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THE MINNEHAHA COUNTY COMMISSION CONVENE AT 9:00 A.M. September 3, 2019, pursuant to adjournment on August 27, 2019. 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 Barth, seconded by Karsky, to approve the agenda. 5 ayes.

MINUTES APPROVAL

MOTION by Karsky, seconded by Heiberger, to approve the August 27, 2019, Commission Minutes. 5 ayes.

MOTION by Barth, seconded by Beninga, to approve the August 27, 2019, Joint Minnehaha County/City of Sioux Falls Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Beninga, seconded by Karsky, to approve the following bills totaling \$777,565.11. 5 ayes.

A&B Business	Lease-Rental Agmt	170.50
A&B Business	Maint Contracts	127.22
Aaron Brown	Gas Oil & Diesel	20.00
Adam, Andrew	Welfare Rent	500.00
Affordable Housing	Welfare Rent	500.00
AGP Studios	Motels	600.00
Airgas USA	Gas Oil & Diesel	29.98
Airway Svc	Auto/Small Equip	456.18
Airway Svc	Gas Oil & Diesel	122.13
All Star Invest	Attorney Fees	1,050.00
Anderson, Jennifer	Bd Evals Minnehaha	2,610.00
Andrea Blaser	Program Activities	608.00
Appeara	Program Activities	236.70
AT&T	Safety & Rescue Equip	43.23
Autumn Park Apt	Welfare Rent	500.00
Avera McKennan	Hospitals	2,109.00
Axis Forensic Toxicology	Lab Costs	970.00
Bailey, Rose	Welfare Rent	350.00
Ben Finley	Education & Training	26.00
Bentwood Manor Apts	Welfare Rent	1,000.00
Bierschbach Equip	Lease-Rental Agmt	50.00
Bituminous Paving	Contracted Construction	155,596.00
Boeckholt, Angie	Business Travel	200.00
Bosman, Joseph	Business Travel	519.29
Boyer Ford Trucks	Auto/Small Equip	133.91
Boyer Ford Trucks	Truck Repairs & Maint	1,221.41
Brentwood Apts	Welfare Rent	500.00
Brittani Crawford	Education & Training	26.00
Bryan R Hedman	Sign Deposits	50.00
Budget Auto Repair	Automobiles	92.05
Butler Machinery	Heavy Equip Repairs & Maint	805.55
Century Business	Furniture & Office Equip	4,673.00
Century Business	Maint Contracts	160.45
Century Business	Office Sup	225.00
Centurylink Long	Contract Svcs	7.53
Centurylink Long	Telephone	86.11
Chagolla, Albert	Interpreters	50.00
Chris Cam	Office Sup	70.86
Chris Cam	Small Tools & Shop Sup	114.84
Concrete Materials	Bridge Repair & Maint	159.53
Concrete Materials	Road Maint & Material	10,344.13
Dallas Davis	Business Travel	200.00
Darin Gonsor	Business Travel	200.00
David Powers	Business Travel	200.00

