

8/19/2014

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. August 19, 2014 pursuant to adjournment on August 12, 2014. Commissioners present were: Barth, Beninga, Heiberger, Kelly, and Pekas. 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 Beninga, to approve the agenda. 5 ayes.

MOTION by Pekas, seconded by Barth, to approve the August 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 \$631,507.51. 5 ayes.

A & B Business Equip	Lease-Rental	275.73	A To Z World Languag	Interpreters	1,140.00
Aberdeen Police Dept	Education & T	175.00	Advertising Arts Inc	Printing/Form	530.00
Airway Service Inc	Automotive/Sm	3,972.39	Airway Service Inc	Gas,Oil,Diese	54.82
Amer Assoc Of Police	Memberships	25.00	American Engineering	Architects &	1,386.75
Amiotte Law Pc	Attorney Fees	394.69	Andersen, Norma	Bd Exp. Fees	15.00
Anesthesia Physician	Physicians	144.00	Arena Motel	Co. Welfare	700.00
Argus Leader - Adver	Advertising	536.00	Argus Leader - Adver	Publishing Fe	6,891.00
Auto Body Specialtie	Bridge Repair	31.44	Automatic Building C	VOA - Dakotas	435.00
Avera Health Informa	Clinics - Aux	35.10	Avera Health Informa	Medical Recor	15.00
Avera Health Plans	Expenditures	1,724.76	Avera McKennan Hospi	Blood Withdra	210.00
Avera McKennan Hospi	Hospitals	3,058.00	Avera McKennan Hospi	Other Profess	2,102.50
BI Inc	Program Suppl	2,990.00	BI Properties Llc	Welfare Rent	700.00
Billion's	Automotive/Sm	175.89	Boyer Trucks Sioux F	Truck Repair/	345.86
Bridgewood Sd Inv II	Welfare Rent	600.00	Brown & Saenger	Office Suppli	485.76
Bultje, Erwin	Welfare Rent	700.00	Campbell Supply Co I	Automotive/Sm	39.99
Campbell Supply Co I	Bridge Repair	45.93	Campbell Supply Co I	Road Maint. &	58.28
Carlson, Lisa	Court Reporte	68.00	CBM Managed Services	Board Of Pris	9,441.66
CBM Managed Services	Child Care Fo	4,717.53	Century Business Lea	Lease-Rental	359.59
Century Business Pro	Lease-Rental	80.35	Century Business Pro	Office Suppli	329.65
Century Business Pro	Printing/Form	6.71	Centurylink (Qwest)	Data Communic	1,257.28
Centurylink (Qwest)	Telephone	1,885.34	Certified Languages	Interpreters	160.05
Civil Design Inc	Architects &	9,051.50	Cliff Avenue Auto Pa	Automotive/Sm	18.60
Cody, Denise	Bd Exp. Fees	90.00	Colton Lumber Co Inc	New Bldg. & S	14,600.00
Conklin Manor Llc	Welfare Rent	315.00	Constellation New En	Electricity	7,070.52
County Wide Director	Books	126.00	Culligan Water Condi	Other Miscell	37.50
Dakota Data Shred	Other Profess	136.97	Daybreak/T & H Conve	Gas,Oil,Diese	88.50
Decastro Law Office,	Attorney Fees	3,651.05	Dedula, Carla F	Court Reporte	1,751.40
Deer Hollow Ltd Ptnr	Welfare Rent	340.00	Directv	Subscriptions	793.88
Duffy, Ryan	Attorney Fees	1,374.85	Dust Tex Service Inc	Maintenance C	22.56
Dynamic Services Llc	Welfare Rent	500.00	Ebert's Properties,	Motels	1,105.00
Ecowater / Coy Burk	Jail Repairs	205.00	EH Hospitality Llc	Motels	1,770.00
Ekeren, Marvin R.	Bd Exp. Fees	15.00	Etek Llc Dba Garfiel	Welfare Rent	450.00
Evans, Jerald L	Welfare Rent	650.00	Family Service Inc	Expenditures	65.00
Fastenal Company	Small Tools,	37.23	Fluth, Rodney P	Welfare Rent	700.00
Foxmoor Development	Welfare Rent	500.00	Fremont Industries,	Heat,Vent & A	223.70
Golden Creek Investo	Welfare Rent	342.50	Graham Tire Co. - Do	Automotive/Sm	249.58
Graham, Brian/Leslie	Welfare Rent	475.00	Grant Square Ltd (O	Welfare Rent	972.00
Grapevine, Dan	Uniform Allow	149.99	Green, Jack H	Welfare Rent	500.00
Guzman, Sandra V.	Interpreters	332.50	HAI Inc Dba	Motels	250.00
Haley, Danielle	Other Misc. R	150.00	Harmelink,Fox & Ravn	Attorney Fees	160.25
Healthport	Clinics - Aux	120.07	Healthport	Medical Recor	73.94
Helseth, Ramona G.	Office Suppli	37.88	Hewlett-Packard Comp	Bd Exp. Fees	818.88
Hobby Lobby Stores I	Program Activ	119.70	Hobby Lobby Stores I	Store Invento	176.67
HOV Services Inc	Microfilming	210.00	I State Truck Center	Parts Invento	503.66
I State Truck Center	Truck Repair/	165.00	Indiana Bureau Of Mo	Copy Fees	4.00
Interstate Office Pr	Office Suppli	2,114.58	Intoximeters, Inc.	Testing Suppl	4,000.00
Inventive Designers	Maintenance C	4,495.06	ISI Llc	Interpreters	740.00

