

10/10/2017

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. October 10, 2017, pursuant to adjournment on October 3, 2017. Commissioners present were: Barth, Bender, Beninga, Heiberger, and Karsky. Also present were Olivia Larson, Commission Recorder, and Margaret Gillespie, Senior Deputy State's Attorney.

MOTION by Karsky, seconded by Bender, to approve the agenda. 5 ayes.

#### MINUTES APPROVAL

MOTION by Barth, seconded by Bender, to approve the October 3, 2017, Commission Minutes. 5 ayes.

#### VOUCHERS TO BE PAID

MOTION by Heiberger, seconded by Barth, to approve the following bills totaling \$3,649,483.94. 5 ayes.

A&B Business	Lease-Rental	228.19	A&B Business	Maintenance	84.75
A&B Business	Office Equip	75.66	Advantage Property	Welfare Rent	600.00
Affordable Housing	Welfare Rent	567.00	Airteq	Jail Repairs	1,713.36
Airway Svc	Automotive	1,050.89	Airway Svc	Gas,Oil,Diesel	125.59
Alpine Property Mgmt	Welfare Rent	650.00	Argus Leader	Advertising	714.00
Argus Leader	Publishing Fee	824.74	Avera Health	Clinics Aux	20.50
Avera McKennan	Blood Withdraw	83.00	Avera McKennan	Hospitals	3,968.09
Belitz, Clarence H	Welfare Rent	700.00	Bierschbach Equip	Equip Lease	222.00
Brown & Saenger	Office Supplies	55.00	Budget Auto Repair	Truck Repair	493.25
Burggraff, Tarah	Sign Deposits	50.00	Butler Machinery	Automotive	181.78
Butler, Craig	Education	284.00	Carroll Institute	IVC Housing	9,277.50
CBM Managed Svcs	Board Of Pris	74,811.85	CBM Managed Svcs	Inmate Supplies	310.53
Century Business	Lease-Rental	638.48	Century Business	Office Supplies	97.00
Childrens Inn	Other Misc	2,315.60	Christopherson Ander	Attorney Fees	582.80
Cindy Borders Invest	Other Prof	1,766.25	Cloud 9 Motel	Motels	984.00
Cole Papers	HHS Custodial	1,245.60	Cole Papers	JDC Custodial	128.30
Compass Center	Other Misc	2,068.79	Computer Forensic	Other Prof	900.00
Construction Product	Equip Lease	450.00	Counseling Resources	Attorney Fees	1,050.00
Dakota Fluid Power	Heavy Eq Rep	300.66	Davenport,Evans	Financing Cos	5,836.00
Disburg, Julia	Other Supplies	27.75	Dover, Sena S	Bd Eval	292.50
Dynamsoft Corp	Software	3,198.00	Ebert, Beth	Education	25.00
EH Hospitality	Motels	280.00	Electric Supply	Data Process	139.45
Empire Plastics	Program Act	310.00	Exhaust Pros	Truck Repair	376.30
Fabian, Christine	Other Misc	375.00	Falls Terrace Apts	Welfare Rent	800.00
Family Service	Expenditures	390.00	Family Visitation	Other Misc	9,504.13
Fastenal	Sign Supply	11.08	Fastenal	Small Tools	124.14
Formatop	Program Act	684.65	Fully Promoted	Uniform Allow	107.77
Galls Quartermaster	Uniform Allow	502.51	George Boom Funeral	Burials	1,000.00
George, Aaron	Welfare Rent	500.00	Goebel Printing	Printing/Form	369.47
Golden West	Telephone	227.94	Great Western Bank	Welfare Rent	520.93
Guzman, Sandra V	Interpreters	100.00	Halbur Properties	Welfare Rent	600.00
Hardy Reynolds Law	Attorney Fees	3,661.40	Hardy Reynolds Law	Child Defense	1,443.00
Highway Improvement	Road Maint	70,786.10	Hobart Sales	Jail Repairs	1,357.80
Holiday Inn	Witness Fees	280.00	Howe	JDC	40,898.00
Hughes Cnty SD	Other Prof	55.00	Hunters Pointe Shoot	Education	220.00
HyVee	Pharmacies	237.98	Interstate All	Truck Repair	28.80
Interstate Office	Office Supplies	766.45	Iosty, James	Bd Exp Fees	8,272.00
Iosty, James	Crisis Inter	263.20	Jaymar	Printing/Form	70.70
JBC	Fairgrounds	902.70	JCL Solutions	Janitorial	238.08
JCL Solutions	Kitchen/Clean	4,515.19	JE	Welfare Rent	365.00
Jeff Larson Law	Attorney Fees	3,180.40	JLG Architects	Jail Expansio	97,841.34
Johnson, Richard L	Attorney Fees	251.92	Johnson, Richard L	Child Defense	109.98
Julian's Properties	Welfare Rent	600.00	Kalt, Jody	Welfare Rent	500.00
Kemp, Earl D	Welfare Rent	575.00	Kennedy, Renee S	Court Reporter	508.20
Kibble Equipment	Heavy Eq Rep	219.58	Kirschbaum, Mark	Business Trav	47.68
Kull, Lisa	Court Reporter	65.00	Kuper, Jeff	Welfare Rent	1,250.00
Laufmann, Arnold E J	Sign Deposits	50.00	Leaf	Office Supplies	129.80

