THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M. January 30, 2018, pursuant to adjournment on January 23, 2018. Commissioners present were: Barth, Bender, Beninga, Heiberger, and Karsky. Also present were Olivia Larson, Commission Recorder, and Margaret Gillespie, Senior Deputy State's Attorney.

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

# MINUTES APPROVAL

MOTION by Beninga, seconded by Bender, to approve the January 23, 2018, Commission Minutes. 5 ayes.

MOTION by Barth, seconded by Karsky, to approve the January 23, 2018, Joint Minnehaha County/City of Sioux Falls Minutes. 5 ayes.

# **VOUCHERS TO BE PAID**

MOTION by Barth, seconded by Beninga, to approve the following bills totaling \$1,412,731.80. 5 ayes.

A&B Business	Maint 273.03	A To Z World Language	-
ABN Army Surplus	Uniform Allow 600.00	Active Data Systems	Other Prof 2,405.00
Ahlers, Sue	Hospital Prep 26.75	Airgas	Small Tools 112.62
Airway Svc	Automotive 141.72	Airway Svc	Gas, Oil, Diesel 130.00
Alpine Property Mgmt	Welfare Rent 500.00	Amazon.Com	Inmate Supplies 96.34
Amazon.Com	Office Supplies 134.83	Amazon.Com	Other Supplies 29.50
Argus Leader	Subscriptions 29.10	Armor Correctional	Contract Svc 201,419.71
Astrophysics	Lease-Rental 3,875.00	AT&T	Safety & Res 40.75
Automatic Building	Jail Repairs 1,551.02	Avera McKennan	Expenditures 963.76
Avera McKennan	Hospitals 9,100.00	Avera McKennan	Other Prof 6,000.00
Avera McKennan	Physicians 992.17	Avera Medical Group	Physicians 102.52
Avera Specialty	Physicians 93.99	Axis Forensic Toxico	Lab Costs 500.00
Baeteforseth HVAC	Grounds & Par 229.33	Banner Associates	Architects 2,075.50
Bartels, Amber	Business Trav 38.64	Batteries Plus Blubs	Small Tools 70.00
Benco Products	Truck Repair 173.89	BerryDunn	Consultants 7,867.37
Blackstrap	Road Material 8,138.95	Bob Barker	Inmate Supplies 26.37
Boyer Trucks	Automotive 142.34	Brennan Hills	Welfare Rent 474.00
Brown & Saenger	Furniture 10,931.36	Brown & Saenger	Office Supplies 26.99
Bruxvoort, Jordan	Interpreters 125.00	Bureau Of Info	Data Com 113.00
Bureau Of Info	Telephone 247.50	CBM Managed Svcs	Board Of Pris 12,421.67
CBM Managed Svcs	Inmate Supplies 301.26	Century Business	Lease-Rental 832.47
Century Business	Maint 1,172.32	Century business Centurylink	Telephone 113.03
Chapel Hill Funeral	Burials 2,000.00	Charmtex	Inmate Supplie 1,123.20
Childrens Mercy	Attorney Fees 92.33	Cleveland Heights	Welfare Rent 285.00
Climate Systems	Heat, Vent 151.00	Comtec Security	Lease-Rental 20,337.00
Confidential Invest	Other Prof 990.64	Constellation Newene	•
Construction Product		Correct Rx Pharmacy	Natural Gas 52,050.76 Contract Svc 9.09
	3 11 1	4	
Dakota Data Shred	Office Supplies 48.94	Dakota Fluid Power	
Dakota Fluid Power	Small Tools 10.59	Dakota Law	Attorney Fees 65.80
Dakota Law	Child Defense 502.90	Dean A Schaefer	Court Reporter 1,227.00
Dells Farm & Tire	Automotive 15.00	Duffy, Ryan	Attorney Fees 1,478.30
Empire Plastics	Exhibit Mater 903.00	Equipment Blades	Heavy Eq Rep 320.00
Exhaust Pros	Truck Repair 698.88	Falls Community	Other Prof 164.82
Falls Terrace Apts	Welfare Rent 700.00	Fastenal	Small Tools 211.35
Fleetpride	Truck Repair 500.48	Fox & Youngberg	Attorney Fees 2,795.58
Fremont Industries	Building Repair 562.12	G&R Controls	Heat, Vent 1,669.00
Galls Quartermaster	Uniform Allow 70.95	George Boom Funeral	Burials 2,000.00
George, Aaron	Welfare Rent 885.00	Gideons Promise	Education 1,300.00
Girard, Julie	Hospital Prep 64.20	Goebel Printing	Printing/Form 245.26
Grimms Pump	Heat, Vent 689.44	Gritware	Maint 1,701.00
Gunner, Andrea	Court Reporter 6,047.40	Gutnik, Bruce D MD	Other Prof 4,795.00
Guzman, Sandra V	Interpreters 315.66	Hardy Reynolds Law	Attorney Fees 639.80
Hardy Reynolds Law	Child Defense 658.00	Harmon, Karla	Bd Evaluation 1,147.50
Harr	Welfare Rent 595.00	Hasseler, Kenneth D	Other Prof 2,860.00

