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THE MINNEHAHA COUNTY COMMISSION CONVENE AT 9:00 A.M. February 26, 2019, pursuant to adjournment on February 19, 2019. Commissioners present were: Barth, Bender, Beninga, and Heiberger. Commissioner Karsky was absent. Also present were Olivia Larson, Commission Recorder, and Margaret Gillespie, Senior Deputy State's Attorney.

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

#### MINUTES APPROVAL

MOTION by Beninga, seconded by Barth, to approve the February 19, 2019, Commission Minutes. 4 ayes.

#### VOUCHERS TO BE PAID

MOTION by Barth, seconded by Heiberger, to approve the following bills totaling \$2,940,580.13. 4 ayes.

46West Apts	Welfare Rent	500.00
A&B Business	Lease-Rental Agreement	95.00
Active Generations	Advertising	47.00
Affordable Housing	Welfare Rent	636.00
Airgas USA	Gas Oil & Diesel	32.40
Airgas USA	Lease-Rental Agreement	54.84
Airway Svc	Automotive/Small Equip	485.24
Airway Svc	Gas Oil & Diesel	37.72
Alpine Property Mgmt	Welfare Rent	657.00
Angel, Edward P	Attorney Fees	1,362.00
Ansati Properties	Welfare Rent	800.00
Appeara	Program Activities	42.59
Automatic Building	Jail Repairs & Maint	140.82
Avera Home Medical	Medical Equip	63.30
Avera McKennan	Hospitals	6,327.00
Axis Forensic Toxicology	Lab Costs	1,279.00
Balampaki, Nabin	Interpreters	50.00
Bentwood Manor Apts	Welfare Rent	1,000.00
Boyer Trucks	Truck Repairs & Maint	1,026.86
Brende & Meadors	Attorney Fees	4,803.40
BX Civil & Construct	Bridge Repair & Maint	145.00
Carroll Institute	Misc Exp	4,777.91
Century Business	Maint Contracts	565.80
Century Business	Office Supplies	270.00
Centurylink	Telephone	54.06
Chagolla, Albert	Interpreters	50.00
Cheney Lake	Welfare Rent	498.00
City Glass & Glazing	Repair/Renovations	748.00
Civil Design	Architects & Engineers	19,615.00
Classic Convenience	Gas Oil & Diesel	163.26
Cole Papers	Janitorial Chemical Sup	-456.02
Cole Papers	JDC Custodial Supplies	748.00
Compass Center	Misc Exp	17,500.00
Concrete Materials	Road Material Inventory	11,731.20
Constellation	Natural Gas	31,799.97
Dakota Dental	HS Donations	369.47
Data Systems	Furniture & Office Equip	115.00
Deans Distributing	Parts Inventory	508.40
Deans Distributing	Small Tools & Shop Supplies	377.23
Dewey, Craig	Business Travel	84.00
Double H Paving	Snow Removal	14,175.89
Dover, Sena S	Bd Evals (Minnehaha)	1,125.00
Eich Law	Attorney Fees	1,500.00
Eich Law	Child Defense Attorney	2,666.66
Electric Construct	Electrical Repairs & Maint	498.98
English Law	Attorney Fees	1,500.00

