

08/14/2018

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. August 14, 2018, pursuant to adjournment on August 7, 2018. Commissioners present were: Barth, Beninga, Bender, Heiberger, and Karsky. Also present were Olivia Larson, Commission Recorder, and Margaret Gillespie, Senior Deputy State's Attorney.

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

MINUTES APPROVAL

MOTION by Beninga, seconded by Karsky, to approve the August 7, 2018, Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Beninga, to approve the following bills totaling \$4,546,524.01. 5 ayes.

A To Z World Language	Interpreters	210.00
A&B Business	Maint Contracts	87.59
A&B Business	Office Equip Repair	77.41
Abc Rental	Grounds & Parking Repair	44.80
Abn Army Surplus	Volunteer Pers Items	683.90
Active Generations	Advertising	47.00
Airgas USA	Automotive/Small Equip	328.05
Airway Svc	Automotive/Small Equip	39.50
Airway Svc	Gas Oil & Diesel	116.24
Alg*Air	Business Travel	552.00
Allied Oil & Tire	Heavy Equip Repairs	997.50
Allied Oil & Tire	Truck Repairs & Maint	45.00
Amazon Mktplace	Data Processing Supplies	430.25
Amazon Mktplace	Furniture & Office Equip	10.96
Amazon Mktplace	HIDTA Grant	39.98
Amazon Mktplace	Janitorial Chemical	18.00
Amazon Mktplace	Office Supplies	308.04
Amazon Mktplace	Program Activities	82.84
Amazon.Com	Data Processing Supplies	797.02
Amazon.Com	Furniture & Office Equip	631.46
Amazon.Com	Office Supplies	236.37
Amazon.Com	Other Repairs	45.96
Amazon.Com	Other Supplies	18.98
Amazon.Com	Printing/Forms	729.00
Amazon.Com	Program Activities	100.64
Amazon.Com	Telephone	50.33
Amazon.Com	Uniform Allowance	38.81
American Air	Business Travel	1,547.18
American Air	Extradition & Evidence	871.60
Armor Correctional	Contract Svcs	36,548.79
Asphalt Surface	Contracted Construction	89,910.38
Automatic Building	Coliseum Maint	344.00
Automatic Building	HHS Maint	238.00
Automatic Building	JDC Maint	271.43
Automatic Building	Outside Repair	341.25
Automatic Building	Voa Dakotas	330.00
Avera Health	Education & Training	50.00
Avera McKennan	Hospitals	7,114.75
Axis Forensic Toxicology	Lab Costs	890.00
Baeteforseth Hvac	JDC Maint	154.03
Baldwin Supply	Heat, Vent & Ac Repairs	1,128.86
Baltic Fire Dept	Baltic Fire Department	20,723.50
Bargain Barn Tire	Parks/Rec Repair & Maint	33.00
Bargain Barn Tire	Truck Repairs & Maint	27.90
Batteries Plus	Truck Repairs & Maint	4.99
Berrydunn	Consultants	13,648.84
Betty L. Oehlke	Sign Deposits	50.00
Bierschbach Equip	Road Maint & Material	78.00

08/14/2018

Bittner Funeral	Burials	3,000.00
Bound Tree Medical	Safety & Rescue Equip	918.12
Boyer Trucks	Truck Repairs & Maint	351.07
BP Products	Gas Oil & Diesel	120.46
BP Products	HIDTA Grant	56.40
Braun, Mason	Investigators Expenses	257.04
Brennan Hills	Welfare Rent	600.00
Brentwood Apts	Welfare Rent	1,200.00
Bridgewood	Welfare Rent	1,000.00
Bristol Court	Welfare Rent	700.00
Builders Supply	Building Repairs & Maint	594.00
BX Civil & Construct	Bridge Repair & Maint	100.00
BX Civil & Construct	Contracted Construction	195,180.00
Careerbuilder	Publishing Fees	750.00
CBM Managed Svcs	Board Of Prisoners	44,499.09
CBM Managed Svcs	Inmate Supplies	107.30
Cedar Prop	Welfare Rent	500.00
Genex Wood Oil	Gas Oil & Diesel	35.60
Centurylink	Data Communications	1,324.58
Chagolla, Albert	Interpreters	137.50
Chapelwood Iii	Welfare Rent	500.00
CHS	Road Maint & Material	140.00
City Glass & Glazing	Jail Repairs & Maint	1,986.00
Classified Verticals	Publishing Fees	1,793.00
Cleveland Heights	Welfare Rent	500.00
Cluckin Good Chicken	Jury Fees	121.32
Coffee Cup	Gas Oil & Diesel	54.51
Colt's Manufacturing	Education & Training	-550.00
Concrete Materials	Bldg/Yard Repair & Maint	1,662.43
Concrete Materials	Road Maint & Material	61,772.95
Construction Product	Bridge Repair & Maint	274.75
Construction Product	Park & Recreation	-2.15
Construction Product	Small Tools & Shop	329.15
Copquest	Other Supplies	60.80
Corrie Alexander	Education & Training	175.00
Cory Hartley	Education & Training	175.00
Costco Wholesale	Janitorial Chemical	46.47
Costco Wholesale	Water Sewer	14.95
Country Meadows	Welfare Rent	698.10
Country View MHC	Welfare Rent	356.00
Crescent Electric	HHS Maint	68.05
Dakota Auto Parts	Truck Repairs & Maint	5.38
Dakota Fluid Power	Heavy Equip Repairs	67.46
Dakota Law	Attorney Fees	2,512.58
Dalsin	Fairgrounds	13,058.25
Data Management	Maint Contracts	467.92
Deans Distributing	Gas Oil & Diesel	273.30
Decastro Law	Attorney Fees	3,976.20
Dedula, Carla F	Court Reporters	152.00
Dedula, Carla F	Court Reporters	128.00
Delta Air	Extradition & Evidence	435.80
Derek Thomas	Uniform Allowance	50.00
Dey Appliance	Correction Ctr Repairs	-155.73
Directv Holdings	Subscriptions	124.98
Dnh*Domain/Hosting	Subscriptions	49.99
Dollar General	Misc Expense	19.95
Dollar Tree Stores	Misc Expense	10.00
Dover, Sena S	Bd Evals (Minnehaha)	1,845.00
Dropbox	Subscriptions	99.00
Electric Supply	Furniture & Office Equip	275.19
Engbrecht, Roger	Welfare Rent	500.00
Expedia	Extradition & Evidence	178.40
Experts Exchange	Subscriptions	199.95
Family Connection	Welfare Rent	325.00
Family Svc	Insurance Claims	130.00

