

3/22/2016

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. March 22, 2016, pursuant to adjournment on March 15, 2016. Commissioners present were: Barth, Bender, and Kelly. Commissioners Beninga and Heiberger were absent. Also present were Cindy Jepsen, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

In the absence of Commission Chair, Cindy Heiberger, and Commission Vice Chair, Gerald Beninga, Kersten Kappmeyer, Chief Civil Deputy State's Attorney, called for nominations for the appointment of a Commission Chair for the March 22, 2016 Commission Meeting. Motion by Bender, seconded by Kelly, to nominate Jeff Barth for appointment as Commission Chair. There were no other nominations. Vote on the appointment of Jeff Barth as Commission Chair for March 22, 2016 commission meeting, 3 ayes.

MOTION by Bender, seconded by Kelly, to approve the agenda. 3 ayes.

#### MINUTES APPROVAL

MOTION by Kelly, seconded by Bender, to approve the March 15, 2016, Commission Minutes. 3 ayes.

#### VOUCHERS TO BE PAID

MOTION by Bender, seconded by Kelly, to approve the following bills totaling \$3,782,815.48. 3 ayes.

A & B Business Equip	Lease-Rental	249.21	A & B Business Equip	Maintenance C	1,168.89
A To Z World Languag	Interpreters	20,177.50	Ahrendt, Cynthia J	Attorney Fees	1,494.00
Airway Service Inc	Automotive/Sm	1,954.62	Airway Service Inc	Gas,Oil,Diese	77.78
Amazon/Syncb	Inmate Suppli	103.92	Amazon/Syncb	Office Suppli	193.20
Amazon/Syncb	Safety & Resc	699.98	Andersen, Norma	Bd Exp. Fees	27.00
Anesthesiology Assoc	Physicians	385.58	Avera McKennan Hospi	Hospitals	218.38
BI Inc	Program Suppl	6,728.80	Billion, James A	Attorney Fees	530.00
Billion's	Vehicles	154,656.00	Bk Holdings, Llc.	Welfare Rent	565.00
Boggs, Greg	Welfare Rent	600.00	Brown & Saenger	Office Suppli	124.79
Buena Vista County(I	Return Of Ser	21.98	Bureau Of Informatio	Contract Serv	2.53
Bureau Of Informatio	Telephone	284.23	Buthe, DJ	Business Trav	197.00
Butler Machinery Com	Parts Invento	756.50	C & H Properties Llc	Welfare Rent	700.00
Canda Properties Llc	Welfare Rent	1,200.00	Carlson, Lisa	Court Reporte	1,168.40
Carper, Nichole A	Attorney Fees	2,846.50	Carper, Nichole A	Child Defense	516.50
Century Business Pro	Lease-Rental	957.20	Century Business Pro	Maintenance C	160.95
Century Business Pro	Office Suppli	240.00	Centurylink (Qwest)	Contract Serv	133.91
Centurylink (Qwest)	Data Communic	1,048.09	Centurylink (Qwest)	Telephone	1,691.55
Childrens Home Socie	Other Miscell	89,250.00	Christopherson, Ande	Attorney Fees	3,544.76
Christopherson, Ande	Child Defense	486.60	Clausen Enterprises	Welfare Rent	500.00
Cliff Avenue Auto Pa	Heavy Eq. Rep	61.74	Constellation New En	Natural Gas	10,957.92
Counseling Resources	Attorney Fees	150.00	Country View MHC	Welfare Rent	357.90
Creative Prod Sourci	School Resour	3,171.85	Dakota Data Shred	Office Suppli	28.77
Dakota Data Shred	Other Profess	990.15	Dedula, Carla F	Court Reporte	302.73
Devaney, Tom	Uniform Allow	81.98	Dover, Sena S	Bd Evaluation	850.00
Downtown Sioux Falls	Memberships	150.00	Duffy, Ryan	Attorney Fees	1,597.80
Duffy, Ryan	Child Defense	2,458.60	Ekeren, Marvin R.	Bd Exp. Fees	27.00
First Premier Bank	Investigators	68.90	Fluth, Rodney P	Welfare Rent	500.00
Fox & Youngberg, Pc	Attorney Fees	970.40	Goebel Printing, Inc	Mental Ill Re	89.86
Gromer, Jeff	Business Trav	361.27	Guzman, Sandra V.	Interpreters	613.32
Hall, Vien V	Interpreters	50.00	Hanson, Michael W.	Attorney Fees	1,551.00
Heartstarters Llc	Education & T	27.00	Heiberger, Cindy	Travel - Heib	1,662.21
Heimdal, Marie Ann	Court Reporte	103.60	Helpline Center Inc	Program Activ	55.00
Himler, Thomas C Phd	Attorney Fees	1,553.68	HOV Services Inc	Microfilming	220.90
Hughes County Jail	Pharmacies	377.23	Interstate All Batte	Heavy Eq. Rep	112.95
Interstate All Batte	Truck Repair/	225.90	Interstate Office Pr	Office Suppli	1,453.30
ISS Facility Svcs-Mi	Contract Serv	12,658.00	JCL Solutions-Janito	Building Repa	1,302.10
JCL Solutions-Janito	HHS Custodial	230.30	JCL Solutions-Janito	Janitorial/Ch	31.00
JCL Solutions-Janito	Kitchen/Clean	2,300.55	JD's House Of Trophi	Office Suppli	25.00

