

3/29/2016

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. March 29, 2016, pursuant to adjournment on March 22, 2016. Commissioners present were: Barth, Bender, Heiberger, and Kelly. Commissioner Beninga was absent. Also present were Cindy Jepsen, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

MOTION by Barth, seconded by Bender, to amend the agenda by removing item #15, and approve the agenda as amended. 4 ayes.

#### MINUTES APPROVAL

MOTION by Kelly, seconded by Bender, to approve the March 22, 2016, Commission Minutes. 4 ayes.

#### VOUCHERS TO BE PAID

MOTION by Barth, seconded by Bender, to approve the following bills totaling \$859,261.64. 4 ayes.

A Rifkin Co	Printing/Form	255.56	A To Z World Languag	Interpreters	1,032.50
Airgas Inc	Lease-Rental	30.95	Airway Service Inc	Automotive/Sm	160.60
Airway Service Inc	Gas,Oil,Diese	114.38	Alsobrook, Danny D	Heavy Eq. Rep	150.00
American Institute O	Lab Costs	550.00	Anderson, Carol	Welfare Rent	800.00
At & T	Safety & Resc	40.60	Avera McKennan Hospi	Blood Withdra	148.00
Avera McKennan Hospi	Contract Serv	29.53	Avera McKennan Hospi	Hospitals	3,719.76
Avera McKennan Hospi	Physicians	128.96	Avera Radiology	Other Medical	522.17
Avera Specialty Clin	Physicians	1,553.25	Batteries Plus/Onesk	Safety & Resc	149.55
Berry Dunn Mcneil &	Consultants	5,828.00	Bethlehem, Eyob	Welfare Rent	500.00
Blackburn & Stevens,	Attorney Fees	135.00	Bob Barker Company,	Inmate Suppli	111.96
Bob Barker Company,	Kitchen/Clean	504.00	Bob's Lock & Key/Haw	Office Suppli	9.95
Boyer Trucks Sioux F	Truck Repair/	2,409.99	Bristol Court Ltd Pt	Welfare Rent	600.00
Brown & Saenger	Office Suppli	29.00	Bureau Of Informatio	Data Communic	420.00
Bureau Of Informatio	Telephone	24.00	C & J Sayles Inc	Store Invento	382.67
Carper, Nichole A	Attorney Fees	1,027.50	Cartridge World	Data Processi	2,581.52
Century Business Pro	Lease-Rental	257.32	Century Business Pro	Maintenance C	292.40
Centurylink (Qwest)	Telephone	97.47	Charm-Tex Inc	Inmate Suppli	973.50
Christopherson, Ande	Attorney Fees	3,533.60	City Glass & Glazing	Other Repairs	3,944.49
Cole Papers, Inc.	HHS Custodial	70.09	Collison, Jeanne	Bd Exp. Fees	75.00
Colton Lumber Co Inc	Truck Repair/	3.21	Counseling Resources	Attorney Fees	1,250.00
Country View Mhc	Welfare Rent	720.00	Culligan Water Condi	Data Processi	35.00
Cummins Central Powe	Coliseum Main	414.83	Cummins Central Powe	Jail Repairs/	1,279.65
Dakota Fluid Power,	Truck Repair/	34.31	Dakota Riggers & Too	Bridge Repair	192.00
Daniels-Olsen Bldg P	Program Activ	333.00	Danko Emergency Equi	Volunteer Per	1,041.00
Deans Bulk Svc Inc	Parts Invento	976.05	Decisionone Corporat	Maintenance C	168.52
Dell Rapids Fire Dep	Dell Rapids F	25,631.00	DRL Investments, Inc	Truck Repair/	300.00
Empire Plastics	Program Activ	534.99	Evans, Preston	Investigators	302.40
Fleetpride / Holt, I	Heavy Eq. Rep	759.24	Fleetpride / Holt, I	Truck Repair/	735.49
Formatop Co	Cobra Insuran	3,869.15	Garretson Fire Dept	Garretson F.D	24,575.50
Gaylord Bros Inc	Program Activ	777.20	George Boom Funeral	Burials	250.00
George, Aaron	Welfare Rent	475.00	Gideons Promise	Education & T	1,950.00
Global Connect	Telephone	32.80	Global Tel Link (Gt	Telephone	34.09
Grainger, Inc.	Furniture & O	120.40	Gunner, Andrea	Court Reporte	95.20
Guzman, Sandra V.	Interpreters	50.00	Hartford's Best Pain	Automotive/Sm	422.60
Heartland Paper Comp	Kitchen/Clean	1,211.91	Hills Of Rest Memori	Burials	395.00
Hillyard, Inc.	HHS Custodial	1,930.78	Hoffmeister-Jones Fu	Burials	2,850.00
Horizon Agency Inc	Expenditures	2,489.50	HP Company - Hewlett	Data Processi	551.52
Humboldt Fire & Ambu	Ambulance Ser	25,000.00	Hy-Vee Accounts Rece	Pharmacies	6.65
Hy-Vee Accounts Rece	Program Activ	52.87	I State Truck Center	Parts Invento	241.11
Inter-Lakes Communit	Other Miscell	400.00	Interstate All Batte	Heavy Eq. Rep	682.13
Interstate All Batte	Small Tools,	20.70	Interstate Office Pr	Program Activ	482.96
Intoximeters, Inc.	Testing Suppl	4,000.00	Iret Properties	Welfare Rent	600.00
ISI Llc	Interpreters	320.00	Jaydee Inc/Jaymar	Printing/Form	99.85
JCL Solutions-Janito	Janitorial/Ch	191.98	Jefferson Partners L	Transportatio	770.00
Johnson, Richard L	Attorney Fees	1,032.80	JSA Consult Engineer	Architects &	64,031.00

