

5/26/2015

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. May 26, 2015, pursuant to adjournment on May 19, 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 Beninga, seconded by Barth, to approve the agenda. 5 ayes.

MOTION by Bender, seconded by Barth, to approve the May 19, 2015 Commission Minutes. 5 ayes.

#### VOUCHERS TO BE PAID

MOTION by Barth, seconded by Beninga, to approve the following bills totaling \$1,565,598.31. 5 ayes.

A & B Business Equip	Lease-Rental	291.04	A & B Business Equip	Maintenance C	82.20
A To Z World Languag	Interpreters	80.00	Adamson, Kim	Education & T	27.00
Airway Service Inc	Automotive/Sm	619.99	Airway Service Inc	Gas,Oil,Diese	303.66
Albrecht, Patricia	Extradition &	38.89	Alexander, Daniel	Other Miscell	9.00
Allied Oil & Tire Co	Automotive/Sm	668.64	Allied Oil & Tire Co	Truck Repair/	150.00
American Institute O	Lab Costs	360.00	Arena Motel	Motels	244.00
Armor Correctional H	Contr Serv	178,502.59	At & T	Safety & Resc	40.60
Avera Health Informa	Medical Recor	35.10	Avera Health Plans I	Cobra Insuran	606.28
Avera Heart Hosp Of	Safety & Resc	254.28	Avera McKennan Hospi	Blood Withdra	70.00
Avera McKennan Hospi	Clinics - Aux	495.61	Avera McKennan Hospi	Hospitals	10,642.00
Avera Medical Group	Other Profess	1,500.00	Barth, Jeff	Travel - Bart	44.40
Berry Dunn McNeil &	Other Profess	6,314.00	BI Inc	Program Suppl	9,614.80
Billion's	Automotive/Sm	38.47	Binger Law Office	Attorney Fees	1,845.18
Bob Barker Company,	Inmate Suppli	891.51	Bon Homme Cnty Sheri	Other Profess	35.32
Boyer Trucks Sioux F	Automotive/Sm	44.91	Boyer Trucks Sioux F	Truck Repair/	42.26
Bureau Of Informatio	Telephone	24.00	Butcher, Chris	Extradition &	47.00
Butler Machinery Com	Truck Repair/	1,220.40	Canda Properties Llc	Welfare Rent	600.00
Carlson, Lisa	Court Reporte	56.00	Carper, Nichole A	Attorney Fees	156.00
Carroll Institute	IVC Housing	18,555.00	Cartridge World	Data Processi	1,660.39
CBM Managed Services	Board Of Pris	16,785.48	CBM Managed Services	Child Care Fo	3,876.15
CBM Managed Services	Inmate Suppli	192.87	Century Business Lea	Lease-Rental	306.61
Century Business Lea	Maintenance C	352.38	Century Business Pro	Lease-Rental	97.26
Century Business Pro	Maintenance C	1,379.96	Century Business Pro	Office Suppli	108.84
Chasing Willows Ltd	Welfare Rent	683.00	Chemco, Inc.	Furniture & O	449.60
Chief Supply	Vehicle Equip	695.56	Cliff Avenue Auto Pa	Automotive/Sm	103.51
Clites Consulting In	Hospital Prep	7,107.05	Cody, Denise	Bd Exp. Fees	133.50
Constellation New En	Natural Gas	2,806.11	Covert Track Group I	HIDTA Grant	600.00
Cummins Central Powe	Jail Repairs/	594.09	Dakota Contracting C	Contr Co	90,932.50
Dakota Fluid Power,	Heavy Eq. Rep	40.51	Dakota Riggers & Too	Heavy Eq. Rep	261.30
Decastro Law Office,	Attorney Fees	10,895.40	Drew, Brian	Business Trav	35.00
EH Hospitality Llc	Motels	700.00	Electric Innovations	Outside Repai	1,072.00
Erpenbach, John E	Recruitment	125.00	Fleetpride / Holt, I	Truck Repair/	2,486.34
Foster, Glenn	Business Trav	35.00	Fred The Fixer Inc	Building Repa	50.00
G & R Controls Inc	Heat,Vent & A	1,885.00	Galls/Quartermaster	Other Supplie	90.75
Geotek Engineering &	Building Repa	50.00	Goebel Printing, Inc	Office Suppli	202.04
Grainger, Inc.	Jail Repairs/	26.24	Grainger, Inc.	Small Tools,	50.08
Harmelink,Fox & Ravn	Attorney Fees	429.00	Harrifeld, Chris W	Other Profess	3,623.00
Heartland Paper Comp	Inmate Suppli	547.04	Heartland Paper Comp	Janitorial/Ch	115.73
Heartland Paper Comp	Kitchen/Clean	841.28	Heimdal, Marie Ann	Court Reporte	51.00
Heinold, David	Education & T	191.00	Hoekstra, Denise A.	Court Reporte	40.80
Home Federal Savings	Welfare Rent	1,400.00	Hoskins, William J	Program Activ	167.24
Houser, Trevor	Extradition &	47.00	Hughes County Audito	Alternatives	600.00
Ideal Yardware	Bridge Repair	104.95	Interstate All Batte	Automotive/Sm	605.75
Interstate All Batte	Truck Repair/	338.85	Interstate Office Pr	Office Suppli	335.45
Irwin, Heather	Education & T	12.00	ISS Facility Svcs-Mi	Contract Serv	11,058.00
ISS Facility Svcs-Mi	HHS Maintenanc	575.00	James Law Pc	Attorney Fees	715.50