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Dawn Donovan	Education & Training	26.00
Deborah Deng	Education & Training	26.00
Dell Marketing	Data Processing Equip	76,146.84
Dell Rapids Fire Dep	Dell Rapids Fire Department	28,496.00
Dunlap, David	Business Travel	200.00
Emelia Williams	Education & Training	26.00
Erpenbach, John E	Recruitment	1,150.00
Faulk County	Board of Prisoners-Housing	10,710.00
First Dakota Nation	Homeland Security	3,764.75
First Rate Excavate	Contracted Construction	148,484.48
Fit My Feet	Uniform Allowance	100.00
Fleetpride	Truck Repairs & Maint	98.74
Galls Quartermaster	Uniform Allowance	1,361.73
Geotek Engineering	Juvenile Detention Ctr	1,500.00
Glendale Plaza	Welfare Rent	500.00
Graham Tire	Auto/Small Equip	498.34
Graham Tire	Gas Oil & Diesel	39.45
Grainger	Small Tools & Shop Sup	40.32
Great Western Bank	Welfare Rent	870.74
Guzman, Sandra V	Interpreters	200.00
Hancock Concrete	Road Maint & Material	576.00
Hanson Logowear	Uniform Allowance	328.10
Heiberger, Cindy	Business Travel	244.15
Helseth, Ramona G	Bd Exp Fees Minnehaha	29.33
Hennepin Cnty Sheriff	Return Of Svc	80.00
Hewlett Packard	Furniture & Office Equip	2,814.08
Hoekstra, Denise	Court Reporters	58.80
Holiday Credit	Gas Oil & Diesel	167.44
Holiday Credit	Road Maint & Material	125.18
Horizon Apts	Welfare Rent	500.00
HyVee	MacArthur SJC Grant	133.95
I State Truck Center	Truck Repairs & Maint	1,295.46
Interim Healthcare	Professional Svcs	1,111.75
Interstate Office	Furniture & Office Equip	884.34
Interstate Office	Office Sup	35.21
JCL Solutions	Inmate Sup	1,440.18
JCL Solutions	Kitchen/Cleaning Sup	7,131.17
Jeff Weisenbach	Conditional Use	250.00
JLG Architects	Jail Expansion Prof Svcs	55,868.53
Johnson, Brett	Business Travel	48.00
Joshua Marbach	Business Travel	200.00
Karsky, Dean	Business Travel	133.62
King, Duane	Business Travel	200.00
Kyra Enterprises	Motels	555.00
Lamar Texas	Program Activities	1,360.00
Laughlin Law	Child Defense Attorney	697.00
Ledd Properties	Motels	625.00
Lexisnexis Matthew B	Subscriptions	500.00
Libengood, Zach	Business Travel	200.00
Loving, Philip	Bd Evals Minnehaha	6,035.00
Lutheran Social Svcs	Diversion Programs	4,739.19
Lutheran Social Svcs	Evening Report Center	5,723.44
Lutheran Social Svcs	Shelter Care/Reception Center	64,471.64
M&J	Welfare Rent	900.00
Mac'S Hardware	Bldg/Yard Repair & Maint	19.16
McClure & Hardy	Attorney Fees	357.60
McGrath North Mullin	Professional Svcs	248.00
MCJ	Motor/Machine/Equip Repair	45.95
Medstar Paramedic	Transportation	5,000.00
Megan Reed	Program Activities	478.00
Menard	Building Repairs & Maint	15.46
Menard	Program Activities	207.84
Midamerican Energy	Natural Gas	154.07
Midcontinent Com	Amounts Held For Others	155.00
Minnehaha County	Other Sup	135.00

