

04/03/2018

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. March 27, 2018, pursuant to adjournment on March 20, 2018. 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 Beninga, seconded by Bender, to approve the agenda. 5 ayes.

MINUTES APPROVAL

MOTION by Beninga, seconded by Bender, to approve the March 27, 2018, Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Karsky, to approve the following bills totaling \$682,837.64. 5 ayes.

A To Z World Language	Other Prof	160.00	ABN Army Surplus	Uniform Allow	149.99
Ace Neon Signs & Svc	VOA Dakotas	38.25	Aga Properties	Welfare Rent	1,600.00
Airway Svc	Automotive	3,700.96	Airway Svc	Gas,Oil,Diesel	76.94
Amazon.Com	Inmate Supplies	212.21	Amazon.Com	Office Supplies	707.35
Amazon.Com	Other Supplies	112.87	Amazon.Com	Postage	0.10
Amazon.Com	Safety & Res	127.32	Amazon.Com	Uniform Allow	272.35
Armor Correctional	Contract Svc	83,246.95	Association Of SD	Program Act	290.00
Automatic Building	Maint	1,031.00	Autumn Park Apt	Welfare Rent	1,000.00
Avera Health Plans	Cobra Ins	452.34	Avera Heart	Safety & Res	138.00
Avera McKennan	Blood Withdraw	210.00	Avera McKennan	Hospitals	15,218.41
Axis Forensic Toxicol	Lab Costs	710.00	A1 Septic Tank	Automotive	172.50
Barnes & Noble	Books	7.99	Batteries Plus Bulbs	Communication	589.50
Bechtel, David	Welfare Rent	500.00	Beck, Jeffrey R	Child Defense	141.00
Blackstrap	Road Material	12,641.03	Boyer Trucks	Automotive	77.00
Boyer Trucks	Truck Repair	557.57	Brandon Ace Hardware	Automotive	81.40
Buthe, DJ	Business Trav	62.00	C&R Supply	Truck Repair	65.24
Cartridge World	Data Process	1,653.79	CBM Managed Svcs	Board Of Pris	27,684.41
CBM Managed Svcs	Inmate Supplies	295.87	Center For Western	Program Act	61.00
Collins, Jerry R	Welfare Rent	304.00	Comtec Security	Communication	244.00
Dakota Alignment	Truck Repair	73.14	Dakota Diesel Product	Truck Repair	293.00
Dakota Law	Attorney Fees	329.00	Dakota Psychological	Psych Evals	3,343.50
Deans Bulk Svc	Parts Inv	240.50	Decastro Law	Attorney Fees	2,613.20
Decastro Law	Child Defense	432.40	Dematteo, Lyndsay	Business Trav	60.48
Denise Hoekstra	Court Reporter	111.60	Devaney, Tom	Business Trav	70.00
Duffy, Ryan	Child Defense	1,052.80	Easy Badges	Software	3,207.38
EH Hospitality	Motels	525.00	Election Systems	Office Supplies	431.58
Exhaust Pros	Truck Repair	537.85	First Dakota National	2017 HLS Grant	3,764.75
Fleetpride	Automotive	10.42	Fleetpride	Parts Inv	86.22
Fleetpride	Truck Repair	163.52	G&R Controls	Heat,Vent	46,250.00
Galls Quartermaster	Uniform Allow	272.33	Gaylord Bros	Program Act	612.49
George, Aaron	Welfare Rent	500.00	Gloe, Terry L	Welfare Rent	465.00
Grainger	Sign Supply	44.64	Grainger	Small Tools	226.56
Guzman, Sandra V	Interpreters	207.53	Haffner, Marvin	Welfare Rent	250.00
Hardy Reynolds Law	Attorney Fees	419.20	Harms Oil	Gas,Oil,Diese	15,949.57
Hennepin Cnty Sherif	Return Of Svc	80.00	Hoppe, Don	Sign Deposits	50.00
HyVee	Pharmacies	305.07	Interstate Office	Office Supplies	603.84
Interstate Power	Truck Repair	563.20	Iosty, James	Bd Exp Fees	7,971.20
Iosty, James	Crisis Inter	188.00	JCL Solutions	Kitchen/Clean	2,087.19
Johnson, Richard L	Attorney Fees	959.74	Johnson, Richard L	Child Defense	274.48
Jolly, Julie	Welfare Rent	600.00	Kading, Kunstle	Child Defense	2,594.40
Katterhagen, Mark	Bd Exp Fees	52.50	Kibble Equipment	Bldg & Out	16,946.59
Krause Law	Attorney Fees	1,400.60	Kull, Lisa	Court Reporter	72.20
Laura Ingalls Wilder	Program Act	100.00	Ledd Properties	Motels	625.00
Lewis Drugs	Pharmacies	5,976.58	Lewno Law	Bd Exp Fees	569.44
Libengood, Anny	Business Trav	101.22	Lockwood, Darcy	Bd Exp Fees	52.50
Loebig, Larry	Welfare Rent	1,000.00	Lutheran Social Svcs	Diversion Pro	1,355.76
Lutheran Social Svcs	Evening Report	7,196.73	Lutheran Social Svcs	Shelter Care	53,633.39

