

05/30/2017

THE MINNEHAHA COUNTY COMMISSION CONVENE AT 9:00 A.M. May 30, 2017, pursuant to adjournment on May 23, 2017. Commissioners present were: Barth, Bender, Beninga, and Heiberger. Commissioner Karsky was absent. Also present were Olivia Larson, Commission Recorder, and Kersten Kappmeyer, Chief Civil Deputy State's Attorney.

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

MINUTES APPROVAL

MOTION by Bender, seconded by Barth, to approve the May 23, 2017, Commission Minutes. 4 ayes.

MOTION by Heiberger, seconded by Barth, to approve the May 23, 2017, Joint Minnehaha County/City of Sioux Falls Minutes. 4 ayes.

MOTION by Barth, seconded by Bender, to approve the May 23rd, 2017, Minnehaha County Tour Minutes. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Heiberger, to approve the following bills totaling \$1,740,165.46. 4 ayes. Bob Litz, County Auditor, explained the bond payments made in this week's bills, as well as the payments made to Armor Correctional and Morse Correctional Healthcare.

A & B Business Solut	Lease-Rental	95.00	A & B Business Solut	Maintenance	269.04
A To Z World Languag	Interpreters	4,240.00	Affordable Housing S	Welfare Rent	500.00
Airteq	Jail Repairs	240.73	Airway Service Inc	Automotive/Sm	1,653.09
Airway Service Inc	Gas,Oil,Diese	43.13	Airway Service Inc	Other Profess	69.95
Amazon/Syncb	Office Suppli	851.99	Argus Leader Adver	Publishing Fe	3,705.88
Armor Correctional H	Contract Ser	419,575.35	Avera Health Informa	Clinics Aux	101.50
Avera Home Medical E	Medical Equip	326.88	Avera McKennan Hospi	Hospitals	7,952.50
Avera McKennan Hospi	Psych Evals	1,500.00	B&B Rentals	Welfare Rent	550.00
BI Inc	Program Suppl	80.05	Bob Barker Co	Inmate Suppli	2,800.96
Boyer Trucks Sioux F	Automotive/Sm	135.40	Boyer Trucks Sioux F	Gas,Oil,Diese	98.88
Brende & Meadors LLP	Attorney Fees	1,906.00	Brown & Saenger	Office Suppli	45.06
Brown, William Bud	Other Profess	11,175.00	Bureau Of Informatio	Telephone	27.00
Butler Machinery Co	Heavy Eq Rep	7.76	Calhoun Communicatio	Data Processi	376.92
Calhoun Communicatio	Maintenance	1,500.00	CBM Managed Services	Board Of Pris	28,119.42
Cedar Prop LLC Db	Welfare Rent	330.00	Center For Family Me	Physicians	161.95
Century Business Pro	Lease-Rental	284.07	Century Business Pro	Maintenance	406.56
Chagolla, Albert	Interpreters	25.00	Charmtex Inc	Inmate Suppli	831.00
Christopherson Ander	Attorney Fees	611.00	Cleveland Heights Ap	Welfare Rent	275.00
Cloud 9 Motel	Motels	500.00	Cole Papers Inc	Janitorial/Ch	965.85
Cole Petroleum Inc	Gas,Oil,Diese	2,476.80	Colton Fire Dept	Colton FD	19,159.00
Colton Fire Dept	Other Misc	56.44	Comfort Theater Co	Program Activ	300.00
Community Outreach	Other Misc R	150.00	Concrete Materials	Road Maint	74,492.12
Constellation New En	Natural Gas	8,943.43	Cutler Law Firm LLP	Child Defense	1,346.00
Dakota Riggers & Too	Small Tools	259.48	Decisionone Corporat	Maintenance	168.52
Dennis Supply Co	Correction Ct	847.29	Diane L Crisp Estate	Welfare Rent	600.00
Donovans Hobby & Scu	Volunteer Per	1,190.12	Dover, Sena S	Bd Evaluation	832.50
EH Hospitality LLC	Motels	500.00	Ekeren, Marvin R	Bd Exp Fees	45.00
Erickson, Christine	Innovation Gr	160.00	Evans, Preston	Investigators	277.20
Family Connection	Welfare Rent	401.61	Farnsworth, Michael	Other Profess	16,000.00
Four Eagles LLC	Welfare Rent	400.00	G&R Controls Inc	JDC Maintenanc	467.50
Garretson Fire Dept	Garretson FD	22,209.50	Garretson Fire Dept	Sherman FD	2,839.50
Global Equipment Co	Office Suppli	223.90	Grainger	Bldg/Yard Rep	470.58
Gulbrandson, Derek	2016 HLS Grant	249.00	Guzman, Sandra V	Interpreters	175.00
Hanson Logowear	Uniform Allow	149.35	Hanson, Michael W	Attorney Fees	892.00
Harms Oil Co	Gas,Oil,Diese	26,198.41	Heartland Paper Co	Building Repa	76.28
Heartland Paper Co	Inmate Suppli	166.92	Heimdal, Marie Ann	Court Reporte	22.80

