THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M. March 24, 2015, pursuant to adjournment on March 17, 2015. Commissioners present were: Barth, Bender, Heiberger, and Kelly. Commissioner Beninga was absent. Also present were Cindy Jepsen, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

Chairperson Heiberger called the meeting to order.

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

MOTION by Kelly, seconded by Barth, to approve the March 17, 2015 Commission Minutes. 4 ayes.

# **VOUCHERS TO BE PAID**

MOTION by Barth, seconded by Bender, to approve the following bills totaling \$299,957.16 and March 2015 Salaries. 4 ayes.

A To Z World Languag	Interpreters	3,015.00	Airway Service Inc	Automotive/Sm	1,085.97
Airway Service Inc	Gas,Oil,Diese	112.55	American Institute O	Lab Costs	900.00
Anderson Publication	Publishing Fe	1,063.04	Argus Leader - Adver	Publishing Fe	4,254.45
Automatic Building C	Coliseum Main	263.16	Automatic Building C	Maintenance C	927.00
Avera Health Plans	Expenditures	1,871.30	Avera McKennan Hospi	Clinics - Aux	819.00
Avera McKennan Hospi	Hospitals	3,130.00	Avera McKennan Hospi	Physicians	98.20
B&J Properties Llc	Welfare Rent	400.00	Bain, Nancy	Welfare Rent	500.00
Baldwin Supply Co	Plumbing & We	787.52	Bierschbach Equipmen	Automotive/Sm	24.87
Billion's	Automotive/Sm	367.56	Bourne, Anna	Bd Evaluation	585.00
Bourne, Anna	Crisis Interv	90.00	Boyer Trucks Sioux F	Automotive/Sm	135.54
Boyer Trucks Sioux F	Truck Repair/	76.70	Bradfield, Matt Dba	Maintenance C	70.00
Brende, Schroeder &	Attorney Fees	307.50	Builders Supply Comp	Repair/Renova	1,058.82
Bureau Of Informatio	Detox	4.67	Bureau Of Informatio	Telephone	260.56
Butler Machinery Com	Heavy Eq. Rep	206.19	Butler Machinery Com	Truck Repair/	740.63
Campbell Supply Co I	Road Maint. &	18.99	Carlson, Lisa	Court Reporte	170.80
Century Business Pro	Lease-Rental	187.69	Century Business Pro	Maintenance C	290.51
Climate Systems, Inc	VOA - Dakotas	260.12	Cole Papers, Inc.	HHS Custodial	758.09
Cole Papers, Inc.	Janitorial/Ch	43.04	Collison, Jeanne	Bd Exp. Fees	60.00
Columbia Dam Llc	Welfare Rent	500.00	Constellation New En	Natural Gas	16,847.98
Dakota Riggers & Too	Truck Repair/	179.50	Dakotaland Autoglass	Automotive/Sm	165.00
Dan Grigg Images Inc	Store Invento	117.60	Data Spec Llc (Vetra	Data Processi	399.00
Dataline Assoc./Fior	Data Processi	410.00	Deans Bulk Svc Inc	Gas, Oil, Diese	335.80
Deboer Law Office Pc	Attorney Fees	1,830.64	Decastro Law Office,	Attorney Fees	1,625.10
Decastro Law Office,	Child Defense	303.30	Deutz, Brian	Welfare Rent	475.00
EH Hospitality Llc	Motels	650.00	Electric Constructio	Electrical Re	128.06
Emdeon Business Serv	Other Medical	49.00	Erpenbach, John E	Recruitment	450.00
First Dakota Title	Other Profess	1,600.00	Fonder, Roger M Dba	Automotive/Sm	35.40
Frantzen, Paige	Depositions	314.25	G & R Controls Inc	Heat, Vent & A	116.32
Gaylord Bros Inc	Program Activ	504.12	Glory House	Clinics - Aux	602.00
Goebel Printing, Inc	Printing/Form	40.00	Grainger, Inc.	Plumbing & We	1,882.80
Gunner, Andrea	Court Reporte	346.80	Guzman, Sandra V.	Interpreters	149.16
Harmelink, Fox & Ravn	Attorney Fees	1,023.50	Harmon, Karla	Bd Evaluation	1,822.50
Harms Oil Company	Gas, Oil, Diese	•	Healthport	Medical Recor	26.12
Heartland Paper Comp	Building Repa	266.68	Heinold, David	Business Trav	413.70
Hewlett-Packard Comp	Data Processi	662.37	High Point Networks	Data Processi	1,854.00
High Point Networks	Maintenance C	5,764.00	Hillyard, Inc.	HHS Custodial	1,096.98
Hillyard, Inc.	Janitorial/Ch	368.20	Hobby Lobby Stores I	Exhibit Mater	46.71
Hoekstra, Denise A.	Court Reporte	44.00	Hofer, Charlotte Db	Welfare Rent	395.00
