

01/22/2019

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. January 22, 2019, pursuant to adjournment on January 15, 2019. 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 Barth, seconded by Beninga, to approve the agenda. 5 ayes.

MINUTES APPROVAL

MOTION by Heiberger, seconded by Karsky, to approve the January 15, 2019, Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Beninga, to approve the following bills totaling \$1,808,869.10. 5 ayes.

A&B Business	Lease-Rental Agreement	72.92
A&B Business	Maint Contracts	441.20
Active Generations	Advertising	47.00
Advanced Pest	Maint Contracts	70.00
Affordable Housing	Welfare Rent	636.00
Airway Svc	Automotive/Small Equip	1,427.97
Airway Svc	Gas Oil & Diesel	222.77
Alcohol Monitoring	SCRAM	510.40
Allied Oil & Tire	Parts Inventory	260.00
Allied Oil & Tire	Truck Repairs & Maint	1,421.20
Alsobrook, Danny D	Heavy Equip Repairs & Maint	265.00
Angel, Edward P	Attorney Fees	2,101.00
Argus Leader Media	Professional Svcs	40.59
Arrow Ridge Townhome	Welfare Rent	500.00
Autumn Park Apt	Welfare Rent	500.00
Avera McKennan	Clinics Auxiliary Svcs	37.00
Avera McKennan	Hospitals	7,682.90
Avera McKennan	Insurance-Other Costs	275.00
Avera McKennan	Professional Svcs	1,919.62
Axis Forensic Toxicology	Lab Costs	295.00
Balapaki, Nabin	Interpreters	50.00
Bechtel, David	Welfare Rent	250.00
Berdmore	Welfare Rent	690.00
Boyer Trucks	Truck Repairs & Maint	367.70
Braun, Mason	Investigators Expenses	84.00
Bridgewood	Welfare Rent	400.00
Butler Law	Attorney Fees	2,909.65
Butler Machinery	Heavy Equip Repairs & Maint	142.39
Cartridge World	Data Processing Supplies	139.99
CBM Managed Svcs	Child Care Food	7,136.42
CBM Managed Svcs	Inmate Supplies	188.58
Center For Family	Professional Svcs	252.59
Century Business	Lease-Rental Agreement	889.83
Century Business	Maint Contracts	512.58
Centurylink	Contract Svcs	13.44
Centurylink	Telephone	1,200.30
Chagolla, Albert	Interpreters	175.00
Chasing Willows	Welfare Rent	770.00
Cluckin Good Chicken	Jury Fees	180.55
Constellation	Natural Gas	21,061.38
Culligan Water	Maint Contracts	35.00
Deans Distributing	Parts Inventory	871.50
Decastro Law	Child Defense Attorney	2,350.00
Denise Hoekstra	Court Reporters	47.60
Deyoung, Lynn	Hospital Preparedness Grant	890.50
Dover, Sena S	Bd Evals (Minnehaha)	1,485.00
EH Hospitality	Motels	305.00

