

10/27/2015

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. October 27, 2015, pursuant to adjournment on October 20, 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 October 20, 2015 County Commission minutes. 5 ayes.

#### VOUCHERS TO BE PAID

MOTION by Barth, seconded by Kelly, to approve the following bills totaling \$1,303,311.54. 5 ayes.

Affordable Housing S	Welfare Rent	405.00	Airgas Inc	Automotive/Sm	46.01
Airgas Inc	Lease-Rental	28.85	Airgas Inc	Small Tools,	316.25
Airway Service Inc	Gas,Oil,Diease	82.51	All Seasons Htg & Co	Building Repa	32.48
Allied Oil & Tire Co	Truck Repair/	192.78	Anderson, Eric	Business Trav	43.00
Antelope Properties/	Welfare Rent	1,172.00	Asphalt Surfacing Co	Contr Co	725,846.12
Avera Health Informa	Clinics - Aux	109.80	Avera McKennan Campu	Pharmacies	97.24
Avera McKennan Hospi	Hospitals	2,115.97	Avera Specialty Clin	Physicians	66.58
Axtell Investors Llc	Welfare Rent	1,588.38	Benson, Celia	Store Invento	225.00
Berens, Lisa	Business Trav	138.00	Billion's	Automobiles	42,418.00
Borgum, Diana	Program Activ	200.00	Bosman, Joseph	2014 HLS Grant	149.00
Brookings Co Auditor	Attorney Fees	284.38	Builders Supply Comp	Building Repa	114.84
Bureau Of Informatio	Data Communic	420.00	Buthe, DJ	Business Trav	400.50
Bx Civil & Construct	Bridge Repair	60,052.50	C & J Sayles Inc	Store Invento	974.67
Cain's View Estates,	Welfare Rent	239.00	Campbell Supply Co I	Automotive/Sm	169.90
Carlson, Lisa	Court Reporte	91.20	Carrington Court	Welfare Rent	495.00
Century Business Lea	Lease-Rental	753.49	Century Business Pro	Lease-Rental	92.99
Century Business Pro	Maintenance C	84.07	Certified Languages	Interpreters	42.90
Chemco, Inc.	Janitorial/Ch	576.68	Christopherson, Ande	Attorney Fees	1,234.09
Cody, Denise	Bd Exp. Fees	379.50	Cole Papers, Inc.	Janitorial/Ch	1,327.15
Comfort Inn Of Pierr	Education & T	156.00	Computer Forensic Re	Attorney Fees	450.00
Concrete Materials	Road Maint. &	768.65	Constellation New En	Natural Gas	5,165.70
Construction Product	Bridge Repair	211.27	Control Technology,	VOA - Dakotas	1,075.50
Cook Huber, Kerri	Attorney Fees	194.46	Country Meadows Apts	Welfare Rent	1,105.00
Dakota Fluid Power,	Truck Repair/	306.53	Dakota News Inc	Store Invento	168.40
Dakota Riggers & Too	Automotive/Sm	11.80	Dakotacare Cobra Ser	Cobra Insuran	1,382.67
Dakotaland Autoglass	Automotive/Sm	170.00	Deboer Law Office Pc	Attorney Fees	2,858.97
Deboer Law Office Pc	Child Defense	1,166.74	Decisionone Corporat	Maintenance C	168.52
Dedula, Carla F	Court Reporte	245.20	Denherder Law Office	Attorney Fees	394.73
Deyoung, Lynn	2014 HLS Grant	181.00	Duffy, Ryan	Attorney Fees	2,028.00
Eekhoff Law Prof Llc	Attorney Fees	396.00	EJW Llc	Welfare Rent	619.69
Emdeon Business Serv	Data Processi	49.00	Empire Plastics	Exhibit Mater	1,667.00
Erpenbach, John E	Recruitment	575.00	Etterman Enterprises	Small Tools,	845.84
Evans, Preston	Investigators	266.70	Fitts, Rod Db a Rod	Welfare Rent	1,600.00
Fleetpride / Holt, I	Truck Repair/	27.88	Fremont Industries,	Janitorial/Ch	63.92
Frentz, Sandy	2014 HLS Grant	149.00	Frison, Sara	Memberships	10.00
George Boom Funeral	Burials	2,875.00	Geotek Engineering &	Other Miscell	1,022.30
Gourley Properties I	Welfare Rent	600.00	Graybar Electric Com	Electrical Re	5,430.00
Grimms Pump & Indust	Heat,Vent & A	307.83	Guzman, Sandra V.	Interpreters	250.00
Hall, Vien V	Interpreters	66.66	Henkel, Kevin	2014 HLS Grant	149.00
Hewlett-Packard Comp	Data Processi	351.35	Hoff, Chris	Other Misc. R	300.00
Horn, Garrett	Attorney Fees	814.00	Hoskins, William J	Business Trav	146.58
Hurtgen, Timothy T/P	Welfare Rent	1,200.00	Hy-Vee Accounts Rece	Pharmacies	33.99
Hy-Vee Accounts Rece	Program Activ	52.61	Industrial Supply Co	Small Tools,	60.58
Interstate Office Pr	Furniture & O	122.00	Interstate Office Pr	Office Suppli	96.19
Interstate Office Pr	Small Tools,	48.72	ISI Llc	Interpreters	240.00
James Law Pc	Attorney Fees	1,002.75	Jefferson Partners L	Transportatio	494.00