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Heinold, David	Education	1,006.52	Heirigs, Mary Ellen	Bd Exp Fees	224.00
Hibu Inc	Advertising	408.00	Hillman Properties O	Welfare Rent	500.00
Hobart Sales & Servi	Jail Repairs	588.89	Hoekstra Reporting	Court Reporte	1,725.20
Holiday Inn City Cen	Program Activ	55.00	Humboldt Fire & Ambu	Transportatio	300.00
HyVee Accounts Recei	Jury Fees	51.37	HyVee Accounts Recei	Pharmacies	64.99
I State Truck Center	Truck Repair	389.70	Ideal Yardware	Bridge Repair	76.55
Interprecorps	Interpreters	100.00	Interstate Office Pr	Office Suppli	3,441.33
Interstate Power Sys	Maintenance	388.00	ISI LLC	Interpreters	160.00
JCL Solutions	JDC Custodial	92.40	JCL Solutions	Kitchen/Clean	2,706.91
Jefferson Lines	Transportatio	1,947.80	Jensen Holdings LLC	Lease-Rental	228.00
Johnson, Richard L	Attorney Fees	567.76	Karsky, Dean	Innovation Gr	623.90
Katterhagen, Mark	Bd Exp Fees	127.50	KCH Law	Attorney Fees	154.77
Kennedy Pier Knoff	Attorney Fees	551.20	Kringen, Gregg	Parks/Recreat	50.00
Lewno Law Office	Bd Exp Fees	1,056.22	Lincoln County Audit	Attorney Fees	437.00
Lisa Carlson Reporti	Court Reporte	1,275.00	Locators & Supplies	Road Maint	412.08
Lutheran Social Svcs	Interpreters	775.00	Madison Apartments L	Welfare Rent	485.00
Matheson Tri-Gas Inc	Heat,Vent & A	144.40	Matheson Tri-Gas Inc	Small Tools	40.17
McLeod's Print & Off	Printing/Form	798.00	Meadowland Apts	Welfare Rent	384.00
Medstar Paramedic In	Transportatio	500.00	Midamerican Energy C	Natural Gas	2,452.68
Midwest Alarm Co	Security Alar	185.28	MJ Dalsin Co	Building Repa	436.05
Monick Pipe & Supply	Jail Repairs	1,460.60	Morse Correctional H	Contract Serv	800.00
Mountain States Tact	Education	250.00	Mountain States Tact	2016 HLS Grant	750.00
Multicultural Center	Interpreters	330.00	Nguyen, Lam	Interpreters	50.00
Nobles County MN Sh	Return Of Ser	65.00	Nyberg's Ace Hardwar	Collections S	15.99
Olson Law Firm	Child Defense	120.52	Pharmchem Inc	Testing Suppl	1,566.00
Prahm Construction I	Contracted C	304,071.00	Precision Dynamics C	Inmate Suppli	1,110.00
Prestox	Outside Repai	204.55	Qualified Presort Se	Postage	157.68
Quality Efficiencies	Motels	500.00	Redlin, Jim Db	Parts Invento	183.60
Redwood Toxicology L	Program Suppl	1,080.00	Redwood Toxicology L	Testing Suppl	3,600.00
Ridgewood Ltd Partne	Welfare Rent	500.00	Right Way Automotive	Automotive/Sm	2,753.53