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Macs	Truck Repair	20.49	Mailway Printers	Publishing Fee	235.03
Maras, Jacob	Business Trav	62.00	Maras, Jacob	Gas,Oil,Diesel	98.92
Marco Technologies	Office Supplies	127.99	Master Blaster	Automotive	1,467.46
Medstar Paramedic	Transportation	800.00	Metro Communications	Clinics Aux	120.00
Metro Communications	E911	188,025.06	Midamerican Energy	Natural Gas	4,768.72
Midamerican Energy	VOA Dakotas	1,060.00	Midwest Oil	Truck Repair	163.10
Miller Funeral Home	Burials	2,500.00	Minnehaha Cnty Family	Memberships	20.00
Minnehaha Cnty Fire	Memberships	250.00	Monroe Systems For	Office Supplies	54.71
Multicultural Center	Interpreters	385.00	Murray Properties	Welfare Rent	1,549.00
Napa Auto Parts	Parts Inv	159.90	Napa Auto Parts	Truck Repair	37.33
Nine & Sum	Welfare Rent	500.00	Nybergs Ace Hardware	Small Tools	113.49
Oconnor	Jail Repairs	575.00	Office Depot	Data Process	82.58
Oreilly Auto Parts	Truck Repair	44.96	Pharmchem	Testing Sup	446.25
Pheasantland	Printing/Form	175.00	Phelps, Jamie	Business Trav	20.16
Phoenix Supply	Inmate Supplie	1,112.00	Red Rock Inn	Motels	55.00
Redwood Toxicology	Testing Sup	7,200.00	Risty, Maxine J	Court Reporter	2,641.80
Rochester Armored	Armored Car	379.50	Rock Mills	Welfare Rent	465.00
Safe N Secure	Communication	426.84	Sams Club	Clinics Aux	30.44
Sams Club	Other Prof	1,543.28	Sams Club	Other Supplies	44.44
Sams Club	Supplemental	131.46	SDACC	Education	150.00
SD Assoc Of Cnty	Education	350.00	SD Dept Of Rev	Books	880.00
Sentinel Offender	Electronic Mon	1,416.41	Sigler Fire Equip	Other Prof	26.00
Sioux Empire Fair	Other Misc	12,500.00	Sioux Falls Area	Memberships	392.00
Sioux Falls City	Gas,Oil,Diesel	763.93	Sioux Falls Convent	Advertising	50.00
Sioux Falls Two Way	Communication	431.95	Society For Human	Education	450.00
Southeastern Behavior	Other Prof	1,750.00	Spring Hill	Welfare Rent	260.00
Stenopat	Depositions	45.50	Street Smart Rental	Small Equip	41,562.00
Sturdevants Auto	Truck Repair	62.23	Szameit, Alexandra	Interpreters	175.00
Taylor Place	Welfare Rent	400.00	The Keg	Jury Fees	153.15
Turning Leaf Apt	Welfare Rent	500.00	Tyler Technologies	Software	11,151.02
Uline	Program Act	495.65	Ultramax Ammunition	Ammunition	1,378.49
United Parcel Svc	Postage	21.97	Unveiled	Program Act	100.00
US Bank Equipment	Lease-Rental	136.72	Vanemmerik, David	Welfare Rent	500.00
Vans Auto Electric	Truck Repair	150.00	Vash Properties	Welfare Rent	600.00
Walmart	Pharmacies	100.57	Western Detention	JDC Maint	340.10
Wilka & Welter	Attorney Fees	6,224.63	Wilka & Welter	Child Defense	40.00
Williams, Steve	Business Trav	70.00	Woodland Hills	Welfare Rent	325.00
Xcel Energy	Electricity	34,658.34	Xcel Energy	Welfare Utilitie	830.94
Yankton Cnty Sheriff	Return Of Svc	150.00	Yankton Cnty Treas	Attorney Fees	1,548.45
Zahrbock Kool Law	Child Defense	1,309.05			

REPORT

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

PERSONNEL

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

1. To rescind the hire of Jeremy Eich and Andre Williams Jr. as Correctional Officer in Training (12/3) for the Jail.
2. To accept the voluntary demotion of Arnold Matus from Correctional Officer in Training (12/3) to Corrections System Operator (9/3) at \$15.20/hour effective 3/24/18.
3. To accept the resignation of Arnold Matus as Corrections System Operator for the Jail effective 3/26/18.
4. To accept the resignation of Kristin Paulsen as Correctional Officer in Training for the Jail effective 3/28/18.

