

05/02/2017

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. May 2, 2017, pursuant to adjournment on April 25, 2017. Commissioners present were: Barth, Bender, Beninga, Heiberger, and Karsky. Also present were Olivia Larson, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

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

MINUTES APPROVAL

MOTION by Barth, seconded by Heiberger, to approve the April 25, 2017, Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Karsky, to approve the following bills totaling \$826,662.47. 5 ayes.

A & B Business Solut	Maintenance C	220.95	Active Generations	Advertising	43.20
Airway Service Inc	Automotive/Sm	486.07	Airway Service Inc	Gas,Oil,Diese	43.41
Allied Oil & Tire Co	Automotive/Sm	609.90	Amazon/SynCb	Other Supplie	291.41
AR Properties LLC	Right Of Way	15,738.00	Argus Leader Subsc	Other Misc	352.23
Armor Correctional H	Contract Ser	186,881.65	Association Of SD Mu	Memberships	100.00
Avera Health Informa	Clinics Aux	51.00	Avera McKennan Behav	Professional	3,000.00
Avera McKennan Hospi	Hospitals	11,577.49	Avera Medical Group	Clinics Aux	547.85
Axis Forensic Toxic	Lab Costs	385.00	Beck, Jeffrey R	Child Defense	366.60
BI Inc	Program Suppl	6,916.00	Bierschbach Equipmen	Automotive/Sm	214.64
Billion Empire Motor	Automotive/Sm	349.00	Blackstrap Inc	Road Material	3,943.53
Bosman, Joseph	Uniform Allow	45.44	Boyer Trucks Sioux F	Truck Repair	2,177.74
Brandon Fire Dept	Other Misc	247.18	Brownells Inc	Other Supplie	37.70
Butler Machinery Co	Heavy Eq Rep	3,795.38	Bx Civil & Construct	Bridge Repair	550.00
Capellupo, Lisa	Education	32.00	Carroll Institute	IVC Housing	9,277.50
CBM Managed Services	Board Of Pris	26,395.18	Century Business Pro	Lease-Rental	278.98
Century Business Pro	Maintenance C	410.35	Centurylink Communic	Contract Serv	42.57
Centurylink Communic	Telephone	868.85	CF Learning	Child Defense	10,000.00
Condrey & Associates	Professional	675.00	Cutting Edge Tint	Automotive/Sm	80.00
CVS Systems Inc	Memorial Day	1,076.67	Dakota Custom Turf L	Program Activ	39.86
Dash Medical Gloves	Kitchen/Clean	41.90	Decisionone Corporat	Maintenance C	168.52
Dedula, Carla F	Court Reporte	55.00	Dell Rapids Fire Dep	Dell Rapids	26,320.00
Disburg, Julia	Business Trav	81.90	Dover, Sena S	Bd Evaluation	1,822.50
Doyle, Betsy R	Business Trav	64.68	Duffy, Ryan	Child Defense	818.40
E911	Transfer	180,358.91	EH Hospitality LLC	Motels	280.00
Electric Supply Co	Communication	558.36	Electric Supply Co	Data Processi	331.74
Enercon, Inc	Building Repa	175.60	Evans, Preston	Investigators	289.80
Falls Community Heal	Clinics Aux	428.49	Fastenal Co	Parts Invento	56.88
Fastenal Co	Sign Supply/I	27.24	Fastenal Co	Small Tools	161.28
First Dakota Nationa	2016 HLS Grant	7,229.50	Fleetpride Holt I	Heavy Eq Rep	174.76
George, Aaron	Welfare Rent	500.00	Global Tel Link Gt	Telephone	11.53
Grant Square	Welfare Rent	700.00	Gromer, Jeff	Uniform Allow	383.10
Guzman, Sandra V	Interpreters	166.50	Hanson Logowear	Uniform Allow	456.92
Hayes, Albert	Education	43.00	Heartland Paper Co	Inmate Suppli	160.44
Holiday Credit Offic	Gas,Oil,Diese	38.58	HyVee Accounts Recei	Program Activ	112.37
I State Truck Center	Parts Invento	108.38	Imperial Apartments	Welfare Rent	65.00
Interstate All Batte	Heavy Eq Rep	343.90	Interstate Office Pr	Furniture	598.98
Interstate Office Pr	Office Suppli	873.94	Intoximeters Inc	Testing Suppl	4,200.00
JCL Solutions	Janitorial/Ch	91.21	JCL Solutions	Kitchen/Clean	1,320.96
JE LLC	Welfare Rent	525.00	Jeff Larson Law LLP	Attorney Fees	1,504.00
Jensen Conservation	Program Activ	4,250.00	Katterhagen, Mark	Bd Exp Fees	45.00
Krogstad, Glen	Right Of Way	252.00	Lacrosse Forage & Tu	Road Maint	721.90
Laughlin, Nicole	Attorney Fees	679.60	Lewno Law Office	Bd Exp Fees	448.38
Light And Siren	Automotive/Sm	2,266.00	Locators & Supplies	Bridge Repair	52.85
Locators & Supplies	Road Maint	105.71	Locators & Supplies	Sign Supply/I	52.85
Luther, Jeff	Medical Direc	2,500.00	Lutheran Social Svcs	Diversion Pro	5,195.40
Lutheran Social Svcs	Evening Repor	5,062.29	Lutheran Social Svcs	Shelter Care	47,877.91

