

6/30/2015

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. June 30, 2015, pursuant to adjournment on June 23, 2015. Commissioners present were: Barth, Beninga, Bender, 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 Bender, to approve the agenda. 5 ayes.

MOTION by Barth, seconded by Beninga, to approve the June 23, 2015 Commission Minutes and the June 23, 2015 Joint City of Sioux Falls/Minnehaha County Minutes. 5 ayes.

#### VOUCHERS TO BE PAID

MOTION by Barth, seconded by Bender, to approve the following bills totaling \$539,434.10, and June 2015 salaries. 5 ayes.

A & B Business Equip	Lease-Rental	513.01	A & B Business Equip	Maintenance C	763.03
Advertising Arts Inc	Printing/Form	584.06	Airway Service Inc	Automobiles	730.96
Airway Service Inc	Automotive/Sm	1,482.74	Airway Service Inc	Gas,Oil,Diese	268.07
Allied Oil & Tire Co	Automotive/Sm	46.00	Allied Oil & Tire Co	Truck Repair/	4,146.96
American Ink Llc	Small Tools,	288.35	Apland, Daniel DbA A	Welfare Rent	500.00
Armstrong Medical In	Education & T	144.52	Avera Health Informa	Medical Recor	13.30
Avera McKennan Hospi	Blood Withdra	70.00	Avera McKennan Hospi	Clinics - Aux	1,638.00
Avera McKennan Hospi	Hospital Prep	4,600.00	Avera McKennan Hospi	Other Profess	1,500.00
Barnett-Lewis Funera	Burials	1,000.00	Barney, Tara	Store Invento	222.00
Belitz, Clarence H /	Welfare Rent	350.00	Benz, Vergil C	Welfare Rent	500.00
Bi Inc	Program Suppl	9,922.55	Bob Barker Company,	Inmate Suppli	1,482.32
Bourne, Anna	Bd Evaluation	855.00	Boyce, Greenfield,Pa	Other Profess	4,800.00
Brown & Saenger	Office Suppli	69.89	Builders Supply Comp	Bldg. & Outsi	2,391.60
Bureau Of Informatio	Data Communic	420.00	Bureau Of Informatio	Telephone	264.00
C & R Supply Inc	Automotive/Sm	58.80	Carroll Institute	IVC Housing	18,555.00
Cartridge World	Data Processi	1,434.86	CBM Managed Services	Board Of Pris	16,571.60
CBM Managed Services	Inmate Suppli	299.34	Century Business Pro	Lease-Rental	91.43
Century Business Pro	Maintenance C	452.31	Centurylink (Qwest)	Contract Serv	24.48
Centurylink (Qwest)	Telephone	2,071.67	Clausen Enterprises	Welfare Rent	500.00
Cody, Denise	Bd Exp. Fees	117.00	Collins Enterprises	Welfare Rent	436.00
Concrete Materials	Bridge Repair	42.00	Concrete Materials	Road Maint. &	40,208.76
CRC Prop /Syc Oak/Ba	Welfare Rent	600.00	Crisp, Mark	Welfare Rent	600.00
Dakota Fluid Power,	Automotive/Sm	111.74	Dakota News Inc	Store Invento	179.58
Daniels-Olsen Bldg P	Program Activ	30.00	Dataline Assoc./Fior	Data Processi	720.00
Decisionone Corporat	Maintenance C	168.52	Dematteo, Lyndsey	Business Trav	28.49
Ed Roehr Safety Prod	Other Supplie	205.55	EH Hospitality Llc	Motels	280.00
Enercon, Inc	Small Tools,	881.00	Ergometrics, Inc.	Recruitment	2,015.57
Fastenal Company	Office Suppli	12.61	Fastenal Company	Small Tools,	37.28
First Premier Bank	Investigators	68.90	Fitts, Rod DbA Rod	Welfare Rent	1,375.00
Fleetpride / Holt, I	Truck Repair/	46.68	Folsland, David/Cind	Store Invento	232.00
G & G Mfg & Souvenir	Store Invento	204.03	G & H Distributing I	Small Tools,	25.46
George Boom Funeral	Burials	4,500.00	Goebel Printing, Inc	Bd Exp. Fees	89.86
Goebel Printing, Inc	Printing/Form	608.15	Gourley Properties I	Welfare Rent	910.00
Guzman, Sandra V.	Interpreters	50.00	Harmer, Gerald	Welfare Rent	475.00
Harnisch, Justin B	Other Misc. R	300.00	Healthport	Clinics - Aux	111.84
Heartland Funeral Ho	Burials	1,000.00	Hewlett-Packard Comp	Data Processi	474.25
Holiday Credit Offic	Road Maint. &	9.98	Houser, Trevor	Extradition &	47.00
Howalt-McDowell Insu	Notary Exp	50.00	Hurtgen, Timothy T/P	Welfare Rent	300.00
Hy-Vee Accounts Rece	Pharmacies	239.71	I State Truck Center	Parts Invento	207.94
I State Truck Center	Truck Repair/	165.00	Ideal Yardware	Automotive/Sm	51.66
Inland Truck Parts &	Truck Repair/	19.10	Interstate All Batte	Automotive/Sm	241.85
Interstate Office Pr	Office Suppli	1,726.75	James Law Pc	Attorney Fees	208.50
JCL Solutions-Janito	Kitchen/Clean	2,074.87	Jebro, Inc.	Road Material	19,065.00
Jefferson Partners L	Transportatio	619.00	Johnson, Reed C	Welfare Rent	600.00

