

8/12/2014

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. August 12, 2014 pursuant to adjournment on August 5, 2014. Commissioners present were: Barth, Beninga, Heiberger, Kelly, and Pekas. 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. 5 ayes.

MOTION by Beninga, seconded by Barth, to approve the August 5, 2014 Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Beninga, seconded by Pekas, to approve the following bills in the amount of \$481,705.77. 5 ayes.

A&B Business Equip.	Office Equipm	71.31	A&B Concrete Inc	New Bldg. & S	969.39
Amazon.Com	Office Suppli	72.06	Amazon.Com	Program Activ	24.00
Advance Auto Parts	Automotive/Sm	35.99	Airway Service Inc	Automotive/Sm	203.92
Alcohol Monitoring S	Alternatives	523.60	Allied Oil & Tire Co	Automotive/Sm	667.68
Amazon Mktplace Pmts	Data Processi	19.35	Amazon Mktplace Pmts	Office Suppli	213.53
Amazon Mktplace Pmts	Safety & Resc	59.99	Arena Motel	Motels	1,148.00
Armor Correctional H	Contract Serv	32,044.08	Aschmeller, Dan	Welfare Rent	450.00
ATO Systems Llc	Education & T	395.00	Avera Health Event	Education & T	10.00
Avera McKennan Hospi	Hospitals	6,719.18	Avera McKennan Hospi	Physicians	3,212.93
Avera Medical Group-	Physicians	170.80	Avera Radiology	Other Profess	248.57
Bargain Barn Tire Ct	Automotive/Sm	85.00	Boeckholt, Angie	Education & T	100.00
Bourne, Anna	Bd Evaluation	787.50	Boyd, Michelle	Uniform Allow	500.00
Boyer Trucks Sioux F	Truck Repair/	112.49	BP Products North Am	Expenditures	38.00
BP Products North Am	Gas,Oil,Diese	20.10	Bradfield, Matt Db	Maintenance C	70.00
Brandner, Bud (Clare	Welfare Rent	585.00	Brown & Saenger	Office Equipm	23.79
Brown & Saenger	Volunteer Per	80.00	Builders Supply Comp	Building Repa	65.55
Calif Dept Of Motor	Copy Fees	10.00	Cam Spray Ipp	Jail Repairs	485.56
Cambridge Partnershi	Welfare Rent	1,050.00	Campbell Supply Co I	Automotive/Sm	12.00
Campbell Supply Co I	Building Repa	8.78	Campbell Supply Co I	Gas,Oil,Diese	99.98
Campbell Supply Co I	Grounds & Par	18.28	Campbell Supply Co I	Small Tools,	123.32
Campbell Supply Co I	Truck Repair/	4.58	Campbell Supply Co I	Uniform Allow	78.97
Carlton County (MN)	Return Of Ser	80.00	Caseys	Business Trav	42.62
Caseys	Education & T	42.90	Cbcinnovis Inc	Recruitment	60.55
CBM Managed Services	Board Of Pris	10,013.66	CBM Managed Services	Inmate Suppli	747.58
Center For Family Me	Other Profess	150.00	Center For Family Me	Physicians	123.17
Century Business Pro	Office Suppli	413.25	Champs	Uniform Allow	124.99
Charm-Tex Inc	Child Care Un	123.50	Chasing Willows Ltd	Welfare Rent	700.00
Classique Airline Va	Business Trav	157.98	Cleveland Heights Ap	Welfare Rent	1,000.00
Cliff Avenue Auto Pa	Automotive/Sm	4.67	Climate Systems, Inc	VOA - Dakotas	55.46
Cohon, Scott	Welfare Rent	1,150.00	Cole Papers, Inc.	HHS Custodial	48.69
Complete Property Ll	Welfare Rent	450.00	Concrete Materials	Road Maint &	134,675.70
Construction Product	VOA - Dakotas	35.88	Cops Plus, Inc	Other Supplie	84.99
Dakota Alignment & F	Automotive/Sm	52.47	Dakota Contracting C	Contracted Co	33,722.50
Dakota Data Shred	Office Suppli	31.26	Dakota Data Shred	Trash Removal	105.81
Dakota Lettering Etc	Volunteer Per	1,470.60	Dakota Lettering Etc	2011 Citizen	3,431.40
Dakota Splash	Water - Sewer	111.70	Dakota Supply Group,	HHS Maintenanc	335.58
Daves Automotive	Automotive/Sm	758.92	Deans Bulk Svc Inc	Parts Invento	667.35
Delta Air	Business Trav	442.50	Don's Sinclair	Gas,Oil,Diese	64.15
Doubletree Minn Pk P	VOA - Dakotas	146.67	Dropbox	Software	99.00
Duffy, Ryan	Attorney Fees	1,108.70	Eastern Farmers Coop	Education & T	26.59
Eastern Farmers Coop	Gas,Oil,Diese	48.00	Eastgate Towing	Other Profess	94.00
Ebert's Properties,	Co. Welfare	535.00	Ebert's Properties,	Motels	490.00
Eh Hospitality Llc	Motels	535.00	Electric Supply Co.,	Contract Serv	385.80
Erpenbach, John E	Recruitment	800.00	Etc/Expo For Her Mag	Advertising	350.00
Etek Llc Db	Welfare Rent	625.00	Expedia	Education & T	21.00
Famous Footwear	Uniform Allow	149.97	Fastenal Company	Jail Repairs	187.85
Fastenal Company	Truck Repair/	14.98	Fencing Star	Other Supplie	225.55