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5. To accept the resignation of Darcie Kuemper as Correctional Officer for the Jail effective 4/7/18.
6. To end the variable hour employment of William Rishling as Parking Attendant for the Sheriff's Office effective 3/30/18.

Step Increases

1. Jessica Bjorke – Correctional Officer – Jail – 13/4 – 2/15/18 - \$18.99/hour
2. Skyler Earley Stonearrow – Deputy Sheriff – Sheriff's Office – 17/4 – 2/25/18 - \$23.14/hour
3. Sharrell Logue – Legal Office Assistant – State's Attorney's Office – 10/6 – 2/17/18 - \$17.20/hour
4. Kelli Nyhof – Accountant – Treasurer – 16/7 – 4/6/18 - \$23.72/hour
5. Amy West – Assistant Treasurer – Treasurer – 21/5 – 4/6/18 - \$30.36/hour
6. Shannon Schultz – Highway Assistant Superintendent – Highway – 22/15 – 3/19/18 - \$3,431.20/bi-weekly

Special Personnel Action

To recognize the following significant employee anniversaries for April 2018: 5 years – Julie Person, Ian Graham, Eric Schmidt, Tyler Mowery, Tiffany Willert, and Joseph Zilla; 10 years – Lauri McGee, Calvin Kastner, and Wallace Wynia; 15 years – Debra Hendrix; 25 years – Angela Balfe, Jason Gearman, Michelle Boyd; 35 years – Diane Rypkema; and Lynn Krell – 40 years.

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

ABATEMENTS

MOTION by Beninga, seconded by Bender, to approve abatement of 2017 property taxes representing tax exempt status for the following: City of Sioux Falls, RDID 12980, W ½ NE ¼ (Ex R-1 & Ex S200) 34 101 51 Wall Lake Township 101-51, in the amount of \$1,881.37; City of Sioux Falls, RDID 14391, Tract 2 Joseph Siemonsma's Addition E ½ NE ¼ Sec 19 & W ½ NW ¼ 20 102 49 Mapleton Township 102-49, in the amount of \$110.42; and City of Sioux Falls, RDID 14393, SW ¼ E of River (Ex Swanson's Tract 1) & W ½ SE ¼ (Ex Sweetman Tr 1) 20 102 49 Mapleton Township 102-49, in the amount of \$561.08. 5 ayes.

Deferred from March 13, 2018

Monica Honkamp, Senior Property Technician, presented a property tax abatement application recommended for denial. Commissioners Beninga, Bender, and Heiberger expressed interest in approving the abatement due to concerns with notification and the fact that the home owners were their own contractors. Diane Rypkema, Director of Equalization, and Mary Zeeb, Property Tax Administrator, spoke on notification of home owners regarding the owner occupancy program and the process that would need to be taken due to the City of Sioux Falls having denied the abatement. Commissioner Barth expressed interest in supporting the rejection due to the home owners having been aware on the owner occupied program in their previous County. MOTION by Beninga, seconded by Bender, to approve the 2017 property tax abatement for Charlene Roth, RDID 86828, 709 N Blue Bell Ln, Sioux Falls, in the amount of \$2,335.49. 3 ayes. Barth and Karsky voted nay.

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PLANNING & ZONING NOTICES

Kevin Hoekman, Planner, gave the first reading and requested authorization for the Auditor to publish a Notice of Hearing for zoning text amendments to the 2001 Revised Joint Zoning Ordinance for Minnehaha County and the City of Dell Rapids by revising Article 12.07 – Accessory Buildings and Uses. MOTION by Barth, seconded by Karsky, to authorize the Auditor to publish a Notice of Hearing on April 24, 2018, to consider the zoning text amendments. 5 ayes.

