

9/6/2016

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. September 6, 2016, pursuant to adjournment on August 30, 2016. Commissioners present were: Barth, Bender, Beninga, Heiberger, and Kelly. Also present were Olivia Larson, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

MOTION by Barth, seconded by Beninga, to approve the agenda. 5 ayes.

#### MINUTES APPROVAL

MOTION by Bender, seconded by Beninga, to approve the August 30, 2016, Commission Minutes with an amendment to reflect under Liaison Reports that Commissioner Heiberger submitted a written report on the NACo National Convention to be provided to Commissioners by the Commission Office. 5 ayes.

#### VOUCHERS TO BE PAID

MOTION by Barth, seconded by Beninga, to approve the following bills totaling \$918,661.97. 5 ayes.

A & B Business Equip	Maintenance C	84.55	A To Z World Languag	Other Profess	200.00
Ahrendt, Cynthia J	Attorney Fees	810.00	Airway Service Inc	Automotive/Sm	163.14
Alternative Hrd Llc	Professional	795.00	American Institute O	Lab Costs	550.00
Arena Motel	Motels	2,325.00	Avera Mckennan Hospi	Blood Withdra	234.00
Avera Mckennan Hospi	Hospitals	24,322.09	Babinski Properties	Welfare Rent	400.00
Bartell, Darrel G	Welfare Rent	600.00	Bartels, Amber	Education & T	10.00
Bechtel, Dave	Welfare Rent	500.00	Bowes Construction,	Contracted C 198,	365.68
Boyer Trucks Sioux F	Truck Repair/	2,470.45	Bradfeldt, Becky	Business Trav	34.44
Bradfield, Matt Db	Maintenance C	70.00	Brandner, Bud (Clare	Welfare Rent	970.00
Brevik Law Office Pr	Attorney Fees	213.83	Brown & Saenger	Furniture & O	724.40
Brown & Saenger	Office Suppli	7.00	Bunde, Terry	Sign Deposits	50.00
Butler Law Office Pc	Attorney Fees	3,361.16	Butler Machinery Com	Automotive/Sm	161.04
Butler Machinery Com	Heavy Eq. Rep	-49.27	Butler Machinery Com	Truck Repair/	174.99
C & R Supply Inc	Heavy Eq. Rep	47.52	Campbell Supply Co I	Bldg/Yard Rep	30.75
Campbell Supply Co I	Small Tools,	23.94	Cbm Managed Services	Board Of Pris 66,	724.74
Cbm Managed Services	Inmate Suppli	697.66	Centurylink (Qwest)	Telephone	52.71
Charm-Tex Inc	Inmate Suppli	866.88	Chief Supply	Uniform Allow	509.37
Clarity Telecom Llc	Telephone	63.54	Cole Papers, Inc.	Hhs Custodial	91.17
Cole Papers, Inc.	Janitorial/Ch	256.07	Concrete Materials	Road Maint. &	38,316.80
Constellation New En	Natural Gas	21.50	Construction Product	Bridge Repair	53.61
Construction Product	Engineering S	995.40	Convergint Technolog	Building Repa	647.30
Dakota Riggers & Too	Automotive/Sm	100.50	Dakota Riggers & Too	Road Maint. &	39.48
Deans Bulk Svc Inc	Gas,Oil,Diese	995.00	Deans Bulk Svc Inc	Parts Invento	653.60
Dedula, Carla F	Court Reporte	197.20	Delux Motel / Dakota	Motels	600.00
Dockendorf Equipment	Automotive/Sm	2,648.74	Dover, Sena S	Bd Evaluation	900.00
Duininck Bros., Inc.	Contracted C	352,804.41	Dynamic Services Llc	Welfare Rent	1,700.00
Eh Hospitality Llc	Motels	1,045.00	Eric Willadsen	Sign Deposits	50.00
Evans, Preston	Investigators	254.10	Fastenal Company	Gas,Oil,Diese	9.75
Faust, Joann L	Amounts Held	861.33	Fieber, Anthony	Other Misc. R	300.00
Fleetpride / Holt, I	Heavy Eq. Rep	415.92	Fleetpride / Holt, I	Truck Repair/	660.00
Frantzen, Paige	Depositions	1,288.00	G&W, Inc Db	Transportatio	71.84
Gaylord Bros Inc	Program Activ	138.21	George Boom Funeral	Burials	1,000.00
George, Aaron	Welfare Rent	845.00	Golden West	Telephone	39.12
Grainger, Inc.	Bldg/Yard Rep	215.35	Grapevine, Dan	Uniform Allow	169.99
Gruenig, Tom	Sign Deposits	50.00	Guzman, Sandra V.	Interpreters	50.00
Hanson, Joel R	Special Proje	475.00	Harr, Gary	Sign Deposits	50.00
Heartland Funeral Ho	Burials	2,250.00	Heidepriem, Purtell	Attorney Fees	736.75
Hickman, Dorothy	Other Misc. R	300.00	Hoekstra, Denise A.	Court Reporte	3,408.00
Hohn, Rodney L	Uniform Allow	159.99	Howalt+Mcdowell Ins	Professional	100.00
I State Truck Center	Parts Invento	122.97	Infrastructure Desig	Architects &	8,492.00
Interstate Office Pr	Office Suppli	1,394.36	Interstate Power Sys	Automotive/Sm	3,618.53
Intoximeters, Inc.	Testing Suppl	253.50	Isi Llc	Interpreters	80.00
Jagram Payer, Nalini	Sign Deposits	50.00	Jcl Solutions-Janito	Kitchen/Clean	1,102.63
Jefferson Partners L	Transportatio	1,451.50	Johnson Controls, In	Building Repa	3,162.00

