

7/07/2015

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. July 7, 2015, pursuant to adjournment on June 30, 2015. Commissioners present were: Barth, Beninga, Bender, Heiberger, and Kelly. Also present were Cindy Jepsen, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

Chairperson Heiberger called the meeting to order.

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

MOTION by Beninga, seconded by Barth, to approve the June 30, 2015 Commission Minutes. 5 ayes.

#### VOUCHERS TO BE PAID

MOTION by Beninga, seconded by Bender, to approve the following bills totaling \$318,685.51. 5 ayes.

A To Z World Languag	Interpreters	80.00	Airgas Inc	Gas,Oil,Diese	28.60
Airgas Inc	Small Tools,	146.00	Allied Oil & Tire Co	Automotive/Sm	71.00
American Correctiona	Memberships	35.00	Anderson-Crane Rubbe	Automotive/Sm	112.50
Armor Correctional H	Contract Serv	27,557.32	Avera McKennan Hospi	Hospitals	11,268.00
Beck, Jeffrey R	Attorney Fees	161.25	Berg, Scott	Uniform Allow	27.50
Boyer Trucks Sioux F	Truck Repair/	1,759.64	Bristol Court Ltd Pt	Welfare Rent	600.00
Butler Machinery Com	Automotive/Sm	1,627.22	Buus, David Db	Automotive/Sm	70.00
Campbell Supply Co I	Automotive/Sm	7.89	Cedar Prop Llc Db	Welfare Rent	500.00
Christensen, David D	Heavy Eq. Rep	107.64	Christensen, David D	Small Tools,	68.26
Cole Papers, Inc.	Janitorial/Ch	60.26	Cole Papers, Inc.	Small Tools,	304.08
Concrete Materials	Road Maint. &	68,572.91	Constellation New En	Natural Gas	2,231.19
Country View MHC	Welfare Rent	882.03	Covrig, Mark	Welfare Rent	990.00
Crisp, Mark	Welfare Rent	600.00	Crop Production Svcs	Chemicals	12,440.00
Curry, Aaron B.	Business Trav	318.40	Dakota Fluid Power,	Heavy Eq. Rep	83.05
Dakota Investment Pr	Welfare Rent	380.00	Decastro Law Office,	Attorney Fees	324.00
Dey Appliance	Correction Ct	46.19	Dickman, Kay	Welfare Rent	650.00
EJW Llc	Welfare Llc	700.00	Electric Supply Co.,	Data Processi	73.95
Engels Law Office Pc	Attorney Fees	350.00	Falls Community Heal	Other Profess	165.40
Fitts, Rod Db	Welfare Rent	1,200.00	G & H Investments Ll	Welfare Rent	700.00
Geotek Engineering &	Architects &	240.00	Glazier, David Alan	Welfare Rent	410.00
Guarantee Roofing Of	Building Repa	192.32	Guzman, Sandra V.	Interpreters	406.65
Harms Oil Company	Gas,Oil,Diese	20,683.75	Heritage Funeral Hom	Burials	2,250.00
HMN Hardware Inc	Automotive/Sm	128.91	Hurtgen, Timothy T/P	Welfare Rent	700.00
I State Truck Center	Truck Repair/	29.29	Institutions Service	Jail Repairs/	809.95
ISI Llc	Interpreters	320.00	Jaymar Business Form	Printing/Form	722.80
JB-MMAK Llc	Welfare Rent	475.00	JCL Solutions-Janito	Janitorial/Ch	84.51
Jim Bork Enterprises	Printing/Form	585.00	Johnson, Brett	Business Trav	21.00
Johnson, Richard L	Attorney Fees	1,010.00	Khoroosi, Sam	Child Defense	2,047.80
Kim, Jennifer	Welfare Rent	1,000.00	Kirschbaum, Mark	Business Trav	44.98
Kyra Enterprises Llc	Motels	105.00	Lacey Rentals Inc	Lease-Rental	105.00
Laughlin, Nicole	Attorney Fees	3,755.40	Lundeby, Lane	Welfare Rent	700.00
Maxwell Food Equipme	Administratio	647.24	Mcgowan, Kevin	Business Trav	33.88
Menards - East	Building Repa	4.64	Michaels Purple Petu	Outside Repai	145.00
Midamerican Energy C	Natural Gas	1,518.82	Midwest Oil Company,	Small Tools,	615.17
Multi-Cultural Cente	Interpreters	220.00	Murray Properties, L	Welfare Rent	535.00
Nguyen, Lam	Interpreters	374.99	Perspective Inc	Fairgrounds	6,195.00
RDO Equipment Co.	Heavy Eq. Rep	170.05	Pensberger, Ron	Welfare Rent	700.00
Riverview Park Ltd	Welfare Rent	222.00	Rolling Hills Townho	Welfare Rent	659.00
Safe Home Ltd Ptnrsh	Notes Rec (SF	-2,153.07	Safe Home Ltd Ptnrsh	Other Misc. R	-1,441.07
Safe Home Ltd Ptnrsh	Rent Subsidie	12,717.99	Sam's Club - Members	Office Suppli	30.96
Sam's Club - Members	Other Profess	1,328.03	Sam's Club - Members	Other Supplie	27.29
Sam's Club - Members	Park/Recreati	133.58	Sam's Club - Members	Supplemental	87.22
Sanford Hospital	Hospitals	19,352.80	Schmidt, Rod	Welfare Rent	395.00
Schuneman Equip Co	Heavy Eq. Rep	18.09	SD Assn Of County Of	Education & T	150.00
SD Attorney General	Amts Held-Dai	5,634.00	Severtson, Allen	Business Trav	36.84
SF Surgical Physicia	Welfare Rent	350.00	Sherwin Williams	Building Repa	176.74