08/14/2018

Famous Dave's	Hazmat Committee	-9.14
Fleetpride	Truck Repairs & Maint	127.31
Frauenshuh Hospital	Supplemental Food	20.00
Fully Promoted	Uniform Allowance	221.52
Galls Quartermaster	Uniform Allowance	72.62
Gaylord Bros	Program Activities	392.39
GNSS	Child Care Items	62.40
GNSS	Office Supplies	16.61
GNSS	Subscriptions	41.00
Goebel Printing	Printing/Forms	89.28
Golden West	Telephone	211.02
Gordys	Gas Oil & Diesel	123.89
Gourley Properties	Welfare Rent	500.00
Grainger	Office Supplies	62.16
Grainger	Small Tools & Shop	72.80
Graybar Electric	Electrical Repairs	1,121.88
Graybar Electric	HHS Maint	99.81
Graybar Electric	Jail Repairs & Maint	50.29
Graybar Electric	JDC Maint	22.63
Great Plains Brown	Postage	29.71
Groth, James	Program Activities	300.00
Guzman, Sandra V	Interpreters	137.50
Hampton Inn Tempe	Business Travel	848.64
Hansen, Christine	Welfare Rent	260.00
Hanson, Michael W	Attorney Fees	1,400.60
Hardy Reynolds Law	Attorney Fees	911.40
Hartford Pizza Ranch	Misc Expense	100.00
Heimdal, Marie Ann	Court Reporters	315.20
Heirigs, Mary Ellen	Bd Exp Fees (Minnehaha)	424.00
Hertz Rent-A-Car	Business Travel	518.38
Hewlett Packard	Data Processing Equip	299.00
Hibu	Advertising	412.00
Hillside Resort	Misc Expense	268.75
Hobby-Lobby	Misc Expense	21.59
Hobby-Lobby	Other Supplies	17.38
Holiday	Gas Oil & Diesel	95.67
Holiday Inn Express	HIDTA Grant	-14.85
Horizon Agency	Insurance Claims	2,626.00
Hortons Pizza Plus	Gas Oil & Diesel	38.50
Hughes Law	Attorney Fees	170.50
Hyatt Place	Business Travel	1,670.40
HyVee	Other Supplies	34.00
HyVee	Child Care Items	26.90
HyVee	Misc Expense	70.26
HyVee	Other Supplies	45.21
HyVee	Pharmacies	337.99
HyVee	Supplemental Food	85.47
In*City Glass	HHS Maint	150.00
Intek	Contract Svcs	20,165.00
Intek	Furniture & Office Equip	605.00
Interlakes Community	Welfare Rent	543.00
Interstate All	Automotive/Small Equip	93.95
Interstate Office	Office Supplies	570.04
ISI	Interpreters	80.00
Jeff Larson Law	Attorney Fees	492.60
JH Larson	JDC Maint	29.53
Jim & Rons Svc	Professional Svcs	740.00
Johnson, Richard L	Attorney Fees	94.00
Kading Kunstle	Attorney Fees	100.00
Kar Parts	Automotive/Small Equip	31.98
Katheryn Cranbrook	Attorney Fees	3,600.00
Kauffman, David W Ph	Psych Evals	6,919.50
Kellen Weidner	Education & Training	175.00
Kennedy Pier & Loftu	Attorney Fees	959.00
Kfive Enterprises	Supplemental Food	53.50

