

7/28/2015

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. July 28, 2015, pursuant to adjournment on July 21, 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 Beninga, seconded by Kelly, to approve the agenda. 5 ayes.

MOTION by Barth, seconded by Bender, to approve the July 21, 2015 Commission Minutes and July 21, 2015 Joint Minnehaha County/City of Dell Rapids Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Beninga, to approve the following bills totaling \$469,989.12 and July 2015 salaries. 5 ayes.

A & B Business Equip	Maintenance C	82.38	A To Z World Languag	Interpreters	4,535.00
Airgas Inc	Small Tools,	9.16	Allied Oil & Tire Co	Truck Repair/	470.00
American Institute O	Lab Costs	360.00	Architecture, Inc.	Repair/Renova	522.50
At & T	Safety & Resc	40.60	Avera Health Informa	Medical Recor	41.70
Avera Health Plans I	Cobra Insuran	465.28	Avera McKennan Hospi	Blood Withdra	74.00
Avera McKennan Hospi	Hospitals	12,520.00	Avera McKennan Hospi	Physicians	3,217.48
Bendorf Law Firm Pro	Attorney Fees	45.00	Benjamin, Melissa/St	Welfare Rent	500.00
Bierschbach Equipmen	Bridge Repair	1,169.60	Bourne, Anna	Bd Evaluation	495.00
Boyer Trucks Sioux F	Automotive/Sm	141.06	Boyer Trucks Sioux F	Truck Repair/	188.14
Bridgewood I Ltd Par	Welfare Rent	400.00	Bridgewood SD Inv II	Welfare Rent	600.00
Bristol Court Ltd Pt	Welfare Rent	669.00	Butler Machinery Com	Parts Invento	187.65
C & J Inc Db	Plumbing & We	135.00	Cain's View Estates,	Welfare Rent	239.00
Canterbury Apts	Welfare Rent	235.00	Carlson, Lisa	Court Reporte	76.00
Carper, Nichole A	Attorney Fees	1,016.00	Carper, Nichole A	Child Defense	6,250.70
Century Business Pro	Maintenance C	313.65	Centurylink (Qwest)	Contract Serv	16.61
Centurylink (Qwest)	Telephone	645.28	Certified Languages	Interpreters	79.50
CK Properties Llc	Welfare Rent	400.00	Cliff Avenue Auto Pa	Truck Repair/	51.35
Cody, Denise	Bd Exp. Fees	63.00	Cole Petroleum Inc	Gas,Oil,Diese	2,991.52
Construction Product	Bridge Repair	1,150.70	Cook Huber, Kerri	Attorney Fees	323.12
Counseling Resources	Attorney Fees	1,450.00	CTM Group Inc	Store Invento	259.00
Dakota Fluid Power,	Truck Repair/	234.59	Davis Equipment Corp	Program Activ	1,063.97
Deboer Law Office Pc	Attorney Fees	563.48	Decisionone Corporat	Maintenance C	168.52
Dedula, Carla F	Court Reporte	78.20	Deer Hollow Ltd Ptnr	Welfare Rent	700.00
Denherder Law Office	Attorney Fees	172.01	Doop, Michael	Welfare Rent	300.00
Eekhoff Law Prof Llc	Attorney Fees	414.00	EJW Llc	Welfare Rent	700.00
Ekeren, Marvin R.	Bd Exp. Fees	33.00	Evans, Jerald L	Welfare Rent	450.00
Family Service Inc	Education & T	65.00	Family Service Inc	Expenditures	715.00
Family Service Inc	Professional	276.25	Fastenal Company	Truck Repair/	15.62
Fitts, Rod Db	Welfare Rent	1,000.00	Fleetpride / Holt, I	Automotive/Sm	48.48
Fleetpride / Holt, I	Parts Invento	391.63	Fleetpride / Holt, I	Truck Repair/	158.22
Fonder, Roger M Db	Automotive/Sm	353.89	Frantzen, Paige	Depositions	193.24
Fremont Industries,	Heat,Vent & A	5,060.36	Frisbee, Inc.	Parks/Recreat	311.76
Gaylord Bros Inc	Program Activ	152.66	George, Aaron	Welfare Rent	1,725.00
Goebel Printing, Inc	Other Miscell	66.26	Graybar Electric Com	Small Tools,	17.27
Guzman, Sandra V.	Interpreters	50.00	Heartland Funeral Ho	Burials	952.00
Heiberger, Cindy	Travel - Bend	419.52	Hughes County SD S	Return Of Ser	14.30
Hy-Vee Accounts Rece	Pharmacies	315.52	Hy-Vee Accounts Rece	Program Activ	126.19
I State Truck Center	Parts Invento	260.03	Interstate Office Pr	Office Suppli	2,233.26
Interstate Office Pr	Other Supplie	31.68	ISI Llc	Interpreters	420.00
ISS Facility Svcs-Mi	Contract Serv	12,387.30	Jefferson Partners L	Transportatio	308.50
Johnson, Richard L	Child Defense	405.00	Kistler, Dan	Education & T	227.80
Kittelson, Joan M	Bd Exp. Fees	36.00	Kjelden, Mike	Repair/Renova	16,851.42
Knecht Robinson Law	Attorney Fees	700.94	Kone, Inc.	Building Repa	199.27
Kraayenhof, Nancy	Welfare Rent	300.00	Kriens, Mark	Business Trav	97.00