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Jansen, Arnold J	Welfare Rent	300.00	JCL Solutions-Janito	Janitorial/Ch	179.82
JCL Solutions-Janito	Kitchen/Clean	464.74	Jefferson Partners L	Transportatio	340.80
Johnson, Darlene	Education & T	10.00	Johnson, Richard L	Attorney Fees	225.00
Kallemeyn, Richard	Other Miscell	9.00	Katterhagen, Mark	Bd Exp. Fees	75.00
Khoroosi, Sam	Attorney Fees	450.00	Knoff, Dave	Attorney Fees	270.00
Koletzky, Sherlyn	Attorney Fees	458.00	Kone, Inc.	Other Profess	57.16
Lacey Rentals Inc	Lease-Rental	105.00	Lacroix, Heather	Attorney Fees	239.94
Language Line Servic	Interpreters	171.29	Language Line Servic	Telephone	132.77
Larson, Jeff	Attorney Fees	630.00	Laughlin, Nicole	Attorney Fees	723.30
Lewis & Clark Bhs	Bd Evaluation	4,480.00	Lewno, Lucy	Bd Exp. Fees	829.18
Litz, Bob	Education & T	27.00	Luther, Jeff	Medical Direc	2,500.00
Mac's, Inc.	Bridge Repair	47.58	Malone, Constance A	Other Miscell	9.00
Metro Communications	Clinics - Aux	30.00	Metro Communications	Other Miscel	195,903.53
Michaelson, Shirley	Welfare Rent	585.00	MidAmerican Energy C	Natural Gas	440.63
Midwest Oil Company,	Parts Invento	307.00	Midwestern Mechanica	Maintenance C	200.00
Mikelson, Gary E	Attorney Fees	441.46	MPI Technologies Inc	Data Processi	806.50
Narem, Inc	Automotive/Sm	10.98	NE Dept Of Motor Veh	Copy Fees	3.00
Nelson, Pam	Other Miscell	195.18	Nolz Construction Co	Contract Co	101,246.60
Norment Security Gro	Jail Repairs/	482.79	Northland Systems In	Data Processi	8,703.00
Oconnor Company	HHS Maintenan	2,023.02	Oehlke, Karl	Bd Evaluation	1,012.50
Omnitech Inc	Consultants	540.00	P & G Townhomes Llc	Welfare Rent	650.00
Palluck, Ethan	Extradition &	47.00	Palmer, Barbara	Bd Evaluation	90.00
Paustian, Darwin/Kat	Welfare Rent	500.00	Pennington County Ja	Extradition &	8,166.25
Pictometry Intl Corp	Education & T	2,115.00	Plimpton, Jim	Business Trav	35.00
Pollard & Larson Llp	Attorney Fees	1,380.00	Prahm Construction I	Contracted Co	19,103.00
Presto-X-Company	Outside Repai	192.82	Professional Wireles	Safety & Resc	20.00
Psych Assoc Of Yankt	Bd Evaluation	500.00	Qualified Presort Se	Postage	102.27
Quill Corp.	Office Suppli	77.94	Redlin, Tom	Business Trav	35.00
Reliance Telephone I	Telephone	4.48	Rhomar Industries In	Truck Repair/	857.53
Ryan, Kelly	Safety & Resc	100.00	Safariland Llc	Safety & Resc	105.00
Safelite Glass Corp.	Automotive/Sm	292.90	Salihagic, Bojan	Gas,Oil,Diese	39.97
Sanford Clinic - Fi	Other Miscell	23,296.50	Sanford Hospital	Hospitals	10,371.68
Sanford Laboratories	Lab Costs	397.41	Schaefer, Tom	Court Reporte	1,152.00
