

01/31/2017

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. January 31, 2017, pursuant to adjournment on January 24, 2017. Commissioners present were: Barth, Bender, Beninga, Heiberger, and Karsky. Also present were Olivia Larson, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

MOTION by Barth, seconded by Bender, to approve the agenda. 5 ayes.

#### MINUTES APPROVAL

MOTION by Barth, seconded by Karsky, to approve the January 24, 2017, Commission Minutes. 4 ayes. Heiberger abstained.

#### VOUCHERS TO BE PAID

MOTION by Barth, seconded by Heiberger, to approve the following bills totaling \$561,598.26. 5 ayes.

A & B Business Solut	Lease-Rental	83.25	A & B Business Solut	Maintenance C	109.99
A-1 Septic	Automotive/Sm	172.50	Airgas Inc	Small Tools	168.83
Airway Service Inc	Gas,Oil,Diese	82.01	APWA	Education & T	4,160.00
Argus Leader Adver	Publishing Fe	2,186.25	Argus Leader Subsc	Subscriptions	29.10
AT&T	Safety & Resc	42.31	Automatic Building C	Outside Repai	140.82
Avera Home Medical E	Medical Equip	175.96	Avera McKennan Hospi	Blood Withdra	234.00
Avera McKennan Hospi	Expenditures	250.00	Avera McKennan Hospi	Hospitals	4,324.50
Avera McKennan Hospi	Physicians	448.53	Avera Specialty Clin	Physicians	196.96
Axis Forensic Toxic	Lab Costs	150.00	Bartels, Amber	Business Trav	49.14
Berry Dunn Mcneil	Consultants	4,062.00	Billion's	Automotive/Sm	7,139.13
Bishop Dudley Hospit	Co Welfare	37,835.77	Bosman, Joseph	Uniform Allow	105.88
Boyer Trucks Sioux F	Truck Repair	227.99	Brown & Saenger	Office Suppli	7,209.21
Builders Supply Comp	Small Tools	1,563.50	Bureau Of Informatio	Data Communic	113.00
Bureau Of Informatio	Telephone	297.00	Buthe, DJ	Business Trav	115.00
Cartridge World	Printing/Form	643.96	CBM Managed Services	Board Of Pris	12,534.22
Century Business Pro	Lease-Rental	918.45	Century Business Pro	Maintenance C	1,048.54
Centurylink	Telephone	52.56	Centurylink Communic	Contract Serv	55.91
Centurylink Communic	Telephone	687.62	Chagolla, Albert	Interpreters	50.00
Christopherson Ander	Attorney Fees	2,097.40	City Glass & Glazing	Small Tools	136.90
Cliff Avenue Auto Pa	Truck Repair	57.05	Coffee King Inc	Program Activ	67.50
Cole Papers Inc	Janitorial/Ch	2,360.64	Cole Papers Inc	JDC Custodial	106.00
Constellation New En	Natural Gas	18,218.06	Country Meadows Apts	Welfare Rent	500.00
Covrig, Mark	Welfare Rent	1,000.00	CRC Prop Syc Oak/Ba	Welfare Rent	500.00
Dakota Data Shred	Trash Removal	264.00	Dakota Fluid Power	Gas,Oil,Diese	177.04
Dakota Fluid Power	Truck Repair	41.50	Deans Bulk Svc	Gas,Oil,Diese	228.00
Deans Bulk Svc	Parts Invento	700.15	Dell Rapids Communit	Transportatio	300.00
Denherder Law Office	Attorney Fees	202.16	Dorfman Museum Figur	Exhibit Mater	2,310.00
Dover, Sena S	Bd Evaluation	2,250.00	Dover, Sena S	Bd Exp Fees	247.50
East River Electric	Utility Align	14,544.53	EH Hospitality LLC	Motels	500.00
Empire Business Syst	Printing/Form	431.90	First Rate Excavate	Sign Deposits	50.00
Fluth, Rodney P	Welfare Rent	600.00	Fonder, Roger M Db	Automotive/Sm	398.06
Fremont Industries	Heat,Vent & A	21,054.12	Frontier Precision I	Software	1,062.00
G&H Distributing I	Truck Repair	58.53	G&R Controls Inc	JDC Mainten	65.83
G&W, Inc Db	Transportatio	30.97	Garretson Community	Transportatio	1,762.60
George Boom Funeral	Burials	2,000.00	George, Aaron	Welfare Rent	350.00
Goebel Printing, Inc	Printing/Form	177.72	Goering, James	Small Tools	75.51
Grainger Inc	Program Activ	45.76	Graybar Electric Co	Jail Repairs	24.80
Gritware LLC	Maintenance C	1,701.00	Harris, Jolynn	Extradition	59.00
Heartland Paper Co	Janitorial/Ch	29.47	Heimdal, Marie Ann	Court Reporte	41.80
Hidden Hills Apartme	Welfare Rent	400.00	High Point Networks	Data Processi	1,270.67
High Point Networks	Maintenance C	465.52	Horizon Agency Inc	Expenditures	2,541.50
Horn Law Office Prof	Attorney Fees	234.00	Howe Inc	Building Repa	731.24
Institutions Service	Jail Repairs	18.00	Interstate Office Pr	Office Suppli	74.24
ISS Facility Svcs-Mi	Contract Serv	12,405.00	JCL Solutions	Kitchen/Clean	2,059.93
Jeff Larson Law LLP	Attorney Fees	1,135.45	Johnson Controls, In	Heat,Vent & A	2,940.22

