

2/10/2015

THE MINNEHAHA COUNTY COMMISSION CONVENE AT 9:00 A.M. February 10, 2015, pursuant to adjournment on February 3, 2015. Commissioners present were: Barth, Bender, Beninga, Heiberger, and Kelly. Also present were Cindy Jepsen, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

Chairperson Heiberger called the meeting to order.

Commissioner Kelly reported that the Minnehaha County Sheriff's Office was recognized for receiving the Pro-Patria Award from the Employee Support of the Guard and Reserve. The award is given to one employer in the state for their support of the Air National Guard and Reserve. The Sheriff's Office was nominated by Corporal Nathan Obeslo who spoke on his nomination, and the support he received from the Minnehaha County Jail while he was deployed in Afghanistan.

MOTION by Barth, seconded by Bender, to approve the agenda. 5 ayes.

MOTION by Beninga, seconded by Bender, to approve the February 3, 2015, Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Beninga, to approve the following bills totaling \$393,800.11. 5 ayes.

A & B Business Equip	Office Equipm	71.31	Airway Service Inc	Automotive/Sm	17.00
Airway Service Inc	Gas,Oil,Diese	39.90	Anderson Publication	Publishing Fe	114.00
Automatic Building C	Maintenance C	240.00	Avera Mckennan Hospi	Hospitals	9,390.00
Barth, Jeff	Business Trav	389.85	Berg, Scott	Uniform Allow	6.50
Berry Dunn Mcneil &	Other Profess	25,691.00	Billion's	Automotive/Sm	6,832.47
Billion's	Gas,Oil,Diese	86.79	Bon Homme Cnty Sheri	Return Of Ser	20.32
Boyce, Greenfield,Pa	Other Profess	760.00	Bristol Court Ltd Pt	Welfare Rent	587.00
Butler Machinery Com	Heavy Eq. Rep	166.33	Butler Machinery Com	Parts Invento	193.75
Butler Machinery Com	Truck Repair/	1,289.95	Carlson, Lisa	Court Reporte	370.60
Carroll Institute	IVC Housing	18,555.00	CBM Managed Services	Board Of Pris	38,101.25
Center For Family Me	Physicians	175.92	Century Business Pro	Data Processi	400.00
Certified Languages	Interpreters	364.65	Chasing Willows Ltd	Welfare Rent	700.00
Chemco, Inc.	Child Care It	570.07	Chemco, Inc.	Janitorial/Ch	1,971.18
Cole Papers, Inc.	Janitorial/Ch	1,483.84	Concorde Apts	Welfare Rent	400.00
Counseling Resources	Attorney Fees	200.00	Crittenden, John	Education & T	86.50
Cumberland Apts I	Welfare Rent	400.00	Dakota Data Shred	Other Supplie	47.15
Dakotaland Autoglass	Automotive/Sm	39.99	Dedula, Carla F	Court Reporte	30.60
Dell Rapids Ambulanc	Ambulance Ser	25,000.00	Duffy, Ryan	Attorney Fees	1,613.40
Ekeren, Marvin R.	Bd Exp. Fees	60.00	Electric Supply Co.,	Data Processi	605.91
Elite Business Syste	Maintenance C	4,117.08	Family Vac	Janitorial/Ch	25.00
Fastenal Company	Small Tools,	217.40	Fastenal Company	Truck Repair/	145.51
First Dakota Nationa	2013 HLS Grant	3,398.75	Fitts, Rod Db a Rod	Welfare Rent	1,770.00
Fleetpride / Holt, I	Truck Repair/	311.16	Forward Sioux Falls	Other Miscell	500.00
Fox, Youngberg & Lew	Attorney Fees	181.32	G & R Controls Inc	Heat,Vent & A	137.55
G&W, Inc Db a Gary Co	Transportatio	31.93	Garretson Community	Ambulance Ser	25,000.00
Gaylord Bros Inc	Collections S	308.05	George, Aaron	Welfare Rent	1,455.00
Geotek Engineering &	Architects &	333.00	Goebel Printing, Inc	Printing/Form	532.96
Golden West	Telephone	168.22	Graham, Robert C	Welfare Rent	950.00
Green Eggs And Ram	Communication	409.95	Guzman, Sandra V.	Interpreters	175.00
Hanson, Michael W.	Attorney Fees	168.00	Hartford's Best Pain	Automotive/Sm	210.12
Haugan, Gil	Welfare Rent	695.00	Hava House Llc	Welfare Rent	637.50
Heimdahl, Marie Ann	Court Reporte	20.40	Hewlett-Packard Comp	Hwy Safety Gr	2,387.64
Hewlett-Packard Comp	Other Miscell	95.00	High Point Networks	Consultants	225.00
Himler, Thomas C Phd	Attorney Fees	370.00	Horton, Dennis L.	Welfare Rent	800.00
Howalt-McDowell Insu	Notary Exp	50.00	Howard, Robert	Other Misc. R	150.00
Hy-Vee Accounts Rece	Pharmacies	161.21	Infrastructure Desig	Architects &	3,947.94
Interstate Office Pr	Office Suppli	8.49	ISI Llc	Interpreters	160.00
Jaros, Pete	Investigators	94.35	JCL Solutions-Janito	Janitorial/Ch	6,539.65