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Johnson Controls, In	Building Repa	812.64	Johnson, Clara	Bd Exp. Fees	112.00
Johnson, Patricia	Bd Evaluation	825.00	JSA Consult Engineer	Architects &	66,138.29
Kading, Kunstle & Go	Child Defense	1,052.70	Kahler Funeral Home	Burials	2,084.00
Katterhagen, Mark	Bd Exp. Fees	52.50	Kauffman, David W. P	Psych Evals	6,683.00
Kennedy, Pier, Knoff	Attorney Fees	105.00	Kmart Pharmacy	Pharmacies	35.88
Knecht Robinson Law	Attorney Fees	268.00	Kone, Inc.	Maintenance C	820.98
Kone, Inc.	Other Profess	57.16	Kyra Enterprises Llc	Motels	240.00
Lacey Rentals Inc	Lease-Rental	105.00	Lacroix, Heather	Attorney Fees	262.44
Lacrosse County(WI)S	Return Of Ser	35.00	Larson, Jeff	Attorney Fees	1,314.00
Leesch, Carol	Welfare Rent	1,600.00	Lewis & Clark Bhs	Bd Evaluation	3,520.00
Lewis Drug Stores	Pharmacies	3,020.87	Lewno, Lucy	Bd Exp. Fees	1,683.40
Lipetzky's Irrigatio	Other Supplie	72.50	Loving, Philip	Bd Evaluation	2,475.00
Lutheran Social Svcs	Alternatives	3,368.35	Lutheran Social Svcs	Interpreters	150.00
Mac's, Inc.	Exhibit Mater	105.39	Madison Square Ptnrs	Welfare Rent	500.00
Mailway Printers	Program Activ	714.00	Marso, Diane Db	Welfare Rent	600.00
Martinell, Charles	Work Mileage	74.76	McGreevy, Mike	Other Misc. R	150.00
McIntire, David	2014 HLS Grant	149.00	McKesson Medical-Sur	Clinics - Aux	26.15
Medill, Amber	Other Misc. R	150.00	Menards - East	Bridge Repair	42.10
Menards - East	Park/Recreati	369.93	Menards - East	Parks/Recreat	9.99
Menards - West	Park/Recreati	47.00	Metro Communications	Attorney Fees	90.00
Metro Communications	Child Defense	30.00	Metro Communications	Other Misc	170,357.27
MidAmerican Energy C	Natural Gas	15.15	MidAmerican Energy C	Welfare Utili	207.41
MidContinent Communi	Telephone	55.00	Midwest Alarm Compan	Building Repa	95.00
Midwest Alarm Compan	Outside Repai	306.84	Midwest Residential	Welfare Rent	1,185.00
Miersma, Krista	Business Trav	43.00	Miller Funeral Home,	Burials	1,000.00
Minn Cnty Museum Pet	Program Activ	22.45	Minnehaha Cnty Histo	Store Invento	39.50
Motorola Solutions	Amounts Held	4,373.25	Murray Properties, L	Welfare Rent	791.00
Natl Sheriffs Assn	Memberships	165.00	Neve's Uniforms	Uniform Allow	9,547.89
Nguyen, Lam	Interpreters	75.00	Niedringhaus, Paul	HIDTA Grant	80.00
North Ridge Apartmen	Welfare Rent	600.00	Nyberg's Ace Hardwar	Program Activ	30.62
Oehlke, Karl	Bd Evaluation	8,685.00	Offerdahl, Vern	Welfare Rent	500.00
Overhead Door Compan	Jail Repairs/	39.99	Pechous, Corey	Uniform Allow	190.18
