

03/27/2018

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. March 27, 2018, pursuant to adjournment on March 20, 2018. Commissioners present were: Barth, Bender, Heiberger, and Karsky. Commissioner Beninga was absent. Also present were Robert Litz, Auditor, and Margaret Gillespie, Senior Deputy State’s Attorney.

MOTION by Bender, seconded by Karsky, to move Item 16 – Presentation on the Georgetown Capstone Project to be the first item of Regular Business immediately before Item 10 – Public Hearing and Second Reading on Rezoning #18-02 from C Commercial District to the Hoppe PD Planned Development District, and to approve the agenda as amended. 4 ayes.

MINUTES APPROVAL

MOTION by Barth, seconded by Karsky, to approve the March 20, 2018, Commission Minutes. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Bender, to approve the following bills totaling \$596,355.25. 4 ayes.

A&B Business	Lease-Rental	95.00	A&B Business	Maint	526.69
A To Z World Language	Interpreters	8,155.00	Advancing Real	Other Prof	9,948.27
Airway Svc	Automotive	1,103.88	Airway Svc	Gas,Oil,Diesel	199.52
Allied Oil & Tire	Automotive	97.50	Allied Oil & Tire	Parts Inv	-20.00
American Fence	Bldg/Yard Rep	75.00	American Polygraph	Memberships	75.00
Appeara	Janitorial	12.20	Appeara	Program Act	98.33
Argus Leader	Books	348.59	Argus Leader	Subscriptions	29.10
AT&T	Safety & Res	40.75	Automatic Building	Jail Repairs	187.76
Avera Health Plans	Cobra Ins	1,085.25	Avera McKennan	Blood Withdraw	84.00
Avera McKennan	Hospitals	8,422.16	Avera McKennan	Physicians	956.80
Avera McKennan	Psych Evals	750.00	Avera Medical Group	Physicians	345.60
Avera Radiology	Clinics Aux	17.08	Avera Specialty	Pharmacies	18.99
Axis Forensic Toxicol	Lab Costs	60.00	Beck, Jeffrey R	Attorney Fees	714.40
Belitz, Clarence H	Welfare Rent	400.00	Benco Products	Truck Repair	64.53
BerryDunn	Consultants	15,421.57	Bishop Dudley	Welfare	38,377.50
Blackstrap	Road Material	6,441.48	Boyer Trucks	Truck Repair	93.22
Brandon Ace Hardware	Automotive	249.95	Brookings Health	Hospital Prep	166.98
Butler Machinery	Truck Repair	388.14	Campbell Supply	Small Tools	38.98
Center For Family	Other Prof	606.39	Century Business	Lease-Rental	944.98
Century Business	Maint	650.62	Centurylink Com	Contract Svc	20.78
Centurylink Com	Telephone	787.55	Centurylink	Telephone	53.13
Chapel Hill Funeral	Burials	3,000.00	City Glass & Glazing	Building Repair	271.68
Cluckin Good Chicken	Jury Fees	113.75	Cole Papers	Janitorial	9,598.50
Crescent Electric	Building Repair	13.22	Dakota Fluid Power	Parts Inv	130.54
Dakota Fluid Power	Small Tools	1.54	Dakota Fluid Power	Truck Repair	598.48
Dakota Psychological	Psych Evals	7,092.00	Daniels Olsen	Exhibit Mater	333.00
Davies, Boone T	Welfare Rent	595.00	Davis Equipment	Program Act	1,305.94
Davis Motel	Motels	400.00	Decastro Law	Attorney Fees	253.80
Decisionone	Maint	168.52	Dedula, Carla F	Court Reporter	128.80
Double H Paving	Snow Removal	19,485.80	Dover, Sena S	Bd Eval	1,192.50
Eekhoff Law	Attorney Fees	1,026.72	Electric Supply	Data Process	171.75
Evans, Preston	Investigators	275.10	Fleetpride	Parts Inv	57.48
Fleetpride	Truck Repair	79.02	Future Horizon	Welfare Rent	500.00
Galls Quartermaster	Uniform Allow	222.00	George Boom Funeral	Burials	2,000.00
Good Home Rentals	Welfare Rent	600.00	Graham Tire	Automotive	14.98
Grainger	Building Repair	206.54	Grant Square	Welfare Rent	300.00
Great Plains Psych	Psych Evals	935.00	Gunner, Andrea	Court Reporter	1,219.00
Guzman, Sandra V	Interpreters	250.00	Hall, Vien V	Interpreters	25.00
Hardy Reynolds Law	Attorney Fees	952.10	Harmon, Karla	Bd Eval	1,215.00
Harms Oil	Gas,Oil,Diese	15,673.24	Headquarters	Welfare Rent	500.00
Horizon Apts	Welfare Rent	600.00	Howalt McDowell Ins	Notary Exp	100.00
HP Hewlett	Data Process	532.22	Hughes Law	Attorney Fees	579.78