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Minnehaha Petty Cash	Publishing Fees	21.47
Multicultural Center	Interpreters	220.00
Murray Properties	Welfare Rent	350.00
Najarro-Izquierdo, C	Interpreters	50.00
Norix Furniture	Inmate Sup	23,368.35
Nybergs Ace Hardware	Program Activities	7.58
Olivier Miles Holtz	Attorney Fees	6,885.20
One Sky	Safety & Rescue Equip	589.50
Opeke G Niemeyer	Juvenile Detention Ctr	5,289.10
Oxbow/Terrace Hills	Welfare Rent	400.00
Penbrooke Place Apt	Welfare Rent	465.00
Pheasant View Apt	Welfare Rent	649.00
Phoenix Supply	Inmate Sup	1,112.00
Pioneer Enterprises	Burials	2,000.00
Pomps Tire Svc	Auto/Small Equip	556.88
Praxair Distribution	Elec Motor, Mach, Shop Equip	7,282.50
Prestox	Professional Svcs	58.00
Quality Efficiencies	Motels	625.00
Qualseth, Ryan	Business Travel	336.00
Redwood Estates	Welfare Rent	625.00
Reece Deters	Education & Training	26.00
Reed Alan Construct	Repair/Renovations	9,404.10
Relm Partners	Welfare Rent	500.00
Rochester Armored	Armored Car Svc	407.96
Rons, Norm	Welfare Rent	1,600.00
Safe Home	Misc Revenue	-644.47
Safe Home	Notes Rec Safe Home	-2,949.62
Safe Home	Rent Subsidies	11,392.00
Sage Projects Con	MacArthur SJC Grant	1,040.00
Sams Club	Office Sup	22.96
Sams Club	Other Sup	49.26
Sams Club	Professional Svcs	1,066.68
Sanford	Other Medical Svcs	546.03
Sanford Clinic	Other Medical Svcs	701.40
Scheels All Sports	Uniform Allowance	254.97
SD Human Svcs	Clinics Auxiliary Svcs	102.60
SF Specialty Hosp	Insurance-Other Costs	2,624.00
SF Specialty Hosp	Professional Svcs	179.00
Shi International	Software	7,452.48
Sioux Empire Fair	Fairground Facilty Rent	2,000.00
Sioux Falls Area Cha	Misc Expense	90.00
Sioux Falls Area Hum	Misc Expense	3,347.88
Sioux Falls Woman	Advertising	595.00
Smith, Traci M	Business Travel	110.20
Stangeland, Lori	Business Travel	200.00
State of SD	Amts Held-Daily Scram	2,129.00
State of SD	Amts Held-Remote Breath	862.00
State of SD	Safety & Rescue Equip	26.52
Street Smart Rental	Auto/Small Equip	318.00
Sturdevants Auto Par	Auto/Small Equip	7.42
Summit Food Svc	Board Of Prisoners-Meals	12,855.95
Summit Food Svc	Inmate Sup	512.95
Tegra Group	Jail Expansion Prof Svcs	18,284.20
The Mitographers	Truck Repairs & Maint	612.22
Tiede, Pamela	Bd Exp Fees Minnehaha	256.00
Total Fire Protect	Maint Contracts	520.00
Transource Truck	Heavy Equip Repairs & Maint	458.30
Triangle Properties	Welfare Rent	500.00
Trinity Point	Welfare Rent	400.00
Trugreen	Program Activities	318.00
Two Way Solutions	Auto/Small Equip	124.98
Two Way Solutions	Communication Equip Repair	62.50
Tyler Technologies	Software	7,140.00
Tzadik	Welfare Rent	2,200.00
US Bank	Lease-Rental Agmt	136.72

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US Foods	Professional Svcs	529.41
Valley West Apt	Welfare Rent	1,000.00
Vb Falls Park Apts	Welfare Rent	716.00
Vogel Motors	Gas Oil & Diesel	35.00
We Buy Houses	Welfare Rent	900.00
West 11th Properties	Welfare Rent	557.00
Westbrooke Apts	Welfare Rent	675.00
Wheelco	Truck Repairs & Maint	31.88
Williamsburg	Welfare Rent	682.00
Winter	Bridge Repair & Maint	118.00
Woods Fuller Shultz	Jail Expansion Prof Svcs	2,590.00
Xcel Energy	Welfare Utilities	2,355.87
Yankton County	Return Of Svc	250.00
Yemam, Nassir	Interpreters	127.50
Zachary Cegelske	Other Sup	32.05

August Salaries Paid

Commission	Salaries	\$20,178.82
Auditor	Salaries	\$25,105.39
Treasurer	Salaries	\$39,439.90
Information Technology	Salaries	\$36,653.88
States Attorney	Salaries	\$144,963.35
Public Defender	Salaries	\$96,585.14
Public Advocate	Salaries	\$29,185.22
Facilities	Salaries	\$24,385.76
Equalization	Salaries	\$41,919.00
Register Of Deeds	Salaries	\$24,255.62
Human Resources	Salaries	\$12,689.81
Sheriff	Salaries	\$475,681.48
Juvenile Detention Center	Salaries	\$74,057.80
Highway	Salaries	\$75,181.72
Human Services	Salaries	\$58,950.23
Museum	Salaries	\$45,685.85
Planning	Salaries	\$21,931.29
Extension	Salaries	\$1,753.60

REPORT

The July 2019 Juvenile Detention Center Report was received and placed on file in the Auditor's Office.

