

2/04/2014

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. February 4, 2014 pursuant to adjournment on January 28, 2014. Commissioners present were: Barth, Heiberger, Kelly, and Pekas. Beninga was absent. Also present were Cindy Jepsen, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

Chairman Heiberger called the meeting to order.

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

MOTION by Pekas, seconded by Barth, to approve the January 28, 2014 Commission Minutes and January 28, 2014 Joint Minutes. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Pekas, to approve the following bills totaling \$408,364.14. 4 ayes.

A & B Business Equip	Lease-Rental	227.28	American Specialty I	Hazard Insura	13,777.56
Anesthesiology Assoc	Physicians	272.00	Apex Psychology Pc	Other Profess	350.00
Appera / Dudley Lau	Lease-Rental	32.64	Arena Motel	Motels	199.00
Automatic Building C	Other Profes	408.00	Avera Health Informa	Clinics - Aux	22.50
Avera McKennan Hospi	Hospitals	26,028.78	Avera McKennan Hospi	Physicians	108.97
Avera Medical Group-	Depositions	221.77	Avera Radiology	Other Profess	170.08
Axtell Investors Llc	Welfare Rent	475.00	Balancing Profession	Fairgrounds	4,750.01
Bierschbach Equipmen	Automotive/S	212.00	Billion's	Gas,Oil,Diese	38.52
Bourne, Anna	Bd Evaluation	960.00	Boyer Trucks Sioux F	Truck Repair	88.08
Brosz Engineering In	Architects &	1,737.50	BSC Holding Inc	Road Material	4,811.75
Bureau Of Informatio	Telephone	133.00	Butler Machinery Com	Heavy Eq. Rep	243.80
Butler Machinery Com	Truck Repair/	627.44	C & J Inc Db	Trash Removal	185.00
C & R Supply Inc	Automotive/Sm	140.64	C & R Supply Inc	Truck Repair	177.38
Campbell Supply Co I	Automotive/Sm	15.98	Carlson, Lisa	Court Reporte	85.60
Carroll Institute	IVC Housing	19,095.42	CBM Managed Services	Board Of Pris	9,201.36
Center For Family Me	Physicians	150.61	Century Business Pro	Maintenance C	534.45
Christopherson, Ande	Attorney Fees	3,022.50	City Centre Hotel Co	2012 HLS Grant	150.00
City Glass & Glazing	Building Repa	383.37	City Glass & Glazing	Correction Ct	502.96
Cliff Avenue Auto Pa	Automotive/Sm	48.72	Climate Systems, Inc	VOA - Dakotas	1,893.14
CM Information Spec/	Clinics - Aux	89.53	Cole Papers, Inc.	HHS Custodial	157.22
Cole Papers, Inc.	Janitorial/Ch	294.81	Constellation New En	Natural Gas	8,094.81
Construction Product	Automotive/Sm	25.00	Construction Product	Small Equipme	3,800.00
Counseling Resources	Attorney Fees	1,525.00	Crescent Electric Su	Electrical Re	223.14
Cummins Central Powe	Electrical Re	93.56	Dakota News Inc	Store Invento	434.03
Dakotaland Autoglass	Automotive/Sm	333.13	Deboer Law Office Pc	Attorney Fees	261.00
Decastro Law Office,	Attorney Fees	404.70	Deer Hollow Ltd Ptnr	Welfare Rent	500.00
Deluxe Small Busi Sl	Store Invento	118.85	Dematteo, Lyndsey	Business Trav	57.35
Denevan, James	Welfare Rent	250.00	Dennis, Michael	Other Profess	5,702.18
Dialnet/Ahrens Telec	Electrical Re	45.00	Electric Supply Co.,	Electrical Re	444.07
Erpenbach, John E	Recruitment	225.00	Etek Llc Db	Welfare Rent	1,300.00
Fastenal Company	Truck Repair	50.65	Fleetpride / Holt, I	Truck Repair	905.74
Force America Inc/Va	Truck Repair	28.33	Frantzen, Paige	Depositions	188.60
G & G Mfg. & Souveni	Store Invento	235.87	G & R Controls Inc	Building Repa	420.00
G&W, Inc Db	Transportatio	97.97	Garretson 7 Plex Llc	Welfare Rent	625.00
George Boom Funeral	Burials	1,000.00	Grainger, Inc.	Small Tools,	1,025.10
Guzman, Sandra V.	Interpreters	200.00	HDR Engineering Inc	Architects &	1,461.40
Heartland Paper Comp	Kitchen/Clean	1,297.58	Hellvig, Travis	Education & T	100.00
Henke Mfg Corp/Alamo	Truck Repair	299.30	Holiday Credit Offic	Gas,Oil,Diese	21.96
Home Federal Savings	Welfare Rent	1,200.00	Hy-Vee Accounts Rece	Pharmacies	549.43
I State Truck Center	Truck Repair	447.10	Infrastructure Desig	Architects &	34,082.50
Institutions Service	Jail Repairs	2,689.10	Interstate Office Pr	Office Suppli	392.28
Intoximeters, Inc.	Testing Suppl	4,000.00	ISI Llc	Interpreters	340.00
J.D.'S House Of Trop	Office Suppli	15.00	JCL Solutions-Janito	HHS Custodial	962.96
JCL Solutions-Janito	Janitorial/Ch	5,582.76	Johnson, Connie R	Welfare Rent	300.00