Polk County (IA) She	Return Of Ser	35.60	Pollard Law Pc	Attorney Fees	363.00
Presto-X-Company	Outside Repai	198.60	Pride Neon, Inc	Building Repa	246.94
Pride Neon, Inc	Truck Repair/	56.80	Psych Assoc Of Yankt	Clerk Of Cour	400.00
Qualified Presort Se	Postage	79.20	Qualseth, Ryan	Education & T	246.00
Raak Properties Llc	Welfare Rent	1,200.00	Redwood Estates Llc	Other Miscell	70.00
Redwood Estates Llc	Welfare Rent	1,077.00	Rehfuss, Cathy A	Bd Exp. Fees	105.00
Reisch, Joseph M	Welfare Rent	1,322.00	Reliance Telephone I	Telephone	4.49
Richard-Ewing Equipm	Jail Repairs/	34.74	Rock Mills Inc	Welfare Rent	630.00
Runge Enterprises, I	Other Miscell	1,936.94	Sanford Clinic - Fi	Other Misc. R	1,253.34
Sanford Hospital	Blood Withdra	80.00	Sanford Hospital	Hospitals	7,708.13
Sanford Hospital Med	Medical Recor	10.50	Sanitation Products,	Truck Repair/	234.75
Schrader, Alvan L Db	Welfare Rent	2,124.00	SD Dept Of Public Sa	Other Miscell	114.00
SD Human Services Ce	Clinics - Aux	33.40	SD One Call	Building Repa	14.70
SDES Attn:Joshua P	Publishing Fe	75.00	Senior Citizens Svcs	Advertising	54.00
SFC Civil Constructo	Bridge Repair	37,766.44	Short Elliott Hendri	Architects &	2,245.02
Signature Properties	Welfare Rent	400.00	Sioux Falls Chamber	Memberships	488.00
Sioux Falls Chamber	Other Miscell	475.00	Sioux Falls City Fin	Blood/Chemica	6,440.00
Sioux Falls City Fin	Parks/Recreat	90.10	Sioux Falls City Fin	Gas,Oil,Diese	1,475.32
Sioux Falls Utilitie	Water - Sewer	17,361.78	Solomon, Ghirmay	Interpreters	87.50
Southeastern Behavior	Clinics - Aux	28.00	Southridge Apts Ltd	Welfare Rent	521.00
Spring Centre Apts L	Welfare Rent	700.00	State Steel Of Sd	Bridge Repair	21.85
Stellar Limousine Ll	Program Activ	690.00	Stronghold Counselin	Psych Evals	763.00
Swanda, Karen	Bd Exp. Fees	252.00	Swaney, Dawn	County Cemete	50.00
Szameit, Alexandra	Interpreters	254.16	Tally, Thira	2014 HLS Grant	149.00
Taylor Place Llc	Welfare Rent	500.00	Teslow, Sandra Livin	Welfare Rent	301.00
Tessier's, Inc.	Building Repa	1,226.41	Thomson Reuters - We	Books	229.24
Thomson Reuters - We	Legal Researc	2,293.72	Timberland Village A	Welfare Rent	600.00
Tires,Tires,Tires In	Gas,Oil,Diese	24.99	Tomacelli's Pizza	Jury Fees	206.88
Track 2 Trail Arctic	Safety & Resc	3,710.00	Tri-State Garage Doo	Jail Repairs/	19.65
TSP, Inc.	Jail Study/Co	1,740.00	Turning Leaf Llc	Welfare Rent	600.00
Variety Foods Llc	Other Profess	818.48	Villesvik, Edward	Welfare Rent	875.00
Vogel Motors Llc	Gas,Oil,Diese	33.00	Wal-Mart Pharmacy	Pharmacies	825.51
Wal-Mart Pharmacy	Pharmacies	214.40	Waldner, Ryan	Store Invento	210.00

