

11/24/2015

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. November 24, 2015, pursuant to adjournment on November 17, 2015. Commissioners present were: Barth, Bender, Beninga, Heiberger, and Kelly. Also present were Robert Litz, Auditor, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

Commission Chair Heiberger called the meeting to order.

MOTION by Kelly, seconded by Bender, to approve the agenda. 5 ayes.

MOTION by Beninga, seconded by Barth, to approve the November 17, 2015 County Commission minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Beninga, to approve the following bills totaling \$556,542.09. 5 ayes.

A & B Business Equip	Lease-Rental	209.82	A To Z World Languag	Interpreters	720.00
Adamson, Kim	Election Scho	59.00	Ahrens, Iris	Welfare Rent	400.00
Airgas Inc	Automotive/Sm	151.50	Airgas Inc	Lease-Rental	30.55
Airgas Inc	Small Tools,	1,259.00	Airway Service Inc	Automotive/Sm	419.78
Airway Service Inc	Gas,Oil,Diese	194.89	Allied Oil & Tire Co	Truck Repair/	4,216.56
Argus Leader - Adver	Publishing Fe	1,048.90	Armor Correctional H	Contract Ser	278,723.07
Automatic Building C	HHS Maintenan	310.84	Automatic Building C	Jail Repairs/	2,304.00
Automatic Building C	Outside Repai	372.00	Avera McKennan Hospi	Medical Recor	32.40
B&J Properties Llc	Welfare Rent	270.00	Ballard Asphalt Pavi	Building Repa	1,553.11
Bechtel, Dave	Welfare Rent	550.00	Begley, Anthony	Other Profess	800.00
Benz, Vergil C	Welfare Rent	500.00	Berg, Scott	Uniform Allow	131.20
BK Holdings, Llc.	Welfare Rent	550.00	Bob's Lock & Key/Haw	Safety & Resc	12.45
Brookings County She	Board Of Pris	130.00	Bureau Of Informatio	Data Communic	420.00
Canda Properties Llc	Welfare Rent	500.00	Carper, Nichole A	Attorney Fees	135.50
Carroll Institute	IVC Housing	18,555.00	Cartridge World	Data Processi	1,342.83
CBM Managed Services	Board Of Pris	20,262.57	CBM Managed Services	Child Care Fo	5,540.13
Center For Family Me	Other Profess	693.00	Century Business Lea	Lease-Rental	455.52
Century Business Pro	Lease-Rental	95.03	Century Business Pro	Maintenance C	418.16
Chemco, Inc.	Child Care It	83.52	Christopherson, Ande	Attorney Fees	227.00
Cleveland Heights Ap	Welfare Rent	500.00	Climate Systems, Inc	Electrical Re	1,749.90
Cole Papers, Inc.	HHS Custodial	205.56	Cole Papers, Inc.	Janitorial/Ch	413.32
Computer Forensic Re	Attorney Fees	495.00	Consolidated Plastic	Building Repa	169.83
County Wide Director	Books	26.50	County Wide Director	Bridge Repair	79.50
County Wide Director	Road Maint. &	53.00	D & S Rentals, Inc	Welfare Rent	315.00
Dakota Data Shred	Trash Removal	131.86	Dakota Lettering Etc	Uniform Allow	488.74
Danko Emergency Equi	Safety & Resc	2,043.37	Davies, Boone T	Welfare Rent	450.00
Deans Bulk Svc Inc	Gas,Oil,Diese	657.75	Ebert's Properties,	Motels	280.00
EH Hospitality Llc	Motels	340.00	EJW Llc	Welfare Rent	370.00
Emdeon Business Serv	Data Processi	49.00	Empire Plastics	Exhibit Mater	414.00
Enercon, Inc	Bldg/Yard Rep	143.70	Ergometrics, Inc.	Recruitment	970.00
Etterman Enterprises	Small Tools,	678.88	Fitts, Rod Db	Welfare Rent	1,150.00
Fonder, Roger M Db	Automotive/Sm	218.58	Frantzen, Paige	Attorney Fees	75.80
G & R Controls Inc	Education & T	1,395.00	Gansz, Kevin	Program Activ	602.46
Gaylord Bros Inc	Program Activ	269.76	Graham Tire Co. - No	Automotive/Sm	677.44
Gregory, William	Other Misc. R	150.00	Guzman, Sandra V.	Interpreters	50.00
Haas, Michael A	Welfare Rent	350.00	Harmon, Karla	Bd Evaluation	8,235.00
HDR Engineering Inc	Architects &	994.66	Healthport	Clinics - Aux	18.22
Hepner, Leanne	Other Miscell	200.15	Highland Heights Par	Welfare Rent	265.00
Hillyard, Inc.	HHS Custodial	654.82	Hov Services Inc	Microfilming	167.75
Howalt-McDowell Insu	Other Insuran	250.00	Hurtgen, Timothy T/P	Welfare Rent	500.00
Hy-Vee Accounts Rece	Pharmacies	149.45	Hy-Vee Accounts Rece	Store Invento	7.58
Infrastructure Mgmt	Architects &	2,028.52	Interstate All Batte	Electrical Re	65.92
Interstate All Batte	Heavy Eq. Rep	339.90	Interstate Office Pr	GIS Supplies	84.64
Interstate Office Pr	Office Suppli	292.84	Interstate Power Sys	Maintenance C	228.00
ISS Facility Svcs-Mi	Contract Serv	12,658.00	JCL Solutions-Janito	Building Repa	1,347.00
JCL Solutions-Janito	HHS Custodial	194.46	Jefferson Partners L	Transportatio	352.50

