

2/24/2015

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. February 24, 2015, pursuant to adjournment on February 17, 2015. Commissioners present were: Barth, Bender, Beninga, Heiberger, and Kelly. 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 Kelly, to approve the agenda. 5 ayes.

MOTION by Beninga, seconded by Bender, to approve the February 17, 2015, Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Beninga, to approve the following bills totaling \$333,233.43. 5 ayes.

A To Z World Language	Interpreters	120.00	Aashto Bookstore	Books	196.35
Airway Service Inc	Automotive/Sm	558.21	Allied Oil & Tire Co	Automotive/Sm	855.72
Arcadia Publishing I	Store Invento	165.80	Argus Leader - Adver	Advertising	500.00
Argus Leader - Adver	Program Activ	250.00	Armor Correctional H	Contract Serv	29,847.08
Avera McKennan Hospi	Hospitals	18,118.00	Badwound, Shirley J	Postage	15.47
Banner Associates In	Bridge Repair	613.00	Bechtel, Dave	Welfare Rent	400.00
Billion's	Automotive/Sm	66.50	Boyer Trucks Sioux F	Truck Repair/	393.47
Bristol Court Ltd Pt	Welfare Rent	512.00	Bureau Of Informatio	Telephone	189.00
Carlson, Lisa	Court Reporte	615.60	Carper, Nichole A	Attorney Fees	2,651.20
Cartridge World	Data Processi	1,913.10	Cartridge World	Office Suppli	580.96
CBM Managed Services	Inmate Suppli	338.99	Century Business Pro	Lease-Rental	189.71
Century Business Pro	Maintenance C	226.61	Century Business Pro	Office Suppli	262.42
Charm-Tex Inc	Inmate Suppli	3,266.40	Chemco, Inc.	Child Care It	107.38
Chemco, Inc.	Janitorial/Ch	403.27	Christopherson, Ande	Attorney Fees	2,788.38
Collison, Jeanne	Bd Exp. Fees	22.50	Computer Forensic Re	Attorney Fees	1,500.00
Dakota Alignment & F	Truck Repair/	4,282.60	Dakota Fluid Power,	Safety & Resc	1,535.00
Dakota Investment Pr	Welfare Rent	600.00	Dakotaland Autoglass	Automotive/Sm	210.00
Daniels-Olsen Bldg P	Exhibit Mater	811.92	Dash Medical Gloves	Kitchen/Clean	143.40
Earthbend Llc	Maintenance C	6,865.00	Electric Supply Co.,	Contract Serv	433.91
Evans, Jerald L	Welfare Rent	500.00	Family Visitation Ct	Other Misc. R	300.00
Fastenal Company	Building Repa	6.58	Federal Express Corp	Postage	3.79
Fitts, Rod Db	Welfare Rent	1,269.60	Fleetpride / Holt, I	Automotive/Sm	7.39
Fleetpride / Holt, I	Truck Repair/	432.76	Fonder, Roger M Db	Automotive/Sm	350.00
Fox, Youngberg & Lew	Attorney Fees	449.64	Fred The Fixer Inc	Building Repa	454.50
Fremont Industries,	Building Repa	210.99	G & H Investments Ll	Welfare Rent	855.00
Gaylord Bros Inc	Program Activ	481.65	George, Aaron	Welfare Rent	1,190.00
Heartland Paper Comp	Kitchen/Clean	215.80	Heartland Paper Comp	Program Suppl	64.00
Heartstarters Llc	Education & T	370.50	Hewlett-Packard Comp	Data Processi	69,758.92
Hewlett-Packard Comp	Data Processi	300.00	High Point Networks	Data Processi	315.26
High Point Networks	Maintenance C	16,089.20	Hobby Lobby Stores I	Program Activ	73.90
Hurtgen, Timothy T/P	Welfare Rent	400.00	Hy-Vee Accounts Rece	Pharmacies	4.00
Inland Truck Parts &	Automotive/Sm	169.90	Interstate All Batte	Data Processi	115.40
Interstate Office Pr	Office Suppli	1,628.60	Jansen, Arnold J	Welfare Rent	300.00
Jaros, Pete	Investigators	35.15	Jaydee Inc/Jaymar	Printing/Form	798.00
JCL Solutions-Janito	Inmate Suppli	792.00	JCL Solutions-Janito	Kitchen/Clean	1,037.30
Jin, Suming	Interpreters	87.50	Johnson, Richard L	Attorney Fees	243.00
Johnson, Richard L	Child Defense	261.00	Kauffman, David W. P	Psych Evals	2,991.00
Khorooosi, Sam	Attorney Fees	387.00	Kone, Inc.	Other Profess	57.16
Laughlin, Nicole	Attorney Fees	1,272.30	Lenco Armored Vehicl	Safety & Resc	3,107.84
Lewis Drug Stores	Pharmacies	2,007.10	Lewno, Lucy	Bd Exp. Fees	345.98
Lutheran Social Svcs	Interpreters	337.50	Marberg, Richard	Book Repair/A	599.00
Metro Communications	Other Miscell	25,175.75	MidAmerican Energy C	Natural Gas	1,674.85
MidContinent Communi	Telephone	55.00	Midwest Residential	Welfare Rent	400.00
Mikelson, Gary E	Attorney Fees	514.88	Miller Funeral Home,	Burials	1,000.00
Minn Cnty Human Svcs	Other Supplie	143.00	Minn Cnty Museum Pet	Exhibit Mater	15.18
Mobile Electronic Se	Automotive/Sm	339.63	Morse Correctl Healt	Contract Serv	1,200.00

