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THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. July 9, 2019, pursuant to adjournment on July 2, 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 Karsky, seconded by Barth, to approve the agenda. 5 ayes.

#### MINUTES APPROVAL

MOTION by Barth, seconded by Heiberger, to approve the July 2, 2019, Commission Minutes. 5 ayes.

#### VOUCHERS TO BE PAID

MOTION by Barth, seconded by Beninga, to approve the following bills totaling \$1,311,511.23. 5 ayes.

A&B Business	Maint Contracts	126.02
A&B Business	Office Equip Repair	79.34
Airgas USA	Gas Oil & Diesel	120.96
Airgas USA	Small Tools & Shop Sup	47.09
Airway Svc	Automotive/Small Equip	126.97
Airway Svc	Gas Oil & Diesel	121.32
All Nations Interp	Interpreters	2,351.25
Alsobrook, Danny D	Truck Repairs & Maint	180.00
Am Capital Group	Welfare Rent	250.00
Anderson, Jennifer	Bd Evals (Minnehaha)	1,575.00
Angel, Edward P	Attorney Fees	133.00
Automatic Bldg	Coliseum Maint	140.82
Avera McKennan	Hospitals	1,406.00
Avera McKennan	Other Medical Svcs	103.63
Axis Forensic Toxicol	Lab Costs	365.00
Barnett Lewis Funeral	Burials	2,000.00
Bechtel, David	Welfare Rent	450.00
Bituminous Paving	Contracted Construction	871,127.78
Bradfeldt, Becky	Business Travel	64.26
Brandon Valley Journ	Publishing Fees	969.51
Braun, Mason	Investigators Exp	119.28
Brooks Townhomes	Welfare Rent	500.00
Brown & Williams	Welfare Rent	1,400.00
C & R Supply	Automotive/Small Equip	442.80
CBM Managed Svcs	Board Of Prisoners-Meals	39,062.62
Century Business	Maint Contracts	103.18
Chagolla, Albert	Interpreters	75.00
Childrens Home Soc	Misc Expense	7,426.30
Compass Center	Misc Expense	3,713.14
Constellation	Natural Gas	159.73
Counseling Resources	Attorney Fees	300.00
Crc Prop /Syc Oak/Ba	Welfare Rent	400.00
Creekstone Falls	Welfare Rent	500.00
Dakota Fluid Power	Truck Repairs & Maint	65.32
Dakota Riggers & Too	Small Tools & Shop Sup	135.62
Dalsin	Juvenile Detention Ctr	532.50
Dalsin	Repair/Renovations	3,966.00
Dalsin	VOA Dakotas	529.25
David Pyn	Sign Deposits	50.00
Deans Distributing	Gas Oil & Diesel	222.30
Deans Distributing	Parts Inventory	143.50
Dennis Brunsting	Sign Deposits	50.00
Donahoe Law	Attorney Fees	427.50
Family Visitation	Misc Expense	7,426.30
First Step Counselin	Attorney Fees	200.00
Gary Cones Amoco B/P	Transportation	89.72
George, Aaron	Welfare Rent	500.00