7/28/2015

Larson, Jeff	Attorney Fees	8,510.85	Lewis Drug Stores	Pharmacies	159.28
Lewno, Lucy	Bd Exp. Fees	610.96	Lewno, Lucy	Dev Disabili	171.70
Loge, Daniel	Welfare Rent	490.00	Loving, Philip	Bd Evaluation	1,530.01
Luke, Matt/Julie	Welfare Rent	495.00	Madison County NE S	Return Of Ser	28.29
Malloy Electric Bear	Truck Repair/	44.43	Marco	Office Equipm	286.59
Martinell, Charles	Work Mileage	80.22	Menards - East	Park/Recreati	27.44
Menards - West	Building Repa	87.42	Menards - West	Park/Recreati	4.97
Metro Communications	Other Misc	172,197.77	MidAmerican Energy C	Welfare Utili	367.68
Midwest Alarm Compan	Data Processi	2,007.15	Mikelson, Gary E	Attorney Fees	908.67
Miller Funeral Home,	Burials	1,000.00	Mobile Electronic Se	Communication	2,622.95
Moncur, Brian	Business Trav	97.00	Monick Pipe & Supply	Correction Ct	872.04
MPI Technologies Inc	Data Processi	2,385.00	MPI Technologies Inc	Postage	17.00
Multi-Cultural Cente	Interpreters	192.50	Narem, Inc	Truck Repair/	80.92
NASW-SD	Other Miscell	100.00	Natl Assn Cnty Recor	Memberships	175.00
New Pig Corp	Small Tools,	188.70	Newcomb, Cindi	Welfare Rent	100.00
Nguyen, Lam	Interpreters	25.00	Nolz Construction Co	Contracted Co	83,908.20
Nyberg's Ace Hardwar	Parks/Recreat	21.63	O'Reilly/First Call	Automotive/Sm	66.49
Office Depot, Inc.	Data Processi	230.22	Osborn, Roxane R	Court Reporte	124.00
Peterson, Myles	Education & T	35.00	Pfeifer Implement Co	Parks/Recreat	150.57
Pollard Law Pc	Attorney Fees	51.00	Prescription Shop, I	Pharmacies	100.00
Presto-X-Company	Outside Repai	192.82	Prodata Computer Ser	Data Processi	195.00
Property Records Ind	Memberships	230.00	Qualified Presort Se	Postage	3,965.49
Queen City Wholesale	Program Activ	39.38	R & L Supply, Ltd	Plumbing & We	51.18
Rac Rentals Llc	Welfare Rent	400.00	Red Oak Senior Apts	Welfare Rent	500.00
Richard-Ewing Equipm	Jail Repairs/	749.33	River Tower Apartmen	Welfare Rent	500.00
Roach, Marty J	Uniform Allow	62.27	Robinson, Tom Db	Building Repa	178.00
Ronning Commercial,	Welfare Rent	500.00	Sachchidanand Hospit	Motels	418.00
Sanford Hospital	Welfare Rent	740.00	Sanford Laboratories	Lab Costs	330.40
Schabauer Invest Ltd	Welfare Rent	500.00	Schmidt, Rod	Welfare Rent	395.00
SD Attorney General	Amounts Held	5,678.00	SD Attorney General	Amts Held-Dai	6,518.00
SD Dept Of Public Sa	Other Miscell	80.00	SD Dept Of Revenue	Lab Costs	165.50
SDDAO-SD Assoc Of As	Education & T	700.00	SF Ambulance--Rural/	Transportatio	1,200.00