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Hughes Law	Child Defense	94.00	HyVee	Pharmacies	720.07
HyVee	Program Act	81.04	I State Truck Center	Truck Repair	737.47
Interlakes Community	Welfare Rent	71.00	Interstate Office	Archive/Pres	578.40
Interstate Office	Office Supplies	556.02	Interstate Office	Other Misc	105.50
Interstate Power	Truck Repair	497.26	ISI	Interpreters	500.00
Jeff Larson Law	Child Defense	235.00	JLG Architects	Jail Expansi	261,840.29
Johnson, Richard L	Child Defense	1,938.28	Keystone Apts	Welfare Rent	600.00
Koch Hazard Architect	Museum Collect	6,060.00	Laughlin Law	Attorney Fees	1,756.80
Ledd Properties	Motels	115.00	Lewis & Clark BHS	Attorney Fees	1,920.00
Lewno Law	Bd Exp Fees	81.50	Lisa Carlson Report	Court Reporter	2,686.20
Loving, Philip	Bd Eval	510.00	Lutheran Social Svcs	Bd Eval	562.50
Medstar Paramedic	Transportation	800.00	Menards	Bldg/Yard Rep	239.00
Menards	Building Repair	93.94	Metro Communications	Attorney Fees	140.00
Midamerican Energy	Natural Gas	868.87	Midwest Alarm	Building Repair	286.32
Midwest Alarm	VOA Dakotas	101.28	Multicultural Center	Interpreters	728.75
Murray Properties	Welfare Rent	600.00	Napa Auto Parts	Automotive	71.71
National Student	Welfare Rent	450.00	Norberg Paints	Collections	168.24
Northern Truck Equip	Small Equip	36,293.00	Nyberg's Ace Hardware	Program Act	11.36
Office Depot	Data Process	128.29	Oglala Lakota SD	Return Of Svc	62.38
Osborn, Roxane R	Court Reporter	75.00	Pheasantland	Other Supplies	22.96
Prestox	Outside Repair	215.00	Qualified Presort	Museum Report	508.65
Qualified Presort	Postage	132.41	Record Keepers	Records Stora	2,405.50
Red Rock	Motels	306.00	Redwood Estates	Welfare Rent	1,400.00
Reeves, Megan	Court Reporter	79.80	Roosevelt Estates	Welfare Rent	500.00
Rudd, Tonya	Hospital Prep	30.00	Sanford Home Medical	Medical Equip	175.96
Schmidt, Melissa	Gas,Oil,Diesel	35.75	Schulte, Jason R	Welfare Rent	450.00
SD Dept Of Rev	Misc Auditor	10.00	SD Human Svcs	Clinics Aux	31.80
SD Secretary Of State	Notary Exp	30.00	SDSU Extension	Education	45.00
Sik, Mary Beth	Hospital Prep	98.65	Sioux Falls Housing	HS Donation	279.00
Sioux Falls Rubber	Office Supplies	8.95	Sioux Falls School	Program Act	218.58
Sioux Falls Two Way	Communication	18.75	Sioux Falls Utilities	Electricity	11,714.31
Sioux Falls Utilities	Water Sewer	9,993.42	Southeastern Behavior	Crisis Inter	5,872.29
Splitrock Fire Dept	Education	100.00	Stoney Creek	Welfare Rent	400.00
Strange Farrell John	Attorney Fees	207.74	Szameit, Alexandra	Interpreters	321.65
Tegra Group	Jail Expansio	26,080.16	Thomas, Bradley	Automotive	2.86
Thomas, Bradley	Work Mileage	7.98	Thomson Reuters	Books	252.78
Thomson Reuters	Legal Research	412.00	Tomacelli's Too	Jury Fees	88.16
Town Estates	Welfare Rent	600.00	Transource Truck	Truck Repair	69.56
US Postal Svc	Postage	2,500.00	Vans Auto Electric	Truck Repair	150.00
Variety Foods	Other Prof	944.65	Variety Foods	Other Supplies	6.79
Verizon Wireless	Data Process	1,137.94	Verizon Wireless	HIDTA Grant	94.33
Verizon Wireless	Other Misc	108.64	Verizon Wireless	Safety & Res	124.64
Verizon Wireless	Telephone	5,131.58	Walmart	Pharmacies	4.00
Walmart	Pharmacies	70.04	Weerheim Law	Attorney Fees	1,222.00
Whatcom Cnty WA	Return Of Svc	62.40	Wheelco Brake & Sup	Parts Inv	263.28
Wiblemo McCormick	Welfare Rent	800.00	Wilka & Welter	Attorney Fees	863.21
Workforce	Recruitment	854.00	Xcel Energy	Electricity	21,134.76
Xcel Energy	Road Maint	16.95	Xcel Energy	Welfare Utilit	1,111.80
Yankton Cnty Sheriff	Return Of Svc	200.00	Zabel Steel	Truck Repair	28.43
Zuercher Technologies	Software	2,185.00			