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Jin, Suming	Welfare Rent	600.00	Johnson, Donald E	Automotive/Sm	1,665.10
Kenwood Manor Apts L	Welfare Rent	450.00	Kramerica Llc	Welfare Rent	375.00
Kyra Enterprises Llc	Motels	60.00	Lacey Rentals Inc	Lease-Rental	105.00
Larson, Jeff	Attorney Fees	558.85	Laughlin, Nicole	Attorney Fees	3,638.15
Leaf Inc.	Office Suppli	129.80	Litz, Bob	Election Scho	91.00
Locators & Supplies,	Road Maint. &	231.52	Loving, Philip	Bd Evaluation	660.00
Luther, Jeff	Medical Direc	2,500.00	Madison Square Ptnrs	Welfare Rent	500.00
Mailway Printers	Publishing Fe	168.44	Majestic View Apartm	Welfare Rent	475.00
Malloy Electric Bear	Electrical Re	91.16	Malloy Electric Bear	Heat,Vent & A	171.71
Matheson Tri-Gas Inc	Plumbing & We	22.37	McFarland Supply Co	Small Tools,	619.70
Meade County Auditor	Board Of Pris	120.00	Med-Star Paramedic I	Transportatio	300.00
Menards - East	Building Repa	3.67	Michaelson, Gene	Welfare Rent	500.00
MidAmerican Energy C	Natural Gas	104.32	Miller Funeral Home,	Burials	2,000.00
Minn Cnty Human Svcs	Other Supplie	120.00	Mobile Electronic Se	Communication	297.50
Morphotrak	Lease-Rental	3,167.00	MPI Technologies Inc	Data Processi	815.00
Murray Properties, L	Welfare Rent	519.00	Natl 4-H Council Su	Books	135.86
Nebraska State Histo	Program Activ	100.00	Norment Security Gro	Jail Repairs/	1,157.97
Oasis Inn	Safety Commit	57.00	Oconnor Company	Jail Repairs/	286.32
Oehlke, Karl	Bd Evaluation	2,070.00	Ohio Treasurer Of St	Copy Fees	5.00
Olson's Pest Technic	Other Profess	67.75	Omnitech Inc	Consultants	500.00
P & G Townhomes Llc	Welfare Rent	1,721.00	Paramedics Plus-Siou	Transportatio	750.00
Peters Distributing	Safety & Resc	1,325.71	Pheasantland Industr	Printing/Form	51.00
Pheasantland Industr	Sign Supply/I	226.20	Phoenix Supply Llc	Child Care It	87.43
Phoenix Supply Llc	Inmate Suppli	3,847.85	Pictometry Intl Corp	Maintenance C	1,875.00
Pierre Parkside Deve	Election Scho	228.00	Pirrung, Sheila M	Welfare Rent	500.00
Presto-X-Company	Outside Repai	198.60	Pride Neon, Inc	Sign Supply/I	35.00
Quail, Eric Lee	Store Invento	167.17	Qualified Presort Se	Postage	91.97
RDO Equipment Co.	Heavy Eq. Rep	27.40	Redlin, Jim Db	Parts Invento	87.36
Rensberger, Ron	Welfare Rent	948.92	Roberts, Yvonne	Welfare Rent	980.00
Rola Enterprises Ltd	Welfare Rent	700.00	Sanford Clinic - Fi	Other Miscell	23,262.50
Sanford Hospital	Hospitals	640.74	Sanford Occupational	Expenditures	365.76
Sanford Vermillion M	Hospital Prep	2,700.00	Schabauer Invest Ltd	Welfare Rent	600.00
Schmuck, Jan	Bd Exp. Fees	56.00	SD Assn Of County Of	Amounts Held	5,268.00
SD Dept Of Revenue	Blood/Chemica	358.00	SD Dept Of Revenue	Other Miscell	14.00
SD Dept Of Revenue	Truck Repair/	28.00	SD Human Services Ce	Other Profess	600.00
SD One Call	Outside Repai	4.20	Servall Towel & Line	Janitorial/Ch	13.45
Servall Towel & Line	Program Activ	116.11	SD Leased Hsg Author	Welfare Rent	700.00
Sherwin Williams	Building Repa	79.08	Shipley's Laundry &	Program Activ	41.20
Short Elliott Hendri	Architects &	18,812.65	Sigler Fire Equipmen	Coliseum	919.35
Sigler Fire Equipmen	HHS Maintenanc	82.50	Sioux Empire Fair As	Other Miscell	12,500.00
Sioux Empire Fcu	Program Activ	65.58	Sioux Falls City Fin	Blood/Chemica	3,815.00
Sioux Falls City Fin	Gas,Oil,Diese	16,180.37	Sioux Falls City Fin	HIDTA Grant	234.38
Sioux Falls Ford, In	Gas,Oil,Diese	37.60	Sioux Falls Humane S	Other Miscell	3,484.48
Sioux Falls Utilitie	Electricity	9,570.79	Sioux Falls Utilitie	Water - Sewer	525.87
Spring Hill Ltd Ptnr	Welfare Rent	269.00	Spring Hill Ltd Ptnr	Welfare Utili	108.00
St Francis House	Other Profess	193.41	Stellar Limousine Ll	Program Activ	345.00
Sturdevant's Auto Pa	Parts Invento	140.91	Sturdevant's Auto Pa	Small Tools,	131.92
Subsurface Utility E	Architects &	2,035.00	Thomson Reuters - We	Legal Researc	4,012.53
Tires,Tires,Tires In	Automotive/Sm	793.63	Tires,Tires,Tires In	Gas,Oil,Diese	91.21
Tschetter & Adams La	Attorney Fees	1,580.69	Tvedt, Pam	Other Misc. R	300.00
Ultramax	Ammunition	1,274.00	United Parcel Servic	Postage	19.65
V & S Inc	Uniform Allow	222.45	Variety Foods Llc	Other Profess	409.25
Vik, Darrell	Program Activ	600.00	Vogel Motors Llc	Automotive/Sm	34.00
Vogel Motors Llc	Gas,Oil,Diese	33.00	Wal-Mart	Pharmacies	75.34
Wal-Mart Pharmacy	Pharmacies	571.25	Wal-Mart Pharmacy	Pharmacies	25.61
Waltner,Kolbeck,Scha	Attorney Fees	5,866.40	Waltner,Kolbeck,Scha	Child Defense	907.20
Weerheim, Tom	Attorney Fees	981.00	Wheelco Brake & Supp	Truck Repair/	397.41
Wilka & Welter Llp	Attorney Fees	2,259.82	Xcel Energy, Inc.	Welfare Utili	117.49
Zep Manufacturing Co	Janitorial/Ch	207.82	US Postal Service	Election Post	3,500.00