01/22/2019

Family Svc	Insurance-Other Costs	650.00
Fastenal	Small Tools & Shop Supplies	273.23
First Premier Bank	Investigators Expenses	83.50
Fleetpride	Truck Repairs & Maint	152.32
Fox & Youngberg	Attorney Fees	962.50
Galls Quartermaster	Safety & Rescue Equip	260.00
Galls Quartermaster	Uniform Allowance	63.36
Garfield Apts	Welfare Rent	300.00
George, Aaron	Welfare Rent	500.00
Gideons Promise	Education & Training	1,575.00
Goebel Printing	Bd Exp Fees (Minnehaha)	66.68
Goebel Printing	Printing/Forms	5,585.88
Golden West	Telephone	39.91
Gramlick, Michael	Welfare Rent	250.00
Great Plains Psych	Psych Evals	595.00
Guzman, Sandra V	Interpreters	224.65
Hayloft Property	Welfare Rent	700.00
Highway Improvement	Road Maint & Material	293,981.05
HOV Svcs	Microfilming	225.36
Hughes Law	Child Defense Attorney	976.80
Hurtgen, Timothy T/P	Welfare Rent	400.00
I State Truck Center	Truck Repairs & Maint	1,320.11
Interim Healthcare	Professional Svcs	3,573.50
Interstate Office Pr	Office Supplies	221.95
Iosty, James	Bd Exp Fees (Minnehaha)	7,078.20
Iosty, James	Crisis Intervention Program	235.00
ISI	Interpreters	240.00
Janet C Olson	Attorney Fees	265.00
Janet C Olson	Child Defense Attorney	1,246.30
JCL Solutions	Inmate Supplies	798.00
JCL Solutions	Kitchen/Cleaning Supplies	805.10
JE Dunn Construction	Jail Expansion Construction	1,248,951.00
Jeff Larson Law	Attorney Fees	508.70
JLG Architects	Jail Expansion Prof Svcs	32,550.01
Johnson Controls	Professional Svcs	1,936.98
Johnson, Erin M	Bd Evals (Minnehaha)	291.40
Johnson, Richard L	Attorney Fees	329.94
Kauffman, David W Ph	Psych Evals	3,385.00
Kolbeck Law	Attorney Fees	861.83
Konda, Yousif	Interpreters	305.00
Kone	Maint Contracts	938.10
Kull, Lisa	Court Reporters	823.20
Kyra Enterprises	Motels	875.00
Lacey Rentals	Lease-Rental Agreement	110.00
Language Access	Interpreters	83.00
Larson, Steven R	Special Projects	400.00
Laughlin Law	Attorney Fees	1,036.70
Lewis & Clark Behavior	Bd Evals (Yankton)	1,650.00
Loving, Philip	Bd Evals (Minnehaha)	1,237.50
Ludens	Trucks/Tractors/Trailers	8,525.00
Marsh & McLennan	Notary Exp	100.00
McLeods Printing	Printing/Forms	1,449.00
Menard	Automotive/Small Equip	84.96
Microfilm Imaging	Furniture & Office Equip	-100.00
Microfilm Imaging	Software	4,500.00
Midstates Utility	Truck Repairs & Maint	205.19
Mikelson Law	Attorney Fees	292.65
Minnehaha Cnty Family	Memberships	20.00
Multicultural Center	Interpreters	165.00
Natl Trust For Hist	Memberships	30.00
Nebraska Salt & Grain	Road Material Inventory	7,533.44
Newman Signs	Sign Supply Inventory	909.22
Northeast Investment	Welfare Rent	800.00
Novak	Trash Removal	315.15
Nybergs Ace Hardware	Automotive/Small Equip	7.58

01/22/2019

Olivier Miles Holtz	Attorney Fees	2,426.00
Olson Oil	Automotive/Small Equip	500.00
One Sky	Heavy Equip Repairs & Maint	175.90
Osborn, Roxane R	Court Reporters	925.00
Peoplefacts	Recruitment	142.56
Pharmchem	Testing Supplies	571.00
Phoenix Supply	Child Care Items	491.36
Phoenix Supply	Child Care Uniforms	790.93
Phoenix Supply	Inmate Supplies	1,112.00
Pioneer Enterprises	Burials	7,000.00
Prodata Computer	Maint Contracts	540.00
Qualified Presort	Publishing Fees	500.81
Quill	Office Supplies	197.04
RDO Construction	Heavy Equip Repairs & Maint	19.47
Record Keepers	Professional Svcs	108.32
Redwood Toxicology	Testing Supplies	1,740.00
Robertson, Andrew	Business Travel	80.64
Rods Property Mgmt	Welfare Rent	1,555.00
Roeller Properties	Truck Repairs & Maint	700.00
Ryan Duffy Law	Attorney Fees	1,056.20
Sanford	Lab Costs	418.00
Sanford Clinic	Insurance-Other Costs	706.00
Sanford Clinic	Physicians	197.44
Sanford Clinic	Professional Svcs	155.00
Sanford Health Plan	Insurance Admin Fee	3,000.00
Sanitation Products	Truck Repairs & Maint	386.07
SDACO	Due To Other Governments	3,902.00
SD Human Svcs	Clinics Auxiliary Svcs	38.20
Sentinel Offender	Electronic Monitoring	1,861.04
Sioux Equip	Building Repairs & Maint	46.03
Sioux Falls City	Gas Oil & Diesel	10,932.52
Sioux Falls City	HIDTA Grant	67.27
Sioux Falls City	Program Activities	35.00
Sioux Falls City	Welfare Utilities	39.95
Sioux Falls Seminary	Professional Svcs	1,085.00
Sky Dragon Chinese	Interpreters	100.00
Sky Dragon Chinese	Welfare Rent	243.00
South Dakota Multi	Memberships	260.00
Southeastern Behavior	Crisis Intervention Program	6,567.98
Southeastern Behavior	Professional Svcs	2,362.50
St Francis House	Professional Svcs	145.34
State of SD	Amts Held-Daily Scram	3,749.00
State of SD	Data Communications	113.00
State of SD	Printing/Forms	25.50
State of SD	Telephone	346.50
Superion	Maint Contracts	8,993.30
Szameit, Alexandra	Interpreters	99.90
Tammen Auto & Tire	Gas Oil & Diesel	47.73
Tegra Group	Jail Expansion Prof Svcs	18,267.05
Think Tourism USA	Advertising	1,705.00
Thomson Reuters	Amounts Held For Others	675.00
Thomson Reuters	Books	215.46
Thomson Reuters	Legal Research	2,652.25
Transource Truck	Truck Repairs & Maint	129.36
Triangle Properties	Welfare Rent	844.00
True Care Family	Pharmacies	29.79
Tschetter & Adams	Child Defense Attorney	2,702.43
Two Way Solutions	Automotive/Small Equip	419.02
Tyler Technologies	Software	1,275.00
Uline	Program Activities	140.00
UPS	Postage	21.87
US Foods	Professional Svcs	397.07
USPS	Postage	225.00
VB Falls Terrace	Welfare Rent	1,600.00
Verizon Wireless	Data Processing Equip	-2.84

