

11/18/2014

THE MINNEHAHA COUNTY COMMISSION CONVENE AT 9:00 A.M. November 18, 2014 pursuant to adjournment on November 12, 2014. Commissioners present were: Barth, Heiberger, Kelly, and Pekas. Commissioner Beninga was in attendance via video/audio conference link. Also present were Cindy Jepsen, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State’s Attorney.

Chairman Heiberger called the meeting to order.

MOTION by Pekas, seconded by Kelly, to amend the agenda by moving Item 10 before Item 2. 5 ayes.  
 MOTION by Pekas, seconded by Kelly, to approve the agenda as amended. 4 ayes. Barth voted nay.

RESOLUTION

Sherri Rotert, Attorney with Novellus Law, requested a one week deferral for consideration of approval of a resolution giving final approval to a project with Augustana College Association and the Issuance of Economic Development Revenue Bonds to finance the Froiland Science Complex. The documents and resolution previously provided include one purchaser and one bond. Since that time there is one additional bank that would like to participate. The documents and resolution need to be revised to include two purchasers and two bonds. MOTION by Pekas, seconded by Barth, to defer consideration of a resolution giving final approval to the issuance of Economic Development Revenue Bonds for Augustana College Association to finance the Froiland Science Complex to the November 25, 2014 Commission Meeting. 5 ayes.

MINUTES APPROVAL

MOTION by Kelly, seconded by Pekas, to approve the November 12, 2014, Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Pekas, seconded by Barth, to approve the following bills in the amount of \$413,718.17. Commissioner Pekas and Barth commented on bills submitted for Court Appointed Attorney services. Commissioner Pekas stated that the County is obligated to pay court appointed attorney bills that are reviewed and signed by a judge which result in a lien being placed on the individual receiving the services. Pekas stated that the Auditor should be advised that the Commission will be asking for access to vendor files to allow a review of these bills. Barth stated that the County budgets for court costs which are out of the County’s control, and the only alternative is to hire additional Public Defenders and Public Advocates. Kersten Kappmeyer, Chief Civil Deputy State’s Attorney reminded the commission that there is a remedy to objecting to court-ordered legal bills when there is no legal authority for them to be paid in a certain case. In those appropriate cases, the State’s Attorney’s Office with Commission authorization can, and has brought, a case to the South Dakota Supreme Court to challenge such bills and get them set aside. VOTE on motion. 5 ayes.

A & B Business Equip	Office Equipm	71.31	A-1 Septic Tank & Ex	Parks/Recreat	145.00
Amazon.Com	Books	59.54	Amazon.Com	Furniture & O	159.00
Aberdeen Ventures Ll	Education & T	166.00	Abn Army Surplus	Volunteer Per	563.98
Allied Oil & Tire Co	Automotive/Sm	56.00	Allied Oil & Tire Co	Truck Repair/	38.00
Amazon Mktplace Pmts	Data Processi	1,447.18	American Correctiona	Education & T	101.00
American Engineering	Architects &	1,203.50	American Polygraph A	Memberships	150.00
Argus Leader - Adver	Advertising	320.00	Argus Leader - Adver	Publishing Fe	580.28
Armor Correctional H	Detox	48,015.81	At & T	Safety & Resc	40.60
Avera Health Informa	Medical Recor	15.60	Avera McKennan Hosp	Expenditures	39.00
Avera McKennan Hospi	Hospitals	9,336.00	Avera Radiology	Other Profess	23.87
Barco Products	Building Repa	148.86	Bargain Barn Tire Ct	Automotive/Sm	12.00
Barnes & Noble.Com	Education & T	5.98	Bartels, Amber	Office Suppli	29.97
Batteries Plus/Onesk	Building Repa	1.69	Batteries Plus/Onesk	Janitorial/Ch	29.60
Bechtel, Dave	Welfare Rent	500.00	Bechtel, Donald J	Welfare Rent	400.00
Best Buy	Data Processi	129.99	Best Buy	Furniture & O	29.98

