

9/23/2014

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M. September 23, 2014 pursuant to adjournment on September 9, 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.

Chairman Heiberger reported that the following employees were recognized for their years of service at the SDACC Annual Convention: Ken McFarland 35 years; Lisa Berens, Kim Morstad, Kent Vettrus, and Mary Lipelt 30 years.

Chairman Heiberger reported that Minnehaha County was awarded the 2013 Gold Level Loss Control/Safety Achievement Award by Safety Benefits, Inc. on behalf of the SDML WC Fund and SDPAA. The award is in recognition of outstanding loss control ratios in Workers Comp and various liability insurance plans.

MOTION by Beninga, seconded by Barth, to amend the agenda by removing item #20. 5 ayes. MOTION by Barth, seconded by Beninga to approve the agenda as amended. 5 ayes.

MOTION by Pekas, seconded by Barth, to approve the September 9, 2014, Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Pekas, to approve the following bills in the amount of \$949,860.70, and September 2014 salaries. 5 ayes.

A & B Business Equip	Lease-Rental	482.72	A & B Business Equip	Maintenance C	928.38
A & B Business Equip	Office Equipm	71.31	A To Z World Languag	Interpreters	2,960.00
Advance Auto Parts	Automotive/Sm	47.98	Airway Service Inc	Gas,Oil,Diese	39.55
AL Dept Of Public Sa	Copy Fees	5.75	Alcopro	Other Supplie	346.00
Amer Assoc Of Police	Memberships	125.00	American Engineering	Architects &	1,142.25
American Solutions F	Printing/Form	860.61	Anderson Publication	Publishing Fe	1,264.26
Anderson, Carol	Welfare Rent	1,200.00	Anesthesiology Assoc	Contract Serv	112.00
Anesthesiology Assoc	Physicians	576.80	Arena Motel	Motels	750.00
Argus Leader - Adver	Publishing Fe	1,771.28	Associated Consult/E	Repair/Renova	1,875.00
Association Of Sd Mu	Program Activ	75.00	Avera Health Plans	Expenditures	1,730.45
Avera McKennan Behav	Education & T	1,000.00	Avera McKennan Behav	Other Miscell	750.00
Avera McKennan Hospi	Blood Withdra	70.00	Avera McKennan Hospi	Clinics - Aux	1,638.00
Avera McKennan Hospi	Hospitals	5,562.00	Bakken, Larry	Office Suppli	11.34
Bender Commercial Re	Real Estate	300.00	Bi Inc	Program Suppl	4,347.20
Billion's	Automotive/Sm	491.50	Birmingham & Cwach L	Attorney Fees	145.04
Black Inc	Program Activ	525.00	Blackburn & Stevens,	Attorney Fees	550.95
Boldt, Bradley D	Welfare Rent	700.00	Bourne, Anna	Bd Evaluation	1,530.00
Boyce, Greenfield,Pa	Other Profess	790.00	Boyd Properties Llc	Maintenance C	643.40
Boyd Properties Llc	Other Profess	56.40	Boyer Trucks Sioux F	Truck Repair/	180.77
Brazil, Colleen	Witness Fees/	1,218.06	Brevik Law Office Pr	Attorney Fees	413.91
Bridgewood I Ltd Par	Welfare Rent	600.00	Bristol Court Ltd Pt	Welfare Rent	772.00
Brock White Co Llc	Road Maint. &	414.41	Brooks Townhomes Lp	Welfare Rent	1,195.00
Bureau Of Informatio	Data Communic	420.00	Bureau Of Informatio	Telephone	84.00
Butler Machinery Com	Parts Invento	230.60	C & J Sayles Inc	Store Invento	192.67
Carlson, Lisa	Court Reporte	91.80	Carper, Nichole A	Attorney Fees	477.25
Carper, Nichole A	Child Defense	573.50	Cartridge World	Data Processi	1,447.43
CBM Managed Services	Board Of Pris	28,453.58	CDX Holdings	Welfare Rent	500.00
Cedar Prop Llc Db	Welfare Rent	300.00	Century Business Lea	Lease-Rental	148.91
Century Business Pro	Lease-Rental	361.81	Century Business Pro	Maintenance C	452.24
Century Business Pro	Office Suppli	6.50	Century Business Pro	Printing/Form	51.90
Christopherson, Ande	Attorney Fees	1,860.95	City Glass & Glazing	Building Repa	2,110.00
City Of Humboldt	Education & T	60.00	Civil Design Inc	Architects &	10,256.00
Codington County Aud	Attorney Fees	548.80	Cody, Denise	Bd Exp. Fees	304.50
Cody, Denise	Commitment -	7.50	Cole Papers, Inc.	Janitorial/Ch	221.66
Cole Papers, Inc.	Small Tools,	608.16	Cole Petroleum Inc	Gas,Oil,Diese	4,613.71
Collins Enterprises	Welfare Rent	357.00	Concrete Materials	Road Maint. &	23,245.46