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Walgreen Co.	Pharmacies	21.85	Waltner, Kolbeck, Scha	Attorney Fees	652.50
Weerheim, Tom	Attorney Fees	1,206.00	Weerheim, Tom	Child Defense	549.00
Weiland & Assoc Inc	Jury Fees	475.70	Westbrooke Apts/Inve	Welfare Rent	350.00
Williamson, Randy	Welfare Rent	510.00	Willow Partners Llc	Welfare Rent	1,200.00
Winne, Steve	Welfare Rent	435.00	Xcel Energy, Inc.	Electricity	8,045.96
Xcel Energy, Inc.	Welfare Utili	554.00	Yankton County Sheri	Return Of Ser	275.00
Yankton County Treas	Attorney Fees	2,863.75	Yankton County Treas	Dev Disabili	113.75
Zabel Steel Co.	Automotive/Sm	159.31			

## PERSONNEL

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

1. To end the seasonal, part-time employment of Jonathan Kayl as Grounds Worker for Facilities effective 10/21/15.
2. To accept the resignation of Thomas Abrahamson as Bridge Maintenance Team Member for the Highway effective 10/29/15.
3. To end the temporary, part-time employment of Zachary Sirek as Correctional Officer in Training for the Jail effective 10/22/15.
4. To hire Benjamin Kruse, Jena Naber, Cole Powell, and Jesse Harpenau as Correctional Officers in Training (12/2) for the Jail at \$16.62/hour effective 11/2/15.
5. To hire Kyle Johnson and Corey DeGroot as Corrections Systems Operators (9/2) for the Jail at \$14.33/hour effective 11/2/15.
6. To promote Christopher Butcher from Correctional Officer to Corporal (16/12) for the Jail at \$25.92/hour effective 10/31/15.
7. To promote Brandon Greiner, Nicholas Shedd, and Amber Peters from Correctional Officers in Training to Correctional Officers (13/2) for the Jail at \$17.46/hour effective 10/27/15.

## Step Increases

1. Staci Peters – Museum Events Coordinator – Museum – 14/4 to 14/5 – 10/31/15 – \$19.75/hour
2. Justin Winters – Deputy Sheriff Sergeant – Jail – 20/2 to 20/3 – 10/4/15 – \$25.29/hour
3. Ryan Bakeberg – Deputy Sheriff – Sheriff’s Office – 16/2 to 16/3 – 9/13/15 – \$20.75/hour
4. Michael Walker – Deputy Sheriff – Sheriff’s Office – 16/8 to 16/9 – 8/21/15 – \$24.07/hour
5. Douglas Arntz – Correctional Officer – Jail – 13/7 to 13/8 – 10/15/15 – \$20.25/hour
6. Ferlin VanderPoel – Groundskeeper – Facilities – 9/5 to 9/6 – 10/23/15 – \$15.82/hour
7. Marty Roach – Road Maintenance Team Member – Highway – 12/16 to 12/17 – 10/23/15 – \$24.07/hour
8. Betsy Doyle – Senior Deputy Public Defender – Public Defender’s Office – 22/4 to 22/5 – 10/17/15 – \$2,464.80/bi-weekly

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Carey Deaver, Human Resources Director, gave a briefing on a proposed Seasonal and Variable Hour Positions policy. If approved the policy would result in grouping all seasonal and variable hour employees into four categories based on job duties, establish pay ranges for each category based on current wages and market, implement annual performance reviews of all variable hour employees each fall (seasonal staff would not have formal evaluation since they work less than 6 months), implement an annual review of each variable hour employee's pay rate. MOTION by Bender, seconded by Kelly, to approve the Seasonal and Variable Hour Positions policy. 5 ayes.

#### ABATEMENT

MOTION by Barth, seconded by Bender, to approve abatement of 2014 property taxes in the amount of \$258.32 for RDID 35532 representing the Elderly Assessment Freeze. 5 ayes.

#### NOTICE

Notice was received from the City of Dell Rapids of a public hearing to consider recommendation to form Dell Rapids Tax Increment Finance District #2, at 7:00 p.m. on October 27, 2015, Dell Rapids City Council Chambers, 302 East 2<sup>nd</sup> Street, Dell Rapids.

#### LIEN COMPROMISE

Commissioner Barth gave a briefing on a request for compromise of lien for DPNO 88470 in the amount of \$5,842.80. The lien is for public defender services. The applicant is requesting a compromise and release of the lien in full with no payment. He lists a 2014 family income of \$45,000. His assets total \$159,340 including a home, two vehicles, and checking and savings accounts totaling \$9,300. His liabilities consist of \$111,000 mortgage, \$8,000 debt to Sanford, \$26,000 owed to Great Lakes, and \$2,000 owed to US Bank. The applicant was present and stated he can't afford to pay for something that he feels his taxes should be paying for. He stated he had no control over the state bringing the charges up against him and feels he shouldn't have to pay for his attorney since the criminal charges were ultimately dismissed. Commissioner Barth recommended that he make small payments over a period of time and the Commission would be more likely to grant a lien compromise. Barth also stated that the Public Defender services are less than what a private attorney would cost, and the fact the charges were ultimately dismissed shows his attorney was an advocate for him. MOTION by Barth, seconded by Bender, to deny the request for compromise of lien for DPNO 88470. 5 ayes.