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Best Buy	Office Suppli	49.99	Best Buy	Telephone	359.82
Best Western Ramkota	2012 HLS Grant	-92.06	Big D Oil Co	Gas,Oil,Diese	45.05
Billion's	Gas,Oil,Diese	104.75	Bob's Lock & Key/Haw	Automobiles	8.05
Bob's Lock & Key/Haw	Other Miscell	6.55	Border States Electr	Correction Ct	84.11
Bourne, Anna	Bd Evaluation	1,237.50	Boyer Trucks Sioux F	Truck Repair/	820.36
Bp Products North Am	Business Trav	65.14	Brown & Saenger	Office Suppli	133.45
C & R Supply Inc	Automotive/Sm	158.72	Campbell Supply Co I	Automotive/Sm	65.07
Campbell Supply Co I	Bridge Repair	39.98	Campbell Supply Co I	Building Repa	4.78
Campbell Supply Co I	Plumbing & We	9.98	Campbell Supply Co I	Small Tools,	165.85
Canton Home & Farm S	Truck Repair/	510.05	Carlson, Lisa	Court Reporte	231.20
Carper, Nichole A	Attorney Fees	1,325.25	Cartridge World	Data Processi	2,710.61
Cartridge World	Office Suppli	425.96	Caseys	Business Trav	56.22
Caseys	Education & T	19.79	Caseys	Gas,Oil,Diese	30.00
Cbm Managed Services	Child Care Fo	5,511.78	Cedar Shore	Business Trav	283.50
Cellular Only - Dawl	Hidta Grant	59.99	Cellular Only - Dawl	Telephone	1,088.80
Center For Family Me	Other Profess	462.00	Certified Auto Glass	Automotive/Sm	45.00
Certified Auto Glass	Motor/Machine	155.00	Chemco, Inc.	Child Care It	53.69
Christopherson, Ande	Attorney Fees	1,926.71	Civil Design Inc	Architects &	581.50
Cliff Acceptance Cor	Welfare Rent	325.33	Climate Systems, Inc	Heat,Vent & A	167.92
Climate Systems, Inc	VOA - Dakotas	167.92	Cohoon, Scott	Welfare Rent	575.00
Cole Papers, Inc.	Janitorial/Ch	233.05	Columbia Dam Llc	Welfare Rent	600.00
Constellation New En	Natural Gas	12,310.59	Country Meadows Apts	Welfare Rent	600.00
Country View Mhc	Welfare Rent	297.00	Courtyard By Marriot	Education & T	142.68
Crescent Electric Su	Electrical Re	79.74	Crescent Sales	2013 HLS Grant	599.10
Crutchfield.Com	Automotive/Sm	59.99	Cruzers Pitstop	Business Trav	31.33
Dakota Data Shred	Trash Removal	128.04	Dakota Enhancement L	Welfare Rent	595.00
Dakota Fluid Power,	Automotive/Sm	196.03	Dakota Fluid Power,	Truck Repair/	888.94
Dakota Hardscape Sup	Grounds & Par	562.89	Dakota Supply Group,	Building Repa	80.28
Dakotaland Autoglass	Automotive/Sm	79.98	Daves Automotive	Automotive/Sm	707.40
Days Inn	Education & T	-4.25	Deboer Law Office Pc	Attorney Fees	630.75
Decastro Law Office,	Attorney Fees	6,377.10	Der Hagopian Law Off	Attorney Fees	3,133.52
Dicks Vacuum East	Correction Ct	21.95	Duffy, Ryan	Attorney Fees	4,601.83