9/23/2014

Constellation New En	Electricity	6,171.24	Cook Huber, Kerri	Attorney Fees	127.25
Correct Care Solutio	Detox	3,654.83	Country View Mhc	Welfare Rent	963.00
Culligan Water Condi	Other Miscell	37.50	Dakota Contracting C	Contracted Co	58,758.04
Dakota Data Shred	Trash Removal	110.56	Dakota Fluid Power,	Heavy Eq. Rep	214.44
Dakota Fluid Power,	Truck Repair/	359.50	Dakota News Inc	Store Invento	126.30
Dakota Riggers & Too	Automotive/Sm	111.06	Dakota Riggers & Too	Small Tools,	26.20
Dan Grigg Images Inc	Store Invento	189.17	Davison Co(SD)Sherif	Return Of Ser	25.00
Daybreak/T & H Conve	Gas,Oil,Diese	43.02	Deans Bulk Svc Inc	Parts Invento	1,359.80
Decastro Law Office,	Attorney Fees	3,384.30	Decisionone Corporat	Maintenance C	168.52
Dedula, Carla F	Court Reporte	292.80	Denherder Law Office	Attorney Fees	290.34
Devlin, Beau J	2012 HLS Grant	66.00	Dex Media East	Advertising	576.00
Deyoung, Lynn	Business Trav	26.00	Diamond Mowers Inc	Automotive/Sm	3,290.41
Disburg, Julia	Business Trav	38.48	Duffy, Ryan	Attorney Fees	2,806.14
Dust Tex Service Inc	Janitorial/Ch	22.56	Ebert's Properties,	Welfare Rent	1,300.00
EH Hospitality Llc	Motels	3,650.00	Electric Constructio	Electrical Re	94.90
Electric Supply Co.,	Software	137.77	Emdeon Business Serv	Other Medical	49.00
Engels Law Office Pc	Attorney Fees	1,786.70	Epsv Investments Llc	Welfare Rent	485.00
Erpenbach, John E	Bd Evaluation	945.00	Etc/Expo For Her Mag	Advertising	350.00
Etek Llc DbA Garfiel	Welfare Rent	250.00	Evans, Jerald L	Welfare Rent	700.00
Family Service Inc	Expenditures	390.00	Fenwick, Glen	Welfare Rent	450.00
First Premier Bank	Investigators	66.96	Fitts, Rod DbA Rod	Welfare Rent	942.50
Fleetpride / Holt, I	Truck Repair/	2,250.00	Fleury, Kasey	DMC-JJDPA Gra	170.62
Fonder, Roger M DbA	Automotive/Sm	50.40	Force America Inc/Va	Truck Repair/	313.75
Fremont Industries,	Heat,Vent & A	3,364.08	Garretson Community	Ambulance Ser	25,000.00
Gaylord Bros Inc	Program Activ	460.81	George Boom Funeral	Burials	1,000.00
Geotek Engineering &	Architects &	2,567.00	Global Connect	Other Medical	8.06
Goebel Printing, Inc	Office Suppli	111.46	Goebel Printing, Inc	Printing/Form	175.68
Goehring, Samuel W	Welfare Rent	700.00	Goodge, Adam	Store Invento	302.50
Grainger, Inc.	Electrical Re	22.19	Great Plains Psychol	Psych Evals	3,996.25
Guzman, Sandra V.	Interpreters	225.00	Haj Inc DbA	Motels	287.00
Hancock Concrete Llc	Road Maint. &	27,868.00	Harmer, Gerald	Welfare Rent	475.00
Harris, Jon	Education & T	156.00	Hart, Jorrie	Education & T	224.00
Heartland Paper Comp	Kitchen/Clean	1,135.85	Heimdal, Marie Ann	Court Reporte	1,626.00
Hellesvig, Roger	Program Activ	550.00	Heritage Apartments	Welfare Rent	273.00
Heritage Funeral Hom	Burials	600.00	Himler, Thomas C Phd	Child Defense	647.50
Himler, Thomas C Phd	Psych Evals	185.00	Hoekstra, Denise A.	Court Reporte	3,542.80
Holiday Mobile Home	Welfare Rent	344.16	Honkamp, Jim	Welfare Rent	600.00
Horizon Agency Inc	Expenditures	2,405.00	Horn, Garrett	Attorney Fees	217.50
Hurtgen, Timothy T/P	Welfare Rent	1,823.00	Hy-Vee Accounts Rece	Pharmacies	358.94
Hy-Vee Accounts Rece	Program Activ	53.41	Hybertson, Greg	Welfare Rent	740.00
Ideal Yardware	Automotive/Sm	147.53	Ideal Yardware	Small Equipme	629.90
Infrastructure Desig	Architects &	23,834.80	Institutions Service	Jail Repairs	317.09
Interstate Office Pr	Office Suppli	2,265.48	Iosty, James	Commitment -	5,499.00
Iosty, James	Crisis Interv	270.00	Iosty, James	Dev Disabili	117.00
ISI Llc	Interpreters	280.00	ISS Facility Svcs-Mi	Contract Serv	11,058.00
Jaros, Pete	Investigators	114.70	JCL Solutions-Janito	Janitorial/Ch	260.20
JCL Solutions-Janito	Kitchen/Clean	2,452.54	Jefferson Partners L	Transportatio	1,708.65
Johnson, Richard L	Interpreters	1,500.00	Kallemeyn, Richard	Other Miscell	9.00
Katterhagen, Mark	Bd Exp. Fees	18.00	Khoroosi, Sam	Attorney Fees	399.60
Kilpatrick, A Teresa	Interpreters	33.00	Kinzley Funeral Home	Burials	1,000.00
Knecht, Andrew J	Child Defense	713.40	Knoff, Dave	Attorney Fees	198.00
Knology Inc DbA W	Telephone	61.04	Kolb, Charles J	Welfare Rent	500.00
Koletzky, Sherlyn	Attorney Fees	281.20	Krueger, Travis	Education & T	563.39
Kuchar, Justin	Business Trav	296.62	L.G. Everist Inc	Grounds & Par	9.42
Lambertus, Ted	Welfare Rent	1,450.00	Language Line Servic	Interpreters	177.30
Language Line Servic	Other Profess	34.80	Language Line Servic	Telephone	553.75
Larson, Jeff	Attorney Fees	2,466.60	Lassegaard, Samuel C	Welfare Rent	600.00
Laughlin, Nicole	Attorney Fees	2,994.80	Lewis & Clark Bhs	Bd Evaluation	3,680.00
Lewno, Lucy	Bd Exp. Fees	2,901.57	Lexisnexis Matthew B	Books	85.08
Lietz, Rich	Business Trav	194.60	Lindquist, Cliff	Return Of Ser	35.00
Lutheran Social Svcs	Interpreters	475.00	Maclin Consulting Ll	Attorney Fees	900.00
Mailway Printers	Publishing Fe	998.00	Malone, Constance A	Other Miscell	9.00
Marco	Lease-Rental	170.00	Marco	Maintenance C	130.50
Martin, Richard	Welfare Rent	700.00	Martinell, Charles	Business Trav	713.67
Matheson Tri-Gas Inc	Plumbing & We	32.51	Maxwell Food Equipme	Exhibit Mater	95.09
McGovern, Mike	2012 Homeland	66.00	Menards - East	Bridge Repair	59.98
Menards - East	Park/Recreati	68.67	Menards - East	Sign Supply/I	46.00