08/14/2018

Kohls	Uniform Allowance	97.97
Konda, Yousif	Interpreters	150.00
Krause Gentle	Business Travel	57.50
Krause Gentle	Education & Training	45.47
Krause Gentle	Mass Fatality Grant	54.77
Krause Gentle	Professional Svcs	4.38
Krause Law	Attorney Fees	1,175.00
Kull, Lisa	Court Reporters	212.80
Kyra Enterprises	Motels	905.00
La Police Gear	Safety & Rescue Equip	118.70
Laerdalmedical	Safety & Rescue Equip	807.50
Lafayette Instrument	State Drug Funds	5,166.69
Languageline	Interpreters	780.56
Languageline	Telephone	761.35
Lassegaard, Samuel C	Welfare Rent	900.00
Laughlin Law	Attorney Fees	2,331.50
Leisure Pro	Volunteer Pers Items	413.40
Lewis Drug	Child Care Items	2.99
Lewis Drugs	Clinics Auxiliary Svcs	84.98
Lewis Drugs	Pharmacies	2,350.46
Lexisnexis Matthew	Subscriptions	500.00
Lisa Carlson Report	Court Reporters	144.40
LJ's Auto Repair	Automotive/Small Equip	358.67
Loews Hotels	Education & Training	102.60
Macs	Other Supplies	37.98
Macs	Small Tools & Shop	9.49
Madison Apts	Welfare Rent	500.00
Mainstay Suites	Business Travel	764.00
Marshallcretin Minno	Education & Training	37.45
Matheson Trigas	Heat, Vent & Ac Repairs	29.10
Matheson Trigas	Other Supplies	137.93
Matheson Trigas	Small Tools & Shop	38.44
Maxwell Food Equip	Jail Repairs & Maint	70.77
McDonald's	Supplemental Food	5.00
Mcgrath, Michael J	Professional Svcs	5,640.00
Medstar Paramedic	Transportation	2,400.00
Menard	Building Repairs & Maint	24.98
Menard	Correction Ctr Repairs	42.55
Menard	Fairgrounds	17.16
Menard	HHS Maint	10.36
Menard	JDC Maint	166.35
Menard	Mass Fatality Grant	215.99
Menard	Office Equip Repair	11.25
Menard	Other Repairs	24.99
Menard	Other Supplies	5.97
Menard	Small Tools & Shop	655.03
Microfilm Imaging	Contract Svcs	3,083.40
Midamerican Energy	Natural Gas	1,422.39
Midamerican Energy	Welfare Utilities	400.00
Midland	Correction Ctr Repairs	133.20
Midland	Heat, Vent & Ac Repairs	44.97
Midland	Jail Repairs & Maint	235.60
Midland	JDC Maint	75.00
Minnehaha County	Other Supplies	165.00
Minnehaha County	Prisoner/Bond Accounts	55.00
Multicultural Center	Interpreters	638.75
Murray Properties	Welfare Rent	1,200.00
Myers & Billion	Attorney Fees	3,891.60
Myrl & Roys Paving	Fairgrounds	14,176.00
National Commission	Contract Svcs	5,918.00
Natl Assoc Of Crim	Education & Training	299.00
Natl Cncl Comm Bhvrl	Books	867.45
Newegg	Data Processing Supplies	96.98
Newegg	Furniture & Office Equip	1,759.98
Nna Svcs	Memberships	113.00

08/14/2018

Northern Tool & Equip	Park & Recreation	114.99
Novak	Office Supplies	194.81
Novak	Tea-Ellis Range	88.03
Novak	Trash Removal	3,195.66
Nybergs Ace Hardware	Office Equip Repair	53.68
Nybergs Ace Hardware	Other Supplies	75.64
Nybergs Ace Hardware	Park & Recreation	39.35
Nybergs Ace Hardware	Professional Svcs	21.99
Office Depot	Office Supplies	345.15
Officemax	Office Supplies	82.86
Olson Oil	Automotive/Small Equip	-0.78
Oreilly Auto Parts	Automotive/Small Equip	317.02
Oreilly Auto Parts	Small Tools & Shop	24.97
Pamela Hoffman-Degel	Sign Deposits	50.00
Paypal*Law Webinar	Education & Training	99.00
Paypal	Office Supplies	24.95
Pfeifer Implement	Motor/Machine/Equip	57.18
Phillips 66	Gas Oil & Diesel	29.00
Phillips, Joshua	Investigators Expenses	164.22
Praetorian Group	Education & Training	-325.00
Prestox	Correction Ctr Repairs	137.00
Pride Neon	Small Tools & Shop	200.00
Protective Packaging	Program Activities	1,362.76
Qualified Presort	Postage	132.62
Quality Efficiencies	Motels	525.00
R&L Supply	Fairgrounds	109.80
R&L Supply	Plumbing & Welding	99.38
Radisson Hotel	Business Travel	72.00
Ramkota Hotel	Business Travel	-8.38
Record Keepers	Records Storage	2,270.91
Reliance Telephone	Telephone	0.80
Richard Ewing Equip	Correction Ctr Repairs	6.29
Richard Ewing Equip	Jail Repairs & Maint	95.56
Ridgeview Apts	Welfare Rent	700.00
Rio Suites Advance	Business Travel	129.26
Robsons True Value	Correction Ctr Repairs	4.29
Rods Property Mgmt	Welfare Rent	1,070.00
Ryan Duffy Law	Attorney Fees	2,264.10
Safariland	Uniform Allowance	50.99
Sanford	Lab Costs	382.42
Sanford Clinic	Misc Expense	58.00
Sanford Health Plan	Insurance Claims	2,962.50
Scheels All Sports	Other Supplies	55.00
Sears	Uniform Allowance	78.00
Security Labs	Maint Contracts	325.00
Sioux Falls City	Contract Svcs	281,250.00
Sioux Falls City	Education & Training	23.47
Sioux Falls City	Water Sewer	2,377.51
Sioux Falls City	Welfare Utilities	146.88
Sioux Falls Rubber	Office Supplies	30.45
Sioux Falls Two Way	Communication Equip	273.79
Sioux Falls Woman	Advertising	595.00
Slashdevslashfinance	Uniform Allowance	33.00
Southeastern Electric	Welfare Utilities	576.49
Spring Centre Apts	Welfare Rent	466.00
Sq*Eileen's Coloss	Other Supplies	20.00
Sq*North Shore	Volunteer Pers Items	152.77
State of SD	Amts Held-Daily Scram	2,782.00
State of SD	Behavioral Health Admit	1,200.00
State of SD	Commitment Hsc	23,986.70
State of SD	Commitment Redfield	1,080.00
State of SD	Data Communications	113.00
State of SD	Due To Other Governments	3,548,813.38
State of SD	Education & Training	880.00
State of SD	Lab Costs	255.00

