

12/01/2015

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. December 1, 2015, pursuant to adjournment on November 24, 2015. Commissioners present were: Bender, Beninga, Heiberger, and Kelly. Commissioner Barth was absent. Also present were Cindy Jepsen, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

Commission Chair Heiberger called the meeting to order.

MOTION by Kelly, seconded by Beninga, to approve the agenda. 4 ayes.

MOTION by Bender, seconded by Beninga, to approve the November 24, 2015 County Commission minutes. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Beninga, seconded by Bender, to approve the following bills totaling \$4,287,080.31, and November 2015 salaries. 4 ayes.

A & B Business Equip	Maintenance C	83.32	A To Z World Languag	Interpreters	6,255.00
Amazon/Syncb	Telephone	402.26	American Institute O	Lab Costs	1,180.00
Armor Correctional H	Contract Serv	61,259.36	Around The Clock Dra	Building Repa	152.95
Avera Health Plans I	Cobra Insuran	303.14	Avera Mckennan Hospi	Hospitals	20,315.05
Avera McKennan Hospi	Physicians	4,099.49	AVI Systems, Inc	Administratio	12,828.42
Benz, Kari	Business Trav	206.00	Campbell Supply Co I	Building Repa	21.96
Campbell Supply Co I	Office Suppli	29.49	Campbell Supply Co I	Small Tools,	357.18
Carstensen, Andrea	Program Activ	75.00	CBM Managed Services	Inmate Suppli	747.64
Century Business Pro	Lease-Rental	384.00	Century Business Pro	Maintenance C	76.16
Centurylink (Qwest)	Contract Serv	13.40	Centurylink (Qwest)	Telephone	3,086.04
Chemco, Inc.	Child Care It	899.98	Cliff Avenue Auto Pa	Automotive/Sm	10.48
Cody, Denise	Bd Exp. Fees	87.00	Cole Petroleum Inc	Gas,Oil,Diese	2,688.07
Constellation New En	Natural Gas	7,856.36	Cook Huber, Kerri	Attorney Fees	130.59
Country View MHC	Welfare Rent	348.00	Dakota Contracting C	Contracted Co	20,036.24
Dakota Embalming & T	Transportatio	792.00	Dakota Riggers & Too	Small Tools,	328.60
Danko Emergency Equi	Hospital Prep	100.34	Danko Emergency Equi	Safety & Resc	188.64
Deaver, Carey Jo	Business Trav	50.82	Dell Rapids Ambulanc	Transportatio	600.00
Denherder Law Office	Attorney Fees	366.54	Eagleman, George	Education & T	150.00
EH Hospitality Llc	Motels	705.00	Evans, Preston	Investigators	392.70
First Dakota Nationa	2014 HLS Grant	3,614.75	Fox, Youngberg & Lew	Attorney Fees	374.64
Guzman, Sandra V.	Interpreters	25.00	Heartland Paper Comp	Inmate Suppli	798.54
Holiday Credit Offic	Gas,Oil,Diese	113.78	HP Company - Hewlett	Data Processi	320.00
Industrial Supply Co	Small Tools,	56.97	Interstate Office Pr	Office Suppli	626.08
ISI Llc	Interpreters	200.00	James Law Pc	Attorney Fees	213.00
JCL Solutions-Janito	Inmate Suppli	3,896.97	JCL Solutions-Janito	Janitorial/Ch	73.77
Johnson, Clara	Bd Exp. Fees	144.00	Kamrath, Lyndee	Business Trav	150.00
Katterhagen, Mark	Bd Exp. Fees	52.50	Kauffman, David W. P	Psych Evals	6,890.25
Konechne, Francis	Uniform Allow	158.21	Kyra Enterprises Llc	Motels	280.00
Lacroix, Heather	Attorney Fees	217.44	Lawson Products	Small Tools,	74.52
Lewis & Clark Bhs	Bd Evaluation	2,080.00	Lewis Drug Stores	Pharmacies	3,368.35
Lewno, Lucy	Bd Exp. Fees	1,013.18	Loving, Philip	Bd Evaluation	502.50
Lutheran Social Svcs	Interpreters	200.00	Med-Star Paramedic I	Transportatio	300.00
Menards - East	Bridge Repair	114.96	Menards - East	Office Suppli	34.99
Menards - East	Sign Supply/I	182.89	Metro Communications	Other Miscel	173,970.15
MidAmerican Energy C	Natural Gas	1,492.49	Midwestern Mechanica	Plumbing & We	396.27
Narem, Inc	Truck Repair/	40.46	Nat'l Student Housin	Welfare Rent	700.00
Nguyen, Lam	Interpreters	75.00	Oehlke, Karl	Bd Evaluation	1,260.00
Ohnstad, Gary A	Welfare Rent	1,200.00	Phoenix Supply Llc	Inmate Suppli	1,000.00
Psych Assoc Of Yankt	Psych Evals	500.00	Pudenz, Philip	Welfare Rent	390.00
Qualified Presort Se	Postage	9,990.08	Quill Corp.	Office Suppli	211.85
Renz, Peggy	Other Misc. R	150.00	Rochester Armored Ca	Armored Car S	379.50
Ruben, Doris	Welfare Rent	600.00	Safe Home Ltd Ptnrsh	Notes Rec (Sf	-2,207.38
Safe Home Ltd Ptnrsh	Other Misc. R	-1,386.71	Safe Home Ltd Ptnrsh	Other Profess	499.00
Safe Home Ltd Ptnrsh	Rent Subsidie	7,502.02	Sanford Clinic - Fi	Other Miscell	68.00

