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THE MINNEHAHA COUNTY COMMISSION CONVENE AT 9:00 A.M. April 25, 2017, pursuant to adjournment on April 18, 2017. Commissioners present were: Barth, Beninga, and Heiberger. Commissioners Bender and Karsky were absent. Also present were Olivia Larson, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

MOTION by Heiberger, seconded by Barth, to approve the agenda. 3 ayes.

MINUTES APPROVAL

MOTION by Barth, seconded by Heiberger, to approve the April 18, 2017, Commission Minutes. 3 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Heiberger, to approve the following bills totaling \$248,960.99. 3 ayes.

A & B Business Solut	Maintenance C	73.04	A To Z World Languag	Child Defense	85.20
A To Z World Languag	Interpreters	4,720.00	Advantage Investment	Welfare Rent	500.00
Arrow Ridge Townhome	Welfare Rent	446.00	AT&T	Safety & Resc	41.18
Avera Health Plans	Expenditures	2,361.82	Avera Home Medical E	Medical Equip	75.54
Avera McKennan Hospi	Blood Withdra	156.00	Avera McKennan Hospi	Clinics Aux	226.55
Avera McKennan Hospi	Hospitals	25,218.34	Banner Associates In	Architects	10,417.11
Bentwood Manor Apts	Welfare Rent	500.00	Billion Empire Motor	Automotive/Sm	27.79
Brandon Fire Dept	Brandon FD	43,280.00	Brandon Heights Ltd	Welfare Rent	450.00
Brennan Hill Townhou	Welfare Rent	198.00	Brentwood Apartments	Welfare Rent	400.00
Bureau Of Informatio	Data Communic	113.00	Bureau Of Informatio	Telephone	297.00
Butler Machinery Co	Heavy Eq Rep	424.26	Campbell Supply Co I	Bridge Repair	79.90
Century Business Pro	Maintenance C	1,338.53	Centurylink QC	Telephone	79.46
Change Healthcare So	Data Processi	43.12	Christopherson Ander	Attorney Fees	329.00
Civil Design Inc	Architects	1,235.00	Clark County Nv Sher	Return Of Ser	100.00
Cleveland Heights Ap	Welfare Rent	500.00	Constellation New En	Natural Gas	3,432.74
Counseling Resources	Attorney Fees	950.00	Dakota Fluid Power I	Heavy Eq Rep	4.36
Dakota Fluid Power I	Small Tools	143.71	Dean A Schaefer Cour	Court Reporte	1,269.00
Dedula, Carla F	Court Reporte	41.80	Dell Rapids Communit	Ambulance Ser	12,500.00
Dell Rapids Communit	Transportatio	300.00	Diesel Machinery Inc	Heavy Eq Rep	583.00
Duffy, Ryan	Attorney Fees	5,795.60	East River Legal Ser	Attorney Fees	20,834.00
EH Hospitality LLC	Motels	1,140.00	Fastenal Co	Sign Supply/I	26.22
Fastenal Co	Small Tools	187.20	Finberg Family LLC	Welfare Rent	500.00
Fleetpride Holt I	Truck Repair	554.85	George, Aaron	Welfare Rent	1,495.00
Goebel Printing Inc	Printing/Form	525.05	Gravett, Jamie	Business Trav	53.00
Great Plains Psychol	Psych Evals	1,020.00	Guzman, Sandra V	Interpreters	204.17
Hall, Vien V	Interpreters	25.00	Heartland Paper Co	Janitorial/Ch	83.04
Heartland Paper Co	Office Suppli	53.00	Horizon Agency Inc	Expenditures	2,593.50
Howalt McDowell Ins	Notary Exp	50.00	Humboldt Fire & Ambu	Transportatio	300.00
Hurtgen Properties	Welfare Rent	500.00	HyVee Accounts Recei	Pharmacies	53.32
Ingalls, Janel M	Business Trav	53.00	Interstate All Batte	Automotive/Sm	124.95
Interstate All Batte	Other Supplie	2.40	Interstate Office Pr	Office Suppli	31.40
ISI LLC	Interpreters	320.00	Jeff Larson Law LLP	Attorney Fees	869.80
Johnson Janklow Abda	Other Profess	6,998.57	Johnson, Brett	Business Trav	12.60
Johnson, Richard L	Attorney Fees	1,638.44	Katterhagen, Mark	Bd Exp Fees	15.00
Kavanaugh, Antoinett	Attorney Fees	21.25	Keiner, Darlene E	Right Of Way	500.00
Kull, Lisa	Court Reporte	88.40	Kyra Enterprises LLC	Motels	250.00
Laughlin, Nicole	Attorney Fees	1,411.60	Lemair, Jeffrey	Business Trav	53.00
Lewno Law Office	Bd Exp Fees	150.46	Lutheran Social Svcs	Diversion Pro	4,533.86
Lutheran Social Svcs	Interpreters	837.50	Madison Apartments L	Welfare Rent	200.00
McKesson Medical-Sur	Clinics Aux	14.91	Meadowland Apts	Welfare Rent	412.00
Medstar Paramedic In	Transportatio	800.00	Menards	Park/Recreati	17.96
Mickelson, Ryan	Business Trav	53.00	Midamerican Energy C	Natural Gas	182.81
Minn Cnty JDC Petty	Child Care It	23.68	Minn Cnty JDC Petty	Postage	1.82
Minn Cnty JDC Petty	Supplemental	19.46	Multicultural Center	Interpreters	220.00
Murray Properties	Welfare Rent	1,200.00	Nguyen, Lam	Interpreters	200.00
Norm Feldman's Glass	Building Repa	286.36	Northeast Investment	Welfare Rent	700.00

