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THE MINNEHAHA COUNTY COMMISSION CONVENE AT 9:00 A.M. November 5, 2013 pursuant to adjournment on October 29, 2013. Commissioners present were: Barth, Beninga, Heiberger, and Kelly. Commissioner Pekas was absent. Also present were Cindy Jepsen, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

Chairman Beninga called the meeting to order.

MOTION by Barth, seconded by Heiberger to amend the agenda and move item 16 to follow item 11. 4 ayes.

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

MOTION by Heiberger, seconded by Barth, to approve the October 29, 2013 Commission Minutes. 4 ayes.

#### VOUCHERS TO BE PAID

MOTION by Barth, seconded by Heiberger, to approve the following bills totaling \$553,562.72, and October 2013 salaries. 4 ayes.

A & B Business Equip	Lease-Rental	222.80	Allied Oil & Tire Co	Automotive/Sm	1,973.42
Avera Home Medical E	Medical Equip	73.00	Avera McKennan Hospi	Clinics - Aux	895.00
Avera McKennan Hospi	Hospitals	3,661.00	Baete-Forseth HVAC L	Fairgrounds	2,298.98
Balancing Profession	Fairgrounds	18,928.61	Barnes, Jeff	Program Activ	300.00
Bierschbach Equipmen	Heavy Eq. Rep	72.89	Bob Barker Company,	Inmate Suppli	1,779.83
Braithwaite, Tacey E	Bd Exp. Fees	1,011.50	Builders Supply Comp	Detox	968.94
Campbell Supply Co I	Bridge Repair	1,034.20	Canda Properties Llc	Welfare Rent	1,570.00
Canfield Business In	Repair/Renova	14,610.05	CBM Managed Services	Board Of Pris	9,641.64
CBM Managed Services	Inmate Suppli	595.71	Century Business Pro	Lease-Rental	119.40
Century Business Pro	Maintenance C	41.25	Centurylink (Qwest)	Data Communic	1,258.24
Centurylink (Qwest)	Telephone	1,441.61	Childrens Home Socie	Other Miscell	44,625.00
Clayton, Thomas W	Child Defense	994.00	Cliff Avenue Auto Pa	Automotive/Sm	94.56
Cody, Denise	Bd Exp. Fees	75.00	Cole Papers, Inc.	Janitorial/Ch	233.17
Cole Petroleum Inc	Gas,Oil,Diese	4,543.25	Collison, Jeanne	Bd Exp. Fees	45.00
Constellation New En	Natural Gas	1,908.12	Counseling Resources	Attorney Fees	125.00
Diamond Mowers Inc	Automotive/Sm	44.84	Dubbe, Scott	Education & T	118.00
Electric Innovations	Electrical Re	400.00	Ellis, Roger Db	Welfare Rent	600.00
Erpenbach, John E	Bd Evaluation	315.00	Farnsworth, Michael	Other Profess	4,275.00
Fastenal Company	Automotive/Sm	101.30	Fastenal Company	Small Tools,	8.63
Fleetpride / Holt, I	Truck Repair	1,051.38	Fonder, Roger M Db	Automotive/Sm	300.20
Frantzen, Paige	Depositions	60.75	Graham, Robert C	Welfare Rent	500.00
Guzman, Sandra V.	Interpreters	125.00	Halverson, Eileen	Program Activ	50.00
Heartland Paper Comp	Kitchen/Clean	2,789.72	Hillyard, Inc.	HHS Custodial	346.56
Hoekman, James	Education & T	191.00	Hofer, Julie A.	Business Trav	150.00
Hosmer, David M. Law	Attorney Fees	637.96	Howe Heating & Plumb	Coliseum Repa	268.00
Howe Heating & Plumb	HHS Mainten	150.00	Howe Heating & Plumb	Jail Repairs	1,025.00
Howe Heating & Plumb	Plumbing & We	2,548.98	Howe Heating & Plumb	VOA - Dakotas	675.00
Hurtgen, Timothy T/P	Welfare Rent	500.00	Hy-Vee Accounts Rece	Pharmacies	151.97
I State Truck Center	Parts Invento	68.77	Intek/Interior Techn	Other Supplie	675.00
Interstate Office Pr	Office Suppli	1,318.80	ISS Facility Svcs-Mi	HHS Mainten	500.00
J.D.'S House Of Trop	Office Suppli	15.00	Jaros, Pete	Investigators	157.25
JCL Solutions-Janito	Janitorial/Ch	97.80	JCL Solutions-Janito	Office Suppli	2,262.48
Johnson, Crystal	Business Trav	73.00	Johnson, Richard L	Attorney Fees	84.00
Jonas, Darrell	Special Proje	19.99	Kennedy, Renee S	Court Reporte	380.80
Khorooosi, Sam	Attorney Fees	1,117.00	Kimco Usa Inc	Heavy Eq.	77,203.26
Knoff, Dave	Bd Exp. Fees	135.00	Kolbe, Robert	Welfare Rent	450.00
Larson, Jeff	Attorney Fees	1,045.20	Lewno, Lucy	Bd Exp. Fees	510.09
Lutheran Social Svcs	Interpreters	50.00	Madison Square Ptnrs	Welfare Rent	1,050.00
Mailway Printers	Museum Report	966.00	Majestic View Apartm	Amounts Held	395.00
Mckerin Software Inc	Consultants	2,501.25	McKinley County Sher	Return Of Ser	30.00
Merrow, Danielle	Welfare Rent	600.00	Midamerica Motoplex,	Automotive/Sm	4,419.99
MidAmerican Energy C	Natural Gas	1,941.12	MidAmerican Energy C	Welfare Utili	170.00
Midwest Oil Company,	Gas,Oil,Diese	395.25	Miller Funeral Home,	Burials	2,550.00

