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THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. February 4, 2020, pursuant to adjournment on January 28, 2020. Commissioners present were: Barth, Bender, Heiberger, and Karsky. Commissioner Beninga was absent. Also present were Olivia Larson, Commission Recorder, and Margaret Gillespie, Senior Deputy State's Attorney.

MOTION by Heiberger, second by Barth, to approve the agenda. 4 ayes.

#### MINUTES APPROVAL

MOTION by Barth, seconded by Heiberger, to approve the January 28, 2020, Commission Minutes. 4 ayes.

#### VOUCHERS TO BE PAID

MOTION by Barth, seconded by Karsky, to approve the following bills totaling \$470,876.94. 4 ayes.

A&B Business	Lease-Rental Agmt	82.50
A&B Business	Maint Contracts	51.47
A-1 Pumping & Excav	Auto/Small Equip	172.50
Agp Studios	Motels	600.00
Airway Svc	Auto/Small Equip	54.83
All American Towing	Auto/Small Equip	165.00
All Nations Interp	Interpreters	80.00
Ambush	Uniform Allowance	66.00
American Society	Program Activities	140.00
Anderson, Carol	Welfare Rent	1,000.00
Angel, Edward P	Attorney Fees	253.00
Appera	Program Activities	147.06
Arcadia Publishing	Store Inventory	291.36
Automatic Building	HHS Maint	93.88
Automatic Building	Security Alarm	138.00
Avera Health Plans	Insurance Admin Fee	2,862.75
Avera Mckennan	Hospitals	8,745.19
Axis Forensic Toxic	Lab Costs	987.00
Baldwin Supply	Uniform Allowance	506.03
Baltic Fire Dept	Baltic Fire Department	21,627.50
Bargain Barn Tire	Auto/Small Equip	20.00
Bechtel, David	Welfare Rent	625.00
Book Bridge Press	Store Inventory	3,800.00
Bosman, Joseph	Other Sup	96.00
Bosman, Joseph	Uniform Allowance	177.17
Brownells	Other Sup	79.32
Burnside Properties	Welfare Rent	275.00
C & R Supply	Auto/Small Equip	15.80
Caliber Creative	Professional Svcs	1,172.62
Campbell, Vicki D	Welfare Rent	500.00
Century Business	Maint Contracts	193.28
Chagolla, Albert	Interpreters	200.00
Chapel Hill Funeral	Burials	3,000.00
Choi, Kon	Welfare Rent	600.00
Civil Design	Architects & Engineers	1,333.75
Comfort Theater Comp	Program Activities	300.00
Constellation	Natural Gas	587.94
Country View MHC	Welfare Rent	430.00
Dakota Fluid Power	Truck Repairs & Maint	451.84
Dakota Supply Group	Jail Repairs & Maint	358.00
Dakotaland Autoglass	Hvy Equip Rprs & Maint	200.00
Dalsin	VOA Dakotas	565.50
Danko Emergency Eq	Maint Contracts	825.00

