

4/21/2015

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. April 21, 2015, pursuant to adjournment on April 14, 2015. Commissioners present were: Barth, Bender, Beninga, and Kelly. Commissioner Heiberger was absent. Also present were Cindy Jepsen, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

Vice Chairman Beninga called the meeting to order.

MOTION by Barth, seconded by Bender, to approve the agenda. 4 ayes.

MOTION by Bender, seconded by Kelly, to approve the April 14, 2015 Commission Minutes. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Bender, to approve the following bills totaling \$707,152.18. 4 ayes.

A & B Business Equip	Maintenance C	82.20	A To Z World Languag	Interpreters	4,497.00
Airgas Inc	Gas,Oil,Diese	78.00	Airgas Inc	Lease-Rental	8.50
Airgas Inc	Small Tools,	382.50	Airway Service Inc	Automotive/Sm	146.20
Airway Service Inc	Gas,Oil,Diese	40.90	Anderson, Carol	Welfare Rent	1,850.00
Applied Concepts Inc	Communication	77.50	Argus Leader - Adver	Publishing Fe	870.00
Armor Correctional H	Contr Serv	378,145.50	Association Of SD Mu	Education & T	450.00
Association Of Sd Mu	Program Activ	115.00	Automatic Building C	Coliseum Main	142.00
Avera Health Plans	Expenditures	1,884.85	Avera McKennan Hospi	Blood Withdra	140.00
Avera McKennan Hospi	Clinics - Aux	3,276.00	Avera McKennan Hospi	Hospitals	8,666.00
Avera McKennan Hospi	Other Profess	963.51	AVI Systems, Inc	Other Miscell	129.00
Bechtel, Dave	Welfare Rent	1,550.00	BI Inc	Program Suppl	9,240.00
Black Inc	Program Activ	300.00	Bob Barker Company,	Inmate Suppli	3,234.11
Bradfield, Matt Db	Maintenance C	70.00	Builders Supply Comp	Building Repa	1,700.00
Butler Law Office Pc	Attorney Fees	835.20	Canfield Business In	Administratio	14,495.00
Carlson, Lisa	Court Reporte	574.60	CBM Managed Services	Board Of Pris	17,425.82
CBM Managed Services	Inmate Suppli	172.93	Center For Family Me	Other Profess	212.00
Century Business Lea	Lease-Rental	306.61	Century Business Pro	Lease-Rental	383.69
Century Business Pro	Maintenance C	411.17	Centurylink (Qwest)	Detox	13.40
Centurylink (Qwest)	Telephone	3,095.80	City Of Garretson	Welfare Utili	191.63
Cody, Denise	Bd Exp. Fees	30.00	Cole Papers, Inc.	Building Repa	32.06
Cole Papers, Inc.	HHS Custodial	84.32	Cole Papers, Inc.	Small Tools,	233.07
Com-Tec Security, Ll	Communication	847.03	Compass Center Fka	Other Miscell	17,500.00
Computer Forensic Re	Attorney Fees	1,312.50	Constellation New En	Natural Gas	13,770.48
Crew & Crew Pc	Attorney Fees	2,755.80	Dakota Data Shred	Lease-Rental	33.45
Dakota Fluid Power,	Heavy Eq. Rep	344.13	Dakota Fluid Power,	Small Tools,	186.90
Davies, Boone T	Welfare Rent	350.00	Eekhoff, Casey	Attorney Fees	516.01
EH Hospitality Llc	Motels	650.00	Express Copy & Print	Program Activ	301.00
First Premier Bank	Investigators	73.90	George Boom Funeral	Burials	2,250.00
George, Aaron	Welfare Rent	495.00	Global Connect	Other Medical	3.48
Goebel Printing, Inc	Printing/Form	44.64	Great Plains Psychol	Psych Evals	3,517.50
Gunner, Andrea	Court Reporte	105.80	Guzman, Sandra V.	Interpreters	262.50
H & R Roofing Of Sd,	Building Repa	915.00	Harmer, Gerald	Welfare Rent	490.00
Harmon, Karla	Bd Evaluation	382.50	Harms Oil Company	Gas,Oil,Diese	17,412.44
Heartland Paper Comp	Kitchen/Clean	2,487.53	Heritage Apartments	Welfare Rent	350.00
Hillyard, Inc.	Janitorial/Ch	6.09	Hobby Lobby Stores I	Program Activ	10.71
Horizon Agency Inc	Expenditures	2,418.00	Hov Services Inc	Microfilming	220.30
Hurtgen, Timothy T/P	Welfare Rent	600.00	Interstate All Batte	Small Tools,	40.50
Interstate Office Pr	Office Suppli	754.03	Iss Facility Svcs-Mi	Contract Serv	11,058.00
Jaros, Pete	Investigators	22.20	JC Schultz Enterpris	Janitorial/Ch	365.00
JCL Solutions-Janito	Kitchen/Clean	3,667.97	Jefferson Partners L	Transportatio	216.50
Jim & Ron's Service	Other Profess	114.00	Jin, Suming	Interpreters	25.00
Kauffman, David W. P	Psych Evals	3,151.50	Khoroosi, Sam	Attorney Fees	324.00
Kim, Jennifer	Welfare Rent	1,050.00	Kittelton, Joan M	Bd Exp. Fees	30.00
Kone, Inc.	Maintenance C	820.98	Kone, Inc.	Other Profess	57.16
Kone, Inc.	Outside Repai	9,280.80	Kyra Enterprises Llc	Motels	1,130.00
Kyra Enterprises Llc	Welfare Rent	250.00	Language Line Servic	Interpreters	267.58