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JCL Solutions-Janito	Kitchen/Clean	600.00	Jefferson Partners L	Transportatio	384.00
Jin, Suming	Interpreters	25.00	Johnson, Donald E	Automotive/Sm	8,031.46
Johnstone Supply	Electrical Re	68.40	Kamrath, Lyndee	Business Trav	182.90
Katterhagen, Mark	Bd Exp. Fees	105.00	Kennedy, Renee S	Court Reporte	453.60
Khoroosi, Sam	Attorney Fees	506.10	Kmart Pharmacy	Pharmacies	66.37
Knology Inc Dba W	Telephone	61.07	Kolb, Charles J	Welfare Rent	500.00
Kyra Enterprises Llc	Motels	260.00	Language Line Servic	Interpreters	15.75
Larson, Jeff	Attorney Fees	3,531.20	Ledd Properties Llc	Motels	220.00
Lewno, Lucy	Bd Exp. Fees	1,548.40	Lifescape	Other Miscell	5,000.00
Loving, Philip	Bd Evaluation	1,118.34	Luther, Jeff	Medical Direc	2,500.00
Lutheran Social Svcs	Other Profess	3,898.47	Matheson Tri-Gas Inc	Lease-Rental	22.32
Matheson Tri-Gas Inc	Small Tools,	92.70	McFarland, Kenneth	Business Trav	84.00
Menards - East	Automotive/Sm	34.56	Menards - East	Bldg/Yard Rep	318.29
Metro Communications	Clinics - Aux	60.00	Mid-States Organized	Memberships	250.00
MidAmerican Energy C	Natural Gas	4,091.85	Midwest Residential	Welfare Rent	598.00
Minn Cnty Human Svcs	Other Supplie	150.00	Minn Cnty Museum Pet	Exhibit Mater	13.77
Minn Cnty So Petty C	Other Profess	5.00	Minn Cnty So Petty C	Other Supplie	23.53
Minnehaha Community	Tea-Ellis Ran	30.00	Multi-Cultural Cente	Interpreters	1,196.25
Murray Properties, L	Welfare Rent	1,100.00	Narem, Inc	Truck Repair/	40.46
Natl Trust For Histo	Memberships	30.00	Nelson, Adam D.	Program Activ	453.74
Nguyen, Lam	Interpreters	125.00	Nicholson, Tschetter	Child Defense	823.72
Northern States Supp	Sign Supply/I	609.09	Northland Systems In	Data Processi	132.00
Novak Sanitary Servi	Trash Removal	182.16	O'Reilly/First Call	Automotive/Sm	49.98
Oconnor Company	Heat,Vent & A	308.00	Office Depot, Inc.	Data Processi	306.98
Olson, David Edwin S	Other Profess	800.00	Oxbow Estates	Welfare Rent	500.00
Pheasantland Industr	Printing/Form	506.18	Phoenix Supply Llc	Child Care Un	13.95
Platinum Properties	Welfare Rent	600.00	Quill Corp.	Office Suppli	938.13
Reliance Telephone I	Telephone	3.45	Reta, Michelle	Welfare Rent	600.00
Retail Data Systems	Office Suppli	54.00	Riekcs Equipment Com	Bldg. & Outsi	15,000.00
River Glen Place Apt	Welfare Rent	325.00	Robinson, Eugene R L	Child Defense	1,496.70
Rubeau Llc	Welfare Rent	600.00	Sage Control Ordnanc	Other Supplie	491.04
Sam's Club - Members	Other Miscell	26.44	Sam's Club - Members	Other Profess	899.59