01/22/2019

Verizon Wireless	Safety & Rescue Equip	40.01
Verizon Wireless	Telephone	84.25
Vern Eide Motorcars	HIDTA Grant	295.00
Walmart Stores	Pharmacies	66.60
We Buy Houses	Welfare Rent	650.00
Whittier Apts	Welfare Rent	468.00
Williamsburg Limited	Welfare Rent	666.00
Wynkoop, Walker	Welfare Rent	330.00
Xcel Energy	Electricity	1,384.76
Yankton County	Return Of Svc	150.00

PERSONNEL

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

New Hires

1. Regina Tusken, Corrections System Operator for the Jail at \$17.12/hour (9/5) effective 1/28/19.
2. Steven Breuer, variable hour Correctional Officer for the Jail at \$20.25/hour effective 1/21/19.

Promotions

1. Baleigh Weber, Correctional Officer in Training to Correctional Officer for the Jail at \$18.90/hour (13/1) effective 1/2/19.

Step Increases

1. Thomas Rabb – Investigator – State’s Attorney’s Office – 16/14 – 12/24/18 - \$30.21/hour
2. Gregory McNamara – Investigator – State’s Attorney’s Office – 16/12 – 12/27/18 - \$28.75/hour
3. Jennifer Adix – Human Resources Generalist – Human Resources – 17/13 – 12/27/18 - \$30.97/hour
4. Cara Sambo – Caseworker – Human Services – 16/10 – 1/19/19 - \$27.38/hour
5. Douglas Blomker – Assistant Director of Emergency Management – Sheriff’s Office – 20/12 – 12/27/18 - \$35.04/hour
6. Adam Eschen – Correctional Officer – Jail – 13/2 – 11/28/18 - \$18.99/hour
7. Jesimae Breuer – Correctional Officer – Jail – 13/5 – 1/18/19 - \$20.86/hour

Special Personnel Action

Upon the request of Carey Deaver, Human Resources Director, MOTION by Beninga, seconded by Barth, to approve the hire of Jason Gearman as the Sheriff’s Office Director of Emergency Management on a variable hour basis at \$36.81/hour effective 1/28/19. 5 ayes.

Upon the request of Carey Deaver, Human Resources Director, MOTION by Heiberger, seconded by Karsky, to approve Resolution MC19-3 to create a new position of Senior Deputy State’s Attorney for the State’s Attorney’s Office which will be assigned to legal matters for the Highway Department. By roll call vote: 5 ayes.

RESOLUTION MINNEHAHA COUNTY 19-3
RESOLUTION AUTHORIZING THE CREATION
OF A SENIOR DEPUTY STATE’S ATTORNEY POSITION
ASSIGNED TO THE MINNEHAHA COUNTY HIGHWAY DEPARTMENT

01/22/2019

WHEREAS, the Minnehaha County State’s Attorney’s Office (MCSAO) provides legal representation to the Board of County Commissioners, the county-wide elected officials, and the County’s Department Heads; and

WHEREAS, the Civil Division of the MCSAO has three attorneys who are assigned to handle a high-volume of legal matters on behalf of the County, its elected officials and its department heads; and

WHEREAS, the Minnehaha County Highway Department (“Highway”) is currently engaged in multiple road construction projects which involve significant professional legal time and attention; and