08/14/2018

State of SD	Misc Expense	149.00
State of SD	Telephone	388.91
State Steel Of SD	Volunteer Pers Items	116.40
Stockwell Engineers	Architects & Engineers	6,237.40
Strange Farrell John	Attorney Fees	424.54
Strange Farrell John	Child Defense Attorney	635.09
Streichers	Uniform Allowance	1,600.00
Sunshine Foods	Communication Equip	19.99
Szameit, Alexandra	Interpreters	95.83
Tammen Auto & Tire	Automotive/Small Equip	43.10
Team Automotive	Automotive/Small Equip	214.14
Tessman Seed	Grounds & Parking Repair	132.16
The Lodge At Deadwood	Business Travel	-1,987.68
Thomson Reuters	Legal Research	951.76
Timberland Village	Welfare Rent	222.00
Tires Tires Tires	Truck Repairs & Maint	29.46
Tomacelli's Too	Jury Fees	188.41
Transunion Risk	Investigators Expenses	56.10
Trinity Point	Welfare Rent	700.00
Tschetter & Adams	Attorney Fees	528.48
United Parcel Svc	Postage	21.44
US Hotel Acs Venture	Business Travel	-8.10
USPS	Postage	709.25
Valley West Apt	Welfare Rent	385.00
Variety Foods	Professional Svcs	407.70
Vash Properties	Welfare Rent	500.00
Wall Lake Sanitary	Water - Sewer	70.00
Walmart Stores	Books	102.74
Walmart Stores	Misc Expense	62.16
Walmart Stores	Office Supplies	115.24
Walmart Stores	Professional Svcs	30.78
Walmart Stores	Program Activities	289.24
Walmart Stores	Store Inventory	51.28
Walmart Stores	Uniform Allowance	44.00
Walton, Marcus	Attorney Fees	1,692.00
Washington Pavilion	Advertising	220.00
Waste Management	Trash Removal	477.26
Whitepages Premium	Subscriptions	4.99
Wilka & Welter	Attorney Fees	204.00
Wilka & Welter	Child Defense Attorney	1,174.85
Xcel Energy	Electricity	1,299.30
Xcel Energy	Hs Donations	420.00
Xcel Energy	Welfare Utilities	3,242.92
Yankton County	Return Of Svc	250.00
Zabel Steel	Road Maint & Material	85.50
Zep Sales & Svc	Janitorial Chemical	628.10

REPORT

The June 2018 Minnehaha County Coroner Report, Highway Department Construction Project Monthly Report for August 2018, and the Minnehaha County Monthly Sheriff's Report for July 2018, were received and placed on file in the Auditor's Office.

PERSONNEL

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

1. To hire Steven Pigott as Tax and License Technician (10/3) for the Treasurer at \$15.98/hour effective 8/15/18.
2. To hire Derek Friese as Deputy Public Defender (22/3) for the Public Defender's Office at \$2,552.00/bi-

08/14/2018

weekly effective 7/30/18.

3. To end the seasonal employment of Alex Davies as Laborer for the Highway effective 8/2/18.
4. To end the seasonal employment of Nicholas Leat as Laborer for the Highway effective 8/16/18.
5. To end the seasonal employment of Andrew Undt and Jacob Semansky as Interns for the Highway effective 8/9/18.
6. To hire Toby Orlando and Jeffrey Coome as Election Workers for Elections at \$14.00/hour effective 8/14/18.
7. To hire Gregory Wise as seasonal Park Worker for Parks at \$12.50/hour effective 8/14/18.

Step Increases

1. Korey Dosch – Deputy Director of Equalization – Equalization – 21/6 – 8/17/18 - \$2,489.60/bi-weekly
2. Eric Smith – Correctional Officer – Jail – 13/18 – 5/19/18 - \$26.84/hour
3. Travis Krueger – Air Guard Security Officer II – Air Guard – 13/14 – 8/8/18 - \$24.31/hour

ABATEMENTS

MOTION by Beninga, seconded by Karsky, to approve the following abatement representing tax exempt status for 2017 property taxes: Northwest District of Wesleyan Church c/o The Ransom Church, RDID 47323, Lot 1 Block 3 South Ridge Add to City of Sioux Falls, in the amount of \$6,352.15. 5 ayes.

PUBLIC COMMENT

Upon the request of Commissioner Karsky, Carter Jackson, 6309 S Avalon Ave, Sioux Falls, spoke on attending the meeting as part of working on an Eagle Scout merit badge.

Jamie Gravett, Juvenile Detention Center Director, introduced Nate Ellens as the new Assistant Juvenile Detention Center Director. Mr. Ellens spoke on his excitement in taking the position and on his career history.