Sam's Club - Members	Other Supplie	13.38	Sam's Club - Members	Supplemental	28.92
Sanford Clinic - Fi	Other Miscell	23,320.50	Sanford Hospital	Blood Withdra	80.00
SD Attorney General	Amts Held-Dai	15,540.00	SD Dept Of Revenue	Bulletin Boar	110.38
SD Dept Of Revenue	Coroner Fee/T	0.57	SD Dept Of Revenue	Fingerprint/T	147.17
SD Dept Of Revenue	Misc. Auditor	8.60	SD Dept Of Revenue	Misc. Dir. Eq	7.02
SD Dept Of Revenue	Misc. Informa	2.83	SD Dept Of Revenue	Misc. Treasur	21.29
SD Dept Of Transport	Education & T	30.00	SD Exec Mgmt Finance	Microfilming	75.76
SD Human Services Ce	Clinics - Aux	135.80	SD Public Assurance	Property & Li	135.03
SD Secretary Of Stat	Notary Exp	30.00	SD State Historical	Store Invento	305.64
SDN Communications	Data Communic	331.50	SDN Communications	Telephone	688.50
Servall Towel & Line	Janitorial/Ch	3.75	Servall Towel & Line	Program Activ	85.08
SF Ministry Housing	Welfare Rent	700.00	Shay Family Living T	Welfare Rent	275.00
Simon, Anthony (OR)	Other Profess	130.00	Sioux Empire Fair As	Other Miscell	12,500.00
Sioux Falls Chamber	Other Miscell	2,500.00	Sioux Falls Rubber S	Office Suppli	53.10
Sioux Falls Utilitie	Welfare Utili	251.87	Sioux Valley Energy	Electricity	314.70
Sioux Valley Energy	Road Maint. &	136.68	Sioux Valley Energy	Tea-Ellis Ran	276.92
Solomon, Ghirmay	Interpreters	25.00	Southeastern Behavio	Other Miscell	42,367.00
Spadino, Inga	Welfare Rent	500.00	Splitrock Fire Dept	Education & T	230.00
Stansell, Roger	Business Trav	244.00	Sterling Properties	Welfare Rent	1,200.00
Sunshine Foods	Welfare Food	41.28	Super Fast Auto Glas	Truck Repair/	134.34
Szameit, Alexandra	Interpreters	404.17	Test Point Paramedic	Blood Withdra	2,040.00
The Hon Company Llc	Furniture & O	3,419.35	Thorin, Deyanira T	Interpreters	50.00
Tires,Tires,Tires In	Automotive/Sm	612.59	Tires,Tires,Tires In	Gas,Oil,Diese	79.20
Traffic Data Inc Db	Engineering S	2,621.81	Transunion Risk & Al	Investigators	25.00
TSP, Inc.	Repair/Renova	13,050.00	Tuschen, Michael E	Business Trav	244.00
US Bank-Corporate Tr	Trust-Adminis	4,400.00	Vanderpol-Bailey, Me	Other Profess	250.00
Variety Foods Llc	Other Profess	434.82	Variety Foods Llc	Other Supplie	55.44
Vb Tower Lp/Falls Vi	Welfare Rent	500.00	VOA Dakotas / Pettig	Welfare Rent	459.00
Walgreen Co.	Pharmacies	667.63	Wall Lake Sanitary D	Water - Sewer	70.00
Weerheim, Tom	Attorney Fees	1,413.30	Weldetensae, Mengste	Welfare Rent	500.00
Williamson, Randy	Welfare Rent	1,020.00	Willow Partners Llc	Welfare Rent	700.00
Woodall, Kristin A	Court Reporte	44.20	Xcel Energy, Inc.	Welfare Utili	710.14
Yellow Cab Inc	Transportatio	25.50			

