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THE MINNEHAHA COUNTY COMMISSION CONVENE AT 9:00 A.M. April 28, 2020, pursuant to adjournment on April 14, 2020. Commissioners present were: Bender, Heiberger, and Karsky. Commissioners Barth and Beninga joined the meeting via teleconference. Also present were Olivia Larson, Commission Recorder, and Margaret Gillespie, Senior Deputy State's Attorney.

MOTION by Heiberger, seconded by Karsky, to approve the agenda. By roll call vote: 5 ayes.

#### MINUTES APPROVAL

MOTION by Karsky, seconded by Heiberger, to approve the April 14, 2020, Commission Minutes. By roll call vote: 5 ayes.

#### VOUCHERS TO BE PAID

MOTION by Beninga, seconded by Karsky, to approve the following bills totaling \$3,059,812.97. By roll call vote: 5 ayes.

A&B Business	Lease-Rental Agmt	296.50
A&B Business	Maint Contracts	578.90
Accurate Control	Jail Expansion Construction	73,665.48
Active Generations	Advertising	47.00
Advanced Pest Sol	Maint Contracts	70.00
Airgas USA	Gas Oil & Diesel	59.52
Airgas USA	Small Tools & Shop Sup	547.63
Airway Svc	Automotive/Small Equip	3,685.20
Airway Svc	Gas Oil & Diesel	241.57
Alcohol Monitoring	Electronic Monitoring	1,580.80
Alcohol Monitoring	Program Sup	3,580.80
All Nations Interp	Interpreters	6,424.40
Allied Oil	Parts Inventory	385.00
American Association	Program Activities	1,875.00
Anderson, Jennifer	Bd Evals Minnehaha	2,249.99
Angel, Edward P	Attorney Fees	3,588.25
Angel, Edward P	Child Defense Attorney	669.30
Appera	Program Activities	72.19
Argus Leader	Books	262.29
Argus Leader	Subscriptions	40.29
Argus Leader Media	Publishing Fees	2,356.41
Armor Correctional	Contract Svcs	74,683.95
AT&T	Safety & Rescue Equip	43.23
Avera McKennan	Hospitals	18,564.00
Avera McKennan	Professional Svcs	3,526.18
Axis Forensic Toxic	Lab Costs	991.00
Banner Associates	Architects & Engineers	8,562.60
Baycom	Automotive/Small Equip	327.00
Bierschbach Equip	Road Maint & Material	156.00
Blomker, Douglas	Uniform Allowance	129.98
Bob Barker Company	Child Care Uniforms	96.85
Bob Barker Company	Inmate Sup	1,166.54
Bob Barker Company	Kitchen/Cleaning Sup	692.32
Bosman, Joseph	COVID Exps	79.92
Boyer Ford Trucks	Parts Inventory	87.73
Boyer Ford Trucks	Truck Repairs & Maint	291.25
Braun, Mason	Investigators Exps	107.52
Builders Sup	Jail Repairs & Maint	839.19
Burns, Jason	Investigators Exps	154.56
Burnside Properties	Welfare Rent	275.00
C & R Sup	Truck Repairs & Maint	84.45

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Carroll Institute	Misc Exp	1,492.26
Cartridge World	Data Processing Sup	1,345.86
Center For Family	Professional Svcs	539.00
Century Business	Lease-Rental Agmt	699.43
Century Business	Maint Contracts	619.30
Centurylink	Telephone	54.53
Centurylink Long	Telephone	265.78
Chagolla, Albert	Interpreters	75.83
Chagolla, Albert	Interpreters	53.33
Cheney Lake	Welfare Rent	1,000.00
City Glass & Glazing	COVID Exps	11,541.00
Civil Design	Architects & Engineers	12,255.00
Cody Raterman	Education & Training	63.58
Concrete Materials	Road Maint & Material	144.00
Constellation	Natural Gas	15,495.98
Correct Rx Pharmacy	Contract Svcs	13.58
Dakota Enhancement	Welfare Rent	1,000.00
Dakota Fluid Power	Heavy Equip Repairs & Maint	161.47
Dakota Fluid Power	Truck Repairs & Maint	1,447.69
Dakota Lettering	Uniform Allowance	295.60
Dakota Splash	Water Sewer	114.30
Dalsin	Repair/Renovations	707.50
Deans Distributing	Gas Oil & Diesel	455.00
Deans Distributing	Parts Inventory	416.90
Decastro Law	Attorney Fees	26,839.70
Dedula, Carla F	Court Reporters	585.20
Dell Marketing	COVID Exps	1,496.26
Dive Rescue Intl	Education & Training	1,500.00
Donahoe Law	Attorney Fees	1,464.00
Dublin Square Apt	Welfare Rent	500.00
Dust Tex Svc	Janitorial Chemical Sup	8.10
EH Hospitality	Motels	1,475.00
Eich Law Office	Child Defense Attorney	4,166.67
Electric Sup	Data Processing Equip	1,112.84
English Law	Attorney Fees	6,000.00
Fleetpride	Parts Inventory	300.00
Fox & Youngberg	Attorney Fees	2,314.84
Galls Quartermaster	Uniform Allowance	709.77
George, Aaron	Welfare Rent	450.00
Geotek Engineering	Architects & Engineers	276.60
Goebel Printing	Office Sup	199.45
Graham Tire	Automotive/Small Equip	146.00
Grainger	Small Tools & Shop Sup	379.63
Gramlick, Michael	Welfare Rent	700.00
Grant Square	Welfare Rent	279.00
Graybar Electric	Jail Repairs & Maint	231.95
Graybar Electric	JDC Maint	187.22
Great Plains Psych	Psych Evals	3,042.50
Guardrail Enterprise	Bridge Repair & Maint	585.00
Guzman, Sandra V	Interpreters	65.83
Hancock Concrete	Road Maint & Material	252.00
Hanson, Michael W	Attorney Fees	7,202.40
HCC Tactical	Uniform Allowance	9,969.84
HDR Engineering	Architects & Engineers	75,233.14
Heartland Funeral	Burials	2,000.00
Heimdal, Marie Ann	Court Reporters	277.40
Helseth, Ramona G	Bd Exp Fees Minnehaha	160.00
Hewlett Packard	Data Processing Equip	141.92
Hidden Hills Apt	Welfare Rent	445.00
High Point Networks	COVID Exps	833.00