Schaefer, Tom	Dev Disabili	12.00	Schuneman Equip Co	Automotive/Sm	105.57
SD Attorney General	Amts Held-Dai	5,056.00	SD Dept Of Public Sa	Other Miscell	120.00
SD Office Of Economi	Federal Grant	7,390.00	SD State Historical	Store Invento	307.64
SDACHS	Education & T	90.00	SDN Communications	Data Communic	331.50
SDN Communications	Telephone	688.50	Sea Inc	Program Activ	1,050.00
Sentinel Offenders S	Alternatives	1,491.84	SF Leased Housing As	Welfare Rent	334.00
SF Leased Hsg Author	Welfare Rent	1,500.00	Sherwin Williams	Building Repa	68.47
Shi International Co	Maintenance C	7,186.91	Short Elliott Hendri	Architects &	13,962.83
Sioux Empire Fair As	Other Miscell	12,500.00	Sioux Falls Chamber	Other Miscell	40.00
Sioux Falls City Fin	Gas,Oil,Diese	12,084.26	Sioux Falls City Fin	HIDTA Grant	165.31
Sioux Falls Housing	Welfare Rent	500.00	Sioux Falls Humane S	Other Miscell	3,569.92
Sioux Falls Utilitie	Electricity	10,659.69	Sioux Falls Utilitie	Water - Sewer	11,775.18
Sioux Falls Utilitie	Welfare Utili	27.64	Sisson Printing, Inc	Printing/Form	137.70
Skorczewski, Jena	Court Reporte	45.60	Southeast Technical	Recruitment	400.00
Southeastern Behavio	Crisis Interv	8,274.07	Southeastern Behavio	Other Profess	2,200.00
Southeastern Electri	Welfare Utili	239.26	Stan Houston Equipme	Bridge Repair	67.00
Storhaug, Adrean	Welfare Rent	375.00	Streicher's	2014 Jag Gran	1,031.99
Swanda, Karen	Bd Exp. Fees	58.50	Swenby, Roger	Welfare Rent	650.00
Szameit, Alexandra	Interpreters	50.00	T & Z Properties Llc	Welfare Rent	900.00
The Lodge At Deadwoo	Business Trav	340.00	Thomson Reuters - We	Legal Researc	399.17
Timekeeping Systems,	Building Repa	1,209.01	Tires,Tires,Tires In	Automotive/Sm	633.07
Tires,Tires,Tires In	Gas,Oil,Diese	51.30	Tower Of David, Ltd	Welfare Rent	268.00
Tuschen, Michael E	Uniform Allow	174.99	Urban Indian Health	Education & T	125.00
Urban Indian Health	Other Miscell	375.00	US Bank-Corporate Tr	Bond Princ	569,578.91
Vash Properties	Welfare Rent	500.00	VB Tower Lp/Falls Vi	Welfare Rent	350.00
Wal-Mart Pharmacy	Pharmacies	34.11	Walsh, Seamus	Business Trav	70.50
Waltner, Kolbeck, Sc	Attorney Fees	1,297.70	Waste Management Of	Trash Removal	412.80
Weerheim, Tom	Attorney Fees	405.00	Wegner Auto Comp Inc	Automobiles	25,926.00
Wheelco Brake & Supp	Truck Repair/	300.14	Woodall, Kristin A	Court Reporte	1,987.40
Xcel Energy, Inc.	Electricity	7,143.29	Xcel Energy, Inc.	Welfare Utili	1,762.47
Xigent Solutions	Data Processi	46,932.31	Yankton County Sheri	Return Of Ser	250.00
YMCA SF Housing / Ym	Welfare Rent	1,110.00			