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Language Line Serv	Telephone	378.27	Larons Ii Power Equi	Motor/Machine	114.98
Larson, Jeff	Attorney Fees	1,696.95	Leaf Inc.	Office Suppli	129.80
Lewno, Lucy	Bd Exp. Fees	300.98	Lockwood Law Office	Attorney Fees	254.48
Loewenberg, Skyler	Welfare Rent	350.00	Lutheran Social Svcs	Interpreters	200.00
Mailway Printers	Publishing Fe	181.03	Med-Star Paramedic I	Transportatio	300.00
MidAmerican Energy C	Natural Gas	624.84	Midamerican Energy C	Welfare Utili	262.71
Midcontinent Communi	Telephone	55.00	Midwest Ear Nose & T	Physicians	263.76
Miller Funeral Home,	Burials	2,935.00	Mobile Electronic Se	Automotive/Sm	275.00
Myers Billion Llp	Bd Exp. Fees	450.50	Narem, Inc	Automotive/Sm	87.93
National Highway Ins	Education & T	3,100.00	Natl Tactical Office	2014 HLSGrant	13,386.00
Neuroth, Michele M	Welfare Rent	500.00	Niedringhaus, Paul	Uniform Allow	229.99
Northern Truck Equip	Truck Repair/	577.86	Novak Sanitary Servi	Tea-Ellis Ran	77.50
Nyberg's Ace Hardwar	Motor/Machine	17.56	O'Reilly/First Call	Automotive/Sm	161.08
Oehlke, Karl	Bd Evaluation	225.00	Pastperfect Software	Program Activ	352.00
Pennington County Ja	Extradition &	5,643.85	Peters, Courtney	Other Misc. R	400.00
Pharmchem Inc	Testing Suppl	300.00	Pheasantland Industr	Printing/Form	433.65
Phoenix Supply Llc	Inmate Suppli	1,112.00	Pollard & Larson Llp	Attorney Fees	388.50
Presto-X-Company	Outside Repai	192.82	Professional Wireles	Communication	155.78
R & L Supply, Ltd	VOA, Dakotas	2,744.00	Record Keepers, Inc.	Records Stora	2,721.69
Red Rock Inn	Motels	49.00	Redwood Toxicology L	Testing Suppl	1,080.00
Retail Data Systems	Office Suppli	237.00	Risty, Julie	Telephone	24.99
Roach, Marty J	Uniform Allow	314.97	Ronke & Feist Law Fi	Child Defense	558.00
Salberg, Aaron	Attorney Fees	310.50	Sanford Clinic - Fi	Other Miscell	34.00
Sanford Health Plan	Cobra Insuran	1,452.90	Sanford Health Plan	Expenditures	2,596.00
Sanford Hospital	Blood Withdra	100.00	Sanford Hospital	Hospitals	3,874.47
Sanford Laboratories	Lab Costs	523.53	Sanford Occupational	Expenditures	405.39
Sanitation Products,	Truck Repair/	79.14	SD Assn Of County Of	Amounts Held	5,208.00
SD Attorney General	Amts Held-Dai	12,930.00	SD Dept Of Public Sa	Other Miscell	100.00
SD Dept Of Revenue	Lab Costs	165.50	SD Dept Of Revenue	Store Sales	68.19
SD Human Services Ce	Clinics - Aux	5.60	SD One Call	Building Repa	6.30
Sehr, Francis J/Sehr	Welfare Rent	390.00	Senior Citizens Svcs	Advertising	54.00
Servall Towel & Line	Program Activ	16.80	SF River Run Apts	Welfare Rent	500.00
Sherwin Williams	Building Repa	37.99	Shi International Co	Data Processi	121.93
Sioux Falls City Fin	Blood/Chemica	4,095.00	Sioux Falls City Fin	Gas,Oil,Diese	1,074.11
Sioux Falls Conventi	Advertising	50.00	Sioux Falls Housing	Welfare Rent	426.00
Sioux Falls Utilitie	Water - Sewer	2,632.27	Sioux Falls Utilitie	Welfare Utili	314.50
Sioux Falls Woman Ll	Advertising	595.00	Sioux Valley Energy	Welfare Utili	297.00
Skorczewski, Jena	Court Reporte	2,348.40	Solomon, Ghirmay	Interpreters	50.00
Spectra Associates I	Archive/Prese	254.95	Suretest Inc	Professional	312.50
Szameit, Alexandra	Interpreters	150.00	Tammen Oil	Automotive/Sm	6.60
Taylor Place Llc	Welfare Rent	400.00	The Evangelical Luth	Welfare Rent	600.00
Thesenvitz & Mickels	Attorney Fees	226.20	Thomson Reuters - We	Legal Researc	2,144.14
Thorin, Deyanira T	Interpreters	100.00	Titan Machinery	Automotive/Sm	942.25
Tornow Law Office Pc	Attorney Fees	7,084.85	V & S Inc	Uniform Allow	1,088.82
V.I.P. Rentals/Vanpe	Welfare Rent	392.00	Variety Foods Llc	Other Profess	257.38
Veldkamp, Alvin E	Welfare Rent	500.00	Verizon Wireless	Data Processi	1,098.71
Verizon Wireless	HIDTA Grant	78.52	Verizon Wireless	Safety & Resc	163.77
Verizon Wireless	Telephone	4,854.12	Volunteers Of Americ	Alternatives	21,679.59
Wagner, Bill	Program Activ	100.00	Walgreen Co.	Pharmacies	55.23
Waltner, Kolbeck, Sc	Attorney Fees	8,272.22	Waltner, Kolbeck, Sc	Child Defense	572.89
Weber, Jamie Db	Child Defense	5,185.72	Weerheim, Tom	Attorney Fees	495.00
Weiland & Assoc Inc	Jury Fees	318.84	Winner Police Depart	Extradition &	135.20
Xcel Energy, Inc.	Electricity	957.87	Xcel Energy, Inc.	Road Maint. &	29.97
Xcel Energy, Inc.	Welfare Utili	2,661.74	Yan, Shicai	Interpreters	25.00
Zabel Steel Co.	Automotive/Sm	52.52	Zahrbock Kool, Tress	Attorney Fees	1,164.61
Zamora, Julian	Welfare Rent	310.00			