9/23/2014

Merrow, Danielle	Welfare Rent	595.00	Metro Communications	Attorney Fees	30.00
Metro Communications	Other Miscell	24,204.59	Metro Communications	Other Profess	30.00
Microfilm Imaging Sy	Furniture & O	630.00	Midamerican Energy C	Natural Gas	1,093.78
MidAmerican Energy C	Welfare Utili	754.62	Midwest Alarm Compan	Other Miscell	1,215.00
Midwest Alarm Compan	Security Alar	223.28	Mikelson, Gary E	Attorney Fees	281.46
Miller Funeral Home,	Burials	1,000.00	Minn Cnty Human Svcs	Other Supplie	165.00
Minn Cnty Prisoner A	Prisoner/Bond	150.00	Minn Cnty So Petty C	Investigators	19.99
Mishra, Thakur	Interpreters	25.00	Mobile Electronic Se	Communication	400.00
Monick Pipe & Supply	Jail Repairs	665.43	Mtg Locating & Utili	Building Repa	123.20
Mulder & Son Inc.	Heavy Eq. Rep	6,000.00	Multi-Cultural Cente	Interpreters	1,416.25
Murray Properties, L	Welfare Rent	1,583.50	Narem, Inc	Automotive/Sm	15.59
Natl Sheriffs Assn	Memberships	160.00	Neve's Uniforms	Uniform Allow	11,802.10
Nguyen, Lam	Interpreters	25.00	Nicholson, Tschetter	Child Defense	876.79
Nielsen Ogdahl, Erin	Attorney Fees	2,100.00	Nold, Nancy	Welfare Rent	450.00
North American Rescu	Other Supplie	535.00	North Ridge Apartmen	Welfare Rent	675.00
Novak Sanitary Servi	Trash Removal	2,440.31	Nubury Llc	Welfare Rent	610.00
Nyberg's Ace Hardwar	Janitorial/Ch	20.55	Obaka, Daniel	DMC-JJDPA Gra	100.00
Office Depot, Inc.	Data Processi	790.40	Olson's Pest Technic	Other Profess	67.75
Omnitech Inc	Consultants	500.00	Overhead Door Compan	Bldg/Yard Rep	135.20
Overhead Door Compan	Jail Repairs	120.00	Palmer, Barbara	Bd Evaluation	5,445.00
Parkview, Llc	Welfare Rent	355.00	Pecaut, Jon Db a Pec	Welfare Rent	600.00
Pennington County Ja	Extradition &	5,331.45	Peters, Scott N Pc	Bd Exp. Fees	1,476.00
Peters, Scott N Pc	Crisis Interv	171.00	Peters, Scott N Pc	Crisis Interv	216.00
Peterson, Mark	Welfare Rent	350.00	Pfeifer Implement Co	Parks/Recreat	205.41
Pheasantland Industr	DMC-JJDPA Gra	132.83	Phoenix Supply Llc	Inmate Suppli	1,112.00
Pierre Parkside Deve	Education & T	425.00	Pollard & Larson Llp	Attorney Fees	1,068.00
Prahn Construction I	Contr Co	342,505.60	Presto-X-Company	Outside Repai	59.36
Price Land & Cattle/	Welfare Rent	1,200.00	Professional Wireles	Communication	100.00
Quail Hollow Townhou	Welfare Rent	523.00	Qualified Presort Se	Museum Report	544.28
Qualified Presort Se	Postage	210.00	Record Keepers, Inc.	Records Stora	2,628.67
RLM Properties Llc	Welfare Rent	600.00	Rods Properties	Welfare Rent	1,200.00
Ronke & Feist Law Fi	Attorney Fee	278.40	Rons, Norm	Welfare Rent	600.00
RTI - Riverside Tech	Contract Ser	4,680.00	RTI - Riverside Tech	Data Processi	12,652.80
