

07/30/2019

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M. July 30, 2019, pursuant to adjournment on July 23, 2019. 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 Karsky, seconded by Barth, to approve the agenda. 5 ayes.

MINUTES APPROVAL

MOTION by Barth, seconded by Beninga, to approve the July 23, 2019, Commission Minutes. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Heiberger, to approve the following bills totaling \$3,699,765.47. 5 ayes.

A&B Business	Lease-Rental Agmt	255.06
A&B Business	Maint Contracts	314.52
Active Generations	Advertising	47.00
Airway Svc	Automotive/Small Equip	304.43
Airway Svc	Gas Oil & Diesel	45.25
Alexander Suurmeyer	Education & Training	240.24
All American Towing	Investigators Exps	543.50
American Business	Furniture & Office Equip	1,298.64
American Business	Printing/Forms	64.23
Anderson, Jennifer	Bd Evals Minnehaha	3,045.00
Appeara	Program Activities	97.60
Armor Correctional	Contract Svcs	250,413.34
AT&T	Safety & Rescue Equip	43.23
Avera McKennan	Hospitals	12,654.00
Avera McKennan	Professional Svcs	135.20
Axis Forensic Toxicology	Lab Costs	787.00
B&B Rentals	Welfare Rent	500.00
Banner Associates	Architects & Engineers	35,320.40
Bauer Built	Truck Repairs & Maint	35.00
Bentwood Manor Apts	Welfare Rent	1,400.00
Benz, Kari	MacArthur SJC Grant	76.00
Berzati, Burim	Welfare Rent	1,100.00
Bristow, Boyd	Program Activities	300.00
Brownells	Other Supplies	44.32
Budget Auto Repair	Automobiles	156.99
Burns, Jason	Investigators Exps	40.32
Carroll Institute	Misc Exp	4,777.91
CBM Managed Svcs	Board Of Prisoners-Meals	20,101.00
CBM Managed Svcs	Child Care Food	4,994.58
Cntr For Family	Professional Svcs	462.89
Century Business	Maint Contracts	247.46
Centurylink	Telephone	54.65
Centurylink Long	Contract Svcs	14.62
Centurylink Long	Telephone	126.03
Certified Auto Glass	Automotive/Small Equip	96.00
Constellation	Natural Gas	77.61
Corrie Alexander	Business Travel	196.00
Creekstone Falls	Welfare Rent	500.00
Crescent Electric	Building Repairs & Maint	135.39
Crystal Johnson	MacArthur SJC Grant	66.00
Dakota Fluid Power	Heavy Equip Repairs & Maint	96.76
Dakota Riggers & Too	Truck Repairs & Maint	86.97
Decisionone	Maint Contracts	168.52
Dell Marketing	Data Processing Equip	7,533.30
Doug Blomker	Uniform Allowance	54.99
EH Hospitality	Motels	280.00
Eich Law	Attorney Fees	1,500.00

