

06/23/2020

THE MINNEHAHA COUNTY COMMISSION CONVENE AT 9:00 A.M. June 23, 2020, pursuant to adjournment on June 16, 2020. 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 Heiberger, to approve the June 16, 2020, Commission Minutes. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Beninga, to approve the following bills totaling \$1,713,505.96. 4 ayes.

A&B Business	Lease-Rental Agmt	82.50
A&B Business	Maint Contracts	138.42
Abn Army Surplus	Uniform Allowance	120.00
Advantage Property	Welfare Rent	500.00
Airgas USA	Small Tools & Shop Sup	48.19
Airteq	Safety & Rescue Equip	7,674.68
Alcohol Monitoring	Electronic Monitoring	1,225.60
Alcohol Monitoring	Program Sup	854.40
Alignment Shoppe	Truck Repairs & Maint	1,355.34
All Nations Interp	Interpreters	836.25
Anderson, Jennifer	Bd Evals Minnehaha	2,358.33
Anderson, Scott A	Work Mileage	70.98
Angel, Edward P	Attorney Fees	3,771.60
Avera Health Plans	Insurance Admin Fee	2,645.50
Avera McKennan	Hospitals	17,204.93
Avera McKennan	Other Medical Svcs	285.72
Avera McKennan	Psych Evals	5,000.00
Axis Forensic Toxic	Lab Costs	382.00
Bauer Built	Truck Repairs & Maint	29.50
Ben Baxa	Extradition & Evidence	224.00
Bierschbach Equip	Bridge Repair & Maint	515.60
Black Events & Ad	Program Activities	550.00
Bly, Jon	Right Of Way	1,993.00
Bly, William K	Right Of Way	1,993.00
Boyce Law	Attorney Fees	9,316.56
Brandon Heights	Welfare Rent	800.00
Brevik Law	Attorney Fees	378.90
Brooks Townhomes	Welfare Rent	907.00
C & R Supply	Hvy Equip Repairs & Maint	11.49
Center For Family	Professional Svcs	1,021.04
Centurylink	Data Coms	1,278.76
Centurylink Long	Telephone	159.32
Certified Languages	Interpreters	562.75
Chagolla, Albert	Interpreters	54.17
Charmtex	Kitchen/Cleaning Sup	478.80
Concrete Materials	Bldg/Yard Repair & Maint	733.72
Concrete Materials	Road Maint & Material	-35.52
Constellation	Natural Gas	2,655.39
Construction Supply	Road Material Inventory	7,051.10
Costco Wholesale	Memberships	60.00
Dakota Fluid Power	Hvy Equip Repairs & Maint	621.06
Dakota Law	Attorney Fees	3,216.10
Dakota Law	Child Defense Attorney	3,646.10

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Decastro Law	Attorney Fees	2,617.90
Denherder Law	Attorney Fees	441.05
EH Hospitality	One Sioux Falls-Shelter	625.00
Election Workers	Election School	3,825.00
Election Workers	Precinct Officials	73835.38
Election Workers	Work Mileage	923.50
English Law	Child Defense Attorney	1,014.50
Evans, Jerald L	Welfare Rent	500.00
Fastenal	Sign Supply Inventory	50.97
Fastenal	Small Tools & Shop Sup	32.50
George, Aaron	Welfare Rent	1,390.00
Global Tel Link	Telephone	2.53
Grainger	Hvy Equip Repairs & Maint	109.08
Griese Law	Attorney Fees	389.60
Griesse, Chris	Grounds & Parking Repair	775.00
Guzman, Sandra V	Interpreters	200.00
Haar, Joshua	Right Of Way	1,600.00
HDR Engineering	Architects & Engineers	12,916.72
Hidden Hills Apt	Welfare Rent	200.00
High Point Networks	Consultants	2,312.50
Horizon Agency	Insurance Admin Fee	2,821.00
HOV Svcs	Microfilming	591.20
Hurtgen, Timothy T	Welfare Rent	550.00
I State Truck Center	Parts Inventory	7.22
Innovative Office	Furniture & Office Equip	550.00
Interstate Office	Office Sup	156.58
ISI	Interpreters	440.00
JCL Solutions	Inmate Sup	1,028.70
JCL Solutions	Kitchen/Cleaning Sup	1,212.80
JE Dunn Construction	Construction Costs	665,608.00
Jeff Larson Law	Attorney Fees	4,792.60
Jim Bork Enterprises	Printing/Forms	614.00
Johnson, Erin M	Bd Exp Fees Minnehaha	4,161.00
Johnson, Richard L	Attorney Fees	2,412.34
Johnson, Richard L	Child Defense Attorney	113.49
Katterhagen, Mark	Bd Exp Fees Yankton	15.00
Kerri Cook Huber	Attorney Fees	165.70
Knecht, Andrew J	Attorney Fees	2,421.80
Lacey Rentals	Lease-Rental Agmt	112.00
Lassegaard, Samuel C	Welfare Rent	500.00
Laughlin Law	Attorney Fees	2,014.20
Lawson Products	Parts Inventory	88.07
Lewis Drugs	Pharmacies	762.90
Lewno Law	Bd Exp Fees Yankton	166.50
LG Everist	Bldg/Yard Repair & Maint	471.35
LG Everist	Bridge Repair & Maint	224.69
Light And Siren	Automotive/Small Equip	332.01
Light And Siren	Truck Repairs & Maint	209.10
Lisa Carlson Report	Court Reporters	290.80
Lockwood, Darcy	Bd Exp Fees Yankton	15.00
Lutheran Social Svcs	Diversion Programs	1,574.33
Marsh & McLennan	Notary Exp	100.00
Mediger, Ryan	Welfare Rent	900.00
Medstar Paramedic	Transportation	1,200.00
Metro Coms	Misc Exp	37,463.08
Midstates Utility	Small Tools & Shop Sup	73.00
Minnehaha County	Other Sup	126.95
Multicultural Center	Interpreters	275.00
Myers & Billion	Attorney Fees	1,106.70
Napa Auto Parts	Small Tools & Shop Sup	81.84