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## REPORTS

The Inter-Lakes Community Action Partnership 2014 Annual Report was 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 Myles Peterson as Mechanic Team Member (14/2) for the Highway at \$18.34/hour effective 6/1/15.
2. To amend the hire date of Zachary Determan, seasonal, part-time Highway Laborer from 5/18/15 to 5/20/15.
3. To end the seasonal, part-time employment of Evan Bungum as Highway Laborer for the Highway effective 5/21/15.
4. To hire Willard Huffman as seasonal, part-time Park Worker for the Parks Department at \$11.40/hour effective 6/1/15 to 10/1/15.
5. To extend the employment of Erin Hanson as temporary, part-time Clerical Worker for the Public Defender's Office at \$10.00/hour effective 5/22/15 to 8/7/15.

## Step Increases Due

1. Adam Nyhaug – Museum Registrar – Museum – 14/8 to 14/9 – 5/27/15 – \$21.80/hour
2. Sharon Bakker – Senior Accounting Technician – Auditor – 12/9 to 12/10 – 5/27/15 – \$20.25/hour
3. Kaylee Groff – Tax and License Technician – Treasurer – 10/2 to 10/3 – 5/27/15 – \$15.43/hour
4. Peggy Thompson – Legal Office Assistant – State's Attorney's Office – 10/9 to 10/10 – 5/22/15 – \$18.34/hour

## ABATEMENTS

MOTION by Barth, seconded by Kelly, to approve abatement of the following 2014 Property Taxes representing Disabled Veterans Tax Exempt Property: RDID 81186, \$1,803.75; RDID 23227, \$447.17; RDID 17568, \$713.55; RDID 11226, \$1,430.52; RDID 61992, \$1,430.52. 5 ayes.

## NOTICE

A notice was received from 605 Holistic Health Inc. of their intent to conduct a fundraising raffle on June 21, 2015 at Bigs Sports Bar & Billiards, 3110 W. 12<sup>th</sup> Street, Sioux Falls.

MOTION by Beninga, seconded by Barth, to authorize the Auditor to publish a notice to bidders for Project MC112BR-15, replacement of Structure 50-243-100 on County Highway 122, ¼ mile east of County Highway 121 (Eros Road). 5 ayes.

## PLANNING & ZONING NOTICE

5/26/2015

MOTION by Kelly, seconded by Barth, to authorize the Auditor to publish a notice of hearing at 9:00 a.m., Tuesday, June 16, 2015, to consider adoption of the Minnehaha County Envision 2035 Comprehensive Plan. 5 ayes.

#### LIEN COMPROMISE

Commissioner Barth gave a briefing on a second request for a compromise of lien for DPNO 2946 in the amount of \$20,369.85. On May 19, 2015, the Commission denied the applicant's request to compromise and release the lien in full upon payment of \$10,000. The applicant is now offering a payment of \$12,000 for a compromise and release of the lien in full. MOTION by Barth, seconded by Kelly, to deny the request for compromise of lien. 5 ayes.

Commissioner Barth gave a briefing on a request for compromise of lien for DPNO 86967 in the amount of \$513.60. The lien is for attorney services in an involuntary alcohol commitment proceeding against the applicant's mother. The applicant states he was not aware that he would be financially liable for the process he was asked to initiate in order to get his mother assistance. The applicant is requesting a compromise and release of the lien in full with no payment. MOTION by Barth, seconded by Beninga, to approve Resolution MC15-30. 5 ayes.

#### RESOLUTION MC15-30

WHEREAS, a County Aid Lien in the amount of \$513.60 purports to exist in favor of Minnehaha County and against DPNO 86967 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 with no payment.

Dated at Sioux Falls, South Dakota, this 26<sup>th</sup> day of May, 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger  
Chairman

ATTEST:

Cynthia Jepsen  
Deputy County Auditor

#### REPORT

Traci Smith, Public Defender Director, presented the 2014 Annual Report and Caseload Analysis for the Public Defender's Office. The report is on file in the Auditor's Office.

BID

5/26/2015

Jeff Gromer, Warden, reported on the May 13, 2014 bid opening for a DVR Recording System for the Jail. The following three bids were received: Integrated Technology & Security, \$96,475; Com-Tec, \$268,200; Safe-N-Secure, \$139,291.58. The bids are all significantly higher than the budgeted amount for the project of \$50,000. The Sheriff's Office is recommending the rejection of all bids and publishing a new notice to bidders that clarifies the scope of the project to indicate the number of current video cameras the system must support with the ability to expand the system as future needs develop. MOTION by Barth, seconded by Kelly, to reject all bids received on May 13, 2015 for a DVR Recording System for the Jail. 5 ayes. MOTION by Kelly seconded by Barth to authorize the Auditor to re-publish a revised Notice to Bidders for the purchase of a Video Surveillance Recording System. 5 ayes.

#### BRIEFING

DJ Buthe, Highway Superintendent, reported that due to recent legislation, the federal Surface Transportation Program (STP) will be eliminated, and the existing STP dollars will be paid out to participants in 2015. Minnehaha County's portion of the payout is \$1,123,484. Mr. Buthe gave a briefing on additional projects and equipment that he would like to utilize \$732,000 of the unanticipated revenue to support in the 2015 budget.