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REPORTS

The Minnehaha County Sheriff's Department and Minnehaha County Regional Juvenile Detention Center reports for January 2015 were received and placed on file in the Auditor's Office.

PERSONNEL

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

1. To hire Thomas Moisuk as Tax and License Technician (10/2) for the Treasurer's Office at \$15.06/hour effective 2/11/15.
2. To uphold to discharge of Haley Gleich, temporary, part-time Safe Home Worker originally dated 12/19/14.

Step Increases Due

1. Nikki Pederson – Administrative Clerk – Sheriff's Office – 9/10 to 9/11 – 12/27/14 – \$17.90/hour
2. Mary Yu – Administrative Secretary – Sheriff's Office – 10/11 to 10/12 – 12/27/14 – \$19.27/hour
3. Joan Hall – Administrative Secretary – Sheriff's Office – 10/8 to 10/9 – 12/27/14 – \$17.90/hour
4. Corey Stanley – Deputy Sheriff – Sheriff's Office – 16/13 to 16/14 – 1/15/15 – \$27.23/hour
5. Adam Gonnerman – Deputy Sheriff – Sheriff's Office – 16/4 to 16/5 – 1/22/15 – \$21.80/hour
6. Nathanael Anderson – Safe Home Program Worker – Safe Home – 9/3 to 9/4 – 12/26/14 – \$15.06/hour

BRIEFING

Carey Deaver, Human Resources Director, gave a briefing on proposed updates to the Minnehaha County Information Technology, E-Mail, and Internet Appropriate Use Policy. The Commission will consider approval of the proposed updates within the next couple of weeks.

NOTICES

On the request of DJ Buthe, Highway Superintendent, MOTION by Kelly, seconded by Beninga, to authorize the Auditor to publish a notice to bidders for Project MC119-121-127MS-15, Annual Micro-Surfacing Contract. 5 ayes.

On the request of DJ Buthe, Highway Superintendent, MOTION by Barth, seconded by Beninga, to authorize the Auditor to publish a notice to bidders for Project MC114BR-14 for the replacement of structure #50-289-060. 5 ayes.

A notice was received from the South Dakota State Historical Society that Concrete Interstate Rest Stop Tips at: Salem Eastbound and Westbound, Wasta Eastbound and Westbound, Chamberlain, Spearfish, Valley City, Junction City, and New Effington have been placed on the National Register of Historic Places.

HEARING

A public hearing was held to consider a resolution renewing the Franchise Agreement for East River Electric Power

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Cooperative, Inc. Robert Wilson, Assistant Commission Administrative Officer, gave a briefing on the resolution that would authorize the use of Minnehaha County public highway right-of-ways for electric transmission and distribution lines for a twenty-year period. Ron Golden, East River Electric in Madison, stated the resolution is a requirement of state statute and does not eliminate any requirements the County may have for crossing permit or right to occupy permits. DJ Buthe, Highway Superintendent, spoke on concerns regarding some of the language in the resolution and asked for a one week deferral to make revisions. Kersten Kappmeyer, Chief Civil Deputy State's Attorney, suggested adding the following alternative language in the last paragraph of the proposed resolution: "be, and it hereby is, granted to said East River Electric Power Cooperative, Inc., of Madison, South Dakota, subject to the terms and conditions of Chapter 31-26 of the South Dakota Codified Laws, and all other related or applicable laws, regulations, and ordinances governing highways and rights-of-way". Mr. Buthe stated the Highway Department supports the alternative language proposed by Mr. Kappmeyer. Mr. Golden stated he did not see an issue with the alternative language but would have the alternative language reviewed by their legal counsel. MOTION by Barth, seconded by Kelly, to defer action for one week. Commissioner Kelly stated he thinks it would be best to have the parties get together and review the language before the resolution is adopted. Commissioner Beninga stated that the alternative language is not confrontational, and if their attorney does have an issue an amendment can be made. Commissioner Barth withdrew his motion. MOTION by Beninga, seconded by Barth to approve Resolution MC15-09 including the alternative language. 5 ayes.