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Katterhagen, Mark	Bd Exp. Fees	82.50	Kim, Jennifer	Welfare Rent	500.00
Kmart Pharmacy	Pharmacies	164.50	Kreisers, Inc.	Other Supplie	221.00
Kruse, Renae S	Child Defense	2,033.25	Kyra Enterprises Llc	Motels	145.00
Lacroix, Heather	Attorney Fees	893.40	Lewis & Clark Bhs	Bd Evaluation	4,800.00
Lewis Drug Stores	Pharmacies	2,394.92	Lewno, Lucy	Bd Exp. Fees	977.95
Locators & Supplies,	Road Maint. &	64.32	Luke, Matt/Julie	Welfare Rent	475.00
Luther, Jeff	Medical Direc	2,500.00	Mac's, Inc.	Bldg/Yard Rep	57.93
Mac's, Inc.	Small Tools,	44.98	Martinell, Charles	Business Trav	94.35
McGowan, Aaron F	Business Trav	166.50	Menards - East	Park/Recreati	46.74
Meridian It Solution	Data Processi	5,774.32	Metro Communications	Other Misc	175,935.95
Midwest Alarm Compan	Other Profess	424.80	Mikelson, Gary E	Attorney Fees	67.50
Miller Funeral Home,	Burials	1,000.00	Mobile Electronic Se	Communication	353.00
Morse Correctl Healt	Contract Serv	1,200.00	Murray Properties, L	Welfare Rent	50.00
Native American Herb	Store Invento	76.86	Neve's Uniforms	Uniform Allow	591.50
North American Truck	Trucks/Tracto	13,221.00	North Central Heart	Physicians	76.40
Northeast Investment	Welfare Rent	700.00	O'Reilly/First Call	Automotive/Sm	185.53
Oehlke, Karl	Bd Evaluation	2,655.00	Olson, Craig B	Gas,Oil,Diese	21.64
Olson's Pest Technic	Contract Serv	67.75	P & G Townhomes Llc	Welfare Rent	600.00
Parkview, Llc	Welfare Rent	615.00	Penning, Al	Investigators	34.04
Pennington County Ja	Extradition &	6,612.85	Phoenix Supply Llc	Inmate Suppli	1,112.00
Pollard Law Pc	Attorney Fees	258.00	Prescription Shop, I	Pharmacies	70.00
Qualified Presort Se	Postage	154.60	Raak Properties Llc	Welfare Rent	500.00
River Tower Apartmen	Welfare Rent	365.00	Rochester Armored Ca	Armored Car S	379.50
Sachchidanand Hospit	Motels	647.00	Sanford Clinic - Fi	Other Miscell	23,262.50
Sanford Health - Med	Hospital Prep	5,399.96	Sanford Hospital	Blood Withdra	20.00
Sanford Hospital	Clinics - Aux	5,046.00	Sanner, Melanie	Gas,Oil,Diese	15.00
Schabauer Invest Ltd	Welfare Rent	400.00	SD Army Natl Guard**	2014 HLS Grant	848.00
SD Assn Of County Co	Education & T	165.00	SD Attorney General	Amts Held-Dai	9,892.00
SD Secretary Of Stat	Notary Exp	30.00	SD State Historical	Store Invento	115.21
SDN Communications	Communication	3,500.00	SF Leased Housing As	Welfare Rent	101.00
SF River Run Apts	Welfare Rent	600.00	SF Specialty Hospita	Recruitment	80.00
ShIPLEY'S Laundry &	Program Activ	103.00	Sioux Empire Fair As	Other Miscell	12,500.00
Sioux Equipment Co I	Gas,Oil,Diese	59.15	Sioux Falls City Fin	Gas,Oil,Diese	14,290.06
Sioux Falls City Fin	HIDTA Grant	256.05	Sioux Falls Humane S	Other Miscell	3,430.13
Sioux Falls School D	Program Activ	185.44	Sioux Falls Two Way	Communication	532.40
Sioux Falls Two Way	Communication	84.99	Sioux Falls Utilitie	Electricity	11,741.39
Sioux Falls Utilitie	Water - Sewer	12,565.97	Sioux Falls Utilitie	Welfare Utili	275.38
Skadsen, Nathan	Work Mileage	26.64	Skelly, Marie/Bill	Welfare Rent	600.00
Snoozy, Scott	Welfare Rent	600.00	Sodaktac.Com	Uniform Allow	220.00
Southeast SD Tourism	Memberships	225.00	Southeastern Behavio	Crisis Interv	8,032.27
Southeastern Behavio	Other Profess	1,350.00	Southeastern Electri	Welfare Utili	312.22
Spring Centre Apts L	Welfare Rent	806.00	State Steel Of SD	Truck Repair/	279.80
Stefanyuk, Pavel	Welfare Rent	500.00	Streicher's	Other Supplie	1,201.34
Sturdevant's Auto Pa	Automotive/Sm	557.99	Sunshine Foods	Other Supplie	94.72
Sunshine Foods	Welfare Food	58.08	Swanda, Karen	Bd Exp. Fees	34.50
Szameit, Alexandra	Interpreters	75.00	T & A Service & Supp	Small Tools,	129.98
Thomson Reuters - We	Books	208.37	Thomson Reuters - We	Legal Researc	586.80
Tires,Tires,Tires In	Automotive/Sm	1,448.97	Tires,Tires,Tires In	Gas,Oil,Diese	80.70
True North Steel	Road Maint. &	99.72	V & S Inc	Uniform Allow	870.14
Variety Foods Llc	Other Profess	629.03	VOA Dakotas / Pettig	Welfare Rent	1,483.00
Wal-Mart Pharmacy	Pharmacies	321.64	Wal-Mart Pharmacy	Pharmacies	722.88
Walgreen Co.	Pharmacies	1,535.89	West Pointe Townhous	Welfare Rent	600.00
Wheelco Brake & Supp	Automotive/Sm	39.68	Wheelco Brake & Supp	Small Tools,	117.69
Wheelco Brake & Supp	Truck Repair/	321.50	Winner Police Depart	Extradition &	131.20
Woodall, Kristin A	Court Reporte	41.80	Xcel Energy, Inc.	Electricity	8,212.99
Xcel Energy, Inc.	Welfare Utili	999.87	Xigent Solutions	Consultants	4,000.00
Xigent Solutions	Education & T	2,600.00	Yankton County Sheri	Return Of Ser	200.00
YMCA SF Housing / Ym	Welfare Rent	600.00	Zandt, James R	Welfare Rent	900.00
112 Inc DbA Huey Ap	Welfare Rent	271.00	Commission	Salaries	41,783.58
Auditor	Salaries	47,499.11	Treasurer	Salaries	65,852.88
Information Tech	Salaries	63,007.44	States Attorney	Salaries	244,528.18
Public Defender	Salaries	134,914.04	Public Advocate	Salaries	38,729.60
Facilities	Salaries	83,740.23	Equalization	Salaries	71,714.87
Register Of Deeds	Salaries	42,974.30	Human Resources	Salaries	20,694.44
Sheriff	Salaries	835,550.09	Emergency Mgmt	Salaries	14,896.00

