

10/24/2017

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. October 24, 2017, pursuant to adjournment on October 17, 2017. Commissioners present were: Barth, Bender, Beninga, Heiberger, and Karsky. Also present were Olivia Larson, Commission Recorder, and Margaret Gillespie, Senior Deputy State's Attorney.

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

MINUTES APPROVAL

MOTION by Heiberger, seconded by Barth, to approve the October 17, 2017, Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Heiberger, to approve the following bills totaling \$1,088,273.75. 5 ayes. Bob Litz, Auditor, briefed the Commission on areas that caused the high bill total such as a highway bridge, the Museum Archives Facility, new parking, and patrol cars.

A&B Business	Lease-Rental	440.29	A&B Business	Maintenance	258.53
A To Z World Language	Interpreters	6,900.00	Action Electric	Sign Supply	461.23
Active Data Systems	Other Prof	2,775.00	Affordable Housing	Welfare Rent	498.00
Airgas	Lease-Rental	42.90	Airgas	Small Tools	147.03
Airway Svc	Automotive	533.25	Airway Svc	Gas,Oil,Diesel	191.24
Amer Assoc Of Police	Memberships	125.00	Anderson Publication	Publishing Fee	37.11
AT&T	Safety & Res	40.75	Autumn Park Apt	Welfare Rent	486.68
Autumnview I Apt	Welfare Rent	500.00	Avera Health	Clinics Aux	93.10
Avera Health	Medical Record	22.38	Avera McKennan	Hospitals	10,503.65
Avera McKennan	Investigators	83.00	Banner Associates	Architects	13,805.42
Billion Empire Motor	Automotive	34.52	Bob Barker	Inmate Supplie	1,417.79
Breit Law	Child Defense	441.60	Brevik Law	Attorney Fees	183.63
Brookings Co Auditor	Attorney Fees	555.00	Brookings Health	Hospitals	700.00
Brown & Saenger	Office Supplies	149.95	Bruxvoort, Jordan	Interpreters	50.00
Built On The Rock	Welfare Rent	1,800.00	Bureau Of Info	Data Com	113.00
Bureau Of Info	Telephone	270.00	Cartridge World	Data Process	1,580.79
Century Business	Lease-Rental	209.54	Century Business	Maintenance	893.45
Centurylink	Telephone	159.46	Certified Languages	Interpreters	75.90
Change Healthcare	Data Process	49.00	Cheney Lake	Welfare Rent	510.00
Childs Voice	Education	250.00	Cliffwood Apt	Welfare Rent	490.00
Cloud 9 Motel	Motels	73.70	Columbia Dam	Welfare Rent	500.00
Computer Forensic	Other Prof	800.00	Concrete Materials	Repair/Reno	379.50
Concrete Materials	Road Maint	4,111.48	Counseling Resources	Attorney Fees	200.00
Country View	Welfare Rent	1,400.00	Culligan Water	Data Process	35.53
Dakota Data Shred	Office Supplies	258.75	Dakota Psychological	Psych Evals	6,724.50
Dedula, Carla F	Court Reporter	57.80	Dell Rapids Lumber	Bldg/Yard Rep	8,061.38
Dover, Sena S	Bd Eval	675.00	Duffy, Ryan	Attorney Fees	383.40
Eich Law	Attorney Fees	747.09	Enviromental Systems	Maintenance	11,000.00
Erin Neilsen Ogdahl	Attorney Fees	175.00	Erpenbach, John E	Recruitment	700.00
Fastenal	Small Tools	338.34	First Dakota Title	Parking	340,704.03
First Premier Bank	Investigators	84.23	Fleetpride	Truck Repair	49.65
Galls Quartermaster	Uniform Allow	632.40	Geotek Engineering	Museum Collect	1,577.50
Glader, David	Welfare Rent	460.00	Gonnerman, Adam	Education	79.00
Graham Tire	Automotive	378.94	Graham Tire	Automotive	505.04
Gunner, Andrea	Court Reporter	50.40	Gutnik, Bruce D MD L	Other Prof	7,105.00
Guzman, Sandra V	Interpreters	75.00	Hall, Vien V	Interpreters	130.83
Hanson Logowear	Uniform Allow	516.90	Harda Reynolds Law	Attorney Fees	911.00
Hasseler, Kenneth D	Other Prof	6,132.50	Hava House	Welfare Rent	1,200.00
Hoffmann, Jodi	Other Prof	2,475.68	Horn Law	Attorney Fees	212.80
HyVee	Jury Fees	75.90	Interstate All	Automotive	113.95
Interstate	Office Supplie	1,815.36	Intoximeters	Testing Sup	268.50
Iosty, James	Bd Exp Fees	6,692.80	Iosty, James	Crisis Inter	244.40
ISI	Interpreters	160.00	Jaid Properties	Welfare Rent	600.00
Jeff Larson Law	Attorney Fees	1,297.20	Jim & Rons Svc	Automotive	50.00
Johnson, Richard L	Attorney Fees	1,294.99	Katterhagen, Mark	Bd Exp Fees	90.00