WHEREAS, it is in the best interests of the County that its road construction projects be completed in a timely fashion; and

WHEREAS, the creation of a senior deputy state’s attorney position, dedicated to providing legal counsel to Highway, will facilitate the operations of Highway and will expedite the handling of legal matters for Highway; and

WHEREAS, Highway has funds available in its budget to fully fund a senior deputy state’s attorney position; and

WHEREAS, a need exists for the creation of a senior deputy state’s attorney position in order to provide efficacious and expeditious legal counsel to Highway; and

WHEREAS, the State’s Attorney and the Superintendent of Highways, jointly and respectfully request that a senior deputy state’s attorney position be created to provide legal support to Highway;

NOW, THEREFORE BE IT RESOLVED, by this Board of County Commissioners, of Minnehaha County, South Dakota, that:

- 1) A senior deputy state’s attorney position is hereby created and authorized in the Minnehaha County State’s Attorney’s Office; and
- 2) The Highway Department shall reimburse the State’s Attorney’s Office for the full amount of salary and benefits annually to fund this position.

DATED at Sioux Falls, South Dakota this 22nd day of January of 2019.

Jean Bender
JEAN BENDER, CHAIR
MINNEHAHA COUNTY COMMISSION

ATTEST:

Olivia Larson, Deputy Auditor
ROBERT LITZ, AUDITOR

NOTICE

Notice was received from the South Dakota Department of Health of a Disinterment Permit issued for the remains of Lori Christiansen, Hills of Rest Cemetery, Sioux Falls, South Dakota. Reinterment, St. Michael Cemetery, Sioux Falls, South Dakota.

01/22/2019

PUBLIC COMMENT

John Parker, Minnehaha Conservation District Manager, spoke on their services, partners, funding, and educational involvement.

AGREEMENT

DJ Buthe, Highway Superintendent, presented a Professional Services Agreement between Minnehaha County and Ulteig Engineers Inc for final design services for the County Highway 111 safety improvements to the intersection with 267 Street, located 0.3 miles south of South Dakota Highway 42. The cost for services is not to exceed \$50,556.60. Commissioners Karsky and Heiberger raised concerns regarding the cost of the overall project and preferred to first consider other options for solving the safety concerns with the intersection. In response to a question from Commissioner Barth, Mr. Buthe explained the selection process for the engineer. Mr. Buthe stated he was open to considering other options and was not opposed to deferring the item to allow for more discussion and consideration. MOTION by Barth, seconded by Karsky, to defer action for two weeks. 5 ayes.

Bob Litz, Auditor, presented an Actuarial Services Agreement between Minnehaha County and SilverStone Group Inc regarding the County's Other Post-Employment Benefits (OPEB) liabilities. The South Dakota Department of Legislative Audit requires an actuarial analysis of the County's OPEB every five years. The County will pay fees based on direct expenses, travel expenses, hourly time charges, and hourly billing rates of \$260 for the Principal Actuary, \$175 for the OPEB Actuarial Analyst, and \$300 for the Group Medical Consultant. Maximum fees will be no more than \$5,000 for the 2018 fiscal year valuation. Maximum fees for meeting attendance will be no more than \$1,200. In response to a question from Commissioner Karsky, Carey Deaver, Human Resources Director, stated the OPEB is a health insurance benefit provided to eligible employees who have retired. MOTION by Heiberger, seconded by Beninga, to authorize the Chair to sign the Actuarial Services Agreement between Minnehaha County and Silverstone Group Inc for an actuarial analysis of the County's Other Post-Employment Benefits liabilities with a maximum fee of \$5,000. 5 ayes.

RESOLUTION

Carol Muller, Commission Administrative Officer, presented a resolution to amend Resolution MC14-54 for a property tax payment proposal on a tax deed action for record 17131. Resolution MC14-54 authorized a payment plan for The Retreat at Pointer's Ridge (The Retreat) on back taxes totaling \$12,768.46. Payments were made as scheduled in 2015, 2016, 2017, and 2018. Quarterly payments for 2019 rise to \$1,000. The Retreat has requested a revised payment schedule of \$500 per quarter with the pay-off date changing from July 2020 to July 2022. Deb Klebanoff, The Retreat at Pointer's Ridge President & CEO, spoke on the clean-up that has been done on the property and provided before and after pictures. MOTION by Beninga, seconded by Barth, to approve Resolution MC19-4. By roll call vote: 5 ayes.