REPORTS

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Kim Adamson, Finance & Budget Officer, presented the Minnehaha County General Fund Surplus Analysis as of 9/30/15 (Unassigned Fund Balance \$291,173.09, .57% of the 2015 General Fund Budget). The report is placed on file in the Auditor's Office.

PERSONNEL

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

1. To hire Terry Myers as Maintenance Worker (9/4) for Facilities at \$15.06/hour effective 11/25/15.
2. To promote Trevor Johnson from Corrections System Operator to Correctional Officer in Training (12/2) for the Jail at \$16.62/hour effective 11/7/15.
3. To promote Nicholas Coolidge from Correctional Officer in Training to Correctional Officer (13/2) for the Jail at \$17.46/hour effective 10/27/15.
4. To accept the resignation of Robert Bockorny as variable, part-time Protective Services Worker for the Sheriff's Office effective 11/19/15.
5. To end SWAT, Interpreter, and Polygraph Examiner specialty pay of \$1.00/hour for Michael Walsh, Deputy Sheriff Sergeant for the Sheriff's Office, resulting in a rate of \$34.01/hour effective 11/13/15.
6. To end EMT specialty pay for Joseph Bosman, Deputy Sheriff Sergeant for the Sheriff's Office, resulting in a rate of \$28.61/hour effective 11/30/15.

Step Increases

1. Deborah Dose – Senior Accounting Technician – Auditor – 12/13 to 12/14 – 10/31/15 – \$22.35/hour
2. John Shields – Building Facilities Maintenance Technician – Facilities – 14/6 to 14/7 – 11/21/15 – \$20.75/hour
3. Rebecca Carpenter – Legal Office Assistant – State's Attorney's Office – 10/11 to 10/12 – 10/25/15 – \$19.27/hour
4. Edward Angel – Senior Deputy State's Attorney – State's Attorney's Office – 22/5 to 22/6 – 11/10/15 – \$2,526.40/bi-weekly
5. Jennifer Hynek – Senior Deputy State's Attorney – State's Attorney's Office – 22/6 to 22/7 – 11/16/15 – \$2,589.60/bi-weekly
6. Mandi Mowery – Senior Deputy State's Attorney – State's Attorney's Office – 22/10 to 22/11 – 11/6/15 – \$2,858.40/bi-weekly
7. Angela Runnels-Murphy – Senior Deputy Public Defender – Public Defender's Office – 22/7 to 22/8 – 11/3/15 – \$2,654.40/bi-weekly
8. Molly Engquist – Curator of Exhibits – Museum – 19/6 to 19/7 – 11/29/15 – \$2,125.60/bi-weekly
9. Grant Edgecomb – Custodian – Museum – 6/7 to 6/8 – 11/30/15 – \$14.33/hour
10. Krista Bast – Correctional Officer – Jail – 13/13 to 13/14 – 5/19/15 – \$23.48/hour

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11. Mason Braun – Deputy Sheriff – Sheriff’s Office – 16/16 to 16/17 – 10/12/15 – \$29.32/hour
12. Derek Kuchenreuther – Deputy Sheriff – Sheriff’s Office – 16/13 to 16/14 – 11/3/15 – \$27.23/hour
13. Jeff Thoreson – Deputy Sheriff – Sheriff’s Office – 16/11 to 16/12 – 10/21/15 – \$25.92/hour
14. Paul Niedringhaus – Deputy Sheriff Captain – Sheriff’s Office – 23/16 to 23/17 – 10/8/15 – \$3,658.40/bi-weekly

NOTICE

MOTION by Barth, seconded by Kelly, to authorize the Auditor to publish a Notice to Bidders for the purchase of a X-Ray Inspection System for Courthouse security. 5 ayes.