Heartland Paper	Building Repair 200.94	Hegerfeld, Alex	Welfare Rent 700.00
Helpline Center	Other Misc 4,000.00	High Point Networks	Maint 7,675.00
Horizon Apts	Welfare Rent 368.00	HP Hewlett	Data Process 3,537.10
Hurtgen Properties	Welfare Rent 1,100.00	HyVee	Program Act 211.57
I State Truck Center	Truck Repair 443.90	International Assoc	Memberships 200.00 Office Supplies 788.58
Interstate All Batte	Truck Repair 344.85	Interstate Office	
Intoximeters ISI	Testing Sup 5,000.00 Interpreters 340.00	Iris Ahrens Prop JCL Solutions	Welfare Rent 600.00 Janitorial 119.65
JCL Solutions	Kitchen/Clean 5,700.38	Jeff Larson Law	Child Defense 2,864.14
JLG Architects	Jail Expansio 31,571.18	JSA Consult Engineer	Architects 5,725.00
Kadi, Mark	Business Trav 207.68	Keez Property Mgmt	Welfare Rent 433.00
Kull, Lisa	Court Reporter 23.00	Kyra Enterprises	Motels 1,011.00
Laughlin Law	Child Defense 103.40	Lisa Carlson Report	Court Reporter 65.20
Lowe, Cody	Extradition 69.00	Luikens Hofer Funeral	-
Luther, Jeff	Medical Direct 2,500.00	Lutheran Social Svcs	Diversion Pro 6,273.53
Lutheran Social Svcs	Evening Report 6,369.91	Lutheran Social Svcs	Interpreters 50.00
Lutheran Social Svcs	Shelter Care 62,683.66	Massachusetts General	Other Prof 8,967.00
Matheson Trigas	Small Tools 34.72	McKesson Medical	Clinics Aux 30.45
Meadowland Apts	Welfare Rent 600.00	Menards	Bldg/Yard Rep 17.39
Menards	Sign Supply 318.44	Menards	Exhibit Mater 146.50
Metro Communications	Clinics Aux 120.00	Metro Communications	Other Misc 176,205.83
Microfilm Imaging	Maint 633.00	Midamerican Energy	Natural Gas 2,814.07
Midamerican Energy	VOA Dakotas 1,621.58	Midstates Utility	Small Tools 71.28
Midwest Oil	Small Tools 944.23	Multicultural Center	Interpreters 330.00
Murray Properties	Welfare Rent 500.00 Small Tools 57.60	Napa Auto Parts Nichole Carper	Parts Invent 1,263.90 Attorney Fees 337.70
Napa Auto Parts Nielson, Andrew	Business Trav 98.00	Nies Properties	Attorney Fees 337.70 Welfare Rent 500.00
Nordstroms Auto	Automotive 525.00	Northeast Investment	Welfare Rent 1,900.00
Olson Law	Attorney Fees 2,246.57	Ope Niemeyer Floor	Repair/Reno 12,850.53
Oreilly Auto Parts	Automotive 7.63	Oreilly Auto Parts	Small Tools 64.99
Oreilly Auto Parts	Truck Repair 20.28	Osborn, Roxane R	Court Reporter 715.00
Overhead Door	Jail Repairs 153.06	Parkview	Welfare Rent 1,000.00
Paul Erwin Kish	Other Prof 2,250.00	Pennington Cnty	Transportation 1,154.20
Peska Construction	Museum Colle 405,808.79	Pharmchem	Testing Sup 358.00
Pheasantland	Inmate Supplie 7,500.00	Phoenix Supply	Inmate Supplie 2,049.00
Prestox	Outside Repair 215.00	Prodata Computer Svc	Maint 540.00
Qualified Presort	Postage 130.64	Quality Efficiencies	Motels 500.00
Redwood Toxicology	Program Sup 1,080.00	Redwood Toxicology	Testing Sup 3,600.00
Risty, Maxine J	Court Reporter 255.00	Robertson, Andrew	Business Trav 10.08