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Katterhagen, Mark	Bd Exp Fees	60.00	Kauffman, David W P	Psych Evals	3,276.00
Keloland TV	Other Miscell	400.00	Kone Inc	Building Repa	607.97
Kone Inc	Outside Repai	9,000.00	Laughlin, Nicole	Attorney Fees	1,688.80
Laughlin, Nicole	Child Defense	263.20	Leggett, Joseph R	Welfare Rent	600.00
Leonard LLP	Welfare Rent	500.00	Lewis & Clark Bhs	Bd Evaluation	2,560.00
Lewno Law Office	Bd Exp Fees	494.88	Light And Siren	Truck Repair	926.38
Loving, Philip	Bd Evaluation	2,130.00	Lutheran Social Svcs	Bd Evaluation	450.00
Martell, Rebecca L	Extradition	59.00	Meadowbrook Apartmen	Welfare Rent	350.00
Medstar Paramedic In	Transportatio	1,200.00	Metro Communications	Clinics Aux	240.00
Michaelson, Gene	Welfare Rent	500.00	Midamerican Energy C	Natural Gas	761.63
Midwest Alarm Compan	Administratio	2,202.94	Midwest Alarm Compan	Coliseum Main	405.12
Midwest Alarm Compan	Outside Repai	101.28	Midwest Alarm Compan	VOA Dakotas	101.28
Midwest Contracting	Contracted Co	19,471.00	Mikelson, Gary E	Attorney Fees	227.17
Miller Funeral Home	Burials	2,000.00	Miller, Greg P	Welfare Rent	800.00
Minnehaha County Fam	Memberships	10.00	Monick Pipe & Supply	JDC Maintenanc	2,190.00
Motorola Solutions	Communication	7,692.78	Moulton, Alexis	Other Misc R	150.00
Neve's Uniforms	Uniform Allow	13.20	Nichole Carper	Attorney Fees	2,106.71
North American Truck	Truck Repair	34.37	Northeast Investment	Welfare Rent	2,600.00
Osborn, Roxane R	Court Reporte	1,755.00	Paulson, Rodney	Welfare Rent	500.00
Pettigrew Heights Lt	Welfare Rent	500.00	Presto-X-Company	Outside Repai	204.55
Qualified Presort Se	Museum Report	525.75	Qualified Presort Se	Postage	6,706.22
Redwood Court Ltd Pt	Welfare Rent	700.00	Reeves, Megan	Court Reporte	53.20
Richard-Ewing Equipm	Jail Repairs	75.00	Ruhlman, James M	Welfare Rent	400.00
Russell, Mark	Education & T	159.00	Sanford Laboratories	Lab Costs	1,063.83
Sanford Occupational	Professional	916.92	SD Assn Of County Co	Business Trav	250.00
SD Assn Of County Co	Travel Bart	100.00	SD Assn Of County Co	Travel Beni	100.00
SD Assn Of County Co	Travel Heib	100.00	SD Assn Of County Co	Travel Kars	100.00
SD Building Official	Education & T	75.00	SD Building Official	Memberships	50.00
SD Dept Of Transport	Books	100.00	SD One Call	Building Repa	3.15
SF Leased Housing As	Welfare Rent	572.00	SF Leased Housing As	Welfare Rent	335.00
SF River Run Apts	Welfare Rent	624.00	SF Specialty Hospita	Recruitment	688.00
Shumaker, Susan M	Education & T	150.00	Sioux Falls City Fin	Building Repa	40.00
Sioux Falls City Fin	Gas,Oil,Diese	10,503.23	Sioux Falls City Fin	HIDTA Grant	87.31
Sioux Falls Utilitie	Electricity	11,346.44	Sioux Falls Utilitie	Water Sewer	7,817.97
Sioux Falls Utilitie	Welfare Utili	161.82	Skadsen, Nathan	Business Trav	71.40
Smith, Anna	Program Activ	500.00	Southeastern Behavio	Other Miscell	42,367.00
Stern Oil Co Inc	Parts Invento	993.30	Storhaug, Adrean	Welfare Rent	925.00
Strange Farrell John	Attorney Fees	8,300.87	Streichers Inc	Uniform Allow	26.99
Suretest Inc	Professional	367.50	Swanda, Karen	Bd Exp Fees	60.00
Szameit, Alexandra	Interpreters	474.17	Tammen Auto & Tire I	Automotive/Sm	13.96
Tammen Auto & Tire I	Gas,Oil,Diese	42.07	Taylor Place LLC	Welfare Rent	1,300.00
Test Point Paramedic	Blood Withdra	5,040.00	Thomson Reuters We	Books	240.68
Thomson Reuters We	Legal Researc	671.38	Tool Depot	Small Tools	39.55
Tri-State Garage Doo	Building Repa	348.00	Tschetter & Adams La	Attorney Fees	380.61
Turning Leaf Hsg Ltd	Welfare Rent	600.00	Uline	Program Activ	689.99
US Bank Equipment Fi	Lease-Rental	136.72	US Postal Service	Postage	225.00
V&S Inc	Program Suppl	128.36	V&S Inc	Uniform Allow	731.86
Vanhorn, Dwight D	Other Profess	2,500.00	Vast Broadband	Telephone	64.91
Walden Carpets, Inc	Juvenile Dete	14,763.11	Walgreen Co	Pharmacies	1,075.89
Waltner,Kolbeck,Scha	Attorney Fees	1,085.60	Waltner,Kolbeck,Scha	Child Defense	309.60
Walton, Marcus	Attorney Fees	1,186.80	West Pointe Townhous	Welfare Rent	1,400.00
Wynia, Wallace	Education & T	159.00	Xcel Energy, Inc	Electricity	48,349.04
Xcel Energy Inc	VOA Dakotas	785.92	Xcel Energy, Inc	Welfare Utili	245.19
Xigent Solutions	New World Cos	6,094.00	Yankton County Sheri	Return Of Ser	152.50
Yankton County Treas	Attorney Fees	1,975.00	Yellow Cab Inc	Transportatio	11.70
Zabel Steel Co	Truck Repair	128.72	Zacharias Const Inc	Contracted	114,932.61

