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THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. July 22, 2014 pursuant to adjournment on July 15, 2014. Commissioners present were: Barth, Beninga, Heiberger, Kelly, and Pekas. Also present were Cindy Jepsen, Commission Recorder, and Kerstin Kappmeyer, Chief Civil Deputy State's Attorney.

Chairman Heiberger called the meeting to order.

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

MOTION by Pekas, seconded by Beninga, to approve the July 15, 2014 Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Pekas, to approve the following bills in the amount of \$587,904.71. 5 ayes.

Airway Service Inc	Automotive/Sm	1,931.66	Airway Service Inc	Gas,Oil,Diese	98.32
Albert & Gage Llc	Program Activ	300.00	Allied Oil & Tire Co	Truck Repair/	72.00
American Legion Chor	Other Miscell	34.00	Arena Motel	Motels	368.16
Argus Leader - Adver	Advertising	120.00	Argus Leader - Adver	Publishing Fe	1,402.87
Around The Clock Dra	Building Repa	192.50	Associated Consult/E	Repair/Renova	1,875.00
Avera Health Informa	Clinics - Aux	168.60	Avera McKennan Hospi	Hospitals	3,040.00
Avera McKennan Hospi	Other Profess	4,604.16	Avera Radiology	Other Medical	79.62
Bakken, Larry	Business Trav	64.00	Bankers Equip Svc In	Furniture & O	2,695.00
Billion's	Automotive/Sm	970.96	Bosman, Joseph	Education & T	72.00
Brown & Saenger	Office Suppli	32.29	Bureau Of Informatio	Data Communic	420.00
Bureau Of Informatio	Detox	10.37	Bureau Of Informatio	Telephone	410.47
Butler Machinery Com	Parts Invento	280.50	Campbell Supply Co I	Small Tools,	46.11
Cantrell-Wintz, Inc	Burials	2,250.00	Carlson, Lisa	Court Reporte	506.60
Carper, Nichole A	Attorney Fees	365.75	CBM Managed Services	Board Of Pris	9,764.16
CBM Managed Services	Child Care Fo	3,694.77	Century Business Lea	Lease-Rental	455.52
Century Business Pro	Lease-Rental	355.77	Century Business Pro	Maintenance C	68.90
Century Business Pro	Office Suppli	323.64	Centurylink (Qwest)	Data Communic	1,172.48
Centurylink (Qwest)	Telephone	1,764.14	Champion Tree Svc	Road Maint. &	850.00
Chemco, Inc.	Kitchen/Clean	1,598.54	Christopherson, Ande	Attorney Fees	3,008.46
Cliff Avenue Auto Pa	Automotive/Sm	15.93	Cole Petroleum Inc	Gas,Oil,Diese	4,763.50
Constellation New En	Electricity	7,573.15	Cooley, Carla F	Court Reporte	47.60
Counseling Resources	Attorney Fees	425.00	Country View MHC	Welfare Rent	374.63
Covrig, Mark	Welfare Rent	700.00	Crosby-Jaeger Funera	Burials	2,250.00
Culligan Water Condi	Other Miscell	37.50	Dakota Data Shred	Trash Removal	102.22
Dakota District Pipe	Program Activ	300.00	Dakota Fluid Power,	Small Tools,	386.81
Dakota Riggers & Too	Heavy Eq. Rep	79.20	Deer Hollow Ltd Ptnr	Welfare Rent	490.00
Dey Appliance	Building Repa	263.32	Douglas County (NE)S	Return Of Ser	50.00
Doyle, Betsy R	Education & T	49.00	Duffy, Ryan	Attorney Fees	69.60
Dunn. Katie	Education & T	68.00	Dust Tex Service Inc	Maintenance C	22.56
Ebert's Properties,	Motels	535.00	EH Hospitality Llc	Motels	1,535.00
Emdeon Business Serv	Other Medical	49.00	Etc/Expo For Her Mag	Advertising	350.00
Family Service Inc	Expenditures	65.00	Fastenal Company	Automotive/Sm	3.46
First Dakota Nationa	2012 HLS Grant	3,331.25	First Premier Bank	Investigators	218.64
Fleetpride / Holt, I	Truck Repair/	292.74	Fonder, Roger M Db	Automotive/Sm	35.40
G & R Controls Inc	Building Repa	117.35	Gansz, Kevin	Program Activ	108.00
Garbang, Kun	Interpreters	25.00	Garnos, Graham Db	Welfare Rent	1,200.00
Gaylord Bros Inc	Collections S	853.40	Genzlinger, Janeen	Court Reporte	269.80
Glass Pros, Inc.	Building Repa	693.00	Glazier, David Alan	Welfare Rent	350.00
Global Connect	Other Medical	5.00	Golden Valley Apts L	Welfare Rent	600.00
Gourley Properties I	Records Stora	7,020.00	Grillas Family Trust	Amounts Held	244.38
Guzman, Sandra V.	Interpreters	212.50	Harmon, Karla	Bd Evaluation	405.00
Healthport	Medical Recor	31.48	Heartland Paper Comp	Kitchen/Clean	1,494.50
Hecksel, Julie	Program Activ	200.00	Heimdal, Marie Ann	Court Reporte	15.20
Heirigs, Mary Ellen	Bd Exp. Fees	57.60	Hillyard, Inc.	HHS Custodial	959.90
Hobby Lobby Stores I	Program Activ	33.27	Home Federal Savings	Welfare Rent	376.04
Horn, Garrett	Attorney Fees	201.75	Hurtgen, Timothy T/P	Welfare Rent	600.00
Hy-Vee Accounts Rece	Pharmacies	11.67	IABTI	Education & T	450.00
Ideal Yardware	Grounds & Par	39.75	Interstate Office Pr	Furniture & O	585.16