**RESOLUTION MC 19-4
AMENDING RESOLUTION MC 14-54
PROPERTY TAX PAYMENT PROPOSAL
ON TAX DEED ACTION FOR RECORD 17131**

WHEREAS, Minnehaha County initiated tax deed action to property record 17131 in accordance with state statutes; and

WHEREAS, the Minnehaha County Board of Commissioners approved Resolution MC 14-54 on September 9, 2014, authorizing a payment plan for unpaid taxes, penalties and interest on the property, said payment plan requiring payments in the amount of \$250.00 per quarter in 2015 and 2016, \$500.00 per quarter in 2017 and 2018, and \$1000.00 per quarter in 2019 and 2020 until paid in full; and

01/22/2019

WHEREAS, the Retreat at Pointers Ridge has paid \$5,750.00 of the original \$12,768.46 due;

WHEREAS, the Retreat at Pointers Ridge has requested that the Board consider the revised payment schedule as follows:

January 2019 – payment of \$400.00
 April 2019 – payment of \$450.00
 October 2019 until paid in full - \$500.00 per quarter;

NOW, THEREFORE, BE IT RESOLVED by the Minnehaha County Board of Commissioners, the revised payment plan as described above is hereby approved.

Dates this 22nd of January, 2019

APPROVED BY THE BOARD:

Jean Bender

Jean Bender, Chairperson

ATTEST: Bob Litz, Auditor
 Olivia Larson
 Deputy Auditor

CHANGE ORDER

Carol Muller, Commission Administrative Officer, requested the approval of Change Order #3 for the Minnehaha County Jail Expansion for the Construction Manager at Risk Agreement Amendment No. 1 with JE Dunn and Henry Carlson. The change order is a total add of \$368,626.70 for the following items: precast columns, \$14,586.00; site utility revision, \$109,252.00; rerouting of existing SDN fiber, \$11,817.70; 5th floor wall revisions, \$4,904.00; mechanical modifications, \$29,889.00; detention openings schedule revisions, \$0.00; new elevator modifications, \$11,998.00; Elevator 4 Governor, \$12,988.00; detention window revisions, \$0.00; 24 inch storm line site utility revision, \$165,152.00; CMU to precast revisions and roof door changes, deduct of \$5,804.00; duct revisions, \$0.00; drain tile at retaining wall, \$2,851.00; vertical expansion parapet revisions, \$0.00; detention window revisions at vertical expansions and handrail mounting detail, \$0.00; Soffit at W10 windows, \$5,089.00; and laundry room revisions, \$5,904.00. MOTION by Heiberger, seconded by Barth, to approve Change Order #3 to the Construction Manager At Risk Agreement Amendment No.1 with JE Dunn Construction Company and Henry Carlson Construction for an additional \$368,626.70. By roll call vote: 5 ayes.

LEGISLATIVE UPDATE

Craig Dewey, Assistant Commission Administrative Officer, gave an update and status report of the 2019 Legislative Session on bills that impact Minnehaha County. In response to questions from the Commission, Margaret Gillespie, Senior Deputy State's Attorney, spoke on the options provided by statute to enforce County ordinances and remedies for violations of the ordinances.

BRIEFING

Kari Benz, Human Services Director, and Jill Franken, City of Sioux Falls Public Health Director, gave a briefing on attending the National Association of Counties Stepping Up Peer Exchange that took place in Des Moines, IA from November 1-2, 2018, regarding the Stepping Up Initiative to emphasize data driven solutions to reduce the number of individuals in jail with a serious mental illness.

01/22/2019

NEW BUSINESS

Kari Benz, Human Services Director, provided an update on the Federal Government Shutdown and how it is affecting the local community, program funding, and services. Ms. Benz also stated that members of the community could contact the Human Services Department to inquire about available resources for assistance.

Commissioner Heiberger reported that the Sioux Empire Livestock Show Kickoff is January 22, 2019.

MOTION by Barth, seconded by Heiberger, to recess the Minnehaha County Commission Meeting at 10:32 a.m.
5 ayes.

MOTION by Barth, seconded by Karsky, to reconvene the Minnehaha County Commission Meeting at 10:40 a.m.
5 ayes.

MOTION by Karsky, seconded by Beninga, to enter into Executive Session pursuant to SDCL 1-25-2 (1) and (3).
5 ayes.

MOTION by Barth, seconded by Karsky, to adjourn. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, January 29, 2019.

APPROVED BY THE COMMISSION:

Jean Bender

Chair

ATTEST:

Olivia Larson

Deputy Auditor