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THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. August 28, 2018, pursuant to adjournment on August 21, 2018. Commissioners present were: Barth, Bender, Beninga, Heiberger, and Karsky. Also present were Olivia Larson, Commission Recorder, and Margaret Gillespie, Senior Deputy State's Attorney.

MOTION by Bender, seconded by Beninga, to approve the agenda. 5 ayes.

#### MINUTES APPROVAL

MOTION by Karsky, seconded by Bender, to approve the August 21, 2018, Commission Minutes. 5 ayes.

#### VOUCHERS TO BE PAID

MOTION by Barth, seconded by Bender, to approve the following bills totaling \$689,575.79. 5 ayes.

A&B Business	Lease-Rental Agreement	559.86
A&B Business	Maint Contracts	186.50
Adamson, Kim	Business Travel	136.92
Advance Auto Parts	Automotive/Small Equip	50.98
Airway Svc	Automotive/Small Equip	778.87
Airway Svc	Gas Oil & Diesel	366.97
Allied Oil & Tire	Automotive/Small Equip	54.00
Allied Oil & Tire	Heavy Equip Repairs & Maint	146.00
Als Properties	Welfare Rent	724.16
Angel, Edward P	Attorney Fees	742.20
Anthony Fieber	Welfare Rent	600.00
Apts On 18th	Welfare Rent	310.00
AT&T	Safety & Rescue Equip	43.23
Automatic Building	Jdc Maint	587.76
Avera McKennan	Hospitals	7,727.00
Avera McKennan	Physicians	1,365.55
Axis Forensic Toxicol	Lab Costs	880.00
Berrydunn	Consultants	1,328.60
Bridgewood	Welfare Rent	500.00
Bruxvoort, Jordan	Interpreters	25.00
Budget Auto Repair	Automobiles	216.97
BX civil & Construct	Contracted Construction	709.92
C&R Supply	Trucks/Tractors/Trailers	139.64
Califan Painting	Fairgrounds	14,668.39
Carroll Institute	Misc Expense	9,277.50
Cartridge World	Data Processing Supplies	374.95
Century Business	Maint Contracts	45.53
Centurylink	Contract Svcs	13.42
Centurylink	Telephone	168.91
Chagolla, Albert	Interpreters	93.33
Chasing Willows	Welfare Rent	530.00
Choctaw County	Return Of Svc	50.00
Civil Design	Architects & Engineers	1,567.50
Cleveland Heights	Welfare Rent	600.00
CMS Communications	Data Processing Equip	759.52
Concrete Materials	Bridge Repair & Maint	134.41
Concrete Materials	Correction Ctr Repairs & Maint	843.90
Concrete Materials	Road Maint & Material	20,825.20
Constellation	Natural Gas	2,077.72
Country View MHC	Welfare Rent	700.00
Culligan Water	Maint Contracts	35.00
Decisionone	Maint Contracts	168.52
Deyoung, Lynn	Misc Expense	17.95
Donald Owens	Misc Revenue	150.00
Dover, Sena S	Bd Evals (Minnehaha)	1,192.50
DQE	Hospital Preparedness Grant	5,812.78
East Park Apts	Welfare Rent	600.00