COMPROMISE OF LIEN

Commissioner Barth gave a briefing on a request for compromise of lien submitted by Elaine F. Combs, Personal Representative for the estate of the person who is the lienee of DPNO 22103. The estate is attempting to sell the home of the lienee and the buyer is under contract to close on November 24, 2015. The lien needs to be resolved prior to the closing in order for the buyer to gain clear title to the property. The estate lists assets of \$621.51 in a checking account and \$94,500, the market value of the property. The estate has debts totaling \$211,281.84 comprised of a Wells Fargo Home Mortgage of \$7,830.00, DSS, State of South Dakota \$40,238.13, Accounts Management, Inc. \$98,085.44, Minnehaha County Aid Lien \$18,600.00, AAA Collections \$7,406.20, and medical bills totaling \$39,122.07. Robert Wilson, Assistant Commission Administrative Officer, stated the heirs will not receive any proceeds from the sale of the home. Kersten Kappmeyer, Chief Civil Deputy State’s Attorney, spoke on how claims brought before probate court are prioritized by state statute. Mr. Kappmeyer also stated the notice period for claimants to bring a claim against this estate doesn’t expire until December 10, 2015. Elaine Combs was present and stated the closing date for the sale of the house has been postponed until December 7, 2015, and that the State of South Dakota and AAA Collections have released their liens against the estate. Mr. Kappmeyer stated that deferring action for one week would allow time to verify the release of those liens with the Register of Deeds Office. MOTION by Barth, Seconded by Bender, to defer action until December 1, 2015. 5 ayes.

PUBLIC COMMENT

Lloyd Ringrose, 215 E. 14th St., Apt. B, Sioux Falls, spoke on issues regarding petition circulators and asked for consideration of having a permanent petitioners table in the Minnehaha County Administration Building lobby.

Theresa Stehly, 1621 S. Van Eps, Sioux Falls, spoke on her concern regarding the Auditor’s Office charging petition circulators a fee for having petitions notarized.

Pam Nelson, Minnehaha County Treasurer, spoke on complaints she has received from her customers regarding petition circulators causing congestion in the entryway.

Bruce Danielson, 6704 W. 9th St., Sioux Falls, submitted a packet of information including his recommendations for the petition gatherers policy, and the history of events leading up to the current policy.

Paul Mantz, Key Account and Community Relations Executive with Sioux Valley Energy, introduced himself as a resource for questions the Commissioners may have for development involving Sioux Valley Energy. Mr. Mantz spoke on Sioux Valley Energy’s Reed Fund and Operation Round Up programs.

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CONTRACT

Robert Wilson, Assistant Commission Administrative Officer, presented the 2016 contract among Minnehaha County, Sanford Health Pathology Clinic, and Dr. Kenneth S. Snell, for Coroner and Medical Examiner Services. Under the terms of the contract, Dr. Snell, through Sanford Health Pathology Clinic, will receive \$6,000 per month for coroner duties that will be shared with the deputy coroners at Sanford Health. Dr. Snell, through Sanford Health Pathology Clinic, will also receive a flat rate of \$17,844.08 per month for medical examiner duties. Lab fees, ambulance transports, and monthly cell phone/pager costs will be paid separately from within the FY 2016 Coroner Budget. These fees are estimated at \$45,450 per year. Dr. Snell was present and spoke in regard to budget issues. MOTION by Barth, seconded by Beninga, to approve the 2016 contract among Minnehaha County, Sanford Health Pathology Clinic, and Dr. Kenneth S. Snell, for Coroner and Medical Examiner Services. 5 ayes.

HEARING

Scott Anderson, Planning & Zoning Director, was present for the public hearing and gave the second reading of a proposed ordinance amending the 1990 Revised Zoning Ordinance for Minnehaha County by rezoning Tract 1 Priebe's Addition, S ½ NE ¼, Section 7-T102N-R49W from the A-1 Agricultural District to the Waterway Meadows Planned Development District. Tim and Pam Homan submitted the rezoning request. On October 26, 2015, the County Planning Commission voted unanimously to approve Rezoning #15-06 allowing the existing barn as the principal use of the property. MOTION by Barth, seconded by Beninga, to approve Ordinance MC16-145-15 and authorize the Commission Chair to sign the development criteria. 5 ayes. The entire ordinance and development criteria is on file in the Auditor's Office.

RESOLUTION

DJ Buthe, Highway Superintendent, gave a briefing on a resolution that would delete structure number 50-095-127 from the National Bridge Inventory System (NBIS). The structure is along a quarter-section line which has a gravel road (Van Demark Ave.) maintained by Hartford Township for approximately 0.3 mile north of a section road (257th St.) and then approximately 0.7 mile of Minimum Maintenance dirt road to the north of the structure. The land abutting the 0.7 mile of unmaintained dirt road will still be accessible after the bridge closure via the dirt road from the north section road (256th St). MOTION by Beninga, seconded by Barth, to approve Resolution MC15-74. 5 ayes.