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Madison Apartments L	Welfare Rent	500.00	Master Blaster Inc	Bldg/Yard Rep	4.00
McKesson Medical-Sur	Clinics Aux	40.24	Meadowland Apts	Welfare Rent	862.00
Medstar Paramedic In	Transportatio	600.00	Menards	Bridge Repair	27.39
Menards	Building Repa	74.77	Menards	Park/Recreati	9.98
Menards	Park/Recreati	6.67	Metro Communications	Clinics Aux	680.00
Michaelson Apts	Welfare Rent	418.00	Microfilm Imaging Sy	Maintenance C	309.00
Midamerican Energy C	Natural Gas	2,979.44	Midamerican Energy C	Welfare Utili	242.00
Midwest Lift Works L	Automotive/Sm	350.00	Minn Cnty So Petty C	Other Misc	42.07
Minn Cnty So Petty C	Other Supplie	8.00	Neve's Uniforms	Uniform Allow	368.82
Old-House Journal	Subscriptions	28.00	Olson Law Firm	Attorney Fees	1,392.50
Osborn, Roxane R	Court Reporte	483.50	P&G Townhomes LLC	Welfare Rent	500.00
Pastperfect Software	Collections S	360.00	Pennington County Ja	Extradition	9,343.15
Peterson Properties	Welfare Rent	575.00	Pharmchem Inc	Testing Suppl	375.00
Pheasantland Industr	Other Supplie	12.20	Pheasantland Industr	Printing/Form	331.87
Phoenix Supply LLC	Child Care It	384.68	Phoenix Supply LLC	Inmate Suppli	1,112.00
Pine Knoll Inc	Welfare Rent	440.00	Prahm Construction I	Contracted Co	84,711.58
Preheim, Rachel	Education	32.00	Qualified Presort Se	Postage	225.07
Redwood Estates LLC	Welfare Rent	400.00	Reynolds Law LLC	Attorney Fees	564.00
Risty, Julie	Office Suppli	163.67	RTI Riverside Tech	Data Processi	2,794.92
Russell, Mark	Education	518.16	Sams Club Membersh	Child Care It	138.12
Sams Club Membersh	Furniture	249.68	Sams Club Membersh	Office Suppli	161.82
Sams Club Membersh	Other Profess	1,301.01	Sams Club Membersh	Other Supplie	43.26
Sams Club Membersh	Supplemental	344.38	Sanford Clinic Fi	Other Misc	24,440.18
Sanford Hospital	Blood Withdra	20.00	Sanford Hospital	Hospitals	1,898.67
Sanford Hospital Med	Medical Recor	16.00	Sanford Occupational	Other Profess	168.60
Sanford Occupational	Professional	642.58	SD Dept Of Revenue	Other Misc	21.20
SD Div Of Criminal I	Professional	173.00	SD Humanities Counci	Store Invento	117.18
SD State Bar	Memberships	300.00	SDACHS	Business Trav	1,772.65
Sheehan Mack Sales	Truck Repair	653.60	Shi International Co	Software	966.24
Sieler, Justin	Education	225.00	Sioux Empire Fair As	Other Misc	11,666.67
Sioux Falls Area Cha	Travel Bart	25.00	Sioux Falls Area Cha	Travel Kars	25.00
Sioux Falls Psycholo	Other Profess	350.00	Sioux Falls School D	Program Activ	172.62
Sioux Falls Utilitie	Electricity	10,801.66	Stewart, Chris D	Sign Deposits	50.00
Surgical Institute O	Physicians	113.26	Swanda, Karen	Bd Exp Fees	45.00
Szameit, Alexandra	Interpreters	98.87	Tammen Auto & Tire I	Automotive/Sm	20.52
Thomson Reuters We	Books	240.68	Timberland Village A	Welfare Rent	200.00
Tires Tires Tires In	Automotive/Sm	380.26	Tires Tires Tires In	Gas,Oil,Diese	77.65
Titan Machinery Inc	Heavy Eq Rep	234.08	Tschetter & Adams La	Attorney Fees	266.23
Ulteig	Architects	5,878.00	Ultramax Ammunition	Ammunition	3,312.00
US Bank Equipment Fi	Lease-Rental	136.72	Variety Foods LLC	Other Profess	334.15
VB Falls Park Apts	Welfare Rent	493.00	Walmart Store	Pharmacies	94.56
Weerheim Law Office	Attorney Fees	319.60	Westbrooke Apts LLC	Welfare Rent	175.00
Wilka & Welter LLP	Attorney Fees	1,982.49	Willow Wood Apts	Welfare Rent	600.00
Winner Police Depart	Extradition	136.00	Workforce	Recruitment	720.00
Xcel Energy Inc	Electricity	48,489.63	Xcel Energy Inc	Welfare Utili	2,173.48
Xigent Solutions	Maintenance C	1,320.00	Zomer, Marlene	Welfare Rent	500.00