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Interstate Office Pr	Office Suppli	4,667.45	Iosty, James	Bd Exp. Fees	1,701.00
Iosty, James	Crisis Interv	27.00	ISS Facility Svcs-Mi	Contract Serv	11,058.00
James E Aiken & Asso	Other Profess	9,993.41	Jaymar Business Form	Printing/Form	293.00
JCL Solutions-Janito	Kitchen/Clean	1,511.85	Johnson, Allan R	Welfare Rent	345.00
Johnson, Eric	Welfare Rent	600.00	Johnstone Supply	Heat,Vent & A	2,161.84
Kappmeyer, Kersten	Business Trav	64.00	Kauffman, David W. P	Psych Evals	6,523.75
Kone, Inc.	Maintenance C	795.90	Kone, Inc.	Other Profess	57.16
Kone, Inc.	Outside Repai	9,475.77	L.G. Everist Inc	Bridge Repair	1,061.17
Laughlin, Nicole	Attorney Fees	231.60	Leaf Inc.	Office Suppli	129.80
Lewis & Clark Bhs	Bd Evaluation	3,040.00	Light And Siren	Automotive/Sm	650.00
Lincoln County Audit	Attorney Fees	151.70	Mac's, Inc.	Heavy Eq. Rep	63.17
Mac's, Inc.	Truck Repair/	5.85	Matheson Tri-Gas Inc	Plumbing & We	31.77
McGrath, Michael J,	Other Profess	1,330.00	Menards - East	Automotive/Sm	116.94
Menards - East	Bridge Repair	365.05	Menards - East	Park/Recreati	10.97
Menards - East	Sign Supply/I	161.96	Menards - West	Exhibit Mater	187.09
Metro Communications	Other Misc	201,080.56	MidAmerican Energy C	Natural Gas	275.15
MidAmerican Energy C	Welfare Utili	1,133.12	MidContinent Communi	Telephone	55.00
Midwest Properties L	Welfare Rent	200.00	Mikelson, Gary E	Attorney Fees	204.73
Mishra, Thakur	Interpreters	115.83	Monroe Systems For B	Office Suppli	55.46
Natl Assn For Public	Memberships	320.00	Neve's Uniforms	Uniform Allow	79.98
New Horizons	Education & T	2,475.00	Nielsen Ogdahl, Erin	Attorney Fees	1,125.00
Norberg Paints Inc	Program Activ	17.32	Novak Sanitary Servi	Trash Removal	175.34
Nyhaug, Adam	Program Activ	108.00	Ohnstad, Gary A	Welfare Rent	600.00
Olson, Lloyd	Business Trav	244.31	Osborn, Roxane R	Court Reporte	265.00
Palmer, Barbara	Bd Evaluation	3,510.00	Pennington County Ja	Extradition &	7,091.40
Peters, Scott N Pc	Bd Exp. Fees	11,223.00	Peters, Scott N Pc	Crisis Interv	243.00
Peters, Scott N Pc	Dev Disabili	108.00	Pictometry Intl Corp	Other Profess	31,275.50
Pictometry Intl Corp	Software	10,000.00	Price, Richard	Welfare Rent	600.00
Qualified Presort Se	Kitchen/Clean	14.70	Qualified Presort Se	Museum Report	545.56
Qualified Presort Se	Postage	3,682.14	Qualified Presort Se	Workers Compe	48.30
Reker, Zach	Uniform Allow	62.99	Ridgeview Apts Ltd P	Welfare Rent	700.00
Rieck, Josh	Program Activ	300.00	Rypkema, Diane	Business Trav	64.00
