

09/25/2001

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., September 25, 2001, pursuant to adjournment on September 24, 2001. Commissioners present were: Zweep, Kolbe, O'Connor, Twedt and Pekas. Also present were Jody Hilmoe, Deputy Auditor, and Gary Colwill, Deputy State's Attorney.

Chairman Zweep called the meeting to order, and presented a Certificate of Appreciation from the SD Association of Counties (SDACC) to Judy Sperling, Election Technician, for 25 years of service in county government. He also acknowledged receipt of the EPCRA Compliance Certificate for Exemplary Compliance with Requirements of Emergency Planning and Community Right-to-Know Act (SARA Title III). He then presented the SDACC County Achievement Award which was given to Minnehaha County for the Dakota House Project. Hugh Grogan, Welfare Director, accepted the award, spoke briefly about the cooperative efforts on this project between Welfare and American Indian Services, and thanked the Commission for their commitment to the project.

#### ZONING HEARING

Dave Queal, Planning Director, was present for the second reading and public hearing of the 2001 Revised Extraterritorial Zoning Ordinance for Minnehaha County and the City of Dell Rapids. Both the Minnehaha County and Dell Rapids Planning Commissions recommended approval of the ordinance. Pat Herman, County Planner, explained that the last extraterritorial zoning ordinance for Minnehaha County and Dell Rapids was adopted in 1991, and the new ordinance incorporates changes that have since been made to the County's zoning ordinance. There was no one present who wished to address this item. Elbert "Duke" Testerman, Dell Rapids Council Chairman, was present along with Council Members Paul Gunn, Mike Kroger, David Sommerfeld and Kris Langer. Mr. Testerman called the council to order and they approved the ordinance unanimously. MOTION by O'Connor, seconded by Kolbe to approve Ordinance MC28-01. 5 ayes.

#### ORDINANCE MC28-01

AN ORDINANCE ENACTING THE 2001 REVISED EXTRATERRITORIAL ZONING ORDINANCE FOR MINNEHAHA COUNTY AND THE CITY OF DELL RAPIDS, AND FOR THE REPEAL OF ALL ORDINANCES, RESOLUTIONS, RULES AND REGULATIONS IN CONFLICT HEREWITH.

WHEREAS, the Board of County Commissioners and the Dell Rapids City Council adopted the Dell Rapids Comprehensive Plan 2000-2020 on August 21, 2001, and

WHEREAS, the governing bodies are desirous of updating the zoning regulations for the extraterritorial jurisdiction adopted on July 16, 1991, and

WHEREAS, the 2001 Revised Extraterritorial Zoning Ordinance for conducted a joint public hearing and each Commission recommended adoption of the 2001 Revised Extraterritorial Zoning Ordinance for Minnehaha County and the City of Dell Rapids, and

WHEREAS, the Board and City Council jointly conducted a public hearing on this date.

NOW THEREFORE BE IT ORDAINED by the Board of County Commissioners that the 2001 Revised Extraterritorial Zoning Ordinance for Minnehaha County and the City of Dell Rapids is hereby adopted and a copy filed with the County Auditor.

The public may inspect the entire ordinance at the office of the County Auditor during regular business hours.

Adopted this 25th day of September, 2001.

#### BOARD OF COUNTY COMMISSIONERS

James Zweep

Michael J. O'Connor

ATTEST:

Jody Hilmoe

Deputy Auditor

Carol Twedt

Robert Kolbe

John Pekas

#### APPROVE MINUTES

MOTION by Kolbe, seconded by Twedt to approve the Minutes for September 11, 2001. 5 ayes.

## VOUCHERS TO BE PAID

MOTION by Pekas, seconded by Kolbe to approve the following bills for payment and September salaries. 5 ayes.