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Eich Law	Child Defense Attorney	4,166.67
Electric Supply	Data Processing Equip	1,536.88
English Law	Attorney Fees	1,500.00
Family Visitation	Clinics - Auxiliary Svcs	50.00
Fully Promoted	Uniform Allowance	476.32
Galls Quartermaster	Uniform Allowance	947.62
George, Aaron	Welfare Rent	595.00
Geotek Engineering	Architects & Engineers	4,710.00
Goebel Printing	Office Supplies	89.28
Goebel Printing	Printing/Forms	153.03
Griesse, Chris	Road Maint & Material	5,086.04
Guzman, Sandra V	Interpreters	50.00
Haffner, Marvin	Welfare Rent	250.00
Hancock Concrete	Road Maint & Material	11,700.80
Harms Oil	Gas Oil & Diesel	16,416.55
Helseth, Ramona G	Bd Exp Fees Minnehaha	32.00
Hewlett Packard	Data Processing Equip	269.00
Hoekstra, Denise	Court Reporters	95.20
Horizon Apts	Welfare Rent	500.00
Huber, Monica	MacArthur SJC Grant	302.62
Humboldt Fire & Amb	Ambulance Svcs	12,500.00
Humboldt Fire & Amb	Humboldt Fire Dpt	19,170.50
HyVee	MacArthur SJC Grant	125.00
HyVee	Pharmacies	71.40
Infra Track	Road Maint & Material	3,300.00
Interim Healthcare	Professional Svcs	3,443.13
Interstate Office	Office Supplies	37.52
ISI	Interpreters	45.00
Jarrood Smart	Sign Deposits	50.00
Jason Mccubbin	Business Travel	270.00
JD Property Solution	Welfare Rent	500.00
JE Dunn Construct	Jail Expansion Construct	2,859,116.00
Jeff Gromer	Uniform Allowance	333.94
Jeff Larson Law	Attorney Fees	2,955.65
Jeff Larson Law	Child Defense Attorney	2,671.85
Jim & Rons Svc	Investigators Exps	169.50
JLG Architects	Jail Expansion Prof Svcs	33,106.47
JW Niederauer	Road Maint & Material	39.98
Katterhagen, Mark	Bd Exp Fees Yankton	75.00
Kerri Cook Huber	Attorney Fees	475.20
Kerri Cook Huber	Bd Exp Fees Yankton	40.00
Knecht, Andrew J	Attorney Fees	1,500.00
Konda, Yousif	Interpreters	50.00
Kruse Law	Child Defense Attorney	4,166.67
Lacroix Law	Attorney Fees	432.85
Lamar Texas	HIDTA Grant	1,050.00
Landeen Law	Attorney Fees	1,500.00
Laughlin Law	Attorney Fees	684.00
Ledd Properties	Motels	725.00
Leiss, Matthew W	Welfare Rent	500.00
Lewno Law	Bd Exp Fees Yankton	464.50
Lockwood, Darcy	Bd Exp Fees Yankton	75.00
Luther, Jeff	Medical Director	2,500.00
Lutheran Social Svcs	Diversion Programs	5,356.61
Lutheran Social Svcs	Evening Report Cntr	5,516.30
Lutheran Social Svcs	Shelter Care/Reception Cntr	85,516.68
Maras, Jacob	Gas Oil & Diesel	61.46
Mcgrath North Mullin	Professional Svcs	155.00
Menard	Park & Recreation Material	14.68
Menard	Program Activities	29.98
Michelle Boyd	Business Travel	166.00
Midamerican Energy	Natural Gas	889.18
Midwest Alarm	Correction Ctr Repair	424.80
Mikaela Fitzler	Misc Revenue	150.00
Mikelson Law	Bd Exp Fees Yankton	210.00