Dwd Mtn Grand Hotel	Business Trav	208.00	Eastern Farmers Coop	Education & T	37.40
Ebert's Properties,	Motels	650.00	Eh Hospitality Llc	Motels	1,185.00
Eirinberg, James A	Attorney Fees	3,603.31	Electric Innovations	Outside Repai	1,072.00
Elgss - Wameworks I	Cobra Insuran	1,552.95	Engels Law Office Pc	Attorney Fees	443.70
Evans, Jerald L	Welfare Rent	650.00	Evident Inc	2013 HLS Grant	102.00
Expedia	Business Trav	-106.15	Expedia	Education & T	197.14
Fairfield Inn&Suites	Business Trav	166.00	Family Vac	Correction Ct	51.00
Fareway Stores, Inc	Supplemental	69.50	Fastenal Company	Jail Repairs	13.20
Fish, Veronica Crt	Depositions	56.45	Fitts, Rod Db	Welfare Rent	1,600.00
Fleetpride / Holt, I	Truck Repair/	65.76	Folsland, David/Cind	Store Invento	228.00
Fonder, Roger M Db	Automotive/Sm	56.06	Formatop Co	Exhibit Mater	246.20
Freedom 16	Automotive/Sm	9.00	Freedom 16	Gas,Oil,Diese	69.71
Fremont Industries,	Heat,Vent & A	1,600.96	Fresh Start Convenie	Business Trav	9.50
Fresh Start Convenie	Gas,Oil,Diese	83.02	Frontier Ai	Education & T	40.00
Fuller & Williamson,	Attorney Fees	922.00	G & R Controls Inc	Electrical Re	290.00
G & R Controls Inc	Heat,Vent & A	179.28	G And H Distributing	Jail Repairs	11.97
Gannett NSSC/Sioux F	Education & T	53.92	Gannett NSSC/Sioux F	Office Suppli	14.29
Gannett NSSC/Sioux F	Other Profess	224.07	Gas Lite Manor Ltd P	Welfare Rent	55.00
Gas Stop	Automotive/Sm	10.00	George, Aaron	Welfare Rent	747.50
Geotek Engineering &	Architects &	760.25	Godaddy.Com	Data Processi	10.78
Golden West	Telephone	128.69	Goode To Go	Gas,Oil,Diese	20.00
Graham Tire Co. - Do	Automotive/Sm	21.59	Grainger, Inc.	Electrical Re	83.58
Grainger, Inc.	Jail Repairs	95.88	Grainger, Inc.	Small Tools,	89.45
Graybar Electric Com	Correction Ct	51.30	Graybar Electric Com	Electrical Re	2,091.34
Graybar Electric Com	Jail Repairs	145.20	Graybar Electric Com	VOA - Dakotas	147.66
Gustave A. Larson Co	Heat,Vent & A	175.86	Guzman, Sandra V.	Interpreters	150.00
H & L Enterprises	Welfare Rent	525.00	Hall, Vien V	Interpreters	50.00
Hander, Inc.	Building Repa	736.65	Handy Man Inc	Plumbing & We	2.99
Harms Oil Company	Gas,Oil,Diese	59.26	Harold's Photo Cente	Other Profess	15.96
Heritage Funeral Hom	Burials	1,000.00	Hilton Hotels	Business Trav	741.80
Hilton Hotels	Education & T	741.80	Hobby Lobby Stores I	Exhibit Mater	157.34
Hobby Lobby Stores I	Program Activ	48.77	Holiday Inn City Cen	Business Trav	154.00
Holiday Inn City Cen	Witness Fees/	-112.78	Holiday Inn St Paul	Program Activ	1,305.10