Right Way Automotive	Gas,Oil,Diese	34.88	Risty, Julie	Business Trav	188.16
Rymerson, Jeffrey N	Welfare Rent	1,150.00	Sanford Hospital	Hospitals	1,041.46
Sanford Laboratories	Lab Costs	3,706.00	Satellite Tracking O	Program Suppl	5,294.25
SD Public Assurance	Full Time Sal	1,408.73	SD Public Assurance	Professional	184.02
SD Public Assurance	Property & Li	64,281.91	Sechser, Jenna Crt	Court Reporte	122.20
Sentinel Offender Sv	Electronic Mo	2,300.71	Servall Towel & Line	Janitorial/Ch	13.00
Servall Towel & Line	Program Activ	47.90	SF Auto Trim & Uphol	Truck Repair	150.00
Shi International Co	Office Suppli	205.26	Sioux Falls Area Cha	Travel Bend	25.00
Sioux Falls Area Cha	Travel Kars	25.00	Sioux Falls Area Hum	Other Misc	3,339.00
Sioux Falls City Fin	Gas,Oil,Diese	1,775.63	Sioux Falls Conventi	Advertising	500.00
Sioux Falls Partners	Welfare Rent	600.00	Sioux Falls Psycholo	Other Profess	650.00
Sioux Falls School D	Program Activ	82.44	Sioux Falls Two Way	Communication	1,123.58
Sioux Falls Utilitie	Electricity	9,963.33	Sioux Falls Utilitie	Water Sewer	8,864.19
Sioux Falls Utilitie	Welfare Utili	181.90	South Prairie Proper	Welfare Rent	600.00
Splitrock Landscapin	Right Of Way	6,500.00	Srstka, Erin	Innovation Gr	149.00
Stan Houston Equipme	Bridge Repair	191.50	Stebbins, Mary Kay	Other Misc R	300.00
Swanda, Karen	Bd Exp Fees	82.50	Swanston Equipment C	Trucks/Trac	195,657.00
Szameit, Alexandra	Interpreters	305.82	The Lodge At Deadwo	Business Trav	158.00
Thomson Reuters We	Books	240.68	Thomson Reuters We	Legal Researc	679.17
Thoreson, Jeff	2016 HLS Grant	249.00	Tires Tires Tires In	Gas,Oil,Diese	41.99
Triangle Properties	Welfare Rent	500.00	Tschetter & Adams La	Attorney Fees	1,443.29
Tyler Technologies I	Software	34,634.78	Uline	Inmate Suppli	546.60
US Bank Equipment Fi	Lease-Rental	136.72	US Bank-Corporate Tr	Bond Princ	493,064.99
US Bank-Corporate Tr	Cash With T	-140,393.65	Variety Foods LLC	Other Profess	467.14
Walmart	Pharmacies	119.74	Walmart Store	Pharmacies	46.06
Washington Pavilion	Advertising	170.00	Weerheim Law Office	Attorney Fees	1,485.00
Western Detention	JDC Maintenanc	4,423.38	Woelfel, Andrew P	Sign Deposits	50.00
Xcel Energy Inc	Electricity	6,882.71	Xcel Energy Inc	Welfare Utili	2,796.34
Yankton County Sheri	Return Of Ser	100.00	Zahrbock Kool Law Of	Attorney Fees	466.84
Zishka, Adam	2016 HLS Grant	249.00			