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Firehouse Subs	Amounts Held	224.95	First Dakota Nationa	2012 HLS Grant	3,331.25
First Gold Hotel	Education & T	2,268.00	Fitts, Rod Db	Welfare Rent	400.00
Fonder, Roger M Db	Automotive/Sm	540.00	Fremont Industries,	Heat,Vent & A	466.72
G & R Controls Inc	Building Repa	117.35	G And H Distributing	Jail Repairs	50.91
Gannett NSSC/Sioux F	Child Care It	53.92	Gannett NSSC/Sioux F	Office Suppli	14.29
Gannett NSSC/Sioux F	Other Profess	376.67	Garnos, William	Real Estate	964.00
Genzlinger, Janeen	Court Reporte	45.60	George, Aaron	Welfare Rent	842.00
Geotek Engineering &	Architects &	320.50	GMIS Internat'l	Maintenance C	150.00
Golden West	Telephone	166.84	Graham Tire Co. - Do	Grounds & Par	150.14
Graham Tire Co. - Do	Truck Repair/	150.14	Grainger, Inc.	Building Repa	91.70
Grainger, Inc.	Construction	65.60	Grainger, Inc.	Electrical Re	20.11
Grainger, Inc.	Jail Repairs	622.55	Graybar Electric Com	Correction Ct	8.80
Graybar Electric Com	Electrical Re	721.68	Graybar Electric Com	HHS Maintenan	150.84
Guzman, Sandra V.	Interpreters	150.00	Hanson, Michael W.	Attorney Fees	461.10
Hanssen, Jana	Welfare Rent	350.00	Harms Oil Company	Gas,Oil,Diese	22,524.75
Harold's Photo Cente	Program Activ	3.99	Hartmann, Alfred E	Welfare Rent	600.00
Heartland Paper Comp	Kitchen/Clean	1,617.78	Heimdal, Marie Ann	Court Reporte	182.40
Heritage Funeral Hom	Burials	2,250.00	Hibu Inc - West	Advertising	910.00
Hoekstra, Denise A.	Court Reporte	1,122.40	Holiday Inn City Cen	Business Trav	166.00
Holiday Stnstore 043	Education & T	44.07	Home Federal Savings	Welfare Rent	1,379.36
Homewood Suites Bloo	Education & T	1,244.43	Horizon Agency Inc	Expenditures	2,392.00
Horn, Garrett	Attorney Fees	206.10	Howalt-McDowell Insu	Notary Exp	100.00
Hurtgen, Timothy T/P	Welfare Rent	500.00	Hy-Vee Accounts Rece	Amounts Held	54.00
Hy-Vee Accounts Rece	Business Trav	34.58	Hy-Vee Accounts Rece	Education & T	35.27
Hy-Vee Accounts Rece	Other Profess	40.44	Hy-Vee Accounts Rece	Other Supplie	19.77
Hyatt Place Minneapo	Business Trav	301.62	I State Truck Center	Parts Invento	180.35
IA Public Def Traini	Business Trav	192.00	Institutions Service	Jail Repairs	187.26
Int'l Assn Of Assess	Education & T	500.00	Interstate All Batte	Data Processi	298.00
Interstate Office Pr	Office Equipm	22.99	Interstate Office Pr	Office Suppli	812.39
Interstate Office Pr	Other Supplie	107.73	Interstate Office Pr	Publishing Fe	27.98
Iosty, James	Bd Exp. Fees	4,248.00	Iosty, James	Crisis Interv	36.00
Iosty, James	Dev Disabili	126.00	J.C. Penney Company,	Uniform Allow	197.52