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Lindquist & Vennum	Trust-Admin	2,500.00	Lodes, Chris	Sign Deposits	50.00
Lutheran Social Svcs	Bd Eval	900.00	Matheson Trigas	Small Tools	33.60
Matthew Olson Law	Attorney Fees	679.63	Meinders, Ray	Welfare Rent	375.00
Menards	Bldg/Yard Rep	298.26	Microfilm Imaging	Contract Svc	2,932.20
Microfilm Imaging	Furniture	265.00	Microfilm Imaging	Lease-Rental	405.00
Midamerican Energy	Natural Gas	145.02	Midamerican Energy	Welfare Utilitie	343.29
Mikelson Law	Attorney Fees	1,029.14	Miller Funeral Home	Burials	2,000.00
Miller, Todd	Sign Deposits	50.00	Minnehaha Community	Park/Rec	30.00
Minnehaha Community	Tea-Ellis Range	30.00	Murray Properties	Welfare Rent	500.00
Natl Assn For Public	Education	350.00	Nicolai, Tim	Welfare Rent	500.00
Nobles Cnty MN	Return Of Svc	65.00	Northern Truck Equip	Trucks/Tract	16,916.00
Novak Sanitary Svc	Tea-Ellis Range	83.58	Novak Sanitary Svc	Trash Removal	2,874.41
Osborn, Roxane R	Court Reporter	321.50	Overhead Door	Bldg/Yard Rep	25.90
Parkside Crestview	Welfare Rent	560.00	Pennington Cnty	Extradition	10,612.50
Peoplefacts	Recruitment	16.67	Pfeifer Implement	Automotive	81.13
Pheasant View Apt	Welfare Rent	371.00	Pheasantland	Printing/Form	598.57
Pirrung, Sheila M	Welfare Rent	500.00	Prairie Wind Trailer	Truck Repair	440.00
Quail Hollow Town	Welfare Rent	300.00	Qualified Presort	Postage	8,156.47
Qualseth, Ryan	Education	284.00	Real Property	Welfare Rent	500.00
Record Keepers	Other Prof	237.83	Redwood Estates	Welfare Rent	500.00
Reed, Chelsea	Witness Fees	280.68	Reliance Telephone	Telephone	4.40
Risty, Maxine J	Court Reporter	699.20	Rochester Armored	Armored Car	379.50
Rods Property	Welfare Rent	500.00	Rushmore Plaza	Education	237.00
Sanford Pathology	Other Misc	1,357.80	Sanford Pathology	Other Misc	24,440.18
Sanford Release	Medical Record	10.00	Satellite Tracking	Program Suppl	3,776.50
Schulte, Jason R	Welfare Rent	400.00	SD Dept Of Public	Other Misc	113.00
SD Dept Of Rev	Amounts He	3,042,909.15	SD Dept Of Rev	Behav Hlth Ad	600.00
SD Dept Of Rev	Bulletin Board	100.34	SD Dept Of Rev	Commitment	25,035.66
SD Dept Of Rev	Commitment	1,020.00	SD Dept Of Rev	Fingerprint	261.22
SD Dept Of Rev	Misc Auditor	8.36	SD Dept Of Rev	Misc Dir Eq	45.84
SD Dept Of Rev	Misc Extension	9.55	SD Dept Of Rev	Misc Treas	30.34
SD Dept Of Rev	Mug Shots	1.46	SD Dept Of Rev	State Reimburs	2,533.19
SD Dept Of Rev	Store Sales	239.69	SD Dept Of Transport	Bridge Repair	6,635.48
SD Human Svcs	Clinics Aux	91.40	SD State Historical	Memberships	40.00
SD Supreme Court	Memberships	425.00	SDN Communications	Data Com	421.20
SDN Communications	Telephone	1,108.64	Security Labs	Maintenance	325.00
Severtson, Allen	Business Trav	38.44	Shi International	Data Process	241.56
Sigler Fire Equip	Bldg/Yard Rep	918.00	Sioux Empire Fair	Other Misc	11,666.67
Sioux Equipment	Automotive	91.79	Sioux Equipment	Bldg/Yard Rep	91.79
Sioux Falls Dev	Other Misc	500.00	Sioux Falls Psych	Other Prof	350.00
Sioux Falls Two Way	Communication	13.99	Sioux Falls Utilities	Welfare Utilitie	163.68
Sioux Valley Energy	Electricity	273.27	Sioux Valley Energy	Road Maint	140.97
Sioux Valley Energy	Tea-Ellis Range	70.72	Sisson Printing	Office Supplies	327.75
Solheim, Virginia	Business Trav	39.28	Southeastern Behavior	Other Misc	42,367.00
Storhaug, Adrean	Welfare Rent	800.00	Sumption & Wyland	Education	400.00
Sunshine Foods	Welfare Food	87.46	Taylor Place	Welfare Rent	600.00
Tegra Group	Jail Expansio	25,430.05	Thill, Brian	Welfare Rent	400.00
Tires Tires Tires	Gas,Oil,Diesel	41.41	Tower Campground	Welfare Rent	500.00
Trana, John	Business Trav	29.40	Trankle, Ashley	Education	25.00
Transunion Risk	Investigators	123.30	Tschetter & Adams	Attorney Fees	2,781.03
Tschetter & Adams	Child Defense	5,770.51	Turning Leaf Apt	Welfare Rent	800.00
United Rentals	JDC Maint	162.08	Vandervliet, Rodney	Business Trav	50.20
Variety Foods	Other Prof	301.17	Vern Eide Motorcars	HIDTA Grant	295.00
Wall Lake Sanitary	Water Sewer	70.00	Waltner Kolbeck	Attorney Fees	1,337.22
Waste Management	Trash Removal	225.03	West Creek Woods Apt	Welfare Rent	300.00
Wheelco Brake	Heavy Eq Rep	108.98	Wheelco Brake	Truck Repair	124.49
Wilka & Welter	Attorney Fees	2,127.03	Woodland Hills	Welfare Rent	385.00
Woods Fuller Shultz	Other Prof	75.00	Xcel Energy	Electricity	911.52
Xcel Energy	Welfare Rent	227.00	Xcel Energy	Welfare Utilitie	546.05
Zandt, James R	Welfare Rent	500.00	Zee Medical Svc	Office Supplies	92.54
Zwak, Scott	Sign Deposits	50.00			