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Kennedy, Renee S	Court Reporte	73.20	Kmart Pharmacy	Pharmacies	61.29
Kyra Enterprises Llc	Motels	90.00	Lacroix, Heather	Attorney Fees	231.24
Larson, Jeff	Attorney Fees	621.20	Lewno, Lucy	Bd Exp. Fees	541.47
Loving, Philip	Bd Evaluation	945.00	Lutheran Social Svcs	Alternatives	24,956.49
Lutheran Social Svcs	Interpreters	125.00	Lutheran Social Svcs	Other Profess	548.96
Lyons Fire Dept	Lyons F.D.	6,380.00	Mac's, Inc.	Automotive/Sm	22.97
Mailway Printers	Publishing Fe	172.34	McKesson Medical-Sur	Clinics - Aux	46.95
Meier Constr	Welfare Rent	425.00	Menards - East	Program Activ	8.91
Metro Communications	Other Miscel	182,745.89	Midwest Alarm Compan	Building Repa	185.04
Midwest Alarm Compan	Security Alar	161.28	Midwest Ear Nose & T	Physicians	406.26
Midwest Oil Company	Small Tools,	615.17	Miller Funeral Home,	Burials	1,820.00
Minn Cnty Museum Pet	Program Activ	8.44	Morse Correctl Healt	Contract Serv	1,200.00
Myers Billion Llp	Bd Exp. Fees	604.20	New Pig Corp	Small Tools,	384.34
Northern Heights Dev	Welfare Rent	700.00	Northland Systems In	Maintenance C	2,268.21
Nyberg's Ace Hardwar	Janitorial/Ch	79.99	Olson's Pest Technic	Other Profess	67.75
Paramedics Plus-Siou	Transportatio	134.04	Pharmchem Inc	Testing Suppl	658.00
Pheasantland Industr	Other Supplie	36.00	Pheasantland Industr	Printing/Form	1,850.22
Phoenix Supply Llc	Child Care Un	90.65	Pierre Parkside Deve	Business Trav	101.99
Presto-X-Company	Outside Repai	198.60	Qualified Presort Se	Postage	5,227.84
Quality Efficiencies	Motels	50.00	Redwood Toxicology L	Program Suppl	1,080.00
Redwood Toxicology L	Testing Suppl	1,080.00	Rehfuss, Cathy A	Bd Exp. Fees	45.00
Sanford Clinic - Fi	Other Miscell	116.00	Sanford Home Medical	Medical Equip	176.28
Sanford Hospital	Hospitals	7,867.73	Sanford Hospital	Lab Costs	281.00
Sanford Hospital Med	Medical Recor	17.75	Sanford Laboratories	Lab Costs	674.04
Sanford Occupational	Expenditures	189.63	SD Assn Of County Co	Catastrophic	19,762.00
SD Assn Of County Of	Amounts Held	3,642.00	SD Dept Of Revenue	Lab Costs	140.00
SD Div Of Criminal I	Other Miscell	43.25	SD Div Of Criminal I	Professional	86.50
SD Human Services Ce	Clinics - Aux	66.00	SD Public Assurance	Other Profess	62.00
SD Public Assurance	Property & Li	1,884.00	Sechser, Jenna - Crt	Court Reporte	54.40
Sentinel Offenders S	Alternatives	1,154.40	Sherwin Williams	Building Repa	104.96
Sioux Falls Rubber S	Office Suppli	21.50	Sioux Falls Utilitie	Water - Sewer	11,125.44
Sioux Falls Utilitie	Welfare Utili	155.57	Solarwinds.Net Inc	Maintenance C	5,471.00
Solomon, Ghirmay	Interpreters	25.00	Southeastern Behavio	Crisis Interv	6,601.46
Southeastern Behavio	Other Profess	2,825.00	Splitrock Fire Dept	Split Rock F.	19,740.50
Sturdevant's Auto Pa	Other Supplie	388.77	Suretest Inc	Professional	390.00
Swanda, Karen	Bd Exp. Fees	30.00	Tenth Street, Inc.	Automotive/Sm	286.95
Thomson Reuters - We	Books	229.24	Thomson Reuters - We	Legal Researc	3,117.52
Titan Machinery	Automotive/Sm	316.89	Tool Depot	Truck Repair/	8.13
Triangle Properties	Welfare Rent	500.00	Tschetter & Adams La	Attorney Fees	2,644.95
TSP, Inc.	Real Estate -	378.00	Turning Leaf Llc	Welfare Rent	500.00
Tyler Technologies I	New World Co	212,084.87	Tyler Technologies I	Other Miscell	1,193.25
Tyler Technologies I	Other Profess	96,451.88	Uline	Program Activ	373.79
Variety Foods Llc	Other Profess	800.11	Variety Foods Llc	Other Supplie	46.99
Wal-Mart Pharmacy #3	Pharmacies	235.12	Waltner, James	Welfare Rent	450.00
Waltner, Kolbeck, Scha	Attorney Fees	2,589.68	Willow Partners Llc	Welfare Rent	1,200.00
Wolf, John	Welfare Rent	250.00	Xcel Energy, Inc.	Welfare Utili	1,818.75
Xigent Solutions	New World Cos	5,052.00	Yankton County Sheri	Return Of Ser	25.00
Zee Medical Service	Office Suppli	107.25	Zep Manufacturing Co	Janitorial/Ch	539.50