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Denherder Law	Attorney Fees	125.25
Dewitt, Marty	Program Activities	100.00
Diamond Field Common	Welfare Rent	500.00
Double H Paving	Snow Removal	18,513.75
Driveline Svc	Truck Repairs & Maint	84.52
Ducks Unlimited	Right Of Way	17,654.00
Dust Tex Svc	Janitorial Chemical Sup	20.30
Eich Law	Child Defense Attorney	762.20
Electric Construct	Building Repairs & Maint	81.63
Elite Forensic Svc	Attorney Fees	1,443.75
Empire Plastics	Program Activities	2,472.00
Fastenal	Road Maint & Material	15.85
Fastenal	Sign Supply Inventory	(13.33)
Fastenal	Small Tools & Shop Sup	285.48
First Dakota Nation	Homeland Security	3,764.75
Fleetpride	Parts Inventory	154.00
Fleetpride	Truck Repairs & Maint	76.41
Fred Konechne	Business Travel	102.00
Freedom Realty	Welfare Rent	525.00
Geotek Engineering	Education & Training	1,965.00
Glenn Foster	Volunteer Pers Items	150.00
Goebel Printing	Office Sup	71.00
Gourley Properties	Welfare Rent	500.00
Graham Tire	Auto/Small Equip	584.00
Grant Square	Welfare Rent	631.00
Gritware	Maint Contracts	1,701.00
Guzman, Sandra V	Interpreters	25.00
Hartford's Best Pain	Auto/Small Equip	3,911.52
Haug Steel Construct	Sign Deposits	50.00
Horizon Apts	Welfare Rent	690.00
HyVee	MacArthur SJC Grant	413.97
HyVee	Program Activities	139.91
I State Truck Center	Truck Repairs & Maint	3,042.00
Infrastructure Desig	Architects & Engineers	6,388.15
Inland Truck Parts	Hvy Equip Rprs & Maint	449.48
Innovative Office	Juvenile Detention Ctr	37,224.42
Interstate All Batte	Other Sup	12.90
Interstate Office	Office Sup	8.92
Iris Ahrens Propert	Welfare Rent	350.00
ISI	Interpreters	240.00
Johnson Controls	Professional Svcs	1,995.12
Katterhagen, Mark	Bd Exp Fees Yankton	111.00
Kennedy Pier & Loftu	Attorney Fees	524.00
Kind, Arn	Program Activities	1,077.92
Knecht, Andrew J	Attorney Fees	209.00
Knecht, Andrew J	Child Defense Attorney	1,001.30
Kull, Lisa	Court Reporters	76.00
Kyra Enterprises	Motels	625.00
Lacey Rentals	Lease-Rental Agmt	112.00
Lacroix Law	Attorney Fees	202.30
Laughlin Law	Attorney Fees	3,192.55
Lewno Law	Bd Exp Fees Yankton	1,276.25
Lisa Carlson Report	Court Reporters	72.20
Lockwood, Darcy	Bd Exp Fees Yankton	111.00
Majestic Ridge Limit	Welfare Rent	500.00
Majestic View Apt	Welfare Rent	700.00
Malloy Electric	Hvy Equip Rprs & Maint	104.12
Mcclure & Hardy Prof	Attorney Fees	207.60
Menard	Program Activities	337.86
Menard	Small Tools & Shop Sup	144.12

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Michels Com	Program Activities	700.00
Midamerican Energy	Natural Gas	6,640.85
Midcontinent Com	Amounts Held For Others	155.00
Midwest Contracting	Contracted Construction	2,358.00
Midwestern Mechanica	Plumbing & Welding	3,682.41
Miles Maas	Business Travel	102.00
Multicultural Center	Interpreters	275.00
Myers & Billion	Attorney Fees	6,368.80
Napa Auto Parts	Auto/Small Equip	(187.63)
Napa Auto Parts	Parts Inventory	127.84
Napa Auto Parts	Small Tools & Shop Sup	96.84
Nebraska Salt & Gr	Road Material Inventory	14,647.44
Nelson, Adam D	Program Activities	216.68
Newman Signs	Sign Supply Inventory	381.62
North Central Intl	Truck Repairs & Maint	66.86
Northeast Investment	Welfare Rent	700.00
Nybergs Ace Hardware	Building Repairs & Maint	7.59
Oconnor Company	Coliseum	137.76
Oconnor Company	HHS Maint	462.04
Oconnor Company	Jail Repairs & Maint	346.50
Olivier Miles Holtz	Attorney Fees	2,193.05
Omaha Hardwood Lumb	Program Activities	1,397.76
Oreilly Auto Parts	Education & Training	360.00
Oreilly Auto Parts	Parts Inventory	44.66
PCS Mobile	Homeland Security	106,473.84
Peters, Staci	Program Activities	26.00
Pioneer Enterprises	Burials	2,000.00
Poppens, Janae Lynn	Bd Exp Fees Minnehaha	18.72
Prahm Construction	Contracted Construction	7,535.89
Prestox	Outside Repair	237.50
Prov 16:3	Small Tools & Shop Sup	115.99
RDO Construction	Hvy Equip Rprs & Maint	281.25
Reining, George	Welfare Rent	500.00
Resolution Treatment	Psych Evals	1,750.00
Roemen's Auto	Auto/Small Equip	2.20
Roemen's Auto	Gas Oil & Diesel	51.56
Rotorooter	Jail Repairs & Maint	120.00
Safe Home	Misc Revenue	(569.99)
Safe Home	Notes Rec Safe Home	(3,024.10)
Safe Home	Rent Subsidies	12,119.00
Sams Club	Professional Svcs	269.25
Sams Club	Safe Home Donations	23.76
Sanford	Other Medical Svcs	739.78
School Of EMS	Education & Training	1,000.00
Sd Symphony Orchest	Program Activities	400.00
Sentinel Offender	Electronic Monitoring	2,431.71
Sioux Falls City	Building Repairs & Maint	60.00
Sioux Falls City	Water Sewer	797.57
Sioux Falls Ministry	Welfare Rent	500.00
Sioux Falls Woman	Program Activities	595.00
South Dakota Retail	Printing/Forms	37.50
Spring Centre Apts	Welfare Rent	658.00
State of SD	Amts Held Daily Scram	5,312.00
State of SD	Amts Held Remote Breath	1,261.00
State of SD	Sign Supply Inventory	216.00
State of SD	Telephone	24.00
State of SD	Volunteer Pers Items	92.00
Steve Scholten	Sign Deposits	50.00
Stoner, Mary L	Welfare Rent	500.00
Stoney Hill Apt	Welfare Rent	500.00