Jack's Sinclair	Education & T	66.34	Jaros, Pete	Investigators	99.90
JCL Solutions-Janito	Janitorial/Ch	113.05	JCL Solutions-Janito	Kitchen/Clean	206.76
JH Larson Company	Building Repa	65.20	Jim & Ron's Service	Other Profess	490.00
Johnson, Eric	Welfare Rent	600.00	Johnson, Katie Pllc	Attorney Fees	158.75
Johnstone Supply	HHS Maintenan	268.50	Johnstone Supply	Small Tools,	61.70
Kennedy, Renee S	Court Reporte	152.00	Kmart	Office Suppli	72.92
Kmart	Uniform Allow	25.37	Kohl's Department St	Uniform Allow	49.10
Koletzky, Sherlyn	Attorney Fees	179.40	Krueger, Travis	Education & T	174.64
Kum & Go	Business Trav	23.87	Lafayette Instrument	Other Supplie	123.50
Larson, Jeff	Attorney Fees	321.90	Lewis Drug Stores	Small Tools,	29.70
Lexjet	Exhibit Mater	80.00	Limoges, Staci	Program Activ	67.00
Live Well Props Llc/	Welfare Rent	1,150.00	Loving, Philip	Bd Evaluation	1,775.00
Lowes	Program Activ	57.91	Lowes Credit Service	Building Repa	44.59
Mac's, Inc.	Jail Repairs	17.00	Mailway Printers	Museum Report	822.67
Malloy Electric Bear	Coliseum Repa	12.20	Malloy Electric Bear	Gas,Oil,Diese	48.06
Malloy Electric Bear	Heat,Vent & A	164.21	Malloy Electric Bear	Jail Repairs	138.50
Marathon Petro	Education & T	45.49	Marriott Monte	Business Trav	-358.06
Matheson Tri-Gas Inc	Lease-Rental	22.32	Matheson Tri-Gas Inc	Plumbing & We	32.51
Maxwell Food Equipme	Child Care Fo	49.39	Maxwell Food Equipme	Other Supplie	461.81
Megaglass-Landofmarb	Program Activ	15.39	Menards - East	Building Repa	218.22
Menards - East	Correction Ct	9.99	Menards - East	Park/Recreati	59.91
Menards - West	Automotive/Sm	5.57	Menards - West	Grounds & Par	13.96
Menards - West	Small Tools,	97.71	Metro Communications	Attorney Fees	30.00
Metro Communications	Other Profess	30.00	MidAmerican Energy C	Welfare Utili	685.93
Mikelson, Gary E	Attorney Fees	876.94	Minneapolis Parking	Business Trav	17.00
Minnehaha Community	Park/Recreati	25.00	Minnehaha Community	Tea-Ellis Ran	25.00
Mobile Electronic Se	Communication	2,922.98	Monick Pipe & Supply	Correction Ct	96.00
Monick Pipe & Supply	Grounds & Par	106.85	Monick Pipe & Supply	Plumbing & We	131.52
Monick Pipe & Supply	Plumbing & We	716.17	Moorhead Food Mart	Gas,Oil,Diese	37.00
Murray Properties, L	Welfare Rent	485.00	Newegg.Com Inc	Data Processi	526.95
Nicholson, Tschetter	Attorney Fees	1,867.53	Nordstroms Auto Recy	Automotive/Sm	109.00
North American Truck	Automotive/Sm	132.27	North Ridge Apartmen	Welfare Rent	500.00
Northern Truck Equip	Automotive/Sm	129.51	Nubury Llc	Welfare Rent	310.00

