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THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. April 7, 2015, pursuant to adjournment on March 31, 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.

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

MOTION by Bender, seconded by Barth, to approve the March 31, 2015 Commission Minutes. 5 ayes.

#### VOUCHERS TO BE PAID

MOTION by Barth, seconded by Beninga, to approve the following bills totaling \$188,371.62. 5 ayes.

A & B Business Equip	Data Processi	65.60	A & B Business Equip	Office Equipm	71.31
Airway Service Inc	Automotive/Sm	618.41	Airway Service Inc	Gas,Oil,Diese	72.30
Allied Oil & Tire Co	Automotive/Sm	757.20	Allied Oil & Tire Co	Heavy Eq. Rep	109.50
Allied Oil & Tire Co	Truck Repair/	179.64	Anderson's Collision	Investigators	110.00
Arena Motel	Motels	224.00	Argus Leader - Subsc	Books	338.00
Association Of SD Mu	Memberships	100.00	Avera McKennan Hospi	Hospitals	2,823.31
B&J Properties Llc	Welfare Rent	100.00	Barth, Jeff	Travel - Bart	34.00
Blackburn & Stevens,	Attorney Fees	201.30	Bob Barker Company,	Inmate Suppli	754.41
Brookings Health Sys	Hospital Prep	991.07	Brown & Saenger	Office Suppli	60.40
Building Sprinkler,	Maintenance C	219.83	Building Sprinkler,	Other Profess	270.00
Bureau Of Informatio	Telephone	210.00	Buthe, DJ	Business Trav	133.00
Butler Machinery Com	Heavy Eq. Rep	30.29	Callies, Elizabeth	Business Trav	26.00
Canda Properties Llc	Welfare Rent	600.00	Carlson Paving Prod	Heavy Eq. Rep	7,137.60
Carlson, Lisa	Court Reporte	1,237.60	Carpenter, Donovan	Business Trav	31.66
Carper, Nichole A	Attorney Fees	4,125.45	CBM Managed Services	Board Of Pris	17,298.08
CBM Managed Services	Inmate Suppli	211.56	Century Business Lea	Maintenance C	320.38
Century Business Pro	Maintenance C	52.98	Centurylink (Qwest)	Contract Serv	12.24
Centurylink (Qwest)	Telephone	685.78	Chang, Irene	Welfare Rent	1,350.00
Cliff Acceptance Cor	Welfare Rent	377.00	Cody, Denise	Bd Exp. Fees	88.50
Cole Papers, Inc.	HHS Custodial	180.28	Collins Enterprises	Welfare Rent	408.00
Cook Huber, Kerri	Attorney Fees	131.88	Dan Grigg Images Inc	Store Invento	9.69
Diesel Machinery Inc	Heavy Eq.	18,049.00	Diesel Machinery Inc	Heavy Eq. Rep	920.82
Duffy, Ryan	Attorney Fees	1,614.90	EH Hospitality Llc	Motels	1,460.00
Ellis, Danny H	Small Tools,	140.00	Fastenal Company	Small Tools,	47.23
Finley, Ben	Business Trav	26.00	First Dakota Nationa	2013 HLS Grant	3,464.75
Fleetpride / Holt, I	Truck Repair/	477.37	G & G Mfg & Souvenir	Store Invento	121.22
G & R Controls Inc	Heat,Vent & A	311.23	Gade, Michael	Business Trav	26.00
Gas Lite Manor Ltd P	Welfare Rent	360.00	Gaylord Bros Inc	Program Activ	169.00
George Boom Funeral	Burials	1,000.00	Geospatial Experts	Amounts Held	298.00
Golden West	Telephone	128.83	Guzman, Sandra V.	Interpreters	256.70
Harmon, Karla	Bd Evaluation	45.00	Heartland Paper Comp	Kitchen/Clean	942.03
Heimdal, Marie Ann	Court Reporte	178.60	Heritage Apartments	Welfare Rent	40.00
Hibu Inc - West	Advertising	937.98	Hurtgen, Timothy T/P	Welfare Rent	500.00
Hy-Vee Accounts Rece	Pharmacies	107.32	I State Truck Center	Truck Repair/	239.92
Institutions Service	Jail Repairs/	397.62	Int'l Public Mgmt As	Recruitment	1,032.50
Interstate Office Pr	Office Suppli	1,160.87	Iosty, James	Bd Exp. Fees	6,183.00
Iosty, James	Crisis Interv	135.00	Jaros, Pete	Investigators	92.50
Jaymar Business Form	Printing/Form	98.90	JCL Solutions-Janito	Kitchen/Clean	1,569.57
Jefferson Partners L	Transportatio	513.00	Johnson Controls, In	Heat,Vent & A	220.00
Johnson, Donald E	Automotive/Sm	1,408.00	Johnson, Richard L	Attorney Fees	517.50
Katterhagen, Mark	Bd Exp. Fees	82.50	Kelly, Dick	Travel - Kell	34.00
Kelly, Roger	Welfare Rent	200.00	Khan VP Sioux Falls	Motels	329.00
Khoroosi, Sam	Attorney Fees	228.00	Kirschbaum, Mark	Business Trav	44.98
Kittelson, Joan M	Bd Exp. Fees	12.00	Kmart	Inmate Suppli	34.98
Kmart	Office Suppli	43.26	Kmart Pharmacy	Pharmacies	1,990.32
Knology Inc Dbaw	Telephone	61.04	Kolb, Tara	Business Trav	26.00