MC 15-74**RESOLUTION TO DELETE BRIDGE FROM NBIS**

WHEREAS, The Minnehaha County Board of Commissioners is in agreement with South Dakota Department of Transportation (SDDOT) that the following structure(s) should be deleted from the National Bridge Inventory System (NBIS) for the following reason(s):

<u>STRUCTURE ID</u>	<u>LOCATION</u>	<u>REASON FOR DELETION</u>
50-095-127	8.7S & 0.5W of COLTON	Structure will be physically removed with no intent to replace

WHEREAS, The Commission is aware of the following stipulations once a structure is deleted from the NBIS Inventory:

1. Federal Bridge funds will not be available for structure replacement or rehabilitation and
2. The structure will only be added to the Inventory following replacement, using County funds.

NOW, THEREFORE, BE IT RESOLVED that upon receipt of this resolution, the above structure(s) will be deleted from inventory.

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Vote of Commissioners: Yes 5 No 0

Dated this 24th day of November, 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Commission Chairman

ATTEST:
Robert Litz
Auditor

CHANGE ORDER

DJ Buthe, Highway Superintendent, requested approval of Construction Change Order #1 to the contract with Dakota Contracting Corporation for Project MC126BR-14. The change order is for addition and subtraction of quantities to complete the final pay application for the project resulting in an increase of \$14,130.50 to the contract amount. MOTION by Barth, seconded by Beninga, to authorize the Commission Chair to sign Change Order #1 to the Contract with Dakota Contracting Corporation for Project MC126BR-14 for a new contract amount of \$318,566.15. 5 ayes.

RESOLUTION

DJ Buthe, Highway Superintendent, reported that the bridge postings set on November 3rd, 2015 have had minor revisions and will require a new resolution. The Highway Department completed maintenance on a structure on Highway 114 near Lyons that allows the weight load posting to be removed. Also the approval of Resolution MC15-74 to remove structure #50-095-127, requires that the structure load limit also be removed. The load limits on nine of the structures were given minor adjustments allowing slightly heavier vehicles to pass over the structures. MOTION by Barth, seconded by Bender, to approve Resolution MC15-75. 5 ayes.

**RESOLUTION MC15-75
SET WEIGHT LOAD LIMITS ON
CERTAIN BRIDGES WITHIN MINNEHAHA COUNTY**

WHEREAS, the South Dakota Department of Transportation has changed the method of posting weight load limits for bridges, and

WHEREAS, the Minnehaha County Highway Superintendent has identified thirty-two bridges in Minnehaha County that are recommended for weight load limits, and

WHEREAS, SDCL 32-22-47 gives the county commission the authority to establish and identify through the proper signage the maximum weight of any vehicle, laden or un-laden, which may enter upon or cross over the bridge, now

THEREFORE, BE IT RESOLVED by the Minnehaha County Board of Commissioners that all existing bridge weight load limits are hereby removed and the following gross vehicle weight load limitations are imposed:

	STRUCTURE NUMBER	APPROXIMATE LOCATION	SINGLE UNIT LIMIT (TON)	COMBINATION UNIT LIMIT (TON)

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1.	50-032-060	2.0 miles south and 0.2 miles east of Buffalo Trading Post (250th St. on a township road)	9	16
2.	50-070-098	5.2 miles north and 2.0 miles west of Hartford (461st Ave. on County Highway 155)	24	35
3.	50-072-100	5.0 miles north and 1.8 miles west of Hartford (254th St. on County Highway 122)	27	35
4.	50-087-120	3.5 miles north and 0.2 miles west of Hartford (256th St. on a township road)	18	33
5.	50-109-105	1.9 miles south and 2.1 miles west of Lyons (Grand Meadow St. on a township road)	27	50
6.	50-130-193	2.0 miles west and 0.2 miles north of Ellis (467th Ave. on a township road)	29	48
7.	50-130-231	3.2 miles south and 2.0 miles west of Ellis (467th Ave. on a township road)	12	20
8.	50-135-229	3.4 miles south and 1.5 miles west of Ellis (Wayne Ave. on a township road)	27	46
9.	50-137-217	2.3 miles south and 1.5 miles west of Ellis (266th St. on a township road)	28	46
10.	50-146-000	4.0 miles north and 4.6 miles east of Colton (244th St. on a township road)	22	36
11.	50-154-180	1.5 miles north and 0.5 miles east of Ellis (262nd St. on a township road)	25	44
12.	50-198-085	2.0 miles south and 0.1 miles west of Baltic (Norway St. on a township road)	21	34
13.	50-199-104	3.9 miles south of Baltic Meadowland St. on a township road)	26	44
14.	50-205-140	0.2 miles east of Renner (258th St. on County Highway 130)	22	39
15.	50-208-130	1.0 mile north and 0.3 miles east of Renner (257th St. on a township road)	13	22
16.	50-226-020	1.0 miles east and 0.5 miles south of Dell Rapids (246th St. on a township road)	27	46
17.	50-231-130	3.1 miles east and 7.0 miles south of Baltic (257th St. on a township road)	21	35
18.	50-237-120	3.7 miles east and 6.0 miles south of Baltic (256th St. on a township road)	18	31
19.	50-239-090	7.1 miles west of Garretson (253rd St. on a township road)	29	49
20.	50-245-050	4.5 miles east and 1.0 mile north of Baltic (249th St. on a township road)	19	33
21.	50-272-030	6.2 miles east and 1.5 miles south of Dell Rapids (247th St. on a township road)	17	27
22.	50-273-090	3.8 miles west of Garretson (253rd St. on a township road)	29	48
23.	50-276-120	4.0 miles north and 0.3 miles west of Corson (256th St. on a township road)	30	49
24.	50-278-130	3.0 miles north and 0.2 miles west of Corson (257th St. on a township road)	30	50