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Hoekstra, Denise	Court Reporters	153.00
Holly Halma Or Brand	Misc Revenue	450.00
Horizon Agency	Insurance Admin Fee	2,821.00
Hov Svcs	Microfilming	657.10
Hughes, Stuart	Child Defense Attorney	1,823.60
HyVee	Pharmacies	283.21
HyVee	Program Activities	6.83
Ideal Yardware	Automotive/Small Equip	64.74
Induminn	One Sioux Falls-Shelter	660.00
Initiative Invest	Welfare Rent	500.00
Innovative Office	COVID Exps	27.00
Innovative Office	Furniture & Office Equip	69,358.18
Innovative Office	HHS Custodial Sup	697.20
Innovative Office	Janitorial Chemical Sup	73.20
Innovative Office	JDC Custodial Sup	1,180.67
Innovative Office	Office Sup	251.10
Innovative Office	Printing/Forms	6,223.23
Innovative Office	Small Tools & Shop Sup	41.28
Interstate Office	Office Sup	589.60
ISI	Interpreters	340.00
JE Dunn Construction	Jail Expansion Construction	1,445,520.00
Jim Koch	Volunteer Pers Items	150.00
JLG Architects	Jail Expansion Prof Svcs	26,485.18
Johnson, Erin M	Bd Exp Fees Minnehaha	4,693.00
Johnson, Erin M	Crisis Intervention Program	47.50
Johnson, Richard L	Attorney Fees	340.47
Kasowski Family Farm	Right Of Way	273.00
Kathleen Dahl	Rezoning	350.00
Katterhagen, Mark	Bd Exp Fees Yankton	96.00
Kerri Cook Huber	Bd Exp Fees Yankton	80.00
Knecht, Andrew J	Attorney Fees	591.70
Kohlrabi	Welfare Rent	600.00
Kolbeck Law	Attorney Fees	448.35
Kone	Maint Contracts	970.92
Kone	Outside Repair	2,536.00
Kruse Law	Child Defense Attorney	4,166.67
Kyra Enterprises	COVID Exps	2,350.00
Kyra Enterprises	Motels	390.00
Kyra Enterprises	Welfare Rent	550.00
Lacey Rentals	Lease-Rental Agmt	112.00
Lacrosse Forage	Road Maint & Material	107.00
Lamar Texas	HIDTA Grant	750.00
Lamp	Interpreters	324.60
Landmark Realty	Welfare Rent	750.00
Laughlin Law	Attorney Fees	344.30
Laughlin Law	Child Defense Attorney	4,154.50
Ledd Properties	COVID Exps	1,000.00
Lewis & Clark Behav	Bd Evals Yankton	3,382.00
Lewis Drugs	Pharmacies	1,362.18
Lewno Law	Bd Exp Fees Yankton	913.25
Lexisnexis Matthew	Subscriptions	515.00
Light And Siren	Automotive/Small Equip	1,899.27
Light And Siren	Truck Repairs & Maint	897.60
Lisa Carlson Report	Court Reporters	338.20
Lockwood, Darcy	Bd Exp Fees Yankton	96.00
Loving, Philip	Bd Evals Minnehaha	4,299.95
Luther, Jeff	Medical Director	2,500.00
Lutheran Social Svcs	Diversion Programs	2,209.94
Lutheran Social Svcs	Evening Report Center	5,719.08
Lutheran Social Svcs	Shelter Care/Recept Center	71,811.56

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MCJ	Mtr/Machine/Equip Repair	99.95
Medstar Paramedic	Transportation	1,600.00
Meierhenry Sargent L	Attorney Fees	630.50
Menard	Building Repairs & Maint	72.62
Metro Coms	Clinics Auxiliary Svcs	640.00
Metro Coms	Misc Exp	37,463.08
Microfilm Imaging	Maint Contracts	309.00
Midamerican Energy	Natural Gas	911.29
Midcontinent Com	Amounts Held For Others	155.00
Midcontinent Com	Data Coms	390.80
Midcontinent Com	Telephone	85.00
Midstates Utility	Small Tools & Shop Sup	146.11
Midway Svc	Gas Oil & Diesel	7,842.67
Mtg Locating & Util	Jail Expansion Construction	123.20
Multicultural Center	Interpreters	275.00
Murray Properties	Welfare Rent	1,000.00
Myers & Billion	Attorney Fees	3,215.50
Napa Auto Parts	Automotive/Small Equip	198.48
New Millenium Enterp	Data Processing Equip	320.00
Newman Signs	Road Maint & Material	6,672.85
Newman Signs	Sign Sup Inventory	2,510.00
Nolz Dragline & Cons	Contracted Construction	78,003.55
Norberg Paints	Program Activities	138.77
Novak	Office Sup	16.00
Novak	Trash Removal	484.26
Nybergs Ace Hardware	Janitorial Chemical Sup	37.98
Nybergs Ace Hardware	Vehicle Equip	27.87
One Sky	Automotive/Small Equip	98.95
One Sky	Heavy Equip Repairs & Maint	197.90
One Sky	Small Tools & Shop Sup	21.84
Osborn, Roxane R	Court Reporters	921.00
P&G Townhomes	Welfare Rent	700.00
Penbrooke Place	Welfare Rent	350.00
Pennington County	Extradition & Evidence	6,882.50
Phoenix Sup	COVID Exps	200.50
Pioneer Enterprises	Burials	5,940.00
Pirrung, Sheila M	Welfare Rent	600.00
Prahm Construction	Contracted Construction	209,677.00
Prestox	Outside Repair	492.50
Prestox	Professional Svcs	58.00
Pride Neon	Automotive/Small Equip	100.00
Qualified Presort	Postage	143.65
Quality Efficiencies	COVID Exps	2,665.00
Quality Efficiencies	Motels	937.50
Quality Efficiencies	One Sioux Falls-Shelter	855.00
Quill Corporation	Office Sup	52.35
R&L Sup	Jail Repairs & Maint	401.31
Redwood Toxicology	Testing Sup	14.00
Reede Construction	Contracted Construction	270,467.50
Reliance Telephone	Telephone	1.00
Rensberger, Ron	Welfare Rent	500.00
Reynolds Law	Attorney Fees	1,893.00
Reynolds Law	Child Defense Attorney	4,166.67
Rock Mills	Welfare Rent	500.00
Rocket Software	Maint Contracts	2,597.14
Rocket Software	Software	5,194.28
Roeller Properties	Automotive/Small Equip	20.00
Roeller Properties	Truck Repairs & Maint	550.00
Roemen's Automotive	Automotive/Small Equip	30.38
Safe N Secure	Com Equip Repair	855.37