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Nursery Wholesalers	Grounds & Par	247.30	Nyberg's Ace Hardwar	Building Repa	91.87
Nyberg's Ace Hardwar	Electrical Re	10.99	Nyberg's Ace Hardwar	Grounds & Par	3.45
Nyberg's Ace Hardwar	Office Suppli	12.70	Nyberg's Ace Hardwar	Other Supplie	39.47
Nyberg's Ace Hardwar	Park/Recreati	15.27	Nyberg's Ace Hardwar	Program Activ	79.98
Office Depot, Inc.	Data Processi	162.95	Office Depot, Inc.	Furniture & O	135.63
Office Depot, Inc.	Office Suppli	886.67	Officemax	Heat,Vent & A	74.99
Officemax	Office Suppli	82.17	Omnicare	Clinics - Aux	75.53
Papa John's	Other Miscell	59.55	PCS Mbl/Portable Com	New World Cos	778.80
PCS Mbl/Portable Com	Other Profess	2,725.80	Pecaut, Jon Db	Welfare Rent	500.00
Peters, Scott N Pc	Bd Exp. Fees	2,079.00	Peters, Scott N Pc	Crisis Interv	81.00
Peters, Scott N Pc	Dev Disabili	63.00	Phoenix Supply Llc	Child Care Un	1,304.12
Pierre Parkside Deve	Business Trav	332.00	Pierre Parkside Deve	Education & T	166.00
Prahm Construction I	Contracted Co	61,207.50	Precision Dynamics C	Inmate Suppli	1,020.00
Presto-X-Company	Outside Repai	270.40	Proval Intl Users Co	Education & T	495.00
Qt 587	Gas,Oil,Diese	92.80	Qualified Presort Se	Kitchen/Clean	6.90
Qualified Presort Se	Postage	3,969.31	Quill Corp.	Office Suppli	672.82
R & L Supply, Ltd	Correction Ct	255.24	R & L Supply, Ltd	Heat,Vent & A	41.87
R J Ries Vallet Clea	Other Profess	59.18	Radisson Hotels Blmg	Education & T	243.30
Ramsey Partners I	Welfare Rent	600.00	Reardon, Thomas J Db	Education & T	2,000.00
Red Rock Inn	Business Trav	54.00	Redi Towing Inc	Other Profess	102.50
Redwood Court Ltd Pt	Welfare Rent	600.00	Rehntals Llc	Welfare Rent	525.00
Rensberger, Ron	Welfare Rent	500.00	Residence Inn	Business Trav	1,395.48
Robsons Inc Db	Other Supplie	47.96	Robsons Inc Db	Plumbing & We	17.98
Rochester Armored Ca	Armored Car S	379.50	Rudolphs Shoes	Uniform Allow	219.98
Rypkema, Diane	Education & T	100.00	Sanford Health Plan	Expenditures	2,472.82
Sanford Hospital	Hospitals	13,202.60	Schuneman Equip Co	Automotive/Sm	898.14
Scotty's Automotive	Automotive/Sm	694.13	SD Attorney General	Amts Held-Dai	6,840.00
SD Dept Of Human Svc	Other Profess	79.40	SD Dept Of Public Sa	2012 HLS Grant	225.00
SD Div Of Criminal I	Professional	129.75	SD Planners Associat	Memberships	25.00
SD Secretary Of Stat	Notary Exp	60.00	SDES (SD Engineering	Memberships	245.42
SDN Communications	Data Communic	331.50	SDN Communications	Telephone	688.50
SDRA	Education & T	340.00	Security Labs, Ltd	Maintenance C	325.00
Sfi*Photosbyshutterf	Program Activ	74.47	Sheehan Mack Sales &	Truck Repair/	322.71
Shell Oil	Gas,Oil,Diese	140.03	Shepherd Reporting L	Court Reporte	225.00
Sheraton Ft Worth	Business Trav	583.05	Shi International Co	Data Processi	6,967.90
Signs Plus Graphics	Vehicle Equip	425.00	Simon, Anthony (OR)	Other Profess	75.00
Sioux Empire FCU	Program Activ	146.37	Sioux Falls Airport	Business Trav	8.00
Sioux Falls Chamber	Education & T	40.00	Sioux Falls Chamber	Travel - Heib	25.00
Sioux Falls Utilitie	Welfare Utili	139.40	Sisson Printing, Inc	Other Miscell	160.00
Southeastern Behavio	Crisis Interv	8,733.57	Stan Houston Equipme	Bridge Repair	768.75
Stangeland, Lori	Education & T	100.00	Staples	Office Suppli	236.82
State Steel Of SD	Building Repa	258.89	Sunshine Foods	Welfare Food	444.57
Szameit, Alexandra	Interpreters	425.00	Taylor, Michele	Other Misc. R	500.00
Thomson Reuters - We	Legal Researc	1,671.75	Timberland Village A	Welfare Rent	500.00
Tires,Tires,Tires In	Automotive/Sm	832.56	Tires,Tires,Tires In	Gas,Oil,Diese	411.25
Tires,Tires,Tires In	HIDTA Grant	873.80	Trane	Heat,Vent & A	302.95
TTT Investments Llc	Welfare Rent	550.00	Turning Leaf Llc	Welfare Rent	670.00
Ultramax	Ammunition	879.00	United Air	Business Trav	106.50
United Air	Education & T	2,823.00	US Bank-Corporate Tr	Trust-Adminis	4,400.00
Usps.Com	Postage	931.01	Variety Foods Llc	Other Profess	367.54
Vesely, Josh	Uniform Allow	59.99	Vogel Motors Llc	Gas,Oil,Diese	33.00
Volunteers Of Americ	Other Profess	3,000.00	Wal-Mart	Other Profess	168.44
Wal-Mart Pharmacy	Clinics - Aux	104.43	Wal-Mart Pharmacy	Other Profess	82.80
Wal-Mart Pharmacy	Other Supplie	107.06	Wal-Mart Pharmacy	Supplemental	49.14
Wal-Mart Pharmacy	Pharmacies	698.00	Walker, Cathy	Welfare Rent	600.00
Westbrooke Apts/Inve	Welfare Rent	600.00	Westwick Motel, Inc.	Motels	960.00
Wheelco Brake & Supp	Parts Invento	262.08	Whentowork Inc	Other Profess	126.00
Winter Inc	Bridge Repair	385.00	Winter Inc	Road Maint. &	210.00
Wolf, John	Welfare Rent	500.00	Xcel Energy, Inc.	Welfare Utili	3,172.34
Yellow Cab Inc	Transportatio	49.72			