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Monarch Sales	Printing/Forms	656.74
Monroe Systems	Office Supplies	56.57
Myers & Billion	Attorney Fees	3,189.60
Myers & Billion	Child Defense Attorney	769.50
Napa Auto Parts	Automotive/Small Equip	3.10
National Student	Welfare Rent	450.00
Nebraska Salt & Gr	Road Material Inventory	13,942.21
Neville Smith	Business Travel	196.00
Nichole Carper	Child Defense Attorney	200.50
Northeast Investment	Welfare Rent	850.00
Nybergs Ace Hardware	Office Supplies	49.85
Olson Law Firm	Attorney Fees	2,896.17
Osborn, Roxane R	Court Reporters	402.50
Prestox	Professional Svcs	55.00
Qualified Presort	Postage	92.75
Rac Rentals	Welfare Rent	500.00
Regional Health	Hospitals	349.00
Regional Health	Physicians	214.64
Regulator Tech	Volunteer Pers Items	235.00
Reynolds Law	Child Defense Attorney	4,394.67
Rochester Armored	Armored Car Svc	407.96
Rotorooter	Plumbing & Welding	130.00
Salem, Karla R	Bd Evals Minnehaha	2,362.50
Sanford Clinic	Misc Exp	24,931.42
Sanford Clinic	Other Medical Svcs	150.52
Scilawforensics	Attorney Fees	1,200.00
Sentinel Offender	Electronic Monitoring	1,960.40
SF Specialty Hosp	Recruitment	1,098.00
Short Elliott Hend	Architects & Engineers	11,651.97
Sioux Empire Fair	Misc Exp	12,500.00
Sioux Falls Area	Misc Exp	3,495.34
Sioux Falls City	Electricity	15,349.31
Sioux Falls City	Gas Oil & Diesel	239.85
Sioux Falls City	Professional Svcs	297.45
Sioux Falls City	Water Sewer	793.89
Sioux Falls City	Welfare Utilities	251.69
Sioux Falls Seminary	Psych Evals	554.00
Southeastern Behav	Professional Svcs	2,462.50
Southeastern Elec	Welfare Utilities	163.23
Stan Houston Equip	Small Tools & Shop Supplies	47.75
State of SD	Amts Held Daily Scram	2,393.00
State of SD	Amts Held Remote Breath	869.75
State of SD	Automotive/Small Equip	42.40
State of SD	Telephone	48.75
Summit Food Svc	Child Care Food	3,472.91
Superior Siren	Program Activities	300.00
TCN	Telephone	2.72
Tegra Group	Jail Expansion Prof Svcs	18,568.40
Thomson Reuters	Legal Research	1,005.22
Thomson Reuters	SDCL Law Books	3,556.89
Tower Of David	Welfare Rent	169.00
Transource Truck	Heavy Equip Repairs & Maint	88.29
Transource Truck	Truck Repairs & Maint	67.57
Triangle Properties	Welfare Rent	500.00
True Care Family	Pharmacies	51.00
Trumble, Hank	Business Travel	270.00
Tschetter & Adams	Attorney Fees	439.70
Tyler Technologies	Software	15,541.41
Tzadik	Welfare Rent	2,695.00
US Bank	Lease-Rental Agmt	136.72
US Foods	Professional Svcs	591.72
Victorville Cnty	Return Of Svc	40.00
Walmart Stores	Pharmacies	24.03
Walton, Marcus	Child Defense Attorney	1,081.00
Weber Law	Child Defense Attorney	628.50

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Xcel Energy	Electricity	83,565.71
Xcel Energy	Welfare Utilities	2,109.89
Yankton Cnty	Attorney Fees	1,310.50
Yankton Cnty	Return Of Svc	250.00

REPORTS

The July 2019 Human Services Bi-Annual Client Satisfaction Survey Report, the June 2019 Juvenile Detention Center Report, and the 2019 2nd Quarter Juvenile Detention Center Report were received and placed on file in the Auditor's Office. Jamie Gravett, Juvenile Detention Center Director, spoke on the Juvenile Detention Center reports and noted that the University of South Dakota Medical School is now taking the data and providing the statistics that are being shown in the reports.

PERSONNEL

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

New Hires

1. Alec Szczawinski, Correctional Officer in Training for the Jail, at \$17.98/hour (12/1) effective 8/5/19.
2. David Denson, Correctional Systems Operator for the Jail, at \$15.50/hour (9/1) effective 8/5/19.
3. Joseph Meader, Deputy State's Attorney for the State's Attorney's Office, at \$2,603.20/biweekly (22/1) effective 8/5/19.
4. Cody Raterman, Deputy State's Attorney for the State's Attorney's Office, at \$2,603.20/biweekly (22/1) effective 8/5/19.
5. Ashley Lopez, variable hour Juvenile Correctional Worker for the Juvenile Detention Center, at \$14.85/hour effective 7/31/19.