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Multi-Cultural Cente	Interpreters	728.75	Myers Billion Llp	Bd Exp. Fees	212.50
Narem, Inc	Automotive/Sm	17.01	Narem, Inc	Small Tools,	100.97
Narem, Inc	Truck Repair/	40.46	Nyberg's Ace Hardwar	Other Supplie	48.93
Oscar's Mini-Storage	Lease-Rental	94.00	Palmer, Barbara	Bd Evaluation	3,802.50
Peterson, Diane	Welfare Rent	450.00	Pharmchem Inc	Testing Suppl	1,702.00
Phoenix Supply Llc	Inmate Suppli	1,112.00	Pollard & Larson Llp	Attorney Fees	231.00
Price, Richard	Welfare Rent	385.00	Qualification Target	Ammunition	427.70
Qualified Presort Se	Postage	42,785.66	Redlin, Jim Db	Parts Invento	97.56
Reh fuss, Cathy A	Bd Exp. Fees	22.50	Rubeau Llc	Welfare Rent	450.00
Safariland Llc	Safety & Resc	159.00	Sanford Laboratories	Lab Costs	225.39
SD Assn Of County Co	Business Trav	400.00	SD Assn Of County Co	Travel - Bart	100.00
SD Assn Of County Co	Travel - Kell	100.00	SD Assn Of County Of	Amounts Held	3,890.00
SD Attorney General	Amts Held-Dai	9,194.00	SD Dept Of Revenue	Lab Costs	35.00
SD Dept Of Revenue	Other Miscell	68.00	SD Sheriff's Assn.	Education & T	170.00
SEHR Rentals Llc	Welfare Rent	435.00	Senior Citizens Svcs	Program Activ	54.00
Sentinel Offenders S	Alternatives	2,922.68	Servall Towel & Line	Janitorial/Ch	14.85
Servall Towel & Line	Program Activ	63.15	SF Leased Housing As	Welfare Rent	444.00
SF River Run Apts	Welfare Rent	600.00	Shi International Co	Data Processi	241.56
Shi International Co	Software	20,049.48	Sioux Equipment Co I	Gas,Oil,Diese	181.85
Sioux Falls City Fin	Gas,Oil,Diese	23.66	Sioux Falls City Fin	Program Activ	26.85
Sioux Falls Rubber S	Office Suppli	196.60	Sioux Falls Two Way	Truck Repair/	375.49
Sioux Falls Utilitie	Welfare Utili	110.64	Sioux Falls Woman Ll	Advertising	595.00
Solomon, Ghirmay	Interpreters	50.00	Srstka, Erin	Business Trav	42.00
Super Fast Auto Glas	Automotive/Sm	171.40	Swanda, Karen	Bd Exp. Fees	45.00
Swier Law Firm Prof	Attorney Fees	1,000.00	Taser International	Education & T	3,171.10
Taylor Place Llc	Welfare Rent	600.00	Tessco Technologies	Communication	82.95
Tires,Tires,Tires In	Gas,Oil,Diese	82.70	Uline	Kitchen/Clean	726.24
Variety Foods Llc	Other Profess	335.84	Volunteers Of Americ	Psych Evals	930.00
Wal-Mart Pharmacy	Pharmacies	336.07	Waltner, Kolbeck, Sc	Attorney Fees	4,157.93
Washington Heights A	Welfare Rent	1,400.00	Weerheim, Tom	Attorney Fees	1,355.10
Weiland & Assoc Inc	Jury Fees	170.20	Wheelco Brake & Supp	Small Tools,	80.00
Xcel Energy, Inc.	Electricity	1357.98			

REPORTS

The Auditor's Account with the County Treasurer as of January 31, 2015 was received and placed on file in the Auditor's Office.