May Salaries Paid

Commission	Salaries	27,289.07	Auditor	Salaries	43,626.34
Treasurer	Salaries	67,813.95	Information Technology	Salaries	68,056.30

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States Attorney	Salaries	245,591.26	Public Defender	Salaries	168,024.74
Public Advocate	Salaries	52,890.20	Facilities	Salaries	52,448.65
Equalization	Salaries	78,746.92	Register Of Deeds	Salaries	49,758.00
Human Resources	Salaries	23,497.77	Sheriff	Salaries	885,001.14
Emergency Management	Salaries	16,083.20	Juvenile Detention	Salaries	144,923.98
Highway	Salaries	141,075.76	Human Services	Salaries	127,022.97
Museum	Salaries	64,274.95	Planning	Salaries	38,520.59
Extension	Salaries	3,231.56			

PERSONNEL

MOTION by Bender, seconded by Barth, to approve the following personnel changes. 4 ayes.

1. To hire Lori Ebright as Records Technician (10/6) for the Register of Deeds at \$16.95/hour effective 6/5/17.
2. To promote Daniel Fritz from Records Technician to Senior Records Technician (12/4) for the Register of Deeds at \$17.81/hour effective 6/5/17.
3. To hire Payton Braun as seasonal Laborer for the Highway at \$12.50/hour effective 5/22/17.
4. To end the employment of Andrew Steinberg as seasonal Laborer for the Highway effective 5/18/17.
5. To end EMT Specialty Pay for Cody Lowe, Deputy Sheriff (17/3) for the Sheriff’s Office, resulting in a rate of \$22.24/hour effective 6/3/17.
6. To accept the retirement of John Homan as Corrections System Operator (9/18) for the Jail effective 6/1/17.
7. To hire Stephen Baete as variable hour Correctional Officer for the Jail at \$17.00/hour effective 5/31/17.
8. To accept the resignation of Heather Sazama as Senior Deputy State’s Attorney (22/6) for the State’s Attorney’s Office effective 5/18/17.
9. To accept the resignation of Sharon Fuller as Juvenile Correctional Officer I (12/3) for the Juvenile Detention Center effective 6/1/17.
10. To hire Adam Jastram as seasonal Grounds Worker for Facilities at \$12.00/hour effective 6/5/17.
11. To hire Austin Koehler as seasonal Grounds Worker for Facilities at \$12.00/hour effective 5/30/17.

Step Increases

1. Maria Gonzalez – Corporal – Jail – 17/4 – 5/2/17 - \$22.80/hour
2. Kevin Hoekman – Planner I – Planning – 16/6 – 6/4/17 - \$22.80/hour

PLANNING & ZONING NOTICE

Upon the request of David Heinold, Planner, MOTION by Heiberger, seconded by Barth, to authorize the Auditor to publish a Notice of Hearing for June 27, 2017, to consider the vacation of the dedicated road described as that portion of the 66 foot Dedicated Road beginning at the north edge of 246th Street also known as South Dakota State Highway 115. Roadway is lying between Lot 1 of Overvaag Tract 2 and Overvaag Tract 8 including Lot 1 and Lots 1 & 2 of Buskerud’s Subdivision of Overvaag Tract 7 and extends to the northeast corner of Lot 1 of

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Buskerud's Subdivision of Overvaag Tract 7 and the northwest corner of Overvaag Tract 8 including Lot 1; all in the SW1/4 of Section 8-T104N-R49W Minnehaha County. 4 ayes.

SPECIAL EVENT ON-SALE LIQUOR LICENSE

A public hearing was held for a Special Event On-Sale Liquor License Application submitted by Prairie Pasta Inc. dba Johnny Carino's. The license would allow the sale and consumption of liquor at a wedding to be held on July 8, 2017, at the Fraternal Order of Police. The licensed property is legally described as Track 6 of G H Perry Addn N ½ 28-101-48 Split Rock Township located at 9700 E HWY 42, Sioux Falls. No one spoke in opposition. MOTION by Bender, seconded by Barth, to approve a Special Event On-Sale Liquor License for Prairie Pasta Inc. dba Johnny Carino's for a wedding on July 8, 2017, at the Fraternal Order of Police. 4 ayes.

MALT BEVERAGE RENEWAL

Olivia Larson, Deputy Auditor, presented a 2017-2018 renewal application for a Retail On-Off Sale Malt Beverage License submitted by Bottom's Up to the Auditor's Office. The application was reviewed by the Sheriff's Department, Planning & Zoning Department, and State's Attorney's Office. There were no objections or violations reported within the current license period. MOTION by Heiberger, seconded by Barth, to approve the 2017-2018 Malt Beverage License renewal for Bottom's Up. 4 ayes.

