralegal – State’s Attorney’s Office – 16/8 to 16/9 – 12/27/14 – \$24.07/hour
6. Joshua Anhalt – Systems Administrator – Information Technology – 21/9 to 21/10 – 1/2/15 – \$31.58/hour
7. Patricia Kroupa – Veterans Service Officer – Human Services – 16/9 to 16/10 – 12/21/14 – \$24.67/hour
8. Barbara Donaldson – Caseworker I – Human Services – 16/9 to 16/10 – 12/23/14 – \$24.67/hour
9. Lavonne Robinson – Administrative Clerk – Human Services – 9/8 to 9/9 – 12/27/14 – \$17.03/hour
10. Emmanuel Gutierrez – Caseworker I – Human Services – 16/8 to 16/9 – 12/27/14 – \$24.07/hour

Special Personnel Actions

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1. To recognize the following significant employee anniversaries for January 2015: 5 years – Duane King, Rhett Bye, Scott Berg, and Cara Sambo; 10 years – Scott Anderson, Randy Fods, Crystal Johnson, Carrie Mees-Burt, and Miranda Petersen; 15 years – Aaron Curry & Julie Tighe; 20 years – Tyrone Albers & Mary Baker.
2. To record volunteers in County Departments for December 2014. The list is on file at Human Resources.

#### HEARING

Kevin Hoekman, Planner, was present for the public hearing and gave a briefing on a text amendment for Article 7.04 of the 1990 Revised Zoning Ordinance for Minnehaha County. Code enforcement action on property in the Brower Addition resulted in a petition being filed for the text amendment that would add a salvage or junkyard as a Conditional Use in the I-1 Light Industrial District. On November 24, 2014, the Planning Commission voted unanimously to recommend approval of the text amendment. Al Miron, 25935 469<sup>th</sup> Ave. Sioux Falls, spoke in opposition to the amendment. Mr. Miron stated he believes this type of business would be better suited for the I-2 General Industrial District. Mr. Miron also stated county ordinance allows the Commission the option to re-zone for a particular salvage/junkyard from I-1 Light Industrial District to the I-2 General Industrial District should they find the business is suitable for that location as opposed to approving the proposed text amendment. Commissioner Beninga stated concern for changing the rules on a business that has been established for a couple years. Motion by Kelly, seconded by Barth, to defer this item one week for further study. 3 ayes. Beninga voted nay. Motion carries.

#### CHANGE ORDER

Mark Kriens, Assistant Facilities Director, gave a briefing on Change Order #1 for a deduction of \$4,903.37 to the contract with Bate Forseth HVAC for the Public Safety Building HVAC Project. The deduction is to eliminate the original bid allowance and to make an adjustment for damage to existing carpeting. MOTION by Beninga, seconded by Barth, to authorize the Chairperson to sign Change Order #1 to the Contract with Baete Forseth HVAC for the Public Safety Building HVAC Project for a revised contract amount of \$73,096.63. 4 ayes.

#### LIAISON REPORTS

Commissioner Kelly reported that Safe Home Limited Partnership has repaid Minnehaha County \$100,000 of the \$458,000 that was loaned to them for the construction of the Safe Home building.

Commissioner Barth commented on the January 5, 2015 Homeless Advisory Board Meeting stating there have been no warming shelters open so far this year, and the Bishop Dudley House will be opening next Monday. Mr. Barth also stated the minimum wage increase will help individuals working on a day labor basis.

Carol Muller, Human Services Director, reported the Bishop Dudley House will be opening on Monday afternoon, January 12, 2015. Ms. Muller also reported that in the past year Minnehaha County Human Services spent approximately \$885,000 on motel rooms and rental assistance.

#### OLD BUSINESS

Chairperson Heiberger reported that 29 applications for appointment to the County Commission have been received, and she would like to close applications and move forward with making an appointment. MOTION by Barth, seconded by Kelly, to close applications for appointment to the vacant commission position. 4 ayes.

#### NEW BUSINESS

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Commissioner Barth reported that a notice was received stating the rate Minnehaha County will pay for Court Appointed Attorney services will be going up significantly.

MOTION by Barth, seconded by Beninga, to adjourn into executive session for personnel and litigation purposes. 4 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday January 13, 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger  
Chairperson

ATTEST:

Cynthia Jepsen  
Deputy Auditor