REPORTS

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The Minnehaha County Sheriff's Department Report and Regional Juvenile Detention Center Report for July 2014, and the Auditor's Account with the County Treasurer's Office as of July 31, 2014, were received and placed on file in the Auditor's Office.

On Deposit in Banks	
Interest-bearing open accounts	\$17,830,466.07
CD's and savings	\$15,000,000.00
Cash	\$22,098.58
Checks/drafts in Treasurer's possession for more than 3 days	\$4,481.42
Total Cash on Hand	\$32,857,046.07
Total Reconciled AS/400 Cash Balance	\$32,857,046.07

PERSONNEL

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

1. To hire David Andrews and Kiel Ricci as Deputy Sheriff (16/2) for the Sheriff's Office at \$20.25/hour effective 8/18/14.
2. To accept the resignation of Jeralyne Boelman as Corrections System Operator for the Jail effective 8/15/14.
3. To accept the resignation of Kallie Steffens as Juvenile Correctional Worker for the Juvenile Detention Center effective 8/1/14.
4. To end the temporary, part-time employment of Kyle Braun as Laborer for the Highway Department effective 8/6/14.
5. To end the temporary, part-time employment of Daniel Smit as Laborer for the Highway Department effective 6/26/14.
6. To hire Sheree Frericks as temporary, part-time Clerical Support for the Public Advocate's Office at \$12.00/hour effective 8/25/14.

Step Increases Due

1. Jacqueline Rasmussen – Senior Deputy Public Defender – Public Defender – 22/12 to 22/13 – 8/18/14 – \$3,003.20/bi-weekly
2. Julia Disburg – Human Resources Generalist – Human Resources – 16/1 to 16/2 – 8/7/14 – \$20.25/hour
3. James Phelps – Caseworker III – Human Services – 18/11 to 18/12 – 6/9/14 – \$2,288.80/bi-weekly

NOTICE

MOTION by Pekas, seconded by Barth, to authorize the County Auditor to Post Notice of Hearing on August 26, 2014, to consider 2014 Budget Supplements to various county department budgets. 5 ayes.