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Eich Law	Attorney Fees	1,333.33
Eich Law	Child Defense Attorney	2,666.66
Eirenberg, James A	Attorney Fees	2,237.20
Elliott, Chad	Program Activities	200.00
Elston Manufacturing	Cobra Insurance	835.63
Engbrecht, Roger	Welfare Rent	1,100.00
English Law	Attorney Fees	1,333.33
Etterman Enterprises	Small Tools & Shop Supplies	122.05
Ferguson Enterp	Fairgrounds	371.91
First Premier Bank	Investigators Expenses	151.78
Formatop	Program Activities	187.20
Frieberg Nelson	Attorney Fees	89.30
G&H Investments	Welfare Rent	1,300.00
Galls Quartermaster	Uniform Allowance	393.51
Garfield Apts	Welfare Rent	500.00
Gary Cones Amoco	Transportation	158.25
Goebel Printing	Office Supplies	269.99
Goebel Printing	Printing/Forms	20.00
Gourley Properties	Welfare Rent	1,045.00
Griese Law Firm	Attorney Fees	1,333.33
Guarantee Roofing	Fairgrounds	99,353.00
Gunner, Andrea	Court Reporters	164.80
Guzman, Sandra V	Interpreters	150.00
Hall, Vien V	Interpreters	50.00
Hancock Concrete	Road Maint & Material	3,420.94
Heinemann Restoration	Repair/Renovations	16,200.00
Hewlett Packard	Data Processing Supplies	1,508.48
Hillman Properties	Welfare Rent	500.00
Howalt McDowell	Notary Exp	100.00
Hughes Law	Child Defense Attorney	958.80
HyVee	Pharmacies	483.01
HyVee	Program Activities	161.46
I State Truck Center	Parts Inventory	205.95
Intek	Misc Expense	434.00
Interim Healthcare	Professional Svcs	2,401.50
Interstate Office	Furniture & Office Equip	374.99
Interstate Office	Office Supplies	399.17
Interstate Office	Program Activities	5.88
ISI	Interpreters	80.00
Jeff Larson Law	Attorney Fees	1,210.85
Jeff Larson Law	Child Defense Attorney	2,226.35
Jim & Rons Svc	Automotive/Small Equip	55.00
Johnson, Patricia R	Bd Evals (Minnehaha)	1,200.00
Jsa Consult Engineer	Architects & Engineers	4,194.39
Katterhagen, Mark	Bd Exp Fees (Yankton)	69.00
Kauffman, David W Ph	Psych Evals	3,448.50
Konda, Yousif	Interpreters	25.00
Krause Law	Attorney Fees	441.80
Kruse Law	Child Defense Attorney	2,666.66
Kyra Enterprises	Motels	75.00
Lacey Rentals	Lease-Rental Agreement	110.00
Lance Mattson	Tea-Ellis Range	86.18
Laughlin Law	Attorney Fees	161.60
Ledd Properties	Motels	625.00
Lewno Law	Bd Exp Fees (Yankton)	709.44
LG Everist	Bridge Repair & Maint	39.65
Lisa Carlson Report	Court Reporters	20.40
Litz, Bob	Education & Training	2,011.98
Lockwood, Darcy	Bd Exp Fees (Yankton)	69.00
Luther, Jeff	Medical Director	2,500.00
Lutheran Social Svcs	Diversion Programs	3,835.08
Lutheran Social Svcs	Evening Report Center	5,351.04
Lutheran Social Svcs	Shelter Care/Reception Center	60,797.05
Luverne Supermarket	Welfare Food	75.00
Medstar Paramedic	Transportation	1,600.00