Rock Mills	Welfare Rent 600.00	Ruhlman, James M	Welfare Rent 450.00
Sanford Clinic	Other Medical 94.00	Sanford Clinic	Physicians 442.25
Sanford Health Plan	Expenditures 2,962.50	Sanford Hospital	Blood Withdraw 20.00
Sanford Hospital	Clinics Aux 43.63 Welfare Rent 600.00	Sanford Hospital	Hospitals 1,838.49 Business Trav 26.00
Sanford Housing-Rent SD Attorney General	Welfare Rent 600.00 Amounts Held 5,098.00	Schultz, Shannon SD Dept Of Rev	Business Trav 26.00 Other Misc 11,740.42
SD Human Svcs	Attorney Fees 72.40	SD Secretary Of State	
SD Society Of Prof	Memberships 50.00	SDSU Extension	Office Supplies 105.00
Sentinel Offender	Electronic Mon 2,109.21	Sigler Fire Equip	Other Prof 52.00
Sik, Mary Beth	Hospital Prep 96.30	Sioux Council Boy	Diversion Pro 14,000.00
Sioux Falls Area	Education 150.00	Sioux Falls Area	Other Misc 3,168.15
Sioux Falls City	Gas,Oil,Diesel 484.00	Sioux Falls Rubber	Office Supplies 171.85
Sioux Falls School	Attorney Fees 20.75	Sioux Falls Two Way	Truck Repair 100.44
Sioux Falls Utilities	Electricity 11,415.53	Sioux Falls Utilities	Water Sewer 10,565.94
Sioux Falls Utilities	Welfare Utilitie 107.08	Skorczewski, Jena	Court Reporter 421.60
Smith, Tim	Welfare Rent 500.00	Solarwinds	Maint 1,334.00
Southeastern Behavior	•	Southeastern Behavior	
St Francis House	Other Prof 79.86	Stanulis, Robert G	Other Prof 16,550.00
Sturdevants Auto	Small Tools 18.60	Sungard Public	Maint 8,437.66
Szameit, Alexandra	Interpreters 100.00	Tale A Visions	Program Act 1,250.00
Taylor Place	Welfare Rent 500.00	TCN	Telephone 37.39 Welfare Rent 600.00
Tegra Group Tessman Seed	Jail Expansio 25,000.00 Grounds & Par 4,250.00	Terrace Hills Apts Thomson Reuters	Welfare Rent 600.00 Legal Research 2,582.79
Trane	Coliseum Main 177.43	Trane	Heat, Vent 3,741.85
Trane	HHS Maint 2,461.81	Trane	Jail Repairs 504.44
Trane	JDC Maint 42.38	Transource Truck	Heavy Eq Rep 7,414.65
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Transource Truck	Truck Repair	719.78	Tristate Garage Door	Jail Repairs	112.50
Tufty, Geoff	Other Misc	150.00	Uline	Inmate Supplies	883.40
Ulteig Engineers	Architects	379.00	Unified Judicial	Data Process	564.00
US Bank Equipment	Lease-Rental	136.72	US Bank Supply	Furniture	41.14
US Records Midwest	Book Repair	334.81	Vandenbos, Dallas	Welfare Rent	1,000.00
Variety Foods	Other Prof	757.54	Variety Foods	Other Supplies	117.42
Vos, Austin	Business Trav	17.00	Walmart	Pharmacies	39.74
Weber Cnty UT	Return Of Svc	72.50	Wellington Park Apts	Welfare Rent	50.00
West Pointe	Welfare Rent	950.00	West Sioux	Welfare Rent	500.00
Wheelco Brake	Truck Repair	50.90	Wilka & Welter	Attorney Fees	548.70
Woods Fuller Shultz	Jail Expansion 3	,045.00	Woods Fuller Shultz	Other Prof	16.50
Xcel Energy	Electricity 65	,061.70	Xcel Energy	Road Maint	17.13
Yankton Cnty Sheriff	Return Of Svc	100.00	Yankton Cnty Treasure	Attorney Fees	1,239.20
121 Benefits	Cobra Ins	942.22			