LIEN COMPROMISE

Commissioner Pekas gave a briefing on a request for compromise of lien for DPNO 84464 in the amount of \$175.00 and DPNO 84761 in the amount of \$973.25. Both liens are related to an involuntary commitment action

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the applicant initiated against her adult niece and a follow-up motion to revoke. The applicant is asking for a compromise and release of the liens in full with no payment stating that she and her husband are currently trying to improve their own financial situation and do not have the ability to pay this lien. According to a 2013 tax return the applicant and her husband have a combined income of approximately \$36,000. They list total assets of \$156,250 that include a home and several vehicles associated with an auto body repair business. They list liabilities of just over \$120,000 that include a home mortgage, medical bills, credit card debt, and credit union debts. MOTION by Pekas, seconded by Barth, to approve Resolution MC14-48. 5 ayes.

RESOLUTION MC14-48

WHEREAS, a County Aid Lien in the amount of \$175.00 purports to exist in favor of Minnehaha County and against DPNO 84464 as Lienee, and a County Aid Lien in the amount of \$973.25 purports to exist in favor of Minnehaha County and against DPNO 84761 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 Chairman of the County Board and the County Auditor to execute the following:

Compromise and release both liens in full with no payment.

Dated at Sioux Falls, South Dakota, this 12th day of August, 2014.

APPROVED BY THE COMMISSION:

Cindy Heiberger

Chairman

ATTEST:

Cynthia Jepsen

Deputy County Auditor

MALT BEVERAGE HEARING

A public hearing was held for a Retail (on-off sale) Malt Beverage License Application submitted by Jeffrey & Victoria Wilde owners of Wilde Prairie Winery, Inc. Victoria Wilde was present to answer any questions from the Commission. No one spoke in opposition. MOTION by Beninga, seconded by Barth, to approve the Retail (on-off sale) Malt Beverage license application for Wilde Prairie Winery, Inc., legal description of licensed premise: Chase's Tract 1, A Portion of the SE ¼ of the SW ¼ Section 16-T102N-R48. 5 ayes.

CHANGE ORDER

Shannon Schultz, Assistant Highway Superintendent, gave a briefing on Change Order #1 for an increase of \$36,045 to the contract with Dakota Contracting Corporation for additional rock excavation on Project 50-215-010. The change order is for additional blasting and rock excavation due to inaccurate soil boring information in bedrock elevations. MOTION by Pekas, seconded by Beninga, to authorize the Chairman to sign Change Order #1 to the contract with Dakota Contracting Corporation for Project 50-215-010, resulting in a new contract amount of \$397,121.73. 5 ayes.

BID AWARD

Jason Reaves, Sr. Highway Engineer, reported on the August 5, 2014 bid opening for Interior Concrete Paving at the W. H. Lyon Fairgrounds Expo Building. The following three bids were received and certified by Mr. Reaves:

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Beck & Hofer Construction, \$182,655.15; A&S Construction, \$197,121.70; Dakota Contracting Corp., \$207,211.25. Mr. Reaves recommended the bid be awarded to the low bidder, Beck & Hofer Construction. MOTION by Pekas, seconded by Barth, to award the bid for Interior Concrete Paving at the W. H. Lyon Fairgrounds Expo Building to Beck & Hofer Construction in the amount of \$182,655.15. 5 ayes.

CONTRACT

(Deferred from August 5, 2014) Bob Litz, Auditor, gave a briefing on the purchase of two Model DS 850 high speed digital image scanner ballot counters from Election Systems & Software Systems (ES&S) in the amount of \$217,625. This amount includes the cost of the equipment, installation, training, first election on-site support, and shipping fees. Also reflected in the sales order agreement is a \$15,000 trade-in allowance on two (2) model 650 ballot scanners. The purchase will be covered by Help America Vote Act funds which are administered by the South Dakota Secretary of State's Office. Kersten Kappmeyer, Chief Civil Deputy State's Attorney, stated that in his opinion the purchase of ballot counting machines is exempt from bidding requirements under SDCL Ch. 5-18A. MOTION by Barth, seconded by Pekas, to authorize the purchase of two Model DS 850 Ballot Scanners in the amount of \$217,625. 5 ayes.

BUDGET

Darlene Johnson, Assistant Auditor, gave a briefing on the following supplements to the 2014 Budget.

MOTION by Beninga, seconded by Pekas, to supplement from the General Fund to the Commission Budget, ASN 15067 Business Travel, \$614.62 and the Public Defender Budget, ASN 15764 Education & Training, \$307.40, representing reimbursement from the State of South Dakota. 5 ayes.