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Holiday Inn-Downtown	Business Trav	562.50	Holiday Stnstore	Gas,Oil,Diese	55.16
Home Federal Savings	Welfare Rent	1,292.92	Hov Services Inc	Microfilming	167.20
Hy-Vee Accounts Rece	Other Profess	12.42	Hy-Vee Accounts Rece	Other Supplie	22.13
Hy-Vee Accounts Rece	Pharmacies	418.45	Hy-Vee Accounts Rece	Postage	26.09
Hy-Vee Accounts Rece	Supplemental	76.05	Ikea Home Shopping	Exhibit Mater	124.94
Institutions Service	Jail Repairs	-302.11	Interstate All Batte	Bldg/Yard Rep	343.80
Interstate All Batte	Electrical Re	154.80	Interstate All Batte	Heavy Eq. Rep	589.70
Interstate Office Pr	Office Suppli	3,139.18	ISI Llc	Interpreters	180.00
J.C. Penney Company,	Uniform Allow	71.98	Jaros, Pete	Investigators	86.95
Jcl Solutions-Janito	Child Care It	256.36	Jcl Solutions-Janito	Janitorial/Ch	136.02
Jefferson Partners L	Transportatio	3,602.00	Jh Larson Company	Other Repairs	28.07
Jim & Ron's Service	Other Profess	1,170.00	Johnson, Donald E	Automotive/Sm	2,465.00
Johnson, Richard L	Attorney Fees	261.00	Johnstone Supply	Heat,Vent & A	69.72
Johnstone Supply	Jail Repairs	47.66	Kading, Kunstle & Go	Attorney Fees	556.00
Kauffman, David W. P	Psych Evals	6,490.50	Kelco Supply Co	2013 HLS Grant	214.12
Kittelson, Joan M	Bd Exp. Fees	15.00	Kmart	Office Suppli	65.93
Knecht, Andrew J	Attorney Fees	600.30	Kone, Inc.	Other Profess	57.16
Kum & Go	Business Trav	73.01	Kum & Go	Education & T	54.07
Kum & Go	Work Mileage	91.00	Lakeview Sinclair	Gas,Oil,Diese	34.45
Language Line Servic	Interpreters	182.28	Larson, Jeff	Attorney Fees	1,663.95
Laughlin, Nicole	Attorney Fees	781.80	Leads Online	Data Processi	2,148.00
Learndevnow.Com	Education & T	99.99	Lewis Drug Stores	Office Suppli	7.98
Lewis Drug Stores	Pharmacies	3,051.37	Lexjet	Exhibit Mater	796.00
Lowes Credit Service	Bridge Repair	56.88	Lowes Credit Service	Building Repa	512.80
Lowes Credit Service	Small Tools,	522.58	Lutheran Social Svcs	Interpreters	112.50
Lutheran Social Svcs	Other Profess	1,465.47	M&H	Gas,Oil,Diese	32.69
Mac's, Inc.	Jail Repairs	55.12	Mailway Printers	Publishing Fe	171.22
Malloy Electric Bear	Truck Repair/	135.50	Marco	Lease-Rental	170.00
Marco	Maintenance C	137.93	Matheson Tri-Gas Inc	Heat,Vent & A	20.00
Matheson Tri-Gas Inc	Plumbing & We	65.98	Maxwell Food Equipme	Child Care Fo	39.98
McFarland Supply Co	Electrical Re	45.77	Menards - East	Automotive/Sm	52.93
Menards - East	Bldg/Yard Rep	224.32	Menards - East	Correction Ct	8.99
Menards - East	HHS Maintenan	102.91	Menards - West	Building Repa	17.96
Menards - West	VOA - Dakotas	20.00	Metro Communications	Attorney Fees	30.00
Metro Communications	Clinics - Aux	60.00	Metro Communications	Other Miscell	24,204.59
Michaelson, Shirley	Welfare Rent	500.00	MidAmerican Energy C	Natural Gas	2,664.82
MidContinent Communi	Telephone	55.00	Midwest Lift Works L	Automotive/Sm	440.00
Midwest Oil Company,	Fuel Oil	2,321.33	Minn Cnty Human Svcs	Other Supplie	139.60
Minnehaha Community	Park/Recreati	25.00	Minnehaha Community	Tea-Ellis Ran	30.00
Mobile Electronic Se	Communication	200.00	Monick Pipe & Supply	Jail Repairs	961.51
Mopec	2013 HLS Grant	1,890.66	Morphotrak	Lease-Rental	3,325.00
Multi-Cultural Cente	Interpreters	838.75	Murray Properties, L	Welfare Rent	1,465.00
Naco	Co Dept Bill-	403.00	Natl Tactical Office	Memberships	150.00
Nelson, Barb	Welfare Rent	800.00	Neve's Uniforms	Uniform Allow	5,164.75
Neve's Uniforms	Volunteer Per	48.95	Nguyen, Lam	Interpreters	60.00
Nicholson, Tschetter	Attorney Fees	555.15	Nor*Northern Tool	Bridge Repair	228.45
Norberg Paints Inc	HHS Maintenan	57.99	Notary Law Institute	Education & T	267.00
Novak Sanitary Servi	Tea-Ellis Ran	74.00	Novak Sanitary Servi	Trash Removal	2,487.56
Nyberg's Ace Hardwar	Correction Ct	50.57	Nyberg's Ace Hardwar	Elec Motor,Ma	5.98
Nyberg's Ace Hardwar	HHS Maintenan	85.95	Nyberg's Ace Hardwar	Jail Repairs	122.95
Nyberg's Ace Hardwar	Park/Recreati	1.69	Nyberg's Ace Hardwar	Small Tools,	83.30
Nyberg's Ace Hardwar	Store Invento	4.49	Oasis Inn	Education & T	231.00
Oconnor Company	Jail Repairs	473.00	Office Depot, Inc.	Furniture & O	157.28
Office Depot, Inc.	Office Suppli	1,104.41	Officemax	Office Suppli	104.69
Old Navy 3372	Uniform Allow	69.88	Omicare	Clinics - Aux	26.29
Papa John's	Other Miscell	-3.90	Parkview, Llc	Welfare Rent	214.00
Paylessshoesou	Other Profess	19.99	Paypal	Education & T	440.00
Paypal	Memberships	120.00	Paypal	Other Miscell	1.95
Pc Gold	Electrical Re	154.97	Pfeifer Implement Co	Motor/Machine	63.58
Pfeifer Implement Co	Park/Recreati	221.98	Pilot	Business Trav	44.80
Prahm Construction I	Contracted Co	91,028.50	Printersupplies.Com	Data Processi	23.00
Pro Tect Computer Pr	Data Processi	334.55	Psych Assoc Of Yankt	Bd Evaluation	600.00
Qualified Presort Se	Postage	345.63	R & L Supply, Ltd	Plumbing & We	145.92
Raak Properties Llc	Welfare Rent	700.00	Radisson Hotel - Rap	Education & T	91.00
Ramkota Inn	Business Trav	-7.06	Record Keepers, Inc.	Records Stora	2,432.88