Rubeau Llc	Welfare Rent	1,010.00	Rushmore Ob/Gyn	Contract Serv	765.93
Rypkema, Diane	Business Tra	45.00	Sachchidanand Hospit	Motels	219.00
Sandal, Abraham/Alem	Welfare Rent	500.00	Sanford Clinic Finan	Other Miscell	58.00
Sanford Health Plan	Expenditures	2,472.82	Sanford Hospital	Blood Withdra	480.00
Sanford Hospital	Clinics - Au	12,820.52	Sanford Hospital Med	Medical Recor	28.50
Sanford Laboratories	Lab Costs	2,556.34	Sanford Occupational	Expenditures	1,298.69
Sanford Occupational	Other Profes	227.30	Sanford Occupational	Professional	510.39
Schaefer, Dean	Court Report	723.00	SD Assn Of County Of	Amounts Held	4,760.00
SD Attorney General	Amts Held-Da	18,001.00	SD Continuing Legal	Subscriptions	500.00
SD Dept Of Revenue	Blood/Chemic	12.00	SD Dept Of Revenue	Office Suppli	5.00
SD Dept Of Revenue	Store Sales	152.24	SD Human Services Ce	Other Profess	600.00
SD One Call	Building Rep	12.60	SDN Communications	Data Communic	331.50
SDN Communications	Telephone	688.50	Security Labs, Ltd	Maintenance C	325.00
Senior Citizens Svcs	Advertising	81.00	SF Ambulance--Rural/	Transportatio	1,350.00
SF Leased Housing As	Welfare Rent	300.00	SF Leased Hsg Author	Welfare Rent	600.00
SF Ministry Housing	Welfare Rent	985.00	SF Specialty Hospita	Recruitment	240.00
Sherwin Williams	Building Rep	69.58	SHI International Co	Bd Exp. Fees	241.56
Siegel, Barnett, & S	Attorney Fee	398.00	Sigler Fire Equipmen	Bldg/Yard Rep	752.45
Sioux Area Metro/Par	Bus Passes	2,610.24	Sioux Empire Fcu 148	Program Activ	1,894.48
Sioux Falls Chamber	Education &	80.00	Sioux Falls City Fin	Bldg/Yard Rep	367.20
Sioux Falls City Fin	Gas,Oil,Dies	389.27	Sioux Falls Housing	Welfare Rent	351.00
Sioux Falls Police D	2012 Homelan	1,224.00	Sioux Falls Rubber S	Office Suppli	67.00
Sioux Falls Two Way	Communicatio	1,799.50	Sioux Falls Two Way	Communication	12.99
Sioux Falls Utilitie	Water - Sewe	2,318.54	Sioux Falls Utilitie	Welfare Utili	529.08
Sioux Valley Energy	Welfare Rent	25.00	Skorczewski, Jena	Court Reporte	25.00
Solomon, Ghirmay	Interpreters	25.00	Southeast Sd Tourism	Advertising	2,299.00
St Francis House	Other Profes	168.75	Stronghold Counselin	Psych Evals	645.00
Sturdevant's Auto Pa	Small Tools,	268.27	Sunshine Foods	Other Supplie	14.78
Sunshine Foods	Welfare Food	171.99	Suretest Inc	Professional	620.00
Swanda, Karen	Bd Exp. Fees	294.00	Sweets, John	Welfare Rent	1,030.00
Swier Law Firm Prof	Attorney Fee	1,766.40	Szameit, Alexandra	Interpreters	600.00
Taylor Place Llc	Welfare Rent	2,900.00	Test Point Paramedic	Medical Recor	2,520.00
The Mitographers, In	Sign Supply/	118.83	Thomson Reuters - We	Legal Researc	1,907.40
Thorin, Deyanira T	Interpreters	175.00	Thyssenkrupp Elevato	Lease-Rental	2,721.30