9/6/2016

Johnson, Richard L	Child Defense	299.00	Kadinger, Joseph L	Welfare Rent	500.00
Katterhagen, Mark	Bd Exp. Fees	51.00	Koball, Karl	Welfare Rent	500.00
Kruse, Renae S	Child Defense	1,789.50	Kyra Enterprises Llc	Motels	405.00
Leaf Capital Funding	Office Suppli	129.80	Ledd Properties Llc	Motels	280.00
Lewno, Lucy	Bd Exp. Fees	467.88	Loebig, Larry	Welfare Rent	500.00
Loving, Philip	Bd Evaluation	2,557.50	Lutheran Social Svcs	Bd Evaluation	1,725.00
Lyle Signs Inc	Sign Supply/I	624.75	Malone, Constance A	Amounts Held	569.84
Martinell, Charles	Business Trav	192.72	Mcdaniel, Kayla	Other Misc. R	350.00
Mckesson Medical-Sur	Clinics - Aux	36.79	McLeod's Print & Off	Printing/Form	131.60
Med-Star Paramedic I	Transportatio	400.00	Meier Constr	Welfare Rent	425.00
Metro Communications	Attorney Fees	40.00	Midamerican Energy C	Natural Gas	955.44
Midwest Residential	Welfare Rent	500.00	Midwestern Mechanica	Building Repa	395.00
Mikelson, Gary E	Attorney Fees	578.28	Minnehaha Community	Park/Recreati	30.00
Minnehaha Community	Utility Align	43,628.18	Mobile Electronic Se	Hidta Grant	210.00
Monick Pipe & Supply	Jail Repairs/	1,132.82	Multi-Cultural Cente	Interpreters	302.50
Murray Properties, L	Welfare Rent	1,630.00	Neve's Uniforms	Uniform Allow	8,830.96
Nocito, Stephanie	Other Misc. R	150.00	North Ridge Apartmen	Welfare Rent	717.00
Northeast Investment	Welfare Rent	1,500.00	Northern Truck Equip	Truck Repair/	99.32
Novak Investigations	Attorney Fees	4,883.70	Nyberg's Ace Hardwar	Other Supplie	20.16
Palisade Township	Road Maint. &	39,325.36	Paramedics Plus-Siou	Lab Costs	900.00
Pccs Inc	Communication	3,484.00	Pharmchem Inc	Testing Suppl	483.00
Pheasantland Industr	Child Care It	200.00	Pheasantland Industr	Printing/Form	824.52
Phoenix Supply Llc	Inmate Suppli	1,659.04	Pollard Law Pc	Attorney Fees	232.00
Prostrollo, Casey D	Welfare Rent	1,200.00	Qualified Presort Se	Postage	82.06
Quill Corp.	Office Suppli	270.54	Rensberger Investmen	Welfare Rent	600.00
Retail Data Systems	Office Suppli	124.00	Reurink Properties L	Welfare Rent	700.00
Roberts, Yvonne	Welfare Rent	125.00	Rti - Riverside Tech	Data Processi	1,398.00