SF Leased Hsg Author	Welfare Rent	300.00	SF Specialty Hospita	Recruitment	560.00
Short Elliott Hendri	Architects &	5,220.24	Sioux Falls City Fin	Gas,Oil,Diese	1,339.95
Sioux Falls Housing	Welfare Rent	530.00	Sioux Falls Humane S	Other Miscell	3,400.98
Sioux Falls Rubber S	Furniture & O	17.65	Sioux Falls Rubber S	Office Suppli	66.95
Sioux Falls Utilitie	Electricity	10,342.20	Sioux Falls Utilitie	Water - Sewer	12,691.80
Sioux Falls Utilitie	Welfare Utili	396.75	Sioux Valley Energy	Welfare Utili	114.07
Sisson Printing, Inc	Safety Commit	716.56	Southeastern Behavior	Clinics - Aux	47.95
Southeastern Behavior	Crisis Interv	6,559.12	Southeastern Electri	Welfare Utili	533.77
Sturdevant's Auto Pa	Automotive/Sm	120.62	Sturdevant's Auto Pa	Parts Invento	188.18
Sturdevant's Auto Pa	Small Tools,	234.29	Sturdevant's Auto Pa	Truck Repair/	78.56
Szameit, Alexandra	Interpreters	395.83	Tammen Oil	Automotive/Sm	8.59
Taylor Place Llc	Welfare Rent	500.00	TCP Properties, Inc.	Welfare Rent	700.00
Thesenvitz & Mickels	Child Defense	2,593.80	Thomson Reuters - We	Books	582.25
Thomson Reuters - We	Legal Researc	606.80	Thomson Reuters - We	SDCL Law Book	1,776.75
Tri-State Garage Doo	Jail Repairs/	558.00	Triangle Properties	Welfare Rent	1,150.00
Turning Leaf Llc	Welfare Rent	200.00	US Treasury Comm Off	Medical Recor	16.35
Variety Foods Llc	Other Profess	491.57	Wal-Mart Pharmacy	Pharmacies	437.80
Waltner, Kolbeck, Sc	Attorney Fees	1,532.67	Williams, Jessica	Welfare Rent	700.00
Williams, Steve	Uniform Allow	84.99	Willow Partners Llc	Welfare Rent	1,542.00
Woodall, Kristin A	Court Reporte	95.00	Xcel Energy, Inc.	Electricity	9,789.23
Xcel Energy, Inc.	Welfare Utili	2,783.72	Yan, Shicai	Interpreters	79.99
Yankton County Sheri	Return Of Ser	200.00	Zandt, James R	Welfare Rent	450.00
406 22nd Llc	Welfare Rent	500.00	Commission	Salaries	31,452.40
Auditor	Salaries	47,073.91	Treasurer	Salaries	65,614.05
Info Technology	Salaries	62,855.80	States Attorney	Salaries	205,591.41
Public Defender	Salaries	139,647.17	Public Advocate	Salaries	38,807.60
Facilities	Salaries	51,638.97	Equalization	Salaries	71,730.48
Register Of Deeds	Salaries	43,077.48	Human Resources	Salaries	20,694.42
Sheriff	Salaries	823,009.65	Emergency Management	Salaries	14,896.00
Juvenile Detention	Salaries	157,667.29	Highway	Salaries	149,810.96
Human Services	Salaries	101,286.76	Museum	Salaries	62,067.08
Planning	Salaries	37,237.40	Extension	Salaries	2,934.40