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Sage Projects Consul	MacArthur SJC Grant	490.00
Sanford Clinic	Contract Svcs	25,180.73
Sanford Clinic	Other Medical Svcs	516.81
Sanford Health Plan	Cobra Insurance	1,219.68
Schumacher Elevator	Jail Repairs & Maint	235.50
SD Assoc Of County	Due To Other Governments	5,346.00
Security Labs	Maint Contracts	100.00
Short Elliott Hendr	Architects & Engineers	2,858.27
Sioux Empire Fair	Misc Exp	12,500.00
Sioux Falls Area Cha	Memberships	400.00
Sioux Falls Area Hum	Misc Exp	3,247.88
Sioux Falls City	Electricity	12,623.66
Sioux Falls City	Gas Oil & Diesel	310.44
Sioux Falls City	Jail Expansion Construction	49,835.15
Sioux Falls City	Water Sewer	12,741.59
Sioux Falls Lihtc	Welfare Rent	372.00
Sioux Falls YMCA	Welfare Rent	400.00
Skanche, Leo G	Welfare Rent	400.00
Sletten, Brian	Right Of Way	570.00
Southeastern Behav	Professional Svcs	1,987.50
St Francis House	Professional Svcs	129.21
State of SD	Amts Held Daily Scram	4,960.00
State of SD	Amts Held Remote Breath	3,925.00
State of SD	COVID Exps	124.82
State of SD	Data Coms	113.00
State of SD	Education & Training	150.00
State of SD	Misc Exp	28.00
State of SD	Outside Repair	12.60
State of SD	Telephone	375.00
Strange Farrell John	Attorney Fees	1,609.35
Streichers	Ammunition	5,942.40
Streichers	Uniform Allowance	175.00
Summit Food Svc	Board Of Prisoners Meals	23,571.07
Summit Food Svc	Child Care Food	1,782.20
Summit Food Svc	School Lunch Program	2,955.17
Sumption & Wyland	Education & Training	3,000.00
Tegra Group	Jail Expansion Prof Svcs	18,281.75
Terrones, Jared	Investigators Exps	1.13
Thomson Reuters	Amounts Held For Others	744.19
Thomson Reuters	Books	52.60
Thomson Reuters	Legal Research	1,622.38
Trane	COVID Exps	15,000.00
Tristate Garage Door	Building Repairs & Maint	198.00
Tritech Software	Maint Contracts	6,197.86
Tritech Software	Professional Svcs	6,646.20
Two Way Solutions	Automotive/Small Equip	205.98
Two Way Solutions	Com Equip Repair	21.98
Tzadik Sioux Falls I	Welfare Rent	1,317.00
Tzadik Sioux Falls P	Welfare Rent	719.00
Tzadik Taylors Place	Welfare Rent	500.00
Uline	Election & Office Equip	319.31
Uline	Inmate Sup	4,269.75
Uline	Office Sup	25.00
US Bank	Lease-Rental Agmt	136.72
US Foods	Other Sup	512.77
US Foods	Professional Svcs	2,789.71
Vogel Motors	Gas Oil & Diesel	78.00
Voisin, Alexander	Business Travel	10.08
Weerheim Law	Bd Exp Fees Minnehaha	1,776.50
Weerheim Law	Crisis Intervention Program	47.50

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Welker, Donald J	Welfare Rent	700.00
Wes Investments	Welfare Rent	500.00
Western Avenue Prop	Welfare Rent	150.00
Wild Water West Wat	Sign Deposits	50.00
Williamson, Paul M	Right Of Way	5,296.00
Xcel Energy	Electricity	50,708.47
Xcel Energy	Road Maint & Material	16.65
Xcel Energy	Welfare Utilities	1,183.91
Xigent Solutions	Consultants	1,400.00
Yankton County	Attorney Fees	1,068.55
Yankton County	Return Of Svc	350.00
Yemam, Nassir	Interpreters	25.00

March 2020 Salaries Paid

Commission	Salaries	\$41,664.00	Equalization	Salaries	\$87,262.90
Auditor	Salaries	\$57,580.07	Register Of Deeds	Salaries	\$50,206.68
Treasurer	Salaries	\$79,343.54	Human Resources	Salaries	\$26,955.91
Information Technology	Salaries	\$76,066.96	Sheriff	Salaries	\$1,004,542.56
States Attorney	Salaries	\$313,924.18	Juvenile Detention Center	Salaries	\$152,195.41
Public Defender	Salaries	\$190,750.08	Highway	Salaries	\$139,954.08
Public Advocate	Salaries	\$65,212.02	Human Services	Salaries	\$130,852.78
Facilities	Salaries	\$48,672.98	Museum	Salaries	\$71,082.46
Extension	Salaries	\$2,686.40	Planning	Salaries	\$35,703.04

REPORTS

The Minnehaha County/Lincoln County Human Services 1<sup>st</sup> Quarter Report, the Minnehaha County Auditor’s Account with the County Treasurer as of February 28, 2020, and the March 2020 Juvenile Detention Center Report were received and placed on file in the Auditor’s Office.