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Larson, Jeff	Attorney Fees	1,350.00	Lewno, Lucy	Bd Exp. Fees	1,683.16
Lift Pro Equipment C	Small Equipme	24,521.00	McFarland, Kenneth	Business Trav	34.00
McGowan, Kevin	Business Trav	33.88	Merrow, Danielle	Welfare Rent	500.00
MidAmerican Energy C	Natural Gas	4,632.07	Midwest Alarm Compan	Security Alar	250.00
Miller Funeral Home,	Burials	2,935.00	Minnehaha Community	Tea-Ellis Ran	30.00
Minnehaha Conservati	Other Miscell	2,000.00	Murray Properties, L	Welfare Rent	795.00
NACVSO/%Sarah Mcgint	Memberships	30.00	Neve's Uniforms	Other Miscell	150.00
Nielsen Ogdahl, Erin	Attorney Fees	725.00	Oconnor Company	Heat,Vent & A	1,597.86
Orchard Apts Llc	H.S. Donation	335.00	Orchard Apts Llc	Welfare Rent	670.00
Palmer, Barbara	Bd Evaluation	3,307.50	Peters, Scott N Pc	Bd Exp. Fees	2,358.00
Peters, Scott N Pc	Crisis Interv	243.00	Peters, Scott N Pc	Dev Disabili	81.00
Pheasantland Industr	Printing/Form	51.00	Pierre Parkside Deve	Business Trav	284.97
Pollard & Larson Llp	Attorney Fees	253.50	Presto-X-Company	Outside Repai	540.80
Quail Hollow Townhou	Welfare Rent	267.00	Qualified Presort Se	Postage	3,605.95
Reaves, Jason	Business Trav	23.00	Rehfuss, Cathy A	Bd Exp. Fees	6.00
Robsons Inc Db	Kitchen/Clean	71.98	Robsons Inc Db	Other Supplie	16.12
Rocky Mount Instrume	Other Profess	510.00	Safe Home Ltd Ptnrsh	Notes Rec (SF	-2,121.04
Safe Home Ltd Ptnrsh	Other Misc. R	-1,473.05	Safe Home Ltd Ptnrsh	Rent Subsidie	11,239.00
Salberg, Aaron	Attorney Fees	243.00	Sam's Club - Members	Office Suppli	66.53
Sam's Club - Members	Other Profess	715.53	Sam's Club - Members	Supplemental	143.71
Schrader, Alvan L Db	Welfare Rent	620.00	Schultz, Shannon	Business Trav	23.00
SD Assn Of County Of	Education & T	525.00	SD Attorney General	Amts Held-Dai	8,379.00
SD Dept Of Public Sa	Other Miscell	200.00	SDAAC-SD Assoc Of As	Education & T	875.00
SDES (SD Engineering	Memberships	241.00	SF Family Vision	Optometric Se	125.00
SF VOA Living Center	Welfare Rent	210.00	Sherwin Williams	Building Repa	37.99
Shreves, Brian	Attorney Fees	773.25	Sioux Area Metro/Par	Transportatio	25.00
Sioux Falls Chamber	Travel - Bart	20.00	Sioux Falls Utilitie	Welfare Utili	71.57
Sioux Valley Energy	Electricity	296.64	Sioux Valley Energy	Road Maint. &	138.27
Sioux Valley Energy	Tea-Ellis Ran	232.09	Solheim, Virginia	Business Trav	37.58
Spring Centre Apts L	Welfare Rent	500.00	Stansell, Roger	Business Trav	23.00
Sunshine Foods	Welfare Food	20.00	Swanda, Karen	Bd Exp. Fees	177.00
Swenson, Diane	Welfare Rent	600.00	Tally Ho Apartments	Welfare Rent	450.00
Target - East Pharm	Pharmacies	85.98	Target - West Pharma	Pharmacies	407.97
Thorin, Deyanira T	Interpreters	25.00	Thurman, Creighton A	Attorney Fees	196.70
Tires,Tires,Tires In	Automotive/Sm	584.00	Tires,Tires,Tires In	Gas,Oil,Diese	54.71
Trane	Heat,Vent & A	78.00	Travis County (TX)Co	Return Of Ser	75.00
Tri-State Garage Doo	Building Repa	70.00	Triangle Properties	Welfare Rent	375.00
TSP, Inc.	Jail Study/Co	10,875.00	Turning Leaf Llc	Welfare Rent	600.00
United Parcel Servic	Postage	19.49	V & S Inc	Uniform Allow	1,633.00
Vandervliet, Rodney	Business Trav	47.20	Variety Foods Llc	Other Profess	355.69
Variety Foods Llc	Other Supplie	41.48	Vogel Motors Llc	Gas,Oil,Diese	27.00
Walden, James I	Welfare Rent	600.00	Walgreen Co.	Pharmacies	305.26
Waltner, Kolbeck, Sc	Attorney Fees	174.98	Weerheim, Tom	Attorney Fees	828.00
Wesselink, Dave	Business Trav	157.00	Wheelco Brake & Supp	Parts Invento	641.38
Wheelco Brake & Supp	Small Tools,	247.04	Wilson, Robert	Business Trav	34.00
Xcel Energy, Inc.	Welfare Utili	1,246.04	Yankton County Sheri	Return Of Ser	239.00
Yellow Cab Inc	Transportatio	7.15			