#### PUBLIC COMMENT

Robert Kolbe, Sioux Falls, SD resident, expressed his suggestions for the construction of a new jail.

#### HEARING

David Heinold, Planner I, was present for the public hearing, and gave a briefing on proposed Zoning Ordinance Text Amendment #15-01. The petitioners are Lee Anderson and Janelle Johnson. The proposed amendment would allow breweries and distilleries permitted special use under the Agricultural Tourism Ordinance. The amendment adds a recall & review and revocation section to Article 12.00 Additional Use Regulations, Section 12.13 (B) Agricultural Tourism. In addition, the wineries section was revised for clarification and the residential requirement was revised from the operator must live on site to the operator must live within one mile of the site. The definitions section was revised to add language corresponding with the addition of breweries and distilleries as permitted uses. The Planning Commission voted unanimously to recommend approval of Zoning Text Amendment #15-01. Lee Anderson, 409 S. Hawthorne, Sioux Falls, SD, stated they are requesting the amendment so they would be able to build a house and live on his family's homestead that is located approximately 40 acres from their hops farm and where the future brewery will be built. Commissioners discussed the residential requirement that the operator must live within one mile of the

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facility. Scott Anderson, Planning & Zoning Director, stated that if someone did not meet the residential requirement criteria, they could apply for a conditional use permit. Commissioner Beninga stated he thinks the residential requirement is unnecessary and it is a discouragement to economic development. No one spoke in opposition to the proposed amendment. MOTION by Beninga, seconded by Bender, to approve Zoning Ordinance Text Amendment #15-01 without the residential requirement. 2 ayes. Kelly, Barth, & Bender voted nay. Motion fails. MOTION by Barth, seconded by Bender, to approve Zoning Ordinance Text Amendment #15-01 as presented, and Ordinance MC16-144-15, An Ordinance Amending the 1990 Revised Zoning Ordinance for Minnehaha County by Amending Article 12.00 Additional Use Regulations. 4 ayes. Kelly voted nay. The entire ordinance is on file in the County Auditor's Office.

#### AGREEMENTS

Keith Wynia, Air Guard Supervisor, gave a briefing on the FY 2016 Joint Security Protection Agreement between Minnehaha County and the SD Department of Veterans and Military Affairs. The agreement is for \$694,540.54. This is an increase in funding of \$53,554 from the previous contract amount. The total projected cost for FY2016 (October 1, 2015 thru September 30, 2016) is \$768,437. This leaves an initial shortfall of \$73,896.46. The Air National Guard stated that the additional funding will arrive well before the end of FY2016, and there will not be a delay in payment to the County. MOTION by Beninga, seconded by Bender, to authorize the Chairman to sign the FY2016 Joint Security Protection Agreement between Minnehaha County and the SD Department of the Military in the amount of \$694,540.54. 5 ayes.

Lynn DeYoung, Emergency Management Director, reported that the Region 3 Hospital Coalition has been awarded funds in the amount of \$93,815 from the State of South Dakota to assist in planning, training, exercising, and equipment needs. Minnehaha County will act as the fiduciary agent for this grant and has budgeted 10% for the cost of that responsibility. Mr. DeYoung requested authorization to sign the Sub-Recipient Grant Agreement between Minnehaha County and the State of South Dakota Department of Health and the Consultant Agreement between Minnehaha County and Jan Clites, Clites Consulting Inc., who will provide partnership development and technical assistance to the Region 3 Hospital Preparedness Response partners. MOTION by Bender, seconded by Barth, to authorize Lynn DeYoung, Emergency Management Director to sign the Sub-Recipient Grant Agreement and the Consultant Agreement for the Region 3 Hospital Preparedness Program. 5 ayes.

