

02/19/2019

THE MINNEHAHA COUNTY COMMISSION CONVENE AT 9:00 A.M. February 19, 2019, pursuant to adjournment on February 12, 2019. Commissioners present were: Barth, Bender, Beninga, and Karsky. Commissioner Heiberger was absent. Also present were Olivia Larson, Commission Recorder, and Margaret Gillespie, Senior Deputy State's Attorney.

MOTION by Barth, seconded by Karsky, to approve the agenda. 4 ayes.

MINUTES APPROVAL

MOTION by Barth, seconded by Beninga, to approve the February 12, 2019, Commission Minutes. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Beninga, to approve the following bills totaling \$821,918.41. 4 ayes.

A&B Business	Lease-Rental Agmt	468.79
A&B Business	Maint Contracts	198.92
Action Systems	Bldg/Yard Repair & Maint	294.00
Adam, Andrew	Welfare Rent	500.00
Advanced Pest	Maint Contracts	70.00
Affordable Housing	Welfare Rent	341.00
Airgas USA	Automotive/Small Equip	43.42
Airway Svc	Automotive/Small Equip	339.54
Airway Svc	Gas Oil & Diesel	211.94
Alcohol Monitoring	Electronic Monitoring	290.40
Allied Oil & Tire	Truck Repairs & Maint	77.50
Anderson Publication	Publishing Fees	1,218.55
Angel, Edward P	Attorney Fees	2,193.20
Apts On 18th	Welfare Rent	1,400.00
Argus Leader Media	Professional Svcs	38.89
Argus Leader Media	Publishing Fees	4,139.42
Astrophysics	Lease-Rental Agmt	3,991.00
Avera Health Plans	Cobra Insurance	660.24
Avera McKennan	Blood Withdrawal	135.00
Avera McKennan	Clinics Auxiliary Svcs	35.00
Avera McKennan	Hospitals	10,545.00
Benson Village Town	Welfare Rent	500.00
BerryDunn	Consultants	6,083.70
Bob Barker Company	Inmate Sup	1,487.16
Braun, Mason	Investigators Exp	52.08
Brentwood Apts	Welfare Rent	261.00
Bruxvoort, Jordan	Interpreters	100.83
Builders Supply	Building Repairs & Maint	751.50
C & R Supply	Truck Repairs & Maint	42.64
Cartridge World	Data Processing Sup	854.91
Cass Cnty Sheriff	Return Of Svc	88.00
CBM Managed Svcs	Board Of Prisoners-Meals	24,379.24
CBM Managed Svcs	Child Care Food	6,279.35
CBM Managed Svcs	Inmate Sup	89.21
Center For Family	Professional Svcs	462.00
Century Business	Lease-Rental Agmt	699.43
Century Business	Maint Contracts	363.07
Centurylink	Contract Svcs	13.44
Centurylink	HHS Maint	95.00
Centurylink	Telephone	1,696.35
Certified Languages	Interpreters	2,010.95
Chagolla, Albert	Interpreters	204.14
Cleveland Heights	Welfare Rent	800.00
Climate Systems	Heat, Vent & AC Repairs	1,704.00
Climate Systems	Jail Repairs & Maint	3,560.70
Cluckin Good Chicken	Jury Fees	133.63