Sanford Hospital	Hospitals	40,405.57	Sanford Hospital Med	Medical Recor	20.50
SD Assn Of County Co	Education & T	330.00	SD Assn Of County Of	Amounts Held	4,796.00
SD Dept Of Public Sa	Other Miscell	80.00	SD Dept Of Revenue	Blood/Chemica	525.00
SD Dept Of Revenue	Other Miscell	28.00	SD Dept Of Revenue	Store Sales	187.15
SD Human Services Ce	Clinics - Aux	26.60	SD One Call	Building Repa	19.95
Senior Citizens Svcs	Advertising	54.00	SF Ambulance--Rural/	Ambulance	215.61
SF Ambulance--Rural/	Transportatio	900.00	SF Family Vision	Optometric Se	118.82
SF Leased Hsg Author	Welfare Rent	482.00	Sherwin Williams	Building Repa	18.85
Siegel, Barnett, & S	Child Defense	309.15	Sioux Empire FCU 148	Program Activ	213.01
Sioux Falls City Fin	Blood/Chemica	3,850.00	Sioux Falls Housing	Welfare Rent	465.00
Sioux Falls Two Way	Automotive/Sm	43.49	Sioux Falls Utilitie	Water - Sewer	3,404.03
Sioux Falls Utilitie	Welfare Utili	126.00	Sioux Valley Energy	Welfare Utili	324.06
Solomon, Ghirmay	Interpreters	183.48	Springbrook Ii, Ltd	Welfare Rent	700.00
St Francis House	Other Profess	472.06	Storhaug, Adrean	Welfare Rent	500.00
Sturdevant's Auto Pa	Parts Invento	127.70	Suminn Inc	Co. Welfare -	385.00
Swier, Curt	Welfare Rent	475.00	Szameit, Alexandra	Interpreters	316.66
Tammen Oil	Automotive/Sm	33.11	Tammen Oil	Gas,Oil,Diese	25.74
Test Point Paramedic	Blood Withdra	1,560.00	Thomson Reuters - We	Legal Researc	3,655.50
Thomson Reuters - We	SDCL Law Book	1,620.74	Thomson Reuters - We	Subscriptions	3,389.86
Thorin, Deyanira T	Interpreters	275.00	Tires,Tires,Tires In	Automotive/Sm	3,090.17
Tires,Tires,Tires In	Gas,Oil,Diese	206.29	Tires,Tires,Tires In	HIDTA Grant	26.40
Tool Depot	Bridge Repair	12.99	Tool Depot	Sign Supply/I	192.72
Ultramax	Ammunition	2,910.00	Variety Foods Llc	Other Profess	198.45
Variety Foods Llc	Other Supplie	20.74	VB Falls Terrace Apt	Welfare Rent	700.00
Vogel Motors Llc	Gas,Oil,Diese	26.40	Wal-Mart Pharmacy	Pharmacies	17.72
Waldner, Ryan	Store Invento	136.00	Waltner, Kolbeck, Sc	Attorney Fees	890.40
Wegner Auto Comp Inc	Automobiles	25,263.00	Westport Apts/Westpo	Welfare Rent	700.00
Westwick Motel, Inc.	Motels	215.00	Wheelco Brake & Supp	Parts Invento	262.08
Wheelco Brake & Supp	Small Tools,	80.00	Wilka & Welter Llp	Attorney Fees	20.51
Xcel Energy, Inc.	Electricity	4,988.22	Xcel Energy, Inc.	Road Maint. &	25.12
Xcel Energy, Inc.	Welfare Utili	1,354.10	Yankton County Sheri	Return Of Ser	125.00
Yellow Cab Inc	Transportatio	21.36	Zahrbock Kool, Tress	Interpreters	962.23
Ziegler Inc	Trucks/Tracto	52,876.00			

