

5/05/2015

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. May 5, 2015, pursuant to adjournment on April 28, 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 Barth, to approve the April 28, 2015 Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Bender, to approve the following bills totaling \$481,638.02. 5 ayes.

A & B Business Equip	Maintenance C	164.88	Airgas Inc	Gas,Oil,Diese	63.61
Airgas Inc	Small Tools,	79.94	Airway Service Inc	Gas,Oil,Diese	36.55
Anderson, Scott A.	Business Trav	231.00	Arena Motel	Motels	700.00
Avera McKennan Hospi	Hospitals	8,828.64	Avera McKennan Hospi	Other Profess	750.00
Avera McKennan Hospi	Physicians	626.00	Babinski Properties	Welfare Rent	575.00
Baldwin Supply Co	Motor/Machine	529.78	Bechtel, Dave	Welfare Rent	600.00
Bendorf Law Firm Pro	Attorney Fees	472.50	Bendorf Law Firm Pro	Child Defense	402.55
Bourne, Anna	Bd Evaluation	1,125.00	Boyd, Michelle	Education & T	55.00
Boyer Trucks Sioux F	Truck Repair/	4,562.69	Brevik Law Office Pr	Attorney Fees	199.53
Bureau Of Informatio	Data Communic	420.00	Bureau Of Informatio	Telephone	240.00
Buthe, DJ	Business Trav	97.00	Butler Law Office Pc	Attorney Fees	1,415.40
Carpenter, Donovan	Business Trav	31.66	Cartridge World	Data Processi	164.97
Cheney Lake, Llc Db	Welfare Rent	430.00	Clausen Enterprises	Welfare Rent	500.00
Climate Systems, Inc	Heat,Vent & A	951.57	Constellation New En	Natural Gas	5,236.10
Construction Product	Bridge Repair	1,067.20	CVS Systems Inc	Memorial Day	1,034.94
Dakota Fluid Power,	Automotive/Sm	235.02	Dakota Riggers & Too	Automotive/Sm	116.15
Dakota Security Syst	Building Repa	976.94	Decastro Law Office,	Attorney Fees	487.50
Diesel Machinery Inc	Heavy Eq. Rep	571.55	DRL Investments, Inc	Truck Repair/	550.00
Eekhoff, Casey	Attorney Fees	882.00	EH Hospitality Llc	Motels	1,525.00
EPSV Investments Llc	Welfare Rent	500.00	Fleetpride / Holt, I	Truck Repair/	34.30
Fods, Randy	Uniform Allow	209.99	Frantzen, Paige	Attorney Fees	90.95
Frieberg, Nelson & A	Attorney Fees	109.00	Gaetze Mfg Inc	Truck Repair/	400.00
Garnos, Graham Db	Welfare Rent	600.00	Grant Square Ltd (O	Welfare Rent	577.00
Great Plains Psychol	Psych Evals	1,007.50	Guzman, Sandra V.	Interpreters	247.50
Hanson Logowear	Uniform Allow	1,181.45	Heimdal, Marie Ann	Court Reporte	57.80
Hewlett-Packard Comp	Furniture & O	480.00	Hoekstra, Denise A.	Court Reporte	665.00
Holiday Credit Offic	Automotive/Sm	9.53	Holiday Credit Offic	Gas,Oil,Diese	71.46
Hy-Vee Accounts Rece	Pharmacies	1,134.31	I State Truck Center	Truck Repair/	172.64
Infrastructure Desig	Architects &	21,619.00	Interstate Office Pr	Archive/Prese	24.93
Interstate Office Pr	Furniture & O	1,388.58	Interstate Office Pr	Office Suppli	2,942.02
ISI Llc	Interpreters	240.00	Jefferson Partners L	Transportatio	111.00
Johanson, Lois L	Welfare Rent	500.00	Johnson, Richard L	Child Defense	2,262.00
Katterhagen, Mark	Bd Exp. Fees	90.00	Kauffman, David W. P	Psych Evals	3,001.50
Kennedy, Pier, Knoff	Attorney Fees	399.00	Khoroosi, Sam	Attorney Fees	1,948.50
Kirschbaum, Mark	Business Trav	44.98	Kmart Pharmacy	Pharmacies	112.42
Kyra Enterprises Llc	Motels	140.00	Lacroix, Heather	Attorney Fees	466.38
Lacroix, Heather	Dev Disabili	217.94	Laughlin, Nicole	Attorney Fees	765.30
Lewis Drug Stores	Pharmacies	2,424.40	Lewno, Lucy	Bd Exp. Fees	795.95
Lincoln County Audit	Attorney Fees	41.00	McGowan, Kevin	Business Trav	33.88
Metro Communications	Clinics - Aux	210.00	Metro Communications	Other Misc	171,472.78
MidAmerican Energy C	Natural Gas	2,154.37	Minn Cnty So Petty C	Other Supplie	111.76
Neve's Uniforms	Uniform Allow	2,810.77	Newman Signs Inc	Sign Supply/I	783.28
Niedringhaus, Paul	Education & T	55.00	Nielsen Ogdahl, Erin	Attorney Fees	175.00
Nolz Construction Co	Contracted Co	83,485.57	North American Truck	Automotive/Sm	20.98
North Central Intl S	Truck Repair/	380.67	Northland Systems In	Maintenance C	2,643.60
Nyberg's Ace Hardwar	Park/Recreati	12.52	Orthotic & Prosth Sp	Medical Equip	4,358.01