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Redi Towing Inc	Other Profess	186.50	Richard-Ewing Equipm	Correction Ct	60.75
Robsons Inc Db	Other Supplie	47.94	Robsons Inc Db	Plumbing & We	6.99
Robsons Inc Db	Small Tools,	14.99	Roemens Automotive I	Automotive/Sm	418.58
Ronke & Feist Law Fi	Attorney Fees	944.70	Safety Benefits, Inc	Safety Commit	65.00
Sanford Hosp USD Med	Education & T	200.00	Sanford Hospital Med	Medical Recor	34.00
Scheels All Sports	Program Equip	49.99	Scheels All Sports	Uniform Allow	80.00
SD Attorney General	Amts Held-Dai	15,917.00	SD Dept Of Revenue	Bulletin Boar	134.43
SD Dept Of Revenue	Fingerprint/T	193.16	SD Dept Of Revenue	Gis Revenue	3.11
SD Dept Of Revenue	Misc. Auditor	10.32	SD Dept Of Revenue	Misc. Dir. Eq	37.50
SD Dept Of Revenue	Misc. Plannin	2.43	SD Dept Of Revenue	Misc. Treasur	17.74
SD Sheriff's Assn.	Education & T	75.00	Senior Citizens Svcs	Advertising	54.00
Shell Oil	Gas,Oil,Diese	74.98	Sherwin Williams	HHS Maintenanc	102.75
Sioux Empire Housing	Other Miscell	100.00	Sioux Falls City Fin	Gas,Oil,Diese	15,459.83
Sioux Falls City Fin	HIDTA Grant	199.99	Sioux Falls Rubber S	Office Suppli	67.00
Sioux Falls Utilitie	Water - Sewer	2,480.92	Sioux Falls Utilitie	Welfare Utili	81.59
Sioux Valley Energy	Electricity	247.57	Sioux Valley Energy	Road Maint. &	130.77
Sioux Valley Energy	Tea-Ellis Ran	94.45	Skorczewski, Jena	Court Reporte	129.20
Sodaktac.Com	Other Supplie	29.99	Solomon, Ghirmay	Interpreters	150.00
Spring Centre Apts L	Welfare Rent	500.00	Staples	Office Suppli	11.99
Stenopat Ltd Inc	Depositions	61.50	Stone's Truck Stop	Education & T	38.17
Stoney Creek Townhom	Welfare Rent	314.00	Stronghold Counselin	Psych Evals	978.00
Swaney, Dawn	County Cemete	50.00	Swenby, Dianne	Welfare Rent	297.50
Swier Law Firm Prof	Attorney Fees	2,418.60	Szameit, Alexandra	Interpreters	250.00
T&K Enterprises Db	Investigators	121.00	Tanos, Zsuzsa	Vehicle Equip	262.49
Tasso, Richard	Welfare Recov	50.00	Tessman Seed Comp	Grounds & Par	252.26
The Home Depot	Small Tools,	150.92	The Ups Store	Postage	54.12
Thorin, Deyanira T	Interpreters	500.00	Timberline Apts Llc	Welfare Rent	395.00
Tires, Tires, Tires	Automotive/Sm	673.33	Tires,Tires,Tires In	Gas,Oil,Diese	82.61
Transunion Risk & Al	Investigators	18.25	Turning Leaf Llc	Welfare Rent	775.00
UJS Circuit Court D	Court Reporte	10.00	Uline	2013 HLS Grant	684.84
United Air	Business Trav	1,130.10	Usps.Com	Other Profess	20.05
Usps.Com	Postage	466.06	Usps.Com	Store Invento	5.95
Variety Foods Llc	Other Profess	297.04	Vitito, Dale Db	Uniform Allow	228.99
Vogel Motors Llc	Gas,Oil,Diese	33.00	Voigt, Debra	Attorney Fees	1,183.00
Volunteers Of Americ	Alternatives	14,987.92	Wal-Mart	Other Profess	121.09
Wal-Mart	Other Supplie	214.88	Wal-Mart Pharmacy	Inmate Suppli	59.88
Wal-Mart Pharmacy	Other Profess	170.53	Wal-Mart Pharmacy	Other Supplie	122.86
Wal-Mart Pharmacy	Pharmacies	4.00	Wal-Mart Pharmacy	Supplemental	19.48
Wal-Mart Pharmacy	Telephone	93.44	Walmart Co.	Pharmacies	248.41
Wall Lake Sanitary D	Water - Sewer	70.00	Waltner, Kolbeck, Sc	Attorney Fees	8,955.73
Waltner, Kolbeck, Sc	Child Defense	2,315.80	Weber, Jamie Db	Attorney Fees	2,989.00
Weerheim, Tom	Attorney Fees	1,035.30	Weiland & Assoc Inc	Jury Fees	257.89
Whentowork Inc	Clinics - Aux	126.00	Wilka & Welter Llp	Attorney Fees	2,417.05
Xcel Energy, Inc.	Welfare Utili	694.96	Xp Solutions	Software	1,025.00