Auditor’s Account with the County Treasurer as of February 28, 2020:

Total on deposit in banks, in interest bearing, open accounts:	
1 <sup>st</sup> National Bank	\$34,845,355.00
US Bank (Cash with Trustee)	\$9,527,757.50
Total C.D. and Money Market Savings	\$13,000,000.00
Total Actual Cash	\$7,027.96
Total of Checks and Drafts which have been in the	
Treasurer’s possession over 3 days	\$21,052.04
Total Cash On Hand	\$57,401,192.50
Total Munis Cash Balance	\$57,401,718.70
Unreconciled difference	(\$526.20)

PERSONNEL

MOTION by Beninga, seconded by Karsky, to approve the following personnel changes. By roll call vote: 5 ayes.

New Hires

1. Brittany Kjerstad McKnight, Deputy Public Defender for the Public Defender’s Office at \$2,747.20 bi-weekly (22/2), effective 5/4/20.
2. Dominick Havard, Correctional Officer for the Jail, at \$19.47/hour (13/1) effective 5/2/2020.

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3. Christopher Schultz, Air Guard Security Officer I for the Air Guard, at \$18.52/hour (12/1) effective 5/11/20.
4. Gregg Kringen, seasonal Park Worker for the Parks Department at \$14.05/hour, effective 4/29/2020.
5. Bruce Nytro, seasonal Spray Truck Operator for the Highway Department at \$14.00/hour, effective 5/4/2020.
6. Mark Shields, seasonal Spray Truck Operator for the Highway Department at \$14.25/hour, effective 5/4/20.
7. Toby Orlando, Ken McFarland, Jeff Coome, and LeRoy Mathieu seasonal Election Workers for the Auditor's Office at \$14.50/hour, effective 4/29/20.

#### Step Increases

1. Kimberly Mosqueda, Legal Office Assistant for the State's Attorney's Office, at \$17.21/hour (10/2) effective 3/20/2020.
2. Drew DeGroot, Senior Deputy State's Attorney for the State's Attorney's Office, at \$2,887.20/bi-weekly (22/4) effective 3/25/2020.
3. Sharon Eining, Victim Witness Assistant for the State's Attorney's Office, at \$25.54/hour (16/6) effective 3/27/2020.
4. Kayla Micke, Juvenile Correctional Officer I for the Juvenile Detention Center, at \$19.47/hour (12/3) effective 4/2/2020.
5. Jasmine Hjorth, Juvenile Correctional Officer I for the Juvenile Detention Center, at \$19.95/hour (12/4) effective 4/17/2020.
6. Katheryn Ryan, Senior Trial Attorney for the Public Defender's Office, at \$3,348.00/bi-weekly (23/6) effective 4/17/2020.
7. Amber Mauricio, Appraiser for Equalization, at \$22.58/hour (15/3) effective 4/18/2020.
8. Zachary Libengood, Appraiser for Equalization, at \$23.71/hour (15/5) effective 5/16/2020.
9. Jairo Fajardo, Air Guard Security Officer II for the Air Guard, at \$19.95/hour (13/2) effective 4/20/2020.
10. Lauri McGee, Correctional Systems Operator for the Jail, at \$22.58/hour (10/13) effective 4/21/2020.
11. Craig Olson, Corporal for the Sheriff's Office, at \$34.34/hour (17/16) effective 1/27/2020.

#### Other

1. To rescind the action hiring Ryan Tellburg as Juvenile Correctional Worker for the Juvenile Detention Center.
2. To rescind the action hiring Olivia Martin as Safe Home Program Worker for Safe Home.
3. To begin Interpreter specialty pay for Juan Segundo, Correctional Officer for the Jail, resulting in a rate of \$19.97/hour effective 2/22/20.

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4. To rescind Interpreter specialty pay for Juan Sanchez, Correctional Officer for the Jail, effective 2/22/20.

#### ABATEMENTS

Upon the recommendation of Chris Lilla, Director of Equalization, the following motions were made:

MOTION by Heiberger, seconded by Beninga, to approve abatements for 2019 Property Taxes representing the Elderly Assessment Freeze: Parcel ID 40824, in the amount of \$406.38, 2923 N Wayland Ave; Parcel ID 41457, in the amount of \$702.41, 1212 S Norton Ave; and Parcel ID 11657, in the amount of \$1,151.92, 401 N La Mesa Dr. By roll call vote: 5 ayes.

MOTION by Karsky, seconded by Heiberger, to approve the following abatement: Parcel ID 13781, Brian & Becky Mohr Living Trust, 2019 property taxes, in the amount of \$6,880.32, 47972 257<sup>th</sup> St, representing an error to the injury of the complainant. By roll call vote: 5 ayes.

MOTION by Barth, seconded by Heiberger, to approve the following abatement: Parcel ID 90876, Northwest District of the Wesleyan Church, legally described as Lot 1B Block 3 Legacy North Farm Addition to the City of Sioux Falls, 2019 property taxes, in the amount of \$40,113.14, representing tax exempt status. By roll call vote: 5 ayes.

MOTION by Heiberger, seconded by Karsky, to approve the following abatement: Parcel ID 91596, V2 LLC, 2019 property taxes, in the amount of \$300.87, 4204 E Hayes Pl, representing an error to the injury of the complainant. By roll call vote: 5 ayes.

#### LIEN COMPROMISE

Melinda Storley, Commission Assistant, gave a briefing on an application for a compromise of lien for DPNO 46967 in the amount of \$4,571.24. On March 31, 2020, an application for the compromise of DPNO 46967 was denied by the Commission. At that time, the Commission recommended that the applicant re-submit the application with an offer of payment and provide further financial information. The applicant was informed of the Commission's decision, and decided to continue with the original application without an offer of payment. However, 2018 and 2019 Income Tax Returns were provided. The lien represents Poor Relief, Public Defender, and Public Advocate services provided between January 2002 and April 2019. The applicant is in the process of refinancing her home. The lien is attached to the property and must be settled or removed from the property to move forward. The applicant's ex-spouse transferred the property to the applicant via a quit claim deed recorded in the Register of Deeds Office in February 2010. They divorced in December 2019. The compromise requested was to release the lien in full only as it applies to the property and leave the lien in full against the applicant's ex-spouse. MOTION by Heiberger, seconded by Karsky, to approve Resolution MC20-23. By roll call vote: 5 ayes.