Step Increases

1. Derek Friese, Deputy Public Defender for the Public Defender's Office, at \$2,667.20/biweekly (22/2) effective 7/30/19.
2. Francis Konechne, Fleet Supervisor for the Highway, at \$30.21/hour (18/10) effective 7/31/19.
3. Angela Lutterman, Correctional Officer for the Jail, at \$19.37/hour (13/2) effective 7/17/19.
4. Andrew Kelly, Correctional Officer for the Jail, at \$19.37/hour (13/2) effective 5/20/19.
5. Deena Ellis, Legal Office Assistant for the Public Advocate's Office, at \$16.71/hour (10/2) effective 7/18/19.
6. Scott Anderson, Director of Planning for Planning, at \$4,480.80/biweekly (24/15) effective 7/2/19.
7. Smith Strain, Appraiser for Equalization, at \$21.92/hour (15/3) effective 8/2/19.
8. Brittani Crawford, Juvenile Correctional Officer I for the Juvenile Detention Center, at \$21.39/hour (12/8) effective 7/14/19.

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PUBLIC COMMENT

Scott Wick, President and CEO of the Sioux Empire Fair Association, announced the kickoff of the 80th Annual Sioux Empire Fair on August 2, 2019, with a Keith Urban concert. Mr. Wick spoke on the events taking place during the fair and thanked the Commissioners for their support.

PRESENTATION

Mayor Paul TenHaken, City of Sioux Falls, gave a presentation on One Sioux Falls, a framework utilized by the City of Sioux Falls to guide work and provide excellent quality of life. The four focus areas of One Sioux Falls are Safety and Health, Accessible Housing, Workforce, and Engaging People. Additionally, Innovation and Foundational Growth are two all-encompassing focuses of the framework.

ORDINANCE

David Heinold, Planner, was present for the second reading and public hearing to consider text amendment #19-03 to Ordinance MC16-90, the 1990 Revised Zoning Ordinance for Minnehaha County. The amendment would allow a change to #9 on the list of permissive uses from Residential Single Family Dwelling to Residential Two-Family Dwelling under Section 10.0615 Hoppe PD Planned Development District. The Planning Commission unanimously recommended approval of the amendments at their June 24, 2019, meeting. Don Hoppe, 304 S 5th Ave, Rock Rapids, IA, the applicant, spoke on the requested change. Mr. Hoppe explained that the building design plan did not change. Instead, Mr. Hoppe indicated that he requested the change due to his misunderstanding of the use of the terms, Residential Single Family Dwelling versus Residential Two-Family Dwelling, when originally applying for the planned development. No one spoke in opposition. MOTION by Barth, seconded by Heiberger, to approve Ordinance MC16-163-19, an amendment to Ordinance MC16-90, the 1990 Revised Zoning Ordinance, for text amendment #19-03. By roll call vote: 5 ayes. The entire ordinance is available and on file at the Auditor's Office.

ABATEMENT HEARING

Carol Muller, Commission Administrative Officer, and Chris Lilla, Director of Equalization, presented an application for abatement of 2018 property taxes in the amount of \$995.50 on parcel 90846 at the property legally described as Lot 3 Block 6 Riverview 3rd Addition to City of Garretson. On July 9, 2019, the Minnehaha County Commission denied the application for abatement of parcel 90846. On the same day, the City of Garretson approved the application for abatement. Due to the conflicting action, a hearing before the County Commission was necessary. Both the City of Garretson and Mr. Etrheim were provided notice of the hearing. Neither Mr. Etrheim nor a representative from the City of Garretson came forward to speak. MOTION by Barth, seconded by Heiberger, to deny the abatement for Brant Etrheim, Parcel ID 90846, 2018 Property Taxes in the amount of \$995.50. By roll call vote: 5 ayes.