#### January Salaries Paid

Commission	Salaries	40,642.33	Auditor	Salaries	50,183.71
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Treasurer	Salaries	72 <b>,</b> 101.98	Information Technology	Salaries	70,300.65
States Attorney	Salaries	260,115.27	Public Defender	Salaries	168,039.86
Public Advocate	Salaries	56,493.20	Facilities	Salaries	50,434.20
Equalization	Salaries	80,848.13	Register Of Deeds	Salaries	45,864.31
Human Resources	Salaries	24,406.28	Sheriff	Salaries	1,044,367.82
Emergency Management	Salaries	16,481.60	Juvenile Detention	Salaries	141,607.39
Highway	Salaries	139,950.65	Human Services	Salaries	120,282.50
Museum	Salaries	65,245.29	Planning	Salaries	34,322.61
Extension	Salaries	3,272.00			

### **REPORT**

The December 2017 Juvenile Detention Center Report was received and placed on file in the Auditor's Office.

### **PERSONNEL**

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

- 1. To promote Kasey Moen from Correctional Officer in Training to Correctional Officer (13/3) for the Jail at \$18.53/hour effective 12/31/17.
- 2. To hire Spencer Matson as Correctional Officer in Training (12/3) for the Jail at \$17.63/hour effective 2/3/18.
- 3. To hire Arnold Matus, Hector Santiago-Crespo, Susan Fleischhacker, Justin Cohen, Rudy Gonzales-Sebastian, Kimberly Berry, Ryan Bates, and Gage Plueger as Correctional Officers in Training (12/3) for the Jail at \$17.63/hour effective 2/5/18.
- 4. To accept the resignation of Rawlett Miranda as Correctional Officer in Training for the Jail effective 1/23/18.
- 5. To accept the resignation of Christian Ruud as Senior Deputy Public Defender for the Public Defender's Office effective 1/26/18.
- 6. To accept the resignation of Andrew Wilka as Deputy Public Defender for the Public Defender's Office effective 1/31/18.

### **Step Increases**

- 1. Kimberly Colwill Paralegal State's Attorney's Office 16/18 12/16/17 \$31.12/hour
- 2. Thomas Rabb Investigator State's Attorney's Office 16/15 12/24/17 \$28.90/hour
- 3. Gregory McNamara Investigator State's Attorney's Office 16/13 12/27/17 \$27.51/hour
- 4. Carol James Senior Deputy State's Attorney State's Attorney's Office 22/11 1/2/18 \$3,108.80/bi-weekly
- 5. Krista Leidholt Deputy Sheriff Sergeant Jail 20/13 1/9/18 \$33.52/hour
- 6. Craig Olson Corporal Jail 17/16 1/27/18 \$31.12/hour
- 7. Ellen Boesel Tax and License Technician Treasurer 10/7 1/21/18 \$17.63/hour

# PLANNING AND ZONING NOTICE

Kevin Hoekman, Planner, gave the first reading and requested authorization for the Auditor to publish a Notice of Hearing for an amendment to the 1990 Revised Zoning Ordinance for Minnehaha County to rezone from the A-1 Agricultural District to Hope Harbor Planned Development District legally described as Beginning in the SE corner of Section 9-102-50 Thence W 716', Thence N 510', Then Northeasterly 864', Thence E53' Thence South 1060' to the point of the beginning. Unplatted Property SE ½ Section 09-120-50 Benton Township, Minnehaha County, South Dakota., located approximately ½ mile southwest of the City of Crooks. MOTION by Karsky, seconded by Beninga, to authorize the Auditor to publish a Notice of Hearing on February 20, 2018, to consider the rezoning amendment. 5 ayes.