April Salaries Paid

Commission	Salaries	27,218.54	Auditor	Salaries	45,944.99
Treasurer	Salaries	70,177.82	Information Technology	Salaries	67,863.64
States Attorney	Salaries	238,758.89	Public Defender	Salaries	165,902.00
Public Advocate	Salaries	50,922.24	Facilities	Salaries	50,376.86
Equalization	Salaries	78,334.59	Register Of Deeds	Salaries	44,639.34
Human Resources	Salaries	23,449.35	Sheriff's Office	Salaries	903,958.99
Emergency Management	Salaries	16,083.20	Juvenile Detention	Salaries	141,475.27
Highway	Salaries	128,837.28	Human Services	Salaries	116,772.75
Museum	Salaries	62,856.47	Planning	Salaries	34,150.25
Extension	Salaries	3,224.00			

PERSONNEL

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

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1. To hire Bethanna Baloun as Deputy State's Attorney (21/8) for the State's Attorney's Office at \$2,452.80/bi-weekly effective 5/3/17.
2. To hire Kenny Austin as seasonal Laborer for the Highway at \$12.50/hour effective 5/8/17.
3. To hire Thaddeus Brakke as Corrections System Operator (9/3) for the Jail at \$14.98/hour effective 5/8/17.
4. To begin SWAT specialty pay for Tanner Cornay, Deputy Sheriff for the Sheriff's Office, resulting in a rate of \$23.80/hour effective 3/29/17.
5. To hire Gabriel Smith as seasonal Park Worker for the Parks Department at \$12.50/hour effective 5/8/17.

Step Increases

1. Sarah Wachal – Victim Witness Assistant – State's Attorney's Office – 16/10 – 4/21/17 - \$25.16/hour
2. Melissa Palleschi – Corrections System Operator – Jail – 9/4 – 3/28/17 - \$15.36/hour
3. Jerald Hebert – Technical Analyst – Information Technology – 19/8 – 4/30/17 - \$27.77/hour

Special Personnel Action

To recognize the following significant employee anniversaries for May 2017: 5 years – Julie Morrison, Shannon Schultz, Steffanie Krueger, and Cassandra Tompkins; and 10 years – Joseph Schatz, Travis Stauffacher, Michael Gade, and Emmanuel Gutierrez.