9/23/2014

Tires,Tires,Tires In	Automotive/S	737.89	Tires,Tires,Tires In	Gas,Oil,Diese	134.21
Traffic Data Inc Db	Sign Supply/	377.90	Tri-Tech Inc	Blood Withdra	4,795.00
Turning Leaf Llc	Welfare Rent	1,000.00	Tut, Moses	DMC-JJDPA Gra	100.00
United Way Worldwide	Federal Gran	35.88	Variety Foods Llc	Other Profess	632.42
Variety Foods Llc	Other Suppli	59.56-	Vash Properties	Welfare Rent	1,400.00
VB Falls Park Apts	Welfare Rent	758.00	VB Falls Terrace Apt	Welfare Rent	450.00
Vesely, Josh	Uniform Allo	109.90	VOA Dakotas / Pettig	Welfare Rent	223.00
Vogel Motors Llc	Gas,Oil,Dies	26.50	Volunteers Of Americ	Dmc-Jjdpa Gra	3,899.28
Volunteers Of Americ	Psych Evals	1,470.00	Wal-Mart Pharmacy #1	Pharmacies	27.89
Wal-Mart Pharmacy #3	Pharmacies	16.69	Walgreen Co.	Pharmacies	200.98
Wall Lake Sanitary D	Water - Sewe	70.00	Waltner, Kolbeck, Sc	Attorney Fees	8,618.45
Waltner, Kolbeck, Sc	Child Defens	3,762.00	Waste Management Of	Trash Removal	367.31
Weerheim, Tom	Attorney Fee	600.30	Weiland & Assoc Inc	Jury Fees	113.74
Weisbecker, Al	Welfare Rent	500.00	West Pointe Townhous	Welfare Rent	1,390.00
Westport Apts/Westpo	Welfare Rent	338.38	Westwick Motel, Inc.	Motels	800.00
Wheelco Brake & Supp	Truck Repair	198.07	Wilka & Welter Llp	Attorney Fees	424.05
Williamsburg Townhom	Welfare Rent	1,225.00	Winner Police Depart	Extradition &	146.85
Wittrock, Craig	Education &	235.00	Woodall, Kristin A	Court Reporte	289.00
Wynia, Keith	Education &	235.00	Xcel Energy, Inc.	Electricity	1,540.19
Xcel Energy, Inc.	Road Maint.	25.48	Xcel Energy, Inc.	Welfare Rent	154.98
Xcel Energy, Inc.	Welfare Util	5,532.31	Yankton County Sheri	Return Of Ser	550.00
Yankton County Treas	Attorney Fee	2,569.15	Yellow Cab Inc	Transportatio	26.40
Zweep, James E	Other Miscel	9.00	3d Specialties, Inc.	Sign Supply/I	947.55
Commission	Salaries	29,329.60	Auditor	Salaries	40,605.64
Treasurer	Salaries	63,555.16	Information Tech	Salaries	60,676.11
States Attorney	Salaries	192,979.22	Public Defender	Salaries	132,420.64
Public Advocate	Salaries	40,155.21	Facilities	Salaries	50,569.12
Equalization	Salaries	68,572.22	Register Of Deeds	Salaries	41,256.68
Human Resources	Salaries	19,920.16	Sheriff	Salaries	807,957.84
Emergency Mgmt	Salaries	14,264.00	Juvenile Detention	Salaries	156,266.57
Highway	Salaries	125,909.68	Human Services	Salaries	106,652.87
Museum	Salaries	56,643.39	Planning	Salaries	35,227.59
Extension	Salaries	3,029.31			

REPORTS

The following reports were received and placed on file in the Auditor's Office: Register of Deeds Official Statement of Revenue Collected during August 2014, Minnehaha County Sheriff's Department Report for August, 2014, SD Public Assurance Alliance 2013 Membership Annual Report, and Juvenile Detention Center's Statistic Report for August, 2014.

PERSONNEL

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

1. To accept the resignation of Jacki Waldner as Correctional Officer in Training for the Jail effective 9/23/14.
2. To accept the resignation of Joshua Herman as Correctional Officer for the Jail effective 9/24/14.
3. To discharge Karen McEntee as Correctional Officer in Training for the Jail effective 9/5/14.
4. To move Bria Clark, Correctional Officer for the Jail, from part-time status to full-time status at \$17.03/hour effective 9/13/14.
5. To promote Joseph Palleschi, Amanda Lind, Corey Metter, and Darcie Kuemper from Correction Systems Operators to Correctional Officers in Training (12/1) for the Jail at \$16.21/hour effective 9/13/14.

9/23/2014

6. To end the temporary, part-time employment of Matthew Livingston as Intern for Information Technology effective 8/29/14.
7. To hire Sarah Sorgdrager as temporary, part-time Clerical Worker for the Public Defender's Office at \$10.00/hour effective 9/16/14.
8. To hire Bernard Idecker, Connie Idecker, and Christa Johnson as a temporary, part-time Election Workers for the Auditor's Office at \$10.00/hour effective 9/23/14 to 11/21/14:
9. To accept the resignation of Heather Buitter as Juvenile Correctional Officer I for the Juvenile Detention Center effective 9/29/14.

Step Increases Due

1. Mary Yale – Assistant Register of Deeds – Register of Deeds – 19/9 to 19/10 – 9/25/14 – \$28.61/hour
2. Cheryl Olson – Administrative Records Specialist – Register of Deeds – 14/9 to 14/10 – 9/25/14 – \$22.35/hour
3. Stephanie Severy – Juvenile Correctional Worker – Juvenile Detention Center – 9/1 to 9/2 – 9/25/14 – \$14.33/hour
4. Willard Huffman – Civil Process Server – Sheriff's Office – 12/5 to 12/6 – 7/27/14 – \$18.34/hour
5. Phillip Leidholt – Deputy Sheriff – Sheriff's Office – 16/10 to 16/11 – 9/10/14 – \$25.29/hour
6. Jonathan Rehfeldt – Correctional Officer – Jail – 13/1 to 13/2 – 8/17/14 – \$17.46/hour
7. Douglas Wegner – Tax and License Technician – Treasurer's Office – 10/3 to 10/4 – 9/19/14 – \$15.82/hour
8. Benjamin Devlin – Museum Interpreter – Museum – 9/2 to 9/3 – 9/26/14 – \$14.69/hour
9. CareyJo Deaver – Human Resources Director – Human Resources – 24/10 to 24/11 – 9/15/14 – \$3,482.40/bi-weekly

NOTICE

MOTION by Pekas, seconded by Beninga, to authorize the Auditor to publish a Notice to Bidders for HVAC Modifications in the Minnehaha County Public Safety Building. 5 ayes.

