

4/28/2015

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. April 28, 2015, pursuant to adjournment on April 21, 2015. Commissioners present were: Barth, Beninga, and Kelly. Commissioners Bender and Heiberger were 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 Kelly, to approve the agenda. 3 ayes.

MOTION by Barth, seconded by Kelly, to approve the April 21, 2015 Commission Minutes. 3 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Kelly, to approve the following bills totaling \$629,808.76. 3 ayes.

A & B Business Equip	Lease-Rental	232.61	A To Z World Languag	Interpreters	800.00
Ab Propane Inc	Motor/Machine	207.46	Agre, Larry	Welfare Rent	400.00
Airway Service Inc	Automotive/Sm	690.03	Airway Service Inc	Gas,Oil,Diese	105.65
Allied Oil & Tire Co	Automotive/Sm	18.00	Amazon/Syncb	Furniture & O	473.95
Amazon/Syncb	Inmate Suppli	12.99	Amazon/Syncb	Other Supplie	69.15
American Stamp & Mar	Other Profess	145.09	Argus Leader - Adver	Publishing Fe	911.66
Argus Leader - Subsc	Other Miscell	335.32	At & T	Safety & Resc	40.60
Automatic Building C	Jail Repairs/	215.22	Automatic Building C	VOA - Dakotas	435.00
Avera Health Informa	Clinics - Aux	39.00	Avera Health Informa	Medical Recor	31.20
Avera McKennan Hospi	Hospitals	5,634.00	Avera McKennan Hospi	Other Profess	4,604.16
Avera McKennan Hospi	Physicians	586.36	Avera Specialty Clin	Physicians	175.79
Baltic Fire Dept	Baltic F.D.	18,847.50	Bergendahl, David L	Court Reporte	61.60
Berry Dunn Mcneil &	Other Profess	6,910.00	Boyce, Greenfield,Pa	Other Profess	605.00
Brandon Fire Dept	Brandon F.D.	40,315.00	Brennan Hill Townhou	Welfare Rent	600.00
Brudigan, Suzanne M.	Court Reporte	2,332.00	Bureau Of Informatio	Detox	2.41
Bureau Of Informatio	Telephone	265.40	Butler Machinery Com	Heavy Eq. Rep	339.16
C & R Supply Inc	Truck Repair/	90.23	Carey & Associates I	Education & T	990.00
Carlson, Lisa	Court Reporte	11.40	Carper, Nichole A	Child Defense	478.25
Carroll Institute	IVC Housing	18,555.00	Cartridge World	Data Processi	842.98
Center For Family Me	Other Profess	3,300.00	Century Business Lea	Lease-Rental	148.91
Century Business Pro	Maintenance C	741.33	Centurylink (Qwest)	Contract Serv	16.75
Centurylink (Qwest)	Telephone	698.34	Certified Languages	Interpreters	29.70
Cheney Lake, Llc Db	Welfare Rent	1,200.00	Cliff Avenue Auto Pa	Parts Invento	16.22
Cody, Denise	Bd Exp. Fees	115.50	Cody, Denise	Dev Disabili	6.00
Colton Fire Dept	Colton F.D.	18,077.50	Computer Forensic Re	Attorney Fees	570.00
Crooks Fire Dept	Crooks F.D.	14,327.00	Dakota Investment Pr	Welfare Rent	500.00
Dakota Lettering Etc	Uniform Allow	861.92	Dakota Riggers & Too	Truck Repair/	300.00
Dakotaland Autoglass	Automotive/Sm	99.98	Danko Emergency Equi	Safety & Resc	660.93
Decisionone Corporat	Maintenance C	168.52	Dell Rapids Fire Dep	Dell Rapids F	24,657.00
Dezotell, Todd	Welfare Rent	550.00	Driveline Service In	Truck Repair/	77.36
Eh Hospitality Llc	Motels	700.00	Emdeon Business Serv	Other Medical	49.00
Fitts, Rod Db	Welfare Rent	1,547.50	Fleetpride / Holt, I	Truck Repair/	70.30
Four Corners Partner	Welfare Rent	400.00	Fremont Industries,	Building Repa	39.20
G & R Controls Inc	Electrical Re	230.74	Garnos, Graham Db	Welfare Rent	500.00
Garretson Fire Dept	Garretson F.D	20,971.50	Garretson Fire Dept	Sherman F.D.	2,815.00
Gaylord Bros Inc	Program Activ	269.82	Gearman, Jason	Education & T	38.00
Global Tel Link (Gt	Telephone	59.19	Goebel Printing, Inc	Printing/Form	174.64
Guzman, Sandra V.	Interpreters	75.00	Hanson, Michael W.	Attorney Fees	1,003.50
Harmelink,Fox & Ravn	Attorney Fees	572.00	Hartford Fire & Resc	Hartford F.D.	32,125.00
Heartland Paper Comp	Kitchen/Clean	400.35	Heartstarters Llc	Education & T	22.50
Heimdal, Marie Ann	Court Reporte	235.60	Henderson, April	Other Misc. R	300.00
Hewlett-Packard Comp	Data Processi	315.00	Hillyard, Inc.	HHS Custodial	346.16
Hillyard, Inc.	Janitorial/Ch	228.44	Hoekman, James	Uniform Allow	82.38
Holiday Inn City Cen	Program Activ	55.00	Humboldt Fire Dept	Humboldt F.D.	16,852.00
Hy-Vee Accounts Rece	Program Activ	29.54	Infrastructure Desig	Architects &	14,658.28
Interstate All Batte	Automotive/Sm	147.90	Interstate All Batte	Other Supplie	3.50