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Nyberg's Ace Hardwar	Automotive/Sm	11.97	Osborn, Roxane R	Court Reporte	367.50
Pfeifer Implement Co	Parks/Recreat	41.96	Railsback, Tina	Welfare Rent	500.00
RDO Equipment Co	Heavy Eq Rep	1,400.62	RDO Equipment Co	Parts Invento	292.44
Record Keepers Inc	Records Stora	2,357.35	Redwood Estates LLC	Welfare Rent	340.00
Risty, Maxine J	Court Reporte	91.80	River Terrace Apts L	Welfare Rent	350.00
Robsons Inc Db a Rob	Automotive/Sm	7.48	Safe Home Ltd Ptnrsh	Notes Rec SF	-2,565.17
Safe Home Ltd Ptnrsh	Other Misc R	-1,028.92	Safe Home Ltd Ptnrsh	Rent Subsidie	10,648.00
Sanford Laboratories	Lab Costs	380.33	SD Corrections Assoc	Education	70.00
SD Dept Of Revenue	Automotive/Sm	4.00	SD Dept Of Revenue	Lab Costs	135.00
SD Human Services Ce	Clinics Aux	33.00	SD Secretary Of Stat	Notary Exp	50.00
Sentinel Offender Sv	Electronic Mo	1,569.02	SF Ministry Housing	Welfare Rent	400.00
Sioux Falls Area Hum	Other Misc	3,540.61	Sioux Falls Rubber S	Notary Exp	18.95
Sioux Falls Two Way	Communication	376.45	Sioux Falls Utilitie	Water Sewer	11,124.80
Sioux Valley Energy	Welfare Utili	143.00	Sisson Printing Inc	Jury Fees	254.15
Skorczewski, Jena	Court Reporte	65.20	Sorensen, David	Business Trav	316.96
Southeastern Behavio	Other Profess	2,075.00	Spaans, Jeanette	Business Trav	60.90
Spring Hill Ltd Part	Welfare Rent	299.00	Streichers Inc	Other Supplie	116.98
Streichers Inc	Uniform Allow	6,200.00	Stronghold Counselin	Psych Evals	750.00
Swanda, Karen	Bd Exp Fees	15.00	Szameit, Alexandra	Interpreters	435.65
Testpoint Medical Ll	Blood Withdra	5,040.00	The Keg	Jury Fees	119.90
Thomson Reuters We	Legal Researc	671.38	Titan Machinery Inc	Heavy Eq Rep	422.51
Tomacelli's Too	Jury Fees	16.34	Tschetter & Adams La	Attorney Fees	9,083.77
Variety Foods LLC	Other Profess	420.67	VB Falls Park Apts	Welfare Rent	319.00
Vicuna, Jorge	Business Trav	53.00	Walgreen Co	Pharmacies	2,507.14
Walmart Store	Pharmacies	185.86	Waltner Kolbeck Scha	Attorney Fees	2,331.68
Weber County UT Sh	Return Of Ser	72.50	Weerheim Law Office	Attorney Fees	1,174.80
Westbrooke Apts LLC	Welfare Rent	500.00	Wheelco Brake & Supp	Parts Invento	273.12
Wynia, Marc	Investigators	70.56	Xcel Energy Inc	Electricity	7,676.14
Xcel Energy Inc	Road Maint	26.79	Xcel Energy Inc	Welfare Utili	4,186.63
Yankton County Treas	Attorney Fees	1,134.55	Zahrbock Kool Law Of	Attorney Fees	247.99