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Minn Cnty Prisoner A	Prisoner/Bond	29.89	Mobile Electronic Se	Communication	55.00
Morse Correctl Healt	Contract Serv	7,897.06	NE Dept Of Motor Veh	Copy Fees	3.00
Neve's Uniforms	Uniform Allow	69.99	Nicholson, Tschetter	Attorney Fees	1,497.67
Nyberg's Ace Hardwar	Building Repa	278.91	Oconnor Company	Heat,Vent & A	150.12
Pharmchem Inc	Testing Suppl	672.00	Pheasantland Industr	Other Supplie	12.00
Phoenix Supply Llc	Inmate Suppli	556.00	Pollard & Larson Llp	Attorney Fees	531.00
Quill Corp.	Office Suppli	104.88	Redlin, Jim Db	Parts Invento	260.28
Redwood Estates Llc	Welfare Rent	700.00	Robinson, Eugene R L	Attorney Fees	315.00
Rosenbauer/Central S	Automotive/Sm	85.35	Rural Metro Ambulanc	Transportatio	900.00
Safe Home Ltd Ptnrsh	Notes Rec (SF	-1,660.22	Safe Home Ltd Ptnrsh	Other Misc. R	-1,933.87
Safe Home Ltd Ptnrsh	Rent Subsidie	11,941.00	Sam's Club - Members	Memberships	19.88
Sam's Club - Members	Office Suppli	65.79	Sam's Club - Members	Other Miscell	228.86
Sam's Club - Members	Other Profess	137.83	Sam's Club - Members	Other Supplie	75.09
Sanford Home Medical	Medical Equip	139.44	Sanford Hospital	Blood Withdra	20.00
Sanford Hospital	Clinics - Aux	4,120.09	Satisfaction Plus In	Motels	319.00
Schoeneman Bros. Co.	Exhibit Mater	626.45	Schoeneman Bros. Co.	Program Activ	295.38
Schuelke, Nicholle	Education & T	1,200.00	SD Dept Of Revenue	Lab Costs	70.00
Sehr Rentals Llc	Welfare Rent	450.00	SF Leased Housing As	Welfare Rent	476.00
SF Leased Hsg Author	Welfare Rent	473.00	Simon, Anthony (OR)	Other Profess	70.00
Sioux Falls Chamber	Memberships	455.00	Sioux Falls Housing	Welfare Rent	315.00
Sioux Falls Rubber S	Office Suppli	18.00	Sioux Falls Two Way	Communication	26.95
Sioux Falls Utilitie	Electricity	8,900.64	Sioux Falls Utilitie	Water - Sewer	11,474.69
Sioux Falls Utilitie	Welfare Utili	71.38	Sioux Valley Energy	Welfare Utili	517.17
Skorczewski, Jena	Court Reporte	609.20	Sturdevant's Auto Pa	Parts Invento	112.74
Swanda, Karen	Bd Exp. Fees	30.00	T & R Contracting, I	Contr Co	182,036.07
Taylor Place Llc	Welfare Rent	1,200.00	Tires,Tires,Tires In	Automotive/Sm	3,438.69
Tires,Tires,Tires In	Gas,Oil,Diese	99.19	Tires,Tires,Tires In	HODTA Grant	26.40
Tower Campground/Dav	Welfare Rent	500.00	Tower Of David, Ltd	Welfare Rent	335.00
Trane	Heat,Vent & A	977.92	Ultramax	Ammunition	2,630.00
Vantek Communication	Other Profess	50.00	Variety Foods Llc	Other Profess	206.60
Vb Falls Park Apts	Welfare Rent	700.00	Verizon Wireless	Data Processi	1,023.26
Verizon Wireless	HIDTA Grant	93.50	Verizon Wireless	Safety & Resc	123.16
Verizon Wireless	Telephone	4,758.98	Voigt, Debra	Attorney Fees	98.40
Walgreen Co.	Pharmacies	2,026.53	Walsh, Seamus	Education & T	36.00
Wheelco Brake & Supp	Truck Repair/	94.82	Wilka & Welter Llp	Attorney Fees	2,343.43
Wirelessworld Verizo	Investigators	129.98	Xcel Energy, Inc.	Electricity	57,761.25
Xcel Energy, Inc.	Road Maint. &	31.79	Xcel Energy, Inc.	Welfare Utili	2,247.60
Yankton County Sheri	Return Of Ser	75.00	Zahrbock Kool, Tress	Attorney Fees	1,500.00
Zimmer, Duncan & Col	Attorney Fees	1,529.00	Commission	Salaries	43,007.28
Auditor	Salaries	56,688.63	Treasurer	Salaries	92,544.47
Info Technology	Salaries	86,743.21	States Attorney	Salaries	274,910.12
Public Defender	Salaries	197,715.56	Public Advocate	Salaries	53,168.15
Facilities	Salaries	80,341.27	Equalization	Salaries	100,306.51
Register Of Deeds	Salaries	59,568.09	Human Resources	Salaries	28,778.39
Sheriff	Salaries	1,178,406.65	Juvenile Detent	Salaries	226,193.03
Highway	Salaries	177,049.29	Human Services	Salaries	146,043.56
Museum	Salaries	80,156.33	Planning	Salaries	55,730.77
Extension	Salaries	4,047.36			