Horizon Agency Inc	Expenditures	2,431.00	Horn, Garrett	Attorney Fees	213.00
Howe Heating & Plumb	Plumbing & We	27.41	Hurtgen, Timothy T/P	Welfare Rent	300.00
Hy-Vee Accounts Rece	Program Activ	67.94	I State Truck Center	Truck Repair/	62.04
Institutions Service	Jail Repairs/	624.84	Interstate Office Pr	Office Suppli	626.57
ISI Llc	Interpreters	905.00	ISS Facility Svcs-Mi	Contract Serv	
Je Llc	Welfare Rent	350.00	Jin, Suming	Interpreters	100.00
Johnson Controls, In	Building Repa	875.62	Johnson Controls, In	Heat, Vent & A	
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Johnson, Richardt   Ramarath, Jundee   Salon						
Mathematical State   Mathema	Johnson, Richard L	Attorney Fees	67.50	Kading, Kunstle & Go	Attorney Fees	3 <b>,</b> 565.10
Moncosi, Sam	Kamrath, Lyndee	Business Trav	81.03	Kamrath, Lyndee	Other Profess	3.72
None, Inc.   Correction Ct	Khoroosi, Sam	Attornev Fees	246.00	Kolb, Charles J	Welfare Rent	500.00
None   Troc.   Cother Profess   57.16   Motels   Lawghin, Nicole						
Mostes   M				•	-	
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Mace's, Inc.         Small Tools,         2.51         Matheson Tri-Gas Inc.         Cas, Oil, Diese         21.54           Menards = East         Plumbing x w         2.03         Menards = East         Cas, Oil, Diese         21.54           Michamerican Energy C         Contract Serval         37.60         Michamerican Energy C         Middentican Energy C				=	-	
Matheson Tri-Gas Inc   Plumbing & We   20.03   Menards - East   Mathematics - 10.31   Mathematics - 10.31   Mathematics - 10.31   Mill   M	Lewno, Lucy	Bd Exp. Fees	946.44	Lutheran Social Svcs	Interpreters	
Menards - East   Gontract Serv 3, 73.6.0   Middmerican Energy C Middme	Mac's, Inc.	Small Tools,	2.51	Matheson Tri-Gas Inc	Gas,Oil,Diese	21.54
Microfilm Imaging Sy MidAmerican Energy C Mills & Miller Inc MidAmerican Energy C Mills & Miller Inc Minn Chty Museum Pet Minn Chty Museum Fet Minn Chty Minn Chty Minn Chty Museum Fet Minn Chty Minn	Matheson Tri-Gas Inc	Plumbing & We	20.03	Menards - East	Electrical Re	12.98
Microfilm Imaging Sy MidAmerican Energy C Mills & Miller Inc MidAmerican Energy C Mills & Miller Inc Minn Chty Museum Pet Minn Chty Museum Fet Minn Chty Minn Chty Minn Chty Museum Fet Minn Chty Minn	Menards - East	Jail Repairs/	19.94	Menards - West	Exhibit Mater	210.39
Midlar Lam Chry Miseum Pet Minls & Miller Inc Minn Chty Museum Pet Min		-				
Miller Inc         Mode Material 60,107.51         Minn Cnty Museum Pet Minn Cnty Museum Pet Minn Cnty Museum Pet Minn Cnty Museum Pet Minnehan Cnty Histor         Capable Minnehan Cnty Histor         Mode Material Family Minnehan Cnty Histor         Incerted Family Minnehan Cnty Histor         Mode Mody County (SD) And Mody Coun						•
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Minnehaha Cnty Histo         Contract Serv         1,200.00         Moody County (SD) And Nattorney Fees         58.00         75.00         Multi-cultural Center         Interpreters         508.75         508.75         75.00         Multi-cultural Center         Interpreters         508.75         75.00         Multi-cultural Center         Interpreters         508.75         75.00         75.00         Multi-cultural Center         Interpreters         508.75         75.00<	Minn Cnty Museum Pet	Exhibit Mater	15.89	<del>-</del>		