REPORTS

The March 2017 Juvenile Detention Center Report has been received and placed on file in the Auditor's Office.

PERSONNEL

MOTION by Heiberger, seconded by Barth, to approve the following personnel changes. 3 ayes.

1. To hire Allen Kaltved as seasonal Park Worker for the Parks Department at \$12.75/hour effective 4/26/17.
2. To hire Rusty McEntire as seasonal Laborer for the Highway at \$12.50/hour effective 4/18/17.
3. To accept the retirement of Richard Casey as Senior Trial Attorney for the State's Attorney's Office effective 4/27/17.
4. To hire Monica McFarland as Administrative Assistant (12/4) for the Public Advocate's Office at \$17.81/hour effective 5/1/17.
5. To accept the resignation of Joseph Palleschi as Correctional Officer for the Jail effective 4/22/17.

Step Increases

1. Michael McGovern – Deputy Sheriff Lieutenant – Jail – 22/7 – 2/27/17 - \$2,641.60/bi-weekly
2. Wallace Wynia – Air Guard Security Officer II – Air Guard – 13/12 – 4/21/17 - \$22.80/hour

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3. Jacob Chrans – Safe Home Program Assistant – Safe Home – 9/6 – 3/30/17 - \$16.14/hour
4. Barbara Williams – Administrative Secretary – Human Services – 10/15 – 4/30/17 - \$21.17/hour
5. Elizabeth Ebert – Senior Deputy State’s Attorney – State’s Attorney’s Office – 22/7 – 3/28/17 - \$2,641.60/bi-weekly

Special Personnel Action

Upon the request of Carey Deaver, Human Resources Director, MOTION by Heiberger, seconded by Barth, to approve the Minnehaha County Fitness Membership Reimbursement Program beginning July 1, 2017. 3 ayes.

MOTION by Barth, seconded by Heiberger, to approve the 2017 Minnehaha County Affirmative Action Plan. 3 ayes.

LIEN COMPROMISE

Melinda Storley, Commission Assistant, gave a briefing on an application for a compromise of lien for DPNO 50642 in the amount of \$18,295.38. Poor Relief services were provided to the applicant’s ex-husband in February 2012. The applicant and her ex-husband divorced on September 29, 2004. The applicant has requested her name be removed from the lien with no payment. MOTION by Barth, seconded by Heiberger, to approve Resolution MC17-14. 3 ayes.

RESOLUTION MC17-14

WHEREAS, a County Aid Lien in the amount of \$18,295.38, purports to exist in favor of Minnehaha County and against DPNO 50642 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:

Remove the applicant from DPNO 50642, leaving the lien in full against the applicant’s ex-husband.

Dated at Sioux Falls, South Dakota, this 25th day of April, 2017.

APPROVED BY THE COMMISSION:

Gerald Beninga
Chairman

ATTEST:
Olivia Larson
Deputy County Auditor

HEARING

Scott Anderson, Planning Director, was present for the second reading and public hearing on Ordinance MC50-17, an ordinance to provide notice to downstream landowners of drainage projects and to provide for reporting of drainage projects in Minnehaha County. In the proposed ordinance, the landowner who wishes to perform or has performed drainage work must notify the Planning Director thirty (30) days before the commencement of work.