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Menard	Bridge Repair & Maint	45.96
Menard	Parks/Rec Repair & Maint	15.78
Menard	Road Maint & Material	9.33
Michaels Purple	Building Repairs & Maint	95.00
Midamerican Energy	Natural Gas	916.08
Midcontinent Com	Data Communications	248.00
Minnehaha County	Prisoner/Bond Accounts	41.50
Murray Properties	Welfare Rent	1,100.00
Myers & Billion	Attorney Fees	3,196.00
Napa Auto Parts	Automotive/Small Equip	134.83
Nelson, Adam D	Program Activities	65.10
Newman Signs	Sign Supply Inventory	1,039.54
Northeast Investment	Welfare Rent	1,100.00
Novak	Office Supplies	101.79
Oreilly Automotive	Truck Repairs & Maint	16.23
Parkview	Welfare Rent	500.00
Pennington County	Extradition & Evidence	12,055.55
Perezruez, Ileana	Interpreters	87.50
Pettigrew Heights	Welfare Rent	1,180.00
Pfeifer Implement	Heavy Equip Repairs & Maint	44.06
Pfeifer Implement	Parts Inventory	239.50
Phoenix Supply	Child Care Uniforms	277.62
Pioneer Enterprises	Burials	2,000.00
Prahm Construction	Contracted Construction	136,042.80
Prestox	Outside Repair	215.00
Pride Neon	Heat, Vent & Ac Repairs	142.35
Pride Neon	Printing/Forms	120.00
Pride Neon	Small Tools & Shop Supplies	40.00
Progressive Property	Welfare Rent	500.00
Qualified Presort	Postage	146.15
Quality Efficiencies	Motels	255.00
Ramsey Partners	Welfare Rent	600.00
Redwood Court	Welfare Rent	350.00
Risty, Maxine J	Court Reporters	22.40
Rochester Armored	Armored Car Svc	407.96
Rods Property	Welfare Rent	895.00
Ryan Duffy Law	Attorney Fees	1,613.00
Safe Home	Misc Revenue	-1,645.48
Safe Home	Notes Rec Safe Home	-5,542.70
Safe Home	Rent Subsidies	20,280.00
Sanford	Lab Costs	836.00
Sanford Clinic	Misc Expense	24,684.58
Sanford Clinic	Professional Svcs	385.00
Satellite Tracking	Program Supplies	4,774.25
SD Human Svcs	Clinics Auxiliary Svcs	23.20
Sentinel Offender	Electronic Monitoring	1,778.15
Sioux Empire Fair	Misc Expense	12,500.00
Sioux Empire Motor	Automotive/Small Equip	71.99
Sioux Falls City	Electricity	13,961.96
Sioux Falls City	Gas Oil & Diesel	1,245.07
Sioux Falls City	Water Sewer	18,929.00
Sioux Falls Ministry	Welfare Rent	440.00
Sioux Falls River	Welfare Rent	300.00
Sioux Falls Rubber	Notary Exp	132.65
Sioux Falls YMCA	Welfare Rent	1,000.00
South Dakota Multi	Memberships	250.00
Southtown Apt	Welfare Rent	410.00
Stacy Brouwer	Welfare Rent	700.00
Stan Houston Equip	Automotive/Small Equip	35.95
State of SD	Amts Held-Daily Scram	3,341.00
State of SD	Building Repairs & Maint	32.55
State of SD	Data Communications	113.00
State of SD	Memberships	90.00
State of SD	Notary Exp	30.00
State of SD	Professional Svcs	173.00

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State of SD	Sign Supply Inventory	188.00
State of SD	Telephone	24.75
Steamboat's	Volunteer Pers Items	161.90
Sturdevants Auto	Small Tools & Shop Supplies	134.93
Sturdevants Auto	Truck Repairs & Maint	121.10
Sweetallen, Mckenzie	Business Travel	13.44
Sycamore Village Apt	Welfare Rent	1,005.60
Szameit, Alexandra	Interpreters	25.00
The Lodge At Deadwood	Business Travel	864.00
Thomson Reuters	Legal Research	2,573.54
Thurman, Creighton	Attorney Fees	205.10
Toering, Jason	Education & Training	121.00
Tomacelli's Too	Jury Fees	114.92
Tractor Supply	Engineering Supplies	59.97
Transource Truck	Truck Repairs & Maint	76.60
Trinity Point	Welfare Rent	1,310.00
Tritech	Blood Withdrawal	5,253.00
Tyler Technologies	Maint Contracts	5,302.00
Tyler Technologies	Software	31,871.34
Variety Foods	Professional Svcs	562.15
Vash Properties	Welfare Rent	500.00
VB Falls Park Apts	Welfare Rent	600.00
Vos, Austin	Business Travel	1,589.02
Walton, Marcus	Attorney Fees	1,814.20
Walton, Marcus	Child Defense Attorney	1,118.60
Weber County UT	Return Of Svc	72.50
Weber Law	Child Defense Attorney	2,666.66
Western Detention	Jail Repairs & Maint	64.34
Willow Partners	Welfare Rent	505.00
Windsor Heights Apt	Welfare Rent	500.00
Winner Police Dept	Extradition & Evidence	68.40
Xcel Energy	Electricity	45,198.93
Xcel Energy	Welfare Utilities	4,339.02
Yankton County	Return Of Svc	200.00
Yemam, Nassir	Interpreters	50.00
Zeeb, Mary	Business Travel	21.00

**REPORT**

The July 2018 Juvenile Detention Center Report was received and placed on file in the Auditor's Office.

