

1/20/2015

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. January 20, 2015, pursuant to adjournment on January 16, 2015. Commissioners present were: Bender, Beninga, Heiberger, and Kelly. Commissioner Barth was absent. Also present were Cindy Jepsen, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

Chairperson Heiberger called the meeting to order.

Judge John Pekas administered the Oath of Office to Commissioner Jean Bender.

Chairperson Heiberger presented Cynthia Howard with a plaque in recognition of her years of service in the Public Defender's Office and Public Advocate's Office.

MOTION by Beninga, seconded by Kelly, to approve the agenda. 4 ayes.

MOTION by Kelly, seconded by Beninga, to approve the January 13, 2015, Commission Minutes, January 13, 2015 Joint Minnehaha County, Lincoln County, and City of Sioux Falls Minutes, and the January 16, 2015 Special Session Commission Minutes. 4 ayes.

#### VOUCHERS TO BE PAID

MOTION by Beninga, seconded by Bender, to approve the following bills totaling \$487,982.32. 4 ayes.

A & B Business Equip	Lease-Rental	273.36	A & B Business Equip	Maintenance C	935.00
A To Z World Languag	Interpreters	3,400.00	Advance Auto Parts	Automotive/Sm	48.98
Airway Service Inc	Automotive/Sm	1,697.33	Airway Service Inc	Gas,Oil,Diese	78.70
Argus Leader - Adver	Publishing Fe	8,144.85	Arntz, Doug	Extradition &	52.00
Atssa, Inc.	Education & T	375.00	Avera Health Informa	Medical Recor	24.00
Avera McKennan Hospi	Hospitals	14,362.00	Avera McKennan Hospi	Other Profess	1,589.00
Avera McKennan Hospi	Welfare Rent	375.00	Avera Radiology	Other Profess	103.51
Barnett-Lewis Funera	Burials	1,000.00	Beeners, Keith	Welfare Rent	600.00
Berg, Scott	Uniform Allow	59.99	BI Inc	Program Suppl	7,727.20
Bierschbach Equipmen	Bridge Repair	55.05	Billion's	Automotive/Sm	53.79
Bob Barker Company,	Inmate Suppli	2,307.26	Bosman, Joseph	Other Supplie	27.19
Bourne, Anna	Bd Evaluation	360.00	Boyer Trucks Sioux F	Truck Repair/	376.88
Breit Law Offices, P	Child Defense	1,493.10	Brower, Vance	Welfare Rent	500.00
Brown & Saenger	Uniform Allow	47.96	Butler Machinery Com	Truck Repair/	45.59
Carlson, Lisa	Court Reporte	61.20	CBM Managed Services	Board Of Pris	9,885.73
CBM Managed Services	Inmate Suppli	536.99	Century Business Pro	Lease-Rental	293.54
Century Business Pro	Maintenance C	55.36	Chemco, Inc.	Kitchen/Clean	224.98
Childrens Home Socie	Other Miscell	10,819.00	Christopherson, Ande	Attorney Fees	67.50
Civil Design Inc	Architects &	1,953.50	Cleveland Heights Ap	Welfare Rent	450.00
Cody, Denise	Bd Exp. Fees	66.00	Com-Tec Security, Ll	Lease-Rental	16,473.00
Compass Center Fka	Other Miscell	2,500.00	Connecting Point	Office Suppli	894.00
Country View MHC	Welfare Rent	1,200.00	Culligan Water Condi	Other Miscell	37.50
Dakota Data Shred	Other Profess	182.62	Dakota Splash	Water - Sewer	194.50
Dakotaland Autoglass	Automotive/Sm	110.00	Deans Bulk Svc Inc	Parts Invento	738.09
Deer Hollow Ltd Ptnr	Welfare Rent	1,684.00	Delux Motel / Dakota	Motels	528.00
Doppenberg, Erick	Extradition &	52.00	Downtown Sioux Falls	Program Activ	153.17
Dynamic Services Llc	Welfare Rent	700.00	EH Hospitality Llc	Motels	510.00
Emdeon Business Serv	Other Medical	49.00	Engels Law Office Pc	Attorney Fees	3,300.10
Etek Llc DbA Garfiel	Welfare Rent	436.00	First Premier Bank	Investigators	68.90
Fitts, Rod DbA Rod	Welfare Rent	600.00	Fossum, Neil	Education & T	316.80
Fremont Industries,	Heat,Vent & A	2,940.25	G & H Investments Ll	Welfare Rent	500.00
George Boom Funeral	Burials	1,000.00	George, Aaron	Welfare Rent	495.00
Global Connect	Telephone	36.78	Golden Valley Apts L	Welfare Rent	600.00
Grainger, Inc.	Heat,Vent & A	570.00	Guzman, Sandra V.	Interpreters	175.00
Hammer, Ralph	Education & T	100.00	HDR Engineering Inc	Architects &	4,400.96
Heartland Funeral Ho	Burials	1,000.00	Heartland Paper Comp	Kitchen/Clean	4,295.12
Heartland Paper Comp	Office Suppli	119.10	Heimdal, Marie Ann	Court Reporte	219.00
High Point Networks	Program Activ	7,776.15	Highway Improvement	Road Maint &	102,000.00