## REPORT

The Human Services 2016 Annual and 4<sup>th</sup> Quarter Reports were received and placed on file in the Auditor's Office.

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## PERSONNEL

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

1. To accept the resignation of Jennifer Hynek as Senior Deputy State's Attorney for the State's Attorney's Office effective 2/3/17.
2. To promote McKenzie Sweet-Allen from Legal Office Assistant for the Public Defender's Office to Paralegal (16/3) for the Public Advocate's Office at \$21.17/hour effective 2/6/17.
3. To hire Meghan Gorsuch and Braden Carroll as variable hour Juvenile Correctional Workers for the Juvenile Detention Center at \$14.25/hour effective 2/1/17.
4. To promote Kyle Johnson and Alexander Braun from Correctional Officers in Training to Correctional Officers (13/3) for the Jail at \$18.26/hour effective 1/16/17.
5. To accept the resignation of Richard Horn as Correctional Officer for the Jail effective 1/26/17.
6. To begin Interpreter specialty pay for Linc Mitchell, Corporal for the Jail, resulting in a rate of \$22.74/hour effective 1/28/17.
7. To begin Accident Reconstruction specialty pay for Adam Gonnerman, Deputy Sheriff for the Sheriff's Office, resulting in a rate of \$24.62/hour effective 1/28/17.