10/24/2017

Kavanaugh, Antoinett	Other Prof	602.50	KCH Law	Attorney Fees	210.89
Knobloch, Kathy	Welfare Rent	600.00	Koch Hazard Architect	Museum Collect	3,029.25
Kone	Maintenance	879.45	Kone	Other Prof	61.23
Kuchenreuther, Derek	Education	170.00	Lacey Rentals	Lease-Rental	108.00
Lacroix Law	Attorney Fees	987.82	Language Line Svc	Interpreters	205.03
Language Line Svc	Telephone	355.59	Laughlin Law	Attorney Fees	2,703.50
Lewis & Clark BHS	Bd Eval	1,280.00	Lewis Drugs	Pharmacies	2,400.36
Lewno Law	Bd Exp Fees	705.80	Lockwood, Darcy	Bd Exp Fees	90.00
Lutheran Social Svcs	Interpreters	50.00	Matheson Trigas	Jail Repairs	47.53
Menards	Building Repair	16.96	Menards	Janitorial	2.84
Midamerican Energy	Natural Gas	48.49	Mikelson Law	Bd Exp Fees	90.00
MC Human Svcs	Other Supplies	120.00	MC HWY	Other Prof	30.00
MJ Dalsin	JDC Maint	511.79	Monroe Systems	Office Supplies	762.00
Mosena, Daniel L	Welfare Rent	500.00	Multicultural Center	Interpreters	110.00
Murphy, Audie	Business Trav	412.24	Murray Properties	Welfare Rent	500.00
Napa Auto Parts	Small Tools	96.53	Nichole Carper	Attorney Fees	2,263.27
Nichole Carper	Child Defense	4,310.66	Northern Heights	Welfare Rent	700.00
Peska Construction	Museum Colle	194,096.00	Pettigrew Heights	Welfare Rent	774.00
Pharmchem	Testing Sup	533.00	Prahm Construction	Contracted Co	91,582.00
Quality Efficiencis	Motels	100.00	Quill	Office Supplies	344.81
R&S Sanitation Svc	Trash Removal	450.00	Redwood Toxicology	Testing Sup	3,600.00
Reliance Telephone	Telephone	2.80	Rotorooter	Trash Removal	420.00
Safety Benefits	Safety Commit	130.00	Sanford Hospital	Clinics Aux	189.01
Sanford Pathology	Other Misc	58.00	Sanford Release	Investigators	15.50
Sayre Associates	Jail Expansion	4,255.00	Sayre Associates	Juvenile Deten	3,496.25
SD Continuing Legal	Subscriptions	500.00	SD Dept Of Rev	Blood/Chem	2,485.00
SD Human Svc	Clinics Aux	27.80	SD One Call	Building Repair	24.15
SDES	Publishing Fee	300.00	SF YMCA Housing	Welfare Rent	420.00
Short Elliott	Architects	730.19	Sigler Fire Equip	HHS Maint	106.50
Simmons, Michael	Welfare Rent	700.00	Sioux Falls Area	Memberships	196.00
Sioux Falls City	Blood/Chem	3,605.00	Sioux Falls City	Gas,Oil,Diesel	957.87
Sioux Falls Housing	Welfare Rent	530.00	Sioux Falls Utilities	Water Sewer	6,664.36
Sioux Falls Utilities	Welfare Utilitie	180.88	Sioux Valley Energy	Welfare Utilitie	176.77
Southeastern Behavior	Drug Court	5,000.00	Southeastern Behavior	Other Prof	1,875.00
Splitrock Fire Dept	Split Rock F	20,151.50	Spring Centre Apt	Welfare Rent	350.00
Strange Farrell John	Attorney Fees	380.70	Streichers	Uniform Allow	76.56
Szameit, Alexandra	Interpreters	224.99	Target	Pharmacies	132.40
Taylor Place	Welfare Rent	500.00	TCN	Telephone	44.80
Tegra Group	Jail Expansio	25,799.44	Testpoint Medical	Blood Withdraw	4,800.00
Thomson Reuters	Books	252.78	Thomson Reuters	Legal Research	5,345.58
Thoreson, Jeff	Investigators	59.00	Thorin, Deyanira T	Attorney Fees	150.00
Tires Tires Tires	Gas,Oil,Diesel	64.69	Tomacelli's Too	Jury Fees	104.91
Tschetter & Adams	Child Defense	2,994.83	University Center	Lease-Rental	275.00
Vanderweide, Shannon	Welfare Rent	500.00	Vans Auto Electric	Heavy Eq Rep	175.00
Variety Foods	Other Prof	354.89	Verizon Wireless	Data Process	1,861.78
Verizon Wireless	HIDTA Grant	94.24	Verizon Wireless	Safety & Res	124.32
Verizon Wireless	Telephone	5,995.20	Vern Eide Ford	Automobiles	176,251.68
Victoria Estates	Welfare Rent	600.00	Vogel Motors	Gas,Oil,Diesel	66.00
Walgreen	Pharmacies	435.48	Walmart	Pharmacies	104.59
Walsh, Mike	Education	128.00	Walton, Marcus	Attorney Fees	2,987.40
Weber Cnty UT	Return Of Svc	72.50	Weerheim Law	Attorney Fees	929.80
Wheeler, Dylan	Business Trav	94.00	Wilka & Welter	Attorney Fees	1,031.91
Winner Police Dept	Extradition	135.60	Woodbury Cnty IA	Return Of Svc	45.00
Woods Fuller Shultz	Other Prof	49.50	Xcel Energy	Electricity	21,390.09
Xcel Energy	Road Maint	16.69	Xcel Energy	Welfare Utilit	2,840.67
Yankton Cnty Sheriff	Return Of Svc	300.00	10Th Street Autawash	Automotive	10.95