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Geotek Engineering	Contracted Construction	2,913.75
Gjertson, Dean	Welfare Rent	400.00
Golden West	Telephone	182.07
Goodin Company	Small Tools & Shop Sup	400.00
Grainger	Jail Repairs & Maint	20.78
Grainger	Motor/Machine/Equip Repair	64.90
Grainger	Small Tools & Shop Sup	99.14
Graybar Electric	Electrical Repairs & Maint	6,480.00
Griesse, Chris	Road Maint & Material	5,186.65
Gunner, Andrea	Attorney Fees	45.60
HyVee	Pharmacies	71.32
Institutions Svc	Jail Repairs & Maint	363.97
Interstate Office	Office Sup	121.78
Iret Properties	Welfare Rent	340.00
Janet C Olson	Attorney Fees	404.85
Jastram, Mark	Investigators Exp	28.14
Jefferson Partners L	Transportation	804.00
Johnston, Rebecca	Welfare Rent	1,350.00
Kauffman, David W Ph	Psych Evals	3,352.50
Kolbeck Law	Attorney Fees	655.00
Kull, Lisa	Court Reporters	1,527.60
Lamar Companies	HIDTA Grant	1,400.00
Laughlin Law	Child Defense Attorney	795.60
Ledd Properties	Motels	75.00
Menard	Bldg/Yard Repair & Maint	299.98
Menard	Park & Recreation Material	32.94
Microfilm Imaging	Furniture & Office Equip	165.00
Microfilm Imaging	Lease-Rental Agreement	405.00
Midamerican Energy	Welfare Utilities	289.00
Midcontinent Com	Amounts Held For Others	155.00
Midwest Alarm	Outside Repair	405.12
Minnehaha Community	Tea-Ellis Range	30.00
Minnehaha Community	Water - Sewer	30.00
Mosena, Daniel L	Welfare Rent	500.00
Myers & Billion	Attorney Fees	3,318.10
Napa Auto Parts	Parts Inventory	594.76
Novak	Trash Removal	2,640.01
One Sky	Automotive/Small Equip	177.96
Peoplefacts	Recruitment	80.19
Performance Press	Printing/Forms	96.00
Pirrung, Sheila M	Welfare Rent	500.00
Prahm Construction	Contracted Construction	174,430.50
Prestox	Outside Repair	226.00
Property Records	Memberships	230.00
Qualified Presort	Postage	8,190.59
Red Oak Properties	Welfare Rent	500.00
Redwood Estates	Welfare Rent	700.00
Ryan Duffy Law	Attorney Fees	3,438.10
Ryan Duffy Law	Child Defense Attorney	387.00
Sanford Clinic	Misc Expense	46.25
SD Veterans Svc	Memberships	100.00
SDN Communications	Data Communications	588.30
SDN Communications	Telephone	1,441.60
Simonet, Loretta	Program Activities	200.00
Sioux Falls City	Lease-Rental Agreement	36,330.40
Sioux Falls City	Welfare Utilities	99.91
Sioux Falls Ford	Trucks/Tractors/Trailers	65,742.00
Sioux Valley Energy	Electricity	342.41
Sioux Valley Energy	Road Maint & Material	139.63
Sioux Valley Energy	Tea-Ellis Range	83.14
Southeastern Elec	Welfare Utilities	229.00
State of SD	Amts Held-Daily Scram	2,752.00
State of SD	Amts Held-Remote Breath	765.00
State of SD	Bulletin Board Svc	141.17
State of SD	Fingerprint/Tax	243.37

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State of SD	GIS Revenue	0.12
State of SD	Misc Revenue	109.55
State of SD	Misc Expense	16.00
State of SD	Mug Shots	0.98
State Steel of SD	Truck Repairs & Maint	40.32
Strange Farrell John	Attorney Fees	451.30
Strange Farrell John	Child Defense Attorney	6,822.50
Streichers	Uniform Allowance	2,275.00
Tammen Auto & Tire	Automotive/Small Equip	187.16
Tammen Auto & Tire	Gas Oil & Diesel	43.03
The Experience Rent	Welfare Rent	500.00
The Lodge At Deadwood	Business Travel	810.00
Tiede, Pamela	Bd Exp Fees (Minnehaha)	232.00
Timberland Village	Welfare Rent	600.00
Tractor Supply	Truck Repairs & Maint	54.99
Triangle Properties	Welfare Rent	700.00
Tristate Garage Door	Jail Repairs & Maint	478.60
Tschetter & Adams	Attorney Fees	1,071.55
Two Way Solutions	Investigators Exp	779.34
Tzadik	Welfare Rent	200.00
Vash Properties	Welfare Rent	500.00
Vern Eide Motorcars	HIDTA Grant	590.00
Wall Lake Sanitary	Water - Sewer	70.00
Walton, Marcus	Attorney Fees	1,579.20
Wilka & Welter	Child Defense Attorney	5,616.88
Winter	Bridge Repair & Maint	272.25
Xcel Energy	Electricity	1,605.70
Xcel Energy	Welfare Utilities	1,428.67
Yankton County	Return Of Svc	50.00

## REPORTS

The Mobile Crisis Team Annual Statistics Report through June 2019 was received and placed on file in the Auditor's Office.

## PERSONNEL

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

### New Hires

1. Jason Meadowcroft, Juvenile Correctional Officer I for the Juvenile Detention Center, at \$18.44/hour (12/2) effective 7/13/19.
2. Danielle Bilbo, Juvenile Correctional Officer I for the Juvenile Detention Center, at \$18.44/hour (12/2) effective 7/10/19.
3. Michael Peterson, Road Maintenance Team Member for the Highway, at \$17.98/hour (12/1) effective 7/10/19.
4. Michael Wittrock, Air Guard Security Officer I for Air Guard, at \$17.98/hour (12/1) effective 7/16/19.

### Promotions

1. Derek Thomas, Air Guard Security Officer I to Air Guard Security Officer II for Air Guard, at \$18.90/hour (13/1) effective 3/9/19.
2. Tony Andress, Correctional Systems Operator for the Jail to Administrative Secretary for the Sheriff's Office, at \$18.90/hour (10/7) effective 6/29/19.