PUBLIC COMMENT

Jeff Barth, Sioux Falls resident, reported that he took action in federal court in an attempt to make sure documentary evidence is not further lost or destroyed that may shed light on what appears to be an unauthorized privatization of the management of South Dakota's Eb-5 program by Joop Bollen and SDRC, Inc.

LIQUOR/MB LICENSE HEARINGS

A public hearing was held to consider the transfer of an On-Sale Liquor License for the Red Rock Casino from Dale Robb to R & K Landholdings. The transfer request was reviewed by the State's Attorney's Office, Planning & Zoning Department, and Sheriff's Department. No objections or concerns were reported. No one spoke in

9/23/2014

opposition to the transfer. MOTION by Beninga, seconded by Kelly, to approve the transfer of the On-Sale Liquor License #RL-6163 for the Red Rock Casino, from Dale Robb to R & K Landholdings LLC. Legal description of licenses premise: Tract 1B McBeth Addn in the NE ¼ and SE ¼ Section 27-T101-R48. 5 ayes.

A public hearing was held to consider the transfer of an On-Sale Liquor License and On-Off Sale Malt Beverage License from Swearingen Enterprises, Breck's Bar & Grill to Michael Swearingen, Chaser's Food & Spirits. Michael and Judy Swearingen submitted applications to have the licenses transferred because they have taken back ownership of the establishment. The transfer requests were reviewed by the State's Attorney's Office, Planning & Zoning Department, and Sheriff's Office and no objections or concerns were reported. Lucille Langdon, 3900 S. Orchard Ave., owner of the property adjacent to the bar, stated that she and her husband have had trouble with Mr. Swearingen that include a property line/fence dispute, gate access between the two properties, litter from the bar being thrown or blown onto their property, damage to their personal property, and verbal abuse. Commissioner Beninga asked if Planning and Zoning has been out to review the property lines and surveying issues. Scott Anderson, Planning & Zoning Director, stated that his department does not get involved in surveying issues because they do not have licensed surveyors in their office. Kersten Kappmeyer, Chief Civil Deputy State's Attorney stated that property owners have rights to put up a fence on their property, but they may need a surveyor to determine where the property line is. Mr. Kappmeyer also stated if someone is destroying what is legally on your property, the property owner should call the Sheriff's Office. Judy Swearingen spoke on behalf of her husband Michael Swearingen and stated that they have had a Civil Lawsuit ongoing for three years against the Langdon's regarding the property line/fence dispute and everything that Ms. Langdon stated was a fallacy. Ms. Swearingen stated that during the previous 10 ½ years they held the alcoholic beverage licenses for this location, they didn't have any infractions against them. Ms. Swearingen also stated that they have had their property surveyed and that the Langdon's need to contact their attorney to get the civil case settled. Ms. Swearingen stated that they keep their property picked up and they would pick up any litter that was on the Langdon's property, but they have been denied access to that property. Commissioner Beninga asked Michelle Boyd, Chief Deputy Sheriff, to comment on the allegations and number of calls regarding these properties. Ms. Boyd stated she would look up the information and get back to the Commission in a few minutes. MOTION by Pekas, seconded by Beninga to defer this item to #20 on the agenda. 5 ayes.

ROAD VACATION

David Heinold, Planner, was present for the public hearing and gave a briefing on a petition filed by Dean Wartenbee to vacate a portion of E. Whitetail Place in Section 26 of Sioux Falls Township. Legal notice of this hearing was published for two consecutive weeks and the abutting landowners were sent written notification of the request along with the time and place of the public hearing. This portion of E. Whitetail Place does not provide access to any other properties except land owned by Sharon Wartenbee. The applicant is in the process of building a residence on the lot and stated that the vacation is needed in order to properly accommodate the construction of a detached garage. The City of Sioux Falls was contacted and they do not foresee any problems with the proposed private right-of-way vacation. Commissioner Barth stated concern for access to Lot six. Mr. Heinold stated that there is a 28 foot private access easement filed with the Minnehaha County Register of Deeds that is off of S. Alana Circle between Lots 2 & 3 labeled as Herb Place, which provides access to Lot 6. Kersten Kappmeyer, Chief Deputy State's Attorney, stated private access easements filed with the Register of Deeds may not necessarily appear on a GIS map. Robert Wilson, Assistant Commission Administrative Officer, stated he received a phone call from an attorney representing the owner of Lot 6 who indicated his client and the petitioner have been in negotiations, and his client would not be in attendance at this hearing if the negotiations were satisfactory. The petitioner, Dean Wartenbee, stated that he spoke with Galen Vonk, the owner of Lot 6, who has indicated he has no issues with the vacation. MOTION by Beninga, seconded by Barth, to approve Resolution MC14-55. 5 ayes.