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25.	50-284-170	North edge of Brandon (261st St./Redwood Blvd. on a township road)	17	23
26.	50-290-131	2.9 miles north and 1.0 mile east of Corson (483rd Ave. on a township road)	15	25
27.	50-293-200	1.0 miles south and 3.7 miles west of Valley Springs (264th St. on a township road)	12	20
28.	50-329-160	2.0 miles north and 0.1 miles west of Valley Springs (260th St. on a township road)	25	42
29.	50-330-159	2.1 miles north of Valley Springs (487th Ave. on a township road)	19	32
30.	50-337-130	1.8 miles east and 4.0 miles south of Garretson (257th St. on a township road)	18	31

BE IT FURTHER RESOLVED, that the Minnehaha County Highway Superintendent is hereby directed to erect and post the appropriate signage in accordance with SDCL 32-22-47, and

BE IT FURTHER RESOLVED, by the Minnehaha County Commission that an emergency exists and that the posting of weight limits on the above bridges is immediately in effect and will remain in effect until changed by action of the county commission; and

BE IT FURTHER NOTED, that the violation of these weight load limits is a Class 2 misdemeanor and that pursuant to SDCL 32-22-48, Minnehaha County may recover damages from any person who drives or operates a vehicle exceeding these load limits and causes any injury or damage to said bridge by reason thereof.

Dated this 24th day of November, 2015

APPROVED BY THE COMMISSION:

Cindy Heiberger
Commission Chair

ATTEST:

Robert Litz
77Auditor

LEASES

Bill Hoskins, Museum Director, gave a briefing on the 2016 lease agreements for the Sioux Valley Genealogical Society and the Minnehaha County Historical Society. Under the terms of the agreements, the Genealogical Society will lease approximately 600 square feet of office space on the second floor of the Old Courthouse Museum. The Historical Society will lease approximately 178 square feet of office and storage space on the first floor of the Old Courthouse Museum. Both leases are for 12 months. There is no charge for the lease space. The County pays for light, heat, and custodial services. The Societies pay for their own phone and comprehensive general liability insurance. MOTION by Kelly, seconded by Barth, to authorize the Commission Chair to sign the 2016 lease agreements between Minnehaha County and the Sioux Valley Genealogical Society and Minnehaha County Historical Society. 5 ayes.

RESOLUTIONS

Pam Nelson, Treasurer, presented the Treasurer's List of Uncollectible Mobile Home Taxes for 2015, and requested approval of a resolution to declare mobile home distress warrants for unpaid property taxes as

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uncollectible. Ms. Nelson stated that the County will still have the right to collect the taxes, but the Sheriff's Office will not have to serve warrants for these properties. MOTION by Beninga, seconded by Bender, to approve Resolution MC15-76 pursuant to SDCL 10-22-30. 5 ayes.

RESOLUTION MC15-76
RESOLUTION TO DECLARE CERTAIN MOBILE HOME DISTRESS WARRANTS FOR UNPAID
PROPERTY TAXES AS UNCOLLECTIBLE

WHEREAS, SDCL 10-22-30 provides for county Boards of Commissioners to discharge all distress warrants deemed by the sheriff to be uncollectible; and

WHEREAS, The Office of the Minnehaha County Treasurer has provided an attached list of 27 mobile homes identified as uncollectible; and

WHEREAS, by declaring the property taxes for these mobile homes as uncollectible, these taxes will be added to an uncollectible list and no distress warrant shall thereafter be issued therefore except on order of the Board of Commissioners or on written demand by the sheriff; now

THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners that property taxes on the attached list of mobile homes be declared as uncollectible pursuant to SDCL 10-22-30.

Dated this 24th Day of November, 2015

APPROVED BY THE MINNEHAHA COUNTY
BOARD OF COMMISSIONERS

Cindy Heiberger
 Commission Chair

ATTEST:
 Robert Litz
 Auditor

Carol Muller, Commission Administrative Officer, gave a briefing on the Stepping Up Initiative which is led by the National Association of Counties, the Council of State Governments Justice Center, and the American Psychiatric Foundation. Stepping Up will be a tool for dialogue and action towards reducing the number of people with mental illnesses in jail. MOTION by Bender, seconded by Barth, to authorize the Commission Chair to sign Resolution MC15-77. 5 ayes.