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3. Kurt Schaunaman, Sergeant to Lieutenant for the Jail, at \$2,603.20/biweekly (22/1) effective 7/13/19.
4. Christopher Butcher, Corporal to Sergeant for the Jail, at \$34.19/hour (20/11) effective 7/13/19.
5. Tyson Anderson, Corporal to Sergeant for the Jail, at \$28.06/hour (20/3) effective 6/29/19.
6. Ashlie Knecht, Correctional Officer to Corporal for the Jail, at \$23.02/hour (17/1) effective 7/13/19.
7. Mark Hodges and Audie Murphy, Deputy State's Attorneys to Senior Deputy State's Attorneys for the State's Attorney's Office, at \$2,735.20/biweekly (22/3) effective 6/3/19.

#### Step Increases

1. Deborah O'Donnell, Administrative Clerk for Human Services, at \$20.86/hour (9/13) effective 7/6/19.
2. Myles Peterson, Road Maintenance Team Member for the Highway, at \$20.86/hour (12/7) effective 7/9/19.
3. Thomas Hensley, Chief Criminal Deputy State's Attorney for the State's Attorney's Office, at \$4,706.40/biweekly (25/13) effective 5/29/19.
4. Carrie Mees-Burt, Senior Trial Attorney for the State's Attorney's Office, at \$3,768.80/biweekly (23/12) effective 6/14/19.
5. Nichole Steiger, Senior Property Technician for Equalization, at \$18.44/hour (12/2) effective 7/5/19.

#### ABATEMENT

Upon the recommendation of Chris Lilla, Director of Equalization, MOTION by Beninga, seconded by Barth, to approve the following abatements representing a razed home for Hurd BV LLC, Parcel ID 15136: 2017 property taxes in the amount of \$819.62 and 2018 property taxes in the amount of \$1,456.62. By roll call vote: 5 ayes.

Upon the recommendation of Chris Lilla, Director of Equalization, MOTION by Barth, seconded by Beninga, to approve the following abatements representing a qualifying spouse for the disabled veterans tax exemption under SDCL 10-4-40: Parcel ID 39857, 2017 property taxes in the amount of \$1,521.18; Parcel ID 39857, 2018 property taxes in the amount of \$1,508.00; and Parcel ID 88394, 2018 property taxes in the amount of \$1,702.34. By roll call vote: 5 ayes.

Chris Lilla, Director of Equalization, recommended the denial of an abatement for Parcel ID 90846, 2018 property taxes, in the amount of \$995.50. The property was assessed on November 1, 2017, as Parcel ID 61120. On November 7, 2017, Parcel ID 61120 was platted into three smaller parcels including Parcel ID 90846. Brant Etrheim purchased Parcel ID 90846 on December 4, 2017. The 2018 tax year began on January 1, 2018, for 2018 taxes payable in 2019. Brant Etrheim, 509 Sarah C St, Garretson, spoke on his request for an abatement of 2018 property taxes payable in 2019 and was available to answer questions from the Commission. Mr. Etrheim stated that he did live on the property in 2018. Additionally, Mr. Etrheim stated he did not receive an assessment, and he should not have received the tax bill. Due to not having owned the house on the date of assessment in November of 2017, Mr. Etrheim believed he should not be responsible for the taxes. Margaret Gillespie, Senior Deputy State's Attorney, spoke on the following: the applicant's request, state law regarding splitting property, property taxes being a lien on real property, and who may or may not be responsible to pay taxes due and owing. MOTION by Barth, seconded by Karsky, to deny the abatement for Brant Etrheim, Parcel ID 90846, 2018 Property Taxes in the amount of \$995.50. By roll call vote: 5 ayes.

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NOTICE

Upon the request of Olivia Larson, Deputy Auditor, MOTION by Karsky, seconded by Heiberger, to authorize the Auditor to publish a Notice of Hearing for July 30, 2019, for a Retail On-Off Sale Malt Beverage and South Dakota Farm Wine License submitted by the Izaak Walton League of America, Sioux Falls Chapter. 5 ayes.

LIEN COMPROMISE

Melinda Storley, Commission Assistant, gave a briefing on an application for a compromise of lien for DPNO 41076 in the amount of \$2,424.35. Attorney James Simko submitted a request for a compromise of lien, only as it applies to the real property, for his clients, Leroy and Sharon Vockrodt, who own the real property located at 814 S Jessica Avenue, Sioux Falls. The Vockrodt's entered into a Contract for Deed with the lienee on June 22, 2009. The lienee has defaulted on the contract and has failed to pay property taxes. A Complaint for Foreclosure of Real Estate is pending filing with the Second Judicial Circuit Court. Poor Relief, Court Appointed Attorney, and Public Defender services were provided to the lienee between March 1999 and January 2003. The lien attached to the real property when the contract was recorded. MOTION by Barth, seconded by Heiberger, to approve Resolution MC19-19. By roll call vote: 5 ayes.