RESOLUTION MC14-55 RESOLUTION TO VACATE A PRIVATE ROAD

WHEREAS, a public hearing was held on September 23, 2014, pursuant to the provisions of SDCL 31-3-7 and SDCL 31-3-38 to consider a petition to vacate a private road; and

9/23/2014

WHEREAS, said hearing was for the purpose of determining whether the public interest will be better served by such proposed vacation; and

WHEREAS, the Board finds that the proposed private road to be vacated does not provide access to public lands.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the Minnehaha County Board of Commissioners that the following described private road, is hereby declared vacated:

That the portion of East Whitetail Place beginning at the West 51 feet of the South 32 feet of Tract 4A, Martens Addition to the City of Sioux Falls, Minnehaha County, South Dakota lying adjacent to Tract 1A and 2 of Brenda's Addition and extending to the east edge of Tract 6 of Orchard Hills Addition; all in Section 26-T101N-R49W Minnehaha County.

AND BE IT FURTHER RESOLVED, that this resolution be placed on file with the Minnehaha County Auditor and recorded with the Minnehaha County Register of Deeds.

Dated this 23rd day of September, 2014.

BOARD OF COUNTY COMMISSIONERS

Cindy Heiberger

Chair

ATTEST:

Cynthia Jepsen

County Auditor

BID

Mark Kriens, Assistant Facilities Director, reported on the September 10, 2014 bid opening for roof replacement/repairs at the Turning Point facility located at 1401 W. 51st Street, Sioux Falls, SD. Two bids were received. The low bid was from Guarantee Roofing in the amount of \$89,989 and gave a completion date of May 1, 2015. This bid did not meet the requirements of the bid specification of a November 15, 2014 completion date. The second bid was from Great Plains Roofing in the amount of \$114,576 and met the completion date requirement. This bid was \$26,551.51 over the estimate provided by Chubb Insurance, who does not wish to exceed their estimate by that large of an amount. Mr. Kriens recommended that both bids be rejected, and to authorize the Auditor to publish a new notice to bidders with completion date of June 1, 2015. MOTION by Barth, seconded by Pekas, to reject the bids submitted by Guarantee Roofing and Great Plains Roofing, and to authorize the Auditor to publish a Notice to Bidders for roof replacement/repairs at the Turning Point facility, 1401 W. 51st Street, Sioux Falls, SD, with a June 1st completion date. 5 ayes.

CHANGE ORDERS

Jason Reaves, Sr. Project Engineer, gave a briefing on Change Order #1 to the contract with PCI Roads for Project MC50-300-118-1, 484th Avenue Bridge Deck Rehabilitation. The change order is for an increase to the contract value in the amount of \$52,027.34 resulting from additional delamination removal in the bridge deck. MOTION by Pekas, seconded by Barth, to approve Change Order #1 to the contract with PCI Roads for Project MC50-300-118-1 for a new contract total of \$273,484.90. 5 ayes.

Jason Reaves, Sr. Project Engineer, gave a briefing on an addition to the contract with Black-Top Paving Company in the amount of \$1,832.27 for the LaMesa Avenue Grading project. The increase is to reconcile field measured quantities for linear grading and tonnage of aggregate base course and the additional manholes. Mr. Reaves also gave a briefing on an addition to the contract with H&W Contracting in the amount of \$3,020.72, for emergency repairs to the collapsed culvert on Highway 114. The increase is due to field measured quantities for granular backfill and roadway base course, and additional asphalt removal. MOTION by Barth, seconded by

9/23/2014

Beninga, to approve a change order to the contract with Black-Top Paving Company for the LaMesa Avenue Grading project for a final contract amount of \$36,332.27 and approve a change order to the contract with H&W Contracting for Emergency Culvert Replacement on Highway 114 for a final contract amount of \$47,060.72. 5 ayes.

Shannon Schultz, Assistant Highway Superintendent, reported that the South Dakota Department of Transportation (SD DOT) is requesting county approval of Change Order #1 in the amount of \$4,958.62, to the contract with Swingen Construction for DOT Project BRO 8050(64), Structure Replacement and Approach Grading at Structure #50-298-200 Spook Road. On October 8, 2014, Minnehaha County concurred with the SD DOT's award of this contract. The change order includes repair work necessary due to flood damage caused by heavy rains in June 2014, installation of additional coated steel on the bridge deck, and grubbing of trees and shrubs totaling \$16,445. This increase is offset by a deduct of \$11,486.38 due to an adjustment in final quantities. MOTION by Beninga, seconded by Barth, to approve Change Order #1 in the amount of \$4,958.62, to the SD DOT contract with Swingen Construction for DOT Project BRO 8050(64), Structure Replacement and Approach Grading at Structure #50-298-200 Spook Road. 5 ayes.

AGREEMENT

Shannon Schultz, Assistant Highway Superintendent, reported that Highway staff and Infrastructure Design Group, Inc. (IDG), met with the Emergency Relief Disaster managers from the South Dakota Department of Transportation and the Federal Highway Administration, and determined seven sites in Minnehaha County damaged by the June flooding that are eligible for Emergency Relief Program funding. Mr. Schultz gave a briefing on a contract with IDG for project development on the emergency repair projects. The total contract price is \$29,840.40. MOTION by Pekas, seconded by Beninga, to authorize the Chairman to sign the agreement between Minnehaha County and Infrastructure Design Group, Inc. for Professional Services on emergency repair projects in the amount of \$29,840.40. 5 ayes.