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REPORT

The Register of Deeds Official Statement of Fees Collected in June 2014 was received and placed on file in the Auditor's Office.

PERSONNEL

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

1. To accept the resignation of Brian Determan as Juvenile Correctional Worker for the Juvenile Detention Center effective 7/27/14.

Step Increases Due

1. Cassandra Tompkins – Correctional Officer – Jail – 13/1 to 13/2 – 7/21/14 – \$17.46/hour
2. Matthew Aanenson – Deputy Sheriff Sergeant – Jail – 20/3 to 20/4 – 6/30/14 – \$25.92/hour
3. Benjamin Finley – Juvenile Correctional Officer I – Juvenile Detention Center – 12/3 to 12/4 – 7/16/14 – \$17.46/hour
4. Brittani Crawford – Juvenile Correctional Officer I – Juvenile Detention Center – 12/2 to 12/3 – 7/14/14 – \$17.03/hour
5. Brian Vandenhul – Juvenile Correctional Officer I – Juvenile Detention Center – 12/6 to 12/7 – 7/16/14 – \$18.80/hour
6. Janel Ingalls – Juvenile Correctional Officer II – Juvenile Detention Center – 14/14 to 14/15 – 6/27/14 – \$25.29/hour

NOTICE

MOTION by Beninga, seconded by Pekas, to authorize the Auditor to publish a notice of hearing to consider an application for a Retail On-Off Sale Malt Beverage License for Jeffrey and Victoria Wilde, Wilde Prairie Winery, Inc., 48052 259th Street, Brandon, SD. 5 ayes.

LIEN COMPROMISE

Commissioner Pekas gave a briefing on an application requesting the Commission not require any payment from the applicant or the person named on DPNO 81326 as part of the process to remove the applicant's name from the title of a 1977 Geer mobile home that is attached to the lien. The lien is in the name of the applicant's daughter for services the county provided to her. The applicant and her daughter are both listed on the title of the mobile home. The applicant needs her name removed from the title because she is seeking to qualify for the purchase of a home and must show that she does not own any other residence. MOTION by Pekas, seconded by Barth, to approve Resolution MC14- 35. 5 ayes.

RESOLUTION MC14-35

WHEREAS, a County Aid Lien in the amount of \$6,710.77 purports to exist in favor of Minnehaha County and against DPNO 81326 as Lienee, and

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WHEREAS, an applicant has filed a request to have their name released from the title on a 1977 Geer Mobile Home that is attached to DPNO 81326 with no payment from the applicant; and that the lien remain in force against the lienee and the mobile home.

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

Authorize the release of the applicant's name on the title of the 1977 Geer Mobile Home with no payment on the lien from the applicant or lienee, leaving the lien in force against the mobile home and the lienee.

Dated at Sioux Falls, South Dakota, this 22nd day of July, 2014.

APPROVED BY THE COMMISSION:

Cindy Heiberger

Chairman

ATTEST:

Cynthia Jepsen

Deputy County Auditor

HEARING

Scott Anderson, Planning & Zoning Director, was present for the public hearing and gave a briefing on Ordinance MC16-135-14, a proposed amendment to MC16-90 the Revised Zoning Ordinance for Minnehaha County, pertaining to Article 26.02 creating a definition for "Solar Energy Conversion System (SECS)", proposed amendments to Articles 3.04, 4.04, 5.04, 6.04, 7.04, 8.04 and 9.04 making "Solar Energy Conversion System" a conditional use within the A-1 Agricultural District, C Commercial District, I-1 Light Industrial District, I-2 General Industrial District and RC Recreation/Conservation District, and a proposed amendment to Article 12.15 adding land use regulation for Solar Energy Conversion System. The Planning Commission voted unanimously to recommend approval of the text amendments. MOTION by Barth, seconded by Pekas, to approve Ordinance MC16-135-14. 5 ayes. The entire ordinance is on file in the Auditor's Office.

TAX DEED

Robert Litz, Auditor, gave a briefing on Tax Deed #2571, RDID #23673 and Tax Deed #2573, RDID #23672. The City of Hartford has agreed to purchase the properties for the amount of taxes, special assessments, interest, and penalties owing on the properties plus County fees and Register of Deed filing fees. The County Appraisal Board is recommending the sale of the properties to the City of Hartford. MOTION by Beninga, seconded by Barth, to approve Resolution MC14-36, and Resolution MC14-37. 5 ayes.