**REPORT**

The Minnehaha County Human Services 1<sup>st</sup> Quarter Statistics Report for 2016 was received and placed on file in the Auditor's Office.

**PERSONNEL**

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

1. To accept the resignation of Krista Miersma as Juvenile Correctional Officer I for the Juvenile Detention Center effective 3/31/16.

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2. To hire Jami Neumiller as variable hour Juvenile Correctional Worker for the Juvenile Detention Center at \$14.25/hour effective 3/30/16.
3. To hire Jacob Chrans as Safe Home Program Assistant (9/5) for Safe Home at \$15.43/hour effective 3/30/16.
4. To hire Ross Wiggin as STI Security Officer (13/4) for STI Security at \$18.34/hour effective 4/4/16.
5. To amend the leave of absence date of Rebecca Bradfeldt, Caseworker I for Human Services, to 4/18/16 to 4/26/16.

#### Step Increases

1. Joy West – Caseworker I – Safe Home – 16/8 – 2/28/16 - \$23.48/hour
2. Dean Hodgen – Caseworker I – Human Services – 16/9 – 3/17/16 - \$24.07/hour
3. Ralph Hammer – Weed and Pest Supervisor – Highway – 14/14 – 4/5/16 - \$24.67/hour
4. Jason Doppenberg – Tax and License Technician – Treasurer – 10/9 – 3/29/16 - \$17.90/hour
5. Bethany Jost – Paralegal – Public Defender’s Office – 16/6 – 3/19/16 - \$22.35/hour
6. Ryan Qualseth – Deputy Sheriff Sergeant – Sheriff’s Office – 20/11 – 3/16/16 - \$30.81/hour
7. Julie Person – Senior Property Technician – Equalization – 12/5 – 4/2/16 - \$17.90/hour

#### NOTICE

MOTION by Bender, seconded by Barth, to authorize the Auditor to publish a notice to bidders for Decedent Transport to the Minnehaha County Morgue from locations within Minnehaha County inside the City of Sioux Falls. 4 ayes.