To record volunteers in County Departments for April 2017. This list is on file at Human Resources.

ABATEMENTS

MOTION by Karsky, seconded by Bender, to approve the following abatements representing the veteran tax exemption for 2016 property taxes: RDID 68679, 809 E Pine Street, Brandon, in the amount of \$1,849.71. 5 ayes.

NOTICE

MOTION by Barth, seconded by Bender, to authorize the Auditor to publish the Request for Proposals for Architect/Engineer Services for the Minnehaha County Jail Expansion project. 5 ayes.

PLANNING & ZONING NOTICES

Scott Anderson, Planning Director, gave the first reading and requested authorization for the Auditor to publish a Notice of Hearing for an amendment to the 1990 Revised Zoning Ordinance for Minnehaha County to rezone from the A-1 Agricultural District to RR Rural Residential District legally described as a parcel of land in Fredericksen Tract 1 in the N1/2 of the NE1/4 of S14-T102N-R49W of the 5th P.M., Minnehaha County, South Dakota, located approximately ½ miles east of the intersection of County Highway 130 and County Highway 125 at 47653 258th Street. MOTION by Barth, seconded by Bender, to authorize the Auditor to publish a Notice of Hearing on May 30, 2017, to consider the rezoning amendment. 5 ayes.

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PROCLAMATION

Carol Muller, Commission Administrative Officer, read a proclamation recognizing May 7th through the 13th, 2017, as National Correctional Officers and Employees Week in Minnehaha County. James Gravett, Juvenile Detention Center Director, introduced his staff in attendance. Jeff Gromer, Jail Warden, stated his staff were not able to attend due to work schedule conflicts. MOTION by Bender, seconded by Heiberger, to issue the proclamation. 5 ayes.

HEARING

Continued from April 25, 2017

Scott Anderson, Planning Director, was present for the continued 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. Mr. Anderson reiterated that, as the Planning Director, he believes the County should not adopt a drainage ordinance at this time, and that a drainage ordinance can be brought back for approval in the future if it becomes necessary. Chet Hofer, 26662 465th Ave, Hartford, spoke on his support for a drainage ordinance and concerns regarding the proposed drainage ordinance indicating issues with downstream notification distance, policing drainage work, and the penalty fees. Mr. Hofer is in favor of a drainage ordinance, but it opposed to the current proposed ordinance. Commissioner Barth stated he feels the wealthy landowner will have an advantage without a drainage ordinance due to the cost of legal proceedings, and he feels the County should regulate drainage work to allow for local control. Commissioners Karsky, Bender, and Heiberger stated they are not in support of approving a drainage ordinance at this time due items such as the usefulness of the proposed ordinance, the liability and cost Minnehaha County bears by being involved in drainage disputes, property rights of landowners, South Dakota State Statute already providing for the use of a mediation program, and civil court allowing for local control of drainage disputes. Al Miron, 25935 469th Ave, Sioux Falls, stated his opposition to the proposed ordinance, that the federal government does regulate wetlands, and that drainage districts are being considered on a state level. Marv Stoterau, 6200 N Cliff Ave Lot 160, Sioux Falls, stated he is in support of a drainage ordinance due to his concern for preserving water. Commissioner Beninga called for a motion. Due to lack of a motion, no action was taken.

CONTRACT

Lynn DeYoung, Emergency Management Director, presented a State of South Dakota Consultant Contract between Minnehaha County and the South Dakota Department of Health for a \$10,000 grant. The grant is to be utilized by the Coroners Advanced Support Team to attend the Florida Emergency Mortuary Operations Response System exercise in Miami, FL from May 22-26, 2017. Members attending the training include Minnehaha County Sheriff's Office, Minnehaha County Emergency Management, South Dakota Department of Health, South Dakota Homeland Security, Minnehaha County Coroner's Office, Sioux Falls Police Department, and Sioux Falls Health Department. MOTION by Barth, seconded by Bender, to authorize the Chair, the Auditor, and the Emergency Management Director to enter into a consultant contract with the State of South Dakota Department of Health for a \$10,000 grant for the education and training of the Coroners Advanced Support Team at the Florida Emergency Mortuary Operations Response System exercise. 5 ayes.