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The ordinance would also require landowners who are ½ a mile downstream be notified thirty (30) days before the commencement of work via certified mail. Fees for drainage work, penalty fees, and right of entry by the Planning Director to inspect drainage work are included. Mr. Anderson stated that, as the Planning Director, he believes the County should not enact a drainage ordinance and drainage issues should be a private landowner issue. Chet Hofer, 26662 465th Ave, Hartford, spoke on his concerns regarding ambiguity in the wording of the ordinance and stated the ½ mile notification requirement should cover a greater distance. Al Miron, 25935 469th Ave, Sioux Falls, stated he is concerned about the wording of the 30 day notice, he feels as though certified mail may cause a negative reaction from downstream landowners, and offered alternative ideas. Mr. Miron expressed agreement with Mr. Anderson's opinion of not having a drainage ordinance at all and stated this ordinance would still create a liability for the County. Mr. Hofer stated that drainage issues are important, they cause contention, and should be regulated. Pat Geraets, 47172 243rd St, Dell Rapids, stated he owns land in Minnehaha County and feels that, if the ordinance is approved, it should be kept as simple as possible. Marv Stoterau, 6200 N Cliff Ave Lot 160, Sioux Falls, stated he grew up on a farm and was taught that you manage your water. Due to the absence of Commissioners Bender and Karsky, Commissioners noted it would be best to continue the hearing at a later date and give the absent Commissioners time to review today's proceedings before a decision is made. MOTION by Barth, seconded by Heiberger, to continue the public hearing on May 9, 2017. Mr. Anderson and Kersten Kappmeyer, Chief Civil Deputy State's Attorney, reminded the Commissioners that any new ordinance, if approved, would not take effect until 20 days after official publication and the repeal of the current drainage ordinance will take effect on May 30, 2017. If the Commission does not approve the new proposed ordinance, then the publication requirements would not be a concern. Commissioners Barth and Heiberger withdrew their motions. MOTION by Barth, seconded by Heiberger, to continue the public hearing on May 2, 2017, regarding Ordinance MC50-17, an ordinance to provide notice to downstream landowners of drainage projects and to provide for reporting of drainage projects in Minnehaha County. 3 ayes.

AGREEMENTS

Sandy Kinder, Highway Department Accountant, presented a lease agreement with Sod Busters Radio Control Model Airplane Club. The lease is for the use of County owned land located in Section 6 of Wayne Township. The agreement is for a three year term and the club uses the property free of charge. Either party may terminate the agreement upon 60 days written notice to the other party. MOTION by Barth, seconded by Heiberger, to authorize the Chair to sign the three year lease agreement with the Sod Busters Radio Control Model Airplane Club beginning upon execution and ending in April 2020. 3 ayes. David Hatt, 7464 W Legacy Ct, Sioux Falls, a member of the Sod Busters Radio Control Model Airplane Club, thanked the Commissioners for the renewal of the lease and requested additional land in order to conduct drone races. Ms. Kinder stated the Highway Department was not aware of this request. Commissioners directed staff to look into a possible amendment to the lease agreement for the additional land and bring it forward at a later date.

Andrew Nielson, Highway Department Land Surveyor, presented an agreement between Minnehaha County and the State of South Dakota Department of Transportation (SDDOT) for the purchase of right-of-way. Due to a construction project being conducted by the SDDOT, a right-of-way needs to be acquired for 60th Street North where it ties into the SD100 corridor. Minnehaha County has jurisdiction over 60th Street North. Therefore, the agreement is to allow the SDDOT, at their own cost, to purchase right-of-way in the name of Minnehaha County. MOTION by Heiberger, seconded by Barth, to authorize the Chair to sign the agreement with the State of South Dakota Department of Transportation for the purchase of right-of-way in the name of Minnehaha County. 3 ayes.