1/20/2015

HMN Hardware Inc	Automotive/Sm	657.43	Hospitality Apts Ltd	Welfare Rent	440.00
Howalt-McDowell Insu	Professional	100.00	Hurtgen, Timothy T/P	Welfare Rent	300.00
Hy-Vee Accounts Rece	Pharmacies	207.46	Hybertson, Greg	Welfare Rent	700.00
Interstate All Batte	Heavy Eq. Rep	193.95	Interstate Office Pr	Office Suppli	7,893.46
Interstate Office Pr	Printing/Form	279.46	Iosty, James	Bd Exp. Fees	5,463.00
Iosty, James	Crisis Interv	54.00	J & R Mechanical Cor	Building Repa	2,500.00
JCL Solutions-Janito	Grounds & Par	449.00	JCL Solutions-Janito	Janitorial/Ch	52.67
JCL Solutions-Janito	Kitchen/Clean	3,180.68	Jefferson Partners L	Transportatio	1,316.40
Johnson Controls, In	Maintenance C	3,883.14	Johnson Controls, In	Other Profess	1,911.48
Johnson, Richard L	Attorney Fees	152.25	Katterhagen, Mark	Bd Exp. Fees	22.50
Kauffman, David W. P	Attorney Fees	3,285.90	Kennedy, Renee S	Court Reporte	401.20
Knology Inc Dbaw	Telephone	61.05	Kone, Inc.	Correction Ct	2,228.00
Kone, Inc.	Maintenance C	820.98	Kone, Inc.	Other Profess	57.16
Kone, Inc.	Outside Repai	9,280.80	Krueger Excavating,	Snow Removal	2,458.75
Kyra Enterprises Llc	Motels	700.00	Lacey Rentals Inc	Lease-Rental	100.00
Larson, Jeff	Attorney Fees	40,878.08	Laughlin, Nicole	Attorney Fees	292.20
Leaf Inc.	Office Suppli	142.78	Ledd Properties Llc	Motels	135.00
Lewno, Lucy	Bd Exp. Fees	597.22	Light And Siren	Safety & Resc	381.90
Lutheran Social Svcs	Interpreters	762.50	Matheson Tri-Gas Inc	Plumbing & We	50.28
Midwest Oil Company,	Truck Repair/	99.87	Midwest Properties L	Welfare Rent	300.00
Midwest Residential	Welfare Rent	690.00	Midwestern Mechanica	Building Repa	329.12
Miller Funeral Home,	Burials	1,915.00	Morse Correctl Healt	Contract Serv	1,200.00
Multi-Cultural Cente	Interpreters	440.00	Narem, Inc	Truck Repair/	40.46
Nat'l Student Housin	H.S. Donation	600.00	Nat'l Student Housin	Welfare Rent	600.00
Natl Assn For Public	Memberships	660.00	Natl Assn Of Countie	Memberships	3,389.00
Neve's Uniforms	Uniform Allow	108.90	New World Systems	New World Cos	1,000.00
Norment Security Gro	Jail Repairs	903.24	North American Truck	Bldg. & Outsi	6,000.00
North Central Intl S	Truck Repair/	2,942.14	North Ridge Apartmen	Welfare Rent	600.00
O'Dea, Steve C	Welfare Rent	500.00	Oehlke, Karl	Bd Evaluation	855.00
Office Depot, Inc.	Domestic Viol	32.47	Office Depot, Inc.	Office Suppli	19.52
Ohnstad, Gary A	Welfare Rent	600.00	Parkview, Llc	Welfare Rent	500.00
Pennington County Sh	Extradition &	7,040.85	Petersen, Miranda	Business Trav	83.99
Pharmchem Inc	Testing Suppl	350.00	Price Land & Cattle/	Welfare Rent	350.00
Qualified Presort Se	Postage	3,586.79	RDO Equipment Co.	Heavy Eq. Rep	378.42
Redwood Toxicology L	Testing Suppl	1,080.00	Rehfeldt, Jon	Extradition &	20.00
Revier Pressure Wash	Other Supplie	235.00	Ruiz, Pablo	Welfare Rent	800.00