Safe Home Ltd Ptnrsh	Notes Rec (Sf	-2,464.83	Safe Home Ltd Ptnrsh	Other Misc. R	-1,129.26
Safe Home Ltd Ptnrsh	Rent Subsidie	11,316.00	Sam's Club - Members	Child Care It	109.26
Sam's Club - Members	Other Miscell	428.88	Sam's Club - Members	Other Profess	1,498.99
Sam's Club - Members	Supplemental	87.12	Sanford Clinic	Physicians	152.20
Sanford Clinic - Fi	Education & T	120.00	Sanford Hospital	Hospitals	4,610.36
Schoeneman Bros. Co.	Program Activ	787.50	Sechser, Jenna - Crt	Court Reporte	289.00
Sf Leased Housing As	Welfare Rent	630.00	Sf Leased Hsg Author	Welfare Rent	310.00
Sheehan Mack Sales &	Truck Repair/	128.64	Shipley's Laundry &	Program Activ	21.50
Sigler Fire Equipmen	Correction Ct	197.10	Sigler Fire Equipmen	Jail Repairs/	773.10
Sigler Fire Equipmen	Outside Repai	564.66	Sioux Area Metro/Par	Bus Passes	1,848.26
Sioux Falls Two Way	Hidta Grant	363.49	Sioux Falls Utilitie	Welfare Utili	363.80
Sioux Valley Energy	Electricity	272.17	Sioux Valley Energy	Road Maint. &	139.32
Sioux Valley Energy	Tea-Ellis Ran	74.21	Sioux Valley Energy	Welfare Utili	331.28
Skorczewski, Jena	Court Reporte	98.80	Snoozy, Scott	Welfare Rent	500.00
Southeastern Behavio	Other Profess	1,900.00	Swanda, Karen	Bd Exp. Fees	51.00
Swenby, Roger	Welfare Rent	700.00	Szameit, Alexandra	Interpreters	383.33
Tires,Tires,Tires In	Automotive/Sm	1,759.07	Tires,Tires,Tires In	Gas,Oil,Diese	116.60
True North Steel	Pipe & Culver	7,211.45	Tschetter & Adams La	Attorney Fees	683.76
Turning Leaf Hsg Ltd	Welfare Rent	500.00	Uline	Inmate Suppli	263.45
Ultramax	Ammunition	388.00	Variety Foods Llc	Other Profess	459.82
Wal-Mart Pharmacy #3	Pharmacies	207.18	Walgreen Co.	Pharmacies	333.16
Waltner,Kolbeck,Scha	Attorney Fees	2,973.50	Waskosky, Sheldon P	Welfare Rent	800.00
Weerheim, Tom	Attorney Fees	570.40	Wheelco Brake & Supp	Heavy Eq. Rep	630.08
Wheelco Brake & Supp	Truck Repair/	158.93	Wilson, Dean M.	Welfare Rent	600.00
Xcel Energy, Inc.	Electricity	1,008.94	Xcel Energy, Inc.	Welfare Utili	2,939.26
Yankton County Sheri	Return Of Ser	200.00			

REPORT

The August 31, 2016, Minnehaha County Highway Project Report was received and placed on file in the Auditor's Office.