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Kauffman, David W. P	Psych Evals	1,996.25	Knecht Robinson Law	Attorney Fees	787.58
Kyra Enterprises Llc	Motels	180.00	Language Line Servic	Interpreters	490.54
Language Line Servic	Telephone	43.45	Larson, Jeff	Attorney Fees	312.80
Laughlin, Nicole	Attorney Fees	5,932.33	Leaf Inc.	Office Suppli	129.80
Lewis & Clark BHS	Bd Evaluation	1,760.00	Lewis Drug Stores	Pharmacies	99.09
Lewno, Lucy	Bd Exp. Fees	442.47	Loving, Philip	Bd Evaluation	1,290.00
Madison Square Ptnrs	Welfare Rent	600.00	Menards - East	Bridge Repair	119.90
Menards - East	Sign Supply/I	127.92	Menards - East	Small Tools,	34.99
Metro Communications	Other Miscell	26,179.67	Microfilm Imaging Sy	Contract Serv	3,299.40
MidAmerican Energy C	Natural Gas	4,127.38	Midwestern Mechanica	Building Repa	237.34
Miller Funeral Home,	Burials	2,250.00	Mills & Miller Inc	Road Material	4,442.76
Minn Cnty Prisoner A	Prisoner/Bond	23.50	Musa, Roba	Interpreters	62.50
Nguyen, Lam	Interpreters	25.00	Niewenhuis, Robyn	Expert Witnes	140.00
Nyberg's Ace Hardwar	Other Supplie	10.48	Olson, Matthew	Attorney Fees	233.69
Orthopedic Institute	Physicians	52.25	Pennington County Ja	Extradition &	14,620.40
Pharmchem Inc	Testing Suppl	350.00	Precision Dynamics C	Inmate Suppli	1,110.00
Qualified Presort Se	Postage	5,946.13	Quality Efficiencies	Motels	240.00
R.E.D. Oak Propertie	Welfare Rent	1,800.00	Record Keepers, Inc.	Records Stora	2,360.85
Redwood Estates Llc	Welfare Rent	1,113.00	Reh fuss, Cathy A	Bd Exp. Fees	15.00
Roosevelt Estates Of	Welfare Rent	500.00	Salberg, Aaron	Attorney Fees	1,494.83
Sanford Hospital	Hospitals	3,418.34	Sanford Occupational	Professional	407.50
Schmidt, Melissa	Business Trav	139.00	SD Dept Of Revenue	Amounts Held	3,077,919.71
SD Dept Of Revenue	Automotive/Sm	16.20	SD Dept Of Revenue	Blood/Chemica	5,705.00
SD Dept Of Revenue	Commitment	17,004.90	SD Dept Of Revenue	Commitment -	1,140.00
SD Dept Of Revenue	Store Sales	49.95	SD One Call	Building Repa	4.20
SD Public Assurance	Gen Liab Ins	54,357.95	SD Public Assurance	Law Enf Liab	123,532.75
SD Public Assurance	Property & Li	16,365.91	SDAAO-SD Assoc Of As	Education & T	980.00
Sechser, Jenna - Crt	Court Reporte	95.00	SF Leased Housing As	Welfare Rent	229.00
SF Leased Hsg Author	Welfare Rent	300.00	SF Specialty Hospita	Recruitment	640.00
Short Elliott Hendri	Architects &	8,144.93	Sioux Falls Ford, In	Automotive/Sm	24.96
Sioux Falls Ford, In	Gas,Oil,Diese	41.22	Sioux Falls Humane S	Other Miscell	3,320.96
Sioux Falls Two Way	Other Supplie	420.00	Sioux Falls Utilitie	Water - Sewer	745.02
Skadsen, Nathan	Work Mileage	78.12	Skorczewski, Jena	Court Reporte	11.40
Solomon, Ghirmay	Interpreters	50.00	St Francis House	Other Profess	40.00
Sunset Law Enforceme	Ammunition	789.60	Swanda, Karen	Bd Exp. Fees	15.00
Swenson, Diane	Welfare Rent	500.00	Szameit, Alexandra	Interpreters	418.33
Test Point Paramedic	Blood Withdra	4,200.00	Thomson Reuters - We	Legal Researc	1,989.08
Thyssenkrupp Elevato	Lease-Rental	2,906.68	Tomacelli's Pizza	Jury Fees	87.93
Tri-State Garage Doo	Building Repa	501.50	Triangle Properties	Welfare Rent	500.00
United Parcel Servic	Postage	1.10	US Postal Service	Postage	2,500.00
V & S Inc	Uniform Allow	2,851.08	Verizon Wireless	Communication	54.14
Verizon Wireless	Data Processi	1,134.94	Verizon Wireless	HIDTA Grant	-1.71
Verizon Wireless	Safety & Resc	124.00	Verizon Wireless	Telephone	5,320.42
Voigt, Debra	Attorney Fees	2,139.12	Walden, James I	Welfare Rent	500.00
Walgreen Co.	Pharmacies	1,297.23	Waltner, Kolbeck, Scha	Attorney Fees	2,282.00
Waltner, Kolbeck, Scha	Child Defense	477.00	Walton, Marcus	Child Defense	1,793.80
Weber, Jamie Db	Attorney Fees	1,477.60	Weerheim, Tom	Attorney Fees	164.80
Weiland & Assoc Inc	Jury Fees	634.06	Wilka & Welter Llp	Attorney Fees	619.95
Winner Police Depart	Extradition &	132.40	Xcel Energy, Inc.	Electricity	1,214.73
Xcel Energy, Inc.	Road Maint. &	26.85	Xcel Energy, Inc.	Welfare Utili	1,070.12
Yankton County Sheri	Return Of Ser	150.00	Yankton County Treas	Attorney Fees	1,389.15