LIEN COMPROMISE

Deferred from March 20, 2018

Melinda Storley, Commission Assistant, gave a briefing on an application for a compromise of lien for DPNO 76366 in the amount of \$1,350.10 and DPNO 94918 in the amount of \$244.40. DPNO 76366 represent Public Advocate and Court Appointed Attorney services. DPNO 94918 represents Court Appointed Attorney services. \$1,089.70 of the liens were part of an involuntary commitment proceeding initiated by the applicant for her nephew. The applicant reported being unemployed and receiving social security benefits of \$1,592.70 per month. The applicant reported assets in the amount of \$13,181.00 and liabilities of \$1,052.00. There have been no payments received for either lien. Margaret Gillespie, Senior Deputy State's Attorney, spoke on SDCL 23A-40-14, which gives the Commission the discretion to enforce or dispose of the lien in the manner they see fit. Ms. Gillespie also spoke on SDCL 34-20A-70.1, which gives the responsibility of involuntary commitment costs to the petitioner, if they are a family member and financially able. MOTION by Bender, seconded by Barth, to approve Resolution MC18-19. 5 ayes.

RESOLUTION MC18-19

WHEREAS, County Aid Liens in the amount of \$244.40 and \$1,350.10, purports to exist in favor of Minnehaha County and against DPNO 94918 and DPNO 76366, respectively, 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 Chair of the County Board and the County Auditor to execute the following:

Compromise and release DPNO 94918 in full with no payment.

Compromise and release \$845.30 from DPNO 76366 with no payment leaving the remaining \$504.80 in place against the applicant.

Dated at Sioux Falls, South Dakota, this 3rd day of April, 2018.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chair

ATTEST:

Olivia Larson
Deputy Auditor

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PUBLIC COMMENT

Steven Ceano, Sioux Falls Resident, stated he is a disabled veteran and spoke on his concerns regarding receiving medical care.

WINE LICENSE TRANSFER

Olivia Larson, Deputy Auditor, was present for a public hearing to consider an application for transfer of the Retail On-Off-Sale Wine License from Wild Water West Waterpark. Due the approval of Ordinance 16-151-17 and Conditional Use #18-01, a transfer of the current license is necessary to add a new legally described area. The new legal description is as follows: W600', E 1400', S790', NE 1/4, S36-T101N-R51W; and E ½ NW ¼ SE ¼ & NE ¼ SE ¼ (Ex H-1 & Ex Tr 1 Alvine's Addn) 36-101-51. The license was reviewed by the State's Attorney's Office, the Planning & Zoning Department, and the Sheriff's Office with no objections or concerns reported. No one spoke in opposition. MOTION by Bender, seconded by Karsky, to approve the transfer of the Retail On-Off-Sale Wine License for Wild Water West Waterpark to update the legal description as follows: W600', E 1400', S790', NE 1/4, S36-T101N-R51W; and E ½ NW ¼ SE ¼ & NE ¼ SE ¼ (Ex H-1 & Ex Tr 1 Alvine's Addn) 36-101-51. 5 ayes.

PROCLAMATION

Michelle Markgraf, Compass Center Executive Director, presented and read a proclamation for Sexual Assault Awareness Month for April 2018. Sheriff Mike Milstead and Aaron McGown, State's Attorney, spoke to give their support of the Compass Center and of the proclamation. MOTION by Beninga, seconded by Barth, to issue the proclamation making April 2018 Sexual Assault Awareness Month. 5 ayes.

EASEMENT

Craig Dewey, Assistant Commission Administrative Officer, gave a briefing on a permanent sidewalk & public and/or private utility easement, a temporary construction easement, and a permanent pedestrian/bike trail easement for the City of Sioux Falls. The permanent sidewalk & public and/or private utility easement is for property on the southwestern corner of Madison Street and North Louise Avenue on property legally described as Tract 2, W.H. Lyon Addition to the City of Sioux Falls, Minnehaha County, South Dakota. The temporary construction easement is for a gravel access road with fence on property legally described as That Portion of Tract 2, W.H. Lyon Addition to the City of Sioux Falls, Minnehaha County, South Dakota, described as B1, B2, and B3 and as shown on Plan Sheet No.s E.02 & E.03, attached to and made part of this Easement, as if set forth in full. The easement will be effective upon execution of the easement and will remain in effect for one year after the completion of the project. The permanent pedestrian/bike trail easement is for property south and west of North Helen Avenue and West 3rd Street on property legally described as Tract 2, W.H. Lyon Addition to the City of Sioux Falls, Minnehaha County, South Dakota. Craig Lauritzen, HR Green Company, spoke on the design process, temporary access, and scheduling for the project. MOTION by Beninga, seconded by Bender, to authorize the Chair to sign the Permanent Sidewalk & Public And/Or Private Utility Easement Agreement with the City of Sioux Falls. 5 ayes. MOTION by Bender, seconded by Karsky, to authorize the Chair to sign the Temporary Construction Easement Agreement with the City of Sioux Falls. 5 ayes. MOTION by Bender, seconded by Beninga, to authorize the Chair to sign the Permanent Pedestrian/Bike Trail Easement Agreement with the City of Sioux Falls. 5 ayes.

