

08/07/2018

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. August 7, 2018, pursuant to adjournment on July 31, 2018. Commissioners present were: Barth, Beninga, Bender, Heiberger, and Karsky. Also present were Olivia Larson, Commission Recorder, and Margaret Gillespie, Senior Deputy State's Attorney.

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

#### MINUTES APPROVAL

MOTION by Bender, seconded by Karsky, to approve the July 31, 2018, Commission Minutes. 5 ayes.

MOTION by Karsky, seconded by Beninga, to approve the purchase of seven (7) 2018 Ford Utility Interceptors off of the 2018 City of Sioux Falls Bid #18-0022 from Nelson Auto Center, Fergus Falls, MN, at a total cost of \$206,904.11 nunc pro tunc to March 27, 2018. 5 ayes.

#### VOUCHERS TO BE PAID

MOTION by Barth, seconded by Beninga, to approve the following bills totaling \$717,236.73. 5 ayes.

A Rifkin	Printing/Forms	216.08
A&B Business	Maintenance Contracts	113.12
Affordable Housing	Welfare Rent	714.00
Airgas USA	Small Tools & Shop Supplies	213.90
Airway Svc	Automotive/Small Equip	445.20
Airway Svc	Gas Oil & Diesel	82.74
Alyssa Weber	Misc Revenue	150.00
Anderson Publication	Publishing Fees	1,008.22
Apts On Majest	Welfare Rent	500.00
Appeara	Program Activities	52.75
Augustana College	Misc Expense	1,937.50
Automatic Building	Jail Repairs & Maintenance	1,813.00
Automatic Building	Outside Repair	529.00
Automatic Security	VOA Dakotas	650.00
Avera Health Plans	Cobra Insurance	301.78
Avera McKennan	Hospitals	37,090.52
Avera McKennan	Physicians	4,318.79
Barnable, Jeff	Education & Training	128.00
Barnett Lewis Funeral	Burials	2,000.00
Bartels, Amber	Business Travel	89.46
Boyer Trucks	Automotive/Small Equip	129.95
Bradfeldt, Becky	Business Travel	49.14
Braun, Mason	Investigators Expenses	121.80
Brown, William Bud	Professional Svcs	12,016.50
Butler Law	Attorney Fees	963.60
Carpenter, Donovan	Business Travel	32.56
CDX Holdings	Welfare Rent	325.00
Century Business	Lease-Rental Agreement	699.43
Century Business	Maintenance Contracts	434.24
Centurylink	Telephone	53.10
Chris Cam	Building Repairs & Maintenance	110.66
Chris Cam	Janitorial Chemical Supplies	62.02
Chris Cam	Office Supplies	29.77
Chris Cam	Small Tools & Shop Supplies	51.96
Christiansen, Dan	HIDTA Grant	64.00
Cole Papers	Janitorial Chemical Supplies	40.21
Cole Papers	JDC Custodial Supplies	342.28
Computer Forensic	Professional Svcs	900.00
Concrete Materials	Repair/Renovations	632.25
Concrete Materials	Road Maint & Material	19,716.65
Construction Supply	Automotive/Small Equip	63.76
Construction Supply	Road Material Inventory	10,351.80