#### AMENDMENT

DJ Buthe, Highway Superintendent, gave a briefing on an amendment to the contract with Infrastructure Design Group for Project MC14-16, Emergency Response Project Construction and Administration. The amendment is in the amount of \$5,106.17. Mr. Buthe reported project site #40 located on Highway 121 between Highways 122 & 130, was a significantly worse than originally anticipated during the initial site surveys. The scope of the work is expanding significantly to fill a scour hole caused by flooding damage. The amendment is for additional construction administration and observation at the site. MOTION by Beninga, seconded by Barth, to authorize the Chairperson to sign Amendment #1 to the contract with Infrastructure Design Group for Project MC14-16 for a new contract amount of \$34,946.57. 5 ayes.

#### AGREEMENT

Kersten Kappmeyer, Chief Civil Deputy State's Attorney, presented an agreement between Minnehaha County and the South Dakota Department of Social Services to provide funding to the Minnehaha County State's Attorney's Office for the services of Qualified Expert Witnesses for child abuse and neglect court cases involving Indian children. Mr. Kappmeyer also presented an agreement between Minnehaha County and Luke Yellow Robe to provide the Qualified Expert Witness service. The Indian Child Welfare Act requires an expert witness in cases where placement of Native American Children in non-Indian homes is possible. The State of South Dakota contracts with Minnehaha County for this service and the amount paid to Mr. Yellow Robe matches the amount paid to the County by the State. Under the terms of the agreement Luke Yellow Robe will be paid the sum of \$104,696 for the one-year term payable in four quarterly installments, with the first payment due upon funds being received by the County from the State of South Dakota. MOTION by Beninga, seconded by Barth, to authorize the Chairman to sign the agreement between Minnehaha County and the South Dakota Department of Social Services and between Minnehaha County and Luke Yellow Robe for Qualified Expert Witness Service for the contract period June 1, 2015 thru May 31, 2016. 4 ayes.

#### SURPLUS PROPERTY

Monte Watembach, Information Technology Director, requested the AS 400 Server with external DVD-Ram & Tape Drive, Asset #72960 be declared as surplus for the purpose of donation to the City of Sioux Falls. MOTION by Bender, seconded by Barth, to approve Resolution MC15-31. 5 ayes.

**RESOLUTION MC 15-31  
DECLARE AS 400 SERVER AS SURPLUS  
AND AUTHORIZE DONATION**

5/26/2015

**WHEREAS**, Minnehaha County is the owner of an AS400 Server with external DVD-RAM and Tape Drive; and **WHEREAS**, the Minnehaha County Board of Commissioners, based on the recommendation of the Minnehaha County Information Technology Director, has determined, in accordance with the provisions of SDCL 6-13-1, that the AS 400 Server with external DVD-RAM and Tape Drive is no longer necessary, useful, or suitable for the purposes for which it was originally acquired; and

**WHEREAS**, the City of Sioux Falls has expressed a desire to utilize the AS 400 Server for disaster recovery purposes, now

**THEREFORE BE IT RESOLVED**, by the Minnehaha County Board of Commissioners, that the AS 400 Server with external DVD-RAM & tape drive, Asset #72960, be declared as surplus property of Minnehaha County for purposes of donation to the City of Sioux Falls.

Dated this 26<sup>th</sup> Day of May, 2015

**APPROVED BY THE BOARD OF COMMISSIONERS**

Cindy Heiberger  
Chairman

**ATTEST:** Bob Litz, Auditor

Cynthia Jepsen  
Deputy Auditor

#### AGREEMENT

Ken McFarland, Commission Administrative Officer, reported that Juvenile Accountability Block Grant funds allocated to Lutheran Social Services (LSS) to provide for a Middle School Diversion Officer, will be exhausted by the end of May 2015. The grant period expires at the end of June 2015. Minnehaha County has negotiated a contract with LSS to continue the program for the remainder of the year. Under the terms of the contract, LSS will provide a 10% match for the officer. Minnehaha County will provide \$31,852 to cover the period from June 2015 thru December 2015. LSS will provide one (1) full time employee to provide evidence based curriculum to youth and families involved with the juvenile justice system. LSS will bill the county for actual costs not to exceed \$31,852 by the 15<sup>th</sup> of each month. MOTION by Beninga, seconded by Bender, to authorize the Chairperson to sign the agreement for Middle School Diversion Officer between Minnehaha County and Lutheran Social Services in the amount of \$31,852 for the period from June 2015 thru December 2015. 5 ayes.