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Sioux Falls Utilitie	Welfare Utili	239.11	Sioux Valley Energy	Electricity	248.36
Sioux Valley Energy	Road Maint. &	137.21	Sioux Valley Energy	Tea-Ellis Ran	86.75
Solheim, Virginia	Business Trav	37.58	Solomon, Ghirmay	Interpreters	50.00
Splitrock Ltd Ptnrsh	Welfare Rent	442.00	Springbrook Lloyd Pr	Welfare Rent	800.00
Stan Houston Equipme	Small Tools,	64.75	Swenby, Dianne	Welfare Rent	595.00
Szameit, Alexandra	Interpreters	150.00	Titan Machinery	Parts Invento	1,523.80
Tractor Supply Co.	Bridge Repair	69.98	Triangle Properties	Welfare Rent	1,349.00
Tschetter & Adams La	Attorney Fees	4,915.92	Tuschen, Michael E	Education & T	10.00
V & S Inc	Uniform Allow	97.50	Vandervliet, Rodney	Business Trav	47.20
VB Falls Terrace Apt	Welfare Rent	470.00	Venenga, Gene/Wanda	Welfare Rent	500.00
Voigt, Debra	Child Defense	387.00	Wal-Mart Pharmacy	Pharmacies	173.50
Waste Management Of	Trash Removal	402.73	Weerheim, Tom	Attorney Fees	2,241.00
Wells Fargo Home Mor	Welfare Rent	1,260.00	Westwood Ltd Ptnrshi	Welfare Rent	700.00
Wheelco Brake & Supp	Small Tools,	20.64	Williams, Beverlee	Welfare Rent	600.00
Wittrock, Craig	Education & T	58.73	Xcel Energy, Inc.	Electricity	59,901.07
Xcel Energy, Inc.	Welfare Rent	586.18	Xcel Energy, Inc.	Welfare Utili	1,232.82
Xigent Solutions	Consultants	600.00	Yan, Shicai	Welfare Rent	600.00
Zuercher Technologie	Other Profess	5,877.75	Zuercher Technologie	Software	11,198.10

## PERSONNEL

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

1. To hire Kimberly Elgersma, Breanna Hawkins, Kasey Moen, Benjamin Green, Ashlie Knecht, and Andrew Wilen as Corrections System Operators (9/2) for the Jail at \$14.33/hour effective 7/13/15.
2. To promote Brandon Mohr from Correctional Officer in Training to Correctional Officer (13/2) for the Jail at \$17.46/hour effective 6/2/15.
3. To accept the resignation of Jorrie Hart as Air Guard Security Officer II for the Air Guard effective 6/30/15.
4. To accept the resignation of Lisa Huff as Corrections System Operator for the Jail effective 6/19/15.