ADDENDUM

Robert Wilson, Assistant Commission Administrative Officer, gave a briefing on an addendum to the contract with the Minnehaha County Deputies Association. The addendum is for the 2015 and 2016 contract periods and contains the following provisions: 1) There will be no general increase for either 2015 or 2016 contract year. 2) The first step of the pay matrix will be eliminated during both the 2015 and 2016 contract years thereby increasing the minimum rates of pay for each pay grade by 2.5% each year. Employees below step 18 on the pay matrix as of the first payroll periods in 2015 and 2016 will advance one step on the pay matrix. 3) Employees will also receive their regular step increase, with satisfactory performance, during their normal anniversary date. 4) Employees who are at, or will reach Step 18 during the effective dates of the addendum will be topped out and will receive no further increase under the terms of the addendum. Ryan Qualseth, President of the Deputies Association, spoke on the collaboration, cooperation, and compromise that went into negotiating this agreement. MOTION by Barth, seconded by Kelly, to authorize the Chairman to sign the addendum to the agreement between Minnehaha County and the Minnehaha County Deputies Association for the 2015 and 2016 contract periods. 5 ayes.

AGREEMENT

Jeff Gromer, Warden, gave a briefing on an agreement between the Minnehaha County Sheriff's Department and the U.S. Marshals Service to provide jail beds for inmates under the jurisdiction of the federal government. The agreement includes an increase from the current daily rate of \$78.73 per day/per prisoner to \$85.00 per day/per prisoner. MOTION by Beninga, seconded by Barth, to approve the inmate per-diem agreement between the Minnehaha County Sheriff's Department and the U.S. Marshals Service at a rate of \$85.00 per day/per prisoner, effective September 1, 2014. 5 ayes.

9/23/2014

HEARING to consider the transfer of an On-Sale Liquor License and On-Off Sale Malt Beverage License from Swearingen Enterprises, Breck's Bar & Grill to Michael Swearingen, Chaser's Food & Spirits. (deferred from earlier in the meeting)

Michelle Boyd, Chief Deputy Sheriff, stated that there were four calls for service at the bar location between January, 2014 and July, 2014. Judy Swearingen stated that during this time period the bar was under the ownership of Patrick and Marilyn Breck. Kersten Kappmeyer, Chief Civil Deputy State's Attorney, stated that he reviewed records from the State's Attorney's Office and Sheriff's Office that show the fence dispute between the Swearingens and Langdons began in April 2012. Mr. Kappmeyer also stated that the Sheriff's Office investigators did their due diligence and repeatedly attempted to contact both parties to follow up on this, and according to the reports, neither party returned phone calls. Mr. Kappmeyer stated the State's Attorney's Office did receive a subpoena from the Swearingen's counsel for records to be used in a civil lawsuit. MOTION by Barth, seconded by Pekas, to approve the transfer of the On-Sale Liquor License and On-Off Sale Malt Beverage License from Swearingen Enterprises, Breck's Bar & Grill to Michael Swearingen, Chaser's Food & Spirits. Legal description of licensed premise: Wittrock Tr 1 Tr 2 NW ¼ NW ¼ 22-101-50. 5 ayes.

LIAISON REPORTS

Commissioner Barth reported on the Planning & Zoning Commission meeting held on September 22, 2014 where they approved a proposal to build a solar energy farm approximately one mile east of 57th St. and South Ellis Road. Also discussed was an issue with a sign at a winery by Wall Lake. The Planning & Zoning Commission did not approve the sign.

Commissioner Barth reported that at the Urbanized Development Commission meeting they approved an application for a bike path in Harrisburg. Barth suggested looking into grant funding for a bike path going to the McGovern school.

OLD BUSINESS

Commissioner Barth congratulated Dick Kelly for being elected as second Vice President of the South Dakota Association of County Commissioners

Commissioner Barth reported on resolutions submitted by Minnehaha County that passed at the South Dakota Association of County Commissioners annual convention, and will be taken forward to the State Legislature. The resolutions are: Resolution MC14-40, To Provide For A Ten Percent Increase In The Sales Tax On Alcoholic Beverages With A Distribution Of The Increase Split Between The State And Counties; Resolution MC 14-39, Amend the Property Tax Limitation of 3 Percent or the CPI Whichever is Greater; Resolution MC 14-44, Tax Increment Financing Approval And Use; Resolution MC14-42, Establish Responsibility For The Cost Of Prosecution And Defense For Persons Charged With Crimes In State Correctional Facilities. Mr. Barth also reported on seminars that he attended at the convention.

Chairman Heiberger reported that during the South Dakota Association of County Commissioners annual convention, she attempted to resurrect a Minnehaha County resolution regarding the sharing of sales and use tax between municipalities and counties, but was not able to get it back on the floor. Heiberger also reported on presentations and seminars she attended during the convention.

Commissioner Kelly stated that the approval of Resolution MC14-40, To Provide For A Ten Percent Increase In The Sales Tax On Alcoholic Beverages With A Distribution Of The Increase Split Between The State And Counties, was given to the South Dakota Association of County Commissioners board to revise before bringing to the State Legislature.

Commissioner Barth commented on Mayor Huether's suggestion of an increase in sales tax, and thought it was quite progressive of him to consider Minnehaha County.

9/23/2014

Commissioner Pekas reported on a conversation with Mayor Huether regarding his recent trip to Williston, ND.

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

The Commission adjourned until 9:00 a.m. on Tuesday, September 30, 2014.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chairman

ATTEST:

Cynthia Jepsen
Deputy Auditor