08/07/2018

Cummins	HHS Maintenance	603.15
Cutting Edge Tint	HIDTA Grant	230.00
Dakota Fluid Power	Automotive/Small Equip	76.26
Dakota Law	Child Defense Attorney	394.80
Dakota Lettering	Uniform Allowance	145.00
Dalsin	Jail Repairs & Maintenance	490.00
Dalsin	JDC Maintenance	1,354.00
Daniel, Jeremy	Professional Svcs	375.00
Deans Distributing	Gas Oil & Diesel	266.00
Decastro Law	Attorney Fees	1,880.00
Denise Hoekstra	Court Reporters	54.40
Dey Distributing	Correction Ctr Repairs & Maint	208.14
Dial, Charles	Welfare Rent	500.00
Doyle, Betsy R	Education & Training	139.00
EH Hospitality	Motels	340.00
Engbrecht, Roger	Welfare Rent	500.00
Erickson, Eric	Welfare Rent	600.00
First Dakota National	Homeland Security	3,764.75
Fleetpride	Truck Repairs & Maintenance	51.76
Fully Promoted	Explorer Donations	93.45
Fully Promoted	Uniform Allowance	46.32
Future Horizon Rental	Welfare Rent	500.00
Gaslite Manor	Welfare Rent	1,200.00
George, Aaron	Welfare Rent	975.00
Godi, Mustafa	Welfare Rent	500.00
Goebel Printing	Printing/Forms	204.68
Graham Tire	Automotive/Small Equip	562.84
Grainger	Building Repairs & Maintenance	27.84
Grainger	Parking	64.20
Great Western Bank	Welfare Rent	291.29
Gulbrandson, Derek	Education & Training	128.00
Guzman, Sandra V	Interpreters	25.00
Halcyon Properties	Welfare Rent	500.00
Hanisch Properties	Welfare Rent	500.00
Hasseler, Kenneth D	Professional Svcs	3,442.50
HDR Engineering	Architects & Engineers	10,173.06
Hewlett Packard	Furniture & Office Equip	300.00
Holiday Credit	Road Maint & Material	38.43
Horn Law	Attorney Fees	210.80
Howalt Mcdowell	Notary Exp	50.00
Howe	Coliseum Maintenance	121.00
Hurtgen, Timothy T/P	Welfare Rent	500.00
HyVee	Pharmacies	171.63
Infrastructure Mgmt	Architects & Engineers	1,711.36
Institutions Svc	Jail Repairs & Maintenance	448.13
Interim Healthcare	Professional Svcs	1,136.00
Interstate Office	Furniture & Office Equip	414.25
Interstate Office	Office Supplies	45.69
ISI	Interpreters	80.00
Jason Bruns Construct	Fairgrounds	688.50
JCL Solutions	Janitorial Chemical Supplies	66.69
Jefferson Partners	Transportation	1,878.50
Johnson, Clara	Bd Exp Fees (Minnehaha)	666.00
Johnson, Patricia R	Bd Evals (Minnehaha)	487.50
Johnson, Richard L	Child Defense Attorney	2,693.10
Katterhagen, Mark	Bd Exp Fees (Yankton)	112.50
Kerri Cook Huber	Bd Exp Fees (Yankton)	190.00
Kibble Equip	Heavy Equip Repairs & Maint	2,556.92
Kirschbaum, Mark	Business Travel	47.68
Kolbeck Law	Attorney Fees	479.20
Konda, Yousif	Interpreters	150.00
Kone	Outside Repair	9,000.00
Kronos	Software	967.50
Kyra Enterprises	Motels	265.00
Lawson Products	Small Tools & Shop Supplies	70.81