REPORTS

The Register of Deeds Official Statement of Revenue Collected During October, 2014, the Minnehaha County General Fund Surplus Analysis as of 9/30/14 (Unassigned Fund Balance \$1,125,278.68, 2.28% of the 2014 General Fund Budget); and the Auditor's Account with the County Treasurer as of October 31, 2014 were received and placed on file in the Auditor's Office.

On Deposit in Banks	
Interest-bearing open accounts	73,804,912.51
CD's and savings	15,000,000.00
Cash	21,594.11
Checks/drafts in Treasurer's possession for more than 3 days	4,985.89
Total Cash on Hand	88,831,492.51
Oct. Safe Home payment not receipted by Treasurer until Nov.	(7,351.91)
Total Reconciled AS/400 Cash Balance	88,824,140.60

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PERSONNEL

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

1. To accept the resignation of Christopher Pudwill as temporary, part-time Safe Home Program Worker for Safe Home effective 10/31/14.
2. To end the temporary, part-time employment of Jennifer Vaernhoej as Correctional Officer for the Jail effective 11/10/14.

Step Increases Due

1. Patricia Olthoff – Senior Computer Support Technician – Information Technology – 17/13 to 17/14 – 11/10/14 – \$28.61/hour
2. Rexford Smith – Corporal – Jail – 16/9 to 16/10 – 10/21/14 – \$24.67/hour
3. Nathan Krueger – Correctional Officer – Jail – 13/6 to 13/7 – 10/4/14 – \$19.75/hour

NOTICES

MOTION by Barth, seconded by Pekas, to authorize the County Auditor to publish a notice to bidders for Minnehaha County Highway Project MC14 50-290-135, replacing structure 50-290-135 located on 483<sup>rd</sup> Avenue approximately 2 ½ miles north and 1 mile east of Corson. 5 ayes.

MOTION by Pekas, seconded by Barth, to authorize the County Auditor to publish a notice to bidders for Minnehaha County Highway Project MC 14-16, consisting of grading, rip-rap, and miscellaneous repairs to drainage structures throughout Minnehaha County through the Emergency Response Program. 5 ayes.

Commissioner Pekas gave a briefing on a request for compromise of lien for DPNO 36872 and 49129. The applicant is requesting a compromise and release of the liens in full with no payment in an attempt to become eligible for a home ownership program administered by Hunkpati Investments. DPNO 36872 originated in Tripp County and is in the amount of \$8,387.56. Minnehaha County's portion of this lien is \$2,374.80 consisting of rent, utilities, public defender, and other poor relief services provided between 1996 and 2008. DPNO 49129 is in the amount of \$1,630.52 and is in the name of the applicant and her ex-husband. This lien is for rent and utilities provided between 2002 and 2003. All services were requested by the applicant prior to the couple's divorce. A lien also exists in the name of the applicant's current husband that could potentially impede completion of a real estate transaction. That lien is DPNO 65674 in the amount of \$1,104.60 and is for public defender services. The applicant lists assets of \$5,000 consisting of two vehicles, liabilities of \$8,346.43 consisting of debts to Hunkpati Investments and a bank loan owed to West Lakes Financial Services. Commissioner Pekas stated he is concerned that we don't know if the applicant is actually attempting to refinance or purchase a home, and also that the applicant has stated that she has lost three sources of income. Commissioner Barth stated that he agrees with Commissioner Pekas and he would like to defer this item for two weeks to allow time to gather more information from the applicant. MOTION by Barth, seconded by Pekas, to defer this item until the December 2, 2014 commission meeting. SUBSTITUTE MOTION by Kelly to deny the request for compromise of lien. Motion dies for lack of a second. VOTE on main motion 4 ayes. Kelly voted nay.

Commissioner Pekas gave a briefing on a request for compromise of lien for DPNO 71459 in the amount of \$2,856.07. The request was submitted by Attorney Grant Alvine on behalf of his client. The lien is for public

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defender, public advocate, and poor relief services provided between 2009 and 2014 by Minnehaha County that total \$2,604.07. The remaining balance of \$252.00 was incurred in Lincoln County. Mr. Alvine's client has been presented with an offer of a \$10,000 settlement from American Family Insurance as the result of an automobile accident. If the offer was accepted and all fees and costs associated with the accident were paid in addition to the outstanding county aid lien, his client would still owe more money than she received. Mr. Alvine is working with the insurance company in hopes of increasing the settlement amount and indicated he may reduce or wave his legal fees in an attempt to settle this matter. The applicant is unemployed, lives with relatives and her sole source of income is a child support payment of \$250 per month. She is requesting the lien be released only as it applies to proceeds from a settlement from American Family Insurance. MOTION by Pekas, seconded by Barth, to approve Resolution MC14-71. 4 ayes. Beninga did not vote due to a loss of video/audio conference link.

Beninga rejoined the meeting via speaker phone.

#### RESOLUTION MC14-71

WHEREAS, a County Aid Lien in the amount of \$2,856.07 purports to exist in favor of Minnehaha County and against DPNO 71459 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 Chairman of the County Board and the County Auditor to execute the following:

Compromise and release the Minnehaha County portion of the lien in the amount of \$2,604.07 with no payment, only as it applies to the proceeds of a settlement from American Family Insurance, leaving the entire lien in place against the applicant.

Dated at Sioux Falls, South Dakota, this 18<sup>th</sup> day of November, 2014.

APPROVED BY THE COMMISSION:

Cindy Heiberger  
Chairman

ATTEST:

Cynthia Jepsen  
Deputy County Auditor

#### PUBLIC COMMENT

Scott Ehrisman, 806 S. 10<sup>th</sup> Avenue, Sioux Falls, spoke on his qualifications and stated his interest in being appointed to the Minnehaha County Commission after Commissioner Pekas's seat becomes vacant.