Sabers, Troy/Echo -	Welfare Rent	630.00	Sachchidanand Hospit	Motels	262.00
Salberg, Aaron	Attorney Fees	252.30	Sanford Home Medical	Medical Equip	200.94
Sanford Hospital	Blood Withdra	80.00	Sanford Hospital	Hospitals	41,054.84
SD Assn Of County Co	Memberships	24,225.52	SD Assn Of County Of	Amounts Held	5,384.00
SD Attorney General	Amts Held-Dai	9,812.00	SD Dept Of Public Sa	Other Miscell	30.00
SD Dept Of Revenue	Blood/Chemica	1,909.00	SD Dept Of Revenue	Bulletin Boar	120.45
SD Dept Of Revenue	Fingerprint/T	176.18	SD Dept Of Revenue	GIS Revenue	0.85
SD Dept Of Revenue	Misc. Auditor	6.11	SD Dept Of Revenue	Misc. Dir. Eq	25.95
SD Dept Of Revenue	Misc. Treasur	21.65	SD One Call	Building Repa	4.20
SDN Communications	Data Communic	331.50	SDN Communications	Telephone	688.50
Security Labs, Ltd	Maintenance C	325.00	Sehr, Francis J/Sehr	Welfare Rent	536.59
SF Family Vision	Optometric Se	10.00	SF Leased Housing As	Welfare Rent	558.00
Sherwin Williams	Building Repa	69.97	Sioux Falls City Fin	Bldg/Yard Rep	87.78
Sioux Falls City Fin	Gas,Oil,Diese	15,424.70	Sioux Falls City Fin	HIDTA Grant	216.34
Sioux Falls Utilitie	Water - Sewer	2,572.70	Sioux Falls Utilitie	Welfare Utili	212.32
Skorzewski, Jena	Court Reporte	140.20	Sodaktac.Com	Uniform Allow	89.95
Stefanyuk, Pavel	Welfare Rent	500.00	Swanda, Karen	Bd Exp. Fees	43.50
Swier Law Firm Prof	Attorney Fees	3,575.70	Szameit, Alexandra	Interpreters	25.00
Test Point Paramedic	Blood Withdra	3,120.00	Thesenvitz & Mickels	Child Defense	504.60
Thorin, Deyanira T	Interpreters	304.19	Timp, Fred	Welfare Rent	650.00
Tires,Tires,Tires In	Automotive/Sm	329.95	Tires,Tires,Tires In	Gas,Oil,Diese	79.61
Tomacelli's Pizza	Jury Fees	87.35	Turning Leaf Llc	Welfare Rent	600.00
US Bank-Corporate Tr	Trust-Adminis	3,750.00	US Postal Service	Postage	220.00
Valley West Apartmen	Welfare Rent	450.00	Vanroekel, Jennifer	Education & T	188.00
Variety Foods Llc	Other Profess	296.03	Vavra, Jeff Dbaw	Welfare Rent	495.00
Wal-Mart Pharmacy	Pharmacies	584.17	Wal-Mart Pharmacy	Pharmacies	74.64
Walgreen Co.	Pharmacies	1,410.71	Waltner, Kolbeck, Sc	Attorney Fees	418.80
Waste Management Of	Trash Removal	382.81	Watters, Rocky	Welfare Rent	650.00
Weerheim, Tom	Interpreters	652.50	Weiland & Assoc Inc	Jury Fees	176.07

1/20/2015

Willow Partners Llc	Welfare Rent	400.00	Woodall, Kristin A	Court Reporte	39.00
Xcel Energy, Inc.	Electricity	1,277.56	Xcel Energy, Inc.	Road Maint. &	26.30
Xcel Energy, Inc.	Welfare Utili	594.38	Yellow Cab Inc	Transportatio	70.75
Zahrbock Kool, Tress	Attorney Fees	2,360.03	Zee Medical Service	Office Suppli	64.10

## REPORTS

The Register of Deeds Official Statement of Revenue Collected in December 2014, the Minnehaha County Regional Juvenile Detention Center Report for December 2014, and the Auditor's Account with the County Treasurer as of December 31, 2014 were received and placed on file in the Auditor's Office.