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Juvenile Detention	Salaries	158,085.09	Highway	Salaries	149,350.66
Human Services	Salaries	111,542.42	Museum	Salaries	62,525.21
Planning	Salaries	36,554.58	Extension	Salaries	2,934.40

## PERSONNEL

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

1. To hire Andrew Knecht as Deputy Public Defender (21/3) for the Public Defender's Office at \$2,125.60/bi-weekly effective 7/6/15.
2. To promote Eric Johnson from Senior Deputy State's Attorney (22/8) to Senior Trial Attorney (23/6) for the State's Attorney's Office at \$2,788.80/bi-weekly effective 7/6/15.
3. To promote Matthew Abel from Deputy State's Attorney (21/3) to Senior Deputy State's Attorney (22/2) for the State's Attorney's Office at \$2,288.80/bi-weekly effective 7/1/15.
4. To promote Sara Jean Baptiste from Senior Deputy Public Defender (22/7) to Senior Trial Attorney (23/7) for the Public Defender's Office at \$2,858.40/bi-weekly effective 7/1/15.
5. To promote Wayne Feddersen from Correctional Officer in Training (12/3) to Correctional Officer (13/3) for the Jail at \$17.90/hour effective 6/9/15.
6. To promote Austin Feenstra from Correctional Officer in Training (12/2) to Correctional Officer (13/2) for the Jail at \$17.46/hour effective 6/9/15.
7. To promote Kenneth Hasbrouck from Correctional Officer in Training (12/2) to Corporal (16/2) for the Jail at \$20.25/hour effective 6/20/15.