REPORTS

The September 2017 Register of Deeds Official Statement of Revenue Report was received and placed on file in the Auditor's Office.

PERSONNEL

10/24/2017

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

1. To promote Scott Kindvall from Appraiser in Training to Appraiser (15/4) for Equalization at \$20.66/hour effective 10/26/17.
2. To hire Andrew Wilka as Deputy Public Defender (22/3) for the Public Defender's Office at \$2,514.40/bi-weekly effective 10/25/17.
3. To end the variable hour employment of James Larson as Correctional Officer for the 24/7 Program effective 10/27/17.
4. To end the variable hour employment of Luke Senst as Protective Services Worker for the Sheriff's Office effective 10/18/17.

Step Increases

1. Justin Cave – Correctional Officer – Jail – 13/5 – 7/7/17 - \$19.18/hour
2. Jason Aanenson – Deputy Sheriff – Sheriff's Office – 17/10 – 9/4/17 - \$26.44/hour
3. Cory Hartley – Deputy Sheriff – Sheriff's Office – 17/4 – 10/22/17 - \$22.80/hour
4. Ferlin Vander Poel – Groundskeeper – Facilities – 9/9 – 10/23/17 - \$17.37/hour
5. Kari Benz – Human Services Director – Human Services – 24/8 – 9/23/17 - \$3,465.60/bi-weekly
6. Jennifer Zitterich – Caseworker – Human Services – 16/5 – 10/26/17 - \$22.24/hour
7. Judith Wehrkamp – Senior Deputy State's Attorney – State's Attorney's Office – 22/14 – 7/1/17 - \$3,298.40/bi-weekly

PUBLIC COMMENT

Commissioner Beninga announced the public hearing originally noticed for the October 24, 2017, meeting to take action on the County's animal control ordinance has been delayed. Anyone interested in speaking on the topic was offered the opportunity to speak during public comment. No one came forward.