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Interstate All Batte	Truck Repair/	225.90	Interstate Office Pr	Archive/Prese	51.48
Interstate Office Pr	Office Suppli	977.26	ISI Llc	Interpreters	160.00
Jaros, Pete	Education & T	142.00	JCL Solutions-Janito	Kitchen/Clean	135.00
Jefferson Partners L	Transportatio	850.00	Jim & Ron's Service	Other Profess	50.00
Jim Bork Enterprises	Printing/Form	59.00	Johnson, Richard L	Attorney Fees	1,027.50
Katterhagen, Mark	Bd Exp. Fees	115.50	Katterhagen, Mark	Dev Disabili	6.00
Khoroosi, Sam	Attorney Fees	1,142.70	Knecht, Andrew J	Child Defense	126.00
Knoff, Dave	Attorney Fees	144.00	Knoff, Dave	Dev Disabili	18.00
Krueger Excavating,	Snow Removal	780.00	Krumm, Jerome	Business Trav	77.00
Kyra Enterprises Llc	Motels	165.00	Laughlin, Nicole	Attorney Fees	1,608.30
Lewis & Clark Bhs	Bd Evaluation	4,160.00	Lewno, Lucy	Bd Exp. Fees	916.93
Lewno, Lucy	Dev Disabili	140.52	Luther, Jeff	Medical Direc	2,500.00
Lyons Fire Dept	Lyons F.D.	6,238.00	Master Blaster Inc	Automotive/Sm	55.19
Mckesson Medical-Sur	Clinics - Aux	23.38	Mcloughlin & Eardley	Vehicle Equip	891.72
Meile-Rasmussen, Jac	Business Trav	38.48	Menards - East	Automotive/Sm	9.97
Menards - East	Bldg/Yard Rep	82.92	Menards - East	Bridge Repair	44.98
Menards - East	Building Repa	151.60	Menards - East	Sign Supply/I	74.88
Menards - East	Truck Repair/	26.88	Metro Communications	Other Miscell	25,172.75
Michaels Purple Petu	Building Repa	125.00	Michaelson, Shirley	Welfare Rent	200.00
Microfilm Imaging Sy	Maintenance C	309.00	Miller Funeral Home,	Burials	2,935.00
Miner County Sheriff	Other Profess	25.76	Minn Cnty Museum Pet	Exhibit Mater	9.53
Monroe Systems For B	Office Suppli	93.99	Monterey Ltd Ptnr/Mo	Welfare Rent	700.00
Morphotrak	Lease-Rental	4,337.00	Multi-Cultural Cente	Interpreters	481.25
Murray Properties, L	Welfare Rent	500.00	Narveson, Mark	Business Trav	77.00
Neve's Uniforms	Volunteer Per	1,845.00	North American Truck	Truck Repair/	18.63
Nyberg's Ace Hardwar	Exhibit Mater	21.98	Nyberg's Ace Hardwar	Other Supplie	12.99
Office Depot, Inc.	Data Processi	395.04	Olson's Pest Technic	Contract Serv	67.75
Palmer, Barbara	Bd Evaluation	3,442.50	Parkview, Llc	Welfare Rent	1,200.00
Patterson Dental Sup	SCAAP Funds	6,082.58	Pettigrew Heights Lt	Welfare Rent	251.00
Pheasantland Industr	Printing/Form	325.10	Pheasantland Industr	Sign Supply/I	675.00
Polk County (IA) She	Return Of Ser	35.60	Prahm Construction I	Contracted Co	83,227.70
Qualified Presort Se	Postage	3,919.90	R & L Supply, Ltd	Heat,Vent & A	175.38
R & L Supply, Ltd	Plumbing & We	42.16	Rdo Equipment Co.	Heavy Eq. Rep	124.84