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## REPORTS

The Highway Department Construction Project Monthly Report for October 2017 was received and placed on file in the Auditor's Office.

## PERSONNEL

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

1. To end the variable hour employment of Rob Knutson, Juvenile Correctional Worker for the Juvenile Detention Center, effective 10/5/17.
2. To amend the resignation date of Daryl Kahn, Road Maintenance Team Member for the Highway, to 9/27/17.
3. To promote Michael Larson from Correctional Officer (13/5) to Corporal (17/3) for the Jail at \$22.24/hour effective 10/1/17.
4. To promote Alec Brink from Corrections System Operator (9/3) to Correctional Officer in Training (12/3) at \$17.37/hour effective 10/7/17.
5. To end the variable hour employment of Brandon Mohr as Correctional Officer for the Jail effective 10/2/17.

## Special Personnel Action

MOTION by Bender, seconded by Karsky, to approve the early hire of a new Deputy Sheriff position included in the 2018 payroll budget. 5 ayes.

## NOTICE

MOTION by Heiberger, seconded by Bender, to authorize the Auditor to publish a notice of hearing on November 7, 2017, for the renewal of a Retail On-Sale Liquor License Application submitted by Chaser's Food & Spirits. 5 ayes.

Carol Muller, Commission Administrative Officer, was present for the first reading and requested authorization for the Auditor to publish Notice of Hearing on October 24, 2017, to consider an ordinance enacting the 2017 Minnehaha County Revised Animal Control Ordinance, and for the repeal of the 2002 Minnehaha County Animal Control Ordinance. Kori Baade, Sioux Falls Area Humane Society Executive Director, and Andy Oestreich, Senior Humane Officer, spoke on the specific areas that will change with the new ordinance and were available for the Commissioners' questions. Margaret Gillespie, Senior Deputy State's Attorney, spoke on how the City of Sioux Falls' ordinance changes and South Dakota State laws may affect Minnehaha County's ordinance.

MOTION by Barth, seconded Heiberger, to authorize the Auditor to publish Notice of Hearing on October 24, 2017, to consider an ordinance enacting the 2017 Minnehaha County Revised Animal Control Ordinance, and for the repeal of the 2002 Minnehaha County Animal Control Ordinance and any other resolutions, rules, regulations in conflict herewith. 5 ayes.