PERSONNEL

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

New Hires

1. Beau Blouin, Senior Deputy Public Defender for the Public Defender's Office, at \$3,018.40/biweekly (22/7) effective 9/9/19.

Promotions

1. Kasara Goldhorn and Cody Schmoyer, Correctional Officers in Training to Correctional Officers for the Jail, at \$18.90/hour (13/1) effective 8/6/19.

Step Increases

1. Benjamin Baxa, Correctional Officer for the Jail, at \$26.71/hour (13/15) effective 9/6/19.
2. Jered Broesder, Correctional Officer for the Jail, at \$26.71/hour (13/15) effective 8/20/19.
3. Kevin Kellum and Dane Hackett, Correctional Officer for the Jail, at \$19.86/hour (13/3) effective 6/6/19.

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4. Adriana Fajardo, Correctional Systems Operator for the Jail, at \$15.90/hour (9/2) effective 8/6/19.
5. Lindy DeGroot, Correctional Systems Operator for the Jail, at \$15.90/hour (9/2) effective 8/13/19.
6. Kiel Ricci, Deputy Sheriff for the Sheriff's Office, at \$25.42/hour (17/5) effective 8/18/19.
7. Tanner Cornay and Seth Hodges, Deputy Sheriff for the Sheriff's Office, at \$25.42/hour (17/5) effective 8/25/19.
8. Joseph Zilla, Juvenile Correctional Officer I for the Juvenile Detention Center, at \$20.86/hour (12/7) effective 8/26/19.
9. Abby Olson, Accountant for the Highway, at \$23.02/hour (16/3) effective 8/27/19.
10. Judith Wehrkamp, Senior Deputy State's Attorney for the State's Attorney's Office, at \$3,588.00/biweekly (22/14) effective 7/1/19.
11. Jennifer Voelker, Tax and License Technician for the Treasurer, at \$17.12/hour (10/3) effective 8/28/19.

Other Salary Changes

1. To begin SWAT specialty pay for Adam Zishka, Sergeant for the Sheriff's Office, resulting in a rate of \$31.21/hour effective 8/24/19.

Special Personnel Action

To recognize the following significant employee anniversaries for September 2019: 5 years – Tyler Grong; 10 years – Jason Aanenson; 20 years – Justin Sieler and Thomas Rabb.

To record volunteers in County Departments for August 2019. This list is on file at Human Resources.

PUBLIC COMMENT

Robert Kolbe, Sioux Falls, SD, commented on the following topics: the number of years he has been watching the Commission Meetings, the joint jurisdiction proposed by Hartford, the easements granted during the September 27, 2019, Commission Meeting, and the Sheriff's Office representatives that were present for Steve Reecy's Memorial Service.

BUDGET HEARING

A public hearing was held for the FY2020 Minnehaha County Budget. Carol Muller, Commission Administrative Officer, gave a briefing on the FY2020 budget which stands at \$92,118,340. Kim Adamson, Finance & Budget Officer, was present to respond to questions from the Commission and presented on the General Fund Cash Applied Analysis and the Building Fund. The proposed Revenue adjustments totaled \$544,490. These included the following adjustments: MacArthur grant revenue of \$350,000, PreTrial reimbursement of \$17,500, Shelter Care Revenue of \$180,000, Property Tax on centrally assessed utilities of \$3,350, and a reduction of the Air Guard Contract revenue of \$6,360. The proposed Appropriations adjustments totaled \$261,402. These included the following adjustments: MacArthur grant expenses totaling \$378,498, reduced salary and benefit expense based on an updated payroll projection from the new payroll software of \$198,494, Workers Compensation premium increase of \$54,009, an allocation to Jaspas Ambulance Service of \$1,000, an allocation for rural ambulance service of \$25,000, and an increase in the transfer to Emergency Management of \$1,389. The Commission decided that the contingency budget of