Red Oak Senior Apts	Welfare Rent	500.00	Redwood Toxicology L	Program Suppl	1,080.00
Refinish Supply Cent	Heavy Eq. Rep	66.90	Renner Fire Rescue	Renner F.D.	13,518.50
Rochester Armored Ca	Armored Car S	379.50	Rocky Mount Instrume	Other Profess	505.00
Sanford Clinic - Fi	Other Miscell	23,262.50	Sanford Hospital	Hospitals	8,771.96
Schaefer, Dean	Court Reporte	1,173.00	SD Attorney General	Amts Held-Dai	3,633.00
SD Attorney General	Amounts Held	6,040.00	SD Dept Of Public Sa	Other Miscell	80.00
SD Dept Of Revenue	Blood/Chemica	237.00	SD Human Services Ce	Clinics - Aux	83.20
Sentinel Offenders S	Alternatives	1,718.80	Servall Towel & Line	Janitorial/Ch	39.95
Servall Towel & Line	Program Activ	103.67	Service First Fed Cr	Furniture & O	40.00
SF Leased Hsg Author	Welfare Rent	900.00	Shi International Co	Software	1,449.36
Short Elliott Hendri	Architects &	7,308.29	Sioux Empire Fair As	Other Miscell	12,500.00
Sioux Falls City Fin	Gas,Oil,Diese	10,882.26	Sioux Falls City Fin	HIDTA Grant	157.78
Sioux Falls Ford, In	Gas,Oil,Diese	37.60	Sioux Falls School D	Program Activ	75.57
Sioux Falls Utilitie	Electricity	367.84	Sioux Falls Utilitie	Water - Sewer	10,468.39
Sioux Falls Utilitie	Welfare Utili	106.05	Southeastern Behavio	Other Profess	1,800.00
Splitrock Fire Dept	Split Rock F.	19,465.50	Stenopat Ltd Inc	Depositions	88.50
Szameit, Alexandra	Interpreters	175.00	Taser International	Education & T	2,216.20
Taylor Place Llc	Welfare Rent	1,324.00	Tessman Seed Comp	Grounds & Par	443.48
Thomson Reuters - We	Books	208.37	Thomson Reuters - We	Legal Researc	1,631.07
Thorin, Deyanira T	Interpreters	529.19	Thurman, Creighton A	Attorney Fees	196.70
Tires,Tires,Tires In	Automotive/Sm	762.12	Tires,Tires,Tires In	Gas,Oil,Diese	98.35
Valley Springs Fire	Valley Spring	11,869.00	Variety Foods Llc	Other Profess	289.84
Vogel Motors Llc	Gas,Oil,Diese	33.00	V2 Llc DbA Valley Vi	Welfare Rent	600.00
Wal-Mart Pharmacy	Pharmacies	395.88	Wal-Mart Pharmacy	Pharmacies	76.24
Waltner, Kolbeck, Sc	Attorney Fees	130.70	Waltner, Kolbeck, Sc	Child Defense	2,482.30
Wayne Township	Wayne Twp. F.	10,855.50	Wegner Auto Comp Inc	Automobiles	25,926.00
Wegner Auto Comp Inc	Other Profess	800.00	Wells Fargo Home Mor	Welfare Rent	435.06
Wells, Kimberly	Attorney Fees	588.00	West Briar Commons I	Welfare Rent	500.00
Wheelco Brake & Supp	Automotive/Sm	11.86	Wilka & Welter Llp	Attorney Fees	1,847.59
Woodall, Kristin A	Court Reporte	197.60	Worthington Direct	Program Activ	1,276.45
Xcel Energy, Inc.	Welfare Utili	2,904.95	Yankton County Sheri	Return Of Ser	325.00
Yankton County Treas	Attorney Fees	3,169.00	Zahrbock Kool, Tress	Child Defense	275.50