GRANT

Ralph Hammer, Weed & Pest Supervisor, presented the Letter of Agreement for a Grant between Minnehaha County Weed & Pest Board and the South Dakota Weed and Pest Commission. The award requires a 50/50 cost share and the amount awarded will not exceed \$6,000. The funds will be used to purchase chemicals and seasonal help. The grant fund dollars must be expended between July 1, 2017, and June 1, 2018. MOTION by Heiberger, seconded by Barth, to approve the Letter of Agreement for a grant between the Minnehaha County Weed & Pest Board and the South Dakota Weed and Pest Commission commencing July 1, 2017 and ending June 1, 2018. 5 ayes.

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AGREEMENT

DJ Buthe, Highway Superintendent, presented an addendum to the lease agreement with Sod Busters Radio Control Model Airplane Club (Club) for the use of additional land. At the April 25, 2017, Commission Meeting, a Club member requested the use of additional land for their drone obstacle courses. The Club member had referenced an outdated map when making the request. The current map approved with the lease agreement last week does contain the section of land requested. Therefore, the addendum is not needed. No action was taken.

SURPLUS

Carol Muller, Commission Administrative Officer, presented a request received from Scott Wick, President and CEO of the Sioux Empire Fair Association, to declare the Midway Bathroom as surplus for demolition and removal. Due to the Comfort Station addition, the Midway Bathroom building located at the W.H. Lyon Fairgrounds is no longer needed for its intended purpose. The building cannot be repurposed due to the age, the location, and the permanent odor of the building. MOTION by Heiberger, seconded by Karsky, to declare the Midway Bathroom at the W.H. Lyon and Fairgrounds as surplus for demolition and removal at no cost to Minnehaha County. 5 ayes.

CONTRACT

Carol Muller, Commission Administrative Officer, presented a contract with East River Legal Services (ERLS) to provide representation on abuse and neglect cases when additional private attorneys are needed. The contract ends on June 30th, 2017. ERLS has proposed terminating the contract effective April 25, 2017. As per the contract, ERLS will continue with cases that are currently open. MOTION by Bender, seconded by Heiberger, to accept the termination of the contract with East River Legal Services effective April 25, 2017. 5 ayes.

LIAISON REPORTS

Upon the request of Commissioner Barth, Scott Anderson, Planning Director, gave a report and answered Commissioners' questions regarding the City of Crooks' joint platting jurisdiction noting it has been updated to have a more defined area than what was previously proposed.

Commissioner Heiberger reported on attending the National Association of Counties' County Justice Peer Exchange in Rapid City from April 27-28, 2017, as part of her participation on the Mental Health Response Oversight Council where topics such as criminal justice across the U.S., the Pine Ridge murder rate, court notification systems, and a new diversion program through the Pennington County's State's Attorney's Office were discussed.

Commissioner Karsky reported on the April 24-25, 2017, grant funded tour of the Dade County, Florida Jail and meetings regarding processes currently being used and ways to reduce the jail bed population.

Commissioner Karsky reported on the May 1, 2017, Highway Department meeting and stated work on Highway 149 north of Hartford and the bridge project north of Lyons are both expected to be done by the middle of June 2017.

Commissioner Bender reported on the May 1, 2017, Homeless Advisory Board meeting where they discussed reworking their organizational structure.

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NEW BUSINESS

Commissioner Beninga reported being contacted to be part of an ad hoc committee with other cities and counties about bringing joint legislation to the State, and stated another commissioner may be needed on the committee.

DJ Buthe, Highway Superintendent, reported the South Dakota Department of Transportation bridge improvement grants have been awarded and that Minnehaha County has been awarded a preliminary engineering grant.

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

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

APPROVED BY THE COMMISSION:

Gerald Beninga

Chair

ATTEST:

Olivia Larson

Deputy Auditor