## PUBLIC COMMENT

On behalf of Robert Kolbe, who could not be in attendance, Commissioner Heiberger reported on the passing of Curt Eggers noting his contributions to the community. Bob Litz, Auditor, stated the Eggers family were also involved in election precinct work.

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## SURPLUS

Upon the request of Bob Litz, Auditor, MOTION by Barth, seconded by Karsky, to declare 74 Auto Mark machines as surplus for the purpose of trade to ES&S. 5 ayes.

## RESOLUTION

Bob Litz, Auditor, reported on the September 30, 2017, tax deed sale. Payment in full has been received for Tax Deed #2602, RDID 63906, bid amount of \$6,400, and Tax Deed #2600, RDID 76376, bid amount of \$400. Ten percent (10%) down payments were made for Tax Deed #2574, RDID 11897, bid amount of \$13,181, and Tax Deed #2601, RDID 52766, bid amount of \$97,000. Mr. Litz requested accepting the highest bids for each property; and 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 Barth, seconded by Heiberger, to accept the high bids received for Tax Deed 2602, 2600, 2574, and 2601, and to approve Resolution MC17-43. 5 ayes.

## RESOLUTION OF SALE MC17-43

WHEREAS, The County Auditor offered for sale on September 30, 2017, at public auction, the following described Tax Deed Properties pursuant to SDCL 6-13:

Tax Deed #2602, 2011 E 31<sup>st</sup> St N, Sioux Falls; Lot 1 in Donahue's Subdivision of a part of Tract 127, 128 and 129 in Norton Tracts Subdivision, an Addition to the City of Sioux Falls, Minnehaha County, South Dakota, sold to Habitat for Humanity, 721 E Amidon Street, Sioux Falls, SD 57104, for \$6,400, and

Tax Deed #2600, Bare lot on E 1<sup>st</sup> St between Clark Ave and Ladelle Ave, Dell Rapids; Lot 9 in Block 3 of the Original Town Plat of Dell Rapids, Minnehaha County, South Dakota, sold to Dells K & B Services, 711 Par Lane, Dell Rapids, SD 57022, for \$400,

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, and penalties levied against these properties.

Dated at Sioux Falls, South Dakota, this 10<sup>th</sup> day of October, 2017.

APPROVED BY THE COMMISSION:  
Gerald Beninga  
Chairman

ATTEST:  
Olivia Larson  
Deputy Auditor

## SURPLUS PROCEEDS ALLOCATION

Item deferred from October 3, 2017

MOTION by Heiberger, seconded by Karsky, to deposit the proceeds from the sale of one 1998 Dodge Ram 3500 Pickup to the City of Humboldt for \$1,500 into the Highway Fund. 4 ayes, Barth voted nay.

## LIAISON REPORT

Commissioner Heiberger reported on the September 18-19, 2017, South Dakota Association of County Commissioners State Convention where she attended the Secretary of State's discussion on voting and breakout

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sessions regarding topics such as marijuana legalization and the restoration and collective impact initiative being done by Pennington County. Ms. Heiberger was able to speak with the National Association of Counties (NACo) First Vice-President regarding 211 services, and spoke with regional representatives regarding the benefits of NACo. It was also noted that Meade County is currently defending themselves in a lawsuit resulting from upholding South Dakota State regulations.

Commissioner Heiberger reported on the September 20, 2017, Sioux Empire Fair Board Meeting, where they discussed topics such as updating the by-laws, a revised management agreement, and plans for the 2018 Sioux Empire Fair.

Commissioner Heiberger reported on the September 25-26, 2017, Juvenile Detention Alternatives Initiative (JDAI) Conference. Over 80 people attended the conference, which provide an educational opportunity for counties new to JDAI, as well as continuing education for current JDAI counties at the conference.

Commissioner Heiberger reported on the September 26-27, 2017, Statewide Juvenile Summit where school climate and juvenile justice reform was discussed along with services provided by Lutheran Social Services and Department of Social Services.

Commissioner Heiberger reported on the October 3<sup>rd</sup>, 2017, Improving Criminal Justice Responses for Persons with Mental Illness HB 1183 Oversight Council meeting where discussion topics included competency filings for reimbursements, crisis response and training, and mental illness screenings for jails.

Commissioner Heiberger reported on last week's National Association of Counties phone call where the opioid epidemic was discussed. It was noted that the President plans to declare it an emergency.

#### NEW BUSINESS

Bob Litz, Auditor, provided an update on the 2017 sale of bonds for the jail expansion project and stated Commission action will be requested at the October 24, 2017, Commission Meeting.

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

The Commission adjourned until 9:00 a.m. on Tuesday October 17, 2017.

#### APPROVED BY THE COMMISSION:

Gerald Beninga

Chair

ATTEST:

Olivia Larson

Deputy Auditor