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Zamora, Julian Welfare Rent 500.00

PERSONNEL

MOTION by Kelly, seconded by Barth, to approve the following personnel changes. 3 ayes.

1. To hire Kelli Peterson as Victim/Witness Assistant (16/4) for the State's Attorney's Office at \$21.27/hour effective 5/4/15.
2. To hire John Mork as part-time, seasonal Park Supervisor for the Parks Department at \$19.75/hour effective 4/27/15 to 11/1/15.
3. To hire Gregg Kringen and David Kemper as part-time, seasonal Park Workers for the Parks Department at \$12.00/hour effective 4/27/15 to 10/15/15.
4. To accept the resignation of Megan Sommer as Corrections System Operator for the Jail effective 4/30/15.

Step Increases Due

1. Jennifer Brenden – Juvenile Correctional Officer II – Juvenile Detention Center – 14/16 to 14/17 – 4/22/15 – \$26.57/hour
2. Sarah Wachal – Victim Witness Assistant – State's Attorney's Office – 16/6 to 16/7 – 4/21/15 – \$22.91/hour
3. Tiffany Willert – Human Resources Technician – Human Resources – 10/3 to 10/4 – 4/17/15 – \$15.82/hour

ABATEMENTS

MOTION by Kelly, seconded by Barth, to approve abatement of 2014 property taxes for RDID 87011, \$208.10, representing owner occupied status that was removed in error. 3 ayes.

MOTION by Barth, seconded by Kelly, to deny abatement of 2014 property taxes for RDID 83978 as the owner-occupied application was not completed between 11/1/13 and 3/15/14. 3 ayes.

MOTION by Kelly, seconded by Barth, to approve abatement of 2014 property taxes for RDID 83494, \$1,611.27, representing owner occupied status that was removed in error. 3 ayes.

NOTICE

MOTION by Barth, seconded by Kelly, to authorize the County Auditor to publish a notice of sale of county surplus property by auction for one (1) John Deere 7210 Tractor with Tiger Mower, Asset #59150, by Wieman Land Auction on June 3, 2015. 3 ayes.