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Nolz Dragline & Cons	Contracted Construction	75,326.50
Oconnor Company	Building Repairs & Maint	14.92
Olivier Miles Holtz	Attorney Fees	948.10
Omaha Hardwood Lumb	Program Activities	390.24
Oreilly Auto Parts	Automotive/Small Equip	143.78
Pharmchem	Testing Sup	1,113.45
Pine Meadows Com	Welfare Rent	1,378.00
Pomps Tire Svc	Truck Repairs & Maint	92.00
Prahm Construction	Contracted Construction	117,140.00
Prestox	Professional Svcs	58.00
Quail Hollow Town	Welfare Rent	1,116.00
Rdo Construction Eq	Hvy Equip Repairs & Maint	16.30
Reede Construction	Contracted Construction	264,244.80
Reynolds Law	Attorney Fees	454.65
Risty, Maxine J	Court Reporters	158.80
Robert Olson	Extradition & Evidence	224.00
Salem, Karla R	Bd Evals Minnehaha	1,150.00
Sanford	Hospitals	150,000.00
Sanford Clinic	COVID Exps	1,813.84
Short Elliott Hend	Architects & Engineers	12,267.00
Sioux Falls City	Water - Sewer	639.81
Sioux Falls Housing	Welfare Rent	1,220.00
Sioux Falls Rubber	Office Sup	23.45
Sioux Falls Woman	Advertising	595.00
Snoozy, Scott	Welfare Rent	400.00
Southeastern Behav	Professional Svcs	2,700.00
State of SD	Amts Held Daily Scram	1,650.00
State of SD	Amts Held Remote Breath	1,788.00
State of SD	Automotive/Small Equip	2.00
State of SD	Data Coms	255.00
State of SD	Inmate Sup	5,431.40
State of SD	Notary Exp	30.00
State of SD	Professional Svcs	173.00
State of SD	Sign Supply Inventory	60.48
State of SD	Telephone	50.00
Summit Food Svc	Board Of Prisoners Meals	27,731.35
Summit Food Svc	Child Care Food	1,083.18
Summit Food Svc	Inmate Sup	224.25
Summit Food Svc	School Lunch Program	1,585.38
Swingen Construction	Contracted Construction	78,782.94
Tegra Group	Architect, Engineers, and PM	18,000.00
Terrones, Jared	Investigators Exps	70.98
The Bluffs At Willow	Welfare Rent	620.00
Thomson Reuters	Legal Research	761.61
Timberline Apt	Welfare Rent	500.00
Tri-State Nursing	Professional Svcs	1,099.00
True Care Family	Pharmacies	115.00
Tzadik Sioux Falls	Welfare Rent	500.00
Tzadik Taylors Place	Welfare Rent	500.00
Uline	Inmate Sup	1,307.10
Uline	Other Sup	24.00
Weerheim Law	Bd Exp Fees Minnehaha	6,213.00
Weerheim Law	Crisis Intervention Program	76.00
West Pointe	Welfare Rent	1,181.51
Wilkison Properties	Welfare Rent	1,600.00
Windsor Heights Apt	Welfare Rent	518.00
Xcel Energy	Electricity	4,463.27
Xcel Energy	Welfare Utilities	798.96
Yankton County	Return Of Svc	200.00
Yellow Cab	COVID Exps	173.45