PRESENTATIONS

Holly Behrens, Sioux Falls Area Chamber of Commerce Agri-Business Division Manager, presented on the Agri-Business Division's annual events, new events, and future goals highlighting the 2018 Sioux Empire Farm Show. Jo Beal, Sioux Empire Farm Show Committee Member, spoke on her appreciation for Ms. Behrens.

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Kari Benz, Human Services Director, gave a presentation on the Human Services Department services, challenges, strategic planning, and department strengths.

Mark Kriens, Facilities Director, gave a presentation on the Facilities Department 2017 and 2018 project lists and additional areas the department is working on such as the fairgrounds project list and the masterplan study.

BID AWARDS

DJ Buthe, Highway Superintendent, reported on the 2018 Annual Highway Department Materials bid letting. Bids were received for four of the five proposal items from the following companies: Myrl & Roys Paving, Inc., Nordik Blades, Equipment Blades, Inc., Diesel Machinery, Inc., Titan Machinery, Concrete Materials, Blackstrap, Inc., Cargill Incorporated, Central Salt, LLC, Compass Minerals America, Inc., Johnson Feed, Inc., Mills and Miller, Inc., and Nebraska Salt & Grain Company. Mr. Buthe recommended the following bid awards: Proposal #2, Hot Mix Asphalt Concrete Pavement, Concrete Materials, Inc.; Proposal #3, Snowplow and Motor Grader Blade Cutting Edges, Titan Machinery; Proposal #4, Abrasive and Salt Mixture (Salt Sand), Concrete Materials, Inc.; Proposal #5, Rock Salt and Transportation, Nebraska Salt & Grain Company. There were no bids received for Proposal #1, Medium-Curing Cutback Asphalt (MC-70). Once current stock is depleted, the Highway Department will purchase less than \$25,000 worth of asphalt without the necessity of a formal bid. The low bidder, based on unit bid price, for Proposal #5, Rock Salt and Transportation, was Blackstrap, Inc. Due to Blackstrap, Inc. submitting the incorrect bid form and not meeting contract requirements from the previous year, Blackstrap, Inc. is considered a non-responsive and a non-responsible bidder. Therefore, Nebraska Salt & Grain Company was recommended for the bid award as the second low bidder based on unit price. Maggie Gillespie, Senior Deputy State's Attorney, confirmed the State's Attorney's Office's concurrence with the recommendation for Proposal #5. MOTION by Bender, seconded by Karsky, to award the bids for Proposal #2, Proposal #3, and Proposal #4 as recommended. 5 ayes. MOTION by Barth, seconded by Karsky, to reject the bid from Blackstrap, Inc. for Proposal #5 due to a non-responsive bidder and a non-responsible bidder. MOTION by Karsky, seconded by Barth, to award the bid for Proposal #5 to Nebraska Salt & Grain Company. 5 ayes.

LIAISON REPORT

Upon the request of Commissioner Heiberger, Dr. Kenneth Snell, Coroner/Medical Examiner, briefed the Commission on the role of the Minnehaha County Coroner, including the laws he follows, 2017 case data, associated costs, and future plans.

Commissioner Barth reported on attending the Multicultural Intergovernmental Board meeting.

Commissioner Barth reported on attending the Democratic Forum where Sheriff Mike Milstead presented on the triage center project.

Commissioner Beninga reported on meeting with Metro Communications where they discussed the budget.

Commissioner Heiberger reported from the South Dakota Association of Counties Board in regard to moving the spring workshops to an every other year event, as opposed to annual, and requested Commission input.

Commissioner Heiberger and Commissioner Bender reported on attending the Mental Health and Criminal Justice Summit from March 28-29, 2018. Commissioner Heiberger noted the data collected by Augustana University showed that 25.6% of people booked are booked five or more times a year.

Commissioner Heiberger reported on attending the Sioux Falls Area Chamber of Commerce meeting where reports were given on Pheasant Fest and the School District.

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Commissioner Heiberger reported she will attend the Justice & Peer Exchange in North Carolina with the travel expenses being paid by the National Association of Counties.

Commissioner Barth reported on attending the April 2, 2018, Towns and Township Meeting where the topic of townships being able to contribute to emergency services was discussed.

NEW BUSINESS

Diane Rypkema, Director of Equalization, reported the 2018 County Board of Equalization starts on April 10, 2018.

MOTION by Bender, seconded by Beninga, to adjourn into executive session pursuant to SDCL 1-25-2(1) and (3). 5 ayes.

The next County Commission Meeting will take place at 9:00 a.m. on Tuesday, April 10, 2018.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chair

ATTEST:

Olivia Larson
Deputy Auditor