Bob Litz, Auditor, announced a Moody's ratings call will take place in the Auditor's Office on November 1, 2017, at 10:00 a.m.

Jason Gearman, Deputy Sheriff Captain, spoke on the Sheriff's Office process when conducting liquor license compliance checks noting the October 19, 2017, check resulted in seven violations. Commissioners expressed their concerns and disappointment in the recent number of violations this year.

SPECIAL EVENT LICENSE

A public hearing was held for a Special Event On-Sale Liquor License Application submitted by Prairie Pasta Inc. dba Johnny Carino's. The license would allow the sale and consumption of liquor at a corporate event to be held on December 8, 2017, taking place at the Blue Haven Barn. The licensed property is legally described as Track 3 (Ex #1) Krell's Addition SE ¼ 36-101-51 Wall Lake Township, located at 46594 268th St. No one spoke in opposition. MOTION by Barth, seconded by Heiberger, to approve the Special Event On-Sale Liquor

10/24/2017

License for Prairie Pasta Inc. dba Johnny Carino's for a corporate event to be held on December 8, 2017, at Blue Haven Barn. 5 ayes.

PUBLIC NUISANCE

Kevin Hoekman, Planner I, gave a briefing on a Public Nuisance Ordinance violation at the property owned by Cheryl Angle. The property is legally described as the E33 Vac Row of Ted Dr Lying Adj & Tract 11 N1/2 S30-R101-T48 Iversons Tracts Sec 21, N1/2 SEC 30, & N1/2 SEC 33-T101-R48 Split Rock Township. The first site visit was on January 30, 2017, where staff found unlicensed vehicles. After further monitoring of the site, the owner was sent a notification letter on May 5, 2017, to make her aware of the violation. On June 1, 2017, the Planning Department received a call regarding the Angle property where the caller indicated he intended on taking care of the vehicles. By June 2, 2017, one vehicle had been removed, one vehicle was licensed, and one vehicle had no change. A site visit on June 20, 2017, showed no change. A second notification letter was sent to the owner on June 21, 2017. On July 13, 2017, a licensed car was in the front yard, fireworks debris was in the yard, the lawn had been mowed, and another vehicle was in the backyard. Another site visit on August 23, 2017, showed two unlicensed vehicles had been moved onto the property, the firework debris remained, and a vehicle was in front of the garage. The final letter was sent to the property owner on August 24, 2017 giving the owner until September 29, 2017, to take care of the violations. On the same day a complaint call was received stating there were 4 inoperable vehicles, weeds 3 feet in height, and rats on the property. On October 2, 2017, five vehicles were on the property. A notice of public hearing for October 24, 2017, was sent via certified mail and first class mail on October 5, 2017. A phone call was received on October 10, 2017, from a neighbor who was concerned people were living in the garage. On October 18, 2017, notice was sent to nearby neighbors to inform them of the public hearing, and another site visit was done showing four vehicles, a lawn mower, and a folding table were on the property. Due to the property having visible unlicensed vehicles and junk that has increased in quantity since staff has made contact, the Planning and Zoning Department believe that the only recourse is to declare the property a public nuisance to allow Minnehaha County to remove the violations from the property. Cheryl Angle, 7001 E 26th Street, Sioux Falls, the property owner, addressed the violations noted by the Planning and Zoning Department. The firework debris has been removed, licenses have been obtained for one of the vehicles, and one vehicle is being picked up by 12:00 p.m. on October 24, 2017. Due to a fire that took the home originally on the property in 2016, the key to one of the vehicles was lost. Ms. Angle indicated she has started the process to get the title to that vehicle in her name, as it is currently under the title company, in order to get a new key made. The garage that remains on the property is being used to store items that were salvaged from the fire and does not have enough room to store the vehicles. Ms. Angle stated she has hired a construction company to build a new home on the property, and that they are taking care of the building permits. Work on the home is expected to begin in approximately two weeks, and will take up to two months depending on weather conditions. Ms. Angle indicated her intention to request the help of the construction company to remove the large root system that is currently on the property. Due to an accident resulting in the breaking of both of her feet, Ms. Angle stated she is not physically capable of removing this herself. Ms. Angle also spoke on dealing with anxiety and depression that has made it difficult for her to clean up the property. Velder Williams, 7001 E 26th Street, Sioux Falls, stated he has been working on one of the vehicles on the property and that he is in the process of a title transfer. Due to the circumstances, Commissioners expressed being in favor of delaying the declaration to allow for further time for cleanup of the property. MOTION by Heiberger, seconded by Bender, to delay the declaration of a public nuisance and have the Planning and Zoning Department check the property in eight weeks for cleanup progress. 5 ayes.