## REPORTS

The Minnehaha County Sheriff's Department Report for March, 2015 was received and placed on file in the Auditor's Office.

## PERSONNEL

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

1. To accept the resignation of Crystal Johnson as Senior Trial Attorney for the State's Attorney's Office effective 4/8/15.
2. To accept the resignation of Vance Siemonsma as Deputy Sheriff for the Sheriff's Office effective

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2/26/15.

3. To accept the resignation of Troy Rempfer as Deputy Sheriff for the Sheriff's Office effective 2/26/15.
4. To accept the resignation of Aaron Wimmer as temporary, part-time Safe Home Program Worker for Human Services effective 4/11/15.
5. To accept the resignation of Douglas Wegner as Tax and License Technician for the Treasurer's Office effective 4/1/15.
6. To correct the action to temporarily increase the rate of pay for Carmen Kasin in the Juvenile Detention Center which should have reflected \$2,073.60/bi-weekly instead of \$1,973.60/bi-weekly.

#### Step Increases Due

1. Ian Graham – Correctional Officer – Jail – 13/2 to 13/3 – 4/8/15 – \$17.90/hour
2. Jennifer VanRoekel – Deputy Sheriff – Sheriff's Office – 16/16 to 16/17 – 3/23/15 – \$29.32/hour
3. Zachary Cegelske – Deputy Sheriff – Sheriff's Office – 16/8 to 16/9 – 4/13/15 – \$24.07/hour
4. Jason Ingemansen – Air Guard Security Officer II – Air Guard – 13/16 to 13/17 – 3/13/15 – \$25.29/hour
5. Lynne Haagenson – Safe Home Program Worker – Human Services – 9/7 to 9/8 – 1/29/15 – \$16.62/hour
6. Justin Hofer – Caseworker I – Human Services – 16/2 to 16/3 – 3/31/15 – \$20.75/hour
7. Paul Dezotell – Museum Preparator – Museum – 17/2 to 17/3 – 4/7/15 – \$21.80/hour
8. Diane Rypkema – Deputy Director of Equalization – Equalization – 21/12 to 21/13 – 4/3/15 – \$2,720.80/bi-weekly
9. Sara Buker – Juvenile Correctional Officer I – Juvenile Detention Center – 12/3 to 12/4 – 4/1/15 – \$17.46/hour
10. Aaron Curry – Paralegal – Public Advocate's Office – 16/10 to 16/11 – 4/13/15 – \$25.29/hour
11. Robert Wilson – Assistant Commission Administrative Officer – Commission – 21/7 to 21/8 – 3/16/15 – \$2,404.80/bi-weekly

#### Special Commission Action

To recognize the following significant employee anniversaries for April 2015: 5 years - Jennifer Stanley and Sarah Wachal; 10 years – Deb Critser; 15 years – Brian VandenHul, Jason Ingemansen, and James Ness.