7/28/2015

PERSONNEL

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

1. To place Joseph Eining, Juvenile Caseworker for the Juvenile Detention Center, on Military Leave without pay effective 8/1/15 to 3/10/16.
2. To move Ryan Bakeberg from Corporal for the Jail to Deputy Sheriff (16/2) for the Sheriff's Office at \$20.25/hour effective 8/10/15.
3. To accept the resignation of Jonathan Scholten as Correctional Officer in Training for the Jail effective 7/31/15.
4. To accept the resignation of Kiel Dailey as Correctional Officer in Training for the Jail effective 7/9/15.
5. To hire Sara Frison as temporary, grant funded, Deputy Public Defender (21/2) for the Public Defender's Office at \$2,073.60/bi-weekly effective 7/31/15 to 7/27/16.

Step Increases Due

1. Julie Amdahl – Administrative Clerk – Human Services – 9/6 to 9/7 – 7/21/15 – \$16.21/hour
2. Samantha Kastner – Correctional Officer – Jail – 13/8 to 13/9 – 5/14/15 – \$20.75/hour
3. Joni Brunkow – Deputy Sheriff – Sheriff's Office – 16/11 to 16/12 – 6/8/15 – \$25.92/hour
4. Marc Wynia – Deputy Sheriff – Sheriff's Office – 16/13 to 16/14 – 7/5/15 – \$27.23/hour
5. Mark Russell – Air Guard Security Officer II – Air Guard – 13/16 to 13/17 – 6/20/15 – \$25.29/hour
6. Scott Anderson – Planning Director – Planning – 24/13 to 24/14 – 7/2/15 – \$3,750.40/bi-weekly
7. Sarah Kerkvliet – Paralegal – Public Defender's Office – 16/4 to 16/5 – 7/16/15 – \$21.80/hour
8. Tessica Severson – Administrative Assistant – Public Defender's Office – 12/6 to 12/7 – 7/25/15 – \$18.80/hour

Special Personnel Action Requests

MOTION by Beninga, seconded by Barth, to approve temporary additional duty pay of approximately 10% for Kari Benz, Assistant Director of Human Services, 21/15, \$35.73 hourly, from 7/27/15 until the Human Services Director vacancy is filled. 5 ayes.

MOTION by Barth, seconded by Bender, to convert the current Project Engineer vacancy, pay grade 19, in the Highway Department to a newly established classification of Land Surveyor, pay grade 19, and to authorize immediate recruitment. 5 ayes.

NOTICE

A notice was received from the City of Sioux Falls of a public hearing on proposed Tax Increment Financing application #2015-A on August 5, 2015 at 6:00 p.m. at Carnegie Town Hall, 235 W. 10th Street. The TIF request is regarding the "Washington Square" project at Main Avenue and 12th Street in Sioux Falls.

7/28/2015

First reading of Minnehaha County Ordinance #MC47-15, an Ordinance for Permitting Requirements for Utilities Crossing Highways Under Minnehaha County Jurisdiction. This Ordinance will have a second reading and be considered at a Public Hearing at 9:00 a.m. at the regular meeting of the Minnehaha County Commission on August 4, 2015.