2/04/2014

Johnson, Richard L	Attorney Fees	765.00	Khorooosi, Sam	Attorney Fees	1,110.90
Kmart Pharmacy	Pharmacies	26.35	Knology Inc Dbaw	Telephone	59.15
Kone, Inc.	Maintenance C	795.90	Kone, Inc.	Other Profess	57.16
Kone, Inc.	Outside Repai	9,475.77	Krueger Excavating,	Correction Ct	910.00
Krueger Excavating,	HHS Maintenanc	440.00	Krueger Excavating,	Snow Removal	2,336.25
Kruse, Renae S	Child Defense	4,834.75	Larson, Jeff	Attorney Fees	426.30
Lassegaard, Samuel C	Welfare Rent	511.00	Luther, Jeff	Medical Direc	2,500.00
Madison Square Ptnrs	Welfare Rent	595.00	Mcgrath, Michael J,	Other Profess	2,922.50
Microfilm Imaging Sy	Maintenance C	615.00	MidAmerican Energy C	Natural Gas	7,113.17
MidAmerican Energy C	Welfare Utili	655.95	Midwest Alarm Compan	HHS Maintenanc	196.56
Miller Funeral Home,	Burials	4,500.00	Minn Cnty Human Svcs	Other Supplie	115.91
Minn Cnty Prisoner A	Prisoner/Bond	20.00	Minnesota Crime Prev	School Resour	45.00
Multi-Cultural Cente	Interpreters	2,351.25	Murray Properties, L	Welfare Rent	1,508.00
Narem, Inc	Truck Repair	62.00	Neve's Uniforms	HIDTA- Grant	80.85
New World Systems	Education & T	1,895.00	Nicholson, Tschetter	Attorney Fees	4,360.09
Nielsen Ogdahl, Erin	Attorney Fees	1,450.00	North Central Heart	Physicians	2,897.25
Northeast Investment	Welfare Rent	700.00	Oconnor Company	Heat,Vent & A	123.24
Olson, Waltner & Sch	Attorney Fees	684.90	Olson's Pest Technic	Other Profess	67.75
Option Supply Inc	Fairgrounds	18,778.00	Overhead Door Compan	Building Repa	1,222.81
Palmer, Barbara	Bd Evaluation	562.50	Pollard & Larson Llp	Attorney Fees	176.00
Qualified Presort Se	Postage	32,659.65	Rdo Equipment Co.	Parts Invento	136.00
Record Keepers, Inc.	Other Profess	263.24	Retail Data Systems	Office Suppli	97.00
Richard-Ewing Equipm	Building Repa	75.00	Robinson, Eugene R L	Attorney Fees	1,041.60
Rochester Armored Ca	Armored Car S	379.50	Safe Home Ltd Ptnrsh	Notes Rec (Sf	-1,836.00
Safe Home Ltd Ptnrsh	Other Misc. R	-1,758.09	Safe Home Ltd Ptnrsh	Rent Subsidie	12,271.00
Sam's Club - Members	Office Suppli	37.34	Sam's Club - Members	Other Profess	670.28