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Palmer, Barbara	Bd Evaluation	1,620.00	Parkview, Llc	Welfare Rent	1,115.00
Peterson, Mark	Welfare Rent	415.00	Pfeifer Implement Co	Automotive/Sm	101.36
Pollard & Larson Llp	Attorney Fees	744.00	Public Safety Equipm	Communication	752.00
Quill Corp.	Office Suppli	340.79	RDO Equipment Co.	Small Tools,	265.00
Realnet Of SD Llc	Welfare Rent	575.00	Redlin, Jim Db	Parts Invento	183.60
Richard-Ewing Equipm	Jail Repairs/	95.12	Robert Jellis Trucki	Cobra Insuran	1,335.90
Rocket Software Inc	Maintenance C	6,794.00	Safe Home Ltd Ptnrsh	Notes Rec (SF	-2,131.60
Safe Home Ltd Ptnrsh	Other Misc. R	-1,462.44	Safe Home Ltd Ptnrsh	Rent Subsidie	12,498.00
Salem, Calvin L	Welfare Rent	600.00	Sam's Club - Members	Child Care Fo	68.49
Sam's Club - Members	Other Miscell	41.52	Sam's Club - Members	Other Profess	1,364.57
Sanford Hospital	Clinics - Aux	1,799.00	Schmidtbauer, Jennif	Right Of Way	525.00
Schrader, Alvan L Db	Welfare Rent	140.00	SD Attorney General	Amts Held-Dai	7,915.00
SD Human Services Ce	Other Profess	40.40	Sechser, Jenna - Crt	Court Reporte	2,367.40
Severtson, Allen	Business Trav	36.84	SF Leased Housing As	Welfare Rent	500.00
SF Leased Hsg Author	Welfare Rent	450.00	SF Specialty Hospita	Recruitment	160.00
Siegel, Barnett, & S	Attorney Fees	1,434.87	Sioux Falls Rubber S	Office Suppli	65.10
Sioux Falls Utilitie	Electricity	11,093.07	Sioux Falls Utilitie	Welfare Utili	176.52
Sioux Valley Energy	Electricity	262.24	Sioux Valley Energy	Road Maint. &	138.58
Sioux Valley Energy	Tea-Ellis Ran	159.99	Sioux Valley Energy	Welfare Utili	122.00
Solheim, Virginia	Business Trav	37.58	Southeastern Behavio	Crisis Interv	8,715.78
Springbrook II, Ltd	Welfare Rent	588.83	Stoney Creek Townhom	Welfare Rent	157.00
Swanda, Karen	Bd Exp. Fees	90.00	Swier, Curt	Welfare Rent	600.00
Szameit, Alexandra	Interpreters	305.86	Taser International	Other Supplie	144.66
Thomson Reuters - We	Legal Researc	392.70	Tires,Tires,Tires In	Automotive/Sm	442.62
Tires,Tires,Tires In	Gas,Oil,Diese	111.30	US Postal Service	Postage	2,500.00
Vandervliet, Rodney	Business Trav	47.20	Variety Foods Llc	Other Profess	381.42
Velgersdyk, Dr. Scot	Other Profess	292.00	VOA Dakotas / Pettig	Welfare Rent	500.00
Vogel Motors Llc	Automotive/Sm	20.00	Walgreen Co.	Pharmacies	87.37
Wegner Auto Comp Inc	Other Profess	200.00	Weiland & Assoc Inc	Jury Fees	166.98
Wheelco Brake & Supp	Automotive/Sm	31.93	Xcel Energy, Inc.	Electricity	54,656.67
Xcel Energy, Inc.	H.S. Donation	363.95	Xcel Energy, Inc.	Welfare Utili	4,486.26
Yankton County Sheri	Return Of Ser	300.00	Yong, Voon	Welfare Rent	500.00
Zee Medical Service	Office Suppli	89.40			