08/07/2018

Lewno Law	Bd Exp Fees (Yankton)	1,351.79
Lisa Carlson Report	Court Reporters	969.00
Lockwood, Darcy	Bd Exp Fees (Yankton)	112.50
Luther, Jeff	Medical Director	2,500.00
Lutheran Social Svcs	Diversion Programs	4,041.99
Lutheran Social Svcs	Evening Report Center	7,989.41
Lutheran Social Svcs	Shelter Care/Reception Center	57,832.86
Madison Apts	Welfare Rent	500.00
Microfilm Imaging	Furniture & Office Equip	265.00
Microfilm Imaging	Lease-Rental Agreement	405.00
Midamerican Energy	Welfare Utilities	473.61
Midcontinent Com	Amounts Held For Others	190.00
Midwest Alarm	Program Activities	6,369.15
Minnehaha Community	Tea-Ellis Range	30.00
Minnehaha Community	Water - Sewer	33.25
MKD Associates	Hospital Preparedness Grant	2,142.68
Mueller, Ronald	Welfare Rent	590.00
Multicultural Center	Interpreters	1,677.50
Napa Auto Parts	Heavy Equip Repairs & Maint	84.00
Napa Auto Parts	Small Tools & Shop Supplies	126.25
Nebraska Salt & Grain	Road Material Inventory	15,163.66
Nelson Auto Center	Automobiles	206,904.11
Nick Richards	Sign Deposits	50.00
Olson Painting	Building Repairs & Maintenance	2,244.00
Orion Rigging	Sign Deposits	50.00
Parkview	Welfare Rent	1,071.73
Peoplefacts	Recruitment	80.19
Pfeifer Implement	JDC Maintenance	89.16
Physio-Control	Safety & Rescue Equip	3,359.00
Pioneer Enterprises	Burials	2,500.00
Prestox	Outside Repair	215.00
Price Land & Cattle	Welfare Rent	500.00
Qualified Presort	Postage	7,990.87
Qualified Presort	Publishing Fees	506.93
Rac Rentals	Welfare Rent	430.00
Redwood Mediation	Attorney Fees	123.00
Robert C Lutter	Automotive/Small Equip	421.11
Sams Club	Professional Svcs	1,689.53
Sandal & Alemu Rental	Welfare Rent	675.00
Sanford Clinic	Professional Svcs	337.53
Sayre Associates	Juvenile Detention Ctr	5,322.75
Sayre Associates	Parking	7,372.50
Schoeneman Bros	Fairgrounds	70.52
SD Public Assurance	Property & Liability	81.79
SDN Communications	Data Communications	421.20
SDN Communications	Telephone	1,108.64
Sentinel Offender	Electronic Monitoring	1,892.29
Sioux Falls City	Welfare Utilities	437.34
Sioux Falls Two Way	Communication Equip Repair	217.89
Sioux Valley Energy	Electricity	280.24
Sioux Valley Energy	Road Maint & Material	138.48
Sioux Valley Energy	Tea-Ellis Range	72.54
Sky Dragon Chinese	Interpreters	62.50
Solheim, Virginia	Business Travel	39.28
Soukup Construction	Parking	162,153.70
Spring Centre Apts	Welfare Rent	1,271.00
Stan Houston Equip	Motor/Machine/Equip Repair	117.50
State of SD	Amts Held-Daily Scram	3,744.00
State of SD	Bulletin Board Svc	129.21
State of SD	Coroner Fee/Tax	1.22
State of SD	Fingerprint/Tax	248.71
State of SD	Misc Revenue	47.16
State of SD	Misc Expense	15.00
State of SD	Mug Shots	1.95
State of SD	Notary Exp	60.00

08/07/2018

Stockwell Engineers	Architects & Engineers	9,675.30
Storhaug, Adrean	Welfare Rent	600.00
Streichers	Investigators Expenses	525.00
Szameit, Alexandra	Interpreters	100.00
The Crabgrass Crew	Program Activities	300.00
The Mitographers	Truck Repairs & Maintenance	128.19
Tires Tires Tires	Automotive/Small Equip	127.26
Tires Tires Tires	Gas Oil & Diesel	60.09
Tractor Supply	Bridge Repair & Maintenance	31.98
Transource Truck	Heavy Equip Repairs & Maint	1,044.26
Trinity Point	Welfare Rent	400.00
Truenorth Steel	Pipe & Culvert Inventory	11,254.64
Ulteig Engineers	Architects & Engineers	11,915.53
UPS	Postage	22.23
Vandervliet, Rodney	Business Travel	50.20
Variety Foods	Professional Svcs	292.46
Vern Eide Motorcars	HIDTA Grant	295.00
Vogel Motors	Gas Oil & Diesel	33.00
Walgreens	Pharmacies	145.88
Walmart Stores	Pharmacies	229.55
Western Detention	Jail Repairs & Maintenance	2,042.99
Wheelco	Small Tools & Shop Supplies	129.42
Woods Fuller Shultz	Jail Expansion Prof Svcs	455.00
Xcel Energy	Electricity	255.16
Xcel Energy	Welfare Utilities	3,133.00
Yankton Cnty	Return Of Svc	250.00
Yemam, Nassir	Interpreters	50.00

## REPORT

The June 2018 Juvenile Detention Center Report was received and placed on file in the Auditor's Office.