Sanford Clinic Finan	Other Miscell	22,806.00	Sanford Hospital - R	Welfare Rent	490.00
Satisfaction Plus In	Motels	600.00	Schmuck, Jan	Bd Exp. Fees	64.00
Scotting, Gregory G	Welfare Rent	1,050.00	SD Dept Of Public Sa	Other Miscell	70.00
SD Dept Of Revenue	Other Miscell	60.00	SD Dept Of Revenue	Truck Repair/	5.00
SDEMTA Dist II	Education & T	3,360.00	Servall Towel & Line	Janitorial/Ch	7.35
Servall Towel & Line	Program Activ	82.69	SF Leased Housing As	Welfare Rent	600.00
SF Specialty Hospita	Recruitment	74.00	Shaykett Appraisal C	Welfare Rent	600.00
Shepherd Reporting L	Court Reporte	195.00	Siegel, Barnett, & S	Child Defense	126.00
Simon, Anthony (OR)	Other Profess	75.00	Sioux Empire Fair As	Other Miscell	12,500.00
Sioux Falls Chamber	Education & T	20.00	Sioux Falls Rubber S	Office Equipm	10.20
Sioux Falls Utilitie	Electricity	564.96	Sioux Falls Utilitie	Welfare Utili	270.53
Sioux River Ltd Ptnr	Welfare Rent	575.00	Sioux Valley Energy	Electricity	280.03
Sioux Valley Energy	Road Maint. &	137.10	Sioux Valley Energy	Tea-Ellis Ran	357.62
Southeastern Electri	Welfare Utili	189.47	Steeplechase Apts Lp	Welfare Rent	600.00
Suminn Inc	Motels	215.00	Szameit, Alexandra	Interpreters	112.49
Terzic, Andja/Said	Welfare Rent	600.00	Thorin, Deyanira T	Interpreters	100.00
Tires,Tires,Tires In	Automotive/Sm	107.43	Tires,Tires,Tires In	Gas,Oil,Diese	92.78
Tractor Supply Co.	Automotive/Sm	39.96	Tri-State Garage Doo	Jail Repairs	70.00
United Parcel Servic	Postage	18.32	Vb Falls Terrace Apt	Welfare Rent	700.00
Volunteers Of Americ	Alternatives	14,987.92	Wal-Mart Pharmacy	Pharmacies	75.46
Wal-Mart Pharmacy	Pharmacies	85.14	Walden Carpets, Inc.	Program Activ	380.00
Walgreen Co.	Pharmacies	29.16	Wali, Khadija M.	Interpreters	50.00
Westport Apts/Westpo	Welfare Rent	600.00	Williamsburg Townhom	Welfare Rent	206.00
WSM Trainers & Consu	Business Trav	150.00	Xcel Energy, Inc.	Electricity	45,341.71
Xcel Energy, Inc.	Welfare Utili	866.47	Yankton County Sheri	Return Of Ser	150.00
Yankton County Treas	Attorney Fees	1,252.75			

PERSONNEL

MOTION by Pekas, seconded by Kelly, to approve the following personnel changes. 4 ayes.