02/19/2019

Com-Tec	Lease-Rental Agmt	20,337.00
Control Instal	Building Repairs & Maint	193.47
Creekstone Falls	Welfare Rent	500.00
Crescent Electric	Electrical Repairs & Maint	659.52
Culligan Water	Maint Contracts	35.00
Dakota Fluid Power	Heavy Equip Repairs & Maint	422.81
Dakota Fluid Power	Small Tools & Shop Sup	507.35
Dakota Fluid Power	Truck Repairs & Maint	1,909.44
Dakota Law	Attorney Fees	583.80
Dakota Law	Child Defense Attorney	1,462.90
Dakota Supply Group	Jail Repairs & Maint	376.44
Deans Distributing	Small Tools & Shop Sup	250.00
Dell Marketing	Data Processing Equip	53,314.38
Diamond R Enterprise	Automotive/Small Equip	230.00
Dover, Sena S	Bd Evals (Minnehaha)	945.00
Dust Tex Svc	Janitorial Chemical Sup	23.46
Etterman Enterprises	Small Tools & Shop Sup	90.56
Fastenal	Small Tools & Shop Sup	509.19
Faulk Cnty	Board of Prisoners-Housing	15,810.00
Faulkton Drug	Pharmacies	76.20
Finberg Family	Welfare Rent	500.00
Fleetpride	Truck Repairs & Maint	12.83
Force America	Truck Repairs & Maint	467.09
Fox & Youngberg	Attorney Fees	787.36
Fuller & Williamson	Child Defense Attorney	385.40
Galls Quartermaster	Uniform Allowance	1,870.38
Garfield Apts	Welfare Rent	1,400.00
Garretson Gazette	Publishing Fees	1,681.11
Golden West	Telephone	40.51
Grainger	Small Tools & Shop Sup	19.50
Gunner, Andrea	Court Reporters	5,032.60
Guzman, Sandra V	Interpreters	225.00
Haber Comp	Welfare Rent	500.00
Hewlett Packard	Data Processing Equip	1,253.56
High Point Networks	Consultants	131.25
High Point Networks	Software	4,280.00
Hobby Lobby Stores	Program Activities	70.82
Horizon Apts	Welfare Rent	200.00
Hov Svcs	Microfilming	184.75
Hughes Law	Attorney Fees	2,540.43
HyVee	Pharmacies	29.99
Inland Truck Parts	Automotive/Small Equip	2,598.83
Innovative Office	Office Sup	278.23
Intek	Contract Svcs	20,165.00
Interim Healthcare	Professional Svcs	2,757.75
Interstate Office	Office Sup	1,973.39
Iosty, James	Bd Exp Fees (Minnehaha)	7,388.40
Iosty, James	Crisis Intervention Program	159.80
Jeff Larson Law	Attorney Fees	1,521.80
Jeff Lowe	Sign Deposits	50.00
Jw Niederauer	Road Maint & Material	121.98
Katterhagen, Mark	Bd Exp Fees (Yankton)	78.00
Kerri Cook Huber	Attorney Fees	276.96
Kerri Cook Huber	Bd Exp Fees (Yankton)	60.00
Kibble Equip	Lease-Rental Agmt	7,112.16
Knecht, Andrew J	Attorney Fees	1,560.40
Konda, Yousif	Interpreters	225.81
Kyra Enterprises	Motels	550.00
Languageline	Interpreters	2,432.44
Languageline	Telephone	435.31
Laughlin Law	Attorney Fees	3,353.70
Leaf Capital Funding	Office Sup	129.80
Ledd Properties	Motels	625.00
Lewis & Clark Behav	Bd Evals (Yankton)	3,300.00
Lewis Drugs	Contract Svcs	325.30