PERSONNEL

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

1. To hire Adam Zishka as Deputy Sheriff (16/4) for the Sheriff's Office at \$21.061/hour effective 11/6/13.
2. To demote Ryan Bakeberg from Corporal to Correctional Officer (13/1) for the Jail at \$16.864/hour effective 10/26/13.
3. To promote Justin Fritz from Correctional Officer in Training to Correctional Officer (13/1) for the Jail at \$16.864/hour effective 9/15/13.
4. To correct the memo dated 10/29/13 which should have reflected an hourly rate of \$26.960, as opposed to

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\$26.90 for Vance Siemonsma.

5. To accept the resignation of Megan Hanson as temporary, part-time Juvenile Correctional Worker for the Juvenile Detention Center effective 10/25/13.
6. To end the temporary, part-time employment of Gregg Kringen as Parks Worker for the Parks Department effective 10/31/13.

#### Step Increases Due

1. Daniel Burzlaff – Correction Systems Operator – Jail – 9/1 to 9/2 – 9/24/13 – \$14.188 /hour
2. Douglas Arntz – Correctional Officer – Jail – 13/4 to 13/5 – 10/15/13 – \$18.615 /hour
3. Derek Kuchenreuther – Deputy Sheriff – Sheriff’s Office – 16/10 to 16/11 – 11/3/13 – \$25.035 /hour
4. Damon Griffith – Deputy Sheriff – Sheriff’s Office – 16/5 to 16/6 – 11/2/13 – \$22.128 /hour
5. Michael Walker – Deputy Sheriff – Sheriff’s Office – 16/5 to 16/6 – 8/21/13 – \$22.128 /hour
6. Jeff Thoreson – Deputy Sheriff – Sheriff’s Office – 16/8 to 16/9 – 10/21/13 – \$23.829 /hour
7. Angela Runnels-Murphy – Senior Deputy Public Defender – Public Defender’s Office – 22/3 to 22/4 – 11/3/13 – \$2,380.72/bi-weekly
8. Rebecca Carpenter – Legal Office Assistant – State’s Attorney’s Office – 10/8 to 10/9 – 10/25/13 – \$17.718 /hour

#### Special Commission Action Requests

1. To recognize the following significant employee anniversaries for November 2013: 30 Years – Mary Lipelt, Lisa Berens; 15 Years – Russell Drexler; 10 years – Rexford Smith Jr., Lindsey Butcher, Matthew Aanenson, Rebecca Martell, Seamus Walsh, Amy West; 5 Years; Angela Runnels-Murphy, Shelly Sjovold
2. To record volunteers in County Departments for October 2013. The list is on file in Human Resources.