LIEN COMPROMISE

Commissioner Barth gave a briefing on a request for compromise of lien for DPNO 66844 in the amount of \$20,571. The applicant is requesting a compromise and release of the lien in full upon payment of an amount between \$3,000 and \$5,000. The applicant received county aid totaling \$31,500.03 between 2008 and 2010. \$30,692.23 of the lien is for hospitalization and care in 2008 following an automobile accident. The applicant

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received another \$807.80 in Public Defender services between 2008 and 2010. Through annual lien clean-up actions a total of \$10,929.03 has been compromised, leaving a current balance owing of \$20,571.00. The applicant has made no payments, and the account has been turned over to Hauge Associates for collection. The applicant's 2014 tax return lists a total income of \$57,910. Additional tax documentation describes the applicant as a general partner in a construction company and it appears he received 33% of the partnership profits in the amount of \$53,701, of which he received a distribution in the amount of \$11,616. He lists assets of approximately \$10,000 in a checking account and a motorcycle valued at \$4,000. He lists liabilities of \$29,000 in child support, \$1,100 owed to a collection agency, and a monthly vehicle lease payment of \$427. The applicant was present and spoke on his past addiction to methamphetamine that cost him his family, home, vehicles, and a job. He stated he has been sober for six years and is trying to rebuild his life. MOTION by Kelly, seconded by Barth, to approve Resolution MC15-23. 3 ayes.

RESOLUTION MC15-23

WHEREAS, a County Aid Lien in the amount of \$20,571.00 purports to exist in favor of Minnehaha County and against DPNO 66844 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 upon payment of \$5,807.80.

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

Dated at Sioux Falls, South Dakota, this 28th day of April, 2015.

APPROVED BY THE COMMISSION:

Gerald Beninga

Vice Chairman

ATTEST:

Cynthia Jepsen

Deputy County Auditor

PUBLIC COMMENT

Travis Arneson and daughter Grace Marie Arneson spoke in regard to the Sioux Falls Jaycees Annual 4th of July Fireworks Celebration and the events that will take place at the W. H. Lyon Fairgrounds. Mr. Arneson made a community request for volunteers and sponsors to help with this year's event and thanked those that have shown support in the past. The Sioux Falls Jaycees are located at 1000 N. West Avenue, Sioux Falls, SD 57104, and can be contacted by calling their office at 605-338-9741 or cell phone at 605-351-5034.

Robert Kolbe, Sioux Falls resident, spoke on Minnehaha County selecting Catering by Marlins as the foodservice provider for the jail.

Orrin Geide, 46134 263rd Street, Hartford, SD, spoke about his opposition to the Dakota Access Pipeline. Kersten Kappmeyer, Chief Civil Deputy States Attorney, stated that Minnehaha County obtained party status to reserve the right to offer testimony, documentation exhibits, etc., in the Dakota Access Pipeline proceedings before the South Dakota Public Utilities Commission. Mr. Kappmeyer stated the proceedings are in the

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discovery phase and a formal hearing is set for October, however that date can change. Mr. Geide stated that he has also obtained party status in the matter.

AMBULANCE LICENSE (Deferred from April 21, 2015)

Jay Masur, Owner of Med-Star Ambulance and Mike Bureau, Chief Operating Officer for Paramedics Plus, were present and answered additional questions from the Commission regarding applications their organizations submitted to provide ambulance service in Primary Service Area (PSA) #5. Ken McFarland, Commission Administrative Officer, reminded the Commission that this license is for a period beginning May 21, 2015 through December 2016. Mr. McFarland also stated that in 2016 the County will likely receive input from all of the Ambulance Service Providers on suggestions or adjustments to the service area boundaries. Commissioner Barth asked Daren Ketcham, Metro Communications Director, to speak on response time in PSA #5. Mr. Ketcham stated the County's Ambulance Ordinance only refers to response time from when the call is dispatched to the time the agency acknowledges the call, and does not dictate response times from the station to the scene of the incident. MOTION by Barth, seconded by Kelly, to approve Med-Star Ambulance as the service provider for PSA #5. Commissioner Barth stated he feels Med-Star has demonstrated they will fulfill every promise they make, and with their familiarity of the county will be able to cover PSA #5 well. Commissioner Kelly stated that Med-Star has met all of the challenges the County has given them in the past and supports them being awarded PSA #5. Commissioner Beninga stated he is concerned about response time and that Med-Star has a different communication system than what Paramedics Plus has. Beninga also stated that in conversations he has had with residents in PSA #5, they were highly complimentary of the staff of Paramedics Plus who formerly were with Rural Metro. Commissioner Barth withdrew his motion, Kelly withdrew his second. MOTION by Barth, seconded by Kelly, to defer action until May 5, 2015. 3 ayes.