02/19/2019

Lewno Law	Bd Exp Fees (Yankton)	811.00
Lisa Carlson Report	Court Reporters	38.40
Lockwood, Darcy	Bd Exp Fees (Yankton)	78.00
Loving, Philip	Bd Evals (Minnehaha)	1,515.00
Lutheran Social Svcs	Interpreters	105.00
Luverne Supermarket	Welfare Food	46.69
Macs	Small Tools & Shop Sup	4.95
Manatron	Professional Svcs	34,315.63
Menard	Exhibit Materials	91.50
Metro Com	Misc Expense	29,970.50
Midcontinent Com	Data Communications	248.00
Midcontinent Com	Telephone	85.00
Midstates Utility	Small Tools & Shop Sup	73.08
Minnehaha Cnty Fam	Memberships	20.00
Multicultural Center	Interpreters	330.00
Myers & Billion	Attorney Fees	235.00
Napa Auto Parts	Automotive/Small Equip	13.14
Napa Auto Parts	Parts Inventory	96.78
Nebraska Salt & Grain	Road Material Inventory	9,427.26
Nichols & Rabuck	Attorney Fees	808.40
Nohava, Douglas	Burials	2,000.00
Northeast Investment	Welfare Rent	1,455.00
Novak	Office Sup	970.72
Novak	Trash Removal	524.89
Nowak, Kris	Welfare Rent	500.00
Odea, Steve C	Welfare Rent	350.00
Olivier Miles Holtz	Attorney Fees	2,571.58
Page Cnty Sheriff	Return Of Svc	32.00
Pennington Cnty	Extradition & Evidence	9,876.50
Pexa, Terry	Welfare Rent	500.00
Pfeifer Implement	Motor/Machine/Equip Repair	23.99
Pharmchem	Testing Sup	428.25
Phoenix Supply	Inmate Sup	7,936.95
Pioneer Enterprises	Burials	3,000.00
Qualified Presort	Postage	31,936.50
Redwood Estates	Welfare Rent	850.00
Rod'S Property	Welfare Rent	675.00
Roemans Auto	Professional Svcs	80.00
Ron Turley Assoc	Software	1,065.00
Roosevelt Estates	Welfare Rent	2,100.00
Rotorooter	Trash Removal	300.00
Ryan Duffy Law	Attorney Fees	2,977.80
Sage Projects	MacArthur SJC Grant	310.00
Sanford	Clinics Auxiliary Svcs	18.81
Sanitation Products	Truck Repairs & Maint	566.30
Satellite Tracking	Program Sup	3,718.00
Scheels All Sports	Uniform Allowance	869.97
SDACC	Education & Training	100.00
SDACC	Misc Expense	400.00
SDACO	Due To Other Governments	3,978.00
SD Human Svcs	Clinics Auxiliary Svcs	26.20
Security Labs	Maint Contracts	325.00
SF Leased Housing	Welfare Rent	189.00
Shaykett Appraisal	Right Of Way	1,150.00
Sherburne Cnty	Return Of Svc	40.00
Sioux Falls Area Hum	Misc Expense	3,137.40
Sioux Falls City	Blood/Chemical Analysis	3,500.00
Sioux Falls City	Contract Svcs	293,750.00
Sioux Falls City	Gas Oil & Diesel	640.37
Sioux Falls City	Water Sewer	92.56
Sioux Falls Rubber	Notary Exp	121.40
Sioux Falls Rubber	Office Sup	35.90
Sioux Falls Woman	Program Activities	595.00
Skadsen, Nathan	Business Travel	60.06
Solarwinds	Maint Contracts	2,423.44

02/19/2019

Spring Centre Apts	Welfare Rent	125.00
St Francis House	Professional Svcs	205.59
State of SD	Amts Held-Daily Scram	3,827.00
State of SD	Blood/Chemical Analysis	3,285.00
State of SD	Building Repairs & Maint	4.20
State of SD	Lab Costs	360.00
State of SD	Misc Expense	286.00
State of SD	Notary Exp	90.00
State of SD	Printing/Forms	1,191.47
State of SD	Store Sales	34.49
State of SD	Telephone	321.75
State Steel Of SD	Truck Repairs & Maint	211.22
Strange Farrell John	Attorney Fees	23.75
Sturdavants Cliff	Small Tools & Shop Sup	333.50
Sturdevants Auto	Automotive/Small Equip	30.18
Sturdevants Auto	Truck Repairs & Maint	192.28
Szameit, Alexandra	Interpreters	175.00
TCN	Telephone	56.62
Testpoint Medical	Blood Withdrawal	6,480.00
Thompson Electric	Bldg/Yard Repair & Maint	1,250.00
Thomson Reuters	Books	49.16
Thomson Reuters	Legal Research	4,491.03
Tires Tires Tires	Truck Repairs & Maint	873.15
Transunion Risk	Investigators Exp	146.00
Tristate Emergency	Memberships	60.00
Tschetter & Adams	Attorney Fees	2,336.59
Turning Leaf Tax	Welfare Rent	670.00
Tyler Technologies	Maint Contracts	43,690.54
Tyler Technologies	Software	13,312.58
Tzadik Sioux Falls	Welfare Rent	480.00
US Foods	Professional Svcs	1,398.48
VB Falls Park Apts	Welfare Rent	2,183.48
Ver Beek, Kelsey	Attorney Fees	563.04
Verizon Wireless	Data Processing Equip	1,068.05
Verizon Wireless	HIDTA Grant	84.19
Verizon Wireless	Misc Expense	71.24
Verizon Wireless	Safety & Rescue Equip	164.93
Verizon Wireless	Telephone	4,290.27
Vermeer High Plains	Automotive/Small Equip	20.43
Wagner, Heidi	Bd Evals (Minnehaha)	990.00
Walton, Marcus	Child Defense Attorney	1,223.00
Wheelco	Truck Repairs & Maint	122.62
Woodbury Cnty IA	Return Of Svc	30.00
Xcel Energy	Electricity	1,385.33
Xcel Energy	Road Maint & Material	16.83
Xcel Energy	Welfare Utilities	606.90
Yankton Cnty	Attorney Fees	1,159.30
Yankton Cnty	Return Of Svc	200.00