#### LIEN COMPROMISE

Robert Wilson, Assistant Commission Administrative Officer, gave a briefing on a request for compromise of lien for DPNO 71676. The lien is for Poor Relief and Public Defender services provided between 2009 and 2014. The applicant has made partial payments totaling \$729.00, resulting in a lien balance of \$5,950.10. The applicant is requesting a compromise and release of the lien with no additional payment. The applicant lists an annual income of \$14,500. Her 2015 tax return indicates she received a refund in the amount of \$3,015. The applicant lists assets of approximately \$1,000 that include household goods and a 1999 Pontiac Grand Am. The applicant reports no debt. Commissioner Kelly encouraged the applicant to continue making payments. Commissioner Bender stated there was no pressing need for having this lien satisfied at this time. MOTION by Bender, seconded by Kelly, to deny the request for compromise of lien for DPNO 71676. 4 ayes.

#### PUBLIC COMMENT

Sue Quanbeck Etten, Director of Central Services for the City of Sioux Falls, gave a briefing on the City of Sioux Falls Administrative Office Building Project. Tracy Turbak, Finance Director for the City of Sioux Falls, asked for input from the County Commission on potential collaboration between the City and County on the project.

#### HEARINGS

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Kevin Hoekman, Planner I, was present for the public hearing and gave a briefing on drainage permit application #16-02 submitted by Brian Smith of Smith Farms Inc., to conduct agricultural drainage on his property. The proposed drainage project is located in Section 30 of Clear Lake Township on property legally described as the NE ¼ (Ex H-1), Section 30-T103N-R52W. The proposed drainage project map includes a plan to clean out a ditch, and a separate plan to place subsurface drain tile that will connect into an existing drainage system to the west. The outlet of the proposed drainage work flows into McCook County making this a drainage application with intercounty significance. The application requires approval from the drainage board of both counties. The petitioner submitted downstream waivers for the property owners ½ mile downstream from the end of the proposed project, and also a waiver from the Chairman of Montrose Township Board to perform work in the right of way. Staff finds the proposed drainage work meets the requirements of the drainage ordinance and recommends approval of Drainage Permit #16-02 with the following condition: 1) That the applicant must comply with any rules and regulations of the Natural Resources Conservation Service and the Corps of Engineers regarding drainage work in a farmed wetland as described in the wetland determination. Brian Smith, 45366 254<sup>th</sup> St., Montrose, SD, was present to answer questions. No opponents spoke. MOTION by Barth, seconded by Bender, to approve drainage permit application #16-02 with the recommended condition. 4 ayes.

David Heinold, Planner I, was present for the public hearing and gave a briefing on drainage permit application #16-03. The applicant is Don Ordal. The drainage project is located in Section 24 of Buffalo Township on property legally described as W ½ NW ¼, Section 24-T104N-R52W. On June 5, 2015, staff received a complaint about Mr. Ordal cleaning out a ditch. Staff visited the subject property and the ditch had been cleaned out up to about 1 foot of silt. On June 15, 2015, John and Marcia Crittenden submitted a written complaint detailing the type and location of the drainage work completed on Mr. Ordal's property as well as issues relating to the effects of the ditch cleanout. On July 31, 2015, Mr. Ordal picked up the non-vested drainage notification forms and certified mail return/receipts for the ditch cleanout. Mrs. Crittenden, upon receiving notification about the drainage work, asked staff about the application and reported the notification letter was not signed. On August 20, 2015, staff sent Mr. Ordal a stop work order letter, and received notice a few days later from Mr. Ordal's legal representative that all work has been stopped. On March 3, 2016, staff received another complaint about the continued digging out of a drainage ditch on the subject property. Staff inspected the property and found the ditch appeared to have been dug out a couple feet as well as tractor marks along one of the approaches on 459<sup>th</sup> Ave. On March 8, 2016, Mr. Ordal submitted a drainage application with the certified mail return/receipts, and paid the \$500 fine for conducting drainage work without a permit. On March 10, 2016, staff inspected the proposed locations for the ditch cleanout and determined the applicant should not be permitted to conduct drainage work in the area highlighted in green on the Proposed Ditch Cleanout map. Staff finds the surface drain closest to 247<sup>th</sup> St. may proceed as indicated on the cleanout map. Staff recommends the Drainage Board approve Drainage Permit #16-03 with the following conditions: 1) That routine maintenance shall not be permitted in the area outlined in green as shown on the ditch cleanout map. 2) That the existing surface drain closest to 247<sup>th</sup> St. may proceed with removal of vegetation or silt to the original depth as well as the original location of the drain is not altered. The applicant is not permitted to deepen or widen the channel from the work already completed and must contact the Natural Resources Conservation Service prior to beginning work. Don Ordal, 24781 459<sup>th</sup> Ave., Colton, SD, presented photos and answered questions about the drainage project. Speaking in opposition to the drainage project were John and Marcia Crittenden, 45943 297<sup>th</sup> St., Colton, SD. Mr. and Mrs. Crittenden also presented photos of the drainage area, and spoke about the effects the drainage project has on their property. MOTION by Barth, seconded by Bender, to defer this item until April 12, 2016, to allow Planning & Zoning staff time to organize their presentation and photos from all parties involved, and also to allow time for Commissioners to visit the subject area. 4 ayes.