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Yellow Cab

Transportation

22.00

REPORTS

The Children's Inn Monthly Comparable Statistics for May 2017-May 2020 and the May 2020 Juvenile Detention Center Report were 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. Sebastian Acuna Acosta, Correctional Officer for the Jail to Deputy Sheriff for the Sheriff's Office, at \$23.71/hour (17/1) effective 6/27/2020.

Step Increases

1. Corey Heise, Correctional Officer for the Jail, at \$23.71/hour (13/9) effective 4/16/2020.
2. Mason Braun, Sergeant for the Sheriff's Office, at \$39.83/hour (20/16) effective 6/4/2020.

ABATEMENT

Upon the recommendation of Chris Lilla, MOTION by Beninga, seconded by Barth, to approve the following abatement: Parcel ID #90481, Paul Fick Homes Inc, 615 E Tan Tara Circ, 2019 Property Taxes in the amount of \$4,291.42. By roll call vote: 4 ayes.

LIEN COMPROMISE

Carol Muller, Commission Administrative Officer, gave a briefing on an application for a compromise of lien for DPNO 61553 in the amount of \$2,842.20. The lien represents Public Defender and Poor Relief services provided to the applicant between December 2006 and May 2014. The applicant was in the process of purchasing a home and needed to resolve the lien before moving forward with the purchase. The compromise request was to release the lien in full upon payment of \$500.00 or less. Commissioners spoke in favor of compromising the lien for the amount of the Public Defender services. MOTION by Heiberger, seconded by Barth, to approve Resolution MC20-47. By roll call vote: 4 ayes.

RESOLUTION MC20-47

WHEREAS, a County Aid Lien in the amount of \$2,842.20, purports to exist in favor of Minnehaha County, and against DPNO 61553 as Lienee, and

WHEREAS, said lienee has filed an application with the County Auditor stating such facts as provided for by Law,

NOW, THEREFORE, BE IT RESOLVED that after due consideration of the circumstances the Board of County Commissioners finds it advisable and proper to authorize the Chair of the County Board and the County Auditor to execute the following:

Compromise and release DPNO 61553 in full upon payment of \$195.00.

If payment is not made within one year of approval, this agreement is null and void.

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Dated at Sioux Falls, South Dakota, this 23rd day of June, 2020.

APPROVED BY THE COMMISSION:

Jean Bender

Chair

ATTEST:

Olivia Larson

Deputy Auditor

REZONING HEARING

David Heinold, Planner II, 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, Rezone #20-02, is to rezone from an A-1 Agriculture District to a C Commercial District for the property legally described as Tract 3 Wold Tracts (Ex H-1) in the NW1/4 NW1/4, Section 27-T103N-R49W, Minnehaha County, SD, located to the south of the South Dakota State Highway 115 and the County Highway 122 intersection, 4.5 miles south of Baltic at 25406 475th Ave. The property is a parcel of land that is approximately 1.29 acres. The petitioner is Midway Services Inc. The property owner is Bruce Vollan. The rezoning request was to allow for the expansion of the existing business located on Tract 1A, Wold Tracts. The property meets the criterion of the Envision 2035 Minnehaha County Comprehensive Plan by allowing commercial uses to be located in existing rural service areas at the intersection of a State and County highway. The rezone was unanimously recommended for approval by the Planning Commission on May 18, 2020. No one spoke in opposition. Todd Ibis, Midway Service Controller, 1600 W Wicklow Ln, Sioux Falls, was present for the hearing and introduced himself to the Commission. MOTION by Beninga, seconded by Barth, to approve Ordinance MC16-165-20, an amendment to Ordinance MC16-90, the 1990 Revised Zoning Ordinance, for Rezone #20-02 on property legally described as Tract 3 Wold Tracts (Ex H-1) in the NW1/4 NW1/4, Section 27-T103N-R49W, Minnehaha County, SD. By roll call vote: 4 ayes. The entire ordinance is on file and available at the Minnehaha County Auditor's Office.