Kevin Hoekman, Planner I, gave a briefing on a Public Nuisance Ordinance violation at the property owned by Tamera and Mike Day. The property is legally described as the N114 W73 Peterson Tract 2 SW1/4 SW1/4 S17-T103-R50 Lyons Township. This property has a history of noncompliance and was declared a nuisance and abated by the County two years ago. Cindy Heiberger relayed a complaint regarding the Day property on July 7, 2017, which prompted a site visit. The site visit showed tall grass, many tall thistles, and vehicles from the last clean up were still present and unlicensed. The owners were sent a notification letter on July 7, 2017, to make them aware of the violation. On the August 14, 2017, site visit, there was no change. A second notification letter

10/24/2017

was sent on August 15, 2017. At the next site visit on September 5, 2017, the grass had been mowed with the exception of areas where the weeds were tall, none of the vehicles had been licensed, a tractor tire was on the property, and a tree branch pile remained on site. The final letter was sent to the property owners on September 7, 2017, giving the owners until September 29, 2017, to take care of the violations. The October 2, 2017, site visit showed no change. A notice of public hearing for October 24, 2017, was sent via certified mail and first class mail on October 5, 2017. On October 18, 2017, notice was sent to nearby neighbors to inform them of the public hearing, and another site visit was done showing no change. Due to receiving no response from the owners and the lack of removing junk, weeds, and unlicensed vehicles, the Planning and Zoning Department believe that the only recourse is to declare the property a public nuisance to allow Minnehaha County to remove the violations from the property. The property owner was not in attendance. Justin Hackett, 319 5th St, Lyons, neighbor of the property, supported declaring the property a public nuisance and spoke on issues with the property including the unlicensed vehicles, debris and animals inside the building on the property, and an old box from a vehicle on the property. Mr. Hackett stated the owner only mows the property once a year. Photos of property taken from Mr. Hackett's yard were shown to the Commission. Paul Siemonsma, 309 1st Ave, Lyons, expressed his concern that the property could be dangerous to children playing in the area, and also noted issues with debris in the building. Mr. Hoekman reported taxes on the property are current. Scott Anderson, Planning Director, explained any costs charged to the County by the company doing the cleanup is placed on an assessment against the property and must be paid prior to paying property taxes. MOTION by Barth, seconded by Karsky, to declare the property legally described as the N114 W73 Peterson Tract 2 SW1/4 SW1/4 S17-T103-R50 Lyons Township a public nuisance and enact SDCL 21-10-6 to authorize the Planning & Zoning Department to abate the nuisance by removing the violations from the property. 5 ayes.

LIAISON REPORT

Commissioner Barth reported on the Minnehaha County Fire Chiefs Association meeting in Humboldt, SD where many volunteer fire departments attended, and it was noted that representatives were sent to the funeral of Presho Fire Chief Donald Manger who passed away in the line of duty.

Commissioner Barth reported on the October 23, 2017, Planning Commission meeting where a large crowd came to discuss a gravel pit north of the airport.

Commissioner Bender reported the Urbanized Development Commission notified her of a Project CAR fundraiser on October 26, 2017, at First Lutheran Church. Project CAR provides safe transportation to people in the area.

Commissioner Karsky reported on the October 19, 2017, Bishop Dudley Hospitality House Sleep Out where people slept outside to bring awareness to the issue of homelessness in Sioux Falls.

MOTION by Bender, seconded by Barth, to adjourn into executive session for contracts. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday October 31, 2017.

APPROVED BY THE COMMISSION:

Gerald Beninga
Chair

ATTEST:
Olivia Larson
Deputy Auditor

Published at the approximate cost of \$_____