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ISS Facility Svcs-Mi	Contract Serv	11,058.00	JCL Solutions-Janito	Janitorial/Ch	166.59
Jim Bork Enterprises	Printing/Form	297.00	Johnson, Delbert L.	Welfare Rent	170.00
Johnson, Donald E	Automotive/Sm	960.00	Kauffman, David W. P	Psych Evals	3,151.50
Khorosoi, Sam	Attorney Fees	321.90	Kittelston, Joan M	Bd Exp. Fees	15.00
Koistra Harrisburg L	Welfare Rent	640.00	Koletzky, Sherlyn	Attorney Fees	189.80
Kone, Inc.	Other Profess	57.16	Krueger Excavating,	Parts Invento	9,780.00
Lacroix, Heather	Attorney Fees	201.84	Language Line Servic	Other Miscell	56.03
Language Line Servic	Telephone	195.42	Larson, Jeff	Attorney Fees	1,826.60
Laughlin, Nicole	Attorney Fees	1,496.60	Laughlin, Nicole	Child Defense	2,542.00
Leaf Inc.	Office Suppli	141.54	Leaf Inc.	Printing/Form	1.24
Lembcke-Shildhauer,	Court Reporte	62.00	Lewis & Clark Bhs	Bd Evaluation	3,200.00
Lewno, Lucy	Bd Exp. Fees	1,199.93	Lutheran Social Svcs	Interpreters	412.50
Lyon County Engineer	Road Maint. &	326.67	Mallard Cove Apts /	Welfare Rent	1,140.00
Marco	Lease-Rental	170.00	Meadowbrook Apartmen	Welfare Rent	1,000.00
Menards - East	Park/Recreati	6.49	Mentele, Aaron/Jenni	Welfare Rent	550.00
Metro Communications	Clinics - Aux	720.00	Metro Communications	Other Miscell	24,204.59
Microfilm Imaging Sy	Contract Serv	1,336.50	Microfilm Imaging Sy	Furniture & O	230.00
Microfilm Imaging Sy	Lease-Rental	400.00	Microfilm Imaging Sy	Maintenance C	590.00
MidAmerican Energy C	Natural Gas	1,102.56	MidAmerican Energy C	Welfare Utili	259.68
MidContinent Communi	Telephone	55.00	Midwest Alarm Compan	Maintenance C	4,050.00
Midwest Residential	Welfare Rent	1,200.00	Miller Funeral Home,	Burials	1,000.00
Minn Cnty Human Svcs	Other Supplie	135.00	Mishra, Thakur	Interpreters	100.00
Mobile Electronic Se	Communication	790.00	Mountain-Plains Muse	Memberships	200.00
Multi-Cultural Cente	Interpreters	453.75	Neve's Uniforms	Uniform Allow	13,444.68
Nguyen, Lam	Interpreters	200.00	Nies Properties Llc	Welfare Rent	600.00
Norberg Paints Inc	Building Repa	39.00	Northern Hgts Dev Ii	Welfare Rent	710.00
Novak Sanitary Servi	Tea-Ellis Ran	74.00	Novak Sanitary Servi	Trash Removal	2,780.46
O'Reilly/First Call	Small Tools,	60.60	Office Depot, Inc.	Data Processi	54.99
Office Depot, Inc.	Office Suppli	3.39	Palmer, Barbara	Bd Evaluation	3,937.50
Pheasantland Ind-Gar	Volunteer Per	396.00	Phillips, Joshua	Education & T	61.00
Pietruszkiewicz, Les	Welfare Rent	375.00	Platinum Properties	Welfare Rent	700.00
Pollard & Larson Llp	Attorney Fees	484.50	Print Right Printing	Other Miscell	387.00
Quail Hollow Townhou	Welfare Rent	700.00	Qualified Presort Se	Postage	417.70
Quinn, Molly	Business Trav	8.58	Record Keepers, Inc.	Other Profess	265.24
Record Keepers, Inc.	Records Stora	2,630.34	Red Rock Inn	Motels	1,960.00
Redlin, Jim Db	Parts Invento	97.56	Redwood Estates Llc	Welfare Rent	640.00
Rensberger, Ron	Welfare Rent	1,000.00	Rods Properties	Welfare Rent	700.00
Roxcar Llc	Building Repa	186.00	Sachchidanand Hospit	Motels	444.00
Salem, Calvin L	Welfare Rent	350.00	Sanford Clinic	Physicians	1,638.55
Sanford Clinic Finan	Other Miscell	58.00	Sanford Hospital	Hospitals	14,807.94
Sanford Hospital	Lab Costs	5,068.30	Sanford Hospital Med	Medical Recor	10.00
Schmuck, Jan	Bd Exp. Fees	57.60	SD Attorney General	Amts Held-Dai	9,230.00
SD Dept Of Public Sa	Other Miscell	30.00	SD Dept Of Revenue	Blood/Chemica	316.00
SD Dept Of Revenue	Bulletin Boar	171.85	SD Dept Of Revenue	Coroner Fee/T	1.70
SD Dept Of Revenue	Fingerprint/T	238.44	SD Dept Of Revenue	Gis Revenue	31.13
SD Dept Of Revenue	Lab Costs	135.00	SD Dept Of Revenue	Misc. Auditor	13.13
SD Dept Of Revenue	Misc. Dir. Eq	28.05	SD Dept Of Revenue	Misc. Informa	19.81
SD Dept Of Revenue	Misc. Treasur	15.88	SD Dept Of Revenue	Store Sales	185.51
SD Dept Of Transport	Contracted Co	3,307.63	SD Emergency Managem	Education & T	30.00
SD Emergency Managem	Memberships	60.00	SD Planners Associat	Education & T	160.00
SD Secretary Of Stat	County Cemete	10.00	SDDAO	Education & T	300.00
Segal Company	Professional	60,000.00	Servall Towel & Line	Janitorial/Ch	2.50
Servall Towel & Line	Program Activ	52.89	SF Ambulance--Rural/	Transportatio	750.00
SF Leased Housing As	Welfare Rent	592.00	SF Specialty Hospita	Recruitment	659.00
SHI International Co	Data Processi	11,090.28	Shreves, Brian	Attorney Fees	215.29
Siegel, Barnett, & S	Child Defense	2,250.00	Sioux Falls City Fin	Contr Serv	248,000.00
Sioux Falls Rubber S	Office Suppli	18.00	Sioux Falls Utilitie	Water - Sewer	2,495.04
Sioux Falls Utilitie	Welfare Utili	172.63	Sioux Falls Woman Ll	Advertising	595.00
Solomon, Ghirmay	Interpreters	50.00	St Francis House	Other Profess	241.73
Stan Houston Equipme	Coliseum Repa	310.00	Stenopat Ltd Inc	Depositions	22.95
Stronghold Counselin	Psych Evals	310.51	Strum, Steve A	Welfare Rent	700.00
Sunshine Foods	Welfare Food	44.21	Swanda, Karen	Bd Exp. Fees	75.00
Swaney, Dawn	County Cemete	110.00	Swier Law Firm Prof	Attorney Fees	5,663.24
Szameit, Alexandra	Interpreters	75.00	Tammen Oil	Automotive/Sm	21.60
Tech, Debra	Welfare Rent	700.00	Test Point Paramedic	Blood Withdra	2,280.00