RESOLUTION MC19-19

WHEREAS, a County Aid Lien in the amount of \$2,424.35, purports to exist in favor of Minnehaha County and against DPNO 41076 as Lienee, and

WHEREAS, Attorney James Simko of Cadwell Sanford Deibert & Garry LLP, representing, Leroy & Sharon Vockrodt, the real property owners of property located at 814 S. Jessica Avenue, Sioux Falls, 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:

- 1) Release the following real property from DPNO 41076:

Legal Description: Lot 19 in Block 2 of Prospect Park Addition to the City Of Sioux Falls in part of the West Half of the Northeast Quarter (W1/2 NE1/4) and the East Half of the Northwest Quarter (E1/2 NW1/4) of Section 22, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, South Dakota, according to the plat thereof.

Street Address: 814 S. Jessica Avenue, Sioux Falls

- 2) Leave the full amount of \$2,424.35 on DPNO 41076 in the name of the lienee.

Dated at Sioux Falls, South Dakota, this 9<sup>th</sup> day of July, 2019.

APPROVED BY THE COMMISSION:

Jean Bender

Chair

ATTEST:

Olivia Larson

Deputy Auditor

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Melinda Storley, Commission Assistant, gave a briefing on an application for a compromise of lien for DPNO 42597, DPNO 50416, and DPNO 87060 with a combined balance of \$4,682.62. Public Defender, Court Appointed Attorney, Public Advocate, and Poor Relief services were provided to the applicant and her spouse, between January 2000 and February 2018. Partial payments totaling \$912.00 have been made on DPNO 42597. The applicant and her spouse are in the process of purchasing a home with an expected close date of July 12, 2019. Total assets in the amount of \$11,393.00 and liabilities in the amount of \$6,000.00 were reported by the applicant. The applicant and her spouse went through bankruptcy proceedings in 2016. The compromise request is to release the liens in full upon payment of \$2,000.00. The applicant was present, spoke on her request, and was available to answer questions from the Commission. MOTION by Karsky, seconded by Heiberger, to approve Resolution MC19-20. By roll call vote: 5 ayes.

#### RESOLUTION MC19-20

WHEREAS, a County Aid Liens in the amounts of \$1,093.20, \$2,403.02, and \$1,186.40 purport to exist in favor of Minnehaha County and against DPNO 87060, DPNO 42597, and DPNO 50416 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:

- 1) Compromise and release lien DPNO 42597 in full upon payment of \$1,000.00.
- 2) Compromise and release lien DPNO 87060 in full with no payment.
- 3) Compromise and release lien DPNO 50416 in full with no payment.

Dated at Sioux Falls, South Dakota, this 9<sup>th</sup> day of July, 2019.

#### APPROVED BY THE COMMISSION:

Jean Bender

Chair

ATTEST:

Olivia Larson

Deputy Auditor

#### PUBLIC COMMENT

Jim Rieff, 5904 N Swanson Drive, Sioux Falls, voiced his concerns with and provided examples of his neighbors' dangerous and loud behavior. Mr. Reeve encouraged the Commission to consider adopting a noise ordinance to help citizens living in rural residential neighborhoods.

#### SURPLUS

Carol Muller, Commission Administrative Officer, requested the surplus of a building located on the W.H. Lyon Fairgrounds referred to as the red shed. Due to the deterioration of the building, the red shed is not safe for continued use. The Split Rock Fire Department would like to do a controlled burn/training exercise utilizing the red shed. MOTION by Barth, seconded by Karsky, to surplus one building, referred to as the red shed and located on the W.H. Lyon Fairgrounds, for the purposes of destruction. 5 ayes.

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LIAISON REPORT

Commissioner Karsky reported that the Lincoln County and Minnehaha County Economic Development Association provides a detailed metropolitan statistical area report on their website.

NEW BUSINESS

Commissioner Barth suggested the County consider looking into a noise ordinance specific to rural residential neighborhoods. Commissioner Karsky reported on recently being contacted by a citizen who made comments regarding Minnehaha County not having engine braking noise signs like many other parts of South Dakota.

OLD BUSINESS

Commissioner Barth commented on strengthening the County's infrastructure to withstand more natural disasters and noted that California is discussing updating their infrastructure after the recent earthquakes.

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

The Commission adjourned until 9:00 a.m. on Tuesday, July 16, 2019.

APPROVED BY THE COMMISSION:

Jean Bender  
Chair

ATTEST:

Olivia Larson  
Deputy Auditor