On Deposit in Banks	
Interest-bearing open account	15,190,038.75
CD's and savings	15,000,000.00
Cash	20,617.72
Checks/drafts in Treasurer's possession for more than 3 days	5,962.28
Total Cash On Hand	30,216,618.75
Total Reconciled AS/400 Cash Balance	30,216,618.75

## PERSONNEL

MOTION by Beninga, seconded by Kelly, to approve the following personnel changes. 4 ayes.

1. To transfer Rebecca Martell from Correctional Officer (13/15) to Court Records Officer (13/15) for the Jail at \$24.07/hour effective 12/20/14.
2. To promote Tyler Wynthein from Correctional Officer in Training (12/2) to Correctional Officer (13/2) for the Jail at \$17.46/hour effective 1/4/15.
3. To hire Lacey Benson as Legal Office Assistant (10/4) for the State's Attorney's Office at \$15.82/hour effective 1/26/15.

## Step Increases Due

1. Robert Harrison – Investigator – State's Attorney's Office – 16/4 to 16/5 – 1/22/15 – \$21.80/hour
2. Kari Winquist – Victim Witness Assistant – State's Attorney's Office – 16/4 to 16/5 – 1/2/15 – \$21.80/hour
3. Amanda Eden – Senior Deputy State's Attorney – State's Attorney's Office – 22/5 to 22/6 – 1/2/15 – \$2,526.40/bi-weekly
4. Crystal Johnson – Senior Deputy State's Attorney – State's Attorney's Office – 22/11 to 22/12 – 1/3/15 – \$2,929.60/bi-weekly
5. Sara Jean Baptiste – Senior Deputy Public Defender – Public Defender's Office – 22/6 to 22/7 – 1/22/15 – \$2,589.60/bi-weekly
6. DJ Buthe – Highway Superintendent – Highway – 25/5 to 25/6 – 12/12/14 – \$3,397.60/biweekly
7. Deona Gustaf – Caseworker I – Human Services – 16/9 to 16/10 – 1/6/15 – \$24.67/hour
8. Randy Dobberpuhl – Caseworker I – Human Services – 16/8 to 16/9 – 12/27/14 – \$24.07/hour

1/20/2015

9. Cara Sambo – Caseworker I – Human Services – 16/6 to 16/7 – 1/19/15 – \$22.91/hour
10. Kari Benz – Assistant Director of Human Services – Human Services – 21/10 to 21/11 – 12/27/14 – \$2,589.60/bi-weekly
11. Jeffery Yarbrough – Safe Home Manager – Human Services – 18/6 to 18/7 – 11/30/14 – \$2,023.20/bi-weekly
12. Matthew Winfrey – Juvenile Correctional Worker – Juvenile Detention Center – 9/2 to 9/3 – 1/20/15 – \$14.69/hour
13. James Hawkins – Maintenance Supervisor – Juvenile Detention Center – 16/14 to 16/15 – 12/27/14 – \$27.91/hour
14. Joseph Eining – Juvenile Caseworker – Juvenile Detention Center – 17/17 to 17/18 – 12/27/14 – \$2,526.40/bi-weekly
15. Austin Vos – Deputy Public Advocate – Public Advocate’s Office – 21/2 to 21/3 – 1/27/15 – \$2,125.60/bi-weekly
16. Ellen Boesel – Tax & License Technician – Treasurer’s Office – 10/2 to 10/3 – 1/21/15 – \$15.43/hour
17. Heather Irwin – Senior Elections Technician – Auditor’s Office – 12/5 to 12/6 – 1/2/15 – \$18.34/hour
18. Julie Wingert – Senior Accounting Technician – Auditor’s Office – 12/6 to 12/7 – 1/5/15 – \$18.80/hour
19. Tony Andress – Corrections System Operator – Jail – 9/2 to 9/3 – 9/24/14 – \$14.69/hour
20. Jaelyn Noteboom – Corrections System Operator – Jail – 9/15 to 9/16 – 12/27/14 – \$20.25/hour
21. Scott Hildebrand – Correctional Officer – Jail – 13/3 to 13/4 – 1/23/15 – \$18.34/hour
22. Julie Tighe – Correctional Officer – Jail – 13/16 to 13/17 – 1/3/15 – \$25.29/hour
23. Orlando Nelson – Correctional Officer – Jail – 13/15 to 13/16 – 12/21/14 – \$24.67/hour
24. Julie Ladwig – Correctional Officer – Jail – 13/13 to 13/14 – 12/27/14 – \$23.48/hour
25. Corrie Alexander – Air Guard Security Officer II – Air Guard – 13/3 to 13/4 – 1/23/15 – \$18.34/hour