Resolution MC15-77
Stepping Up
Call to Action for Mental Illness

WHEREAS, counties routinely provide treatment services to the estimated 2 million people with serious mental illnesses booked into jail each year;

WHEREAS, prevalence rates of serious mental illnesses in jails are three to six times higher than for the general public;

WHEREAS, almost three-quarters of adults with serious mental illnesses in jails have co-occurring substance use disorders;

WHEREAS, adults with mental illnesses tend to stay longer in jail and, upon release, are at a higher risk of recidivism than people without these disorders;

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WHEREAS, county jails spend two to three times more on adults with mental illnesses that require interventions compared to those without these treatment needs;

WHEREAS, without the appropriate treatment and services, people with mental illnesses continue to cycle through the criminal justice system, often resulting in tragic outcomes for these individuals and their families;

WHEREAS, Minnehaha County and all counties take pride in their responsibility to protect and enhance the health, welfare, and safety of its residents in efficient and cost-effective ways; and

WHEREAS, through Stepping Up, the National Association of Counties, The Council of State Governments Justice Center, and the American Psychiatric Association Foundation are encouraging public, private, and nonprofit partners to reduce the number of people with mental illnesses in jails.

NOW, THEREFORE, LET IT BE RESOLVED, by the Minnehaha County Board of Commissioners, do hereby sign on to the Call to Action to reduce the number of people with mental illnesses in our county jail, commit to sharing lessons learned with other counties in my state and across the country to support a national initiative and encourage all county officials, employees, and residents to participate in Stepping Up. We resolve to utilize the comprehensive resources available through Stepping Up to:

- Convene or draw on a diverse team of leaders and decision makers from multiple agencies committed to safely reducing the number of people with mental illnesses in jails;
- Collect and review prevalence numbers and assess individuals’ needs to better identify adults entering jails with mental illnesses and their recidivism risk, and use that baseline information to guide decision making at the system, program, and case levels;
- Examine treatment and service capacity to determine which programs and services are available in the county for people with mental illnesses and co-occurring substance use disorders, and identify state and local policy and funding barriers to minimizing contact with the justice system and providing treatment and supports in the community;
- Develop a plan with measurable outcomes that draws on the jail assessment and prevalence data and the examination of available treatment and service capacity, while considering identified barriers;
- Implement research-based approaches that advance the plan; and
- Create a process to track progress using data and information systems, and to report on successes.

Dated this 24th Day of November, 2015

APPROVED BY THE COMMISSION:
Cindy Heiberger
Commission Chair

ATTEST:
Bob Litz, Auditor

LIQUOR LICENSE RENEWALS

Robert Litz, Auditor, presented the liquor license renewal applications received in the Auditor’s Office for the 2016 licensing year. The applications were reviewed by the State’s Attorney, Sheriff, and Planning offices and there were no violations, objections, or concerns reported. MOTION by Barth, seconded by Beninga, to approve the following 2016 liquor license applications. 5 ayes.

<u>APPLICANT/BUSINESS NAME</u>	<u>LEGAL DESCRIPTION</u>	<u>TYPE OF LICENSE</u>
Triple J Inc	Lot A of Lots 1, 2, & 3 (EX H-2)	Retail (On-Sale) Liquor
The Alibi	Blk 3 Pleasant View Acres N1/2 SE1/4 & S1/2 NE1/4 19-101-48 7605 E Hwy 42, Sioux Falls	and Sunday Sales

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Baltic Corner, Inc. Baltic Corner	N440' E198' NE1/4 NE1/4 4-103-49 25001 475 th St, Dell Rapids	Retail (On-Sale) Liquor and Sunday Sales
Troy A Novak Bottom's Up	S 25' Lot 1 & All Lot 2 Blk 1 Corson Fauskes Addn 22-102-48 25991 482 nd Ave, Corson	Retail (On-Sale) Liquor and Sunday Sales
MJC Holdings Chasers Food & Spirits	Wittrock TR 1 & TR 2 NW1/4 NW1/4 Section 22-101-50 8405 W 12 th St, Sioux Falls	Retail (On-Sale) Liquor and Sunday Sales
Monarch Steak House, Inc. Monarch Lounge AND Monarch Package Store	E 12' N 120' Lot 9 & All Lot 10 Mapleton TWP G L Renner Addn 47409 258 th , Renner	Retail (On-Sale) Liquor and Sunday Sales AND Package (Off-Sale) Liquor
Norby's Inc. Norby's Rocky Run	TR 2 Madsen TRS of Outlot A (EX E400) NW1/4 SE1/4 8-104-49 47364 Golf View Dr, Dell Rapids	Retail (On-Sale) Liquor and Sunday Sales
Red Rock Bar & Grille Inc. Old 77 Bar & Grille	4A in the NE Cor N ½ Lot 11 (Ex S 160' W 6' N 460' E 378.6') 16-104-49 Dell Rapids Township	Retail (On-Off sale) Liquor and Sunday Sales
R&K Landholdings, LLC Red Rock Bar & Casino	Tract 1B McBeth Addn in the NE ¼ and SE ½ 27-101-48, 48181 Hwy 42, Brandon	Retail (On-Sale) Liquor and Sunday Sales
MAS LLC The Riviera By Roccas	Lot 2 of Tract 1 Jeanne's Addition NE ¼ and SE ¼ of Section 28- T101N-R48W, Brandon	Retail (On-Off sale) Wine and Sunday Sales
Safari Bar & Grill, Inc Safari Bar & Grill	The N 100' of County Auditor's Tract 2 SE ¼ SE ¼ Section 9 T102N-R49W of the 5 th PM Minnehaha County	Retail (On-Off sale) Liquor and Sunday Sales
Sioux Empire Fair Assn., Inc. Sioux Empire Fair	W. H. Lyon Fairgrounds, Tracts 1, 2, & 3, WH Lyon Addition to the City of Sioux Falls; 4000 W 12 th St, Sioux Falls	Retail (On-Sale) Liquor and Sunday Sales
Wild Water West Waterpark LTD Wild Water West Waterpark	E1/2 NW 1/4 SE 1/4 & NE 1/4 SE 1/4 (Ex H-1 & Ex Tr 1 Alvine's Addn) 36-101-51 26767 466 th Ave, Sioux Falls	Retail (On-Off sale) Wine and Sunday Sales