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\$25,000, already included in the Provisional budget, would be adequate to cover the \$25,000 ambulance allocation. Therefore, it would be removed from the proposed Appropriations adjustments. Upon the recommendation of Commissioner Bender, staff was directed to reduce the budgeted opt-out levy by \$150,000. Minor adjustments to Building Fund projects were reviewed including an adjustment for emerald ash borer related expenses and repairs to the Highway facility. The final budget will be adopted on September 24, 2019. No one from the public came forward to speak.

ALCOHOL BEVERAGE LICENSES

Olivia Larson, Deputy Auditor, was present for the public hearing and presented the application for a Retail On-Off Sale Malt Beverage & South Dakota Farm Wine License submitted by the Mighty Corson Art Players located at 25993 482nd Avenue, Brandon. The State's Attorney's Office, Sheriff's Office, and Planning & Zoning Department were provided the application for review. There were no concerns or objections reported. No one spoke in opposition. MOTION by Heiberger, seconded by Karsky, to approve the 2019-2020 Retail On-Off Sale Malt Beverage & SD Farm Wine License for the Mighty Corson Art Players, legally described as 22100 Corson Fauskes Addn 102-48 Brandon Township Lot 3 Blk 1. By roll call vote: 5 ayes.

Olivia Larson, Deputy Auditor, was present for the public hearing and presented applications for a Retail On-Off Sale Malt Beverage & SD Farm Wine License and a Retail On-Off Sale Wine & Cider License submitted by the Emerald Pines Barn LLC. The State's Attorney's Office, Sheriff's Office, and Planning & Zoning Department were provided the application for review. There were no concerns or objections reported. Jason Shanks, 7604 W President St, Sioux Falls, applicant, notified the Commission that the Notice of Hearing correctly listed the legal description, but the location address was listed incorrectly. Mr. Shanks stated that the address where the alcoholic beverages will be sold should have been listed as 7621 W Maple Street, Sioux Falls, SD 57107, as opposed to 7621 W President Street, Sioux Falls, SD 57107. No one spoke in opposition. MOTION by Barth, seconded by Heiberger, to approve a 2019-2020 Retail On-Off Sale Malt Beverage & SD Farm Wine License and a 2020 Retail On-Off Sale Wine & Cider License for Emerald Pines Barn, LLC, located at 7621 W Maple Street, Sioux Falls, SD 57107, legally described as Lot 4 of Olson's Addition in the W1/2 of the NE1/4 of Section 10, Township 101N R50W, Minnehaha County, South Dakota. By roll call vote: 4 ayes. Commissioner Karsky recused himself from the item.

Olivia Larson, Deputy Auditor, presented an application for a consume and blend alcohol beverage license for a wedding event being held at the Izaak Walton League on September 21, 2019. The license would allow Vicki Haberman to provide, but not sell, alcoholic beverages for her daughter's wedding. MOTION by Heiberger, seconded by Barth, to approve an application for license to consume and blend alcoholic beverages at the Izaak Walton League, Sioux Falls Chapter, 5000 N Oakview Place, Sioux Falls, on September 21, 2019, for the Haberman/Klusmann Wedding. 5 ayes.