#### DISCUSSION

The Commissioners discussed amending Resolution MC11-25 which limits the number of Special Event Alcohol Beverage Licenses issued to any person to six (6) within one calendar year. Commissioner Heiberger stated that the limit on the number of these licenses issued could have an impact on the consumer if the caterer they want to hire already has obtained the maximum number of Special Event Licenses. Commissioners Bender and Kelly commented on the fact that there have not been any complaints received from establishments asking for the limit to be increased. MOTION by Beninga, seconded by Barth, to amend Resolution MC11-25 by increasing the number of Special Event Alcohol Beverage Licenses to twelve (12) per calendar year effective for the current year. Commissioner Beninga spoke on the limited number of caterers and facilities available for people that want to hold an event at a venue that is not a typical bar. VOTE on motion, 2 ayes. Barth, Bender, and Kelly voted nay. Motion fails.

#### SURPLUS PROEPRTY

Kersten Kappmeyer, Chief Civil Deputy State's Attorney, requested the Commission declare two photocopiers previously used in the State's Attorney's Office as surplus for disposal and removed from the County's capital asset list. MOTION by Beninga, seconded by Barth, to approve Resolution MC15-32. 5 ayes.

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**RESOLUTION 15-32**  
**AUTHORIZATION TO DECLARE CERTAIN PROPERTY AS SURPLUS, RECORD DISPOSITION AS SURPLUSSED AND DESTROYED, AND REMOVE FROM CAPITAL ASSET LIST**

WHEREAS, Minnehaha County has an interest in two photocopiers; a Ricoh Aficio 1075 Copier, Serial Number J4335800173, Asset Tag Number 71730; and a Kyocera KM-8030 Copier/Printer, Serial Number 8030H3011176, Asset Tag Number 90700; listed as property of the State's Attorney's Office; and,

WHEREAS, said copiers aged to the point where repair was not economically feasible, and the copiers, in the estimation of professionals working in that trade, are without resale or repair value; and,

WHEREAS, the Minnehaha County Board of Commissioners has determined said copiers are no longer necessary, useful, or suitable for the purpose for which they were acquired, and have no useful value in that destruction is the proper course of disposal of said surplus property, exempting it from the appraisal requirements of SDCL Ch. 6-13, now

THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners, that said copiers above-referenced are hereby declared as surplus property pursuant to SDCL 6-13-1, and that their disposal by destruction is recorded, and they are to be removed by the Minnehaha County Auditor from the asset list of the County.

Dated this 26<sup>th</sup> day of May, 2015.

BY THE MINNEHAHA COUNTY BOARD OF COMMISSIONERS  
 Cindy Heiberger  
 Chair

ATTEST: Bob Litz, Auditor

Cynthia Jepsen  
 Deputy Auditor

**APPOINTMENT**

Kersten Kappmeyer, Chief Civil Deputy State's Attorney, reported that Boyce Law Firm, LLP, formerly Boyce Greenfield, Pashby & Welk, LLP, who was appointed to represent Minnehaha County in the matter of Hutchinson Technology, Inc. v. Minnehaha County, Civ.11-3864, has notified Mr. Kappmeyer that another file dealing with similar related issues as the appointed file, Hutchinson Technology, Inc. v. Pam Nelson, Treasurer of Minnehaha County, Civ. 12-1342, was still pending before the circuit court. Boyce Law Firm, LLP is asking for formal authorization from the Commission in order to appoint attorneys to be able to address issues raised in the related 12-1342 file. MOTION by Kelly, seconded by Bender to authorize the appointment of Boyce Law Firm, LLP to represent Minnehaha County in Hutchinson Technology, Inc. v. Pam Nelson, Treasurer of Minnehaha County, Civ. 12-1342. Commissioner Bender recused herself. 4 ayes.

**NEW BUSINESS**

At the request of Commissioner Beninga, Monte Watembach, Information Technology Director, spoke on the acquisition of copiers and toner for county departments that is coordinated by the Information Technology Department.

MOTION by Barth, seconded by Bender, to adjourn into executive session for contract/legal briefing. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday June 2, 2015.

5/26/2015

APPROVED BY THE COMMISSION:

Cindy Heiberger  
Chairperson

ATTEST:

Cynthia Jepsen  
Deputy Auditor