**PERSONNEL**

MOTION by Barth, seconded by Bender, to approve the following personnel changes. 4 ayes.

1. To promote Corrina Leach from Correctional Officer in Training to Correctional Officer (13/3) for the Jail at \$18.53/hour effective 2/27/18.
2. To end the variable hour employment of Grant Wilson as Museum Aide for the Museum effective 3/31/18.
3. To hire Kayla Micke as Juvenile Correctional Officer I (12/3) for the Juvenile Detention Center at

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\$17.63/hour effective 4/2/18.

4. To hire Allen Pooler as Juvenile Correctional Officer I (12/4) for the Juvenile Detention Center at \$18.08/hour effective 4/2/18.

#### Step Increases

1. Steven Millage – Programmer Analyst II – Information Technology – 21/11 – 3/16/18 - \$35.21/hour
2. Melissa Palleschi – Corrections System Operator – Jail – 9/5 – 3/28/18 - \$15.98/hour
3. Michael McGovern – Deputy Sheriff Lieutenant – Jail – 22/6 – 2/27/18 - \$2,748.00/bi-weekly
4. Jared Terrones – Deputy Sheriff – Sheriff’s Office – 17/8 – 2/28/18 - \$25.54/hour
5. Dawn Dubbelde – Senior Accounting Technician – Auditor – 12/6 – 3/29/18 - \$18.99/hour
6. Justin Hofer – Caseworker – Human Services – 16/7 – 3/31/18 - \$23.72/hour
7. Julie Person – Senior Property Technician – Equalization – 12/7 – 4/2/18 - \$19.47/hour
8. Mary Zeeb – Property Tax Administrator – Auditor – 19/10 – 3/7/18 - \$29.62/hour

#### Special Personnel Action

Upon the request of Jen Adix, Human Resources Generalist, MOTION by Bender, seconded by Barth, to approve the 2018 Minnehaha County Affirmative Action Plan. 4 ayes.