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Engquist, Molly J	Program Activities	66.36
Etc For Her Magazine	Advertising	4,200.00
Etterman Enterprises	Small Tools & Shop Supplies	272.59
Foster, Glenn	Volunteer Pers Items	150.00
Friessen Construct	Sign Deposits	50.00
Fuller & Williamson	Child Defense Attorney	47.00
Gonnerman, Adam	Investigators Exps	143.64
Guo, Song	Welfare Rent	660.00
Hartford'S Best Pain	Automotive/Small Equip	935.80
Hewlett Packard	Furniture & Office Equip	150.00
Holiday Inn	Program Activities	181.50
Horizon Apts	Welfare Rent	992.00
I State Truck Center	Truck Repairs & Maint	41.56
IBE	Maint Contracts	264.00
Infrastructure Desig	Architects & Engineers	15,949.93
Institutions Svc	Jail Repairs & Maint	280.00
Interstate Office	Office Supplies	136.15
JE Dunn Construction	Jail Expansion Construct	2,485,449.00
Jeff Larson Law	Attorney Fees	2,828.85
Jeff Larson Law	Child Defense Attorney	768.90
JLG Architects	Jail Expansion Prof Svcs	65,337.96
Johnson, Erin M	Bd Evals (Minnehaha)	460.60
JSA Consult Engineer	Architects & Engineers	15,379.50
Katterhagen, Mark	Bd Exp Fees (Yankton)	78.00
Kerri Cook Huber	Bd Exp Fees (Yankton)	20.00
Knecht, Andrew J	Attorney Fees	1,500.00
Konda, Yousif	Interpreters	130.83
Kraayenhof, Nancy	Welfare Rent	475.00
Kruse Law	Child Defense Attorney	2,666.66
Landeen Law	Attorney Fees	1,500.00
Laughlin Law	Attorney Fees	212.00
Lewis Drugs	Pharmacies	2,537.22
Lewno Law	Bd Exp Fees (Yankton)	912.50
Lockwood, Darcy	Bd Exp Fees (Yankton)	78.00
Luther, Jeff	Medical Director	2,500.00
Madison Apts	Welfare Rent	710.00
Marberg, Richard	Archive/Preservation Sup	238.69
Meeting & Events Pub	Advertising	350.00
Midamerican Energy	Natural Gas	836.73
Midamerican Energy	Welfare Utilities	381.94
Midtown Properties	Welfare Rent	495.00
Midway Svc	Gas Oil & Diesel	3,165.91
Morse Correctional	Contract Svcs	1,600.00
Nies, Yvonne M	Welfare Rent	600.00
Northeast Investment	Welfare Rent	1,600.00
Nybergs Ace Hardware	Exhibit Materials	33.22
Oconnor	Coliseum Maint	729.74
Oconnor	Correct Ctr Repairs & Maint	79.35
Oconnor	Heat, Vent & AC Repairs	3,617.68
Oconnor	HHS Maint	1,417.79
Oconnor	Jail Repairs & Maint	2,869.87
Oconnor	JDC Maint	761.76
Oconnor	VOA Dakotas	355.20
One Sky	Heavy Equip Repairs & Maint	175.90
Parker, Danny O'Dell	Welfare Rent	550.00
Pfeifer Implement	Heavy Equip Repairs & Maint	148.41
Phillips, Joshua	Business Travel	32.00
Ramsey Partners	Welfare Rent	500.00
Rapid City Police	Investigators Exps	14.91
Real Vision Software	Maint Contracts	4,500.00
Rieck, Diane	Welfare Rent	675.00
Risty, Maxine J	Court Reporters	110.20
Rochester Armored	Armored Car Svc	407.96
Roeder, Jason	Business Travel	558.03
Sanford Clinic	Lab Costs	78.00

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Sanford Clinic	Misc Exp	24,931.42
Sanford Home Medical	Medical Equip	47.88
Sanitation Products	Truck Repairs & Maint	360.82
SF Specialty Hospita	Recruitment	284.00
Shriver, Melody	Welfare Rent	500.00
Sioux Empire Fair	Misc Exp	12,500.00
Sioux Equip	Gas Oil & Diesel	230.71
Sioux Falls City	Electricity	13,352.15
Sioux Falls City	Gas Oil & Diesel	10,919.39
Sioux Falls City	HIDTA Grant	110.12
Sioux Falls City	Professional Svcs	42.04
Sioux Falls City	Water Sewer	13,527.02
Sioux Falls Rubber	Office Supplies	91.50
Southeastern Behavio	Crisis Intervention Program	6,812.98
State of SD	Amts Held-Daily Scram	3,531.00
State of SD	Misc Exp	151.20
Steven R Binger	Attorney Fees	1,240.37
Street Smart Rental	Automotive/Small Equip	4,624.00
Szameit, Alexandra	Interpreters	137.49
Taylor Place	Welfare Rent	700.00
Technology Heights	Welfare Rent	400.00
Tegra Group	Jail Expansion Prof Svcs	18,663.79
Thomson Reuters	Amounts Held For Others	675.00
Timberland Village	Welfare Rent	700.00
Tomacelli'S Too	Jury Fees	97.42
Trinity Point	Welfare Rent	440.00
Tzadik	Welfare Rent	1,368.00
UPS	Postage	22.07
US Bank	Lease-Rental Agreement	136.72
US Bank	Trust-Administration Fees	600.00
VOA	Welfare Rent	500.00
Walmart Stores	Pharmacies	18.24
Weber Law	Child Defense Attorney	2,666.66
West Twelfth Propert	Welfare Rent	330.00
Xcel Energy	Electricity	46,728.07
Xcel Energy	Welfare Utilities	1,227.60
Xigent Solutions	Maint Contracts	6,176.00
Yankton County	Return Of Svc	100.00
Yemam, Nassir	Interpreters	116.65