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Thesenvitz & Mickels	Attorney Fees	617.00	Thomson Reuters - We	Books	483.70
Thomson Reuters - We	Legal Researc	1,553.40	Thomson Reuters - We	Subscriptions	100.75
Thorin, Deyanira T	Interpreters	642.48	Tires,Tires,Tires In	Automotive/Sm	99.98
Tires,Tires,Tires In	Gas,Oil,Diese	85.71	Tires,Tires,Tires In	HIDTA Grant	462.76
Trana, John	Business Trav	31.82	Trane	Heat,Vent & A	1,088.56
True North Steel	Pipe & Culver	14,760.00	Ultramax	Ammunition	3,365.00
United Parcel Servic	Postage	1.10	Vash Properties	Welfare Rent	500.00
Verizon Wireless	Safety & Resc	80.02	Verizon Wireless	Telephone	247.12
VOA Dakotas / Pettig	Welfare Rent	514.00	Wal-Mart Pharmacy	Pharmacies	24.41
Wall Lake Sanitary D	Water - Sewer	70.00	Waltner, Kolbeck, Sc	Attorney Fees	147.90
Waste Management Of	Trash Removal	367.31	Weerheim, Tom	Attorney Fees	600.00
Westport Apts/Westpo	Welfare Rent	700.00	Westwick Motel, Inc.	Motels	240.00
Wheelco Brake & Supp	Truck Repair/	353.97	Winner Police Depart	Extradition &	69.39
Xcel Energy, Inc.	Electricity	1,483.29	Xcel Energy, Inc.	Road Maint. &	25.25
Xcel Energy, Inc.	Welfare Utili	2,616.08	Yankton County Sheri	Return Of Ser	200.00
Yankton County Treas	Attorney Fees	2,045.25	Zee Medical Service	Office Suppli	55.80
Zep Manufacturing Co	Janitorial/Ch	407.04	Zimmer, Duncan & Col	Attorney Fees	1,026.03