RESOLUTION MC14-36

WHEREAS, Minnehaha County holds under Tax Deed proceedings Deed #2571, RDID #23673, covering property legally described as:

The North 44 feet of Lot 4 and South 22 feet of Lot 5 in Block 1 of Parkview Addition to the City of Hartford, Minnehaha County, South Dakota, according to the recorded plat thereof.

WHEREAS, this property is suitable for Community Development Affordable Housing purposes, and

WHEREAS, the City has agreed to purchase this property for \$5,573.73 now therefore, be it

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RESOLVED, by the Minnehaha County Commission, under the authority of SDCL 6-5-1, that the above described property is hereby declared surplus for sale to the City Hartford; and be it further

RESOLVED, that the County Treasurer is hereby authorized to issue a Quit Claim Deed thereto and the County Auditor is hereby authorized to apply the proceeds of the sale as follows: \$100 to County Fees; \$30 to Register of Deeds Filing Fees; with the balance applied to all outstanding taxes, interest, and penalties levied against this property, and

IT IS FURTHER RESOLVED that this grant is expressly conditioned on representations from the City of Hartford that it will use the lots for affordable housing, and not for re-sale to developers.

Approved this 22nd day of July, 2014.

Cindy Heiberger
Chairman
ATTEST:
Cynthia Jepsen
Deputy Auditor

RESOLUTION MC14-37

WHEREAS, Minnehaha County holds under Tax Deed proceedings Deed #2573, RDID #23672, covering property legally described as:

Lot 3 and South 22 feet of Lot 4 in Block 1 of Parkview Addition to the City of Hartford, Minnehaha County, according to the plat thereof.

WHEREAS, this property is suitable for Community Development Affordable Housing purposes, and

WHEREAS, the City has agreed to purchase this property for \$5,695.15 now therefore, be it

RESOLVED, by the Minnehaha County Commission, under the authority of SDCL 6-5-1, that the above described property is hereby declared surplus for sale to the City Hartford; and be it further

RESOLVED, that the County Treasurer is hereby authorized to issue a Quit Claim Deed thereto and the County Auditor is hereby authorized to apply the proceeds of the sale as follows: \$100 to County Fees; \$30 to Register of Deeds Filing Fees; with the balance applied to all outstanding taxes, interest, and penalties levied against this property, and

IT IS FURTHER RESOLVED that this grant is expressly conditioned on representations from the City of Hartford that it will use the lots for affordable housing, and not for re-sale to developers.

Approved this 22nd day of July, 2014.

Cindy Heiberger
Chairman
ATTEST:
Cynthia Jepsen
Deputy Auditor

AMENDMENT

DJ Buthe, Highway Superintendent, gave a briefing on Amendment #2 to the Professional Services Agreement with Ulteig Engineers for the Sign Replacement Program. The amendment is for the addition of sign map

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creation for townships and towns and the coordination meetings required to accomplish the work. The total cost of the amendment is \$64,389.59 bringing the contract amount to \$456,800.70. The project cost is 100% paid for by the South Dakota Department of Transportation (SDDOT). The additional work has already been approved by the SDDOT, and they are asking for Minnehaha County to concur. MOTION by Beninga, seconded by Barth, to authorize the Chairman to sign the Amendment to the agreement with Ulteig Engineers for Professional Services for the Sign Replacement Program resulting in a new contract amount of \$456,800.70. 5 ayes.

LIAISON REPORTS

Commissioner Barth asked if anyone was going to the State Watershed Conference this Thursday. Barth suggested having someone from the Planning & Zoning Department attend the meeting.

Commissioner Kelly reported that the Criminal Justice Advisory Committee will be interviewing the top four firms who submitted proposals for Architect Services for the Minnehaha County Jail Expansion Needs on August 4th.

NEW BUSINESS

Ken McFarland, Commission Administrative Officer, reported on an incident in the county parking lot adjacent to Van Eps Park. A paraplegic woman was found sleeping under a blanket. The woman stated someone had stolen her wheel chair. Mr. McFarland called emergency personnel to assist the woman.

OLD BUSINESS

Ken McFarland, Commission Administrative Officer, stated that the July 29th commission meeting agenda will have the adoption of the 2015 Provisional Budget, and also consideration of resolutions on legislative priorities identified by the Commission to be forwarded to the South Dakota Association of County Commissioners Resolutions Committee prior to the state convention in September.

MOTION by Pekas, seconded by Barth, to go into executive session for personnel, contract negotiations, and litigation. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, July 29, 2014.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chairman

ATTEST:

Cynthia Jepsen
Deputy Auditor