#### ABATEMENTS

MOTION by Barth, seconded by Karsky, to approve the following abatements representing the elderly assessment freeze for 2017 property taxes: RDID 33628, 601 S Bahnson Ave, Sioux Falls, in the amount of \$942.62. 4 ayes.

MOTION by Bender, seconded by Barth, to approve abatement representing a re-plat: 2017 property taxes, Crusher Investment Company, RDID 54496, 5101 W 18<sup>th</sup> St, Sioux Falls, in the amount of \$232.24. 4 ayes.

MOTION by Barth, seconded by Bender, to approve the following abatement representing 2017 property taxes: Judy Ellis, RDID 23031, 924 4<sup>th</sup> St #4, Garretson, in the amount of \$967.12, due to a fire. 4 ayes.

#### LIEN COMPROMISE

Melinda Storley, Commission Assistant, gave a briefing on an application for a compromise of lien for DPNO 62220 in the amount of \$3,465.90 and DPNO 40556 in the amount of \$1,409.27. DPNO 62220 represents Court Appointed Attorney and Public Defender services provided to the applicant between March 2007 and May 2010. Payments in the amount of \$1,025.00 were made on DPNO 62220 between 2007 and 2017. The applicant is requesting a compromise and release of DPNO 62220 upon payment of \$1,732.00. DPNO 40556 represents Poor Relief and Public Defender services provided to the applicant and her ex-husband between December 1998 and February 2012. The applicant and her ex-husband were married in August 2003 and divorced in May 2006. The applicant is requesting her name be removed from the joint DPNO 40556 upon payment of \$276.40 representing a public defender bill for herself and half of the lien amount from the time she was married to her ex-husband. The applicant is in the process of purchasing a home for \$170,000.00 with an expected closing date of April 17, 2018.

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A current income of \$28,986.00 was reported by the applicant. The applicant also reported assets in the amount of \$27,205.73 and liabilities in the amount of \$331.00/month. A 2017 Income Tax Return was provided by the applicant showing a taxable income of \$25,076.00 in 2017 with a refund of \$4,817.00. MOTION by Barth, seconded by Bender, to approve Resolution MC18-16. 4 ayes.

RESOLUTION MC18-16

WHEREAS, a County Aid Lien in the amount of \$3,465.90, purports to exist in favor of Minnehaha County and against DPNO 62220 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:

Compromise and release the lien in full upon payment of \$1,732.00.

Dated at Sioux Falls, South Dakota, this 27<sup>th</sup> day of March, 2018.

APPROVED BY THE COMMISSION:

Cindy Heiberger

Chair

ATTEST:

Robert Litz

Auditor

MOTION by Bender, seconded by Barth, to approve Resolution MC18-17. 4 ayes.

RESOLUTION MC18-17

WHEREAS, a County Aid Lien in the amount of \$1,409.27, purports to exist in favor of Minnehaha County and against DPNO 40556 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:

Remove the applicant's name from DPNO 40556 upon payment of \$276.40, leaving the remaining \$1,132.87 in the name of the applicant's ex-spouse.

Dated at Sioux Falls, South Dakota, this 27<sup>th</sup> day of March, 2018.

APPROVED BY THE COMMISSION:

Cindy Heiberger

Chair

ATTEST:

03/27/2018

Robert Litz  
Auditor

Melinda Storley, Commission Assistant, gave a briefing on an application for a compromise of lien for DPNO 88194 in the amount of \$1,200.00. Poor Relief services were provided to the applicant between July 2015 and October 2017. The applicant is in the process of purchasing a home for \$122,278.00 with an expected closing date of April 9, 2018. A current income of \$43,742.40 was reported by the applicant. The applicant also reported assets in the amount of \$4,045.00 and liabilities in the amount of \$1,521.00/month. A 2016 Income Tax Return was provided by the applicant showing a taxable income of \$27,329 in 2016 with a refund of \$6,656.00. The applicant is requesting a compromise and release of the lien upon payment of \$300.00. MOTION by Barth, seconded by Karsky, to approve Resolution MC18-18. 4 ayes.