#### GRANT

Ralph Hammer, Weed & Pest Supervisor, requested authorization to apply for a contractual grant from the South Dakota Weed and Pest Commission. The grant is a 50/50 cost share, and will be used to purchase chemicals and seasonal help. The grant fund dollars, if approved, must be expended between July 1, 2016, and June 1, 2017. MOTION by Barth, seconded by Bender, to authorize the submission of the application for Weed & Pest Fund Grants – FY2017. 5 ayes.

#### RESOLUTION

Robert Litz, Auditor, reported that payment in full has been received for Tax Deed #2539, RDID 29128. The tax deed property was sold during the annual tax deed sale on September 26, 2015. Mr. Litz requested approval of a resolution authorizing the Auditor to abate all outstanding taxes, interest, penalties, and municipal nuisance special assessments and to authorize the Treasurer to issue a quit claim deed. MOTION by Beninga, seconded by Barth, to approve Resolution MC15-71. 5 ayes.

#### RESOLUTION OF SALE MC15-71

WHEREAS, The County Auditor offered for sale on September 26, 2015, at public auction, the following described Tax Deed Property pursuant to SDCL 6-13:

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Tax Deed # 2539, RDID # 29128, Parcel I: The North 73 Feet of the East 80 Feet of Lots 5 and 6 in Block 26 of Covells Second Addition to Sioux Falls, Minnehaha County, South Dakota, according to the recorded plat thereof. Parcel II: Lots 5 and 6, except the North 73 feet of the East 80 feet thereof, in Block 26 Of Covells Second Addition to Sioux Falls, Minnehaha County, South Dakota, According to the recorded plat thereof. Sold to Housing Resource LLC, 2832 E. Granny Smith Place, Sioux Falls, SD 57103, for \$11,000.

NOW, THEREFORE, BE IT RESOLVED by the Minnehaha County Commission that this sale be approved as set forth above and that the Minnehaha County Treasurer is hereby authorized to issue Quit Claim Deeds thereto and the Minnehaha County Auditor is authorized to abate all outstanding taxes, interest, penalties, and municipal nuisance special assessments levied against this property.

Dated at Sioux Falls, South Dakota, this 27th day of October, 2015.

APPROVED BY THE COMMISSION:  
Cindy Heiberger  
Chairman

ATTEST:  
Cynthia Jepsen  
Deputy Auditor

#### RESCIND BID AWARD

Robert Wilson, Assistant Commission Administrative Officer, reported on issues that have developed with Wildcat Roofing of Minatare, NE, who received the bid award on August 18, 2015 for roof and siding repairs on buildings at the W. H. Lyon Fairgrounds. On August 26, 2015, representatives from the Commission Office, Sioux Empire Fair Association, Wildcat Roofing, Midwest Family Mutual Insurance, and Perspective, Inc. met to review the scope of work and finalize a construction contract. Minor changes were agreed to by all parties resulting in a change order in the amount of an additional \$9,161. After that meeting Wildcat Roofing contacted Perspective, Inc. and requested an additional price increase to include installation of a weather barrier. This requirement was included in the request for proposals and should have been reflected in the original bid amount. Wildcat Roofing is now indicating the cost to complete the project will be \$192,510.72, which is \$52,983.72 greater than their original bid amount. Wildcat also reported they were not provided with information on the required performance bonds in a timely manner. The Commission Office has copies of emails documenting the time and date the information was provided to them. Wildcat insists they are not required to provide the bonds and will not do so. Mr. Wilson requests the Commission rescind the bid award to Wildcat Roofing and rebid the project. Midwest Family Mutual is agreeable to the rebidding the project in hopes of receiving a more competitive proposal. MOTION by Barth, seconded by Kelly, to rescind the bid award to Wildcat Roofing. 5 ayes. MOTION by Barth, seconded by Kelly, to authorize the Auditor to publish a notice to bidders for a re-bid of the project. 5 ayes.

#### OLD BUSINESS

Carol Muller, Commission Administrative Officer, reported that the final meeting of the Legislative Summer Study will be this Wednesday, October 28, 2015 in Pierre. Carol Muller, Bob Litz, and Dick Kelly will be attending to present financial projections for Minnehaha County.

Commissioner Barth commented on the absence of video recordings of assaults on law enforcement officers.

MOTION by Barth, seconded by Bender, to adjourn into executive session for potential litigation and contract negotiations. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, November 3, 2015.

APPROVED BY THE COMMISSION:

10/27/2015

Cindy Heiberger  
Chairperson  
ATTEST:  
Cynthia Jepsen  
Deputy Auditor