PERSONNEL

MOTION by Beninga, seconded by Kelly, to approve the following personnel changes. 5 ayes.

1. To hire Seth Hodges and Tanner Cornay as Deputy Sheriff (16/2) for the Sheriff’s Office at \$20.25/hour effective 8/25/14.
2. To hire Joseph Palleschi, Amanda Lind, Sharrell Logue, and Traci Longenbarger as Corrections System Operators (9/1) for the Jail at \$13.98/hour effective 8/25/14.
3. To correct the memo dated 8/5/14 which should have reflected an end date of 8/7/14 as opposed to 8/10/14 for Patrick Bumann, Correctional Officer in Training for the Jail.
4. To promote Catherine Schlimgen from Deputy Public Defender (21/2) to Senior Deputy Public Defender (22/1) for the Public Defender’s Office at \$2,232.80/bi-weekly effective 8/7/14.
5. To end the temporary, part-time employment of Marie Lukkes as Spray Truck Operator for the Highway Department effective 8/14/14.
6. To end the temporary, part-time employment of Tyler Hurley as Shop Technician for the Highway Department effective 8/21/14.
7. To end the temporary, part-time employment of Christian Luke as Laborer for the Highway Department effective 8/7/14.
8. To end the temporary, part-time employment of Trevor Arrowsmith, Sulliman Al-Ostaz, and Shane Granum Laborers for the Highway Department effective 8/14/14.
9. To end the temporary, part-time employment of Tanner Wilson as Laborer for the Highway Department effective 8/21/14.
10. To end the temporary, part-time employment of Kenneth Pospischil as Clerical Worker for the Highway Department effective 8/21/14.

Step Increases Due

1. Heidi Jerke – GIS Coordinator – Planning – 19/10 to 19/11 – 8/23/14 – \$29.32/hour

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2. Patricia Neavill – Appraiser – Equalization – 15/4 to 15/5 – 8/10/14 – \$20.75/hour
3. Travis Urban – Bridge Maintenance Team Member – Highway – 12/12 to 12/13 – 8/5/14 – \$21.80/hour
4. Jeremy Loftesness – Juvenile Correctional Worker – Juvenile Detention Center – 9/5 to 9/6 – 8/11/14 – \$15.82/hour

MOTION by Beninga, seconded by Pekas, to reclassify a vacant Juvenile Correction Officer I Position to a Community Supervision Monitor. 5 ayes.

#### ABATEMENTS

MOTION by Pekas, seconded by Beninga, to approve abatement of 2013 property taxes for RDID 80023 in the amount of \$1,271.58 representing owner occupied status. 5 ayes.