Morse Correct1 Healt         Contract Serv         1,200.00         Multi-cultural Center         Interpreters         50.8.75           Nguyen, Lam         Interpreters         792.48         Newe's Uniforms         Attorney Fees         125.00           O'Hara Masonry         Other Miscell         598.00         Ocommor Company         Heat Vente & A         1,429.73           Oehlke, Karl         Perfessional         400.00         Record Keepers, Inc.         Bd Evaluation         7,970.00           Sanford Clinic - Find         Bd Exp. Fees         45.00         Sanford Hospital         Salberg, Aaron         Attorney Fees         12,377.45           Sanford Occupational         Expenditures         270.26         Sanford Hospital         Blood Withdra         20.00           Sanford Occupational         Professional         7,570.00         SD Building Official         Building Repa         3.01         Sanford Occupational         Hospital         Hospital         Hospital         10.00         No.00	Minn Cnty Museum Pet	Small Tools,	0.42	Minndev Llc	Welfare Rent	420.00
Mygrs Billion Llp         Attorney Fees         792.48         Neve's Uniforms         Other Supplie         29.90           O'Hara Masonry         Other Miscell         598.00         Oconnor Company         Attorney Fees         125.00           Oehlke, Karl         Bd Evaluation         630.00         Palmer, Barbara         Bd Evaluation         830.70           Reardon, Thomas J Db         Professional         400.00         Sanford Occupational         Attorney Fees         24,45           Sanford Occupational Sanford Occupational SD Expenditures         Clinics - Aux         3,892.00         Sanford Occupational         Sanf	Minnehaha Cnty Histo	Store Invento	90.00	Moody County (SD) Aud	Attorney Fees	58.00
Nguyen, Lam	Morse Correctl Healt	Contract Serv	1,200.00	Multi-Cultural Cente	Interpreters	508.75
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O'Hara Masonry         Other Miscell         598.00         Oconnor Company         Heat, Went & A 1,429.73           Perfect Pennies         Bd Evaluation         630.00         Palmer, Barbara         Bd Evaluation         3,847.50           Reardon, Thomas J Db Rehfuss, Cathy A         Bd Exp Fees         400.00         Record Keepers, Inc.         Record Keepers, Inc.         Record Stora         2,357.45           Sanford Clinic - Fi Sanford Occupational Sanford Occupational Sonford Occupational Sonford Occupational Sonford Occupational Sonford Occupational Sonford Occupational Songore Stora         Sanford Occupational Sonford Occup	-	-				
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Perfect Pennies   Program Activ   4,272.99   Qualified Presort Se   Postage   3,897.32   Reardon, Thomas J Db   Professional   400.00   Record Keepers, Inc.   Records Stora   2,357.45   Readings   Associated   A	-					•
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Sanford Hospital         Clinics - Aux         3,892.00         Sanford Hospital         Hospitals         10,175.55         55         6163.29         5anford Occupational         10,175.55         55         6163.29         70.00         70         80         80         6104.21         70.00         80	Sanford Clinic - Fi	Other Miscell	34.00	Sanford Hospital	Blood Withdra	20.00
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Sanford Occupational   Professional   332.37   Schultz, Shannon   Business Trav   33.00   SD Building Official   Education % T   75.00   SD Building Repa   Solow   SD Pet of Revenue   SF Treatment Center   Sh Treatment Center   Solow Falls City Fin   Automotive/Sm   Automotive/Sm   Automotive/Sm   Automotive/Sm   Automotive/Sm   Automotive/Sm   Automotive/Sm   Automotive/Sm   Automotive/Sm   Solow Falls Rubber S   Office Suppli   174.65   Sioux Falls Utilitie   Skorzewski, Jena   Court Reporte   168.00   Solomon, Ghirmay   Solomon, Gh	Sanford Occupational	Expenditures	270.26	Sanford Occupational	Other Profess	163.29
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# REPORTS