REPORTS

The Minnehaha County Monthly Sheriff's Report for January 2019, the January 2019 Register of Deeds Official Statement of Revenue Report, and the Auditor's Office Financial Reports were received and placed on file in the Auditor's Office. Kim Adamson, Finance and Budget Officer, spoke on the Auditor's Office Financial Reports that included the General Fund Cash Balance, the Cash Applied History, the General Fund 2018 Operating Results, the 2018 Final Revenues, and the January Year to Date Revenues.

PERSONNEL

MOTION by Karsky, seconded by Barth, to approve the following personnel changes. 4 ayes.

02/19/2019

New Hires

1. To amend the hire date of Mary White as Juvenile Correctional Officer I for the Juvenile Detention Center to 2/12/19.

Step Increases

1. Lorna McDermott – Correctional Officer – Jail – 13/7 – 1/23/19 - \$21.92/hour
2. Allan Phillips – STI Security Officer – STI Security – 13/9 – 2/6/19 - \$23.02/hour
3. Sara Zishka – Administrative Secretary – Highway – 10/6 – 2/20/19 - \$18.44/hour

LIEN COMPROMISE

Melinda Storley, Commission Assistant, gave a briefing on an application for a compromise of lien for DPNO 82860 in the amount of \$4,441.90. Public Defender and Public Advocate services were provided to the applicant between August 2016 and January 2018. A previous charge of \$800.00 from August 2013 was paid in full in September 2013. Payments have not been made towards the current charges. Total assets were listed as \$9,000. The applicant's request was to compromise the lien in full. Included in the request, the applicant raised concerns with the legal representation provided to her and the costs associated with the representation. The applicant was not able to attend the meeting. Commissioners expressed opposition to granting a compromise due to the lack of payments, the charges being recent, the charges for the services provided by the County being provided at an already reduced rate, and the lack of an impending transaction that would be affected by the lien. MOTION by Karsky, seconded by Barth, to deny the compromise request for DPNO 82860. By roll call vote: 4 ayes.

APPEAL

Kevin Hoekman, Planner, gave a briefing on an appeal filed by two (2) property owners for Conditional Use Permit (CUP) #19-05. The CUP is to allow a 960 animal unit, Class C, Hog Confined Animal Feeding Operation (CAFO) on the property legally described as SW1/4, Section 5-T101N-R51W. The property is generally located three (3) miles southwest of Hartford and two and one half (2.5) miles northwest of Wall Lake. The Planning Commission approved CUP #19-05 unanimously with nine (9) conditions on January 28, 2019. The petitioner of CUP #19-05, Orrin Geide, 46134 263rd Street, Hartford, currently operates a Class D CAFO and plans to operate the proposed hog CAFO on a separate parcel of land as a separate entity. The proposed hog CAFO does not require a State General Pollution Control Permit due to its size. The submitted site plan shows that all required setbacks from neighboring residential dwellings, businesses, and churches have been met.

Steve Enger, 47335 271st Street, Sioux Falls, spoke in opposition of the CAFO regarding the effect it may have on the planned sale of his nearby property. Trepp Nagel, 26398 461st Ave, Hartford, spoke in opposition of the CAFO due to concerns regarding his property values, the smell, and the road conditions. Renee May, 26401 461st Ave, Hartford, spoke in opposition of the CAFO stating that she agreed with Mr. Enger and Mr. Nagel, and brought up concerns regarding notice of the CUP hearing. Mr. Hoekman stated posting of the notice takes place five (5) days before the hearing and a certified letter is sent for CAFO CUP's to property owners within one half (0.5) mile of the property. Larry Fossum, 46089 263rd Street, Hartford, stated that he was on both sides of the fence about the issue. Mr. Fossum was concerned about the smell emitted from the CAFO, how the smell may affect his church's activities, and suggested a shelter belt be added to help with the smell. Mr. Geide addressed questions from the Commission, addressed concerns brought forward by the opponents, and noted that the plans were done by A1 Development Solutions.