1. To promote Brett Johnson from Caseworker I to Caseworker II (17/6) for Human Services at \$23.48/hour effective 2/3/14.
2. To correct the action listed on the January 21st memo which should have reflected a start date of 2/10/14

2/04/2014

for Darcie Kuemper, Corrections System Operator for the Jail, instead of 1/27/14.

3. To hire Brianna Stanga and Karen McEntee as Corrections System Operators (9/1) for the Jail at \$13.98/hour effective 2/10/14.
4. To begin Hostage Negotiator specialty pay for Marc Wynia, Deputy Sheriff for the Sheriff's Office, effective 2/1/14.

Step Increases Due

1. Michael Tuschen – Road Maintenance Team Leader – Highway – 16/9 to 16/10 – 2/1/14 – \$24.67/hour
2. Joan Hall – Administrative Secretary – Sheriff's Office – 10/6 to 10/7 – 12/27/13 – \$17.03/hour
3. Julie Meyer – Administrative Secretary – Sheriff's Office – 10/13 to 10/14 – 12/21/13 – \$20.25/hour
4. Mary Yu – Administrative Secretary – Sheriff's Office – 10/9 to 10/10 – 12/27/13 – \$18.34/hour
5. Nikki Pederson – Administrative Clerk – Sheriff's Office – 9/6 to 9/7 – 12/27/13 – \$16.21/hour
6. Barbara Larson – Administrative Secretary – Sheriff's Office – 10/13 to 10/14 – 12/21/13 – \$20.25/hour
7. Lorna McDermott – Correctional Officer – Jail – 13/1 to 13/2 – 1/23/14 – \$17.46/hour
8. Patricia Albrecht – Correctional Officer – Jail – 13/15 to 13/16 – 12/27/13 - \$24.67/hour
9. Elliott Crayne – Deputy Sheriff – 24/7 – 16/11 to 16/12 – 1/27/14 - \$25.92/hour

Special Personnel Actions

1. To recognize the following significant employee anniversaries for February 2014: 5 years – Maggie Garry; 10 years – Jason Toering; 20 years – Robbin Ketcham.
2. To record volunteers in County Departments for January 2014. The list is on file at Human Resources.

ABATEMENTS

MOTION by Barth, seconded by Kelly, to approve abatement of 2013 property taxes for ID #16014, \$1,522.39 and ID #11991, \$29.35, representing the Elderly Assessment Freeze. 4 ayes.

NOTICES

A notice was received from the Sioux Empire Safety Village of their intent to conduct a raffle as part of their Cakes & Grapes fundraising event to be held on February 27, 2014 at Vance Thompson Vision, 3101 W. 57th St., Sioux Falls.

PLANNING & ZONING NOTICES

David Heinold, Planner, gave the first reading and requested authorization for the Auditor to publish a notice of hearing to consider Ordinance MC16-132-14, An Ordinance Amending the 1990 Revised Zoning Ordinance for

2/04/2014

Minnehaha County by rezoning property from the A-1 Agricultural District to the I-1 Light Industrial District. The property is legally described as: Tract 2 Benson's Addition, W ½ SW ¼, Section 17, T103N, R50W, Minnehaha County, SD. The petitioner is Rosenbauer South Dakota, LLC. The rezoning proposal meets the policies and objectives of the Comprehensive Plan. The Minnehaha County Planning Commission voted unanimously to approve the petition to rezone on January 27, 2014. MOTION by Barth, seconded by Pekas, to authorize the Auditor to Publish a Notice of Hearing on February 25, 2014 at or after 9:00 a.m. in the Commission Room of the Minnehaha County Administration Building to consider Ordinance MC16-132-14. 4 ayes.