To record volunteers in County Departments for March 2015. The list is on file at Human Resources.

Carey Deaver, Human Resources Director, read a proclamation recognizing April 12<sup>th</sup> through the 18<sup>th</sup>, 2015 as Volunteer Week in Minnehaha County. MOTION by Kelly, seconded by Barth, to issue the proclamation. 5 ayes.

Carey Deaver, Human Resources Director, gave a briefing on amendments to the Minnehaha County Personnel

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Policies for the inclusion of gender identity as a protected class. MOTION by Barth, seconded by Bender, to approve the amendments for the inclusion of "gender identity" as a protected class in the Minnehaha County Equal Opportunity and Affirmative Action Policy, Non-Discrimination and Anti-Harassment Policy, and Equal Employment Opportunity Grievance Procedure. 4 ayes. Kelly voted nay.

#### ABATEMENT

MOTION by Barth, seconded by Beninga, to approve abatement of 2014 property taxes representing the Elderly Assessment Freeze for RDID 24293, \$13.45 and RDID 23430, \$1,460.74. 5 ayes.

#### NOTICES

A notice was received from the SD Department of Health of a Disinterment Permit issued for the remains of Harlon Olson, Hills of Rest Memorial Park, Sioux Falls, SD.

A notice was received from Sioux Falls Jaycees of their intent to conduct a fund raising raffle in conjunction with the annual 4<sup>th</sup> of July fireworks celebration.

#### LIEN COMPROMISE

Commissioner Barth gave a briefing on a request for compromise of lien for DPNO 28081. The applicant sold her property on March 25, 2015. At the closing, the title company withheld \$975 from the proceeds which was forwarded to Minnehaha County for payment of DPNO 28081. The lien is for public defender services that were provided in September 2013 for the applicant's ex-husband. The couple has been divorced since January 20, 1995. The lien account was established in 1992 during the time the couple was married, and both the applicant's name and her ex-husband's name are listed on the account. The account was at a zero balance prior to the public defender services being added. The applicant is requesting that Minnehaha County refund her the \$975, remove her name from the lien, and release the real property from the lien leaving the lien in full only in the name of her ex-husband. MOTION by Barth, seconded by Bender, to approve Resolution MC15-17. 5 ayes.

#### RESOLUTION MC15-17

WHEREAS, a County Aid Lien in the amount of \$975.00 purports to exist in favor of Minnehaha County and against DPNO 28081 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:

Refund \$975 to the applicant which was withheld by the title company from the proceeds of the sale of the applicant's property and forwarded to Minnehaha County for payment on the lien, remove the applicant's name and the real property legally described as Lot 9 & S 10' Lot10, Block 4, Pettigrew & Tates 4<sup>th</sup> Addition to the City of Sioux Falls from the lien, and reinstate the \$975 Public Defender fee on the lien only in the name of the applicant's ex-husband.

Dated at Sioux Falls, South Dakota, this 7<sup>th</sup> day of April, 2015.

APPROVED BY THE COMMISSION:  
Cindy Heiberger

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Chairman  
 ATTEST:  
 Cynthia Jepsen  
 Deputy County Auditor

Commissioner Barth gave a briefing on a request for compromise of lien for DPNO 20410. The lien is in the amount of \$11,329.91 and is for court appointed attorney and public defender services between April 1986 and February 2004. The applicant began making payments in 2013 after being notified of the lien by Hauge Associates. A total of \$440 has been paid on the account bringing the lien to its present balance. The applicant has an annual income of \$42,048.53 but did not fully complete the asset/liability portion of the application. The applicant has served 30 years in prison and stated he was not aware the lien existed. He is asking for a compromise and release of the lien in full with no additional payment stating he has incurred medical bills and his hours at work have been reduced rendering him unable to pay on the lien. MOTION by Barth, seconded by Kelly, to deny the request for compromise of lien for DPNO 20410.