Commissioner Karsky reported that the Susan G. Komen Race for the Cure will take place on Sunday, September 23, 2018. A postcard was provided to the Commissioners with the event information that features a picture of Commissioner Karsky's wife, a fifteen year breast cancer survivor, and his daughter.

RESOLUTION

Olivia Larson, Deputy Auditor, presented a resolution to restore the title of Tax Deed #2603, RDID #63172 to the owner upon payment of all taxes, interest and penalties and cost represented in the Tax Deed. MOTION by Bender, seconded by Barth, to approve Resolution MC18-53. By roll call vote: 5 ayes.

RESOLUTION MC18-53

WHEREAS Minnehaha County holds, under Tax Deed proceedings, Tax Deed #2603, RDID #63172 covering property described as: The South 75 Feet of the West 850 Feet and the South 585 Feet of the East 900 Feet of the

08/14/2018

West 1,750 Feet of the Northwest Quarter (NW1/4) of section 2, Township 104 North, Range 52 West of the 5th P.M., Minnehaha County, South Dakota, according to the plat thereof.

WHEREAS Alex Mills, 24450 458th Ave., Colton SD is the prior record of owner and current occupant of the above described property; and

WHEREAS SDCL 10-25-41 provides for the restoration of title to said owner upon payment of all taxes, interest and penalties and cost represented in the Tax Deed: and

WHEREAS Alex Mills has deposited \$14,777.63 with the Minnehaha county Treasurer, and a \$30.00 deposit for Register of Deeds fees, this amount representing all the taxes, interest and costs owing in said Tax Deed: now therefore be it

RESOLVED by the County Commission, that the property be restored to Alex Mills, and that the Minnehaha County Treasurer is hereby authorized to issue a quit claim deed thereto.

Dated at Sioux Falls, South Dakota on the 14th day of August, 2018.

Approved by the County Commission:

Cindy Heiberger

Chair

Attest:

Olivia Larson

Deputy Auditor

APPEAL

Kevin Hoekman, Planner, gave a briefing on an appeal filed by the Zimmerman Family Trust on the Planning Commission's decision to approve Conditional Use Permit (CUP) #18-36 to exceed 3,600 square feet of total accessory building area on the property legally described as Tract 3 Ruhaak Addition, NE1/4, Section 23-T102N-R51W, approximately 0.5 miles east of Hartford along 2nd Street. The Planning Commission approved the CUP unanimously at their July 23, 2018, meeting with the following six conditions: the total accessory building square footage shall not exceed 4,600 square feet; a building permit is required prior to construction of the accessory building; that an inspection be made on the proposed new accessory building to ensure that the total floor area of the addition does not exceed 4,160 square feet; that only personal residential storage shall be allowed in the building, and no commercial uses or commercial storage will be allowed at any time; that all outdoor lighting shall be of a full cutoff and fully-shielded design to prevent direct spillage of light beyond the property boundaries; and that the Planning & Zoning Department reserves the right to enter and inspect the accessory building at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and the Minnehaha County Zoning Ordinance. Jon and Angie Maras, 1900 E 2nd Street, Hartford, the petitioners, spoke on their request for the CUP to construct a 52' x 80' accessory building that would allow them to exceed the total accessory building area. No one spoke in opposition. MOTION by Karsky, seconded by Barth, to uphold the decision of the Planning Commission to approve CUP #18-36, with six conditions, to exceed 3,600 square feet of total accessory building area on the property legally described as Tract 3 Ruhaak Addition, NE1/4, Section 23-T102N-R51W. By roll call vote: 5 ayes.

BID AWARD

DJ Buthe, Highway Superintendent, reported on the July 18th, 2018, bid opening for Bid #18-14, Project MC18-05, Crack Seal for 42 miles of County highways. Two bids were received from the following companies: Highway Improvement Inc., \$274,295.50; and Asphalt Surfacing Technologies Corporation, \$317,679.00. The engineer's estimate was \$336,995.00. Staff recommends awarding the bid to the low bidder, Highway

08/14/2018

Improvement Inc. MOTION by Bender, seconded by Barth, to award Bid #18-14, Project MC18-05, Crack Seal to Highway Improvement Inc. in the amount of \$274,295.50 and authorize the Chair to sign the contractor contract. 5 ayes.

AGREEMENT

DJ Buthe, Highway Superintendent, gave a briefing on a document whereby Minnehaha County agrees to the work order between the South Dakota Department of Transportation and HDR Engineering, Inc. for State Project Number PL 0194(99), PCN 06Y7. The work order will allow for the Maple/Park Street Corridor Study to be conducted. The project cost is not to exceed \$110,000 with Minnehaha County’s responsibility to pay being \$19,855.00. The completion date is June 30, 2019. MOTION by Bender, seconded by Barth, to authorize the Chair to sign the Work Order for Consultant Services for State Project Number PL 0194(99), PCN 06Y7 for the Maple/Park Street Corridor Study with HDR Engineering, Inc., Agreement #410668. 5 ayes.

RESOLUTION

DJ Buthe, Highway Superintendent, gave a briefing on a resolution to set weight load limits on certain bridges in Minnehaha County. After the inspection of Structure 50-205-060, the posting was recommended to be posted at 75% of the legal loads due to observed cracking. The resolution would increase the number of postings from twenty-five (25) to twenty-six (26) total postings. MOTION by Barth, seconded by Karsky, to approve Resolution MC18-54. By roll call vote: 5 ayes.