## PERSONNEL

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

1. To accept the resignation of Jerome Krumm as Senior Bridge Maintenance Team Member for the Highway effective 8/8/18.
2. To end the seasonal employment of Jack Hammond as Laborer for the Highway effective 8/9/18.
3. To end the seasonal employment of Damon Ayersman as Laborer for the Highway effective 7/30/18.
4. To end the variable hour employment of Na'ahma Golden as Clerical Worker for the Public Advocate's Office effective 8/1/18.
5. To end the seasonal employment of Cecile Woolman, Jeffrey Coome, Toby Orlando, Kathleen Behrend, Mary Jacobson, and LeRoy Mathieu as Election Workers effective 6/15/18.
6. To end the seasonal employment of Merla Severson and Connie Idecker as Election Workers effective 7/20/18.
7. To accept the resignation of Calvin Kastner as Correctional Officer for the Jail effective 8/10/18.
8. To hire Adriana Fajardo as Corrections System Operator (9/3) for the Jail at \$15.20/hour effective 8/6/18.
9. To hire Lindy DeGroot as Corrections System Operator (9/3) for the Jail at \$15.20/hour effective 8/13/18.

08/07/2018

10. To hire Joshua Patterson, Kasara Goldhorn, Cody Schmoyer, and Abigail Roden as Correctional Officers in Training (12/3) for the Jail at \$17.63/hour effective 8/6/18.
11. To promote Damian Kardas from Correctional Officer (13/3) for the Jail to Deputy Sheriff (17/3) for the Sheriff's Office at \$22.57/hour effective 8/11/18.
12. To promote Zachary Cegelske from Deputy Sheriff (17/11) to Deputy Sheriff Sergeant (20/10) for the Sheriff's Office at \$31.12/hour effective 8/11/18.
13. To hire Paul Niedringhaus as variable hour as Certified Civil Process Server for the Sheriff's Office at \$21.00/hour effective 8/6/18.

#### Step Increases

1. Mason Braun – Deputy Sheriff Sergeant – Sheriff's Office – 20/16 – 6/4/18 - \$36.09/hour
2. Jason Roeder – Deputy Sheriff – Sheriff's Office – 17/4 – 8/12/18 - \$23.14/hour
3. Craig Wittrock – Air Guard Security Officer II – Air Guard – 13/16 – 7/31/18 - \$25.54/hour
4. Kevin Kellum – Correctional Officer – Jail – 13/4 – 6/6/18 - \$18.99/hour
5. Diane Rypkema – Equalization Director – Equalization – 24/8 – 6/29/18 - \$3,517.60/bi-weekly
6. Julia Disburg – Human Resources Generalist – Human Resources – 17/8 – 8/7/18 - \$25.54/hour
7. Kari Gackle – Legal Office Assistant – State's Attorney's Office – 10/14 – 7/10/18 - \$20.97/hour

#### Special Personnel Action

To recognize the following significant employee anniversaries for August 2018: 5 years – Jesimae Breuer, Julia Disburg, Mckenzie Sweet-Allen, and Maria Lopez; 10 years – Patricia Allen, Safiya Godi, Marlin Schlenker, Karen Weeldreyer, and Martha Dargen; and 15 years – Krista Leidholt, Jacqueline Rasmussen, and Steve Punke.

To record volunteers in County Departments for July 2018. This list is on file at Human Resources.

Upon the request of Jen Adix, Human Resources Generalist, MOTION by Beninga, seconded by Barth, to approve the hire of Thomas Nelson as Senior Deputy State's Attorney for the State's Attorney's Office at \$3,186.40 bi-weekly (22/12) effective 9/14/18. 5 ayes.

Upon the request of Jen Adix, Human Resources Generalist, MOTION by Barth, seconded by Karsky, to approve a temporary pay increase of approximately 5% (from 10/7 at \$17.63/hour to 10/9 at \$18.53/hour) for Sara Zishka, Administrative Secretary for the Highway effective 7/16/18 until the appointment of a new Accountant at the Highway Department. 5 ayes.