AGREEMENTS

Monte Watembach, Information Technology Director, gave a briefing on a maintenance agreement between Minnehaha County and New World Systems Corporation for application software. The current agreement will expire on April 1, 2016. There is no rate increase for the new agreement. MOTION by Beninga, seconded by Barth, to authorize the Chairperson to sign the one year New World Systems Corporation Standard Software Maintenance Agreement at an annual cost of \$314,129, beginning April 1, 2016 and ending March 31, 2017. 5 ayes.

Jeff Gromer, Warden, gave a briefing on amendment #6 to the contract with CBM Managed Food Service (CBM). The Department of Correction's women inmates will no longer be housed at the County Corrections Center (CCC). This group of inmates provided kitchen labor for the food service. Without this labor source CBM will incur additional labor costs and are passing those higher costs to the county in the form of higher meal costs. The amendment will increase the price per meal by \$0.16. The financial impact of the amendment will be between \$85,000 and \$100,000 annually. MOTION by Bender, seconded by Barth, to authorize the Chairperson to sign Amendment #6 to the Food Service Contract between Minnehaha County and CMB Managed Food Service for an increase in the cost per meal from \$.89 to \$1.05 effective August 1, 2015 through June 30, 2016. 5 ayes.

BRIEFING

Scott Wick, Sioux Empire Fairgrounds Manager, thanked the commission for their continued support and gave a briefing on events planned for the 76th Annual Sioux Empire Fair at the W. H. Lyon Fairgrounds. The Sioux Empire Fair will run from July 31st thru August 9th.

AGREEMENTS

DJ Buthe, Highway Superintendent, gave a briefing on a professional services agreement between Minnehaha County and JSA Engineers & Land Surveyors, Inc. for the reconstruction of Minnehaha County Highway 149. The design services include a field survey, evaluation of existing conditions, environmental assessment, design and preparation of construction documents, and project bidding. MOTION by Barth, seconded by Kelly, to authorize the Chairperson to sign the Professional Services Agreement between Minnehaha County and JSA Engineers & Land Surveyors, Inc. for Minnehaha County Highway 149 reconstruction at a cost not to exceed \$286,837. 5 ayes.

DJ Buthe, Highway Superintendent, gave a briefing on Change Order #1 to the contract with Prahm Construction for Project MC15 50-082-110. The project is complete and the change order is for addition and subtraction of quantities to complete the final pay application. The change order decreases the contract value by \$10,650.10. MOTION by Bender, seconded by Barth, to authorize the Chairperson to sign Change Order #1 to the Contract with Prahm Construction for Project MC15 500-082-110 resulting in an amended contract amount of \$367,643.65. 5 ayes.

PROVISIONAL BUDGET

Carol Muller, Commission Administrative Officer, presented the FY2016 Provisional Budget in the amount of \$79,777,112. This is an increase of \$7,867,211 from the FY2015 Final Budget, of which \$5,484,899 is within the

7/28/2015

Highway Department. The provisional budget is supported by revenues that include a sluggish 2.43% growth in property taxes due to new construction within the county and a 1.5% CPI adjustment allowed by the property tax limitation statutes in total county property taxes collected. The provisional budget is also supported by modest increases in recording fees, vehicle registration fees, and spending \$1.325 million in accumulated cash in the Highway Fund for additional road and bridge projects in 2016. The provisional budget includes a cash applied amount of \$4,000,000 and an opt-out amount of \$1,762,796. The provisional budget includes five new positions to begin January 2016, and one position to begin within the fourth quarter. The provisional budget also reflects the implementation of a modification in the county's pay plan for employees along with normal step increases of approximately 2.5% in accordance with the structure of the county's pay plan. A public hearing on the proposed budget will be held during the Minnehaha County Commission meeting at 9:15 a.m., Tuesday, September 1, 2015. MOTION by Barth, seconded by Kelly, to approve the FY2016 Provisional Budget. 5 ayes. (The Provisional Budget and Adoption Resolution MC15-44 will be published in the County's legal newspapers with these minutes).