Commissioners Barth and Karsky spoke in support of the CUP noting that the land is zoned for agriculture and a CAFO is an agricultural use. Commissioner Beninga spoke in support of the CUP and noted that the CAFO meets the County ordinance requirements. In response to a question from Commissioner Bender, Mr. Hoekman stated that the conditions of the CUP did not include a shelter belt, and spoke on the Commission's authority to create a

02/19/2019

new condition. Commissioner Karsky spoke against adding a condition for a shelter belt. Mr. Geide stated he is open to planting trees on the west side of the proposed CAFO, but would prefer to keep other areas open to allow for disbursement of the smell. MOTION by Barth, seconded by Beninga, to uphold the Planning Commission's decision to approve CUP #19-05 with the following conditions: 1) The facility shall be limited to swine confinement of 960 animal units in size. 2) The land must be platted as a separate property prior to the issuance of a building permit. As a separate property a separate address and address sign must be obtained. 3) The facility shall conform to the submitted site plans. Any minor changes, such as the shape of the building, may be approved by the Planning Director at the Minnehaha County Planning Department. Major changes will require an amendment to this permit and a public hearing. 4) A surveyor or engineer must confirm that the placement of the barn will meet the minimum separation requirements from the nearest church or residence. 5) The manure containment facility must be in conformance with South Dakota Department of Environment and Natural Resources design standards for any newly constructed waste containment facility. A registered professional engineer shall certify the plan specifications and the construction of the facility. 6) The proposed barn shall have engineer certified drawings that shall be submitted for review by the Building Inspector prior to the issuance of a building permit. 7) A building permit is required for all structures prior to construction. 8) The CAFO shall comply with all applicable regulations of the County Zoning Ordinance. 9) The Planning & Zoning Department reserves the right to enter and inspect the CAFO at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and Minnehaha County Zoning Ordinance. By roll call vote: 4 ayes.

BRIEFING

Jessica Wells, LifeScape Foundation President, gave a briefing on LifeScape's history, who they serve, their programs, and their services.

Holly Rader, Sioux Falls Area Chamber of Commerce Agri-Business Division Manager, gave a briefing on the Agri-Business Division's the Sioux Empire Livestock Show, the Ag Appreciation Day event, and the National Farmer's Day at the Barn event.

Commissioner Beninga left the meeting.

SURPLUS

Upon the request of Bill Hoskins, Museum Director, MOTION by Barth, seconded by Karsky, to declare one 2004 HP Design Jet Printer SG29K1402K, Asset #0288, as surplus for the purpose of trade in for disposal. By roll call vote: 3 ayes.

LEGISLATIVE UPDATE

Carol Muller, Commission Administrative Officer, gave an update and status report of the 2019 Legislative Session on bills that impact Minnehaha County.

Commissioner Beninga returned to the meeting at 10:26 a.m.

LIAISON REPORTS

Commissioner Karsky reported on attending the City of Sioux Falls City Council Informational Meeting on February 12, 2019, where a contract for consultation services regarding the triage center project was approved. The City is not the owner of the project, but is a vehicle for the funding.

Commissioner Barth reported on a Museum Board Meeting last week where maintenance concerns were discovered after many artifacts were moved.

02/19/2019

MOTION by Barth, seconded by Karsky, to recess the Minnehaha County Commission Meeting at 10:30 a.m. 4 ayes.

MOTION by Barth, seconded by Karsky, to reconvene the Minnehaha County Commission Meeting at 10:39 a.m. 4 ayes.

MOTION by Barth, seconded by Beninga, to enter into Executive Session pursuant to SDCL 1-25-2 (1) and (3). 4 ayes.

MOTION by Karsky, seconded by Beninga, to adjourn. 4 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, February 26, 2019.

APPROVED BY THE COMMISSION:

Jean Bender

Chair

ATTEST:

Olivia Larson

Deputy Auditor