PERSONNEL

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

1. To hire Robert Kills Plenty as temporary, part-time Highway Laborer for the Highway at \$11.00/hour effective 5/4/15.
2. To hire Austin Smith and Brady Smith as temporary, part-time Highway Laborers for the Highway at \$11.00/hour effective 5/11/15.
3. To accept the resignation of Amel Nezirevic as temporary, part-time Juvenile Correctional Worker for the Juvenile Detention Center effective 3/13/15.
4. To end the temporary, part-time employment of Janet Olson as Senior Deputy Public Advocate for the Public Advocate's Office effective 2/27/15.
5. To promote Maria Gonzalez from Correctional Officer to Corporal (16/3) for the Jail at \$20.75/hour effective 5/2/15.
6. To end the temporary, part-time employment of Jessica Hill as Correctional Officer for the Jail effective 4/29/15.
7. To accept the resignations of Carissa Lathrop and Lena Schaff as Corrections System Operators for the Jail effective 5/8/15.

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Step Increases Due

1. Sara Show – Senior Deputy State’s Attorney – State’s Attorney’s Office – 22/5 to 22/6 – 4/23/15 – \$2,526.40/bi-weekly
2. John Homan – Corrections System Operator – Jail – 9/16 to 9/17 – 3/3/15 – \$20.75/hour
3. Jarod Hettich – Correctional Officer – Jail – 13/8 to 13/9 – 3/8/15 – \$20.75/hour
4. Derek Lauer – Correctional Officer – Jail – 13/15 to 13/16 – 3/6/15 – \$24.67/hour
5. Loren Dykshorn – Correctional Officer – Jail – 13/7 to 13/8 – 3/19/15 – \$20.25/hour
6. Sidney Dunn – Correctional Officer – Jail – 13/15 to 13/16 – 3/20/15 – \$24.67/hour
7. Andrea Mitchell – Correctional Officer – Jail – 13/3 to 13/4 – 1/23/15 – \$18.34/hour
8. Timothy Gustafson – Corporal – Jail – 16/4 to 16/5 – 2/18/15 – \$21.80/hour
9. Justin Sieler – Air Guard Security Officer II – Air Guard – 13/16 to 13/17 – 3/28/15 – \$25.29/hour
10. Barbara Williams – Administrative Secretary – Human Services – 10/11 to 10/12 – 4/30/15 – \$19.27/hour
11. Erin Srstka – JDAI Coordinator – Commission – 17/5 to 17/6 – 4/25/15 – \$23.48/hour
12. Jerald Hebert – Technical Analyst – Information Technology – 19/4 to 19/5 – 4/30/15 – \$25.29/hour

Special Commission Action

To recognize the following significant employee anniversaries for May 2015: 5 years - Thomas Hensley & Monica Honkamp; 20 years – Michael Walsh.