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Sanford Hospital	Hospitals	1,503.46	SD Dept Of Transport	Road Maint. &	57,967.19
SD Div Of Criminal I	Professional	86.50	SD Human Services Ce	Other Profess	22.80
Sentinel Offenders S	Alternatives	1,305.66	Silverstone Group In	Hazard Insura	2,609.00
Sioux Falls Utilitie	Water - Sewer	12,012.21	Skadsen, Nathan	Work Mileage	26.04
Southeast Technical	CDBG Grants	7,990.00	Southeastern Behavio	Crisis Interv	6,161.25
Southeastern Behavio	Other Profess	2,650.00	Spring Centre Apts L	Welfare Rent	400.00
Spring Centre Apts L	Welfare Utili	100.00	Stoney Creek Townhom	Welfare Rent	584.00
Storhaug, Adrean	Welfare Rent	500.00	Stronghold Counselin	Psych Evals	220.00
Swanda, Karen	Bd Exp. Fees	34.50	Szameit, Alexandra	Interpreters	504.16
Track 2 Trail Arctic	Safety & Resc	495.00	US Bank-Corporate Tr	Bond Princ	3,754,583.02
Vanveldhuizen, Jill	Program Activ	135.00	Variety Foods Llc	Other Profess	517.79
VB Tower Lp/Falls Vi	Welfare Rent	400.00	Verizon Wireless	Communication	53.99
Verizon Wireless	Data Processi	1,131.07	Verizon Wireless	HIDTA Grant	94.00
Verizon Wireless	Safety & Resc	123.60	Verizon Wireless	Telephone	4,568.73
West Briar Commons I	Welfare Rent	600.00	Wilson-Smith Propert	Welfare Rent	500.00
Wynia, Marc	Investigators	282.66	Xcel Energy, Inc.	Electricity	55,850.29
Xcel Energy, Inc.	Welfare Utili	142.99	Yankton County Sheri	Return Of Ser	175.00
Yankton County Treas	Attorney Fees	1,814.25	Yankton Medical Clin	Physicians	170.67
Zabel Steel Co.	Truck Repair/	250.24	Commission	Salaries	30,508.81
Auditor	Salaries	47,393.00	Treasurer	Salaries	65,941.12
Information Tech	Salaries	63,051.73	States Attorney	Salaries	212,693.94
Public Defender	Salaries	142,970.24	Public Advocate	Salaries	39,783.18
Facilities	Salaries	51,862.50	Equalization	Salaries	73,033.30
Register Of Deeds	Salaries	43,374.67	Human Resources	Salaries	21,558.09
Sheriff	Salaries	870,137.67	Emergency Mgmt	Salaries	14,896.00
Juvenile Detention	Salaries	153,495.16	Highway	Salaries	122,623.70
Human Services	Salaries	104,401.08	Museum	Salaries	58,823.34
Planning	Salaries	31,551.61	Extension	Salaries	2,934.40