**REPORT**

The Register of Deeds Official Statement of Revenue Report for February 2016 and the Juvenile Detention Center Report for February 2016 were received and placed on file in the Auditor's Office.

**PERSONNEL**

MOTION by Kelly, seconded by Bender, to approve the following personnel changes. 3 ayes.

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1. To accept the retirement of Wanda Fox as Commission Assistant for the Commission Office effective 3/25/16.
2. To hire Elizabeth Ebert as Senior Deputy State's Attorney (22/6) for the State's Attorney's Office at \$2,526.40/bi-weekly effective 3/28/16.
3. To hire Melissa Palleschi as Corrections System Operator (9/3) for the Jail at \$14.69/hour effective 3/28/16.
4. To accept the resignation of Bojan Salihagic as Deputy Sheriff for the Sheriff's Office effective 3/29/16.

#### Step Increases

1. Allan Phillips – STI Security Officer – STI Security – 13/8 – 2/6/16 - \$20.25/hour
2. Rachel Mattson – STI Security Officer – STI Security – 13/6 – 2/24/16 - \$19.27/hour
3. Lorna McDermott – Correctional Officer – Jail – 13/6 – 1/23/16 - \$19.27/hour
4. Leah Bouw – Corrections System Operator – Jail – 9/5 – 1/27/16 - \$15.43/hour
5. Corey Stanley – Deputy Sheriff – Sheriff's Office – 16/16 – 1/15/16 - \$28.61/hour
6. Steven Millage – Programmer Analyst II – Information Technology – 21/11 – 3/16/16 - \$32.37/hour

Carey Deaver, Human Resources Director, gave a briefing on a Financial Renewal Amendment to the Administrative Services Agreement for the county health plan with UMR, the third party administrator who processes payments and explanations of benefits. Minnehaha County is currently in a three year agreement for 2015 – 2017 with approximately 3% annual medical service fee increases. UMR has agreed to a 2% increase for 2016. MOTION by Bender, seconded by Kelly, to authorize the Chairperson to sign the Financial Renewal Amendment to the Administrative Services Agreement with UMR effective January 1, 2016. 3 ayes.

#### ABATEMENT

MOTION by Kelly, seconded by Bender, to approve abatement of 2015 property taxes for RDID 22815, \$738.78, representing an Elderly Assessment Freeze. 3 ayes.