## REPORTS

The October 30, 2018 – December 31, 2018, Minnehaha County Ambulance Oversight Report was received and placed on file in the Auditor's Office.

## PERSONNEL

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

### Promotions

1. Joshua Patterson, from Correctional Officer in Training for the Jail to Deputy Sheriff for the Sheriff's Office, at \$23.02/hour (17/1) effective 3/4/19.
2. Adam Eschen, from Correctional Officer for the Jail to Deputy Sheriff for the Sheriff's Office, at \$23.02/hour (17/1) effective 3/4/19.

### Step Increases

1. Michael Haugaard – Correctional Officer – Jail – 13/2 – 2/27/19 - \$19.37/hour
2. Michael McGovern – Deputy Sheriff Lieutenant – Jail – 22/5 – 2/27/19 - \$2,872.80/biweekly

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3. Craig Olson – Corporal – Jail – 17/15 – 1/27/19 - \$32.54/hour
4. Richard Johnson – STI Security Officer – STI Security – 13/4 – 2/15/19 - \$20.35/hour
5. Benjamin Finley – Juvenile Correctional Officer II – Juvenile Detention Center – 14/7 – 1/26/19 - \$23.02/hour
6. Thomas Moisuk – Tax and License Technician – Treasurer – 10/5 – 2/11/19 - \$17.98/hour
7. Sharrell Logue – Legal Office Assistant – State’s Attorney’s Office – 10/5 – 2/17/19 - \$17.98/hour
8. Paavo Rasmussen – Education Assistant – Museum – 12/12 – 2/14/19 - \$23.60/hour

#### NOTICES

MOTION by Heiberger, seconded by Beninga, to authorize the Auditor to publish a Notice to Bidders for Annual Highway Materials. 4 ayes.

#### LIEN COMPROMISE

Melinda Storley, Commission Assistant, gave a briefing on an application for a compromise of lien for DPNO 87862 in the amount of \$1,350.86. Poor Relief services were provided to the applicant between May 2015 and November 2015. The applicant is unemployed due to a shoulder injury that has kept her from working. Income from social security was reported as \$839.00 per month. Partial payments in the amount of \$310.00 have been received from the applicant. The applicant is listed as the spouse on DPNO 51810 in the amount of \$282.67 for Lincoln County against her husband, who she is separated from, for Poor Relief and Court Appointed Attorney services. Additionally, the applicant’s grandson is listed on DPNO 72033 in the amount of \$3,702.90 for Public Defender, Public Advocate, and Court Appointed Attorney services. The applicant has been making payments on both DPNO 51810 and 72033. The request was to compromise and release DPNO 87862 in full with no payment. Commissioner Beninga requested more information regarding any works’ compensation the applicant may have received prior to making a final decision on the compromise. MOTION by Barth, seconded by Heiberger, to defer action on the compromise lien request for DPNO 87862 for two weeks. By roll call vote: 4 ayes.

#### PUBLIC COMMENT

Bonnie Duffy, 2300 S River Bluff Rd, Sioux Falls, as the Planning Commission Chair, commented on the length of the Planning Commission Meetings, how heated the arguments can get during the meetings, and requested consideration of more compensation for the Planning Commissioners.