**RESOLUTION MC18-54
SET WEIGHT LOAD LIMITS ON
CERTAIN BRIDGES WITHIN MINNEHAHA COUNTY**

WHEREAS, the Minnehaha County Highway Department performs regular bridge inspections to assess the condition of individual bridges and consider recommendations for improvements, and

WHEREAS, the Minnehaha County Highway Department performs bridge maintenance projects and bridge replacement projects in an effort to improve the overall condition of the bridge network, and

WHEREAS, the Minnehaha County Highway Superintendent has identified *twenty-six* bridges in Minnehaha County that are recommended for weight load limits, and

WHEREAS, **SDCL 32-22-47** gives the county commission the authority to establish and identify through the proper signage the maximum weight of any vehicle, laden or un-laden, which may enter upon or cross over the bridge, now

THEREFORE, BE IT RESOLVED by the Minnehaha County Board of Commissioners that all *twenty-five* of the existing bridge weight load limits described in *Minnehaha County Resolution MC17-57* are hereby removed and superseded with the following *twenty-six* gross vehicle weight load limits:

	STRUCTURE NUMBER	APPROXIMATE LOCATION	SINGLE UNIT LIMIT (TON)	COMBINATION UNIT LIMIT (TON)
1.	50-032-060	2.0 miles south and 0.2 miles east of Buffalo Trading Post (250th St. on a township road)	9	16
2.	50-070-098	5.2 miles north and 2.0 miles west of Hartford (461st Ave. on County Highway 155)	24	35
3.	50-072-100	5.0 miles north and 1.8 miles west of Hartford (254th St. on County Highway 122)	27	35

08/14/2018

4.	50-087-120	3.5 miles north and 0.2 miles west of Hartford (256th St. on a township road)	18	33
5.	50-109-105	1.9 miles south and 2.1 miles west of Lyons (Grand Meadow St. on a township road)	27	50
6.	50-135-229	3.4 miles south and 1.5 miles west of Ellis (Wayne Ave. on a township road)	27	46
7.	50-137-217	2.3 miles south and 1.5 miles west of Ellis (266th St. on a township road)	28	46
8.	50-154-180	1.5 miles north and 0.5 miles east of Ellis (262nd St. on a township road)	25	44
9.	50-198-085	2.0 miles south and 0.1 miles west of Baltic (Norway St. on a township road)	21	34
10.	50-199-104	3.9 miles south of Baltic Meadowland St. on a township road)	26	44
11.	50-205-060	0.5 mile east of Baltic (250th St. on County Highway 114)	18	30
12.	50-208-130	1.0 mile north and 0.3 miles east of Renner (257th St. on a township road)	13	22
13.	50-226-020	1.0 miles east and 0.5 miles south of Dell Rapids (246th St. on a township road)	27	46
14.	50-231-130	3.1 miles east and 7.0 miles south of Baltic (257th St. on a township road)	21	35
15.	50-237-120	3.7 miles east and 6.0 miles south of Baltic (256th St. on a township road)	18	31
16.	50-239-090	7.1 miles west of Garretson (253rd St. on a township road)	29	49
17.	50-245-050	4.5 miles east and 1.0 mile north of Baltic (249th St. on a township road)	19	33
18.	50-272-030	6.2 miles east and 1.5 miles south of Dell Rapids (247th St. on a township road)	17	27
19.	50-273-090	3.8 miles west of Garretson (253rd St. on a township road)	29	48
20.	50-276-120	4.0 miles north and 0.3 miles west of Corson (256th St. on a township road)	30	49
21.	50-278-130	3.0 miles north and 0.2 miles west of Corson (257th St. on a township road)	30	50
22.	50-290-131	2.9 miles north and 1.0 mile east of Corson (483rd Ave. on a township road)	15	25
23.	50-293-200	1.0 miles south and 3.7 miles west of Valley Springs (264th St. on a township road)	12	20
24.	50-329-160	2.0 miles north and 0.1 miles west of Valley Springs (260th St. on a township road)	25	42
25.	50-330-159	2.1 miles north of Valley Springs (487th Ave. on a township road)	19	32
26.	50-337-130	1.8 miles east and 4.0 miles south of Garretson (257th St. on a township road)	18	31

BE IT FURTHER RESOLVED, that the Minnehaha County Highway Superintendent is hereby directed to erect and post the appropriate signage in accordance with SDCL 32-22-47, and

BE IT FURTHER RESOLVED, by the Minnehaha County Commission that an emergency exists and that the posting of weight limits on the above bridges is immediately in effect and will remain in effect until changed by action of the county commission; and

08/14/2018

BE IT FURTHER NOTED, that the violation of these weight load limits is a Class 2 misdemeanor and that pursuant to SDCL 32-22-48, Minnehaha County may recover damages from any person who drives or operates a vehicle exceeding these load limits and causes any injury or damage to said bridge by reason thereof.