SURPLUS

Lynn DeYoung, Emergency Management Director, requested a 1997 Ford F350 Search and Rescue Vehicle be declared as surplus for transfer to the Sheriff's Office. Current County policy does not require payment for this type of vehicle transfer. Joe Bosman, expressed his appreciation for the cooperation of the Emergency Management Department for the transfer of the vehicle. MOTION by Barth, seconded by Heiberger, to declare

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one 1997 Ford F350 Search and Rescue Vehicle, VIN 1FTJW36HOVECO5393, as surplus and transfer the vehicle from the Emergency Management Department to the Sheriff's Office. 3 ayes.

AGREEMENTS

Monte Watembach, Information Technology Director, presented a Joint Cooperative Agreement with the City of Sioux Falls (City), the City of Brandon (Brandon), and Metro Communications (Metro) for a shared Zuercher Technologies software solution. The agreement allows the City, the County, Brandon, and, Metro to cooperatively acquire software and implementation services for a Computer-Aided Dispatch system, a Law Enforcement Records Management System, and a Corrections Management System through Zuercher Technologies. The City is the contracting party with the other entities reimbursing the City for their respective portions. There will be a total cost to the County of \$184,036 for the software and an annual maintenance cost of \$13,302. MOTION by Heiberger, seconded by Barth, to authorize the Chair to sign the Joint Cooperative Agreement for the shared Zuercher Technologies software and implementation with the City of Sioux Falls, the City of Brandon, Metro Communications, and Minnehaha County beginning upon execution of the agreement. 3 ayes.

Jeff Gromer, Jail Warden, presented Amendment No. 1 to the Food Service and Commissary Agreement between Minnehaha County and CBM Managed Services. The current agreement allows for the costs per meal to be adjusted yearly based on the Consumer Price Index (CPI). The CPI this year is 2.3%. The costs per meal served at the Jail will increase from \$1.190 to \$1.217 per basic meal. Snack meal, special diet trays, and snacks will increase no more than the CPI. MOTION by Barth, seconded by Heiberger, to authorize the Chair to sign Amendment No. 1 to the Food Service and Commissary Agreement to increase meal, snack, and special diet costs by no more than the 2.3% Consumer Price Index beginning on July 1, 2017, and ending on June 30, 2018. 3 ayes.

Carol Muller, Commission Administrative Officer, presented a Gift Agreement between Minnehaha County, the Sioux Valley Model Engineers Society (Club), and the Sioux Empire Fair Association, Inc. (Sioux Empire) for the donation of the model railroad building. The Club has raised funds to expand the model railroad building from 30 feet x 62 feet to 50 feet x 62 feet to accommodate their growing exhibit. The building is located on the Fairgrounds which is owned by the County and operated by the Sioux Empire. Through the agreement, the Club intends to fund the expansion of the building and donate the expanded building to the County. The Club will be responsible for the care and maintenance of the building. MOTION by Heiberger, seconded by Barth, to authorize the Chair to sign the Gift Agreement to accept the donation of the expanded model railroad building from the Sioux Valley Model Engineers Society and with the concurrence of the Sioux Empire Fair Association. 3 ayes.

BRIEFING

Luke Comeau, Executive Director of the Family Visitation Center, gave a briefing on the Family Visitation Center's operation and funding needs.

LIAISON REPORTS

Commissioner Barth reported on the April 24, 2017, Planning Commission Meeting where planning and zoning ordinance revisions were discussed. Scott Anderson, Planning Director, stated the revisions include items that may be outdated, stated there was discussion regarding confined animal feeding operations, and the revisions will most likely come before the Commission in July 2017.

Commissioner Barth reported on participating in discussions regarding the Fitch & Associate study on the Emergency Management System and stated groups will be meeting to work on the possible implementation of the recommendations. Commissioner Beninga also participated in these discussions and stated the study contained 28 recommendations and stated most of the ambulance services have agreed to participate in the work groups.

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Commissioner Heiberger reported attending the Multicultural Center Intergovernmental Board meeting with Commissioner Bender last week where funding was discussed.

MOTION by Heiberger, seconded by Barth, to adjourn into executive session for contracts. 3 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday May 2, 2017.

APPROVED BY THE COMMISSION:

Gerald Beninga

Chair

ATTEST:

Olivia Larson

Deputy Auditor