MOTION by Pekas, seconded by Kelly, to supplement from the Building Fund to the Building Fund Budget, ASN 19630 VOA - Dakotas, \$55,437.21, representing insurance reimbursement from CHUBB Group of Insurance Companies for hail damage to the roof of the 51st Street VOA - Dakotas Building. 5 ayes. Ken McFarland, Commission Administrative Officer, stated that this amount is only a partial payment for the roof repairs. If repairs are completed within a 180 day period, the County will receive an additional \$27,587 to pay the balance of the cost.

MOTION by Beninga, seconded by Barth, to supplement from the General Fund to the Auditor-Elections Budget, ASN 15100 Overtime Salaries, \$7,154 and ASN 15153 Office Supplies, \$1,151, representing reimbursement from the City of Sioux Falls for services provided for the April, 2014 election. 5 ayes.

AGREEMENT

Robert Wilson, Assistant Commission Administrative Officer, gave a briefing on a recommendation from the Building Committee to retain Mr. Bill Garnos as a consultant during the master planning, pre-design work and cost preparation work related to the Minnehaha County Jail. Mr. Garnos was appointed to the Criminal Justice Advisory Committee in July 2014 as a consultant, and he is willing to continue to work at the same rate of \$75.00 hourly plus expenses that include mileage at \$0.50 per mile. MOTION by Kelly, seconded by Barth, to authorize the Chairman to sign the Professional Services Agreement for Consulting Services for Jail master planning, pre-design work, and cost preparation. 5 ayes.

LIAISON REPORTS

Commissioner Barth reported that the Planning Department will be resuming hearings on the comprehensive plan for Minnehaha County.

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Commissioner Barth reported on the Museum Board Meeting where it was decided to retain the prehistoric Prayer Rock at the Pettigrew Museum site.

Commissioner Kelly reported that Craig Anderson has resigned as Chairman of the Criminal Justice Advisory Committee due to work commitments. Robert Wilson reported that the Committee will be bringing forward recommendations for his replacement for the Commission to consider as well as potentially adding some additional members.

OLD BUSINESS

Commissioner Barth stated the agricultural activity learning center at the W.H. Lyon Fairgrounds donated by Pipestone Holdings, is a fabulous addition to the Sioux Empire Fair.

MOTION by Pekas, seconded by Barth, to go into executive session for contract negotiations, and legal briefing reserving the possibility to reconvene in regular session. 5 ayes.

The Commission reconvened in regular session.

Kersten Kappmeyer, Chief Civil Deputy State's Attorney, gave a briefing on a recommendation from Boyce, Greenfield, Pashby & Welk, LLP, who has been retained to represent Minnehaha County in litigation that was brought by Hutchinson Technology, Inc. The recommendation is for Minnehaha County to retain Shaykett Appraisal Co. as an expert witness to perform a property appraisal in order to fully litigate the matter. Shaykett Appraisal Co. has given a price quote of \$250 per hour for the principal to provide services and \$175 per hour for associates to provide services. The total cost estimate of services is \$5,000 to \$10,000. Mr. Kappmeyer asked for approval of the expenditure of public funds for the purposes of litigation. MOTION by Barth, seconded by Pekas, to approve the retention of Shaykett Appraisal Co., at the quoted hourly rate of \$250 per hour for the principal and \$175 per hour for associate services. MOTION by Beninga, seconded by Pekas, to amend the main motion by stipulating the Sioux Falls School District is to pay 70% and the County pays 30% of the cost of the services, rather than the proposed split of 60% County and 40% Sioux Falls School District. Beninga stated he feels that since the school district receives 70% of the property tax revenue, they should share the same percentage of the cost of the appraisal services. VOTE on amendment. 2 ayes, Kelly, Pekas and Barth voted nay. Motion fails. VOTE on Main Motion. 5 ayes. MOTION by Pekas, seconded by Kelly, to approve shared expenses for the expert witness and appraisal services with Shaykett Appraisal Co., with Minnehaha County paying 60% and the Sioux Falls School District paying 40%. 3 ayes, Beninga and Heiberger voted nay. Motion carries.

Motion by Pekas, seconded by Barth to go into executive session for legal briefing and contract negotiations. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, August 19, 2014.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chairman

ATTEST:

Cynthia Jepsen
Deputy Auditor