## Step Increases Due

1. Amber Bartels – Caseworker I – Human Services – 16/2 to 16/3 – 6/23/15 - \$20.75/hour
2. Raymond Koens – Caseworker II – Human Services – 17/12 to 17/13 – 6/4/15 - \$27.91/hour
3. James Phelps – Caseworker III – Human Services – 18/13 to 18/14 – 6/9/15 - \$2,404.80/bi-weekly
4. Alan Hightree – Safe Home Program Worker – Safe Home – 9/5 to 9/6 – 5/16/15 - \$15.82/hour
5. Jessica Bangert – Safe Home Program Worker – Safe Home – 9/4 to 9/5 – 6/5/15 - \$15.43/hour
6. Eric Johnson – Senior Deputy State's Attorney – State's Attorney's Office – 22/7 to 22/8 – 7/2/15 - \$2,654.40/bi-weekly
7. Shaun Mitchell – Correctional Officer – Jail – 13/2 to 13/3 – 6/22/15 - \$17.90/hour

## Special Personnel Action

MOTION by Bender, seconded by Beninga, to promote Melissa Buffalo from Community Supervision Monitor to a newly created position of Juvenile Cultural and Equality Coordinator (14/2) for the Juvenile Detention Center at \$18.34 hourly effective 7/6/15. 5 ayes.

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NOTICE

A notice was received that the South Dakota State Historical Society has approved the nomination of Terrace Park and Japanese Gardens, Sioux Falls, Minnehaha County to the National Register of Historic Places.

PLANNING & ZONING NOTICES

MOTION by Barth, seconded by Beninga, to authorize the Auditor to publish a notice of hearing at a joint meeting of the Dell Rapids City Council and Minnehaha County Commission to consider an ordinance amending the 2001 Revised Joint Zoning Ordinance for the City of Dell Rapids and Minnehaha County on July 21, 2015 at 9:00 a.m., in the Minnehaha County Commission Room. 5 ayes. The proposed ordinance would rezone the property legally described as Lot 1 of Overvaag Tract 2, SW1/4, Section 8-T104N-R49W from the C Commercial District to the RR-1 Rural Residential District.

APPEAL

The appeal of the Planning Commission's May 18, 2015 approval of Conditional Use Permit (CUP) #15-29 with twelve (12) conditions was deferred by the County Commission on June 16, 2015, to allow the parties involved to meet and see if they can come to a resolution. CUP #15-29 allows a Class C Confined Animal Feed Operation (CAFO) for four hundred ninety nine (499) animal units on property owned by Candice Anderson. The property is legally described as Tract 2 (Ex. Tracts A & B & Ex. A 100' Strip Lying Adjacent to Tract A), Anderson's Addition N ½, Section 10-T102N-R48W. Kevin Hoekman, Planner I, reported that Wyatt Sundvold, the petitioner, met with surrounding neighbors that are appealing the CUP on June 23, 2015 to discuss their concerns. Mr. Hoekman read the proposed conditions that were agreed upon at that meeting. Mr. Sundvold submitted a revised site plan to accommodate some of the concerns expressed at that meeting. The revised site plan places the proposed CAFO to the south of the existing trees and outside of the required setbacks from the nearest dwellings. Mr. Hoekman recommended removing the condition requiring waivers from the property owners of the two dwelling units to the south of the proposed facility since both dwellings are outside the required setback. Mr. Hoekman read the twelve (12) conditions that were approved by the Planning Commission for CUP #15-29. Opponent, Gary Pop, 48132 257<sup>th</sup> Street, Garretson, spoke on additional conditions that were agreed to at the meeting on June 23<sup>rd</sup> that included the manure storage facility must be covered and that the shelterbelt trees be planted as proposed on the site plan to the west, north, and on at least ¾ of the east side of the facility. Wyatt Sundvold, 1600 E. Cedar Street, Brandon, SD, stated he is in favor of the conditions agreed upon at the June 23<sup>rd</sup> meeting. MOTION by Beninga, seconded by Barth, to uphold the Planning Commission's approval of Conditional Use Permit #15-29 with the following fifteen (15) amended conditions: 1) The facility shall be limited to 499 animal units in size. 2) Copies of the nutrient management plans shall be approved and filed with the Minnehaha County Planning Department on an annual basis. 3) Shelter belt trees shall be planted as proposed on the site plan, to the west, north, and ¾ of the distance of the length of the facility on the east side of the facility. In addition shelterbelt trees shall be placed in approved locations around the manure containment facility. Any dead trees shall be replaced within one season. 4) The shelter belt trees shall be planted utilizing at a minimum Minnehaha County Conservation District standards. 5) An address sign must be purchased at the planning department and placed at the driveway of the facility. 6) The manure storage facility must be in conformance with South Dakota Department of Environment and Natural Resources design standards for any newly constructed waste containment facility. A registered professional engineer shall certify the plan specifications and the construction of the facility. 7) The facility shall conform to the submitted site plans. Any minor changes may be approved by the staff at the Minnehaha County Planning Department. Major changes will require an amendment to this permit and a public hearing. 8) A rendering service must be used to pick up and remove dead animals from the property. 9) The operation shall maintain fly control as to not become a nuisance for neighbors. 10) A building permit is required for all structures prior to construction. 11) That the Planning & Zoning Department reserves the right to enter and inspect the dairy CAFO at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and Minnehaha County Zoning Ordinance. 12) The CAFO facility be located to the south of the existing tree grove.