#### LIEN COMPROMISE

Melinda Storley, Commission Assistant, gave a briefing on an application for a compromise of lien for DPNO 40722 in the amount of \$1,342.88. The lien represents Poor Relief services provided to the ex-spouse between January 1999 and August 2003. The applicant and his ex-spouse were married in November 2008 and divorced in April 2013. The applicant discovered the lien while in the process of selling his home. The applicant is requesting

08/07/2018

a compromise and release of the lien in full only as it applies to the real property. Upon the request of Commissioner Barth, Margaret Gillespie, Senior Deputy State's Attorney, spoke on how a spouse or ex-spouse may be affected by a County Aid Lien. MOTION by Bender, seconded by Beninga, to approve Resolution MC18-51. 5 ayes.

#### RESOLUTION MC18-51

WHEREAS, a County Aid Lien in the amount of \$1,342.88, purports to exist in favor of Minnehaha County and against DPNO 40722 as Lienee, and

WHEREAS, an application has been filed 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 Chair of the County Board and the County Auditor to execute the following:

Compromise and release the lien in full with no payment only as it applies to the real property legally described as Lots 3 and 4 in Block 2 of R.R. Gibboney's Addition to Sioux Falls, Minnehaha County, South Dakota, according to the recorded plat thereof; leaving the full amount of \$1,342.88 against the applicant's ex-spouse.

Dated at Sioux Falls, South Dakota, this 7<sup>th</sup> day of August, 2018.

#### APPROVED BY THE COMMISSION:

Cindy Heiberger  
Chair

#### ATTEST:

Olivia Larson  
Deputy Auditor

Melinda Storley, Commission Assistant, gave a briefing on an application for a compromise of lien for DPNO 8165 in the amount of \$1,391.05. The lien represents health services provided to the applicant's aunt between February 1982 and January 1983. Services recorded on the lien between 1954 and 1956 were released due to SDCL 28-14-20. The applicant's aunt passed away in December 2003. The secondary lien holder listed is the applicant's father, who looked after the lienee and passed away in October 2010. The property listed on the lien was owned by the applicant's parents, but has since been sold and transferred to the new owner. The applicant is requesting a compromise and release of the lien in full. MOTION by Barth, seconded by Bender, to approve Resolution MC18-52. 5 ayes.

#### RESOLUTION MC18-52

WHEREAS, a County Aid Lien in the amount of \$1,391.05, purports to exist in favor of Minnehaha County and against DPNO 8165 as Lienee, and

WHEREAS, an application has been filed 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 Chair of the County Board and the County Auditor to execute the following:

Compromise and release the lien in full with no payment.

08/07/2018

Dated at Sioux Falls, South Dakota, this 7<sup>th</sup> day of August, 2018.

APPROVED BY THE COMMISSION:

Cindy Heiberger

Chair

ATTEST:

Olivia Larson

Deputy Auditor

PUBLIC COMMENT

Commissioner Barth spoke to encourage people to attend the 2018 Sioux Empire Fair.

AGREEMENT

Carol Muller, Commission Administrative Officer, and Dick Strassburg, Tegra Group, presented Amendment No. 1 to the February 5, 2018, construction manager agreement between Minnehaha County and J.E. Dunn/Henry Carlson, a Joint Venture for the jail expansion. The amendment sets the scope, Guaranteed Maximum Price (GMP), schedule, and contract documents. The GMP is set at \$40,683,835. The substantial completion date of construction is June 30, 2020. The Construction Manager's Fee for the work of the amendment pursuant to Paragraph 5.1.1 of the original agreement is \$1,087,066. Ms. Muller noted that the total cost of the jail expansion project including the soft costs, construction, owner contingency, and the fixtures, furniture, and equipment is \$48,300,000. MOTION by Bender, seconded by Karsky, to remove page one of Exhibit B from the amendment and to authorize the Chair to sign Amendment No. 1 without page one of Exhibit B to the February 5, 2018, construction manager agreement between Minnehaha County and J.E. Dunn/Henry Carlson, a Joint Venture for the jail expansion. 5 ayes.