**RESOLUTION MC15-09
AUTHORIZATION TO CONSTRUCT ELECTRIC TRANSMISSION
AND DISTRIBUTION LINES ON THE PUBLIC HIGHWAYS OF MINNEHAHA
COUNTY**

WHEREAS, East River Electric Power Cooperative, Inc., of Madison, South Dakota, on the 14th day of January, 2015, filed with the County Auditor of Minnehaha County, South Dakota, its duly verified Petition for the purpose of obtaining and acquiring one franchise for both its existing transmission lines and system and the planned extension and future expansion thereof, from Minnehaha County, South Dakota, by and through its County Commissioners, for the right to maintain its existing and future system and to erect and maintain poles and wires for the purpose of transmitting and distributing electricity for lighting, heating and power purposes, in, along, and over the public highways of Minnehaha County, South Dakota, for rural electrification throughout said County and State for a period of twenty years;

WHEREAS, said application was heard and considered by the members of the Board of County Commissioners of said County of Minnehaha, in South Dakota, on the 10th day of February 2015, at the hour of 9:00 o'clock a.m., in the Commissioners' Room, in the Courthouse, in the City of Sioux Falls, Minnehaha County, South Dakota, due notice of said hearing having been given by mail as provided by law to all persons, firms or corporations owning or operating transmission, telegraph or telephone lines on or along any part of the highways of said County;

WHEREAS, no person, firm or corporation having appeared in opposition to the granting of such application, and it appearing to the satisfaction of the Board of County Commissioners of said County that the request contained in said Petition should be granted;

THEREFORE, BE IT RESOLVED, by the Minnehaha County Board of Commissioners that the right to construct, maintain and operate poles and wires, both for its existing transmission lines and system, and also for its future extension and expansion, for the purpose of transmitting and distributing electricity for lighting, heating and power purposes, over, upon, along and across the public highways within Minnehaha County, South Dakota, for rural electrification, on a county-wide basis, for a period of twenty (20) years from and after the date and passage hereof, be, and it hereby is, granted to said East River Electric Power Cooperative, Inc., of Madison, South Dakota, subject to the terms and conditions of Chapter 31-26 of the South Dakota Codified Laws, and all other related or applicable laws, regulations, and ordinances governing highways and rights-of-way.

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Dated this 10th day of February 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger
 Jean Bender
 Dick Kelly
 Jeffrey E. Barth
 Gerald Beninga

ATTEST:

Bob Litz, Auditor

By: Cynthia Jepsen
 Minnehaha County Deputy Auditor

PLANNING & ZONING

Scott Anderson, Planning & Zoning Director, gave a briefing on Preliminary Plan #15-01 submitted by Norbert Limmer. The plan is for the creation of a subdivision consisting of five (5) tracts on approximately 160 acres located at the intersection of 257th Street and 467th Avenue. The property is legally described as Tracts 1-5 of Limmer Addition, Section 7-T102N-R50W. The property is being subdivided for estate purposes. The Planning Commission voted unanimously to approve Preliminary Plan #15-01 with three conditions. The applicants have met all of these conditions. Commissioner Kelly stated his concern regarding having only four building eligibilities available on property that is being divided into five tracts. MOTION by Barth, seconded by Beninga, to approve Preliminary Plan #15-01. 4 ayes. Kelly voted nay.

SURPLUS PROPERTY

Pam Nelson, Treasurer, requested that Wheat/Aztec Midback Stools, Tag #55360 purchased in 1997, be declared as surplus and removed from inventory. The chairs have fallen in disrepair and could not be used as salvage. MOTION by Kelly, seconded by Barth, to declare Wheat/Aztec Midback Stools, Tag #55360 as surplus for disposal at a landfill. 5 ayes.

AGREEMENT

Lyn Krell, Assistant Juvenile Detention Center Director, gave a briefing on a contract with Volunteers of America, Dakotas to provide non-secure juvenile detention services. The contract would secure two additional guaranteed beds at the VOA facility at 1309 West 51st St., Sioux Falls, resulting in a total of five (5) guaranteed beds. MOTION by Barth, seconded by Beninga, to authorize the Chairperson to sign the agreement between Minnehaha County and Volunteers of America, Dakotas for non-secure detention services beginning January 1, 2015 and ending December 31, 2015. 5 ayes.