## Step Increases

1. Austin Vos – Senior Deputy Public Advocate – Public Advocate's Office – 22/6 – 1/27/17 - \$2,576.80/bi-weekly
2. Carrie Mees-Burt – Senior Deputy State's Attorney – State's Attorney's Office – 22/16 – 1/3/17 - \$3,298.40/bi-weekly
3. Rhett Bye – Senior Deputy State's Attorney – State's Attorney's Office – 22/9 – 1/4/17 - \$2,775.20/bi-weekly
4. Carole James – Senior Deputy State's Attorney – State's Attorney's Office – 22/12 – 1/2/17 - \$2,988.00/bi-weekly
5. Amanda Eden – Senior Deputy State's Attorney – State's Attorney's Office – 22/10 – 1/2/17 - \$2,844.80/bi-weekly
6. Lori Ehlers – Senior Deputy State's Attorney – State's Attorney's Office – 22/8 – 1/9/17 - \$2,707.20/bi-weekly
7. Megan Glass – Legal Office Assistant – State's Attorney's Office – 10/7 – 1/16/17 - \$17.37/hour
8. Krista Leidholt – Deputy Sheriff Sergeant – Jail – 20/12 – 1/9/17 - \$32.21/hour

## Special Personnel Action

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MOTION by Heiberger, seconded by Karsky, to approve a temporary pay increase of approximately 5%, from 16/14 at \$27.77/hour to 16/16 at \$29.18/hour, for Michael Tuschen, Road Maintenance Team Leader, for the Highway Department effective 1/20/17. 5 ayes.

#### LIEN COMPROMISE

Robert Wilson, Assistant Commission Administrative Officer, gave a briefing on an application for a compromise of lien for DPNO 89237 in the amount of \$650 and DPNO 77200 in the amount of \$650. Poor Relief and Public Defender services were provided between September 2011 and December 2015. The applicant was selling their house to the lienees on a Contract for Deed. The lienees were not able to make their balloon payment causing them to default on the contract. The applicant is planning to resell the house and is requesting a compromise and release of the lien in full only as it applies to the property. Dean Hammer, Attorney from Dell Rapids representing the applicant, spoke on the circumstances surrounding the lien compromise request. MOTION by Barth, seconded by Karsky, to approve Resolution MC17-4. 5 ayes.

#### RESOLUTION MC17-4

WHEREAS, County Aid Liens purport to exist in favor of Minnehaha County and against DPNO 89237 in the amount of \$650 and DPNO 77200 in the amount of \$650 as Lienee, and

WHEREAS, the owner of the real property, which both liens are attached to, 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 DPNO 89237 only as it applies to the real property legally described as Lot 56 in Hillside Estates 2<sup>nd</sup> Addition to the City of Baltic, Minnehaha County, South Dakota, with no payment, leaving the full amount of the lien against the lienee.

Compromise and release DPNO 77200 only as it applies to the real property legally described as Lot 56 in Hillside Estates 2<sup>nd</sup> Addition to the City of Baltic, Minnehaha County, South Dakota, with no payment, leaving the full amount of the lien against the lienee.

Dated at Sioux Falls, South Dakota, this 31<sup>st</sup> day of January, 2017.

#### APPROVED BY THE COMMISSION:

Gerald Beninga  
Chairman

ATTEST:

Olivia Larson  
Deputy County Auditor

#### PUBLIC COMMENT

Jodi Fick, rural Minnesota resident and Director of Siouxland Libraries, spoke on her years within the library system and new funding to enhance the internet connection for the rural libraries.

#### FUND TRANSFER

Bill Hoskins, Museum Director, reported a \$10,000 transfer from the Museum Store Fund to the Museum

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Enterprise Fund in support of educational programming at the Museum is provided for in the 2017 budget. The transfer requires Commission action. MOTION by Heiberger, seconded by Bender, to authorize a \$10,000 transfer from the Museum Store Fund to the Museum Special Enterprise Fund in accordance with the 2017 budget. 5 ayes.