PUBLIC HEARING

Carol Muller, Commission Administrative Officer, was present for the second reading and public hearing for an ordinance authorizing a refund of Wheel Tax pursuant to SDCL 32-5-24. In the 2018 Legislative Session, SDCL 32-5-24 was amended to allow for the refunding of overpayment or payments made in error on motor vehicle license fees. The new ordinance will allow the Treasurer to refund, to the lawful owner, any Wheel Tax that is simultaneously overpaid or erroneously paid while paying their other motor vehicle license fees. MOTION by Beninga, seconded by Barth, to approve Ordinance MC53-18. By roll call vote: 5 ayes. The entire Ordinance is on file and available for inspection at the County Auditor's Office.

APPOINTMENT

On the recommendation of Robert Litz, Auditor, MOTION by Barth, seconded by Bender, to appoint Ken McFarland, Kyle Helseth, and Dick Kallemeyn to the 2018 Minnehaha County Appraisal Board for the purpose of assessing tax deed properties. By roll call vote: 5 ayes.

AGREEMENT

DJ Buthe, Highway Superintendent, presented an agreement between Minnehaha County and the South Dakota Department of Transportation for the funding of a corridor study for Maple/Park Street. This agreement will allow for the joint sponsorship of the study using Planning (PL) funds through the Sioux Falls Metropolitan Planning Organization. Specific components of the study include data gathering, traffic forecasting, operations analysis, crash history/safety analysis, coordination with stakeholders, roadway alternatives, right-of-way needs, presentations, and final report and recommendations. The cost is expected not to exceed \$110,000. The State's cost share is 81.95%. The County's cost share is 18.05%, making the County's responsibility to pay \$19,855. The

08/07/2018

final scope and fees will be brought forward at a later meeting for approval. MOTION by Karsky, seconded by Barth, to authorize the Chair to sign an agreement between Minnehaha County and the South Dakota Department of Transportation for the funding of a corridor study for Maple/Park Street. 5 ayes.

#### BRIEFING

Shannon Schultz, Assistant Highway Superintendent, introduced Highway Interns, Andrew Undt, a South Dakota School of Mines & Technology student, and Jacob Semansky, a University of Nebraska student. Mr. Undt and Mr. Semansky gave a briefing on their experience collecting culvert data for the County using the Collector App highlighting the efficiency of the application, the condition of the culverts, and the number of culverts.

#### LIAISON REPORT

Commissioner Heiberger reported on the most recent Criminal Justice Response to Mental Illness Oversight Board meeting in Pierre, SD where the following topics were discussed: the goal of the board, a CIT trained coordinator, a crisis intervention training video, the jail health screening pilot, mental health court in Pennington County, and competency evaluation training.

Commissioner Heiberger stated she would be attending the South Dakota Association of County Commissioners meeting on August 8, 2018, in Pierre, SD to review legislative proposal resolutions.

#### OLD BUSINESS

Commissioner Barth encouraged people to go to the 2018 Sioux Empire Fair. Commissioner Karsky spoke on volunteering at the Fair and noted that veterans get in free of charge.

MOTION by Bender, seconded by Barth, to recess the Minnehaha County Commission Meeting until 9:53 a.m. 5 ayes.

MOTION by Bender, seconded by Barth, to reconvene the Minnehaha County Commission Meeting at 9:54 a.m. 5 ayes.

MOTION by Bender, seconded by Barth, to enter into Executive Session for the purpose of SDCL 1-25-2 (1) and (3). 5 ayes.

Commissioner Bender left the Executive Session

MOTION by Barth, seconded by Beninga, to adjourn at 10:29 a.m. 4 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, August 14, 2018.

#### APPROVED BY THE COMMISSION:

Cindy Heiberger  
Chair

#### ATTEST:

Olivia Larson  
Deputy Auditor