RESOLUTIONS

Robert Wilson, Assistant Commission Administrative Officer, presented eight (8) resolutions for consideration to be submitted to the South Dakota Association of County Commissioners (SDACC) Resolutions Committee prior to the state convention in September. A resolution to remove 2018 sunset clause on 911 Emergency Surcharge was pulled from consideration. Daren Ketcham, Director of Metro Communications, stated that after talking with his statewide association and the 911 Coordination Board, he feels it would be better to wait one more year before proposing this legislation when there will be a better understanding of the 911 environment as more agencies transfer to the new 911 system. MOTION by Barth, seconded by Kelly, to approve Resolution MC14-45 for submission to the SDACC Resolutions Committee. 5 ayes.

RESOLUTION MC 15-45

AMEND THE PROPERTY TAX LIMITATION OF 3 PERCENT OR THE CPI, WHICHEVER IS GREATER

WHEREAS, SDCL 10-13-35 limits South Dakota counties ability to raise property taxes year to year to 3 percent or the rate of the Consumer Price Index (CPI), whichever is less, and

WHEREAS, no limit exists on the increased expenses South Dakota counties face from one year to the next, and

WHEREAS, expenses for many counties, particularly in the area of law enforcement, often grow by more than three percent every year, now

THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners SDACC Resolutions Committee that the South Dakota Association of County Commissioners be urged to support legislation that would amend SDCL 10-13-35 by striking less and inserting greater.

Dated this 28th Day of July, 2015

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chairman

ATTEST: Bob Litz, Auditor
Cynthia Jepsen
Deputy Auditor
Support Criteria

7/28/2015

Justification for the Resolution: Counties have extremely limited abilities to increase revenues to meet existing demands beyond the yearly 3% or CPI adjustment. No limit exists on the increase in expenses counties may face from one year to the next.

Counties Affected by the Resolution: All Counties.

Impact of Resolution: Counties would have a greater ability to adjust tax revenues to match expenses.

Commissioners discussed a resolution for the redistribution of money in the Alcoholic Beverage Fund. Ken McFarland, Former Commission Administrative Officer, reported the State of South Dakota takes 75% and municipalities share 25% of the Alcoholic Beverage Funds that are collected. The State's share is between approximately \$10.5 and \$11 million. Heiberger stated she is not in favor of this resolution but is in support of a proposed resolution for an increase in tax on alcohol. MOTION by Barth, seconded by Kelly, to approve Resolution MC15-46 for submission to the SDACC Resolutions Committee. 4 ayes. Heiberger voted nay.

**RESOLUTION MC 15-46
TO PROVIDE FOR THE REDISTRIBUTION
OF MONEY IN THE ALCOHOLIC BEVERAGE FUND**

WHEREAS, county government, by statute must provide law enforcement, prosecution and defense, courts, jails, detoxification programs and other related services, and

WHEREAS, various surveys conducted by Sheriffs throughout the state of South Dakota indicate that up to 80% of the inmates in county jails and in the court system are there because of alcohol and drug related abuse problems, and

WHEREAS, there is precedence in that counties received a share of the liquor taxes collected by the Department of Revenue up until 1985, now

THEREFORE BE IT RESOLVED, that the South Dakota Association of County Commissioners be urged to support legislation that would enable counties to share in the distribution of funds from the alcoholic beverage fund collected by the South Dakota Department of Revenue.

BE IT FURTHER RESOLVED, that the Minnehaha County Commission urges the South Dakota Association of County Commissioners to support drafting legislation which would distribute thirty-three and one-third percent of the revenue deposited into the alcoholic beverage fund to the counties.

Dated this 28th Day of July, 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chairman

ATTEST: Bob Litz, Auditor
Cynthia Jepsen
Deputy Auditor

SUPPORTING CRITERIA:

Justification for the resolution: Counties bear significant costs for the prosecution, defense and incarceration of persons with alcohol related offences.

Counties affected by the resolution: All counties would be affected by the proposed change in statute.

Impact of resolution: Provide counties additional revenue to help fund law enforcement and other costs incurred that are related to the use and abuse of alcohol.