#### HEARING

Darlene Johnson, Assistant Auditor, was present for the public hearing and requested approval of applications for a Special Event On-Sale Wine Retailers License and a Special Event Malt Beverage License submitted by Chef Dominique's Catering. The licenses would allow Chef Dominique's Catering to sell wine and malt beverages at a wedding reception held at 48779 258<sup>th</sup> St., Garretson, SD 57030 on September 5, 2015. MOTION by Beninga, seconded by Barth, to approve the Special Event On-Sale Wine Retailers License and a Special Event Malt Beverage License for Chef Dominique's Catering. 5 ayes.

#### BURN BAN

Lynn DeYoung, Emergency Management Director, reported the Rural Fire Chiefs are recommending that the Minnehaha County Commission declare a fire danger emergency and enact a ban on open burning due to weather and grassland conditions. Mr. DeYoung requested approval a resolution prohibiting open burning effective immediately until rescinded by the County Commission. MOTION by Kelly, seconded by Bender, to approve Resolution MC 15-18. 5 ayes.

**RESOLUTION MC 15-18  
 A RESOLUTION DECLARING  
 A FIRE DANGER EMERGENCY IN  
 MINNEHAHA COUNTY AND PROHIBITING  
 OPEN BURNING**

**WHEREAS**, due to dry spring conditions, unseasonably warm temperatures, and windy conditions that are currently prevalent in Minnehaha County a fire danger emergency now exists within Minnehaha County, South Dakota, now

**THEREFORE BE IT RESOLVED BY THE MINNEHAHA COUNTY BOARD OF COMMISSIONERS**, based on the recommendations of the Minnehaha Rural Fire Chiefs and the Minnehaha County Emergency Management Director, and under the authority of SDCL 7-8-20 (18), that a Fire Danger Emergency is hereby declared and until this resolution be otherwise rescinded by the Minnehaha County Board of Commissioners, all open burning as defined in Ordinance MC 34-04, is hereby prohibited within the boundaries of Minnehaha County, South Dakota, exclusive of any incorporated municipality within the county, and

**BE IT FURTHER RESOLVED**, that this Resolution is declared to be necessary for the immediate preservation of the public safety in accordance with the provisions of SDCL 7-18A-8 and is effective immediately and shall continue in force and affect until rescinded by the Minnehaha County Board of Commissioners.

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Dated this 7<sup>th</sup> Day of April, 2015

APPROVED BY  
 BOARD OF COUNTY COMMISSIONERS  
 Cindy Heiberger  
 Chairman

ATTEST: Bob Litz, Auditor  
 Cynthia Jepsen  
 Deputy Auditor

#### EASEMENT

Ken McFarland, Commission Administrative Officer, presented a request for a 10' easement across certain portions of the W.H. Lyon Fairgrounds. Verizon Wireless has asked SDN Communications to place several small cell antennas in certain locations in Sioux Falls including the fairgrounds to improve cellular coverage. The antennas will be connected to SDN Communications fiber optic network in Sioux Falls. Kersten Kappmeyer, Chief Civil Deputy State's Attorney, stated the easement is very narrow and for a specific purpose and he has no concerns regarding its approval. MOTION by Bender, seconded by Beninga, to authorize the Chairman to sign the Permanent Private Fiber Optic Utility Easement between Minnehaha County and SDN Communications across W.H. Lyon Fairgrounds. 5 ayes.

#### AGREEMENTS

Ken McFarland, Commission Administrative Officer, presented three agreements associated with non-secure juvenile detention services between Minnehaha County and Volunteers of America Dakotas (VOA). This item was deferred from March 31, 2015. In preparation for the expiration of the original collaboration agreement with VOA dated April 11, 1995, staff has been working with our 13 partner counties and VOA to extend the terms of all the agreements for a period of two years. The first agreement is The Acknowledgement Regarding Collaboration Agreement between Minnehaha County and VOA. This agreement acknowledges the indebtedness contemplated in the original 1995 agreement has been satisfied, and title to 1401 W. 51<sup>st</sup> Street will be conveyed to VOA prior to the expiration date of the agreement. The agreement also provides for the expiration of both the original lease for 908 N. West Avenue dated April 11, 1995 and the services agreement for programs in the facility dated January 1, 1996 as well as providing for a new lease agreement and services agreement to be in place prior to April 15, 2015. MOTION by Bender, seconded by Kelly to authorize the Chairman to sign the Acknowledgement Regarding Collaboration Agreement between Minnehaha County and VOA. 5 ayes.