ALCOHOL BEVERAGE LICENSE HEARING

Olivia Larson, Deputy Auditor, was present for the public hearing and presented the application for a Retail On-Off Sale Malt Beverage and South Dakota Farm Wine License submitted by the Izaak Walton League of America, Sioux Falls Chapter. The State's Attorney's Office, Sheriff's Office, and Planning & Zoning Department were provided the application for review. There were no concerns or objections reported. Jon Peterson, 917 N Savannah Dr., Sioux Falls, spoke on the request for the license as the Chairman of the Board for the Izaak Walton League of America, Sioux Falls Chapter, stating that they often rent out their facility for weddings and other events on the weekends. No one spoke in opposition. MOTION by Beninga, seconded by Karsky, to approve the 2019-2020 Retail On-Off Sale Malt Beverage and South Dakota Farm Wine License application for the Izaak Walton League of America, Sioux Falls Chapter, legally described as E520 W880 N850 SW1/4 SE1/4 10149 Sioux Falls Township. By roll call vote: 5 ayes.

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BRIEFING

Scott Anderson, Planning Director, gave a briefing on two proposed easement requests at the Perry Nature Area. The first easement would clarify the use of an existing roadway by indicating that it can be used by residents and park goers, as well as part of the emergency ingress and egress. The second easement would be used as an emergency ingress and egress to the future development to the north of the property. Additionally, it would provide walking access into the Perry Nature Area.

AGREEMENT

Craig Dewey, Assistant Commission Administrative Officer, presented a Stockpile Lease Agreement with the South Dakota Department of Transportation (SDDOT). The agreement was originally approved on April 23, 2019. Due to the SDDOT requesting further legal review of the agreement after the Commission's approval, a new agreement was drafted. The SDDOT will continue to lease six (6) acres of County owned land near Exit 402 on Interstate 90. The SDDOT intends to use the land as a stockpile location for approximately 15,000 tons of asphalt millings/gravel base for projects IM 0909(80)397 PCN 4437 and P 2115(39) PCN 6668. One lump sum payment of \$2,400.00 will be made by the SDDOT upon execution of the agreement. The lump sum payment represents equal payments of \$1,200.00 for the first two years of the agreement. Additionally, by April 24, 2020, the SDDOT will pay the County a total of \$800.00 for the remainder of the term of the agreement. Maggie Gillespie, Senior Deputy State's Attorney, explained that revisions were made to the agreement regarding indemnity provisions specifically in paragraphs eleven (11) through (14). MOTION by Barth, seconded by Heiberger, to authorize the Chair to sign the Stockpile Lease Agreement with the South Dakota Department of Transportation in the amount of \$3,200.00 beginning on April 24, 2018, and ending on December 31, 2020. 5 ayes.

APPOINTMENT

Craig Dewey, Assistant Commission Administrative Officer, presented three applications for appointment to the Housing and Redevelopment Commission. A five year term became available due to the term expiration of a member. A four year term became available with the decision of a member to pursue retirement interests. A public call was released in May 2019 to take applications for the vacancies. Nikki Gronli, Jeremy Roemen, and Jon Thiesen submitted applications for appointment. MOTION by Barth, seconded by Karsky, to appoint the following applicants to serve on the Housing and Redevelopment Commission: Jeremy Roemen to a four year term beginning on July 30, 2019, and ending on July 30, 2023, and Nikki Gronli to a five year term beginning on July 30, 2019, and ending on July 30, 2024. By roll call vote: 5 ayes.

RESOLUTION

Carol Muller, Commission Administrative Officer, presented a resolution to establish hourly rates for the Board of Mental Illness. The current rate of \$94.00 has been in effect since August 1, 2017. The resolution would increase the rates of the Chair and Assistant Chair to \$95.00 per hour. MOTION by Heiberger, seconded by Karsky, to approve Resolution MC19-23. By roll call vote: 5 ayes.