REPORTS

The SD Public Funds Investment Trust Annual Report dated December 31, 2014 and the Register of Deeds Official Statement of Revenue Collected for the Month of March, 2015 were received and placed on file in the Auditor's Office.

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PERSONNEL

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

1. To hire Phillip Larsen as temporary, seasonal part-time Laborer for the Highway at \$12.00/hour effective 4/27/15.
2. To hire Michael Thompson as temporary, part-time Deputy Public Defender (21/4) for the Public Defender's Office at \$27.23/hour effective 4/23/15 to 10/22/15.
3. To promote Neil Fossum from Deputy Public Defender to Senior Deputy Public Defender (22/2) for the Public Defender's Office at \$2,288.80/bi-weekly effective 3/18/15.
4. To accept the resignation of Ashley Miles as Senior Deputy Public Defender for the Public Defender's Office effective 4/24/15.
5. To promote Brianna Stanga from Correctional Officer in Training to Correctional Officer (13/2) for the Jail at \$17.46/hour effective 4/26/15.
6. To correct the memo dated 4/14/15 which should have reflected a start date of 4/14/15 as opposed to 4/7/15 for Admir Tahirovic, temporary, part-time Correctional Officer in Training for the Jail.

Step Increases Due

1. Christopher Sadler – Legal Office Assistant – Public Defender's Office – 10/3 to 10/4 – 3/13/15 – \$15.82/hour
2. Alex Anderson – Juvenile Correctional Worker – Juvenile Detention Center – 9/6 to 9/7 – 3/23/15 – \$16.21/hour
3. Jason Burns – Deputy Sheriff – Sheriff's Office – 16/8 to 16/9 – 4/13/15 – \$24.07/hour
4. Kathryn Zwak – Correctional Officer – 24/7 Program – 13/11 to 13/12 – 2/26/15 – \$22.35/hour
5. Debra Artus – Correctional Officer – 24/7 Program – 13/2 to 13/3 – 2/25/15 – \$17.90/hour

ABATEMENTS

MOTION by Bender, seconded by Kelly, to approve abatement of 2014 property taxes for RDID 85513, City of Sioux Falls, in the amount of \$232.36 representing tax exempt property. 4 ayes.

MOTION by Bender, second by Barth, to approve abatement of 2014 property tax for RDID 35055 in the amount of \$12,057.69, to correct an error in improvement value when properties were combined. 4 ayes.

MOTION by Kelly, seconded by Barth, to approve abatement of the following property taxes representing the Elderly Assessment Freeze: RDID 11217, \$749.68; RDID 26760, \$595.32; RDID 27432, \$517.06; RDID 37997, \$1,230.03; RDID 39745, \$401.36; RDID 41126, \$1,198.44; RDID 41679, \$139.45; RDID 42634, \$1,078.50; RDID 42759, \$1,437.64; RDID 46095, \$1,477.34; RDID 54119, \$815.36; RDID 61599, \$413.75. 4 ayes.

NOTICE

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A notice was received from the SD State Historical Society that consideration of the nomination of Terrace Park and Japanese Gardens, Sioux Falls, Minnehaha County, to the National Register of Historic Places will be held at 8:45 a.m. on Thursday, May 28, 2015 at the Cultural Heritage Center, 900 Governors Drive, Pierre, SD.

LIEN