**PERSONNEL**

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

1. To accept the resignation of Megan Lynne as Correctional Officer in Training (12/3) for the Jail effective 8/30/18.
2. To accept the resignation of Presley Helm as Correctional Officer (13/3) for the Jail effective 8/31/18.
3. To accept the resignation of Gary Robinson as Correctional Officer in Training (12/3) for the Jail effective 8/19/18.
4. To accept the resignation of Adam Yagaloff as Deputy Public Defender (22/4) for the Public Defender's Office effective 8/31/18.
5. To end the variable hour employment of Mayra Quezada as Clerical Worker for the Public Defender's Office effective 8/23/18.

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6. To end the seasonal employment of Jordan Beers and Joshua Baumann as Laborers for the Highway effective 8/16/18.
7. To end the seasonal employment of Austin Koehler as Grounds Worker for Facilities effective 8/8/18.
8. To end the seasonal employment of Emily Kern as Grounds Worker for Facilities effective 8/21/18.
9. To hire Kathleen Behrend as seasonal Election Worker for the Auditor at \$14.00/hour effective 9/4/18 to 11/30/18.

#### Step Increases

1. Dylan Wheeler – Deputy State’s Attorney – State’s Attorney’s Office – 22/4 – 8/14/18 - \$2,615.20/bi-weekly
2. Lyndsay DeMatteo – Senior Deputy Public Advocate – Public Advocate’s Office – 22/8 – 8/20/18 - \$2,887.20/bi-weekly
3. Heather Richarz – Correctional Officer – Jail – 13/16 – 6/23/18 - \$25.54/hour

#### NOTICE

The City of Baltic provided notice of application materials submitted to the South Dakota Department of Environment and Natural Resources for a yard waste compost facility.

#### GRANT AGREEMENT

Lynn DeYoung, Emergency Management Director, reported the Regional Hospital Coalition has been awarded \$125,000.00 grant from the State of South Dakota to assist in the planning, training, exercising, and equipment needs of the members. Minnehaha County will act as the fiduciary agent for the grant and has budgeted 10% for the cost of that responsibility. Mr. DeYoung requested authorization to enter into the agreement. MOTION by Beninga, seconded by Bender, to authorize the Emergency Management Director to enter into the State of South Dakota Sub-Recipient Agreement between Minnehaha County dba Minnehaha County Emergency Management and the South Dakota Department of Health, Office of Public Health Preparedness and Response in the amount of \$125,000, and for Minnehaha County to act as fiduciary agent for the grant. 5 ayes.

#### RENTAL ASSISTANCE

Lori Montis, Human Services Assistant Director, presented a proposed increase of \$100 to the maximum rental assistance allowances for emergency relief. The increase would affect people residing in two, three, and four bedroom units. The current maximum rental assistance allowances are \$350 for a studio, \$500 for a one bedroom, \$600 for a two bedroom, \$700 for a three bedroom, and \$800 for a 4 bedroom. The allowances for studios and one bedrooms would not change. Fair market rates in the Sioux Falls market have increased by \$87 or more a month since the last update to the allowances in 2013, thus prompting the consideration for an increase. MOTION by Karsky, seconded by Beninga, to approve increasing the maximum rental assistance allowances for emergency relief by \$100 for two, three, and four bedroom units. 5 ayes.

#### RESOLUTIONS

Donna Kelly, Chief Civil Deputy State’s Attorney, presented a resolution authorizing the commencement of a civil action by the State’s Attorney’s Office. The Planning and Zoning Department determined a salvage yard is

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being operated without a conditional use permit in violation of the Minnehaha County Revised Zoning Ordinance. MOTION by Barth, seconded by Karsky, to approve Resolution MC18-58. 5 ayes.