MOTION by Pekas, seconded by Kelly, to approve abatement of 2013 property taxes for RDID 33056 in the amount of \$649.57 representing the Elderly Assessment Freeze. 5 ayes.

#### NOTICE

MOTION by Pekas, seconded by Barth, to authorize the Auditor to publish a Notice to Bidders for shingle replacement and other roofing repairs at the county owned facility at 1401 W. 51<sup>st</sup> Street, Sioux Falls, SD. 5 ayes.

Notice was received from the East Dakota Water Development District of a Regular Board of Directors Meeting on Friday, August 22, 2014 at 10:45 a.m., at the Buffalo Ridge Resort/Business Center, 1312 Coteau St., Gary, SD.

#### LIEN

Commissioner Pekas gave a briefing on a petition for compromise of lien for DPNO 58398 in the amount of \$3,822.66. The applicant is requesting a compromise and release of the lien in full upon payment of \$1,000. \$296 of the lien is for Public Defender services in 2005. The remaining portion of the lien is associated with a neglect and abuse case in 2011 involving the applicant's minor child. The applicant states he was incarcerated when the incident occurred. A Public Advocate was hired to represent his minor child resulting in a fee of \$1,582. A Court Appointed Attorney represented the applicant as the father of the child involved, resulting in a fee of \$1,944.06. The applicant has been out of prison for four years, works full time, and is hoping to purchase a home in the future. His current annual income is \$38,000. He lists assets totaling \$1,078 that include a 2000 GMC Jimmy and \$78 in a bank account. His liabilities consist of monthly expenses of \$750 rent, \$550 for insurance, car and medical bills, and other obligations for \$80 a month. MOTION by Pekas, seconded by Barth, to approve Resolution MC14-49. 5 ayes.

#### RESOLUTION MC14-49

WHEREAS, a County Aid Lien in the amount of \$3,822.66 purports to exist in favor of Minnehaha County and against DPNO 58398 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:

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Compromise and release the lien in full upon payment of \$1,311.33.

If payment is not made within one year from approval, this agreement is null and void.

Dated at Sioux Falls, South Dakota, this 19<sup>th</sup> day of August, 2014.

**APPROVED BY THE COMMISSION:**

Cindy Heiberger

Chairman

ATTEST:

Cynthia Jepsen

Deputy County Auditor

**HEARING**

Kevin Hoekman, Planner, was present for the public hearing and gave a briefing on a public nuisance violation on property owned by Courtesy Investments, LLC, legally described as Tract 14 Preston Place Addition, Section 27-T101N-R48W. During an inspection of the site, staff found grass and weeds approximately six feet in height. Two attempts were made to contact the Courtesy Investments, LLC at the corporation's registered address. The letters were attempted to be delivered but returned to the county. An alternate address was provided by the State's Attorney's Office, and a letter was sent with a deadline for bringing the property into compliance. No reply was received. Due to no response from the property owners, the Planning and Zoning Department and State's Attorney Office believe the only recourse is to declare the property a Public Nuisance to allow Minnehaha County to remove the violations from the property. Mr. Hoekman stated that Ralph Hammer, Weed Board Supervisor, visited the site and reported that the weeds are mostly clover. Scott Anderson, Planning & Zoning Director stated that the property is zoned A-1 Agriculture but is classified as a residential lot because it is part of a subdivision. Mr. Anderson stated that there are many other subdivisions in the county that are also zoned agriculture. Robert Litz, Auditor, stated this property was purchased at the 2010 tax deed sale and that the taxes are current on the property. MOTION by Pekas, seconded by Beninga, to deny the declaration of a Public Nuisance at property legally described as Tract 14 Preston Place Addition, Section 27-T101N-R48W. Commissioner Barth stated he feels it is a nuisance and that the county should have it abated. Chairman Heiberger stated that the property is zoned A-1 Agriculture and doesn't see it being a problem. Commissioner Pekas stated that the property is a field of clover and zoned A-1, therefore he is reluctant to declare it a nuisance. Commissioner Kelly stated that it is clearly a residential lot and thinks it should be declared a nuisance. VOTE on motion, 3 ayes, Kelly and Barth voted nay. Motion carries.