#### NOTICE

MOTION by Heiberger, seconded by Kelly, to authorize the Auditor to publish a notice of hearing on November 26, 2013 at 5:00 p.m. to consider amendments to the 2002 revised Joint Zoning Ordinance for Minnehaha County and the City of Sioux Falls to rezone from the Revised Resurrection Planned Development to A-1 Agricultural District, property legally described as Tract 2 of Resurrection Addition, N ½ Section 31-T101N-R50W. The hearing will be held at Carneige Town Hall, 235 W. 10<sup>th</sup> Street, Sioux Falls. 4 ayes.

#### REQUEST

Mary Tidwell with the Sioux Falls Area Community Foundation requested \$5,000 in financial support for the community-based planning project Sioux Falls Tomorrow III, and for a representative from Minnehaha County to serve on the steering committee for the project. The foundation is also seeking financial support and leadership

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from the Sioux Empire United Way, Sioux Falls Area Chamber of Commerce, the City of Sioux Falls, the Sioux Falls School District, and Lincoln County. The project is scheduled to run from January through May 2014. Commissioner Heiberger stated she is not in favor of supporting the request for the full \$5,000 because many non-profits that came forward with their requests during the budget process were denied or only given a small fraction of what they asked for due to budget constraints. Ms. Heiberger stated she would support 50% of their funding request. Commissioners Beninga, Barth, and Kelly spoke on the benefits and growth in Minnehaha County and the City of Sioux Falls as a result of the Sioux Falls Tomorrow project in 1994 and Sioux Falls Tomorrow II project in 2004. MOTION by Kelly, seconded by Barth, to support the Sioux Falls Tomorrow III project in the amount of \$5,000 taken from the Commission Contingency Fund. 3 ayes, Heiberger voted nay. The Commission will appoint a county representative to the steering committee after receiving dates of when the meetings will be held.

#### BRIEFINGS

Travis Dressen, Sioux Falls Area Engineer for the South Dakota Department of Transportation, gave an update on South Dakota Highway 100 which extends from Timberline Road, exit 402 on Interstate 90 going southwest to County Highway 106 in Lincoln County, which is the Tea interchange.

Joshua Peterson with the City of Sioux Falls gave an update on the Downtown Sioux Falls Rail Yard Redevelopment Project. Mr. Peterson reported that the project has been scaled back and the project construction will be within the Sioux Falls city limits.

#### HEARING

Bob Litz, Auditor, was present for the public hearing that was held to consider supplements from the General Fund to the Safe Home Budget and Sheriff Budget. The supplements represent various donations or grant funds. MOTION by Barth, seconded by Kelly, to approve a supplement from the General Fund to the Safe Home Budget \$3,100.53, ASN 18180 representing donations, and from the General Fund to the Sheriff Budget, \$21,908.27 ASN 16544 contributions from outside agencies utilizing the shooting range, \$263.37 ASN 16573 donations to the Explorer Program, \$11,546.09 ASN 16575 unspent funds received from Federal Asset Forfeiture program, \$3,993.42 ASN 16576 donations to School Resource Programs, \$4,477.14 ASN 16579 funds associated with COPS Meth Grant. 4 ayes.

#### BRIEFING

Shannon Schultz, Senior Project Engineer, gave a briefing on the status of proposals received for the development and installation of a Pavement Management System. Mr. Schultz reported that two proposals were received and they have been reviewed by the Technical Review Committee. The committee has selected their preferred team and has begun contract negotiations to refine the scope. Because of federal participation on this project, SDDOT contracts and procedures are being utilized. The SDDOT Audit department has been working with the selected firm and its sub-consultant to get approved audited rates, allowable over-head costs, etc. The contract will be presented to the Commission for consideration on November 12, 2013.