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Strange Farrell John	Attorney Fees	245.07
Streichers	Ammunition	3,891.40
Streichers	Communication Equip Repair	100.00
Streichers	Education & Training	7,101.92
Sturdevants Auto	Auto/Small Equip	176.35
Summit Food Svc	Child Care Food	990.01
Summit Food Svc	School Lunch Program	1,641.80
Tessman Seed Comp	Grounds & Parking Repair	4,495.00
Tetonka	Right Of Way	27,876.00
The Keg	Jury Fees	377.20
Tomacelli's Too	Jury Fees	116.63
Total Auctions	Sign Deposits	50.00
True Care Family	Pharmacies	12.00
Tschetter & Adams	Attorney Fees	123.27
Tzadik Sioux Falls	Welfare Rent	1,944.00
Tzadik Sioux Falls P	Welfare Rent	500.00
University Products	Program Activities	826.25
US Bank	Lease-Rental Agmt	136.72
US Foods	Other Sup	20.93
US Foods	Professional Svcs	1,246.11
V2	Welfare Rent	355.00
Van Asselt, Thomas H	Right Of Way	6,478.10
Van Duyn, Paul	Right Of Way	18,027.63
VB Falls Park Apts	Welfare Rent	1,598.00
VB Tower	Welfare Rent	500.00
Vogel Motors	Gas Oil & Diesel	39.00
Walker, Daycleth D	Program Activities	300.00
Walmart Stores	Pharmacies	223.27
Wernke, Laurie	Bd Exp Fees Minnehaha	61.84
Wheelco	Truck Repairs & Maint	91.73
Williamson County	Return Of Svc	47.00
Xcel Energy	Electricity	30,720.75
Yankton County	Attorney Fees	4,137.00
Yankton County	Return Of Svc	350.00
Yemam, Nassir	Interpreters	25.00

January 2020 Salaries Paid

Commission	Salaries	\$20,746.13	Equalization	Salaries	\$41,789.63
Auditor	Salaries	\$25,615.39	Register Of Deeds	Salaries	\$25,031.71
Treasurer	Salaries	\$37,961.41	Human Resources	Salaries	\$13,217.35
Information Technology	Salaries	\$37,897.37	Sheriff	Salaries	\$585,032.05
States Attorney	Salaries	\$187,659.47	Juvenile Detention Center	Salaries	\$77,777.62
Public Defender	Salaries	\$96,203.96	Highway	Salaries	\$64,688.12
Public Advocate	Salaries	\$32,348.80	Human Services	Salaries	\$66,082.78
Facilities	Salaries	\$21,753.79	Museum	Salaries	\$34,445.28
			Planning	Salaries	\$18,449.62

REPORTS

The December 2019 Minnehaha County Coroner Report, the Public Advocate Advisory Board Minutes for December 17, 2019, and the Safety Committee 2019 Annual Report were received and placed on file in the Auditor's Office. Doug Blomker, Emergency Management Assistant Director and Safety Committee Chair, was present to answer questions and respond to comments regarding the Safety Committee 2019 Annual Report.