SPECIAL EVENT CONSUME/BLEND LICENSE

MOTION by Barth, seconded by Bender, to approve an application for license to consume/blend alcoholic beverages at the Mary Jo Wegner Arboretum, 1900 Perry Place, Sioux Falls, on July 15, 2017, for the Rodas/Benson wedding. 4 ayes.

SPECIAL EVENT ALCOHOL BEVERAGE LICENSES

Olivia Larson, Deputy Auditor, gave a briefing on the limits and fees of Special Event Alcohol Beverage Licenses within Minnehaha County. Comparisons with the City of Sioux Falls and Pennington County special event alcohol beverage licenses were provided. MOTION by Bender, seconded by Heiberger, to approve Resolution MC17-16.

RESOLUTION MC17-16

A RESOLUTION ESTABLISHING LICENSE LIMITS AND COSTS FOR TEMPORARY MALT BEVERAGE LICENSE AND TEMPORARY LIQUOR LICENSES
SDCL 35-4-124/35-4-125

WHEREAS, Minnehaha County Resolution MC11-25, Resolution of the County of Minnehaha, South Dakota Establishing License Costs for Temporary Malt Beverage License and Temporary Liquor Licenses SDCL 35-4-124/35-4-125 became effective on July 1, 2011, and;

WHEREAS, pursuant to South Dakota Law, the Minnehaha County Board of Commissioners, shall by resolution establish rules for regulating and restricting the issuance of special licenses for temporary malt beverage and temporary liquor licenses;

NOW, THEREFORE, BE IT RESOLVED by the Minnehaha County Board of Commissioners that MC11-25 be repealed and that the following take its place:

(1) A temporary special malt beverage retailers license may be issued in conjunction with a special event within the county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(6) (on-sale), or (16) (malt beverage retailers) in addition to any other licenses held by the special events license applicant;

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(2) A temporary special on-sale wine retailers license may be issued in conjunction with a special event within the county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(6) (on-sale), or (12) (malt beverage retailers) or chapter 35-12 (farm wineries) in addition to any other licenses held by the special events license applicant;

(3) A temporary special on-sale license may be issued in conjunction with a special event within the county at any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2 or (6) (on-sale) in addition to any other licenses held by the special events license applicant; or

(4) A temporary special off-sale package wine dealers license in conjunction with a special event within the county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2 (12) (wine retailers), (17A) (farm malt beverage or wineries), or (19) or chapter 35-12 (farm wineries) in addition to any other licenses held by the special events license application. A Special off-sale package wine dealers licensee may only sell wine manufactured by a farm winery that is licensed pursuant to chapter 35-12.

(5) Any license issued pursuant to this Resolution may be issued for no longer than fifteen (15) consecutive days.

(6) The maximum number of licenses that may be issued pursuant to the Resolution to any person within any calendar year is fifteen (15).

(7) Any license issued pursuant to this resolution shall be issued only to the specific person and for the specific location specified on the application

(8) The fees for licenses issued pursuant to this Resolution shall be as follows:

A temporary special malt beverage retailer's license \$25.00 per day.

A temporary special on-sale wine retailer's license \$25.00 per day.

A temporary special on-sale license may be issued \$50.00 per day

A temporary special off-sale package wine dealers license \$25.00 per day.

A \$50.00 publishing fee for each application shall be required.

Any application brought pursuant to this Resolution shall be accompanied by the license fee and publishing fee at the time of submission to the County Auditor. The fees for licenses issued pursuant to this Resolution shall be placed in the County's general fund.

(9) Temporary licenses issued pursuant to this Resolution may allow the sale of alcoholic beverages on public property or property owned by a nonprofit corporation during a special event.

Passed, adopted and approved by the Minnehaha County Board of Commissioners this 30th day of May, 2017.