## NOTICE

DJ Buthe, Highway Superintendent, requested authorization for the Auditor to publish a notice to bidders for Project MC255BR-14, Bridge Structure Replacement (50-082-110). The structure is located on 255<sup>th</sup> Street between 462<sup>nd</sup> and 463<sup>rd</sup> Avenue approximately 4 miles north of Hartford. The daily average traffic count on the bridge is five (5) vehicles per day. The estimated cost of the project is \$472,000. Mr. Buthe stated this project is a higher priority because the structure is in poor condition and is very narrow. MOTION by Beninga, seconded by Kelly, to authorize the Auditor to publish the notice to bidders. Beninga stated that there are alternative routes, and with the cost of this project he would prefer they look at a higher need bridge with a higher traffic count before spending this kind of money. Commissioner Kelly stated he would prefer to see what the state legislature does with the bridge fund and whether there are any excess moneys towards the end of

1/20/2015

the season. Commissioner Kelly also stated he would like to allow time for the township and other interested parties to speak on this project. SUBSTITUTE MOTION by Kelly, seconded by Beninga, to defer this item for one week. VOTE to substitute the motion, 4 ayes. VOTE on substituted motion, 4 ayes.

#### LIEN COMPROMISE

Robert Wilson, Assistant Commission Administrative Officer, gave a briefing on a request for compromise of lien for DPNO 25594, 31009, and 7101. There are two applicants who are in the process of purchasing a home together. During a title search the three liens were noted against the applicants. DPNO 25594 is for public defender services provided to the first applicant in the amount of \$3,011.15. Three payments were received on the lien totaling \$99.15. The last payment was received on August 18, 2010. The applicant has an annual salary of \$21,060 according to his 2013 tax return. He lists assets of \$500 and liabilities of over \$13,000, mostly for back child support payments in South Dakota and Minnesota. The applicant is requesting a release of the lien in full with no payment due to the burden of his child support payments. DPNO 31009 is for poor relief and public defender services provided to the second applicant. A number of payments have been received totaling \$830, bringing the lien to its current balance of \$2,394.06. The last payment on this lien was on February 24, 2010. The applicant has an annual salary of \$16,000 according to her 2013 tax return. She received a refund of \$4,250 and is using \$3,000 for the cash required at the closing on the home. She lists assets and liabilities of \$4,000 representing the value and the debt on an automobile. She is requesting a compromise and release of the lien in full upon payment of \$1,000. DPNO 7101 is in the name of the second applicant and her ex-husband. The lien is for a variety of poor relief services, court appointed attorney services, and public defender services provided between April, 1981 and May, 2014. Payments totaling \$2,234.47 have been made on the lien. In addition, the county commission compromised \$22,786.01 in accordance with the County's annual lien compromise policies resulting in a present balance of \$20,145. A county records search showed that all of the services listed on this lien were received by the second applicant's ex-husband. She is requesting that her name be removed from the lien account with no payment leaving the lien only in the name of her ex-husband. MOTION by Beninga, seconded by Bender, to approve Resolution MC15-03. 4 ayes.

#### RESOLUTION MC15-03

WHEREAS, a County Aid Lien in the amount of \$20,145 purports to exist in favor of Minnehaha County and against DPNO 7101 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 lien in full against the applicant, leaving the lien in full only in the name of the applicant's ex-husband.

Dated at Sioux Falls, South Dakota, this 20<sup>th</sup> day of January, 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger

Chairman

ATTEST:

Cynthia Jepsen

Deputy County Auditor

1/20/2015

MOTION by Kelly, seconded by Beninga, to approve Resolution MC15-04. 4 ayes.

RESOLUTION MC15-04

WHEREAS, a County Aid Lien in the amount of \$2,394.06 purports to exist in favor of Minnehaha County and against DPNO 31009 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 lien in full upon payment of \$1,300.

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

Dated at Sioux Falls, South Dakota, this 20<sup>th</sup> day of January, 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger

Chairman

ATTEST:

Cynthia Jepsen

Deputy County Auditor

MOTION by Kelly to deny the request for compromise of lien for DPNO 25594. Motion dies for lack of a second. Commissioner Kelly stated concern regarding no offer of payment from the applicant and also for the child support the applicant owes. MOTION by Beninga, seconded by Bender, to defer action on DPNO 25594 for one week. 3 ayes. Kelly voted nay. Motion carried.