On Deposit in Banks	
Interest-bearing open account	15,190,447.85
CD's and savings	15,000,000.00
Cash	21,780.37
Checks/drafts in Treasurer's possession for more than 3 days	4,799.63
Total Cash On Hand	30,217,027.85
Total Reconciled AS/400 Cash Balance	30,217,027.85

Julie Hofer, Public Advocate, presented the 2014 Annual Report for the Minnehaha County Office of the Public Advocate. The report is on file in the Auditor's Office.

PERSONNEL

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

1. To place Justin Cave, Correctional Officer in Training for the Jail, on Military Leave without pay effective 1/5/15 to 5/7/15.
2. To hire Kristi Jones as Deputy Public Advocate (21/3) for the Public Advocate's Office at \$2,125.60/bi-weekly effective 3/2/15.

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3. To hire Cynthia Howard as temporary, part-time Senior Deputy Public Defender (22/16) for the Public Defender's Office at \$40.42/hour effective 2/25/15 to 9/9/15.

Step Increases Due

1. Debra Knudsen – Administrative Assistant – Extension – 12/5 to 12/6 – 3/1/15 – \$18.34/hour
2. Jeffrey Barnable – Deputy Sheriff – Sheriff's Office – 16/5 to 16/6 – 12/27/14 – \$22.35/hour
3. Elliott Crayne – Deputy Sheriff – 24/7 Program – 16/13 to 16/14 – 1/27/15 – \$27.23/hour
4. Krista Leidholt – Deputy Sheriff Sergeant – Jail – 20/8 to 20/9 – 1/9/15 – \$29.32/hour
5. Lindsey Butcher – Corrections System Operator – Jail – 9/15 to 9/16 – 12/27/14 – \$20.25/hour
6. Leah Bouw – Corrections System Operator – Jail – 9/2 to 9/3 – 1/27/15 – \$14.69/hour
7. Dennis Clauson – Correctional Officer – Jail – 13/8 to 13/9 – 1/7/15 – \$20.75/hour
8. Paavo Rasmussen – Education Assistant – Museum – 12/8 to 12/9 – 2/14/15 – \$19.75/hour

POLICY

MOTION by Bender, seconded by Beninga, to approve updates to the Minnehaha County Information Technology, E-Mail, and Internet Appropriate Use Policy. 5 ayes

ABATEMENT

MOTION by Beninga, seconded by Barth, to approve abatement of 2014 property taxes for the following: RDID #12901 in the amount of \$710.13 representing a house destroyed by fire on 7/23/14; RDID #77371 in the amount of \$532.72 representing a house razed on 8/16/14; and RDID #80787 in the amount of \$907.09 representing a house razed on 5/15/14. 5 ayes.

NOTICES

MOTION by Bender, seconded by Barth, to authorize the County Auditor to publish a notice to bidders for SEAL 2015, asphalt surface treatment on Minnehaha County Highways 105, 109, 131, 133, and 141. 5 ayes.

LIEN COMPROMISE

Commissioner Barth gave a briefing on a request for compromise of lien for DPNO 76423. The lien is for Public Defender services from January 2013 to March 2014. The applicant has made payments totaling \$430.00 bringing the account to its current balance of \$681.40. The applicant has been working with the Impact Program through Southeastern Behavioral Health since 2012. He receives monthly income from SSI in the amount of \$733.00 and from Social Services in the amount of \$15.00. In working with his payee at Impact, he has saved \$500 that he would like to use as a down payment on a vehicle. He needs to have the lien resolved in order to get financing for the vehicle purchase. In addition, his living expenses with the addition of a car payment will equal most of his income. He is asking for a compromise and release of the lien in full and asks that his previous payments be taken into consideration. MOTION by Barth, to approve a compromise and release of the lien upon payment of \$40.00. Motion dies for lack of a second. MOTION by Barth, seconded by Bender, to approve Resolution MC15-12. 4 ayes. Kelly voted nay.