David Heinold, Planner, gave the first reading and requested authorization for the Auditor to publish a notice of hearing to consider Ordinance MC16-133-14, An Ordinance Amending the 1990 Revised Zoning Ordinance for Minnehaha County by rezoning property from the A-1 Agriculture District to the I-1 Light Industrial District. The property is legally described as: SW ¼ NW ¼ (EX H-2), Section 18, T102N, R49W, Minnehaha County, SD. The petitioner is H5 Investments, LLC. The rezoning proposal meets the policies and objectives of the Comprehensive Plan. The Minnehaha County Planning Commission voted unanimously to approve the petition to rezone on January 27, 2014. MOTION by Barth, seconded by Pekas, to authorize the Auditor to Publish a Notice of Hearing on February 25, 2014 at or after 9:00 a.m. in the Commission Room of the Minnehaha County Administration Building to consider Ordinance MC16-133-14. 4 ayes.

LIEN COMPROMISE

Commissioner Pekas gave a briefing on a request for compromise of lien for DPNO 62580 in the amount of \$5,794.69. The lien account was started in 2007 and runs thru December 2013. The lien is for hospitalization bills and representation from the Public Defender and Public Advocate's Office. There has been no payment on the account. The application that was submitted was not notarized, nor did the applicant submit any details on her financial situation. She did state in an email that she is unemployed and has no financial resources. The applicant is disputing the charges and is requesting a compromise of the lien in full with no payment. MOTION by Pekas, seconded by Barth, to approve a compromise and release of the lien upon payment of \$2,897.35. Chairman Heiberger stated that since the application was incomplete and it was not notarized she would not support the motion. VOTE on motion, Kelly, Pekas, Barth, and Heiberger voted nay. MOTION by Kelly, seconded by Pekas to deny the request for compromise of lien for DPNO 62580. 4 ayes.

Commissioner Beninga joined the meeting.

AGREEMENTS

Kristin Trana, Administrative Coordinator, Sheriff's Office, presented an annual agreement to participate in the Federal Equitable Sharing Program. The program allows for participants to receive a share of federally forfeited proceeds that may be used for law enforcement purposes. MOTION by Kelly, seconded by Pekas, to authorize the Chairman to sign the Federal Equitable Sharing Agreement and Certification. 5 ayes.

Pam Nelson, Treasurer, gave a briefing on a corrected agreement with Data Systems, Inc. for hardware and software associated with the replacement of cash registers in the Treasurer's Office. The original agreement did not show the correct allocation of costs associated with the agreement. The corrected agreement reflects the cost of \$24,600 for equipment, initial software and installation, and \$5,000 for repair/maintenance and annual software licensing. The yearly payment schedule attached to the original contract shows the correct monthly payment amount of \$4,933.33 for a period of six years, however there was a correction made to the payment dates. MOTION by Barth, seconded by Pekas, to ratify the County Treasurer's signature on a corrected agreement with Data Systems, Inc. 5 ayes.

Michelle Boyd, Chief Deputy Sheriff, gave a briefing on a one (1) year Electronic Monitoring Services Agreement between BI Incorporated and the Minnehaha County Sheriff's Office. Inmates on the program will be

2/04/2014

subject to job verification and approval, random alcohol and urinalysis testing, job site checks, and overall monitoring of activity. The program will reduce the cost of work release inmates, while freeing up some low-risk housing beds at the Community Corrections Center. Inmates on the electronic monitoring program will pay \$15 per day as well as any costs that may be associated with drug/alcohol testing, etc. The cost to the county is \$5.20 a day per unit for the equipment and monitoring service. Sheriff Mike Milstead spoke on how the program will be a savings to Minnehaha County by reducing the number of low risk offenders at the work release center, and on the possibility of a pre-trial application of the program for low risk offenders in the future. MOTION by Barth, seconded by Beninga, to authorize the Sheriff's Department to enter into an agreement with BI Inc. for Adult Home Detention Electronic Monitoring Services. 5 ayes.

PRECINCT BOUNDARY

Robert Litz, Auditor, gave a briefing on a resolution that would adjust the boundaries of Minnehaha County voting precincts VP-3, VP-5, and VP-15, so they conform to the existing election wards in the City of Brandon. Mr. Litz stated that the Auditor's Office will work with the City of Brandon on notifying voters of the changes. MOTION by Barth, seconded by Beninga, to approve Resolution MC14-07. 5 ayes.