PERSONNEL

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

9/6/2016

1. To hire Joshua Heinricy as Road Maintenance Team Member (12/3) for the Highway at \$17.03/hour effective 9/7/16.
2. To end the seasonal employment of Adam Vogelzang as Intern for the Highway effective 9/1/16.
3. To accept the resignation of David Sullivan as Mechanic Team Member for the Highway effective 9/6/16.
4. To hire Kathleen Behrend as seasonal Election Worker for the Auditor's Office at \$14.00/hour effective 9/7/16.
5. To promote Jeffrey Barnable from Deputy Sheriff to Deputy Sheriff Sergeant (20/4) for the Sheriff's Office at \$25.92/hour effective 9/10/16.
6. To accept the resignation of Kari Winquist as Victim Witness Assistant for the State's Attorney's Office effective 9/9/16.
7. To accept the resignation of Kelly Hubbard as Juvenile Correctional Officer I for the Juvenile Detention Center effective 9/2/16.
8. To hire Danielle Richardson as Juvenile Correctional Officer I (12/4) for the Juvenile Detention Center at \$17.46/hour effective 9/14/16.
9. To hire Margaret McCloud as Juvenile Correctional Officer I (12/3) for the Juvenile Detention Center at \$17.03/hour effective 9/14/16.

#### Step Increases

1. Jacqueline Rasmussen – Senior Deputy Public Defender – Public Defender's Office – 22/18 – 8/18/16 - \$3,397.60/bi-weekly
2. Richard Lietz – Property Tax Administrator – Auditor – 19/13 – 9/14/16 - \$30.81/hour
3. Jorge Vicuna – Juvenile Correctional Officer II – Juvenile Detention Center – 14/16 – 8/18/16 - \$25.92/hour
4. Kasey Moen – Corrections System Operator – Jail – 9/4 – 7/13/16 - \$15.06/hour

#### Special Personnel Action

To recognize the following significant employee anniversaries for September 2016: 10 years – Carey Deaver; 15 years – Adam Nelson; 20 years – Patricia Henry.

To record volunteers in County Departments for August 2016. The list is on file at Human Resources.

MOTION by Beninga, seconded by Barth, to approve the promotion of Jason Gearman from Sergeant at \$2,929.60 bi-weekly (20/18) to Captain at \$3,314.40 bi-weekly (23/13) effective 9/10/16. 5 ayes.

#### NOTICE

MOTION by Bender, seconded by Beninga, to authorize the Auditor to publish a Notice to Bidders for the remodel of the Expo Building restrooms and construction of a comfort station at the W.H. Lyon Fairgrounds. 5

9/6/2016

ayes.

#### LIEN COMPROMISE

Robert Wilson, Assistant Commission Administrative Officer, gave a briefing on an application for a compromise of lien for DPNO 43423 in the amount of \$5,635.40. The applicant and his wife are expected to close the purchase of a home on September 20, 2016. The lien was discovered by the title company's search. Human Services assistance was provided to the applicant in June 2000. The applicant is requesting a compromise and release of the lien in full with no payment. The applicant was present to answer questions and spoke in regard to his reasons for a compromise of this lien. The lien was turned over to Hauge Associates collection agency due to non-payment. Robert Litz, Auditor, spoke in regard to collection practices of Hauge Associates. Kari Benz, Human Services Director, spoke in regard to general practice and policy when an application for assistance is received and how the lien is noticed to the applicant. MOTION by Kelly to compromise the lien in full upon payment of \$2,800. Motion dies for lack of a second. MOTION by Barth to defer action for one week. Motion withdrawn due to the absence of a regular Commission Meeting next week. Kersten Kappmeyer, Chief Civil Deputy State's Attorney, stated that the lien is enforceable due to the receipt of services by the applicant. Carol Muller, Commission Administrative Officer, spoke to past direction from the Commission regarding noticing of liens and potential difficulties when sending out notices. MOTION by Barth to compromise the lien in full upon payment of \$500. Motion dies for lack of a second. MOTION by Bender, seconded by Kelly, to approve resolution MC16-45. 5 ayes.