PERSONNEL

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

1. To accept the resignation of Alan Hightree as variable, part-time Safe Home Program Worker for Safe Home effective 12/5/15.
2. To hire Jennifer Sheffield as Deputy Public Defender (21/6) for the Public Defender’s Office at \$2,288.80/bi-weekly effective 12/7/15.

Step Increases

1. Vince Fluckey – Programmer Analyst II – Information Technology – 21/6 to 21/7 – 11/24/15 - \$29.32/hour

Special Personnel Actions

1. To recognize the following significant employee anniversaries for December 2015: 5 years – Monte Watembach – Abby Roesler – Jeffrey Barnable – Daniel Christiansen – Jessie Nesseim; 10 years – Barbara Donaldson; 35 years – Denise Christensen.
2. To record volunteers in County Departments for November 2015. The list is on file at Human Resources.

NOTICE

Motion by Beninga, seconded by Kelly, to authorize the Auditor to publish a Notice of Hearing on December 22, 2015 at 9:15 am, to consider adoption of the Minnehaha County Long Range Transportation Plan. 4 ayes

COMPROMISE OF LIEN

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(Deferred from November 24, 2015)

Kersten Kappmeyer, Chief Civil Deputy State's Attorney, gave a briefing on a request for compromise of lien submitted by Elaine F. Combs, Personal Representative for the estate of the person who is the lienee of DPNO 22103. The estate is attempting to sell the home that was owned by the lienee. In order for the buyer to gain clear title to the property, the lien needs to be resolved prior to the closing on December 7, 2015. The applicant is asking for a release of the lien only as it applies to the home they are selling. The release of liens against the home from the State of South Dakota and AAA Collections have been verified with the Register of Deeds Office. Mr. Kappmeyer stated that Probate Court will decide how the creditors will be paid, and it is most likely that Minnehaha County will be paid in full due to our priority in class. James Myers, Myers Billion, LLP, attorney for the estate, spoke on the request and asked that the lien be released contingent on the sale of the home. Mr. Myers stated that after closing costs and administration expenses there will be approximately \$60,000 to be divided among creditors through Probate Court. MOTION by Kelly, seconded by Beninga, to approve Resolution MC15-79. 4 ayes.

RESOLUTION MC15-79

WHEREAS, a County Aid Lien in the amount of \$18,600, purports to exist in favor of Minnehaha County and against DPNO 22103 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 only in so far as the real property legally described as The South Twenty-Five (S25) Rods of the West Thirty-Two (W32) Rods, of the East one-Half (E ½) of the Southeast Quarter (SE ¼), except the West One Hundred Thirty (W 130) Feet of the South One Hundred Ninety (S 190) Feet; and except Harding's Tract One (1) Section Seven (7), Township One Hundred One (101), Range Forth-Eight (48) containing approximately 1.43 Acres, Splitrock Township, Minnehaha County, South Dakota, with no payment and contingent on the sale of the real property, leaving the lien in place against the person, his estate, and any of the person or estate's other real or personal property interests.

Dated at Sioux Falls, South Dakota, this 1st day of December, 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger

Chairman

ATTEST:

Cynthia Jepsen

Deputy County Auditor

Robert Wilson, Assistant Commission Administrative Officer, gave a briefing on a request for compromise of lien submitted by Hauge Associates for DPNO 38509. The lien balance is \$2,521.20, and consists of liens from Minnehaha County totaling \$671.20 and one lien from Davison County in the amount of \$1,850.00. Hauge Associates is requesting a compromise and release of the Minnehaha County liens in full upon payment of \$503.40. MOTION by Beninga, seconded by Bender, to approve Resolution MC15-80. 4 ayes.