## Step Increases Due

1. Douglas Amolins – Tax & License Technician – Treasurer’s Office – 10/7 to 10/8 – 7/8/15 – \$17.46/hour
2. Andrew Robertson – Deputy Public Defender – Public Defender’s Office – 21/2 to 21/3 – 6/23/15 – \$2,125.60/bi-weekly
3. Kevin Nilson – Programmer Analyst II – Information Technology – 21/17 to 21/18 – 6/30/15 – \$38.47/hour
4. Matthew Aanenson – Deputy Sheriff Sergeant – Jail – 20/5 to 20/6 – 6/30/15 – \$27.23/hour
5. Aaron Walton – Deputy Sheriff – Sheriff’s Office – 16/11 to 16/12 – 6/8/15 – \$25.92/hour
6. Kari Gackle – Legal Office Assistant – State’s Attorney’s Office – 10/9 to 10/10 – 7/10/15 – \$18.34/hour

## Special Personnel Actions:

To recognize the following significant employee anniversaries for July 2015: 5 years - Steven Millage, Julie Amdahl; 10 years – Joan Hall; 15 years – Jennifer Brenden, Jennifer Vanroekel, Theresa Dunn; 20 years – Bradley Thomas.

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To record volunteers in County Departments for June 2015. The list is on file at Human Resources.

#### PLANNING & ZONING NOTICES

David Heinold, Planner I, gave the first reading of an ordinance amending the 2001 Joint Zoning Ordinance for Minnehaha County and the City of Dell Rapids to rezone property legally described as Lot 1 Overvaag Tract 2, SW ¼ Section 8-T104N-R49W, Minnehaha County, from C Commercial District to RR-1 Rural Residential. Adoption of the ordinance will be considered at a public hearing on July 21, 2015 at 9:00 a.m. in the Minnehaha County Commission meeting room.

#### LIEN COMPROMISE

Commissioner Barth gave a briefing on a request for compromise of lien for DPNO 60818. The lien is for Public Defender services in the amount of \$1,890.00 provided between 2006 and 2008 and human services assistance in the amount of \$426.00 provided in 2015. The applicant has made partial payments on the lien that total \$289.00, bringing the lien to its current balance. The applicant lists assets of \$30 and no liabilities. His primary source of income is a Social Security Benefit in the amount of \$9,756 a year. The applicant provided a 2014 W-2 that shows income of \$416.88 from Labor Ready and Command Center, Inc. He is requesting a compromise and release of the lien in full. The applicant was present. Commissioner Barth encouraged the applicant to continue to make payments. MOTION by Barth, seconded by Bender, to deny the request for compromise of lien for DPNO 60818. 5 ayes.

#### HEARING

Kristin Trana, Administrative Coordinator for the Sheriff's Office, was present for the scheduled hearing to consider the 2015 Byrne Justice Assistance Grant (JAG) Joint Spending Plan. The City of Sioux Falls and Minnehaha County will be receiving an allocation of \$62,365 for the 2015 program. The Sioux Falls Police Department will receive 65% of the allocation (\$40,537) to purchase Dell Tablets and uniform style external bullet proof vest carriers, and the Minnehaha County Sheriff's Office will receive 35% of the allocation (\$21,828) to be used to purchase Taser X2 conducted electrical weapons. MOTION by Beninga, seconded by Bender to approve the 2015 Byrne Justice Assistance Grant Joint Spending Plan. 5 ayes

#### BID

Rod Axsom, Deputy Sheriff Lieutenant, reported on the June 17, 2015 bid opening for a Jail DVR Recording System. The following three bids were received: Safe N Secure, \$48,043.80; Wind Circle Network, \$110,765.34; Com-Tech \$179,369.99. Mr. Axsom recommended accepting the Safe N Secure proposal. MOTION by Kelly, seconded by Barth, to award the bid for a Jail DVR Recording System to Safe N Secure in the amount of \$48,043.80. 5 ayes.

#### AGREEMENT

Mark Kriens, Assistant Facilities Director, reported that there is an open custodial position in the Facilities Department. The cost of this position with benefits is \$39,094.58 per year. Mr. Kriens presented a proposal from ISS Facility Services, Inc. to extend their custodial services contract for the Court House, Annex, and Extension Building by including a portion of the Health and Human Services Building. The contract for the additional custodial services is \$19,200.00. The proposal will result in a savings to Minnehaha County of \$19,894.58. Mr. Kriens requested authorization to use personnel savings in the Facilities Budget to pay for the extended custodial services with ISS Facility Services, Inc. for the 2015 contract. MOTION by Barth, seconded by Kelly, to approve extending the ISS Facility Services, Inc. contract to include a portion of the Health and Human Services Building at a cost of \$19,200.00, and authorize the use of personnel savings in the Facilities Budget to pay for the extended contract services. 5 ayes.