BRIEFING

Scott Wick, President & CEO of the Sioux Empire Fair Association, via teleconference, gave a briefing on plans for the 81st Annual Sioux Empire Fair. Measures are being taken to account for COVID-19 concerns such as hand sanitizer dispensers, disinfecting solution, and extra hand washing stations. There will be no 4-H events, and the grandstand will only have entertainment for five or six nights instead of the normal eight. Commercial exhibitor applications are down this year.

Bob Litz, Auditor, gave a briefing on the formation and plan of the Absentee Ballot Taskforce. The following four members have been identified: Kea Warne, South Dakota Secretary of State's Office; Sue Roust, former Minnehaha County Auditor; Deb Elofson, Minnehaha County citizen with Election Review Committee experience; and Curt Soehl, City of Sioux Falls City Council Member. Two more members are being sought for the taskforce. A series of three taskforce meetings are tentatively expected to begin in July 2020 with a final report being presented by the end of August 2020.

VEHICLE PURCHASE

Jason Gearman, Emergency Management Director, requested approval for the purchase of one 2020 Chevy Silverado 2500 off of the South Dakota State Bid, Contract #17342, from Lamb Chevrolet, Vendor #12037702, at a cost of \$31,339.00. The cost of the vehicle would be paid through the Emergency Management approved FY2020 budget. MOTION by Barth, seconded by Beninga, to approve the purchase of one 2020 Chevy Silverado 2500 off of the South Dakota State Bid, Contract #17342, from Lamb Chevrolet, Vendor #12037702, 18500 US-83, PO Box 27, Onida, SD, 57564, at a cost of \$31,339.00. By roll call vote: 4 ayes.

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BRIEFING

Mark Kriens, Facilities Director, gave a briefing on the structural deterioration of the Bridlewood Barn at the W.H. Lyon Fairgrounds. Due to the collection of moisture at the base of the columns on the barn, the wood rotted away and no longer provides structural support. Options provided for consideration were repair of the current structure, demolition and removal, tent rental, replacement and build new, and revenue estimates of a pole building. Commissioners agreed that the building should be demolished.

SURPLUS

Carol Muller, Commission Administrative Officer, requested the Bridlewood Barn at the W.H. Lyon Fairgrounds be declared surplus for the purpose of destruction. The structure is no longer stable and the siding has rotted. The cost to repair the columns would be over \$100,000.00, which does not include the rotted siding. The structure would be torn down prior to the 2020 Sioux Empire Fair to ensure it is not a safety concern. MOTION by Barth, seconded by Beninga, to declare the Bridlewood Barn located at the W.H. Lyon Fairgrounds as surplus for the purpose of destruction. By roll call vote: 4 ayes.

LIAISON REPORTS

Commissioner Barth reported on the June 22, 2020, Planning Commission Meeting. The expansion of the Moody County Dairy's concentrated animal feeding operation (CAFO) and the expansion of an equestrian development on Highway 115 were approved. Commissioner Barth spoke on concerns regarding the level of nitrates in the river.

Commissioner Heiberger reported on regular meetings with Court Administration and Erin Srstka, University of South Dakota Community Projects Director, regarding the Safety & Justice Challenge Grant and court processes. The court system's updated bond schedule due to COVID-19 will remain in effect for now. Pretrial Services is encouraging attorneys to get accurate phone numbers for their clients. The group regularly discusses the budgeting of the grant funds to ensure appropriate use of the funds.

NEW BUSINESS

Commissioner Barth commented on funding the County will receive through the CARES Act and inquired about the use of funds at the fairgrounds. Commissioner Bender reported on attending the June 22, 2020, press conference where it was announced by the Governor that up to \$13 million will be made available to the County for COVID-19 related expenses.

OLD BUSINESS

Commissioner Barth reported on three complaints he received regarding customer service at the Treasurer's Office. Commissioner Bender spoke on the attempts made to work with the Treasurer's Office to improve customer service and the rejection of those attempts by the Treasurer. Commissioner Heiberger reported the City of Sioux Falls has also received complaints about the Treasurer's Office. Through the Commission Office, a kiosk for license plate tag renewal is expected to be installed at the County Administration Building this week.

MOTION by Barth, seconded by Heiberger, to recess the Minnehaha County Commission Meeting at 10:14 a.m. 4 ayes.

MOTION by Barth, seconded by Beninga, to reconvene the Minnehaha County Commission Meeting at 10:20 a.m. 4 ayes.

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

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

The Commission adjourned until 9:00 a.m. on Tuesday June 30, 2020.

APPROVED BY THE COMMISSION:

Jean Bender

Chair

ATTEST:

Olivia Larson

Deputy Auditor