#### PUBLIC COMMENT

Dan Schipper, 1404 S. Kinderhook Ave., Sioux Falls, SD, addressed the Commission regarding the assessed value of his property and his taxes. Kyle Helseth, Director of Equalization, stated the deadline for submitting an objection to property valuations was last Thursday, March 17, 2016 at 5:00 p.m. Mr. Helseth stated Mr. Schipper may request a re-appraisal of his property which would be done this summer. Mr. Helseth also stated the process for appealing property valuations, set by state statute, is included on the valuation statement that is mailed to property owners.

#### REZONING HEARING

Scott Anderson, Planning & Zoning Director, was present for the public hearing and gave the second reading of an amendment to Ordinance MC16-90 the 1990 Revised Zoning Ordinance. The amendment is to rezone from the A-1 Agriculture District to C Commercial District for the property legally described as Dawson Tract 2, SE ¼

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of Section 12, T102N, R50W, Minnehaha County, South Dakota. The property is located on the northeast corner of the Crooks exit off I-29. The petitioner and owner of the property is Timothy R. Tiahr. The petitioner intends on constructing storage units in the proposed rezoning area. The subject property meets the criterion of the County's Envision 2035 Comprehensive Plan and an expansion of the existing commercially zoned land in the general vicinity. Planning & Zoning staff recommends approval of the rezoning. Tim Tiahart, 25524 472<sup>nd</sup> Ave. spoke on plans to replace two culverts to increase drainage. No one spoke in opposition. MOTION by Bender, seconded by Kelly, to approve Ordinance MC16-146-16 amending the 1990 Revised Zoning Ordinance for Minnehaha County by rezoning Dawson Tract 2, SE ¼ of Section 12, T102N, R50W, Minnehaha County, South Dakota from A-1 Agriculture District to C Commercial District. 3 ayes. The ordinance is on file in the Auditor's Office.

#### ALCOHOL LICENSE HEARINGS

A public hearing was held to consider an application for a 2015-2016 Retail On-Off Sale Malt Beverage License for GL Management LLC, Owner of Greatlife @ Rocky Run Golf Course, and the transfer of the 2016 On-Sale Liquor License from Norby's Rocky Run to Greatlife @ Rocky Run Golf Course. The licenses were reviewed by the State's Attorney Office, Planning & Zoning Office and Sheriff's Department and there were no objections or concerns reported. Donn Hill, President of GL Management, was present to answer questions from the Commission. MOTION by Kelly, seconded by Bender, to approve the 2015-2016 Retail On-Off Sale Malt Beverage License for Greatlife @ Rocky Run Golf Course, and the transfer of the 2016 On-Sale Liquor License from Norby's Rocky Run to Greatlife @ Rocky Run Golf Course, licensed premises Madsen's TR 2 of Outlot A (Ex E 400 Ft) NW ¼ SE ¼ 8-104-49, 47364 Golf View Dr., Dell Rapids, SD. 3 ayes.

A public hearing was held to consider applications for a 2016-2017 Retail On-Off Sale Malt Beverage License and a 2016 Retail On-Off Sale Wine License for The Barn Inc. Amanda & Josh Nelson, owners of The Barn Inc. were present to answer any questions from the Commission. The licenses were reviewed by the State's Attorney Office, Planning & Zoning Office and Sheriff's Department and there were no objections or concerns reported. Josh Nelson, Vice President of The Barn Inc., was present to answer questions from the Commission. MOTION by Kelly, seconded by Bender, to approve the 2016-2017 Retail On-Off Sale Malt Beverage License and 2016 Retail On-Off Sale Wine License for The Barn Inc., licensed premises Track 3 (ex#1) Krell's Addition SE ¼ 36-101-51 Wall Lake Township. 3 ayes.

#### BUDGET HEARING

Kim Adamson, Finance and Budget Officer, was present for the scheduled budget hearing to consider 2015 carryover supplements. The carryovers from the 2015 budget cover items contracted for or projects planned to be done in 2015 but will be paid for in 2016, as well as carryover of the remaining 2015 balance in dedicated grant budgets. MOTION by Bender, seconded by Kelly, to approve Resolution MC16-11. 3 ayes.