#### RESOLUTION MC18-18

WHEREAS, a County Aid Lien in the amount of \$1,200.00, purports to exist in favor of Minnehaha County and against DPNO 88194 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:

Compromise and release the lien in full upon payment of \$300.00.

Dated at Sioux Falls, South Dakota, this 27<sup>th</sup> day of March, 2018.

#### APPROVED BY THE COMMISSION:

Cindy Heiberger

Chair

ATTEST:

Robert Litz

Auditor

#### PRESENTATION

Erin Srstka, Commission Program Development Officer, presented on the Georgetown Capstone Project and requested the expansion of the current Lutheran Social Services contract. The Georgetown Capstone Project was created as part of the Georgetown University Reducing Racial Disparities in Juvenile Justice Certificate Program in November 2017. The expansion of the current contract with Lutheran Social Services would be to include an additional \$28,344.00 for a full time Diversion Coordinator. Carole James, Senior Deputy State's Attorney, Andrew Robertson, Deputy Public Defender, Judge Joni Cutler, and Jason Leach, Sioux Falls Police Department School Resource Officer Sergeant, spoke on their experience attending the Georgetown training, the capstone project, and the need for a Diversion Coordinator. Rebecca Kiesow-Knudsen, Lutheran Social Services Vice President of Community Services, spoke on her work with the capstone project, highlighted four strategies that were created as part of the capstone project, and spoke on the funding of the capstone project. MOTION by Bender, seconded by Karsky, to approve the expansion of the current contract with Lutheran Social Services to include an additional full time Diversion Coordinator with an updated contract pending. 4 ayes.

#### REZONING HEARING

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David Heinold, Planner, 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 a C Commercial District to the Hoppe PD Planned Development District for the property legally described as Tract 1, Severson's Addition, SW1/4, Section 32-T101N-R47W, Valley Springs Township, Minnehaha County, SD. The property owner is Dawn Grim. The property is located approximately 6 miles east of Sioux Falls on South Dakota Highway 42. Don Hoppe, 304 S 5<sup>th</sup> Ave, Rock Rapids, Iowa, the petitioner, was present and spoke on his request. Mr. Hoppe requested the rezone to allow the same uses as listed in the C Commercial District zoning ordinance regulations with the addition of a single family dwelling as a permitted use. The Planning Commission approved the rezoning with a 5-1 vote. Everett Kroft, Iowa resident, nearby property owner, spoke in opposition of the rezoning citing concerns with traffic and the location of the driveway. MOTION by Barth, seconded by Karsky, to approve Ordinance MC16-154-18, an ordinance amending the 1990 revised zoning ordinance for Minnehaha County by rezoning certain property from C Commercial District to Hoppe PD Planned Development District, Rezoning #18-02. 3 ayes. Bender recused herself from this item. The entire ordinance is on file and available in the Auditor's Office.

#### BRIEFING

Lynn DeYoung, Emergency Management Director, gave a briefing and provided updates on the Emergency Management Department highlighting emergency planning, emergency response, recovery, mitigation, and volunteers.

#### BID AWARDS

DJ Buthe, Highway Superintendent, reported on the March 7<sup>th</sup>, 2018, bid opening for Project Number MC18-04 for micro-surfacing of 10.6 miles of county highways. Three bids were received from the following companies: Asphalt Surfacing Technologies, \$433,627.97; Missouri Petroleum Products, LLC, \$529,089.76; and Martin Resource Management Corp dba Monarch Oil Company, \$584,478.38. The engineer's estimate was \$538,362.80. Staff recommends awarding the bid to the low bidder, Asphalt Surfacing Technologies. MOTION by Barth, seconded by Karsky, to award the bid to Asphalt Surfacing Technologies in the amount of \$433,627.97 and authorize the Chair to sign the contractor contract. 4 ayes.