#### RESOLUTION MC20-23

WHEREAS, a County Aid Lien in the amount of \$4,571.24, purports to exist in favor of Minnehaha County and against DPNO 46967 as Lienee, and

WHEREAS, said lienee's ex-spouse 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 Chair of the County Board and the County Auditor to execute the following:



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Release from DPNO 46967 with no payment, the real property legally described as Lot 2 in Block 4 of Riverdale Addition to the City of Sioux Falls, Minnehaha County, South Dakota, according to the recorded plat thereof; located at 2204 S Crestwood Rd, Sioux Falls.

Leave DPNO 46967 in the name of the Lienee in the full amount of \$4,571.24.

Dated at Sioux Falls, South Dakota, this 28<sup>th</sup> day of April, 2020.

APPROVED BY THE COMMISSION:

Jean Bender

Chair

ATTEST:

Olivia Larson

Deputy Auditor

Melinda Storley, Commission Assistant, gave a briefing on an application for a compromise of lien for DPNO 79164 in the amount of \$13,860.40. The lien represents Public Defender and Public Advocate services provided to the applicant's minor child between July 2012 and December 2012. There were no payments made on the lien. The applicant and his current spouse have been pre-approved for a mortgage loan. There is no current real estate transaction. The applicant provided a 2019 Tax Return showing an income of \$97,122.00 with a refund of \$4,079.00. The application listed assets totaling \$74,299.95 and monthly liabilities totaling \$3,458.58. The compromise request was to release the applicant from the lien upon payment of \$6,930.20 (50% of the lien amount). In response to a question posed by Commissioner Heiberger, Margaret Gillespie, Senior Deputy State's Attorney, explained that half of the lien could be placed against the other parent due to the charges incurred being for a minor child. MOTION by Heiberger, seconded by Beninga, to approve Resolution MC20-24. By roll call vote: 5 ayes.

RESOLUTION MC20-24

WHEREAS, a County Aid Lien in the amount of \$13,860.40, purports to exist in favor of Minnehaha County and against DPNO 79164 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 Chair of the County Board and the County Auditor to execute the following:

1. Release the applicant from DPNO 79164 upon payment of \$6,930.20.
2. Leave the remaining \$6,930.20 in the name of the applicant's ex-spouse.

Dated at Sioux Falls, South Dakota, this 28<sup>th</sup> day of April, 2020.

APPROVED BY THE COMMISSION:

Jean Bender

Chair

ATTEST:

Olivia Larson

Deputy Auditor

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PROCLAMATION

Jamie Gravett, Juvenile Detention Center Director, and Mike Mattson, Jail Warden, presented a proclamation recognizing May 3<sup>rd</sup> through the 9<sup>th</sup>, 2020, as National Correctional Officers and Employees Week in Minnehaha County. Warden Mattson read the proclamation. MOTION by Karsky, seconded by Beninga, to issue the proclamation. By roll call vote: 5 ayes.

OPEN BURNING

Jason Gearman, Emergency Management Director, presented a resolution to declare a fire emergency in Minnehaha County and prohibit open burning. Due to recent fires resulting in the loss of three structures, a burn ban was requested by the Rural Fire Chiefs. In efforts to allow for social distancing more than one fire vehicle is being used per fire. Commissioner Heiberger spoke in opposition due to forecasts calling for rain in the near future. Additionally, Commissioner Heiberger spoke on the personal responsibility of the individual to determine whether or not open burning should be conducted. Commission Heiberger suggested waiting until the May 12, 2020, Commission Meeting to determine if the weather conditions still warranted the need for a ban. MOTION by Karsky, seconded by Beninga, to approve Resolution MC20-25. By roll call vote: 4 ayes. Heiberger voted nay.

**RESOLUTION MC20-25  
DECLARING A FIRE EMERGENCY IN MINNEHAHA COUNTY  
AND PROHIBITING OPEN BURNING**

**WHEREAS**, the Commissioners of Minnehaha County are charged with protecting the health and safety of the citizens of Minnehaha County; and

**WHEREAS**, conditions of fire danger now exist due to the dry spring conditions, unseasonably warm temperatures, and windy conditions that are currently prevalent in Minnehaha County, South Dakota; and

**NOW, THEREFORE BE IT RESOLVED, BY THE MINNEHAHA COUNTY BOARD OF COMMISSIONERS**, based on the recommendations of the Minnehaha County Rural Fire Chiefs and the Minnehaha County Emergency Management Director, and under the authority of SDCL 7-8-20 (18), that a Fire Danger Emergency is hereby declared and all open burning as defined in Ordinance MC34-04, is hereby prohibited within the boundaries of Minnehaha County, South Dakota, exclusive of any incorporated municipality within the county; and

**BE IT FURTHER RESOLVED**, that this Resolution is declared to be necessary for the immediate preservation of the public safety in accordance with the provisions of SDCL 7-18A-8 and is effective immediately and shall continue in force and affect until May 12, 2020.

Dated this 28th day of April, 2020.

APPROVED BY THE BOARD OF COMMISSIONERS  
Jean Bender  
Chair

ATTEST:  
Olivia Larson  
Deputy Auditor

PRESENTATION

04/28/2020

Sheriff Mike Milstead presented via teleconference on the Minnehaha County Sheriff's Office. Topics such as the following were presented: the rise in domestic violence, gearing up and decontamination processes for officers who come into contact with COVID-19 positive individuals, service of warrants, evictions, fingerprinting services, the increase in the number of people failing to appear for their court dates, the screening of staff and inmates, and the number of daily bookings. The County Administration Building remains closed. The Minnehaha County Courthouse is still open for court proceedings and other court related business.