PERSONNEL

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

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#### Step Increases

1. Douglas Blomker, Assistant Director of Emergency Management for Emergency Management, at \$36.99/hour effective 12/27/19.
2. Kimberly Adamson, Finance and Budget Officer for the Auditor, at \$47.35/hour (23/11) effective 2/9/20.
3. Kassandra Juhnke, Senior Property Technician for Equalization, at \$18.99/hour (12/2) effective 2/6/20.
4. Rebecca Bradfeldt, Caseworker for Human Services, at \$30.36/hour (16/13) effective 12/25/19.
5. Shannon Hemenway, Safe Home Program Assistant for Safe Home, at \$23.14/hour (9/16) effective 12/27/19.
6. Brianna Palomaki, Deputy State's Attorney for the State's Attorney's Office, at \$2,747.20/biweekly (22/2) effective 1/4/20.
7. Rhett Bye, Senior Deputy State's Attorney for the State's Attorney's Office, at \$3,186.40/biweekly (22/8) effective 1/4/20.
8. Janet Eden, Legal Office Assistant for the State's Attorney's Office, at \$24.31/hour (10/16) effective 1/20/20.
9. Benjamin Finley, Juvenile Correctional Officer II for the Juvenile Detention Center, at \$24.31/hour (14/8) effective 1/26/20.

#### Other

1. To begin EMT specialty pay for Wayne Feddersen, Deputy Sheriff for the Sheriff's Office, resulting in a rate of \$25.31/hour effective 1/25/20.

#### Special Personnel Action

To recognize the following significant employee anniversaries for February 2020: 5 years – Julie Anderson, Thomas Moisuk, Anthony Simon, and Kimberly Adamson; 10 years – Brittani Crawford; 15 years – Daniel Kaiser; and 25 years – Patricia Albrecht.

To record volunteers in County Departments for January 2020. This list is on file at Human Resources.

Upon the request of Carey Deaver, Human Resources Director, MOTION by Barth, seconded by Heiberger, to reclassify the Air Guard Supervisor position, pay grade 16, to Air Guard Division Supervisor, pay grade 20, and to increase the rate of pay for Keith Wynia to \$34.34/hour effective 2/8/2020. 4 ayes.

Upon the request of Carey Deaver, Human Resources Director, MOTION by Heiberger, seconded by Karsky, to convert four Air Guard Security Officer II positions, pay grade 13, to a newly created position of Air Guard Shift Supervisor, pay grade 17, effective 2/22/2020. 4 ayes.

#### ALCOHOL BEVERAGE LICENSE HEARING

Olivia Larson, Deputy Auditor, was present for the public hearing and presented the application for a Retail On-Off Sale Malt Beverage and South Dakota Farm Wine License submitted by A Homestead Brew. 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. The applicant was present for the hearing. MOTION by Karsky, seconded by Heiberger, to approve the 2019-2020 Retail On-Off Sale Malt

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Beverage and South Dakota Farm Wine License application for A Homestead Brew, legally described as S½ SE¼ 29 101 47 Valley Springs Township 101-47. By roll call vote: 4 ayes.

#### AGREEMENT

Joe Bosman, Deputy Sheriff Captain, presented an annual agreement to participate in the Federal Equitable Sharing Program. The program allows participants to receive a share of federally forfeited proceeds that may be used for law enforcement purposes. The forfeited cash and property are from cases involving illegal activities, such as white-collar crimes, that would provide financial gain to the criminals. MOTION by Heiberger, seconded by Karsky, to authorize the Chair to sign the Federal Equitable Sharing Agreement and Certification. 4 ayes.