RESOLUTION MINNEHAHA COUNTY 18-58  
RESOLUTION AUTHORIZING THE COMMENCEMENT  
OF A CIVIL ACTION

**WHEREAS**, the Minnehaha County Planning and Zoning Department (“the Department”) has determined that Derek W. Rondeau (“Rondeau”) is operating a salvage yard in an area zoned as a light industrial district in unincorporated Minnehaha County without a conditional use permit in violation of the Minnehaha County Revised Zoning Ordinance; and

**WHEREAS**, the Department has indicated that Rondeau is doing business as Rondeau Recycling; and

**WHEREAS**, the Department has indicated that Rondeau is a tenant of the subject property, and that the property is owned by Lena Wollman; and

**WHEREAS**, in February of 2018, Rondeau applied for a conditional use permit, but the Planning and Zoning Commission denied Rondeau’s request for a conditional use permit following a public hearing in March of 2018 and no appeal of that decision was filed; and

**WHEREAS**, the Department has reason to believe that Rondeau continues to operate the salvage yard in violation of the Zoning Ordinance; and

**WHEREAS**, the Board of County Commissioners finds that it is in the best interests of the County to pursue a legal action against Rondeau and Wollman seeking injunctive relief against each of them; and

**WHEREAS**, the Board of County Commissioners seeks to compel Rondeau and Wollman to immediately cease, correct and abate the violation of the Ordinance;

**NOW THEREFORE BE IT RESOLVED**, by this Board of County Commissioners of Minnehaha County, South Dakota, as follows:

- 1) The Minnehaha County State’s Attorney is hereby authorized on behalf of the County to institute and proceed with a cause of action for injunctive relief against Rondeau, d/b/a Rondeau Recycling, and Wollman; and
- 2) The Minnehaha County State’s Attorney is hereby authorized to resolve and terminate the cause of action at such time and upon such conditions as are in the best interest of Minnehaha County without any further authorization from the Board of County Commissioners.

**DATED** at Sioux Falls, South Dakota, this 28th day of August, 2018

Cindy Heiberger  
CYNTHIA HEIBERGER, CHAIR  
MINNEHAHA COUNTY COMMISSION

ATTEST:  
Olivia Larson, Deputy Auditor  
ROBERT LITZ, AUDITOR

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## BUDGET

Carol Muller, Commission Administrative Officer, presented an item for discussion on the FY19 Provisional Budget. A budget hearing is scheduled for the Commission Meeting on September 4, 2018. The following topics were discussed: a vehicle for the Facilities Department, a full-time assistant position for the Public Advocate's Office, a computer support position for the State's Attorney's Office, and a public safety assessment position. Kim Adamson, Finance and Budget Officer, and Julie Hofer, Public Advocate, were present and available to answer the Commission's questions regarding funding and revenue sources and staffing.

## NEW BUSINESS

Commissioner Barth commented on decisions made and direction given to County department heads, specifically referencing a decision regarding the Emergency Management Department possibly moving to the Fairgrounds. Commissioner Beninga commented on the due diligence necessary to take place prior to making a decision.

Commissioner Barth commented on the passing of U.S. Senator John McCain, and noted the late Senator's military history.

Commissioner Barth requested the Auditor come to report on the election process for the upcoming election.

MOTION by Karsky, seconded by Beninga, to recess the Minnehaha County Commission Meeting until 9:46 a.m. 5 ayes.

MOTION by Barth, seconded by Bender, to reconvene the Minnehaha County Commission Meeting at 9:46 a.m. 5 ayes.

MOTION by Bender, seconded by Karsky, to enter into Executive Session for the purpose of SDCL 1-25-2 (1) and (3). 5 ayes.

Commissioner Bender left the Executive Session.

Commissioner Barth left the Executive Session

MOTION by Karsky, seconded by Beninga, to adjourn at 10:46 a.m. 3 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, September 4, 2018.

## APPROVED BY THE COMMISSION:

Cindy Heiberger

Chair

ATTEST:

Olivia Larson

Deputy Auditor