The second agreement is a new two year lease agreement between Minnehaha County and VOA for the use of 32 non-secure beds at the 908 N. West Avenue facility commencing April 16, 2015 and expiring April 15, 2017. The terms of the lease have been expanded from non-secure shelter care to include other programs developed through the Juvenile Detention Alternative Initiative including the reception center, evening report center and other programs and services. MOTION by Kelly to approve the two year lease agreement. Commissioners Bender and Beninga stated concern over the length of a two year term and they would be in favor of a shorter term lease with periodic reviews to assess the non-secure bed needs of the partnership that may be affected by Juvenile Detention Alternatives Initiative (JDAI) within our 13 partner counties. Ken McFarland stated that it will take two years to do a proper evaluation of all the options being discussed for the future of juvenile detention services and get new agreements in place. Mr. McFarland further stated that with JDAI we will have an ever greater reliance for the need of non-secure beds. Mr. McFarland suggested to have a two year agreement but provide for quarterly reviews. John Hart, Managing Director of Volunteers of America Dakotas, stated concern over a short term lease arrangement because should an agreement on a monthly or quarterly basis not be renewed it would be impossible to find an alternative location and give staff associated with the program notice. Chairperson Heiberger stated she feels a two year agreement is not necessary and a shorter agreement is not unrealistic. SUBSTITUTE MOTION

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by Beninga, seconded by Barth, to approve a six (6) month lease with an automatic renewal including a provision for a 90 day notice to not auto-renew. Jamie Gravett, Juvenile Detention Center Director, spoke on the need for having non-secure beds available and feels a minimum of a one year lease is needed. Commissioner Kelly stated he feels in fairness to VOA and based on recommendations from staff, he would not support a six month lease. VOTE on substitute motion, 2 ayes; Barth, Bender, and Kelly voted nay. Motion fails. SUBSTITUTE MOTION by Bender, seconded by Barth, to approve a one year lease agreement between Minnehaha County and VOA with an automatic one year renewal including a provision for a 90 day notice to not auto-renew for use of the property at 908 N. West Avenue, Sioux Falls, SD. Erin Srstka, Juvenile Detention Alternatives Director, stated she prepares quarterly reports on the use of alternatives and detention, and will provide that information to the Commission. VOTE on substitute motion, 5 ayes. The third agreement is a two year Services Agreement between Minnehaha County and VOA for short-term shelter care and other related services. MOTION by Kelly, seconded by Barth, to approve a one year Services Agreement for short-term shelter care and other related services between Minnehaha County and VOA with an automatic one year renewal including a provision for a 90 day notice to not auto-renew. 5 ayes.

#### AGREEMENT

Traci Smith, Public Defender Director, requested approval to move forward on a partnership with the University of Oregon School of Law and Gideon's Promise to employ a prospective Legal Fellow who will participate in the Gideon's Promise Core 101 Training Program in August 2015. The student will graduate in May and has signed up to take the South Dakota Bar exam. The University of Oregon School of Law has agreed to contribute a grant of \$24,000 to be applied toward the Fellow's salary and benefits. Ms. Smith also requested authorization to utilize funds from the existing Public Defender personnel budget for 2015 to ensure that the Fellow's salary is equivalent to all new hires with similar education and/or experience. Minnehaha County will also be responsible for travel expenses associated with the Fellow attending the Gideon's Promise Core 101 Training Program, but will not be responsible for the cost of the program. Commissioner Barth left the meeting. MOTION by Beninga, seconded by Bender, to authorize Traci Smith to sign the Gideon's Promise Fellowship Agreement among Minnehaha County, The University of Oregon School of Law, Gideon's Promise, and Skye Frison, Fellow. 3 ayes. Kelly voted nay.

#### BID AWARD

DJ Buthe, Highway Superintendent, reported on the April 1, 2015 bid opening for Project MC 14-17, Grading, Rip-Rap, and Miscellaneous Repairs to Structures through the FEMA Program. Two bids were received from Zacharias Construction, Inc., \$133,083.00 and RP&H, Inc., \$142,969.40. Mr. Buthe recommended to award the project to Zacharias Construction, Inc. MOTION by Beninga, seconded by Kelly, to award the contract to Zacharias Construction, Inc., in the amount of \$133,083.00. 4 ayes.

#### PROPOSAL

Commissioner Barth re-joined the meeting.