#### GRANT AGREEMENT

Josh Phillip, Deputy Sheriff Captain, presented via teleconference the continuation of a Sub-Recipient Agreement between Minnehaha County and The South Dakota Network Against Family Violence and Sexual Assault (The Network) for the award of a domestic violence grant. The continuation of the agreement would allow for the grant to fund a portion of the salary of one full time Deputy Sheriff Detective assigned to the Investigations Division to specialize in domestic violence related crimes. The contract amount would increase from \$90,482 to \$197,567. MOTION by Karsky, seconded by Heiberger, to authorize the Minnehaha County Sheriff to sign the Continuation of the Sub-Recipient Agreement with The South Dakota Network Against Family Violence and Sexual Assault covering October 1, 2019, to September 30, 2022, in the amount of \$197,567. By roll call vote: 5 ayes.

#### RESOLUTION & AGREEMENT

Bob Litz, Auditor, presented a Resolution and Joint Election Agreement between Minnehaha County and the City of Sioux Falls. Due to the passage of House Bill 1298 on March 30, 2020, the City of Sioux Falls/Sioux Falls School District Election (City Election) scheduled for April 14, 2020, was able to be rescheduled in response to COVID-19. The City of Sioux Falls Clerks Office requested holding the City Election in conjunction with the County's Primary Election to be held of June 2, 2020. Per the agreement, the City will reimburse the County for the following: 1) 50% of the polling place costs on Election Day, 2) 25% of the cost of appointed election officials, 3) applications, forms, and any supplies needed that cannot be reused by the County, and 4) any direct personnel costs for hours the Auditor's Office provides staffing. Members of the public interested in working at an election precinct on election day were encouraged to contact the Minnehaha County Auditor's Office. MOTION by Heiberger, seconded by Karsky, to approve Resolution MC20-26, approving the combined election and authorizing the Chair to sign the Joint Election Agreement beginning upon execution and ending on December 31, 2020. By roll call vote: 5 ayes.

#### **RESOLUTION MC20-26**

#### **A RESOLUTION APPROVING A COMBINED ELECTION BETWEEN THE COUNTY AND THE JOINT CITY OF SIOUX FALLS/SIOUX FALLS SCHOOL DISTRICT**

In response to the COVID-19 pandemic, House Bill 1298 (hereinafter "the Act") was enacted in order to address upcoming local elections. The Act mandates that any and all elections scheduled from April 14, 2020, through May 26, 2020, shall be postponed in the interest of public health and safety. The Act requires that any postponed election shall be postponed to any Tuesday in June 2020, as chosen by the governing body of the political subdivision. If a political subdivision chooses to hold its election on the primary election date of June 2, 2020, a combined election must be approved by the county commission in which the political subdivision is located.

**WHEREAS**, the City of Sioux Falls/Sioux Falls School District (hereinafter "City") Election was required to be postponed until the month of June by the Act; and,

**WHEREAS**, on the 21<sup>st</sup> day of April, 2020, the City's governing body chose June 2, 2020, as a date upon which its election will be held; and,

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**WHEREAS**, the Act requires that the City's decision to hold its election on June 2, 2020, must be approved by the Minnehaha County Board of County Commissioners (hereinafter "County"); and,

**WHEREAS**, the Act requires that all costs and obligations of a combined election must be agreed upon by the City and County;

**NOW THEREFORE BE IT RESOLVED**, that the request made by the City to move its Election to the primary election date of June 2, 2020, is approved by the County; and,

**BE IT FURTHER RESOLVED**, that the costs and obligations arising out of the combined City and County Election are agreed upon as set forth in the Agreement attached hereto and which shall be made part of this Resolution.

Dated this 28<sup>th</sup> day of April, 2020.

APPROVED BY THE COMMISSION:

Jean Bender

Jean Bender, Chair

Minnehaha County Board of Commissioners

ATTEST: Bob Litz, Auditor

Olivia Larson

Name: Olivia Larson

Deputy Auditor

#### ELECTION RESOLUTION

Bob Litz, Auditor, presented a resolution to approve a combined election between Minnehaha County and the Baltic, Garretson, and West Central School Districts. The school districts would share certain precinct locations with Minnehaha County. The School Districts agreed to print their ballots on pink paper and make their ballots a different size in order to avoid confusion between the two elections. MOTION by Barth, seconded by Beninga, to approve Resolution MC20-27, approving a combined election between Minnehaha County and the Baltic, Garretson, and West Central School Districts. By roll call vote: 5 ayes.

#### RESOLUTION MC20-27

#### **A RESOLUTION APPROVING A COMBINED ELECTION BETWEEN MINNEHAHA COUNTY AND THE BALTIC, GARRETSON, AND WEST CENTRAL SCHOOL DISTRICTS**

In response to the COVID-19 pandemic, House Bill 1298 (hereinafter "the Act") was enacted in order to address upcoming local elections. The Act mandates that any and all elections scheduled from April 14, 2020, through May 26, 2020, shall be postponed in the interest of public health and safety. The Act requires that any postponed election shall be postponed to any Tuesday in June 2020, as chosen by the governing body of the political subdivision. If a political subdivision chooses to hold its election on the primary election date of June 2, 2020, a combined election must be approved by the county commission in which the political subdivision is located.

**WHEREAS**, the Baltic, Garretson, and West Central School District (hereinafter "School Districts") Elections were required to be postponed until the month of June by the Act; and,

**WHEREAS**, the School Districts' governing bodies chose June 2, 2020, as a date upon which its election will be held; and,

**WHEREAS**, the Act requires that the School Districts' decision to hold its election on June 2, 2020, must be approved by the Minnehaha County Board of County Commissioners (hereinafter "County"); and,

**WHEREAS**, the Act requires that all costs and obligations of a combined election must be agreed upon by the School Districts and County;

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**NOW THEREFORE BE IT RESOLVED**, that the request made by the School Districts to move their elections to the primary election date of June 2, 2020, is approved by the County; and,

**BE IT FURTHER RESOLVED**, that the costs and obligations arising out of the combined elections are agreed upon by the parties.

Dated this 28<sup>th</sup> day of April, 2020.

APPROVED BY THE COMMISSION:  
Jean Bender  
Jean Bender, Chair  
Minnehaha County Board of Commissioners

ATTEST: Bob Litz, Auditor  
Olivia Larson, Deputy  
Name: Olivia Larson  
Deputy Auditor

**TAX DEED PAYMENT PLAN**

Bob Litz, Auditor, presented a resolution for the approval of a property tax payment plan proposal for Parcel Record 041066. MOTION by Heiberger, seconded by Karsky, to approve Resolution MC20-28. By roll call vote: 5 ayes.