### LIEN COMPROMISE

Melinda Storley, Commission Assistant, gave a briefing on an application for a compromise of lien for DPNO 61587 in the amount of \$764.40. The lien was incorrectly placed against the applicant for Court Appointed Attorney services for a minor child. The applicant has no relation to the child. The same charge was also placed against relatives of the child, making DPNO 61587 a duplication. The applicant discovered the lien while attempting to refinance his home, and has requested a compromise and release of the lien in full. MOTION by Karsky, seconded by Barth, to approve resolution MC18-6. 5 ayes.

# **RESOLUTION MC18-6**

WHEREAS, a County Aid Lien in the amount of \$764.40, purports to exist in favor of Minnehaha County and against DPNO 61587 as Lienee, and

WHEREAS, said lienee has filed an application with the County Auditor stating such facts as provided for by Law,

NOW, THEREFORE, BE IT RESOLVED that after due consideration of the circumstances the Board of County Commissioners finds it advisable and proper to authorize the Chair of the County Board and the County Auditor to execute the following:

Compromise and release the lien in full with no payment.

Dated at Sioux Falls, South Dakota, this 30<sup>th</sup> day of January, 2018.

#### APPROVED BY THE COMMISSION:

Cindy Heiberger Chair ATTEST: Olivia Larson Deputy Auditor

### PUBLIC COMMENT

Pam Nelson, Treasurer, spoke on an article written for Sioux Falls City Councilor Stehly's newsletter regarding the elderly and disabled tax freeze.

# SPECIAL EVENT LICENSE

A public hearing was held for a Special Event On-Sale Liquor License Application submitted by TNT Entertainment LLC. The license would allow the sale and consumption of liquor at an engagement party to be held on March 2, 2018, taking place at the Blue Haven Barn. The licensed property is legally described as Track 3 (Ex #1) Krell's Addition SE ½ 36-101-51 Wall Lake Township, located at 46594 268th St. No one spoke in opposition. MOTION by Barth, seconded by Bender, to approve the Special Event On-Sale Liquor License for TNT Entertainment LLC for an engagement party to be held on March 2, 2018, at Blue Haven Barn. 5 ayes.

### **AGREEMENT**

Joe Bosman, Deputy Sheriff Lieutenant, presented an annual agreement to participate in the Federal Equitable Sharing Program. The program allows for participants to receive a share of federally forfeited proceeds that may be used for law enforcement purposes. MOTION by Beninga, seconded by Bender, to authorize the Chair to sign the Federal Equitable Sharing Agreement and Certification. 5 ayes.

#### **SURPLUS**

Joe Bosman, Deputy Sheriff Lieutenant, reported on a request from the Sanborn County Sheriff's Department for a metal detector that Minnehaha County is no longer using and has in storage. MOTION by Barth, seconded by Beninga, to declare one 2004 Rapiscan Metor 250 metal detector, serial #OM614867, as surplus for the purpose of donation to the Sanborn County Sheriff's Department. 5 ayes.

# TAX DEED PROPERTIES

On the request of Bob Litz, Auditor, the following action was taken related to the disposition of a tax deed property: MOTION by Bender, seconded by Barth, to declare RDID #79945 as surplus for the transfer to the City of Sioux Falls and approve Resolution MC18-7. 5 ayes.

### **RESOLUTION MC18-7**

WHEREAS, Minnehaha County holds under Tax Deed proceedings the following property:

Deed #2555, RDID #79945, Lot 2 in Block 2 of Westwood Valley Addition to the City of Sioux Falls, Minnehaha County, South Dakota, according to the recorded plat thereof

WHEREAS, this property serves as a drainage pond, is not suitable for other purposes, and is unbuildable,

**WHEREAS**, the City of Sioux Falls has agreed to the transfer of this property; now therefore, be it

**RESOLVED**, by the Minnehaha County Commission, that the above described property is hereby declared surplus for transfer to the City of Sioux Falls; and be it further

**RESOLVED**, that the County Treasurer is here by authorized to issue a Quit Claim Deed thereto, and the County Auditor is hereby authorized to abate all outstanding taxes, interest, and penalties levied against this property.

Approved this 30th day of January, 2018.