To record volunteers in County Departments for April 2015. The list is on file at Human Resources.

NOTICES

A notice was received from the South Dakota Department of Health of a Disinterment Permit issued for the remains of Violet Katzenberger, Hills of Rest Memorial Park, Sioux Falls, South Dakota.

MOTION by Barth, seconded by Beninga, to authorize the County Auditor to publish a notice to construction contractors and unions of the intent of Minnehaha County to solicit help from the SD National Guard under an Innovative Readiness Training for construction assistance with the Minnehaha County Sheriff’s Office firearms range. 5 ayes.

LIEN COMPROMISE

Commissioner Barth gave a briefing on an application for a compromise of a county aid lien for DPNO 74113. The lien is for attorney services associated with an involuntary drug and alcohol commitment of the applicant’s son in the amount of \$125. The applicant stated that during the process of closing on a refinancing of her home, she was made aware of the lien. Rather than delaying the closing, the applicant paid the lien. The applicant contends she was not informed that she would be responsible for the IVC attorney bill on behalf of her son. She is requesting a refund of the \$125 payment, and that the lien be discharged in full. MOTION by Barth,

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seconded by Beninga, to approve refunding the \$125 lien payment to the applicant and discharging the lien in full. VOTE: 2 ayes; Bender, Beninga, and Heiberger voted nay. Motion fails.

AMBULANCE LICENSE AWARD
(Deferred from April 28, 2015)

Ken McFarland, Commission Administrative Officer, reminded the Commission that the ambulance license applications being considered are for a licensing period beginning May 21, 2015 through December 2016. Mr. McFarland stated that in 2016 the County will likely consider adjustments to the ambulance service area boundaries. Mr. McFarland also stated that according to County Ordinance any changes to boundary lines for the new licensing period beginning in 2017, will have to be made before September of 2016. MOTION by Kelly, seconded by Barth, to award Ambulance Primary Service Area #5 to Med-Star Ambulance. MOTION by Beninga, seconded by Bender, to amend the motion by adding a requirement for the establishment of a letter of intent stating a western or northwestern ambulance location will be determined by June 1, 2015. Gerry Bauer, Director of Operations for Med-Star, stated that in their proposal they already firmly commit to having a location on the west side of the county, and they already have potential locations established. Mike Bureau, Paramedics Plus, stated the amendment is acceptable and they have already proposed they would find posting locations in that area. VOTE on amendment, 5 ayes. VOTE on main motion as amended, 5 ayes.

RESOLUTION

Mike Harstad, President of the Minnehaha County Fire Chief Association, stated that with the expected rainfall this coming week, the Fire Chiefs are in favor of rescinding the burn ban going forward. Lynn DeYoung, Emergency Management Director, stated the green-up we have experienced will slow fire spreads however some of the long term forecasts indicates continued dryness in our region. If the dry weather pattern continues it's likely the Fire Chiefs will ask for a re-enactment of the burn ban. Mr. DeYoung encouraged people to call Metro Communications whenever they are planning a controlled burn. MOTION by Bender, seconded by Barth, to approve Resolution MC15-24. 5 ayes.

RESOLUTION MC 15-24
A RESOLUTION REPEALING
A FIRE DANGER EMERGENCY IN
MINNEHAHA COUNTY AND REPEAL OF
BAN ON OPEN BURNING

WHEREAS, on April 7, 2015, and under the authority of SDCL 7-8-20 (18), the Minnehaha County Board of Commissioners declared that a Fire Danger Emergency existed and enacted Resolution MC15-18 prohibiting all open burning, as defined in Ordinance MC 34-04, in all rural portions of Minnehaha County outside any incorporated municipality within the county, now

BE IT FURTHER RESOLVED, based on the recommendation of the Minnehaha County Rural Fire Chiefs Association and the Minnehaha County Emergency Management Director, due to recent precipitation events, that Resolution MC 15-18, enacting a ban on open burning, is hereby repealed effective immediately.