#### EASEMENTS

Shannon Schultz, Senior Project Engineer, gave a briefing on Temporary Construction Easements and H-Plats required for Project #50-215-010 Structure Replacement NE of Dell Rapids from the following landowners: Dell Rapids School District, Parcel ID 22947; Terence P. and Alice D. Hansen, Parcel ID 18672 & 18728; and Thomas L. Hansen, Parcel ID 18676. Terence P. and Alice D. Hansen and Thomas L. Hansen have donated the land including the easements. The Dell Rapids School District will be paid \$490 for the H-Plat and \$404.72 for the Temporary Easement. Commissioner Heiberger stated her disappointment in the Dell Rapids School District charging the county considering they are getting a new bridge for their buses to cross over and she thinks it is unfortunate that we couldn't work together. Commissioner Barth commended the Hansen brothers for giving us

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the land and easements at no charge. MOTION by Barth, seconded by Heiberger to authorize the Chairman to approve the Right of Way Agreements and Temporary Construction Easements for Project 50-215-010. 4 ayes.

Commissioner Pekas joined the meeting.

#### VEHICLE TRANSFER

Shannon Schultz, Senior Project Engineer, requested the following vehicles be declared as surplus and authorize the transfer of the asset from the Highway Department to the departments that are using the vehicles: Tag #54620, 74070, 61290, 74030, and 71560 to the Director of Equalization; Tag #74050, 59830, and 77030 to Planning & Zoning; Tag #70600, 77480, and 77490 to Commission Office; Tag #72680 to Emergency Management; and Tag #45020 to Facilities. MOTION by Barth, seconded by Kelly to declare the vehicles as surplus. 5 ayes. MOTION by Kelly, seconded by Heiberger to approve the transfer of the vehicles from the Highway Department to the departments as listed. 5 ayes.

#### SUPPLEMENT

MOTION by Pekas, seconded by Barth to approve a supplement of \$794,631.49 from the Highway Fund to the Highway Budget ASN 17298 Contracted Construction \$611,587.48, representing reimbursement from the State of South Dakota for Surface Transportation Program SWAP funds; ASN 17255 Road Maintenance and Materials \$177,844.01, representing reimbursement from the State of South Dakota and FEMA for the ice storm clean-up; and ASN 17258 Weed Chemicals \$5,200, representing reimbursement from the 2013 Weed and Pest Grant Program. 5 ayes.

#### AGREEMENTS

Kristin Trana, Administrative Coordinator for the Sheriff's Office, gave a briefing on the 2014 Police Service Agreements. The hourly rate will be increased from \$30.15 in 2013 to \$31.30 in 2014. MOTION by Barth, seconded by Pekas to authorize the Chairman to sign the 2014 Police Service Agreements between Minnehaha County and the Cities of Baltic, Colton, Crooks, Dell Rapids, Garretson, Hartford, Humboldt, and Valley Springs. 5 ayes.

#### LIAISON REPORTS

Commission Heiberger reported on the Housing Advisory Board (HAB) meeting and stated that they have decided to send a letter to Ed Lightenberg, Director of Parole Division, DOC, and ask for a presentation to be given to the HAB and the County Commission regarding Senate Bill 70 and how they are going to house the individuals that will be released from the State Penitentiary.

Commissioner Heiberger reported that there will be approximately 80 community members attending the One Sioux Falls gathering beginning at 7 a.m. on November 7<sup>th</sup> at the Falls Park Café. They will be discussing and looking for solutions to low income housing, affordable housing, homelessness, poverty, and wages. Stacey Tieszen is the contact person for the gathering and it will be hosted by Vernon Brown. The guest speaker will be Linda Couch, Sr. Vice President of Policy and Research at the National Low Income Housing Coalition.

Commissioner Barth reported that the Public Advocate's Office is in need of temporary part-time help to do end of the year filing.

MOTION by Barth, seconded by Kelly to go into executive session for personnel and litigation discussions and to reserve the possibility to reconvene in regular session after the executive session. 5 ayes.

MOTION by Pekas, seconded by Heiberger, to move out of executive session. 4 ayes. Commissioner Barth was absent.

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

The Commission adjourned until 9:00 a.m. on Tuesday, November 12, 2013.

APPROVED BY THE COMMISSION:

Gerald Beninga  
Chairman

ATTEST:

Cynthia Jepsen  
Deputy Auditor