AMENDMENT

Warden Jeff Gromer was present to request approval and answer any questions on amendments to the inmate guidebooks that the Commission was briefed on at the April 21, 2015 Commission Meeting. MOTION by Kelly, seconded by Barth, to approve amendments to the Minnehaha County Inmate Guidebooks for the Minnehaha County Jail and Community Corrections Center. 3 ayes.

TOWNSHIP SPEED LIMITS

Kersten Kappmeyer, Chief Civil Deputy State's Attorney, gave a briefing on several requests from various townships asking the Minnehaha County Commission to enact more restrictive speed limits on sections of certain township highways in conformance with SDCL 32-25-9.1. During the 2015 legislative session, the State of South Dakota revised the existing township maximum speed statute. SDCL 32-25-9.2 in its new form will allow a township to directly enact speed limit resolutions which upon posting and notice to the County in which the roadway lies becomes effective and enforceable. This statutory revision becomes effective on July 1, 2015. Mr. Kappmeyer stated the Commission can either consider the requests from the townships at a future meeting under the current statute, SDCL 32-25-9.1, or decline the requests and send them back to the various township boards for the purpose of direct enactment and consideration under the new statute SDCL 32-25-9.2 effective July 1, 2015. Mr. Kappmeyer also stated the Highway Department has prepared a form to advise the Townships on how to post lower speed limits as well as to standardize how the County will receive the notifications still required by the revised state law. Shannon Schultz, Assistant Highway Superintendent, reported on Township changes to speed limits that have not had Commission approval. Ken McFarland, Commission Administrative Officer, stated that under SDCL 32-25-9.2 notification from Townships on changes to speed limits will be directed to the Commission Office. The changes would be listed as a notice on a Commission meeting agenda and published in the official minutes to serve as notice to the public. MOTION by Kelly, seconded by Barth, to decline the speed limit requests and send them back to the various Township Boards for the purpose of direct enactment and consideration under SDCL 32-25-9.2. 3 ayes.

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LIAISON REPORT

Commissioner Kelly and Ken McFarland, Commission Administrative Officer, reported on attending the South Dakota Legislative Research Council Executive Board Meeting on Monday April 27, 2015 along with Commissioner Barth and Chief Deputy Sheriff Michelle Boyd. The Executive Board approved a summer study for the review of the functions of county government, law and regulations regarding counties, county revenue and expenditures, and alternative funding solutions. The scope of the study is to examine the duties assigned to counties by laws and regulations and specifically evaluate the expenditures for law enforcement, legal fees for court appointed attorneys and prosecutors, court cost, and county jails. The study will evaluate the expenditures on whether costs should or may be transferred to another entity, review sources of funding available to counties including taxes and fees, and determine whether the fees should be revised. The study will review the statutes for outdated and obsolete provisions and make form and style changes to Title 7 and evaluate the fiscal impact on counties that have significant areas of property owned by the Federal Government or placed in Trust, and include other responsibilities given to counties to administer correction facilities, public infrastructure, document recording, registration and elections. In addition, the study will look into the organization of counties and to explore what kind of levels of intergovernmental cooperation exists among Counties, Municipalities, and Townships.

MOTION by Barth, seconded by Kelly, to adjourn into executive session for personnel and contracts. 3 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday May 5, 2015.

APPROVED BY THE COMMISSION:

Gerald Beninga
Vice Chairperson

ATTEST:

Cynthia Jepsen
Deputy Auditor