Dated this 5th Day of May, 2015

APPROVED BY
BOARD OF COUNTY COMMISSIONERS
Cindy Heiberger
Chairman

ATTEST: Bob Litz, Auditor
Cynthia Jepsen

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Deputy Auditor

RESOLUTION

DJ Buthe, Highway Superintendent, presented a resolution for participation in the SD Department of Transportation (SDDOT) Bridge Inspection/Re-Inspection Program. The US Federal Highway Administration requires inspection of all bridges every two years and culverts every four years. Mr. Buthe requested participation in the program using Banner Associates, Inc. of Sioux Falls, SD for the inspection work. MOTION by Beninga, seconded by Barth, to approve Resolution MC15-25. 5 ayes.

**RESOLUTION MC15-25
BRIDGE REINSPECTION
PROGRAM RESOLUTION
FOR USE WITH SDDOT RETAINER CONTRACTS**

WHEREAS, Title 23, Section 151, *United States Code* and Title 23, Part 650, Subpart C, *Code of Federal Regulations*, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, Minnehaha County is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The County requests SDDOT to hire Banner Associates, Inc. for the inspection work. SDDOT will secure federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the County for 20% of the cost. The County will be responsible for the required 20% matching funds.

Dated this 5th day of May, 2015, at Sioux Falls, SD.

Board of County Commissioners
Of Minnehaha County
Cindy Heiberger, Chairperson

ATTEST:

Cindy Jepsen, Deputy Auditor

BID AWARD

Kristin Trana, Administrative Coordinator for the Sheriff's Office, reported on the April 29, 2015 bid opening for Enhanced Ballistic Vests (SWAT). Bids were received from Alamar Uniforms Company in the amount of \$27,735 and from Streicher's Inc. in the amount of \$28,252.84. The bids were reviewed for conformance to specifications. MOTION by Bender, seconded by Barth, to award the bid for Enhanced Ballistic Vests (SWAT) to Alamar Uniforms in the amount of \$27,735.00. 5 ayes.

CONTRACT

Sara Show, Senior Deputy State's Attorney, requested approval of a contract with Westlaw for legal research services. MOTION by Barth, seconded by Bender, to authorize the Chairperson to sign the contract between Minnehaha County and Westlaw for legal research services. 5 ayes.

LEASE

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Ken McFarland, Commission Administrative Officer, presented a three year lease agreement between Minnehaha County and Dakotabilities for lunch/snack bar space in the County Administration Building. Under the terms of the agreement, Dakotabilities will pay \$1.00 for the term of the lease and will be responsible for telephone charges and maintaining insurance coverage. The County will pay for utilities. MOTION by Beninga, seconded by Bender, to authorize the Chairperson to sign the three year Lease Agreement between Minnehaha County and Dakotabilities for lunch/snack bar space in the County Administration Building effective May 1, 2015 thru April 30, 2018. 5 ayes.

NEW BUSINESS

Commissioner Barth reported that Erin Srstka received the Young Woman of Achievement Award at the EmBe annual Tribute to Women event on April 30, 2015.

LIAISON REPORT

Commissioner Kelly and Ken McFarland, Commission Administrative Officer, reported on attending the South Dakota Legislative Research Council Executive Board Meeting on Monday April 27, 2015 along with Commissioner Barth and Chief Deputy Sheriff Michelle Boyd. The Executive Board approved a summer study for the review of the functions of county government, law and regulations regarding counties, county revenue and expenditures, and alternative funding solutions.

OLD BUSINESS

Commissioner Heiberger congratulated Ms. Srstka on receiving the EmBe Young Woman of Achievement Award and congratulated Mike Miller from the Public Defender's Office who will be graduating from the Leadership Sioux Falls program.

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

The Commission adjourned until 9:00 a.m. on Tuesday May 12, 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chairperson

ATTEST:

Cynthia Jepsen
Deputy Auditor