Commissioner Barth gave a briefing on a request for compromise of lien for DPNO 58778 in the amount of \$3,150.21. The lien is for \$950 in rental assistance provided to the applicant and her ex-husband during the time they were married. Another \$500 in rental assistance was provide to the applicant's ex-husband after the couple separated but were still legally married. The balance on the lien is for rental assistance provided to the applicant's ex-husband after the couple divorced. The applicant states she was unaware her ex-husband applied for the assistance during the time they were together, and is asking for her name to be removed from the lien account. The applicant's 2014 Income Tax Return shows an annual income of \$24,740 and a refund of \$7,242. She lists assets of \$1,400 and liabilities of \$3,395 including the \$420.00 lien that is in her name only. MOTION by Kelly, seconded by Barth, to approve Resolution MC15-22. 4 ayes.

RESOLUTION MC15-22

WHEREAS, a County Aid Lien in the amount of \$3,150.21 purports to exist in favor of Minnehaha County and against DPNO 58778 as Lienee, and

WHEREAS, said lienee has filed an application with the County Auditor stating such facts as provided for by Law,

NOW, THEREFORE, BE IT RESOLVED that after due consideration of the circumstances the Board of County Commissioners finds it advisable and proper to authorize the Chairman of the County Board and the County Auditor to execute the following:

Compromise and release the lien in full against the applicant upon payment of \$725.00, leaving the balance of the lien in the amount of \$2,425.21 only in the name of the applicant's ex-husband.

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

Dated at Sioux Falls, South Dakota, this 21st day of April, 2015.

APPROVED BY THE COMMISSION:

Gerald Beninga

Vice Chairman

ATTEST:

Cynthia Jepsen

Deputy County Auditor

AMBULANCE LICENSE

Ken McFarland, Commission Administrative Officer, reported that Rural Metro Ambulance Services will not be providing surface ambulance services in Primary Service Area 5 effective May 21, 2015. The Auditor's Office has received applications from Med-Star Ambulance and Paramedics Plus for a surface ambulance license for Primary Service Area 5 for the licensing period beginning May 21, 2015 through December 31, 2015. Dr. Jeff Luther, Quality Assurance Director, has reviewed the applications and concluded both service providers meet the requirements for licensure under Minnehaha County Ordinance MC31-3-10. Mike Bureau, Chief Operating Officer for Paramedics Plus, was present and spoke on their application and service plan. Jay Masur, Owner and Gerry Bauer, Director of Operations for Med-Star Ambulance were present and spoke on

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their application and service plan. Daren Ketcham, Metro Communications Director, spoke on how calls are dispatched and stated they would work to get mutual aid agreements in place with the provider selected. Lynn DeYoung, Emergency Management Director, informed the Commission that there will be some logistical work that needs to be done after a provider is selected and prior to the start of the licensing period. Tom Kaffer, Humboldt Ambulance Director, stated his department feels it would be a smooth transition from the current provider to Paramedics Plus. Commissioners Kelly and Bender stated they would like to defer this item one week for further review of the applications. MOTION by Barth, seconded by Kelly, to defer this item until the April 28, 2015 meeting. 4 ayes.