#### AGREEMENT

Lynn Keller Forbes, Executive Director of the South Eastern Council of Governments (SECOG), presented revisions to the Joint Cooperative Agreement amongst Clay, Lincoln, McCook, Minnehaha, Turner, and Union Counties and Brandon, Sioux Falls, and Vermillion, its First Class Municipalities, that make up SECOG. The revisions being made the agreement include increasing the number of members from 11 to 12 and reducing the number of State Legislatures on the board from two (2) to one (1). Due to a Special Census, Harrisburg is now considered a First Class Municipality and will be added as the twelfth member. MOTION by Heiberger, seconded by Bender, to authorize the Chair to approve Resolution MC17-5 and to sign the revised Joint Cooperative Agreement with the six partner counties and the four First Class Municipalities taking effect upon execution of the agreement by all parties. 4 ayes. Beninga abstained.

#### RESOLUTION MC17-5

#### A RESOLUTION APPROVING A REVISED JOINT COOPERATIVE AGREEMENT ESTABLISHING THE SOUTH EASTERN COUNCIL OF GOVERNMENTS

WHEREAS, in 1970, South Dakota Governor Frank Farrar signed an Executive Order creating six Planning and Development Districts in South Dakota; and

WHEREAS, the South Eastern Council of Governments (SECOG) was created when local officials in the area exercised their authority under the "Joint Exercise of Governmental Powers" (SDCL 1-24); and

WHEREAS, SECOG serves Clay, Lincoln, McCook, Minnehaha, Turner, and Union Counties as well as the municipalities located within those counties in southeastern South Dakota; and

WHEREAS, SECOG was created as a means whereby counties and cities and other public and private organizations within them may cooperate with one another to improve the health, safety, and general welfare of the citizens of the region; and

WHEREAS, SECOG promotes regional cooperation and the economical delivery of services and has been providing technical assistance to local governmental entities for more than 45 years; and

WHEREAS, SECOG's Executive Board has determined that the existing Joint Cooperative Agreement entered into in 2010 should be revised.

#### NOW THEREFORE BE IT RESOLVED THAT

1. The County of Minnehaha hereby approves the document titled "South Eastern Council of Governments Joint Cooperative Agreement" among Clay, Lincoln, McCook, Minnehaha, Turner, and Union counties and the cities of Brandon, Harrisburg, Sioux Falls and Vermillion.
2. The agreement, containing revisions to the existing 2010 Joint Cooperative Agreement, is attached to and hereby made a part of this resolution.

Dated this 31<sup>st</sup> day of January, 2017.

Gerald Beninga

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Chairperson Minnehaha County

ATTEST:  
Olivia Larson  
Deputy Auditor

#### ALLOCATION

Erin Srstka, Juvenile Detention Alternatives Initiative Coordinator, requested allocating \$15,000 of funds received through the Juvenile Justice Reinvestments Initiative to the Boy Scouts of America. A total of \$46,750 has been awarded to Minnehaha County through the initiative based on the number of successful diversions completed in a fiscal year. The Boy Scouts of America requested County assistance to fund three of their diversion programs, RISE, Teen Court, and CAB. Carole James, Senior Deputy State's Attorney, spoke in support of the allocation to the Boy Scouts of America. MOTION by Bender, seconded by Karsky, to approve a General Fund allocation in the amount of \$15,000 from funds received through the Juvenile Justice Reinvestments Initiative to the Boy Scouts of America for diversion programs. 5 ayes.

#### LEGISLATIVE UPDATE

Robert Wilson, Assistant Commission Administrative Officer, gave an update and status report of the 2017 Legislative Session on bills that impact Minnehaha County. Lynn DeYoung, Emergency Management Director, spoke on the potential effects of Senate Bill 121.

#### LIAISON REPORTS

Commissioner Barth reported on the Minnehaha County Fire Chiefs Association Annual Meeting he attended with Commission Karsky where the efforts to put out a major fire near Crooks, SD was discussed. Commissioner Karsky expanded on the great ability of the fire departments to work together. Lynn DeYoung, Emergency Management Director, spoke on his board membership with local fire departments.

Commissioner Bender reported on the kick off training for the pretrial assessment tool that she and Commissioner Beninga attended. Commissioner Beninga reported on the participation by representatives from many areas of the County.

Commissioner Bender congratulated the Minnehaha County Deputy Sheriff and Metro Communications personnel who recently made the news when they helped deliver a baby in a family's bathroom.

MOTION by Bender, seconded by Heiberger, to adjourn into executive session for contracts, litigation, and personnel. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday February 7, 2017.

#### APPROVED BY THE COMMISSION:

Gerald Beninga  
Chair

ATTEST:  
Olivia Larson  
Deputy Auditor