AMENDMENTS

Mike Mattson, Jail Warden, presented an amendment to the Contract for Housing of Lincoln County Prisoners. The amendment would allow the County to bill Lincoln County on a monthly basis in order to closely monitor the daily inmate population. In the event that the number of Lincoln County inmates exceeds the forty-five (45) inmate per day minimum, Lincoln County would be billed at a per prisoner per day rate. The amendment also includes changes to the indemnity language and changes to the work release section due to both counties having an electronic monitoring program. The contract will commence on October 1, 2019. MOTION by Heiberger, seconded by Karsky, to authorize the Chair to sign the Amendment to the Contract for Housing of Lincoln County Prisoners between Minnehaha County and Lincoln County commencing on October 1, 2019. 5 ayes.

DJ Buthe, Highway Superintendent, presented an amendment to the Professional Services Agreement between Minnehaha County and Infrastructure Design Group to conduct engineering design for the reconstruction of County Highway 146. The amendment would allow additions to the scope of work and levels of effort

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associated with right of way and easement acquisition. Traffic control design and wetland permitting are also provided for in the amendment. The cost of the agreement would increase by \$75,245.00. MOTION by Karsky, seconded by Beninga, to authorize the Chair to sign Amendment No. 2 to the Professional Services Agreement between Minnehaha County and Infrastructure Design Group, Inc. with a total amended agreement amount of \$254,945.00. 5 ayes.

TAX DEED PAYMENT PLAN

Carol Muller, Commission Administrative Officer, presented a resolution for the approval of a property tax payment proposal on tax deed action for record 028966. In response to a question from Commissioner Barth, Ms. Muller spoke on the way the resolution addresses default of the payment plan. MOTION by Beninga, seconded by Heiberger, to approve Resolution MC19-36. By roll call vote: 4 ayes. Commissioner Barth voted nay.

RESOLUTION MC 19-36 APPROVAL OF PROPERTY TAX PAYMENT PROPOSAL ON TAX DEED ACTION FOR RECORD 028966

WHEREAS, Minnehaha County has initiated tax deed action to property record 028966 in accordance with state statutes; and

WHEREAS, as of August 12, 2019 a total of \$10,551.21 in back taxes, plus penalties and interest is owing on the property; and

WHEREAS, the published notice for Minnehaha County's Tax Deed Sale, scheduled for October 26, 2019 includes property record 028966; and

WHEREAS, SDCL 10-25-42 allows the county commission to set conditions or qualifications as they may decide for re-conveyance of the property to the former record owner; and

WHEREAS, the former record owner, Janet E. Boettcher, has presented the following payment plan to the county commission for consideration in order to satisfy all outstanding taxes, penalties, and interest with payments to begin October 5, 2019:

- Twenty-four (24) installment payments of \$450.00 by the 5th of each month from October 2019 through September 2021.
- Final and 24th installment of \$450.00 plus payment of additional accrued interest and penalties by the 5th of September, 2021.

WHEREAS, in the event that the former owner of record does not pay all back taxes, penalties and interest owing on property record 028966 in accordance with the aforementioned terms, Minnehaha County may proceed with the sale of these properties through 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 and property record 028966 is removed from the Tax Deed Sale.

Dated this 3rd Day of September, 2019.

APPROVED BY THE COMMISSION
Jean Bender
Chairperson

ATTEST: Bob Litz, Auditor

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Olivia Larson
Deputy Auditor

OLD BUSINESS

Commissioner Barth spoke on the property declared a public nuisance at the August 20, 2019, Commission Meeting and noted that the property owner has not responded. David Heinold, Planner, and Scott Anderson, Planning Director, spoke on the notification sent to the property owner, the scheduled site visit, and the process for acting on the public nuisance.

MOTION by Heiberger, seconded by Karsky, to recess the Minnehaha County Commission Meeting at 9:47 a.m. 5 ayes.

MOTION by Barth, seconded by Karsky, to reconvene the Minnehaha County Commission Meeting at 9:56 a.m. 5 ayes.

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

MOTION by Karsky, seconded by Beninga, to adjourn. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, September 10, 2019.

APPROVED BY THE COMMISSION:

Jean Bender
Chair

ATTEST:

Olivia Larson
Deputy Auditor