#### APPEAL

David Heinold, Planner I, gave a briefing on an appeal filed by Rocky Loosbrock, 26493 483<sup>rd</sup> Avenue, of a decision of the Minnehaha County Planning Commission to approve Conditional Use Permit (CUP) #14-48 to allow a daytime dog training facility on property legally described as Lot 1, Tract 3, Skyberg's Addition, SE ¼ Section 14-T101N-R48W in Split Rock Township. The petitioner is Ryan A. Jordan. The site plan shows there will be a 40' by 6' outdoor dock with a non-slip outdoor

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carpet and a 4' wide ramp to help dogs out of a 4' deep 33' x 18' above-ground pool. The pool will be used to train dogs for Flight Dog competitions. The County Planning Commission voted 4-1 to approve CUP 14-48 with the following eight (8) conditions: 1) That Conditional Use Permit #14-48 shall permit a Daytime Dog Training Facility. 2) That the hours of operation shall be open to the public from 5:00 p.m. to 9:00 p.m. weekdays, noon to 8 p.m. Saturday, and no Sundays. 3) That the proposed use shall adhere to the submitted site plan dated 9/25/14. 4) All waste shall be disposed of in conformance with the Solid Waste Ordinance. 5) That all lighting shall be of a full cutoff and fully-shielded design directed downward to prevent light pollution off of the property. 6) That six (6) parking spaces be provided in conformance with Article 15.00 and parking shall not be permitted on 265<sup>th</sup> Street at any time. 7) That a building permit is required for the training dock and above-ground pool. 8) That a building inspection is required prior to the commencement of operations. Petitioner Ryan Jordan, 1417 Creekside Circle, stated the property the Flight Dog training pool will be on is land owned by his wife's parents. Mr. Jordan spoke on safety measures and rules they will implement in consideration of their neighbors concerns. Mr. Jordan stated they would limit the number of dogs to six (6) per day. Opponent Rocky Loosbrock spoke in opposition to the CUP stating concerns about barking dogs and the right to quiet enjoyment of his property. Adjoining property owner and opponent Barb Jurgens, 48258 265<sup>th</sup> Street, spoke on behalf of her sister and herself stating concerns about possible rezoning due to businesses being allowed in the area, noise from dogs barking, privacy, increase in traffic, decrease in property value, and possible growth of the business. Angela Jordan, wife of Ryan Jordan, stated they will not be holding events at this facility. It will be used by herself and her friends for training their dogs. MOTION by Pekas, seconded by Barth, to uphold the Planning Commission's decision to approve Conditional Use Permit #14-48 with 8 conditions. 5 ayes.

#### GRANTS

Lynn DeYoung, Emergency Management Director, reported that Minnehaha County has been awarded a 2014 Homeland Security Grant in the amount of \$127,874.86. The grant will be used for the following purposes: \$22,000, training for Mass Casualty; \$7,341.62, MDT Software for the Sheriff's Office; and \$98,533.24, radios for the Sheriff's Office and Police Department. MOTION by Kelly, seconded by Barth, to authorize the Chairman, Auditor, and Emergency Management Director to enter into the 2014 Reimbursement Terms and Conditions Agreement, State Homeland Security Program Grant Award, in the amount of \$127,874.86. 5 ayes.

Lynn DeYoung, Emergency Management Director, gave a briefing on a grant award from the South Dakota Department of Health in the amount of \$10,000. The purpose of the grant is for funding training classes for mass fatality management. MOTION by Pekas, seconded by Kelly to authorize the Chairman, Auditor, and Emergency Management Director to enter into the State of South Dakota Sub-Recipient Grant Agreement between Minnehaha County Emergency Management and the South Dakota Department of Health in the amount of \$10,000. 5 ayes.

#### AGREEMENT

Kristin Trana, Administrative Coordinator for the Sheriff's Office, gave a briefing on the 2015 Police Service Agreements. The hourly rate will be increased from \$30.30 in 2014 to \$31.90 in 2015. MOTION by Pekas, seconded by Kelly to authorize the Chairman to sign the 2015 Police Service Agreements between Minnehaha County and the Cities of Baltic, Colton, Crooks, Dell Rapids, Garretson, Hartford, Humboldt, and Valley Springs. 5 ayes.