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RESOLUTION MC15-12

WHEREAS, a County Aid Lien in the amount of \$681.40 purports to exist in favor of Minnehaha County and against DPNO 76423 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 Chairman 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 24th day of February, 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chairman

ATTEST:

Cynthia Jepsen
Deputy County Auditor

BID AWARD

DJ Buthe, Highway Superintendent, reported on the February 18, 2015 bid opening for Project MC14 50-082-110, 255th Street bridge replacement. Five bids were received from the following companies: Prahm Construction, Inc., \$378,293.75; Nolz Dragline & Construction, Inc. \$425,980.95; Swingen Construction Company \$459,999.00; Duinink, Inc. \$509,562.75; and Graves Construction Company \$526,954.20. The bid tabulations have been reviewed and certified. During the review process it was found that itemized amounts in the Prahm Construction proposal form were not added correctly in the total bid amount. Bid documents specify the unit bid price is the dictating value on the bid form. The amount of \$378,293.75 is the correct final total base bid for Prahm Construction. Mr. Buthe recommended the low bidder, Prahm Construction, receive the contract award. MOTION by Barth, seconded by Bender, to award the contract for Project MC14 50-082-110 to Prahm Construction in the amount of \$378,293.75. 4 ayes. Beninga voted nay.

HEARINGS

Kevin Hoekman, Planner 1, was present for the public hearing on Rezoning Request #15-01, to rezone approximately 2.25 acres of a parcel of land that is approximately 9 acres in size from the A-1 Agricultural District to the C-Commercial District. The request will unify the entire parcel as C-Commercial. The property is located at 25766 472nd Avenue on the northeast corner of the Crooks/Renner exit and is legally described as The North 150' of Tract 3A France's Tracts, S ½ SW ¼, Section 7, T102N, R49W, Minnehaha County, SD. The parcel to be rezoned currently has one building eligibility. The petitioner is aware that by rezoning to C-Commercial, the building eligibility will no longer exist. The Planning Commission voted unanimously to recommend approval of the rezoning on January 26, 2015. The Petitioner Tim Tiaht, 25524 472nd Ave., Renner, SD was present and stated he is requesting the rezoning for future expansion of his storage units. Scott Anderson, Planning & Zoning Director spoke on the process for transferring building eligibilities. No one spoke in opposition to the rezoning request. MOTION by Barth, seconded by Beninga, to approve Ordinance MC16-141-15 An Ordinance Amending the 1990 Revised Zoning Ordinance For Minnehaha County By Rezoning The North 150' of Tract 3A France's Tracts, S ½ SW ¼ Section 7-T102N-R49W. 5 ayes. The entire ordinance is on file in the Minnehaha County Auditor's Office.

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David Heinold, Planner 1, was present for the public hearing on Rezoning Request #15-02, to rezone approximately 1.94 acres from the A-1 Agricultural District to the I-1 Light Industrial District in the unincorporated area of Corson. The property is legally described as Tract 1 Soles Addition, SE ¼ SE ¼, Section 22, T102N, R48W, Minnehaha County, SD. The Planning Commission voted unanimously to recommend approval of the rezoning on January 26, 2015. The petitioner Ben Soles, 2612 E Augusta St., Brandon, SD was present and spoke on his request for the rezoning. No one spoke in opposition. MOTION by Beninga, seconded by Barth, to approve Ordinance MC16-142-15 An Ordinance Amending the 1990 Revised Zoning Ordinance For Minnehaha County By Rezoning Tract 1 Soles Addition, SE ¼ SE ¼, Section 22-T102N-R48 W from A-1 Agricultural District to I-1 Light Industrial District. 5 ayes. The entire ordinance is on file in the Minnehaha County Auditor's Office.

AGREEMENT

DJ Buthe, Highway Superintendent, gave a briefing on an agreement between Minnehaha County and the City of Sioux Falls for reimbursement to Minnehaha County for microsurfacing approximately 1.33 miles of Six Mile Road. This segment of road is from the north side of Fred Assam School extending south to 26th Street, and has been recently annexed into the City of Sioux Falls city limits. This is part of the County project to microsurface the segment of Six Mile Road from Rice Street to 41st Street. The City of Sioux Falls' portion is 12.4% of the total project length. Based on the estimated cost for the entire project of \$500,000, the City of Sioux Falls reimbursable cost would be \$62,000. MOTION by Bender, seconded by Barth, to authorize the Chairperson to sign the agreement between Minnehaha County and the City of Sioux Falls for the City to reimburse the County for microsurfacing approximately 1.33 miles of Six Mile Road. 5 ayes.

LEGISLATIVE UPDATE

Robert Wilson, Assistant Commission Administrative Officer, gave an update and status report of the 90th Legislative Session on bills that impact Minnehaha County.

NEW BUSINESS

Chairperson Heiberger reported the formation of a water district between Hartford and Humboldt is being discussed to address the collapse of culverts and drainage pipes in the area which may contribute to flooding of township roads.

MOTION by Barth, seconded by Bender, to adjourn into executive session for litigation and personnel. 5 ayes.

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

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chairperson

ATTEST:

Cynthia Jepsen
Deputy Auditor