#### RESOLUTION MC16-45

WHEREAS, a County Aid Lien in the amount of \$5,635.40, purports to exist in favor of Minnehaha County and against DPNO 43423 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 upon payment of \$2,817.70.

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

Dated at Sioux Falls, South Dakota, this 6<sup>th</sup> day of September, 2016.

APPROVED BY THE COMMISSION:

Cindy Heiberger  
Chairman

ATTEST:  
Olivia Larson  
Deputy County Auditor

#### RESOLUTION

Mike Lynch, Public Affairs and Research Manager, Sioux Falls Area Chamber of Commerce, presented a request for Minnehaha County to adopt a resolution supporting the basing of the F-35 Lightning Joint Strike Fighter in Sioux Falls. Joe Foss Field, 114th Fighter Wing, South Dakota Air National Guard is one (1) of eighteen (18) potential sites the Air Force is considering. Six (6) of these eighteen (18) locations will be selected for site

9/6/2016

surveys. A group organized by the Chamber will travel to Washington to meet with the South Dakota Congressional delegation and Air Force personnel about the upcoming basing decision for the F-35. Prior to the meeting, the Chamber requests that Minnehaha County adopt a resolution expressing support for locating the F-35 at Joe Foss Field. MOTION by Kelly, seconded by Bender, to adopt Resolution MC16-46. 5 ayes.

**RESOLUTION MC 16-46**

**TO EXPRESS SUPPORT FOR BASING THE F-35 LIGHTNING JOINT STRIKE FIGHTER AT JOE FOSS FIELD, 114TH FIGHTER WING, SOUTH DAKOTA AIR NATIONAL GUARD.**

**WHEREAS**, the United States Air Force is currently deliberating the location of the F-35 Lightning Joint Strike Fighter;

**WHEREAS**, the F-35 is considered to be the world's most advanced multi-role aircraft combining advanced stealth capabilities with fighter aircraft speed and agility, fully-fused sensor information, network-enabled operations and advanced logistics and sustainment;

**WHEREAS**, the South Dakota Air National Guard was founded by Medal of Honor recipient and former Governor Joe Foss in 1946 at Sioux Falls, SD;

**WHEREAS**, the 114th Fighter Wing is a highly decorated unit receiving several awards multiple times throughout the years including the Air Force Outstanding Unit Award in 2015 (8th); the Distinguished Flying Unit Plaque in 2016 (6th); NGAUS Spaatz Trophy – Top Flying Unit in 2014 (4th); and many more;

**WHEREAS**, the 114th Fighter Wing has served the United States Air Force in 17 deployments and activations since 1993 including Operation NORTHERN WATCH, Operation SOUTHERN WATCH, Operation IRAQI FREEDOM, Operation ENDURING FREEDOM among others; and

**WHEREAS**, the 114th Fighter Wing enjoys steadfast support from local citizens, businesses, civic organizations, employers and elected leaders.

**NOW, THEREFORE, BE IT RESOLVED BY THE MINNEHAHA COUNTY COMMISSION**, that Minnehaha County strongly supports basing the F-35 Lightning Strike Fighter basing at Joe Foss Field, 114th Fighter Wing, South Dakota Air National Guard.

Dated this 30th day of August, 2016

**APPROVED BY THE COMMISSION:**

Cindy Heiberger

Chairman

ATTEST: Bob Litz, Auditor

Olivia Larson

Deputy

**BUDGET HEARING**

A public hearing was held for the FY2017 Minnehaha County Budget. Carol Muller, Commission Administrative Officer, gave a briefing on the FY2017 budget which stands at \$82,556,219. Cash applied stands at \$5,177,698. Last year, a \$3,500,000 opt-out was approved, of which \$1,500,000 has been accessed. \$750,000 is for a one time expenditure for the FY2017 to pay towards the new ERP system. The Provisional Budget includes eleven (11) new positions at a cost of \$654,000. The budget is supported by revenues that include a 3% growth in property taxes due to new construction within the county that adds \$893,000, a 0% CPI adjustment allowed by the property tax limitation statutes, SB2's change in alcohol tax distribution adds \$600,000, and HB1005's change in fees adds \$455,000 in Treasurer's fees and \$135,000 in Sheriff's fees.