RESOLUTION MC14-07

WHEREAS, the Minnehaha County Commission is charged with the establishment and determination of voting precincts within its boundaries pursuant to SDCL 12-14-1; and,

WHEREAS, it is the sense of the County Commission that it is in the best interest of the voting citizens of the County and its municipalities to adjust the boundaries of County precincts to conform with those within municipalities, when practicable, for the convenience of election administrators and the voting public; and,

WHEREAS, the County Commission believe that it is prudent, practicable, and advantageous for the County voting precincts within the boundaries of the City of Brandon, a political entity in the State of South Dakota, ("the City") to be adjusted to conform with the City's existing election wards, and at the same time assure distribution of the number of voters within its precincts as evenly as practicable; now, therefore be it

RESOLVED by Minnehaha County Commission that its precinct boundaries be adjusted as follows:

A. Precinct VP-3

Precinct VP-3 shall include all of the land within the city limits beginning at the intersection of I-90 and Split Rock Blvd, south on N Splitrock Blvd to the south intersection of N Splitrock Blvd and E Aspen Blvd, west on E Aspen Blvd to the intersection of E Aspen Blvd and S Sioux Blvd to the intersection of S Sioux Blvd and S Splitrock Blvd. Also including Splitrock Township.

B. Precinct VP-5

Precinct VP-5 shall include all of the land within the city limits lying west of the Big Sioux River. Along with the areas in the city limits beginning at the intersection of the Big Sioux River and E Holly Blvd, east on E Holly Blvd to the intersection of E Holly Blvd and Main Ave. South on Main Ave to the intersection of Main Ave and E Aspen Blvd. West on E Aspen Blvd to the intersection of E Aspen Blvd and S Sioux Blvd. South on S Sioux Blvd to the intersection of S Sioux Blvd and S Splitrock Blvd. South on S Splitrock Blvd to the city limit line.

C. Precinct VP-15

Precinct VP-15 shall include all the land within the city limits starting at the intersection of I-90 and N Splitrock Blvd, south on N Splitrock Blvd to the south intersection of S Splitrock Blvd and E Aspen Blvd. West on E Aspen Blvd to the intersection of E Aspen Blvd and Main Ave, north on Main Ave to the

2/04/2014

intersection of Main Ave and E Holly Blvd, west on E Holly Blvd to the intersection of Holly Blvd and the Big Sioux River, following the west city limit line (East of the Big Sioux River), north to the intersection of 481st Ave and Hemlock Blvd.

Approved by the Minnehaha County Commission this 4th day of February, 2014

Cindy Heiberger
Chairman

ATTEST:

Cynthia Jepsen
Deputy Auditor

LEGISLATIVE UPDATE

Robert Wilson, Assistant Commission Administrative Officer, gave an update and status report of the 89th Legislative Session on bills that impact Minnehaha County.

Kyle Helseth, Director of Equalization, spoke on the status of HB 1006 regarding assessment and taxation of agricultural land and also on a west river bill that would change the criteria of agricultural land to include timber.

LIAISON REPORT

Commissioner Kelly reported that the State is in the process of conducting a three year re-certification of the Detox Center.

NEW BUSINESS

Commissioner Kelly reported on the City of Brandon closing out their TIF #1 five years earlier than what was scheduled. Kyle Helseth, Director of Equalization reported that TIF #1 in the City of Brandon is being absorbed by TIF #3. Commissioner Pekas spoke on the financial impact to schools and other subdivisions when a TIF's get ended early.

MOTION by Barth, seconded by Pekas, to go into executive session for personnel, litigation, and legal briefing. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, February 11, 2014.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chairman

ATTEST:

Cynthia Jepsen
Deputy Auditor