HIGHWAY BID

Deferred from February 3, 2015

DJ Buthe, Highway Superintendent, gave a briefing on the condition of trucks currently being used by the Highway Department and requested authorization to purchase two (2) truck chassis from Nuss Truck of Minnesota in the amount of \$236,516.42 from a contract awarded by the State of Minnesota. MOTION by Beninga, seconded by Kelly, to defer this item for two months to see what the State Legislature does with highway funding. Commissioner

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Beninga stated it’s all about money and believes there are ways to get by with the existing trucks for another year. Beninga also stated that he feels the safety of bridges and highways are a higher priority. Commissioner Barth stated he believes Mr. Buthe has presented a reasonable case and supports the request. VOTE on motion, 4 ayes. Barth voted nay.

BID NOTICE

Deferred from February 3, 2015

DJ Buthe, Highway Superintendent, requested authorization for the Auditor to publish a notice to bidders for the purchase of two (2) Hydraulics and Combination 15’ 201SS Dump and Spreader Bodies for Tandem Axle Trucks. MOTION by Kelly, seconded by Beninga, to defer this item for two months. 5 ayes.

RESOLUTION

DJ Buthe, Highway Superintendent, gave a briefing on the bi-annual inspections of County bridges conducted by Banner Associates Inc. The Highway Department is requesting load limits to be formally set by resolution in accordance with SDCL 32-22-47. MOTION by Barth, seconded by Beninga, to approve Resolution MC15-10. 5 ayes.

**RESOLUTION MC15-10
SET WEIGHT LOAD LIMITS ON
CERTAIN BRIDGES WITHIN MINNEHAHA COUNTY**

WHEREAS, the Minnehaha County Highway Superintendent has identified twenty-one bridges in Minnehaha County that he is recommending that weight limits be posted for said bridges, and

WHEREAS, **SDCL 32-22-47** gives the county commission the authority to establish and identify through the proper signage the maximum weight of any vehicle, laden or un-laden, which may enter upon or cross over the bridge, now

THEREFORE, BE IT RESOLVED by the Minnehaha County Board of Commissioners that the following ton gross vehicle weight limitations are imposed on the following bridges within Minnehaha County:

Structure Number	Location	Existing Load Limit (Tons)	Resolution Establishing Limit	New Load Limit (Tons)
50-032-060	2.0 miles south and 0.2 miles east of Buffalo Trading Post (250th St. on a township road)	10-17-18	MC12-70	10-16-17
50-070-098	5.2 miles north and 2.0 miles west of Hartford (461st Ave. on County Highway 155)	Legal Load	N/A	24-35-43
50-072-100	5.0 miles north and 1.8 miles west of Hartford (254th St. on County Highway 122)	Legal Load	N/A	24-35-45
50-087-120	3.5 miles north and 0.3 miles west of Hartford (256th St. on a township road)	12-20-24	MC12-70	18-33-36
50-129-060	2.0 miles south and 2.9 miles east of Colton (250th St. on County Highway 114)	Legal Load	N/A	24-33-44

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50-130-231	3.6 miles south and 2.0 miles west of Ellis (467th Ave. on a township road)	12-20-24	MC12-70	12-20-23
50-146-000	4.0 miles north and 4.6 miles east of Colton (244th St. on a township road)	Legal Load	N/A	24-40-36
50-198-085	2.5 miles south and 0.2 miles west of Baltic (Norway St. on a township road)	14-24-28	MC12-70	17-28-32
50-205-140	0.2 miles east of Renner (258th St. on County Highway 130)	Legal Load	N/A	23-39-40
50-208-130	1.0 mile north and 0.3 miles east of Renner (257th St. on a township road)	13-22-26	MC12-70	13-22-25
50-226-020	2.2 miles east and 0.3 miles south of Dell Rapids (Golden Park St./246th St. on a township road)	15-25-29	MC12-70	Legal Load
50-231-130	3.1 miles east and 7.0 miles south of Baltic (257th St. on a township road)	17-32-33	MC12-70	21-35-39
50-237-120	3.7 miles east and 6.0 miles south of Baltic (256th St. on a township road)	15-25-26	MC12-70	18-31-34
50-245-050	4.5 miles east and 1.0 mile north of Baltic (249th St. on a township road)	12-20-23	MC12-70	20-33-35
50-272-030	6.8 miles east and 1.3 miles south of Dell Rapids (247th St. on a township road)	18-30-33	MC12-70	18-30-27
50-276-120	4.0 miles north and 0.4 miles west of Corson (256th St. on a township road)	21-35-41	MC12-70	Legal Load
50-284-170	0.4 miles east and 0.5 miles north of Brandon (261st St./Redwood Blvd. on a township road)	13-18-20	MC12-70	17-23-25
50-290-131	2.9 miles north and 1.0 mile east of Corson (483rd Ave. on a township road)	14-24-25	MC12-70	15-25-26
50-293-200	2.0 miles south and 3.7 miles west of Valley Springs (264th St. on a township road)	12-20-24	MC12-70	12-20-23
50-330-159	2.1 miles north of Valley Springs (487th Ave. on a township road)	20-33-39	No resolution on file	19-32-38
50-337-130	2.7 miles east and 4.0 miles south of Garretson (257th St. on a township road)	17-28-33	MC12-70	18-31-36