The Register of Deeds Official Statement of Revenue Collected in February 2015 was received and placed on file in the Auditor's Office.

#### PERSONNEL

MOTION by Bender, seconded by Barth, to approve the following personnel changes. 4 ayes.

- 1. To hire Mark Bassett as Safe Home Program Assistant (9/4) for Human Services at \$15.06/hour effective 3/25/15.
- 2. To promote Kurt Schaunaman from Corporal to Deputy Sheriff Sergeant (20/2) for the Jail at \$24.67/hour effective 3/28/15.
- 3. To accept the retirement of Kathryn Emerson as Corrections System Operator for the Jail effective 3/27/15.
- 4. To discharge Caleb Hargreaves as Correctional Officer in Training for the Jail effective 3/16/15.
- 5. To accept the resignation of Zachary Reker as Road Maintenance Team Member for the Highway effective 3/27/15.
- 6. To end the temporary, part-time employment of Sarah Sorgdrager as Clerical Worker for the Public Defender's Office effective 3/19/15.
- 7. To hire Erin Hanson as temporary, part-time Clerical Worker for the Public Defender's Office at \$10.00/hour effective 3/24/15 to 5/22/15.

### Step Increases Due

- 1. Rebecca Fiegen Safe Home Program Worker Human Services 9/5 to 9/6 1/14/15 \$15.82/hour
- 2. John Boysen Safe Home Program Worker Human Services 9/3 to 9/4 12/26/14 \$15.06/hour
- 3. Dean Hodgen Caseworker I Human Services 16/6 to 16/7 3/17/15 \$22.91/hour
- 4. Joy West Caseworker I Human Services 16/5 to 16/6 2/28/15 \$22.35/hour
- 5. Kurt Schaunaman Corporal Jail 16/5 to 16/6 2/1/15 \$22.35/hour
- 6. Michael Newkirk Correctional Officer Jail 13/2 to 13/3 3/16/15 \$17.90/hour
- 7. Calvin Kastner Correctional Officer Jail 13/5 to 13/6 3/5/15 \$19.27/hour
- 8. Jason Gearman Deputy Sheriff Sergeant Sheriff's Office 20/17 to 20/18 2/12/15 \$36.62/hour
- 9. Jorrie Hart Air Guard Security Officer II Air Guard 13/3 to 13/4 2/28/15 \$18.34/hour
- 10. Andrew Nielson Engineering Specialist Highway 17/6 to 17/7 3/22/15 \$24.07/hour
- 11. Steven Millage Programmer Analyst II Information Technology 21/8 to 21/9 3/16/15 \$30.81/hour

- 12. Beau Blouin Senior Deputy Public Defender Public Defender's Office 22/2 to 22/3 3/21/15 \$2,345.60/bi-weekly
- 13. Rebecca McChesney Tax and License Supervisor Treasurer 16/8 to 16/9 3/27/15 \$24.07/hour

### **ABATEMENT**

MOTION by Kelly, seconded by Barth, to approve abatement of 2014 Property Taxes for the following: RDID 60252, \$531.46 & RDID 74561, \$880.79 representing owner-occupied status; RDID 25838, \$858.50 & RDID 28398, \$156.98 representing houses that were razed; RDID 34335, \$439.19 & RDID 34334, \$587.93 representing tax exempt property for the City of Sioux Falls. 4 ayes.