RESOLUTION MC15-80

12/01/2015

WHEREAS, a County Aid Lien in the amount of \$671.20, purports to exist in favor of Minnehaha County and against DPNO 38509 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 Minnehaha County liens in full upon payment of \$503.40, leaving a balance of \$1,850 consisting of the lien from Davison County.

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

Dated at Sioux Falls, South Dakota, this 1st day of December, 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chairman

ATTEST:

Cynthia Jepsen
Deputy County Auditor

BRIEFING

Tom Birney, FEMA representative, gave a briefing on a new flood plain map panel #439. The panel shows new flood plain boundaries for the 9 Mile Creek basin. The 9 Mile Creek generally begins in Section 33 of Wayne Township. Most of the impact will occur inside the City of Sioux Falls and in Lincoln County. Mr. Birney stated that the new map panel will require Minnehaha County's Flood Plain Management Ordinance to be re-adopted and he explained the adoption process. Scott Anderson, Planning & Zoning Director, invited interested parties to a public open house on the proposed new mapping on Wednesday, December 2, 2015, 7 p.m., at the Pettigrew Elementary School.

RESOLUTION

Robert Wilson, Assistant Commission Administrative Officer, presented an updated resolution to declare certain mobile home distress warrants for unpaid property taxes as uncollectable. There was an incorrect amount of taxes owing for Parcel/Decal #236 on the spreadsheet attached to Resolution MC15-76. The error has been corrected and approval is requested for the updated resolution and spreadsheet. Motion by Bender, seconded by Kelly, to approve Resolution MC15- 81. 4 ayes.

RESOLUTION MC 15-81

RESOLUTION TO DECLARE CERTAIN MOBILE HOME DISTRESS WARRANTS FOR UNPAID PROPERTY TAXES AS UNCOLLECTABLE

WHEREAS, the Board of County Commissioners desires to correct an error in the attached spreadsheet titled, "TREASURER'S LIST OF UNCOLLECTABLE MOBILE HOMES 2015; and

WHEREAS, the amount listed for Decal/Parcel #236 should be \$37.35;

NOW THEREFORE BE IT RESOLVED, by the Minnehaha County Board of County Commissioners, that Resolution MC 15-76 be hereby amended and re-adopted as this resolution as set forth fully below:

WHEREAS, SDCL 10-22-30 provides for county Boards of Commissioners to discharge all distress warrants deemed by the sheriff to be uncollectable; and

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WHEREAS, The Office of the Minnehaha County Treasurer has provided an attached list of 27 mobile homes identified as uncollectable, and

WHEREAS, by declaring the property taxes for these mobile homes as uncollectable, these taxes will be added to an uncollectable list and no distress warrant shall thereafter be issued therefore except on order of the Board of Commissioners or on written demand by the sheriff; now

NOW THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners that property taxes on the attached list of mobile homes are declared as uncollectable pursuant to SDCL 10-22-30.

Dated this 1st Day of December, 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger

Chairman

ATTEST: Bob Litz, Auditor

Cynthia Jepsen

Deputy Auditor

BID AWARD

Robert Wilson, Assistant Commission Administrative Officer, reported on the November 18, 2015 bid opening for W. H. Lyon Fairgrounds Facility Exterior Repairs. The following bids were received: Kalb Construction \$140,990, Alt 1 \$9,000; Beck & Hofer Const. \$181,650, Alt 1 \$9,093; Guarantee Roofing & Sheet Metal \$401,944, Alt 1 \$28,820; Visions Construction Group Inc. \$309,700, Alt 1 \$14,800; and Swift Contractors, Inc. \$219,000 Alt 1 \$7,500. The Commission Office recommends acceptance of the low bid. MOTION by Bender, seconded by Kelly, to award the bid for W.H. Lyon Fairgrounds Facility Exterior Repairs to Kalb Construction at a cost of \$140,990, with an option for additional siding replacement on the Horticulture Building (Alt 1) at a cost of \$9,000. 4 ayes.

MOTION by Bender, seconded by Beninga, to adjourn into executive session for personnel discussion. 4 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, December 8, 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger

Commission Chair

ATTEST:

Cynthia Jepsen

Auditor