#### RESOLUTION MC16-11 FOR SUPPLEMENTAL BUDGET

WHEREAS it is necessary to supplement the 2016 Annual Budget in order to carry on the indispensable functions of Minnehaha County; and

WHEREAS, the adoption of the proposed Supplemental Budget was duly considered by the Minnehaha County Commission on the 22<sup>nd</sup> day of March, 2016, at 9:15 a.m., in the Commission Meeting Room, pursuant to due notice; now, therefore, be it

RESOLVED by the Minnehaha County Commission that the following Supplemental Budget be, and the same is, hereby approved for the purpose of providing budget to conduct the indispensable functions of Government, to-wit:

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**2015 Carryovers & Other 2016 Supplements**

From Fund	To Budget	Amount
General	Commission	\$ 110.80
	County Cemetery	\$ 662.90
	Equalization	\$ 1,093.73
	Facilities	\$ 392.15
	Human Services	\$ 217,742.39
	Jail	\$ 165,970.51
	Juvenile Detention Center	\$ 210.60
	Museum Operations	\$ 6,617.24
	Pettigrew Maintenance	\$ 4,311.31
	Public Defender	\$ 310.64
	Safe Home	\$ 2,949.39
	Sheriff	\$ 70,162.39
	State's Attorney	\$ 131.06
<b>Total General Fund</b>		<b>\$ 470,665.11</b>
Highway	Highway	\$ 1,066,076.04
Emergency Management	Emergency Management	\$ 32,760.68
JAG Grants	JAG Grants	\$ 33,693.48
Pass thru Grants	Pass thru	\$ 103,801.30
Building	Building	\$ 507,491.85
<b>Total Special Revenue Funds</b>		<b>\$ 1,743,823.35</b>

APPROVED BY THE COUNTY COMMISSION:

Jeff Barth

Chair

ATTEST:

Cynthia Jepsen

Deputy Auditor

## TAX DEED PROPERTY

Robert Wilson, Assistant Commission Administrative Officer, reported the former owner of Tax Deed #2589, RDID #48648, Dwight M. Wood & Marlys J. Wood, Wood Living Trust, has made payments to the Minnehaha County Treasurer totaling \$16,197.44 representing all taxes, interest, and costs owed. Mr. Wilson requested the Commission to approve a resolution restoring the property to the former owner of record and authorize the County Treasurer to issue a quitclaim deed. MOTION by Bender, seconded by Kelly, to approve Resolution MC16-12. 3 ayes.

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**RESOLUTION MC16-12**

**WHEREAS**, Minnehaha County holds under Tax Deed proceedings Deed # 2589, RDID# 48648, covering property legally described as:

Lot 8, Blk 5, Sycamore East Addition to the City of Sioux Falls, Minnehaha County, South Dakota; and

**WHEREAS**, as The Dwight M. Wood & Marlys J. Wood, Wood Living Trust, 5109 E. 15<sup>th</sup> Street, Sioux Falls, SD, 57103, is the prior record of owner of the above described property, and

**WHEREAS**, SDCL 10-25-41 provides for the restoration of title to said record owner upon payment of all taxes, interest, and costs represented in the Tax Deed; and

**WHEREAS**, Dwight M. Wood and Marlys J. Wood have deposited \$16, 197.44 with the Minnehaha County Treasurer, this amount representing all the taxes, assessments, interest, and costs owing on said Tax Deed; now, therefore be it

**RESOLVED**, by the Minnehaha County Board of Commissioners, that the property be restored to the Dwight M. Wood & Marlys J. Wood, Wood Living Trust, and that the Minnehaha County Treasurer is hereby authorized to issue a quitclaim deed thereto.

Dated this 22<sup>nd</sup> Day of March, 2015.

APPROVED BY THE COMMISSION:

Jeff Barth

Commission Chair

ATTEST: Bob Litz, Auditor

Cynthia Jepsen

Deputy Auditor

**AGREEMENT**

Jason Reaves, Senior Project Engineer, gave a briefing on a professional services agreement between Minnehaha County and HDR, Inc. for Construction Administration of Project MC110-118BM-16. The project will correct a significant crack in an abutment and perform deck repairs with a low slump concrete overlay on Structure 50-192-040 located on Minnehaha County Highway 110 and spans the Big Sioux River. The cost for construction administration services is not to exceed \$99,380.00. MOTION by Bender, seconded by Kelly, to authorize the Chair to sign the agreement between Minnehaha County and HDR, Inc. for construction administration of MC110-118BM-16 in an amount not to exceed \$99,380.00. 3 ayes.

**LIAISON REPORTS**

Commissioner Bender reported she attended a Sioux Falls Development meeting last week, and Foundation Park continues to move forward. The City of Sioux Falls has approved the zoning and sub-division plans and their next step is getting railway authority put in place.

Commissioner Kelly stated he will be presenting by-laws changes at the Southeast District meeting tomorrow.

Commissioners Barth and Kelly reported on the SDACC Spring Workshop and on bills passed during the 2016 Legislative Session that will impact Minnehaha County.

MOTION by Bender, seconded by Kelly, to adjourn into executive session for litigation. 3 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday March 29, 2016.