MOTION by Bender, seconded by Barth, to approve abatement of 2014 Property Taxes for the following: RDID 12260, \$377.02; RDID 33056, \$650.31; RDID 33738, \$524.80; RDID 42747, \$500.07; RDID 50850, \$33.83; and RDID 51010, \$966.75 representing the Elderly Assessment Freeze. 4 ayes.

#### **NOTICES**

A notice was received from the United States Board on Geographic Names of the approval of the proposal to apply the new name Dells Island to an unnamed island in Minnehaha County.

MOTION by Kelly, seconded by Barth, to authorize the Auditor to publish a notice to bidders for Project MC-155-OL-2015 for contracted asphalt overlay. 4 ayes.

### **HEARING**

A public hearing was held to consider the approval of Special Event On-Sale Liquor Licenses for Johnny Carino's to allow the sale of alcohol at four wedding receptions to be held at the Crooks Gun Club located at 2808 W. 84<sup>th</sup> Street North, Sioux Falls, SD. The dates of the events are June 20<sup>th</sup> and 27<sup>th</sup>, 2015 and September 12<sup>th</sup> and 19<sup>th</sup>, 2015. MOTION by Barth, seconded by Kelly, to approve four (4) Special Event On-Sale Liquor Licenses for Johnny Carino's for events held at the Crooks Gun Club. 4 ayes.

#### **AMENDMENT**

Jeff Gromer, Warden, gave a briefing on an amendment to extend the 2010 contract with Catering by Marlins (CBM) Managed Services to provide daily food service at the Minnehaha County Jail. The amendment would be effective July 1, 2015 through June 30, 2016. The amendment includes an increase in the per meal price from \$0.86 to \$0.89 and an increase in snacks from \$0.62 to \$0.64. MOTION by Barth, seconded by Kelly, to authorize the Chairperson to sign the 2015 Contract Amendment to the Food Service Contract for the jail between Minnehaha County and CBM Managed Services. 4 ayes.

### **APPOINTMENT**

Scott Anderson, Planning & Zoning Director, gave a briefing on applications received for appointment to the Minnehaha County Planning Commission Board. The following four individuals submitted applications and were present to speak on their qualifications for appointment: Keith Lapour, 46732 Dorothy Drive, Sioux Falls; Doug Ode, 48127 Hwy 42, Brandon, SD; Julie Umstead, 48044 256th Street, Garretson, SD; and Bill Sandness, 4507 W. Cottage Trail, Sioux Falls. MOTION by Kelly, seconded by Barth, to defer this item for one week until a full commission is present. 4 ayes.

### **BID AWARDS**

Jason Reaves, Senior Project Engineer, reported on bids received for Item #10, Oxygen and Welding Gasses, of the 2015-2016 Highway Department Annual Materials Letting on March 11, 2015. One bid was received from AirGas USA, LLC. MOTION by Kelly, seconded by Barth, to award the bid for Item #10, Oxygen and Welding Gasses, to AirGas USA, LLC. 4 ayes.

Jason Reaves, Senior Project Engineer, reported on the March 18, 2015 bid opening for Project SEAL 2015, Annual Chip Seal on County Highways. Bids were received from the following companies: Asphalt Surfacing Company \$919,127.40; McLaughlin & Schulz, Inc. \$992,092.58; The Road Guy \$1,016,097.22; Bituminous Paving, Inc. \$1,028,246.20; and ASTECH Corporation \$1,056,933.95. Mr. Reaves recommended the contract be awarded to the low bidder, Asphalt Surfacing Company. MOTION by Bender, seconded by Barth, to award the bid for Project SEAL 2015 to Asphalt Surfacing Company in the amount of \$919,127.40. 4 ayes.