BE IT FURTHER RESOLVED, that the Minnehaha County Highway Superintendent is hereby directed to erect and post the appropriate signage in accordance with SDCL 32-22-47, and

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BE IT FURTHER RESOLVED, by the Minnehaha County Commission that an emergency exists and that the posting of weight limits on the above bridges is immediately in effect and will remain in effect until changed by action of the county commission; and

BE IT FURTHER NOTED, that the violation of these weight load limits is a Class 2 misdemeanor and that pursuant to SDCL 32-22-48, Minnehaha County may recover damages from any person who drives or operates a vehicle exceeding these load limits and causes any injury or damage to said bridge by reason thereof.

Dated this 10th day of February, 2015

APPROVED BY THE COMMISSION:

Cindy Heiberger
Commission Chairman

ATTEST:

Cynthia Jepsen
Deputy Auditor

Commissioner Kelly left the meeting

CHANGE ORDER

DJ Buthe, Highway Superintendent, gave a briefing on Change Order #1 to the contract with Asphalt Surfacing Company for Project MC109-115-150-BM-14. The project is complete and the change order is for additions and subtractions to the project for various field measured quantities along with a deduction of \$6,300 for liquidated damages. The net subtraction to the change order and decrease to the contract value is \$155,473.90. MOTION by Barth, seconded by Bender, to authorize the Chairperson to sign Change Order #1 to the contract with Asphalt Surfacing Company for Project MC109-115-150-BM-14, for a new contract amount of \$1,184,995.30. 4 ayes.

Commissioner Kelly rejoined the meeting.

LEGISLATIVE REPORT

Robert Wilson, Assistant Commission Administrative Officer, gave an update and status report of the 90th Legislative Session on bills that impact Minnehaha County. Mr. Wilson reported that Ken McFarland, Commission Administrative Officer, requested input from the Commission regarding their support of SB81. MOTION by Barth, seconded by Kelly to support SB81. 5 ayes.

LIAISON REPORT

Scott Anderson reported that the Minnehaha County Planning Department will hold a Public Open House for Envision 2035 at West Central Middle School, Commons Area, 705 E. 2nd St., Hartford, SD on March 24, 2015 from 6 to 7 p.m. The public is encouraged to attend.

Commissioner Beninga reported that the Criminal Justice Advisory Committee will meet at 1:30 p.m. on February 10, 2015 to review options from the architect for a jail addition.

NEW BUSINESS

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Robert Wilson, Assistant Commission Administrative Officer, stated that on February 4th there was a congressional hearing including the Senate Environment and Public Works Committee and the House Committee on Transportation and Infrastructure that focused on the impact on states, local governments, their communities, businesses and industries of the proposed rule that would amend the definition of "waters of the U.S." within the Clean Water Act. El Paso County, Colo. Commissioner and National Association of Counties (NACo's) First Vice President Sallie Clark were among those who testified at the hearing. The end result of the testimony was a call for the proposed rule to be withdrawn.

MOTION by Beninga, seconded by Bender, to adjourn into executive session for contract, litigation, and personnel discussions. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday February 17, 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chairperson

ATTEST:

Cynthia Jepsen
Deputy Auditor