DJ Buthe, Highway Superintendent, reported on the March 7<sup>th</sup>, 2018, bid opening for Project Number MC18-02 for asphalt surface treatment (chip sealing) on 57.4 miles of county highways. Five bids were received from the following companies: Asphalt Surfacing Technologies, \$1,334,138.55; The Road Guy Construction, \$1,386,861.58; Bituminous Paving, Inc., \$1,425,662.46; Asphalt Surfacing Company, \$1,469,934.94; and Missouri Petroleum Products, \$1,696,572.40. The engineer's estimate was \$1,503,712.70. Staff recommends awarding the bid to the low bidder, Asphalt Surfacing Technologies. MOTION by Karsky, seconded by Barth, to award the bid to Asphalt Surfacing Technologies in the amount of \$1,334,138.55 and authorize the Chair to sign the contractor contract. 4 ayes.

#### PURCHASE

Joe Bosman, Deputy Sheriff Lieutenant, requested authorization to purchase seven (7) 2018 Ford Utility Interceptors off of the 2018 City of Sioux Falls Bid #18-0022 from Nelson Auto Center, Fergus Falls, MN, at a total cost of \$206,902.01. The purchase of the vehicles is part of the approve FY2018 budget. MOTION by Bender, seconded by Barth, to authorize the purchase of seven (7) 2018 Ford Utility Interceptors off of the 2018 City of Sioux Falls Bid #18-0022 from Nelson Auto Center, Fergus Falls, MN, at a total cost of \$206,902.01. 4 ayes.

#### AGREEMENT

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Erin Srstka, Commission Program Development Officer, presented an agreement between Minnehaha County and Augustana University for services related to the 2018 Criminal Justice Mental Health Summit. The agreement covers grant evaluations, the creation and implementation of a survey to the summit participants, and space to host the summit. The cost of the contract to the County is \$2,000.00 through State Crisis Grant funding. The agreement is effective upon full execution and will remain in effect until August 31, 2018. MOTION by Bender, seconded by Karsky, to authorize the Chair to sign the Services Agreement related to the 2018 Criminal Justice Mental Health Summit between Minnehaha County and Augustana University at a cost of \$2,000.00 effective upon execution and ending August 31, 2018. 4 ayes.

#### LIAISON REPORT

Upon the request of Commissioner Barth, Scott Anderson, Planning Director, reported on the March 26, 2018, Planning Commission Meeting where other governmental entities were present and topics such as concentrated animal feeding operations and ordinance changes were discussed.

Upon the request of Commissioner Barth, Pam Nelson, Treasurer, responded to a complaint brought to the Commission by a citizen regarding the wait time for a phone call into the Treasurer's Office.

Upon the request of Commissioner Karsky, Erin Srstka, Commission Program Development Officer, reported on the March 23, 2018, Triage Policy Committee meeting and noted the Mental Health and Criminal Justice Summit will take place on March 28-29, 2018.

Commissioner Barth thanked the Sheriff's Department for sending a Deputy to the March 26, 2018, Planning Commission meeting.

Commissioner Heiberger reported on the National Association of Counties Legislative Conference noting the types of meetings she attended where topics included, but were not limited to, the public safety assessment, the second chance act, crime litigation, veterans' issues, Justice & Safety Board resolutions, and the possibility of a national crime commission.

#### OLD BUSINESS

Carol Muller, Commission Administrative Officer, reported the March 27, 2018, tour of the Museum Archive Building Construction Site noting the tour is not considered an official meeting due to only two Commissioners attending.

MOTION by Bender, seconded by Barth, to move into executive session pursuant to SDCL 1-25-2(1) and (3). 4 ayes.

The next County Commission Meeting will take place at 9:00 a.m. on Tuesday, April 3, 2018.

#### APPROVED BY THE COMMISSION:

Cindy Heiberger

Chair

ATTEST:

Robert Litz

Auditor