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## BRIEFINGS

Scott Anderson, Planning & Zoning Director, gave a briefing on a proposed resolution setting building permit valuations. The proposed resolution is for a 3.5% increase in building permit fees based on the Consumer Price Index, CPI, and reflects the added cost in the materials. The Commission will consider adoption of the resolution at the July 14, 2015 commission meeting.

Scott Anderson, Planning & Zoning Director, gave a briefing on proposed amendments to MC38-10, 2010 Revised Drainage Ordinance for Minnehaha County. The amendments include adding the newly named Annie Anderson Creek and the existing Buffalo Creek to Section 106, and correcting the misspelling of maintenance and adding the requirement for notices of work within vested drainages and intermittent streams to be sent by certified mail, and clarifying the title for Intermittent Streams in Section 1.07. Adoption of the proposed amendments will be considered at a public hearing during the August 11, 2015 commission meeting.

## BUILDING DONATION

MOTION by Barth, seconded by Kelly, to defer for one week consideration of accepting the donation of a 16' X 28' building to be built on the W. H. Lyon Fairgrounds property. 5 ayes.

## OPT-OUT

Kim Adamson, Finance & Budget Officer, gave a briefing on the status of the FY2016 proposed budget and anticipated shortfall. Sheriff Mike Milstead and Aaron McGowan, Minnehaha County State's Attorney, spoke in support of an opt-out of the property tax limitation. MOTION by Kelly to approve a \$3 million opt-out. Motion dies for lack of a second. MOTION by Barth, seconded by Bender, to approve a \$3.5 million opt-out. Commissioners discussed what they felt the appropriate amount of the opt-out should be in order to provide for yearly increases in general fund expenditures. Barth withdrew his motion. MOTION by Barth to approve a \$4 million opt-out. Motion dies for lack of a second. Motion by Barth, seconded by Bender, to approve a \$3.5 million opt-out. Ken McFarland, Commission Administrative Officer, spoke on a ten year comparison between the growth of property tax revenue that Minnehaha County has seen and the growth of sales tax revenue that the City of Sioux Falls, and State have seen. During the ten year comparison, property tax revenue growth for Minnehaha County was 29% and the sales tax growth for the City and State was 43%. Chairperson Heiberger stated that the motion for the opt-out must also include the number of years the opt-out will be in effect. Barth withdrew his motion. MOTION by Barth, seconded by Beninga, to approve Resolution MC15-42 for a \$3.5 million opt-out of the property tax limitation for a period of twenty five (25) years. 5 ayes.

### **RESOLUTION MC15-42 RESOLUTION FOR OPT-OUT**

**THE BOARD OF COMMISSIONERS OF MINNEHAHA COUNTY** do state that the above said board is unable to operate under the property tax limitation measure currently in statute. We therefore OPT OUT of such tax limitation in the amount of \$3.5 million starting with calendar year 2015 taxes payable in the calendar year 2016. This opt-out will be for 25 years, which will be through taxes payable in the calendar year 2040. This action has been taken by the board and approved by at least a two-thirds vote of the board.

This decision may be referred to a vote of the people upon a petition signed by at least five percent of the registered voters of the County and filed with the County Auditor within twenty days of the first publication of this decision.

Unless this action is referred to a vote of the people and reversed by such vote, this resolution authorizes the County Auditor to spread an excess levy to raise tax dollars in the above stated amount.

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Dated this 7<sup>th</sup> day of July, 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger  
Gerald Beninga  
Jeffrey E. Barth  
Dick Kelly  
Jean Bender

ATTEST:

Cynthia Jepsen  
Deputy County Auditor

NEW BUSINESS

Commissioner Beninga thanked the department heads, Kim Adamson, Darlene Johnson, and Rich Lietz for their work on the budget.

OLD BUSINESS

Robert Wilson, Assistant Commission Administrative Officer, informed the Commission that next week’s agenda will include a discussion of legislative priorities to be submitted to the South Dakota Association of County Commissioners to be considered for inclusion in their legislative platform. Commissioner Barth encouraged staff to contact Robert with any issues they would like to have discussed.

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

The Commission adjourned until 9:00 a.m. on Tuesday July 14, 2015.

APPROVED BY THE COMMISSION:

Cindy Heiberger  
Chairperson

ATTEST:

Cynthia Jepsen  
Deputy Auditor