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13) Half or more of the existing tree grove, to the north and east of the building will remain intact until the planted shelterbelt is well established. 14) The manure storage facility shall be fully covered and any water from the manure will be retained in the storage facility. 15) Cattle shall be housed within the CAFO building at all times except for temporary periods of up to 24 hours for routine cleaning maintenance. 5 ayes.

#### BIDS

DJ Buthe, Highway Superintendent, reported on the June 24, 2015 bid opening for the Furnish and Installation of two (2) Hydraulics and Combination 15' 201 SS Dump and Spreader Bodies for Tandem Axle Trucks. The following two bids were received: Northern Truck & Equipment, \$158,908.00; Custom Truck Equipment, \$184,896.00. Mr. Buthe recommended the bid be awarded to the low bidder, Northern Truck & Equipment. MOTION by Kelly, seconded by Beninga, to award the bid for the Furnish and Installation of two (2) Hydraulics and Combination 15' 201 SS Dump and Spreader Bodies for Tandem Axle Trucks to Northern Truck & Equipment in the amount of \$158,908.00. 5 ayes.

DJ Buthe, Highway Superintendent, reported on the June 24, 2015 bid opening for Project MC122BR-15, replacement of structure 50-243-100. The following three bids were received: Prahm Construction, Inc., Base Bid \$460,793.15, Alt. Bid \$489,098.15; Graves Construction Company, Base Bid \$616,584.69, No Bid on Alternate; SFC Civil Constructors, Base Bid \$674,982.45, Alt. Bid \$692,908.95. Mr. Buthe stated the Alternate Bid was for a newer product for the steel in the deck of the bridge called ZBar, and he has chosen not to accept the alternate for this project. Mr. Buthe recommended the bid be awarded to Prahm Construction, Inc. for the Base Bid cost. MOTION by Bender, seconded by Barth, to award the contract for Project MC122BR-15 to Prahm Construction, Inc. in the amount of \$460,793.15. 5 ayes.

Robert Wilson, Assistant Commission Administrative Officer, reported that no bids were received for the June 24, 2015 bid opening for Fairgrounds Roof Repairs. Commissioners discussed possible revisions to the bid specifications and re-bidding the project. MOTION by Kelly to defer this item for 60 days. Motion dies for lack of a second. MOTION by Barth, seconded by Bender, to authorize the Auditor to re-publish a notice to bidders for the project. Barth withdrew his motion. MOTION by Barth, seconded by Kelly, to defer this item two weeks to allow time to evaluate options for proceeding. 5 ayes.

#### OLD BUSINESS

Lynn DeYoung, Emergency Management Director, gave a briefing on Minnehaha County's response to the storm damage in the City of Garretson. Chairperson Heiberger thanked all departments, agencies, and individuals who helped with the cleanup.

MOTION by Barth, seconded by Beninga, to adjourn into executive session for personnel discussion. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday July 7, 2015.

#### APPROVED BY THE COMMISSION:

Cindy Heiberger  
Chairperson

#### ATTEST:

Cynthia Jepsen  
Deputy Auditor