**APPEAL**

(Deferred from May 20, 2014) Scott Anderson, Planning & Zoning Director, gave a briefing on an appeal filed by Robert Schulte of a decision of the Minnehaha County Planning Commission to approve Conditional Use Permit (CUP) #14-04, to allow a bulk fuel storage facility for Hartford Farmers Elevator on property legally described as Lot 1 Brower's 2<sup>nd</sup> Addition, SW ¼ Section 27-T102N-R51W. A public hearing was held at the May 20, 2014 County Commission meeting. The Commission deferred action for 3 months to allow the applicant time to address road concerns in the Brower Subdivision. Commissioner Pekas stated that Gary and Gloria Krier, who filed a grievance against CUP #14-04, are related to him through his wife. The Kriers have not contacted him on this matter and Mr. Pekas sees no conflict. Scott Anderson stated that there is an established Road District for this development that should provide service for maintaining, improving, and developing roads. MOTION by Kelly, seconded by Barth, to deny Conditional Use Permit #14-04. Commissioner Kelly stated that the County has an obligation to make sure there is adequate access to a facility and feels the road problems should be solved before the permit is approved. Monte Schraeder, General Manager of the Hartford Farmers Elevator, stated that the Road District should be doing their job and encourages more people in the development to be involved. Kersten Kappmeyer, Chief Civil Deputy State's

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Attorney, asked Mr. Schraeder if there has been any progress in the on-going litigation to resolve some of the Road District questions. Mr. Schraeder stated that he is not aware of any ruling on the matter. Commissioner Kelly stated he would like some assurance that the road will get repaired before he would support approval of the permit. VOTE on motion, 1 aye, Pekas, Beninga, Barth, and Heiberger voted nay. Motion fails. MOTION by Beninga, seconded by Pekas, to approve Conditional Use Permit #14-04. VOTE on motion, 4 ayes, Kelly voted nay. Motion carries.

#### BRIEFING

Patti Brooks, Executive Director of the Compass Center, gave a presentation on the programs and services that the Compass Center is providing to victims and offenders of sexual and domestic violence. Ms. Brooks reported on new Federal and State legislation that is causing an increase in the number of individuals the Compass Center is servicing. The Compass Center is currently working with the Department of Corrections, Juvenile Department of Corrections, McCrossan's Boys Ranch, Lutheran Social Services, Volunteers of America Dakotas, Glory House, and possibly the Jail and others who are required to meet the Federal mandates. The Compass Center also helps with victims involved in human trafficking. Kurt Brost, Board President of the Compass Center, spoke on funding challenges and thanks the Commission for their continued support. Ms. Brooks reported that for the third straight year in a row the State of South Dakota has cut grant funding to the Compass Center that totals \$136,600. Ms. Brooks also stated that the Compass Center receives no funding for the offender programs. Chairman Heiberger stated that Minnehaha County will continue to support the Compass Center and also supports their effort to secure additional funding from the State of South Dakota.

#### SURPLUS PROPERTY

On the request of Shannon Schultz, Assistant Highway Superintendent, MOTION by Beninga, seconded by Barth, to declare two salt spreaders, Asset #70960 & #70970 as surplus property for purposes of salvage disposal and sale as scrap iron to TJN Enterprises and to declare accumulated scrap iron pile as surplus for purposes of sale/recycling to TJN Enterprises. 5 ayes.

#### LIENS

Robert Litz, Auditor, gave a briefing on an annual lien clean-up action for 379 liens totaling \$657,327.30, that have been identified as uncollectible (deceased, transient, SSI homeless, no resources) being reduced to \$0. MOTION by Barth, seconded by Pekas, to approve Resolution MC14-50. 5 ayes.

#### **RESOLUTION MC14-50**

#### **A RESOLUTION TO DISCHARGE CERTAIN UNCOLLECTIBLE LIENS**

**WHEREAS**, 379 liens totaling \$657,327.30 have been determined by the Minnehaha County Human Services Office to be uncollectible; now

**THEREFORE BE IT RESOLVED**, by the Minnehaha County Board of Commissioners, that the Register of Deeds is hereby directed to discharge these liens, as detailed on reports on file in the Minnehaha County Auditor's office.

Dated this 19th day of August 2014.

APPROVED BY THE COMMISSION:

Cindy Heiberger  
Chairman

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ATTEST:  
Cynthia Jepsen  
Deputy Auditor

#### SURPLUS PROPERTY

On recommendation of Robert Litz, Auditor, MOTION by Pekas, seconded by Beninga, to declare two (2) High Speed Central Ballot Scanners model #4205-7327, Asset #75000 and #74080, as surplus for the purpose of trade-in to Election Systems & Software, trade-in value of \$7,500 each. 5 ayes.