DJ Buthe, Highway Superintendent, presented a proposal at the request of the County Commission for hiring summer interns to assist the early completion of the replacement of rural addressing signage. The approximate cost for one intern to work 12 weeks at \$11.00 per hour is \$5,300. It is anticipated that hiring two interns would double the production and allow the department to install an additional 1,500 to 2,500 signs this summer. Mr. Buthe stated that his department has had trouble filling all of the summer intern positions at the current rate of \$11.00 per hour, and the wage may need to be increased. The current Highway Budget does not include enough funds to provide for the additional positions, and it is possible that a year-end supplement may be required for this expense. Commissioner Barth stated he believes replacing the signs is a public safety issue and it needs to get done. MOTION by Barth, seconded by Kelly, to authorize the recruitment of part time personnel to work on replacing the rural address signs. 5 ayes.

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## HIGHWAY EQUIPMENT

Deferred from February 10, 2015.

DJ Buthe, Highway Superintendent, requested an additional deferral on a request to purchase two (2) truck chassis from Nuss Truck of Minnesota to allow time to gather additional information on the cost of refurbishing two existing trucks. Mr. Buthe is hoping to present the information at the informational meeting on April 28, 2015, and would like this item deferred until after the information is available. MOTION by Beninga, seconded by Barth, to defer this item until after the additional information is available. 5 ayes.

Deferred from February 10, 2015.

DJ Buthe, Highway Superintendent, requested an additional deferral on a request to authorize the Auditor to publish a notice to bidders for the purchase of two (2) Dump Truck/Salt Spreader Combination Body Units to allow time to gather additional information on the cost of refurbishing two existing trucks. Mr. Buthe is hoping to present the information at the informational meeting on April 28, 2015, and would like this item deferred until after the information is available. MOTION by Beninga, seconded by Barth, to defer this item until after the additional information is available. 5 ayes.

## GRANT

Ralph Hammer, Weed & Pest Supervisor, presented the Letter of Agreement for a Grant between Minnehaha County Weed & Pest Board and the South Dakota Weed and Pest Commission. The award amount is \$6,100 and requires a 50/50 cost share, and will be used to purchase chemicals and seasonal help. The grant fund dollars must be expended between July 1, 2015, and June 1, 2016. MOTION by Beninga, seconded by Barth, to authorize the Chairman to sign the Letter of Agreement for a Grant between Minnehaha County Weed & Pest Board and the South Dakota Weed and Pest Commission commencing July 1, 2015 and ending June 1, 2016. 5 ayes.

## SURPLUS PROPERTY

Ken McFarland, Commission Administrative Officer, reported the capital asset record for the Information Technology Department lists three items that they no longer have. The items were purchased 14 to 15 years ago and have been completely depreciated. Mr. McFarland requested the items be declared as surplus property for purposes of disposal. MOTION by Bender, seconded by Barth, to declare two (2) HP Surestore Autoloaders 818, Tag #'s 68440 and 64350 and one (1) AS 400 9406 Model 720-2061 W/6490 8MM Tape Drive, Tag #65270 as surplus property for purposes of disposal. 5 ayes.

## VEHICLE PURCHASE

Kristin Trana, Administrative Coordinator for the Sheriff's Office, requested authorization to purchase one (1) 2016 Ford Police Utility Interceptor to be paid for through the Sheriff's Office approved FY 2015 budget. The vehicle will be purchased off the 2015 City of Sioux Falls Bid #16-0006. The contract was awarded to Sioux Falls Ford. The City bid was for a 2015 model year, and production on that model has already stopped. Ford will honor the pricing on the bid for the 2016 models that will be built this fall. The dealership has agreed to honor the City of Sioux Falls contract for Minnehaha County. MOTION by Kelly, seconded by Beninga, to authorize the purchase of one (1) 2016 Ford Police Utility Interceptors off the 2015 City of Sioux Falls Bid #16-0006 from Sioux Falls Ford for a base price of \$25,826 plus options in the amount of \$1,419 for a total cost of \$27,245. 5 ayes.

## NEW BUSINESS

Commissioners Barth and Kelly commented on the Information Technology Department providing a link on the Minnehaha County website to the Sioux Empire Fair website.

4/07/2015

MOTION by Barth, seconded by Kelly, to adjourn into executive session for litigation and legal briefing. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday April 14, 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger  
Chairperson

ATTEST:

Cynthia Jepsen  
Deputy Auditor