#### AGREEMENT

Joe Bosman, Deputy Sheriff Lieutenant, presented an annual agreement to participate in the Federal Equitable Sharing Program. The program allows participants to receive a share of federally forfeited proceeds that may be used for law enforcement purposes. MOTION by Beninga, seconded by Barth, to authorize the Chair to sign the Federal Equitable Sharing Agreement and Certification. 4 ayes.

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## REQUEST

Justin Pfeifer, Med-Star Paramedic Ambulance Director of Operations, and Jay Masur, Med-Star Paramedic Ambulance President & CEO, presented a request for \$50,000 in funding from Minnehaha County to help subsidize Med-Star's 911 ambulance service. The Commission requested Mr. Pfeifer and Mr. Masur provide more detailed service and financial information that would be the same as what other ambulance services have provided to the County when requesting funding. Upon the receipt of the additional information, the Commission may then consider the funding request.

## PRESENTATIONS

Kari Benz, Human Services Director, gave a presentation on the Human Services Department budget, strategic planning, and achievements.

## BID AWARDS

DJ Buthe, Highway Superintendent, reported on the February 20, 2019, bid opening for Bid #19-2, Project MC18-12, Culvert Replacements on County Highways 159 and 102. Four bids were received from the following companies: Midwest Contracting LLC, \$96,488.60; Soukup Construction Inc, \$99,988.88; First Rate Excavate Inc, \$113,924.00; and Clafin Excavating, \$132,908.29. The engineer's estimate was \$60,673.90. Staff recommends awarding the bid to the low bidder, Midwest Contracting LLC. The completion date of the project is set for April 12<sup>th</sup>, 2019. MOTION by Barth, seconded by Heiberger, to award Bid #19-2, Project MC18-12, Culvert Replacements to Midwest Contracting LLC in the amount of \$96,488.60 and to authorize the Chair to sign the contractor contract. By roll call vote: 4 ayes.

DJ Buthe, Highway Superintendent, reported on the February 20, 2019, bid opening for Bid #19-1, Project MC19-3, Mowing and Trimming. Two bids were received from the following: Chris Griesse for \$56,875.45 annually and Northwest Landscaping Inc. for \$99,475.28 annually. To do the work in house annually, the estimated high cost was \$105,800 and the estimated low cost was \$70,600. Staff recommends awarding the bid to the low bidder, Chris Griesse. Commissioner Beninga raised concerns regarding awarding the bid to an individual rather than a business entity in regards to any potential liability there may be to the County. Margaret Gillespie, Senior Deputy State's Attorney, stated the contract was reviewed by the State's Attorney's Office and that she could check with the reviewing attorney to determine if liability concerns were considered. MOTION by Barth, seconded by Heiberger, to award Bid #19-1, Project MC19-3, Mowing and Trimming to Chris Griesse in the amount of \$56,875.45 and to authorize the Chair to sign the contractor contract conditional upon Margaret Gillespie, Senior Deputy State's Attorney, confirming with the reviewing attorney of the contract to ensure Mr. Griesse provided the proper liability insurance and bonding. By roll call vote: 4 ayes.

## AGREEMENT

DJ Buthe, Highway Superintendent, presented a Reimbursement Agreement between Minnehaha County and the State of South Dakota Department of Transportation (SDDOT) for maintenance and repair costs. As part of the County's pavement preservation project, MC18-04, micro-surfacing maintenance work was done on 0.34 miles of County Highway 137 that is under the jurisdiction of the SDDOT. The SDDOT will reimburse the County for the work done in the amount of \$11,461.00. MOTION by Beninga, seconded by Heiberger, to authorize the Chair to sign the Reimbursement Agreement between Minnehaha County and the State of South Dakota Department of Transportation in the amount of \$11,461.00. 4 ayes.