#### PRESENTATIONS

Luke Comeau, Family Visitation Center Executive Director, presented on the Family Visitation Center's supervised visitation program highlighting the number of families they serve and the continued need for the service.

Bill Hoskins, Museum Director, gave a presentation on the Siouxland Heritage Museums including visitation, volunteers, collections and exhibits, donations, educational programs, rental uses, future repairs, and the transition from operating two buildings to three with the addition of the Irene Hall Museum Resource Center. In September 2020, the Mountain-Plains Museums Association will be holding their annual conference in Sioux Falls.

#### ADDENDUM

Mike Mattson, Warden, presented an addendum to the contract with Armor Correctional Health Services, Inc., to provide medical, mental health, and detoxification services in the Minnehaha County Jail and Detox Center. The addendum would extend the contract for one year and includes a decrease in projected expenses to \$3,232,182.00. The structure of the agreement was not adjusted. MOTION by Heiberger, seconded by Barth, to authorize the Chair to sign the addendum to the Health Care Services Agreement between Minnehaha County and Armor Correctional Health Services, Inc. beginning January 1, 2020, through December 31, 2020, with 2020 projected expenses at a cost of \$3,232,182.00. 4 ayes.

#### BID AWARD

DJ Buthe, Highway Superintendent, reported on the January 15, 2020, bid opening for Bid #20-02, Highway Project MC17-01, Highway 146 Reconstruction. For Schedule A – Asphalt Pavement, the following bids were received: Runge Enterprises, \$7,734,263.58; Black Top Paving, \$7,946,284.80; Double H Paving, \$8,705,290.27; Soukup Construction, \$9,505,205.62; and Central Specialties, \$9,960,753.36. For Schedule B – Concrete Pavement, the following bids were received: Reede Construction, \$9,422,322.52; Complete Concrete, \$9,599,551.77; T&R Contracting, \$10,028,172.00; BX Civil & Construction, \$10,975,000.00; and Soukup Construction \$12,566,866.86. Based on a lifecycle cost analysis between asphalt pavement and concrete pavement, staff recommended awarding the bid to Reede Construction, the low bidder for Schedule B – Concrete Pavement. The engineering consultant, Infrastructure Design Group, provided a recommendation letter. MOTION by Heiberger, seconded by Barth, to award Bid #20-02, Highway Project MC17-01, Highway 146 Reconstruction, to Reede Construction, Inc., Schedule B – Concrete Pavement, in the amount of \$9,422,322.52, and to authorize the Chair to sign the contractor contract. By roll call vote: 4 ayes.

#### AGREEMENTS

DJ Buthe, Highway Superintendent, presented three (3) Right-Of-Way Purchase Agreements for property owned by Rhonda L Anderson and Glen & Carol Krogstad. In conjunction with JSA Engineers, the Highway Department

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is rebuilding County Highway 149 from County Highway 122 five and a quarter miles north to the Colton city limits. In order to meet safety standards, additional right-of-way is required. MOTION by Barth, seconded by Karsky, to approve the following Right-Of-Way Purchase Agreements:

- 1) Land owned by Rhonda L Anderson will be purchased for the amount of \$2,097.90, is a total of 0.259 acres, and is legally described as Lot H-2 In The South Half Of The Southeast Quarter, Of Section 03, Township 103 North, Range 51, West Of The 5th P.M., Minnehaha County, South Dakota.
- 2) Land owned by Glen & Carol Krogstad will be purchased for the amount of \$3,564.00, is a total of 0.44 acres, and is legally described as Lot H-2 In The South Half Of The Northeast Quarter (S½Ne¼), Of Section 10, Township 103 North, Range 51 West Of The 5th P.M., Minnehaha County, South Dakota.
- 3) Land owned by Glen & Carol Krogstad will be purchased for the amount of \$3,912.30, is a total of 0.483 acres, and is legally described as Lot H-2 In The Northwest Quarter (Nw¼), Except Tract 1 Krogstad's Addition, Of Section 11, Township 103 North, Range 51 West Of The 5th P.M., Minnehaha County, South Dakota.