REQUEST

Traci Smith, Public Defender Director, gave a briefing on Gideon's Promise Law School Partnership Project. The program provides its partners the opportunity to recruit law student grads from law schools across the country. Salaries of the lawyers recruited through the program would be paid for one year, as well as three years of education and training for one recruit hired each year. The County would be responsible for paying a \$6,500 education and training fee for each additional lawyer they recruit each year. As long as the attorneys are in compliance with the terms and conditions of employment, the program asks that they are moved into permanent positions following their first year. Ms. Smith asked for authorization to have two Gideon's Promise lawyers placed in the Public Defender's Office. Ms. Smith stated she believes with the employee turnover her office experiences it will be possible to plan accordingly to move the attorneys placed through the program into permanent positions. The first attorney would be at no cost to the County for one year and the second attorney would be a cost of \$6,500 for the education and training fee. The salaries of both attorneys would be paid by the program. Commissioner Kelly questioned possible liability issues of having attorneys working for the County that aren't employees. Kersten Kappmeyer, Chief Civil Deputy State's Attorney, stated there will be ongoing discussions regarding liability and other employee issues as well as to define the terms of our relationship with Gideon's Promise. Mr. Kappmeyer suggested the Commission may want to consider authorization to pursue the Gideon's Promise Law School Partnership Project and re-visit the issue when the terms of the partnership are better defined. Commissioner Bender stated she would make the motion to pursue, if she understood exactly what they were pursuing.

1/20/2015

Chairperson Heiberger stated the motion was to pursue the Gideon's Promise Law School Partnership Project, motion seconded by Beninga. Commissioner Kelly sought clarification that the motion would still require the matter to come back before the Commission before any further action was authorized beyond pursuit of the program. Commissioner Heiberger confirmed that was her understanding of the motion. VOTE on motion, 4 ayes. Commissioner Heiberger stated again after the vote her understanding that authorizing any particular public defender position through this program would need additional commission approval.

#### AGREEMENT

DJ Buthe, Highway Superintendent, gave a briefing on a Professional Services Agreement with Civil Design Inc. for construction design services for the replacement of bridge structure 50-289-060. The bridge is located on County Highway 114 approximately four miles west of Sherman. MOTION by Kelly, seconded by Beninga, to authorize the Chairperson to sign the Professional Services Agreement with Civil Design, Inc. for construction administration services for the replacement of Structure 50-289-060 at a cost not to exceed \$55,130. 4 ayes.

#### APPLICATION

Kersten Kappmeyer, Chief Civil Deputy State's Attorney, asked the Commission to consider if they would like to intervene as a party in the Dakota Access Pipeline proceedings before the South Dakota Public Utilities Commission. Party status would allow Minnehaha County to bring concerns about factors that are relevant in the pipeline application directly to the Public Utilities Commission for consideration. MOTION by Kelly, seconded by Bender, to authorize Minnehaha County's intervention in the matter of the application to the South Dakota Public Utilities Commission by Dakota Access, LLC for the Dakota Access Pipeline Project Docket Number HP14-002. 4 ayes.

#### LEGISLATIVE UPDATE

Robert Wilson, Assistant Commission Administrative Officer, gave an update and status report of the 90<sup>th</sup> Legislative Session on bills that impact Minnehaha County.

#### LIAISON REPORT

Commissioner Beninga stated he believes it would be important to have a monthly meeting with the Highway Superintendent regarding prioritizing road and bridge projects and how townships might be involved in funding some of those projects.

#### NEW BUSINESS

Shannon Schultz, Assistant Highway Superintendent, stated he misspoke at last week's commission meeting and wanted to correct his statement regarding two miles of gravel road in the far west portion of Minnehaha County that are farmed out to McCook County for maintenance. This arrangement is because the road is so far away that it doesn't make sense to take Minnehaha County equipment that distance, not because the Highway Department doesn't have the equipment and knowledge to maintain gravel roads.

MOTION by Kelly, seconded by Beninga, to adjourn into executive session for legal briefing and personnel. 4 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday January 27, 2015.

1/20/2015

APPROVED BY THE COMMISSION:

Cindy Heiberger  
Chairperson

ATTEST:

Cynthia Jepsen  
Deputy Auditor