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## REIMBURSEMENT ALLOCATION

Carol Muller, Commission Administrative Officer, requested the allocation of \$16,000 to the Boy Scouts of America to reimburse them for their successful youth diversion completions. The Boy Scouts requested funding in the amount of \$22,950 based on cost per conversion of \$250, minus 10% for administrative fees. As part of the Juvenile Justice Reinvestment Initiative, Senate Bill 73, the County received \$167.45 per successful diversion from the State of South Dakota. Based on 103 successful diversions at a 90% rate of \$150.71 to allow for a 10% administrative fee, the total allocation would be \$15,523.13. Staff recommends rounding the number up to \$16,000. MOTION by Beninga, seconded by Heiberger, to authorize the allocation of \$16,000 of the funding received from the diversion fiscal incentive program to the Boy Scouts of America. By roll call vote: 4 ayes.

## AGREEMENT

Carol Muller, Commission Administrative Officer, presented a Service Provision Agreement between Minnehaha County and the University of South Dakota Sanford School of Medicine Department of Family Medicine (USD). Through the agreement, USD will provide project administration functions, data/research coordination duties, and grant/project management duties in regard to coordinating council, triage, pre-trial, and juvenile justice initiatives. Through the County General Fund and MacArthur Grant funds, the County will pay USD \$94,250 twice annually with the first payment being due on April 15, 2019. The agreement designates Erin Srstka as the project director, thus making Ms. Srstka an employee of USD instead of the County. MOTION by Heiberger, seconded by Barth, to authorize the Chair to sign the Service Provision Agreement between Minnehaha County and the University of South Dakota Sanford School of Medicine Department of Family Medicine in the amount of \$94,250 bi-annually for a term of two years beginning March 22, 2019, and ending March 21, 2021. 4 ayes.

## CHANGE ORDER

Carol Muller, Commission Administrative Officer, requested the approval of Change Order #4 for the Minnehaha County Jail Expansion for the Construction Manager at Risk Agreement Amendment No. 1 with JE Dunn and Henry Carlson. The change order is a total deduct of \$24,668.00 for the following items: Detention Door and Hardware Revisions, \$0.00; Data, Voice Backbone Cable Termination Spot \$3,702.00; Non-Detention Lobby and Control Desk Door Modifications, -\$3,242.00; Fire Suppression, \$8,609.00; Revised Storm System Elevations, \$15,661.00; Roof System Changes, -\$24,823.00; Existing Vent Line Route, \$3,279.00; Existing Vent Lines Not Shown, \$4,747.00; Combi Unit Changes, \$0.00; Paint Security Ceilings, \$0.00; Additional Mechanical and Sewer Modifications, -\$8,280.00; Cell Paint Type and Revised Typical Shower Section, -\$6,182.00; Credit for Elevator Electrical Double Up, -\$5,151.00; and Elevator Governor Updates for Elevator 3 and 4 – PR-010 Reversal, - \$12,988.00. MOTION by Beninga, seconded by Barth, to approve Change Order #4 to the Construction Manager At Risk Agreement Amendment No.1 with JE Dunn Construction Company and Henry Carlson Construction for deduct of \$24,668.00. By roll call vote: 4 ayes.

## LEGISLATIVE UPDATE

Carol Muller, Commission Administrative Officer, gave an update and status report of the 2019 Legislative Session on bills that impact Minnehaha County.

## LIAISON REPORT

Commissioner Barth reported on concerns regarding how lengthy the Planning Commission meeting is getting every month, how the joint jurisdictions affect the meetings, hostility from the public during the meetings, access to the multi-purpose room, the lack of security at the meetings, and the compensation provided to the Planning Commissioners. Upon the request of Commissioner Barth, Scott Anderson, Planning Director, spoke on meeting the Hartford City Council regarding their interest in a joint jurisdiction, the State's Attorney's Office

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recommendation to have the municipalities bring their own legal counsel to the joint meetings, commented on the need for security at Planning Commission meetings, and the different types of joint jurisdictions.

MOTION by Barth, seconded by Beninga, to adjourn. 4 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, March 5, 2019.

APPROVED BY THE COMMISSION:

Jean Bender

Chair

ATTEST:

Olivia Larson

Deputy Auditor