#### AGREEMENT

Jamie Gravett, Juvenile Detention Center Director, gave a briefing on a Nursing Services Agreement with Volunteers of America – Dakotas to provide part-time, 20 hours per week, and on-call nursing services for the

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Juvenile Detention Center. The rate is \$40.00 per hour, which is the same rate as the last two years. MOTION by Barth, seconded by Bender, to authorize the Chair to sign the Nursing Services Agreement between Minnehaha County and Volunteers of America – Dakotas, at a rate of \$40.00 per hour, beginning March 29, 2016. 4 ayes.

#### BID AWARD

DJ Buthe, Highway Superintendent, reported on the March 23, 2016 bid opening for Project MC102-104-109-OL-2016, Contracted Overlay on County Highways 102, 104, & 109. The following bids were received: Duininck, Inc., \$1,356,380.94; McLaughlin & Schulz, Inc., \$1,446,841.81; Double H Paving, Inc., \$1,502,798.85; Black Top Paving Company, \$1,537,180.44; Asphalt Surfacing Company, \$1,556,115.00; Seal Pros, Inc., \$1,624,487.82; Myrl & Roy's Paving, Inc., \$1,819,447.75. Mr. Buthe recommended award of the project to the low bidder, Duininck, Inc. Mr. Buthe stated the bid price on this project is very good and they will investigate the opportunity to extend the unit quantities on the contract to include an additional 6.5 miles on County Highway 113 from the county line, which is Highway 104, going south to County Highway 114. The additional work would require approval of a change order to the contract. MOTION by Bender, seconded by Barth, to award Duininck, Inc. the bid for Project MC102-104-109-OL-2016, Contracted Overlay on County Highways 102, 104, & 109, in the amount of \$1,356,380.94. 4 ayes.

#### BUDGET

Keith Wynia, Air Guard Division Supervisor, requested authorization to use \$26,000 of projected surplus in Personnel Services to cover anticipated overages in other expenses in the Air Guard Division's budget. The funds would be used for education, ammunition, and uniform clothing items. MOTION by Bender, seconded by Barth, to approve the use of \$26,000 in personnel savings in the Air Guard Division's budget for education, ammunition, and uniform clothing items. 4 ayes.

#### SURPLUS PROPERTY

Robert Wilson, Assistant Commission Administrative Officer, requested audio and video recording and broadcast equipment purchased in 1998 be declared as surplus for the purpose of disposal. The system was replaced in 2015, and the old equipment has no current value. MOTION by Barth, seconded by Bender, to declare video recording and broadcast equipment, capital asset tag numbers 58600 and 58600A, as surplus property for the purpose of disposal. 4 ayes.

#### LIAISON REPORTS

Commissioner Barth reported on the March 28, 2016 Planning & Zoning meeting.

#### NEW BUSINESS

Commissioner Barth commented on the snow the area received over the past weekend. Mr. Barth stated some of the roads were not cleared on Saturday night, and he would like to review the snow removal policy.

Robert Wilson, Assistant Commission Administrative Officer, reported Mary Johns, Director of the Siouxland Libraries, reported that Jed Huisman's appointment to the Siouxland Libraries Board of Trustees will expire in May. Mr. Huisman is eligible to serve another term. Commissioners Barth and Bender expressed support for the re-appointment of Mr. Huisman.

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

The Commission adjourned until 9:00 a.m. on Tuesday April 5, 2016.

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APPROVED BY THE COMMISSION:

Cindy Heiberger  
Chair

ATTEST:

Cynthia Jepsen  
Deputy Auditor