BRIEFING

Michael Mattson, Deputy Sheriff Lieutenant, gave a briefing on updates to the Minnehaha County Inmate Guidebook for the Jail and the Community Corrections Center Inmate Guidebook. Final approval of the guidebooks will be on April 28, 2015.

APPEAL

Kevin Hoekman, Planner 1, gave a briefing on an appeal of Conditional Use Permit (CUP) #15-17 filed by Annette Krenke. CUP #15-17 allows for the expansion of mini storage units on the property legally described as Tract 3A, France's Tracts, S ½ SW ¼, Section 7-102-49. The property is located at 25788 472nd Avenue in the northeast corner of the Crooks/Renner exit of I-29. The Planning Commission unanimously approved CUP #15-17 with nine (9) conditions at the March 23, 2015 Planning Commission Meeting. Tim Tiahart, petitioner of CUP #15-17, was present and stated they will be planting evergreen trees along the north side of the property as required by condition #8 of the permit and he is in the process of changing the lighting to the west. Annette Krenke, was present and requested the storage units be 1,000 feet from her property line because of the security lights. Ms. Krenke also said she is opposed to a business being built on Mr. Tiahart's property since it is in a residential area. Commissioner Barth stated this area is likely for development as it is located next to the intersection of a county highway and the Interstate. MOTION by Kelly, seconded by Bender to uphold the Planning Commission's approval of CUP #15-17 with nine (9) Conditions. 4 ayes.

BID AWARD

Jason Reaves, Senior Project Engineer, reported on the March 24, 2015 bid opening for Project MC-155-OL-2015, Contracted Overlay on County Highway 155. Five bids were received from the following companies: Asphalt Surfacing Company, \$1,374,936.20; Double H Paving, Inc., \$1,396,269.75; Black Top Paving Company, \$1,407,074.50; Seal Pros, Inc., \$1,555,555.00; and Myrl & Roy's Paving, Inc., \$1,729,279.00. Mr. Reaves recommended the bid award go to the low bidder, Asphalt Surfacing Company. MOTION by Bender, seconded by Barth, to award the bid for Project MC-155-OL-2015 to Asphalt Surfacing Company in the amount of \$1,374,936.20. 4 ayes.

ELECTION EQUIPMENT SALE

Bob Litz, Auditor, requested authorization for the sale of two DS 650 Ballot Tabulation Machines to Marshall County, SD, for a cost of \$100 per machine. Minnehaha County purchased the machines using Help America Vote Act (HAVA) funds. The proceeds from the sale of the machines to Marshall County are to be returned to the State's HAVA fund. Mr. Litz stated the machines do not have to be declared surplus for a government to government sale per SDCL 6-5-5. MOTION by Barth, seconded by Bender, to authorize the sale of two DS 650 Ballot Tabulation Machines serial numbers 4205-7325 and 4205-7328 to Marshall County, SD for a sum of \$200. 4 ayes.

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GRANT APPLICATIONS

Kristin Trana, Administrative Coordinator for the Sheriff's Office, requested authorization to submit a grant application for the 2015 State Criminal Alien Assistance Program (SCAAP). The funds are designated by the Federal Government to be used for reimbursement of costs for detaining individuals whom are believed to be criminal aliens based on investigative and other information, for which no formal DHS documentation of alien status is available. MOTION by Bender, seconded by Barth, to authorize submission of the 2015 SCAAP application. 4 ayes.

LIAISON REPORT

Commissioner Beninga reported he met with the Public Defender's Office and they will be updating the commission on suggestions and the annual report.

NEW BUSINESS

Robert Wilson, Assistant Commission Administrative Officer, reported on a briefing by the South Dakota Chamber of Commerce on their Legislative wrap up.

OLD BUSINESS

Commissioner Beninga gave a reminder that Friday, April 24, 2015, will be the last meeting this year of the County Board of Equalization.

MOTION by Barth, seconded by Bender, to adjourn into executive session for legal briefing and personnel. 4 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday April 28, 2015.

APPROVED BY THE COMMISSION:

Gerald Beninga
Vice Chairperson

ATTEST:

Cynthia Jepsen
Deputy Auditor