EFFECTIVE DATE: June 7, 2017

BY:

Gerald Beninga

Minnehaha County Board of Commissioners Chair

ATTEST:

Olivia Larson

County Auditor

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REZONING HEARING

Scott Anderson, Planning & Zoning Director, was present for the public hearing and gave the second reading of an amendment to Ordinance MC16-90 the 1990 Revised Zoning Ordinance. The amendment is to rezone from the A-1 Agriculture District to RR Rural Residential District for the property legally described as a parcel of land in Fredericksen Tract 1 in the N1/2 of the NE1/4 of S14-T102N-R49W of the 5th P.M., Minnehaha County, South Dakota. The property is located approximately ½ mile east of the County Highway 130 and County Highway 125 intersection (Crooks Renner Exit) at 47653 258th Street. The applicant and owner of the property is Robert Corey. The applicant intends to subdivide the parcel into three (3) residential lots in the proposed rezoning area. The subject property is outside the area that the City of Sioux Falls has identified as being able to be serviced by municipal services, and it does not meet the policies and objective of the County's Envision 2035 Comprehensive Plan. There is one building eligibility that is being used by the applicant's current residence. The Minnehaha County Planning Commission unanimously denied the rezoning. Planning & Zoning staff recommends denial of the rezoning. Angelynn Dolan and Robert Corey, 47653 258th St, Sioux Falls, spoke on their plans to subdivide the 3.5 acres and why this part of their property was chosen. MOTION by Barth, seconded by Heiberger, to uphold the decision of the Minnehaha County Planning Commission and deny the rezoning of the property legally described as a parcel of land in Fredericksen Tract 1 in the N1/2 of the NE1/4 of S14-T102N-R49W of the 5th P.M., Minnehaha County, South Dakota. 4 ayes.

AGREEMENT

Carol Muller, Commission Administrative Officer, presented an addendum to the lease agreement with DakotAbilities that currently allows Lunch is Served to operate at the Minnehaha County Administration Building. Due to financial challenges, DakotAbilities has requested to terminate the lease agreement on July 28, 2017. Bob Bohm, Executive Director for DakotAbilities, and Joe Dvorak, Director of Day Services for DakotAbilities, explained the reasons for termination of the lease agreement and thanked the Commission for the ability to have served the County for so long. MOTION by Barth, seconded by Heiberger, to authorize the Chair to sign the addendum to the lease agreement with DakotAbilities to terminate the agreement on July 28, 2017. 4 ayes.

Carol Muller, Commission Administrative Officer, presented an agreement with Med-Star Paramedic Ambulance to provide decedent transport services to the Minnehaha County morgue from locations in Minnehaha County within the City of Sioux Falls. The cost per transport will be \$200.00. MOTION by Barth, seconded by Bender, to authorize the Chair to sign the Decedent Transport Agreement between Minnehaha County and Med-Star Paramedic Ambulance for a period of one year beginning May 21, 2017 at a cost of \$200.00 per transport. 4 ayes.

LIAISON REPORTS

Commissioner Heiberger reported on touring the State Petitionary last week to look at Prison Industries where items and services such as office furniture, uniforms, printing, graphic design, and bedding are available for purchase by a government or non-profit agency.

Commissioner Bender reported on the Sioux Falls Area Chamber of Commerce Board meeting where Sheriff Mike Milstead spoke on challenges to the community including the triage center and drug related issues.

OLD BUSINESS

Bob Litz, County Auditor, spoke on the Public Assurance Alliance in response to Commissioners' earlier questions stating the Public Assurance Alliance provides vehicle liability, is paid for once annually, and is split up by department.

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NEW BUSINESS

Carol Muller, Commission Administrative Officer, reminded the Commissioners of a budget hearing on June 9th, 2017.

Carol Muller Commissioner Administrative Officer, asked the Commission how they would like to handle the week of the Fourth of July as the holiday lands on the regular Commission meeting day. Due to the holiday and budget hearings taking place that week, Commissioners agreed that there would not need to hold a regular Commission meeting that week.

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

The Commission adjourned until 9:00 a.m. on Tuesday June 6, 2017.

APPROVED BY THE COMMISSION:

Gerald Beninga

Chair

ATTEST:

Olivia Larson

Deputy Auditor