APPROVED BY THE COMMISSION:

Cindy Heiberger Chair ATTEST: Olivia Larson Deputy Auditor

### SAFETY COMMITTEE

Doug Blomker, Emergency Management Assistant Director, presented the 2017 Annual Report of the Minnehaha County Safety Committee summarizing their activities during 2017. The Safety Committee reviews workman's compensation claims, reviews liability claims, provides prevention and safety trainings, and conducts routine building inspections.

#### **AGREEMENTS**

Jamie Gravett, Juvenile Detention Center Director, gave a briefing on a Memorandum of Understanding between the Minnehaha County Regional Juvenile Detention Center and the Compass Center to collaborate and provide service to victims of sexual abuse and sexual harassment as defined by the Prison Rape Elimination Act (PREA). Training will be provided by the Compass Center. There is no budget impact for the services provided by the Compass Center. MOTION by Beninga, seconded by Karsky, to authorize the Chair to sign the Memorandum of Understanding between Minnehaha County Regional Juvenile Detention Center and the Compass Center to collaborate and provide services to victims of sexual abuse and sexual harassment as defined by the Prison Rape Elimination Act (PREA). 5 ayes.

### **PURCHASE**

DJ Buthe, Highway Superintendent, requested approval for the purchase of two PCMS-1500LB Changeable Message Boards off of Minnesota State Contract Release A-210(5), Contract 124548 from Street Smart Rental, at a cost of \$20,781 each. The message boards will replace previous ones declared as surplus in the fall of 2017. The purchase is included in the 2018 budget. MOTION by Barth, seconded by Karsky, to approve the purchase of two PCMS-1500LB Changeable Message Boards off of Minnesota State Contract Release A-210(5), Contract 124548 from Street Smart Rental, at a total cost of \$41,562. 5 ayes.

#### **AGREEMENT**

Carol Muller, Commission Administrative Officer, presented an agreement between Minnehaha County and the South Eastern Council of Governments for the partial funding of the metropolitan planning area study activities. The agreement allows the County to be reimbursed for time spent on planning related to transportation. Funds will be channeled through the Highway and Planning & Zoning Departments. The agreement begins January 1, 2018, and ends December 30, 2018. MOTION by Bender, seconded by Karsky, to authorize the Chair to sign the 2018 Sub-Recipient Agreement between Minnehaha County and the South Eastern Council of Governments for the Sioux Falls Metropolitan Transportation Planning Process. 5 ayes.

#### LEGISLATIVE UPDATE

Craig Dewey, Assistant Commission Administrative Officer, gave an update and status report of the 2018 Legislative Session on bills that impact Minnehaha County.

#### LIAISON REPORT

Commissioner Karsky reported on touring a local contractor facility for the purposes of researching layout options and best practices for a new Highway facility.

Commissioners Barth and Heiberger reported on attending the recent Fire Chief's Annual Dinner held at the Old Courthouse Museum noting discussion around the collaboration with the County's Emergency Management Department.

Commissioner Heiberger spoke on an invitation from the Department of Justice and the Bureau of Justice Statistics, in conjunction with the National Association of Counties (NACo), to attend a roundtable regarding the sixth amendment and defense representation. This will take place in Washington, D.C. prior to the March 2018 NACo Legislative Conference. The additional hotel space and airfare will have no cost to the County.

### **NEW BUSINESS**

Bob Litz, Auditor, reported on touring two Seachange facilities with Jason Toering, Computer Support Technician, and an ES&S representative to discuss ballot printing and programing of electionware and election software.

Carol Muller, Commission Administrative Officer, stated City Link Channel 16 has started re-broadcasting the County's Planning Commission Meetings at no cost to the County.

Carol Muller, Commission Administrative Officer, stated the Construction Manager At-Risk contract for the jail expansion project will be brought forward next week.

Commissioner Barth spoke on gaining sponsors for bills in Pierre to raise taxes on alcohol.

MOTION by Bender, seconded by Beninga, to move into executive session pursuant to SDCL 1-25-2(1) and (3). 5 ayes.

The next Regular County Commission Meeting will take place at 9:00 a.m. on Tuesday February 6, 2018.

### APPROVED BY THE COMMISSION:

Cindy Heiberger Chair ATTEST: Olivia Larson Deputy Auditor