#### **AGREEMENT**

Jason Reaves, Senior Project Engineer, gave a briefing on a Professional Services Agreement with JSA Consulting Engineers/Land Surveyors, Inc. for Construction Administration Services for the replacement of Structure 50-290-135. The structure is located on 483<sup>rd</sup> Avenue Approximately 2 ½ miles north and 1 mile east of Corson. MOTION by Bender, seconded by Barth, to authorize the Chairperson to sign the Professional Services Agreement for Construction Administration Services for Structure 50-290-135 in an amount not to exceed \$25,661.00. 4 ayes.

# SALE OF PROPERTY

Ken McFarland, Commission Administrative Officer, reported that following the briefing on February 17, 2015, on the request from Ben Soles of Corson to purchase property obtained by Minnehaha to accommodate the widening of SD Highway 11 and  $482^{nd}$  Avenue in Corson, the Commission Office has been contacted by other individuals also interested in purchasing that property. Mr. McFarland reviewed the procedure for the sale of county property and the options for the sale of real estate that is deemed no longer necessary, useful, or suitable for its purposes. Mr. McFarland stated that the Commission would have to declare the property as surplus, have the property appraised, decide on the method by which the property will be offered for sale, and publish the required sale notice. The following three options for the sale of the property were presented: sale by sealed bids; sale by public auction; sale by real estate broker. Bob Litz, Auditor, stated that there are two properties that did not get sold during last year's tax deed auction, and he would like to have those properties included on the auction should the Commission choose that method of sale. Chairperson Heiberger stated she would like to wait until the full commission is present to decide on the method of sale. MOTION by Kelly, seconded by Barth, to direct staff to proceed with preparing the necessary documents for declaring the properties surplus. 4 ayes.

### LIAISON REPORTS

Commissioner Barth reported that on March 23, 2015, he spoke to attendees at the convention of fairs which was held in Sioux Falls, and on the economic activity that fairs bring to the community.

Commissioner Barth stated the Heartland House fundraiser event is on April 9, 2015, and if any county representatives are interested in attending they need to contact Ken McFarland, Commission Administrative Officer.

Commissioner Heiberger reported that during the Joint Minnehaha County, Lincoln County and the City of Sioux Falls Planning & Zoning group they discussed a new law that changes the size of posted zoning notices to the size of a campaign sign.

#### **NEW BUSINESS**

Scott Anderson, Planning & Zoning Director, invited the public to an open house for Envision 2035, a revision of Minnehaha County's Comprehensive Plan, on March 24, 2015 at 6:00 p.m. at the West Central Middle School where public input will be heard. Commissioners discussed with Mr. Anderson how the comprehensive plans of the Urbanized Development Commission and the Metropolitan Planning Organization relate to the County's Comprehensive Plan and the Highway Department's five year plan.

### **OLD BUSINESS**

Robert Wilson, Assistant Commission Administrative Officer, gave an update on the congressional hearings on the proposed rule that would amend the definition of "waters of the U.S." within the Clean Water Act. A final decision on these rules is expected late spring or early summer. Commissioners stated they would like the same letter sent to Senator Rounds that was sent to the other members of our delegation last fall stating the County's position on this issue.

Commissioner Barth stated he would like to see consideration for having greater participation from Minnehaha County in the National Association of Counties as a commission agenda item. Chairman Heiberger stated she is considering attending the national conference this year.

MOTION by Barth, seconded by Kelly, to adjourn into executive session for legal briefing and contract negotiations. 4 ayes.

The Commission adjourned until 5:00 p.m. on Tuesday March 24, 2015.

### APPROVED BY THE COMMISSION:

Cindy Heiberger Chairperson

ATTEST:

Cynthia Jepsen Deputy Auditor