Dated this 14th day of August, 2018

APPROVED BY THE COMMISSION:

Cindy Heiberger
Commission Chairman

ATTEST:

Olivia Larson
Deputy Auditor

TAX DEED RESOLUTION

Commissioner Heiberger announced new information has been received regarding Item 10 and requested a motion to reconsider the item. MOTION by Bender, seconded by Beninga, to reconsider action on Item 10, an item to Consider Resolution to Restore Tax Deed #2603, RDID 63172 to Former Owner of Record in Accordance with SDCL 10-25-41. 5 ayes. Bob Litz, Auditor, stated the item was placed on the agenda at the request of Judy Wehrkamp, Senior Deputy State's Attorney, and the property owner with his promise to pay the taxes owed on Tax Deed #2603, RDID 63172. After verifying with the Treasurer's Office, it was determined that the payment has not been made, and the item did not get pulled from the agenda in time. Commissioner Heiberger explained that the Commission, if so inclined, needed to move to rescind the previous action to approve Resolution MC18-53, and then move to either deny the request or defer the item to a later date. Mr. Litz noted the tax deed and eviction process that began over one year ago on the property. In response to Commissioner Barth's question, Mr. Litz also spoke on the history of ownership of the property. Commissioner Heiberger spoke in favor of deferring the item. MOTION by Bender, seconded by Karsky, to rescind the approval of the Resolution MC18-53 and to deny the request for restoration of Tax Deed #2603, RDID 63172. By roll call vote: 4 ayes. Heiberger voted nay.

LIEN COMPROMISE RESOLUTION

Melinda Storley, Commission Assistant, gave a briefing on a resolution that would amend Resolution MC18-52 for a compromise of lien DPNO 8165, approved on August 7, 2018, to correct the lien compromise amount from \$1,391.05 to \$2,967.58. MOTION by Barth, seconded by Karsky, to rescind Resolution MC18-52 and approve Resolution MC18-55. 5 ayes.

RESOLUTION MC18-55

WHEREAS, Resolution MC18-52 was passed by the Board of County Commissioners on August 7th, 2018; and

WHEREAS, a ministerial error appeared on the Application for a Compromise of Lien in DPNO 8165, in that the Application reflected an incorrect lien balance of \$1,391.05; and

WHEREAS, due to this ministerial error in the Application, Resolution MC18-52 also reflected the incorrect balance amount of \$1,391.05; and

WHEREAS, it was the intent of the Board of County Commissioners to compromise and release the entire amount of DPNO 8165; and

WHEREAS, the correct amount of the total lien balance is \$2,967.58;

08/14/2018

NOW, THEREFORE, BE IT RESOLVED that Resolution MC18-52 is hereby amended to reflect that the Chair of the Board of County Commissioners and the County Auditor are authorized to execute the following:

Compromise and release DPNO 8165 in the full amount of \$2,967.58 with no payment

Dated at Sioux Falls, South Dakota, this 14th day of August, 2018.

APPROVED BY THE COMMISSION:

Cindy Heiberger

Chair

ATTEST:

Olivia Larson

Deputy Auditor

AMENDMENT

Carol Muller, Commission Administrative Officer, presented Amendment No. 1 to the April 11, 2017, Consulting Agreement between Minnehaha County and The Tegra Group, Inc. for the jail expansion project. The amendment will set the fixed fee for Step Two Services in Paragraph 4, Payments and Invoices in the amount of \$396,000. Minnehaha County will make equal, monthly installments of \$18,000. The Tegra Group, Inc. will submit monthly invoices to the County for 22 months beginning September 1, 2018, through June 1, 2020. MOTION by Bender, seconded by Barth, to authorize the Chair to sign Amendment No. 1 to the April 11, 2017, Consulting Agreement between Minnehaha County and The Tegra Group, Inc. to set the fixed fee of \$396,000 for Step Two Services. 5 ayes.

RESOLUTION

Carol Muller, Commission Administrative Officer, presented a resolution authorizing the Administrative Officer to execute change orders relating to the jail expansion project. MOTION by Bender, seconded by Karsky, to approve Resolution MC18-56. By roll call vote: 5 ayes.

RESOLUTION MINNEHAHA COUNTY MC18-56

RESOLUTION AUTHORIZING ADMINISTRATIVE OFFICER
TO EXECUTE CHANGE ORDERS RELATING TO
JAIL EXPANSION PROJECT

WHEREAS, Minnehaha County is scheduled to commence a Jail Expansion Project (“the Project”) in August of 2018 with an anticipated completion date of June of 2020; and

WHEREAS, Minnehaha County has engaged TEGRA Group as the Owner’s Representative of the Jail Expansion Project; and

WHEREAS, Minnehaha County has engaged Henry Carlson and JE Dunn as Construction Manager At-Risk; and

WHEREAS, the Minnehaha County Commission recognizes that due to the scope of this public improvement project, circumstances may arise which will necessitate the execution of change orders; and

WHEREAS, the Minnehaha County Commission seeks to avoid impediments to the expeditious completion of the Project; and

08/14/2018

WHEREAS, the Minnehaha County Commission finds that it is the best interests of the County to delegate the responsibility for approving or denying such change orders as may arise, so as to not incur unnecessary delay in postponing consideration of each change order to a regularly-scheduled Commission meeting; and

WHEREAS, the Minnehaha County Commission finds that it is in the best interests of the County, in delegating its authority to approve or deny change orders related to the Project to establish internal controls;

NOW THEREFORE BE IT RESOLVED, by this Board of County Commissioners of Minnehaha County, South Dakota, as follows:

- 1) The authority to deny or approve any change orders as may reasonably be necessary to keep the Project on schedule is hereby delegated to its Administrative Officer, Carol Muller, or, solely in the event she is unavailable, to the Assistant Administrative Officer, Craig Dewey, provided that the aggregate total Project cost does not exceed the approved Project budget; and
- 2) The scope of the authority to deny or approve any change orders as described in Paragraph 1, is limited, in that, in no event shall the Administrative Officer or the Assistant Administrative Officer acting in her stead, approve any individual change order in an amount exceeding \$100,000; and
- 3) The scope of the authority described in Paragraph 1 is further limited, in that, the Administrative Officer, or the Assistant Administrative Officer acting in her stead, shall consult with Dick Strassburg or another representative of TEGRA Group and the Director of Facilities Management for Minnehaha County, on any requested or considered change order prior to executing or declining said change order of any amount and; further shall receive a written request for approval or concurrence from Strassburg or another representative of TEGRA Group and the Director of Facilities Management for Minnehaha County, prior to approving any change order of any amount; and
- 4) The scope of the authority described in Paragraph 1 is additionally limited, in that, the Administrative Officer, or the Assistant Administrative Officer in her stead, shall receive written approval from either Commissioner Jean Bender or Commissioner Jeff Barth, prior to approving any change order of any amount; and
- 5) Prior to approving any change order relating to the Project, the Administrative Officer, or the Assistant Administrative Officer acting in her stead, must make a written determination that the change order is in the best interests of the County and is authorized by law; and
- 6) This written determination and the written change order shall be retained in the contract file which shall be open to the public for inspection; and
- 7) In no event shall the sum of any proposed amendment or change order plus the sum of all other prior unbid amendments or change orders, exclusive of change orders which meet either of the criteria set forth in SDCL 5-18B-19(1) or (2), exceed the greater of two hundred fifty thousand dollars or five percent of the base contract; and
- 8) Prior to approving any change order of any amount, the Administrative Officer, or the Assistant Administrative Officer in her stead, is encouraged, but not required, to consult with the Office of State's Attorney to ensure compliance with relevant procurement laws; and
- 9) The County Commission reserves its right to revoke in its discretion this delegation of authority at any time.

DATED at Sioux Falls, South Dakota, this 14th day of August, 2018

08/14/2018

Cindy Heiberger
CINDY HEIBERGER, CHAIR
MINNEHAHA COUNTY COMMISSION

ATTEST:

Olivia Larson, Deputy Auditor
ROBERT LITZ, AUDITOR

LIAISON REPORT

Commissioner Karsky reported on the August 8, 2018, Project Safe Home Board Meeting noting the project is on budget, is exceeding financial expectations, and is on mission.

Commissioner Karsky reported that he and Commissioner Bender will be attending the Public Defender's Office Advisory Board Meeting on August 21, 2018.

Commissioner Bender reported on the August 8, 2018, Southeast District Meeting where she visited with Commissioners from Lincoln County, who are experiencing dramatic difficulties in budgeting for criminal justice issues.

Commissioner Heiberger reported on the August 8, 2018, South Dakota Association of County Commissioners (SDACC) Executive Board Meeting in Pierre, SD. A presentation was given at the meeting on Amendment W by David Owen, President and Chief Lobbyist of the South Dakota Chamber of Commerce & Industry, who is working on a campaign to oppose the amendment. Legislative proposal resolutions regarding elections and publications were moved to the County Officials Membership. A resolution regarding double taxation on public buildings was deferred to the week of the convention. Resolutions regarding the emerald ash borer infestation, funding for human service agency transport, drugs and alcohol, and housing opportunities were moved to policy statements. The 25 cent wheel tax for construction resolution was defeated. Resolutions regarding tax increment financing and intergovernmental cooperation were tabled. A Codington County resolution in regard to the allowance of counties utilizing a sales tax for county courthouses, jails, and regional jails was passed. A Brown County resolution to support an allocation of funds for the Bridge Improvement Grant Program was passed. The SDACC monthly calendar will now be published quarterly. Competency evaluation claims that have previously been submitted twice a year may now be submitted when they are available to collect for payment.

Commissioner Heiberger reported on meeting with Craig Dewey, Assistant Commission Administrative Officer, and a representative from the South Dakota Bureau of Finance and Management regarding the County's financial difficulties and discussed topics such as the alcohol redistribution and sales tax on government projects.

Commissioner Heiberger reported on meeting with the City of Sioux Falls Mayor and the Sioux Falls School District Superintendent regarding collaboration and representing tax payers where topics such as affordable housing, the school building project, parking issues, and the jail project were discussed.

OLD BUSINESS

Randall Zimmerman, 5007 S Glenview Rd, Sioux Falls, the appellant of Conditional Use Permit #18-36, commented on his concerns regarding the proximity of the accessory building to his mother's property. Kevin Hoekman, Planner, stated the building will be 52' by 80'. The required set back is 50' from the property line. The building will have a 113' set back.

MOTION by Barth, seconded by Bender, to recess the Minnehaha County Commission Meeting until 10:00 a.m. 5 ayes.

08/14/2018

MOTION by Karsky, seconded by Barth, to reconvene the Minnehaha County Commission Meeting at 10:00 a.m. 4 ayes. Commissioner Bender was not in attendance.

MOTION by Beninga, seconded by Barth, to enter into Executive Session for the purpose of SDCL 1-25-2 (1) and (3). 4 ayes.

Commissioner Bender joined the Executive Session.

MOTION by Bender, seconded by Beninga, to adjourn at 10:37 a.m. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, August 21, 2018.

APPROVED BY THE COMMISSION:

Cindy Heiberger

Chair

ATTEST:

Olivia Larson

Deputy Auditor