**RESOLUTION MC19-23
ESTABLISH HOURLY RATES FOR
BOARD OF MENTAL ILLNESS ACTIVITIES**

WHEREAS, SDCL 27A-7-8 and 27A-10-6 provides that the County Board of Commissioners determine compensation rates for certain activities of the County Board of Mental Illness and establishes responsibility for the payment of certain expenses of the Board of Mental Illness, and now

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THEREFORE BE IT RESOLVED BY the Minnehaha County Board of Commissioners that the following hourly rates are hereby established for the Board of Mental Illness:

Chair, Board of Mental Illness	\$95.00 per hour
Assistant Chair, Board of Mental Illness	\$95.00 per hour

BE IT FURTHER RESOLVED, these rates are effective August 1, 2019, and shall remain in place until changed by resolution by the Minnehaha County Board of Commissioners.

Dated this 30th day of July, 2019

APPROVED BY THE COMMISSION:

Jean Bender

Chairman

ATTEST:

Olivia Larson

Deputy Auditor

PROVISIONAL BUDGET

Carol Muller, Commission Administrative Officer, presented the FY2020 Provisional Budget in the amount of \$92,118,340. The provisional budget includes a cash applied amount of \$4,383,910. \$1,900,000 of the 2019 opt-out will be utilized. The provisional budget also includes twenty (20) new positions in the public safety area. A public hearing on the proposed budget will be held during the Minnehaha County Commission meeting at 9:00 a.m., Tuesday, September 3, 2019. MOTION by Barth, seconded by Beninga, to approve the FY2020 Provisional Budget and Adoption Resolution MC19-24. By roll call vote: 5 ayes. (The Provisional Budget and Adoption Resolution MC19-24 will be published in the County's legal newspapers with these minutes).

LIAISON REPORT

Commissioner Heiberger reported on last week's meeting of the Sioux Empire Leadership Council Executive Team where plans were made for the first official meeting to take place in August.

Commissioner Heiberger reported on attending last week's Juvenile Detention Alternatives Initiative State Meeting in Chamberlain regarding county specific risk assessment instrument data.

Commissioner Heiberger provided an update on the Human Services Department regarding two open alliance positions and meetings with Avera to discuss processing cases.

Commissioner Karsky reported on the July 25, 2019, Facilities Task Force tour of the Annex, Emergency Management, and Highway Department buildings. Another tour will take place on July 31, 2019, for the rest of the task force members. A tour of the Juvenile Detention Center will take place on August 7, 2019.

Commissioner Barth reported on attending a neighborhood meeting with four City Councilors near the Bishop Dudley House where many people voiced concerns regarding the behavior of people who meander in the neighborhood.

Commissioner Beninga provided an update on the Juvenile Detention Center (JDC) noting that the JDC is almost full due to recent shootings. Commissioner Beninga noted his appreciation for Sioux Falls Mayor Paul TenHaken's visit to the JDC.

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Commissioner Bender commented on her appreciation for the Argus Leader's coverage of certain public safety staff. Commissioner Bender also commented on her appreciation for the commitment of the staff who work in the public safety areas.

Commissioner Beninga reported on receiving comments from the public regarding the County's budgetary needs and decisions. After having conversations regarding public safety, growth, and revenue sources, most people were understood the reasons for the County's budgetary decisions.

Commissioner Heiberger noted that a video done by Craig Dewey, Assistant Commission Administrative Officer, Commissioner Bender, and Commissioner Karsky regarding the recent approval of an opt-out and the County's budgetary needs is available on the County's website and YouTube.

MOTION by Heiberger, seconded by Karsky, to recess the Minnehaha County Commission Meeting at 10:20 a.m. 5 ayes.

MOTION by Karsky, seconded by Beninga, to reconvene the Minnehaha County Commission Meeting at 10:31 a.m. 4 ayes. Commissioner Barth was absent.

MOTION by Beninga, seconded by Karsky, to enter into Executive Session pursuant to SDCL 1-25-2 (1), (3) and (4). 4 ayes.

Commissioner Barth returned to the meeting.

MOTION by Barth, seconded by Heiberger, to adjourn. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, August 6, 2019.

APPROVED BY THE COMMISSION:

Jean Bender

Chair

ATTEST:

Olivia Larson

Deputy Auditor