**RESOLUTION MC20-28  
APPROVAL OF PROPERTY TAX PAYMENT PROPOSAL ON  
PARCEL RECORD 041066**

**WHEREAS**, Minnehaha County has received notice from the owner of record that property taxes are delinquent by five years; and

**WHEREAS**, a total of \$1,876.02 in back taxes, penalties, and interest is owed on the property; and

**WHEREAS**, the owner of record has requested support from the county to assist with re-payment options over a twelve (12) month period; and

**WHEREAS**, the owners of record, sisters Sherry Peterson & Shanna Barnes, proposed the following payment plan to the county commission for consideration in order to satisfy all outstanding taxes, penalties, and interest:

- Initial Payment of \$156.34 due by May 31, 2020.
- Payment of \$156.34 due by the last business day of each following month through April 2021.
- Final Payment of any additional unpaid property taxes, plus any additional accrued interest and penalties due by 31<sup>st</sup> of May 2021.

**WHEREAS**, in the event that the owner of record does not pay all back taxes, penalties and interest owing on property record 041066 in accordance with the aforementioned terms, Minnehaha County may proceed with the tax deed process.

**NOW, THEREFORE BE IT RESOLVED**, by the Minnehaha County Board of Commissioners, the proposed payment plan, as described above is hereby approved for property record 041066.

Dated this 28th day of April, 2020.

APPROVED BY THE COMMISSION  
Jean Bender  
Chair

04/28/2020

ATTEST:

Olivia Larson  
Deputy Auditor

## PARKS

Scott Anderson, Planning Director, provided an update on Minnehaha County Parks. Bucher Prairie is open to the public, but the bathrooms have remained locked. A seasonal employee was hired for Bucher Prairie. Due to the Executive Order restricting those over the age of 65 years, certain Wall Lake seasonal staff will return after the order has been lifted. Mr. Anderson has been in contact with the Highway and Facilities Departments to determine if other staff are available in the meantime. Other considerations included mowing of Wall Lake. Commissioners discussed the options for opening park bathrooms and the opening of the Wall Lake parking lot. Craig Dewey, Assistant Commission Administrative Officer, stated the City of Sioux Falls Public Health Director, Jill Franken was on the phone and available to answer any Commissioner questions.

## AGREEMENTS

DJ Buthe, Highway Superintendent, presented via teleconference an agreement between Minnehaha County and the South Dakota Department of Transportation for the 2020 Pavement Striping Program, Project #P000S(00)238 PCN 04M1. The project would allow approximately 189.75 miles of County roads to be striped. The estimated total cost for the project is \$162,170.27. The County's portion of this total is \$119,590.22. MOTION by Beninga, seconded by Barth, to authorize the Chair to sign the agreement between Minnehaha County and the South Dakota Department of Transportation for the Pavement Striping Program, Project #P000S(00)238 PCN 04M1, at a total cost to the County of \$119,590.22. By roll call vote: 5 ayes.

DJ Buthe, Highway Superintendent, presented via teleconference an agreement between Minnehaha County and Geotek Engineering & Testing Services, Inc. for professional testing services for Highway Project MC17-01, County Highway 146 Reconstruction. The project is expected to be fully completed and open to the public by June 25, 2021. The fees for services will be charged on a unit cost basis with an estimated cost of \$73,900.00. MOTION by Karsky, seconded by Heiberger, to authorize the Chair to sign the agreement between Minnehaha County and Geotek Engineering & Testing Services, Inc. for Highway Project MC17-01, County Highway 146 Reconstruction, at an estimated cost of \$73,900.00. By roll call votes: 4 ayes. Commissioner Beninga abstained.

DJ Buthe, Highway Superintendent, presented via teleconference a Force Account Agreement between Minnehaha County and Xcel Energy, Inc. for utility relocation. Due to Highway Project MC17-01, County Highway 146 Reconstruction, utilities must be relocated. Minnehaha County will be responsible for the costs associated with utilities located within private easements. Xcel Energy will be responsible for the costs associated with the utilities located within the right-of-way. MOTION by Beninga, seconded by Barth, to authorize the Chair to sign the Force Account Agreement between Minnehaha County and Xcel Energy, Inc. for utility relocation for Highway Project MC17-01, County Highway 146 Reconstruction, at an estimated cost of \$170,899.71. By roll call vote: 5 ayes.

## BID AWARD

DJ Buthe, Highway Superintendent, reported via teleconference on the March 25, 2020, bid opening for Bid #20-05, 2020-2021 Annual Highway Materials. Bids were received for all proposal items from the following companies: Jebro Inc., Concrete Materials, Inc., Myrl & Roys Paving, Inc., DMC Wear Parts, Equipment Blades, Inc., Titan Machinery, Inc., Mills & Miller, Inc., Compass Minerals, Nebraska Salt & Grain, Co., BlackStrap, Inc., Central Salt, and Johnson Feed Inc. Staff recommended the following bid awards to the low bidders: Proposal #1 Medium Curing Cutback Asphalt (MC-70) to Jebro Inc.; Proposal #2 Hot Mix Asphalt Concrete Pavement to Concrete Materials, Inc.; Proposal #3 Snowplow and Motor Grader Blade Cutting Edges to Equipment Blades, Inc.; Proposal #4 Abrasive and Salt Mixture (Salt Sand) to Concrete Materials, Inc.; and

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Proposal #5 Rock Salt and Transportation to BlackStrap, Inc. MOTION by Karsky, seconded by Heiberger, to award Proposal #1 Medium Curing Cutback Asphalt (MC-70) to Jebro Inc. By roll call vote: 5 ayes. MOTION by Heiberger, seconded by Karsky, to award Proposal #2 Hot Mix Asphalt Concrete Pavement to Concrete Materials, Inc. By roll call vote: 5 ayes. MOTION by Heiberger, seconded by Karsky, to award Proposal #3 Snowplow and Motor Grader Blade Cutting Edges to Equipment Blades, Inc. By roll call vote: 5 ayes. MOTION by Karsky, seconded by Heiberger, to award Proposal #4 Abrasive and Salt Mixture (Salt Sand) to Concrete Materials, Inc. By roll call vote: 5 ayes. MOTION by Heiberger, seconded by Karsky, to award Proposal #5 Rock Salt and Transportation to BlackStrap, Inc. By roll call vote: 5 ayes.