VOTE ON MOTION: 4 ayes.

#### EASEMENT

Carol Muller, Commission Administrative Officer, presented a Temporary Construction Easement from the City of Sioux Falls (City) for Minnehaha County owned property. The City will construct ADA accessible public sidewalk improvements on the southwest corner of the 6<sup>th</sup> Street and Dakota Avenue intersection. The easement will be effective upon execution of the easement and will remain in effect for one year after the completion of the project. MOTION by Heiberger, seconded by Barth, to authorize the Chair to sign the Temporary Construction Easement with the City of Sioux Falls for property legally described as Portions of Lots 15 through 18 in Block 1 of J.L. Phillips Addition to Sioux Falls, Minnehaha County, South Dakota, described as Parcels H-1 & H-2 and as shown on Plan Sheet No. E.3, attached to and made part of this Easement, as if set forth in full. 4 ayes.

#### RESOLUTION

Carol Muller, Commission Administrative Officer, presented a resolution in support of South Dakota providing the driver's exam application, manual, and written exam in Spanish through Senate Bill 70. The driving test would be in English. The cost of implementation would be \$15,500.00. MOTION by Barth, seconded by Karsky, to approve Resolution MC20-08, a Resolution Supporting South Dakota Providing The Driver's Exam Application, Manual, And Written Exam In Spanish. By roll call vote: 4 ayes.

#### RESOLUTION MINNEHAHA COUNTY 20-08 RESOLUTION SUPPORTING SOUTH DAKOTA PROVIDING THE DRIVER'S EXAM APPLICATION, MANUAL, AND WRITTEN EXAM IN SPANISH

WHEREAS roughly 35,000 South Dakota residents live in homes where Spanish is the primary language;

WHEREAS South Dakota is one of six states that does not offer driver's license exams in any language other than English;

WHEREAS many Spanish speaking immigrants are able to converse at a 4th grade level or higher in the English language, but that studying for the driver exams require a higher level of English than 4th grade;

WHEREAS South Dakota employers continue to recruit employees and South Dakota residents seek employment to support their family; and

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WHEREAS a driver’s license is critical in seeking and retaining employment,

NOW THEREFORE BE IT RESOLVED, by this Board of County Commissioners of Minnehaha County, South Dakota, to support the passage of South Dakota driver’s exam application, manual and the written exam in Spanish.

DATED on February 4th, 2020

Jean Bender  
Jean Bender, Chair  
Minnehaha County Board of Commissioners

ATTEST:

Olivia Larson, Deputy Auditor  
Bob Litz, Minnehaha County Auditor

LEGISLATIVE UPDATE

Craig Dewey, Assistant Commission Administrative Officer, gave an update and status report on the 2020 Legislative Session bills that impact Minnehaha County specifically highlighting Senate Bill (SB) 68 and House Bill 1099. Commissioner Heiberger commented on testimony given on SB 68, and spoke in support of pursuing a local control bed, board, and booze tax option in the future.

LIAISON REPORT

Commissioner Heiberger reported on attending the Crooks Firemen Appreciation Supper where Steve Boer was presented the Outstanding Member Award. The Crooks Fire Department has 25 members.

Commissioner Barth reported on attending a Fire & Ambulance event in Humboldt. The Humboldt Fire & Ambulance Department received 278 ambulance calls and 115 fire calls in 2019 with a total of 25 members.

Commissioner Bender reported on attending MacArthur Foundation Meetings. Great work is being done through the Safety & Justice Challenge in an effort to keep people out of jail and to be productive in society.

MOTION by Heiberger, seconded by Barth, to recess the Minnehaha County Commission Meeting at 10:06 a.m. 4 ayes.

MOTION by Barth, seconded by Heiberger, to reconvene the Minnehaha County Commission Meeting at 10:15 a.m. 4 ayes.

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

MOTION by Barth, seconded by Heiberger, to adjourn. 4 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, February 11, 2020.

APPROVED BY THE COMMISSION:  
Jean Bender  
Chair

ATTEST:  
Olivia Larson  
Deputy Auditor