7/28/2015

MOTION by Barth, seconded by Bender, to approve Resolution MC15-47 for submission to the SDACC Resolutions Committee. 5 ayes.

RESOLUTION MC15-47

TO PROVIDE FOR A 10 PERCENT INCREASE IN THE SALES TAX ON ALCOHOLIC BEVERAGES WITH A DISTRIBUTION OF THE INCREASE SPLIT BETWEEN THE STATE AND COUNTIES

WHEREAS, county government, by statute must provide law enforcement, prosecution and defense, courts, jails, detoxification programs and other related services, and

WHEREAS, surveys conducted by Sheriffs throughout the state of South Dakota indicate that up to 80% of the inmates in jails and in the court system are there because of alcohol and drug related abuse problems, and

WHEREAS, under the current distribution formula for liquor taxes, the counties receive no revenue from the taxing of liquor but bear a disproportionate share of the expenses associated with the abuse of alcohol, now

THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners that the South Dakota Association of County Commissioners be urged to support legislation that would increase the sales tax on the sale of alcoholic beverages by ten percent, to be collected at the local level, with said increase split between the state and counties. The county portion of the increase will be allocated based on valuation and population, to provide added funding for county law enforcement needs.

Dated this 28th Day of July, 2015

APPROVED BY
MINNEHAHA COUNTY COMMISSION
 Cindy Heiberger
 Chairman

ATTEST: Bob Litz, Auditor
 Cynthia Jepsen
 Deputy Auditor

SUPPORTING CRITERIA:

Justification for the resolution: Counties bear significant costs for the prosecution, defense and incarceration of persons with alcohol related offences.

Counties affected by the resolution: All counties would be affected by the proposed change in statute.

Impact of resolution: Provide counties additional revenue to help fund law enforcement and other costs incurred that are related to the use and abuse of alcohol.

Kyle Helseth, Director of Equalization, spoke on the effect that Tax Increment Financing and Discretionary formulas have on county tax revenue. MOTION by Barth, seconded by Beninga, to withdraw a resolution to provide counties with relief from the impact of discretionary and tax increment financing (TIF) reductions in property tax base similar to relief currently provided to school districts. 5 ayes.

Commissioners discussed a resolution to provide state reimbursement to counties for jail costs related to inmates convicted of crimes resulting in incarceration in the state penitentiary while housed in county jails prior to transfer. MOTION by Beninga, seconded by Barth to approve the resolution. Commissioner Beninga stated this issue needs to be acknowledged and he has no confidence that the problem will go away or be solved if it is ignored. Ken McFarland reported the State and the Legislative Summer Study have agreed to take a look at law enforcement related costs to counties. Mr. McFarland encouraged using the Summer Study format to address this issue. VOTE on motion: 2 ayes. Bender, Kelly, and Heiberger voted nay. Motion fails.

7/28/2015

Commissioners discussed a resolution to provide for state reimbursement to counties for post-conviction jail expenses related to defendants sentenced to county jails for felony convictions. Kersten Kappmeyer, Chief Civil Deputy State's Attorney, spoke in regard to statutes that allow judges to sentence convicted felons to serving time in county jails. Commissioner Heiberger stated she is in favor of taking this issue to the Legislative Summer Study. MOTION by Beninga, seconded by Barth, to approve the resolution. 2 ayes. Bender, Kelly, and Heiberger voted nay. Motion fails.

Commissioner Beninga withdrew his proposed resolution to provide for an independent review of the structure of local governments in South Dakota.

OLD BUSINESS

Mark Lee, Public Affairs & Communications Director for the Sioux Falls Area Chamber of Commerce, reported the City Development Office will hold a press conference at 1:00 p.m. today, July 28, 2015, at the Washington Square site to talk about the project.

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

The Commission adjourned until 5:00 p.m. on Tuesday July 27, 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger
Chairperson

ATTEST:

Cynthia Jepsen
Deputy Auditor