#### MATERIALS AND SUPPLIES PURCHASE

DJ Buthe, Highway Superintendent, requested via teleconference authorization to purchase various supplies, parts, and equipment through state, national, and local procurement contracts. Tires, fuel, mastic materials, building and shop supplies, auto parts, automotive filters, digital radios, LED light bars, steel culverts, and concrete culverts will be purchased off of procurement contracts conducted by the State of South Dakota (State), the National Association of State Procurement Officials (NASPO), Union County, and/or Lincoln County. MOTION by Heiberger, seconded by Beninga, to authorize the Highway Department to purchase various supplies, parts, and equipment through the following procurement contracts: 1) tires off of NASPO procurement, Contract 19101 (Iowa) from Goodyear, Bridgestone/Firestone, & Michelin; 2) fuel off of a State procurement from various vendors, Contract IFB 1609; 3) mastic materials (bituminous joint filler) off of State procurement, Contract PMB 01231, #17399, Item 36 at \$0.49/lb, from Brock White Co.; 4) building and shop supplies off of NASPO procurement, Contract 8497 and 8496 (Oregon), Contract 17238 and 17239 (South Dakota), from Fastenal and Grainger; 5) auto parts off of NASPO procurement, Contract 09000006747 (Oklahoma), Contract 17017, and Contract 17018 from NAPA and O'Reilly Automotive; 6) automotive filters off of State procurement, Contract IFB 793 and 17011 from IState Trucks; 7) digital radios off of State procurement, Contract 16944 from Leavitt Communications through Sioux Falls Two Way Radio Service, Inc.; 8) LED light bars off of NASPO procurement, Contract 165270 (Minnesota) and Contract 17358, from SoundOff Signal and Whelen Engineering Co.; 9) steel culverts off of Union County procurement, annual contract, from True North Steel; and 10) concrete culverts off of Lincoln County procurement, annual contract, from Hancock Concrete Products and Cemcast Pipe and Precast. By roll call vote: 5 ayes.

#### BID AWARD

DJ Buthe, Highway Superintendent, reported via teleconference on the March 25, 2020, bid opening for Bid #20-04, Project MC20-07, Mowing and Trimming. Three bids were received from the following: Chris Griesse dba CMG Property Maintenance, \$74,896.30; D&K Lawncare LLC, \$74,992.30; and Northwest Landscaping, Inc., \$115,532.20. Staff recommended awarding the bid to the low bidder, : Chris Griesse dba CMG Property Maintenance. The completion date of the contract is scheduled for November 30, 2020. MOTION by Heiberger, seconded by Karsky, to award Bid #20-04, Project MC20-07, Mowing and Trimming, to Chris Griesse dba CMG Property Maintenance in the amount of \$74,896.30 and to authorize the Chair to sign the contractor contract. By roll call vote: 5 ayes.

#### AGREEMENTS

Craig Dewey, Assistant Commission Administrative Officer, presented via teleconference a Representation Agreement between Minnehaha County and James M. Wiederrich, Woods, Fuller, Schultz & Smith P.C. for building projects. Per the agreement, Mr. Wiederrich would provide legal review for documents related to the construction of a Highway Facility and the renovation of the County Administration and Extension Buildings. Exhibit A of the agreement includes a conflict of interest waiver. An hourly rate of \$400.00 would be charged for the services provided by Mr. Wiederrich. MOTION by Beninga, seconded by Barth, to authorize the Chair to sign the Representation Agreement between Minnehaha County and James M. Wiederrich, Woods, Fuller, Schultz & Smith P.C. to conduct legal review for building projects. By roll call vote: 5 ayes.

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Craig Dewey, Assistant Commission Administrative Officer, presented via teleconference an Addendum to the Use Agreement with Sod Busters Radio Control Model Airplane Club. Due to the potential surplus and sale of a certain portion of the County gravel pit land, an addendum is needed to adjust the notice period for termination. The notice period would change from 60 days to 30 days. Additionally, the term date of the Use Agreement was April 17, 2020. Per the addendum, the term will automatically renew every thirty days after April 17, 2020. MOTION by Karsky, seconded by Beninga, to authorize the Chair to sign the 2020 Addendum to the Use Agreement for the County Gravel Pit Farm between Minnehaha County and the Sod Busters Radio Control Model Airplane Club. By roll call vote: 5 ayes.

#### LIAISON REPORTS

Commissioner Karsky reported on last week's Metro Communications Board Meeting where their budget request was approved. Due to expenses increasing at a greater rate than the 911 surcharge call revenue, budget requests will increase in future years for both the County and City's portions of the budget.

Commissioner Barth reported on last week's Intergovernmental Board Meeting with the Multi-Cultural Center. Issues were reported regarding the harassment of Asian people as well as Smithfield employees due to COVID-19.

Commissioner Bender received a call from Commissioner Beninga explaining he lost the teleconference connection.

MOTION by Heiberger, seconded by Karsky, to recess the Minnehaha County Commission Meeting at 10:56 a.m. By roll call vote: 4 ayes.

Commissioner Beninga reconnected to the meeting.

MOTION by Karsky, seconded by Barth, to reconvene the Minnehaha County Commission Meeting at 11:04 a.m. By roll call vote: 5 ayes.

MOTION by Barth, seconded by Beninga, to enter into Executive Session pursuant to SDCL 1-25-2 (1), (3) and (4). By roll call vote: 5 ayes.

MOTION by Barth, seconded by Heiberger, to adjourn. By roll call vote: 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday May 12, 2020.

#### APPROVED BY THE COMMISSION:

Jean Bender

Chair

ATTEST:

Olivia Larson

Deputy Auditor