BUDGET SUPPLEMENTS

MOTION by Barth, seconded by Bender, to approve a budget supplement from the General Fund to the Auditor-Elections budget, ASN 15189, Election Equipment, \$109,187.50, representing reimbursement from the State of South Dakota HAVA funds for the cost of purchasing a DS850 tabulating machine; from the General Fund to the

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Auditor-Elections budget, ASN 15189, Election Equipment, \$200.00, representing reimbursement from Marshall County for a DS650 tabulating machine; and from the General Fund to the Public Defender budget, ASN 15700, Salaries, \$12,000.00, representing reimbursement from the University of Oregon for the Gideon Grant position (1st half paid). 5 ayes.

RESOLUTION

Robert Wilson, Assistant Commission Administrative Officer, reported an error was discovered on Resolution MC15-60 formalizing a payment plan for back taxes between Minnehaha County and the former property owner. Mr. Wilson requested Commission action to rescind and repeal Resolution MC15-60 and approve a revised resolution. MOTION by Barth, seconded by Bender, to rescind and repeal Resolution MC15-60 and approve Resolution MC15-78. 5 ayes.

**RESOLUTION MC 15-78
APPROVAL OF PROPERTY TAX PAYMENT PROPOSAL ON
TAX DEED ACTION FOR RECORD 48648**

WHEREAS, the Minnehaha County Board of County Commissioners approved resolution MC15-60 on September 22, 2015, removing property record number 48648 from the roster of tax deed properties scheduled for sale on September 26, 2015, and

WHEREAS, Resolution 15-60 contained a clerical error in the property record number referenced in the third paragraph of the resolution, referring to property record number “30114”, and

WHEREAS, the Minnehaha County Board of County Commissioners wishes to correct the clerical error in this paragraph to refer to property record number “48648”,

NOW THEREFORE BE IT RESOLVED, by the Minnehaha County Board of County Commissioners, that Resolution MC15-60 be hereby amended and re-adopted as this resolution as set forth fully below:

WHEREAS, Minnehaha County has initiated tax deed action to property record 48648 in accordance with state statutes, and

WHEREAS, as of September 22, 2015, a total of \$13,483.33 in back taxes, penalties, and interest owing on the property, and

WHEREAS, the published notice for Minnehaha County’s Tax Deed Sale, scheduled for September 26, 2015 includes property record 48648, and

WHEREAS, SDCL 10-25-42 allows the county commission to set conditions or qualifications as they may decide for reconveyance of the property to the former record owner, and

WHEREAS, the former record owner, The Dwight M. Wood & Marlys J. Wood, Wood Living Trust, has presented the following payment plan to the county commission for consideration in order to satisfy all outstanding taxes, penalties, and interest with payments to begin prior to January 1, 2016:

- Prior to January 1, 2016 Payments Totaling at Least Two Years Delinquent Taxes, Penalties and Interest (currently \$5,489.35). All Payments Must be Made in Full Year Amounts.
- Prior to July 1, 2016 Additional Payments Totaling at Two Additional Years Delinquent Taxes (currently \$4,760.32).
- Prior to November 1, 2016 Remaining Balance Paid In-Full

WHEREAS, in the event that the former owner of record does not pay all back taxes, penalties and interest owing on property record 48648 in accordance with the aforementioned terms, Minnehaha County may proceed with the sale of this property through the tax deed process

NOW THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners, the proposed payment plan, as described above is hereby approved and property record 48648 is removed from the Tax Deed Sale scheduled for September 26, 2015.

Dated this 24th Day of November 2015.

APPROVED BY THE COMMISSION:
Cindy Heiberger

11/24/2015

Commission Chair

ATTEST:
Bob Litz, Auditor

LIAISON REPORTS

Commissioner Barth reported on the Southeast District Meeting he and Commissioner Kelly attended on November 18, 2015, where they had a discussion on regional psychiatric care.

OLD BUSINESS

Commissioner Barth reported Jackson County has settled their voting rights litigation pertaining to the establishment of a satellite voting center in Wanblee on the Pine Ridge Indian Reservation. Mr. Barth commented on the attorney fees for Jackson County being paid out of the South Dakota Public Assurance Alliance of which Minnehaha County is a member of.

Commissioner Barth asked Bob Litz, Auditor, to report back to the Commission on whether out of state residents are allowed to circulate petitions.

MOTION by Kelly, seconded by Barth, to adjourn into executive session for personnel discussion. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, December 1, 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Commission Chair

ATTEST:

Robert Litz
Auditor