9/6/2016

Upcoming budget meetings include a joint meeting between the Minnehaha County Commission and the City of Sioux Falls on September 6<sup>th</sup>, 2016, to approve the Library, Metro Communications, and Museum budgets, and a Minnehaha County budget hearing will be held on Wednesday, September 14<sup>th</sup>, 2016. No public input was given.

#### RURAL AMBULANCE QUALITY ASSURANCE DIRECTOR

Robert Wilson, Assistant Commission Administrative Officer, gave a briefing on the Rural Ambulance Service Quality Assurance (QA) Director position. The Commission Office, the Emergency Management Office, and the State's Attorney's Office worked together in developing information for the Commission to consider regarding any changes to the QA Director's position.

#### TAX DEED PROPERTIES

On the request of Robert Litz, Auditor, the following action was taken related to the disposition of tax deed properties: MOTION by Barth, seconded by Beninga, to declare RDID #82191 as surplus for the transfer to the City of Sioux Falls and approve Resolution MC16-47. 5 ayes.

#### RESOLUTION MC16-47

**WHEREAS**, Minnehaha County holds under Tax Deed proceedings the following property:

Deed #2561, RDID #82191, covering property legally described as Blk. 6, Legacy Ridge Addition to the City of Sioux Falls, Minnehaha County, South Dakota

**WHEREAS**, this property serves as a drainage pond and is not suitable for other purposes and,

**WHEREAS**, the City of Sioux Falls has agreed to the transfer of this property; now therefore, be it

**RESOLVED**, by the Minnehaha County Commission, that the above described property is hereby declared surplus for transfer to the City of Sioux Falls; and be it further

**RESOLVED**, that the County Treasurer is here by authorized to issue a Quit Claim Deed thereto, and the County Auditor is hereby authorized to abate all outstanding taxes, interest, and penalties levied against this property.

Approved this 6<sup>th</sup> day of September, 2016.

Cindy Heiberger

Chairman

ATTEST:

Olivia Larson

Deputy Auditor

#### LIAISON REPORTS

Commissioner Kelly reported that the Library Board will meet on Thursday September 8<sup>th</sup>, 2016, to discuss recommendations for the appointment of a new Library Director. Commissioner Heiberger noted that Commissioner Kelly will be able to serve as the representative on this board.

#### NEW BUSINESS

9/6/2016

Commissioner Barth commented on deposit refunds in this week's bills due to zoning change signs that have been returned to the County.

Commissioner Barth stated that he would like to receive a report from the Sheriff and State's Attorney's Offices regarding the increase in heroin, meth, and opioid use in the community. Commissioner Bender commented this would also be a good time for the State's Attorney's Office to report on Marsy's Law.

#### OLD BUSINESS

Commissioner Kelly commented on the \$50 million worth of outstanding liens, the current policies in place regarding notification and collection, and the potential need for review of the policies. Carol Muller, Commission Administrative Officer, stated it would be a good idea to review these policies. Kersten Kappmeyer, Chief Civil Deputy State's Attorney, stated there are options for the collection of liens and referenced Pennington County's procedures.

Commissioner Barth commented on the lack of communication between the Rural Ambulance Quality Assurance Director and the ambulance services shown on the surveys received.

Commissioner Heiberger reminded the Commissioners that there will be no regular Minnehaha County Commission Meeting next week due to the 2016 South Dakota County Convention.

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

The Commission adjourned until 5:00 p.m. on Tuesday September 6<sup>th</sup>, 2016.

#### APPROVED BY THE COMMISSION:

Cindy Heiberger

Chair

ATTEST:

Olivia Larson

Deputy Auditor