#### DISCUSSION

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Commissioners held a discussion on how to proceed with a review of the election process. Chairman Heiberger stated Commissioner Barth has brought forward questions concerning the 2014 General Election to the commission and she would like to have an independent review to address issues and concerns that have been reported. Commissioner Kelly stated he would like to see Shantel Krebs, the recently elected Secretary of State, citizen representation, and people who understand the election process on the review board. Commissioner Barth stated he is disappointed that the November 7<sup>th</sup> Canvass meeting was not recorded and that the minutes didn't reflect any discussion of concerns he raised regarding the election. Barth further stated that now it appears there is no plan to have that discussion. Barth stated that going forward with a review panel is a reasonable thing to do. Chairman Heiberger stated that the election issue was brought up under old business during the November 11, 2014 commission meeting and it is an agenda item at today's meeting. Commissioner Pekas stated an independent review is necessary and the recently elected Secretary of State, Auditor, and independent people in our community should be involved in the process to make suggestions to all the different local entities of government. Commissioner Beninga stated the review process needs to be started as quickly as possible but not necessarily be completed as soon as some people may want. Beninga stated he would also like to include the vendor of the equipment in the process. Hopefully a result that everybody can agree on will avoid the majority of the problems with elections. The Commission decided by consensus to have each Commissioner, Secretary of State Elect Shantel Krebs, and Auditor Bob Litz nominate a person to serve on the election review board. The nominations will be brought forward at the December 2, 2014 commission meeting for review and appointment. Also discussed at that time will be what the commission wants the panel to accomplish.

#### AGREEMENTS

Robert Wilson, Assistant Commission Administrative Officer, presented the 2015 per diem agreements between Minnehaha County, Volunteers of America Dakotas, and the 13 counties that are part of the regional detention partnership. Member counties will pay \$165 per day for secure and non-secure detention at the JDC. This is an increase from the 2014 rate of \$155 per day. The rate for non-secure detention at the VOA facility will be at \$120 per day. This is an increase from the 2014 rate of \$115 per day. MOTION by Kelly, seconded by Pekas, to authorize the Chairman to sign the 2015 Minnehaha County Regional Detention Center Per-Diem Contracts with the following counties: Bon Homme, Brookings, Charles Mix, Clay, Hanson, Hutchinson, Lake, Lincoln, McCook, Miner, Moody, Turner, and Yankton. 5 ayes.

Robert Wilson, Assistant Commission Administrative Officer, gave a briefing on an agreement with Hauge Associates, Inc. for lien notification and collection services on behalf of Minnehaha County. The fee schedule is 30% on recoveries through non-legal collection efforts and 30% on recoveries where litigation is authorized by the County Commission. There will be no fee collected by Hauge for accounts where the County is receiving payment from the Clerk of Courts for attorney fees which originate through court ordered payment. MOTION by Pekas, seconded by Barth to authorize the Chairman to sign the Lien Collection Services Agreement between Minnehaha County and Hauge Associates, Inc. for a three year term beginning January 1, 2015 and ending December 31, 2017. 5 ayes.

#### LEASE

Robert Wilson, Assistant Commission Administrative Officer, gave a briefing on the 2015 lease agreement between Minnehaha County and CASA (Court Appointed Special Advocate). Under the terms of the agreement, CASA will pay \$7,250 to lease 1,500 square feet of office space on the first floor of the Extension Building. CASA will make four payments in the amount of \$1,812.50 at the beginning of each quarter. The County pays for heat, electricity, and janitorial service. MOTION by Pekas, seconded by Barth, to authorize the Chairman to sign the 2015 lease agreement between Minnehaha County and CASA. 5 ayes.

#### LIAISON REPORTS

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Commissioner Kelly reported on the November 17, 2014 Diversity Committee meeting. The primary mission of the group is to file reports with the federal government and make sure the county is in compliance with federal regulations.

Commissioner Barth reported that last week the Homeless Advisor Board met. Barth also read an email sent to him by Carol Muller, Human Services Director, that stated the last homeless count was over 600 people. Ms. Muller also reported 32 families were recently put into hotels in Sioux Falls.

Commissioner Kelly reported on the Township meeting that he and Commissioner Barth attended. Kyle Helseth, Director of Equalization, talked about the increases there will be in ag valuations this year. They also discussed the new signs and the program for stop signs.

Chairman Heiberger reported on the Public Defender's Office Advisory Board meeting where they had a demonstration on the new case management program designed by the Minnehaha County Information Technology Department.

#### NEW BUSINESS

Robert Wilson, Assistant Commission Administrative Officer, thanked the Commission for their patience with the issues experienced at the beginning of the meeting with Commissioner Beninga's video/audio conference link.

Robert Wilson, Assistant Commission Administrative Officer, reported that the operating account for Safe Home that is administered by Lloyd Company is going to be repaying the county loan above and beyond the scheduled amount again this year. At the end of this year there will be a total of \$100,000 above the scheduled repayment of funds that will be coming back to the county. Chairman Heiberger stated that one third of the residents at Safe Home pay their own rent.

Motion by Pekas, seconded by Barth, to adjourn into executive session for personnel and legal briefing. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday November 25, 2014.

#### APPROVED BY THE COMMISSION:

Cindy Heiberger  
Chairman

#### ATTEST:

Cynthia Jepsen  
Deputy Auditor