#### AGREEMENTS

Jeff Gromer, Warden, gave a briefing on a contract to house state work release inmates in the Minnehaha County Community Corrections Center. Under the terms of the contract, the Department of Corrections will pay Minnehaha County \$29.00 per day, per state inmate that is housed at the center. The County will provide residential placement, food service, assistance in establishing meaningful employment, and sick call services. The state will be responsible for medical and dental services. The Sheriff retains the ability to reject any state offender offered for residency. MOTION by Pekas, seconded by Barth, to authorize the Chairman to sign the Work Release Inmate Housing Agreement between Minnehaha County and the South Dakota Department of Corrections for a fee of \$29.00 per day, per state inmate, not to exceed payment of \$317,550 for the contract period commencing on July 1, 2014, ending June 30, 2015. 5 ayes.

Commissioner Barth, Warden Jeff Gromer, and Ken McFarland, Commission Administrative Officer, commented on a rules hearing they attended with the South Dakota Department of Corrections. The hearing was regarding how reimbursement from the State to Counties is going to work under Senate Bill 70. Mr. McFarland reported that the County's presentation at the hearing addressed the need for better communication between the State and Counties during the administrative rule process to review the numbers of people on probation in order to insure they are correct.

Lynn DeYoung, Emergency Management Director, gave a briefing on the Emergency Management FFY 2015 State and Local Agreement between the State of South Dakota and Minnehaha County to be used to support salary and administrative expenses within the Minnehaha County Emergency Management Office. This is a 50% reimbursement grant and requires a 50% match from the county. The actual dollar amount will be determined when the federal fiscal budget is passed. For FFY2014 Minnehaha County received \$227,360.22. In past years the grant amount has been greater than what is needed to support salary and administrative expenses within the county. Mr. DeYoung stated he will develop a list of special projects that may be funded with the remaining amount. MOTION by Pekas, seconded by Kelly, to authorize the Chairman and Emergency Management Director to sign the 2015 Emergency Management State and Local Agreement between the State of South Dakota and Minnehaha County. 5 ayes.

Carol Muller, Human Services Director, gave a briefing on a Memorandum of Understanding (MOU) between the City of Sioux Falls and Minnehaha County stating that Minnehaha County Residential Detox Center accepts referrals from Falls Community Health. Falls Community Health is requesting the MOU as part of their accreditation process with Health Resources and Services Administration /US Department of Health and Human Services. MOTION by Pekas, seconded by Beninga, to authorize the Chairman to sign the Memorandum of Understanding between the City of Sioux Falls and Minnehaha County Residential Detox Center. 5 ayes.

#### LIAISON REPORTS

Commissioner Kelly reported that the South Dakota Association of County Commissioners Resolutions Committee has passed the following four resolutions on proposed legislation submitted by Minnehaha County.

8/19/2014

Resolution MC14-39 Amend the Property Tax Limitation of 3 Percent or the CPI whichever is Greater with a 4% cap; Resolution MC14-40 To Provide For A Ten Percent Increase In The Sales Tax On Alcoholic Beverages With A Distribution Of The Increase Split Between The State and Counties; Resolution MC14-42 Establish Responsibility For The Cost Of Prosecution And Defense For Persons Charged With Crimes In State Correctional Facilities; Resolution MC14-44 Tax Increment Financing Approval And Use. The resolutions will be forwarded to the state convention in September to be voted on by the membership.

Chairman Heiberger reported on the Forward Sioux Falls investors breakfast that she attended. They discussed a proposed building project to be located at the University Center.

Chairman Heiberger also commented on an email she received from Ravalli County MT inquiring about the number of members and operation of the Minnehaha County Commission.

#### NEW BUSINESS

Ken McFarland, Commission Administrative Officer, asked the Commission to identify one more budget hearing date before the adoption of the final budget on September 30, 2014. Commissioners identified August 26<sup>th</sup>, immediately following the Commission Meeting at approximately 10:45 a.m.

Motion by Pekas, seconded by Barth, to go into executive session for personnel discussion. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, August 26, 2014.

#### APPROVED BY THE COMMISSION:

Cindy Heiberger

Chairman

ATTEST:

Cynthia Jepsen

Deputy Auditor