A & B BUSINESS EQUIP	VAR. DEPTS	1,953.97	A-1 SEPTIC TANK & EX	CNTY PARKS	5,142.50
ACTION ELECTRIC CO.	HIWAY CONS	336.15	ADAMS, DOUGLAS P	MENTAL ILL	153.12
AHRENDT, BRIAN T	COURT SYS.	2,931.25	AKTA LAKOTA MUSEUM	MUSEUM	30.00
ALFORD TIRE COMPANY	VAR. DEPTS	1,868.68	AMERICAN ASSOCIATION	MUSEUM	773.18
AMERICAN BUSINESS FO	COURT SYS.	1,880.94	AMERICAN PLANNING AS	PLAN & ZON	60.00
AMOCO OIL COMPANY	VAR. DEPTS	610.68	ANESTHESIA PHYSICIAN	SU OF POOR	224.00
ARGUS LEADER	VAR. DEPTS	1,666.40	ARMCOM DISTRIBUTING	JUV DET CN	38.40
AT & T	CORRECTION	22.93	AT YOUR SERVICE LAWN	EMER MGMT	20.00
ATHEY, KRISTINE M	MENTAL ILL	100.00	AUTOMATIC BUILDING C	CORRECTION	76.50
AVERA MCKENNAN HOSPI	VAR. DEPTS	26,002.18	AVERA MCKENNAN HOSPI	PUB. DEF.	10.00
BAKKEN, LARRY	DIR. EQUAL	144.91	BARE ASSETS II, LLC	SU OF POOR	250.00
BAUMGARTNER'S ELECTR	METRO-911	2,654.00	BERGER, KARMEL	ST ATTY	3.26
BERRETH, DEBORAH	METRO-911	8.84	BOB BARKER COMPANY,	CORRECTION	603.42
BOYD, MICHELLE (RYKE	CORRECTION	241.00	BOYER TRUCKS SIOUX F	HIWAY CONS	234.89
BRAITHWAITE, TACEY E	MENTAL ILL	441.00	BRANDHAGEN, DOUGLAS	SU OF POOR	500.00
BRANDON TRUE VALUE H	CNTY PARKS	45.31	BRASNIC, BELMA	COURT SYS.	50.00
BREIT LAW OFFICES, P	COURT SYS.	1,125.60	BRENDE & SCHROEDER L	COURT SYS.	1,383.75
BRIESE, LONNIE	HIWAY CONS	71.00	BROWN & SAENGER	VAR. DEPTS	75.86
BUHL'S TOWEL &/DUDLE	HIWAY CONS	32.71	BULLOCK, SMITH & PAR	BUILD FUND	345.22
BUREAU OF ADMINISTRA	VAR. DEPTS	1,258.46	BUREAU OF NAT'L AFFA	PUB. DEF.	896.00
BURNETTE, SARA L	MENTAL ILL	522.50	BUS SYSTEMS, INC.	SU OF POOR	838.00
BUUS, MICHAEL D	SU OF POOR	230.00	CAMPBELL SUPPLY CO.,	VAR. DEPTS	575.58
CARLSON, DON C	MENTAL ILL	60.00	CATERING BY MARLIN'S	CORRECTION	13,350.01
CELLULAR ONE STORE	SHERIFF	26.24	CENTER FOR FAMILY ME	SU OF POOR	200.00
CENTURY BUSINESS PRO	VAR. DEPTS	90.06	CHARLES MIX COUNTY S	ST ATTY	26.10
CHEMCO, INC.	FACILITIES	1,518.96	CHERRY TREE INVESTME	SU OF POOR	695.00
CHILDREN'S HOME SOCI	ST ATTY	208.33	CHIPPEWA COUNTY SHER	ST ATTY	15.00
CHRYSLER FINANCIAL	METRO-911	305.85	CINROD PROPERTY MANA	SU OF POOR	550.00
CITY GLASS & GLAZING	CORRECTION	760.00	CLARK ENGINEERING CO	HIWAY CONS	6,264.61
CLASSIC CLEANERS	SHERIFF	10.00	CLIFF AVENUE AUTO PA	HIWAY CONS	117.07
CLINICAL LABS OF THE	VAR. DEPTS	621.60	COLE PAPERS, INC.	VAR. DEPTS	268.05
COLE, JOHN R	DIR. EQUAL.	115.00	COLTON LUMBER CO., I	HIWAY CONS	2,820.01
COMMUNICATION SERVIC	COURT SYS.	200.00	CONCRETE MATERIALS	HIWAY CONS	42,918.61
CONNECTING POINT	DATA PROC.	10,572.00	CORTRUST BANK	VAR. DEPTS	207.80
CROWN PLASTICS, INC.	MUSEUM	568.25	CULLIGAN WATER CONDI	METRO-911	79.05
CUMBERLAND APTS. I	VAR. DEPTS	777.00	CYNTOM PROPERTY MANA	SU OF POOR	285.00
D & K INVESTMENTS /	SU OF POOR	330.00	DAKOTA COUNTY SHERIF	ST ATTY	45.00
DAKOTA DENTAL/TIMOTH	CORRECTION	1,124.00	DAKOTA SPLASH	HIWAY ADMI	34.55
DAKOTA SURGICAL, LTD	SU OF POOR	975.40	DANIELS-OLSEN BLDG P	MUSEUM	1,386.09
DANKO EMERGENCY EQUI	EMER MGMT	330.43	DAVIDSON, JOHN Q	MENTAL ILL	517.50
DECISIONONE CORPORAT	DATA PROC.	1,122.00	DENEUI, BRIAN L	SU OF POOR	250.00
DIALNET	VAR. DEPTS	142.23	DICK, CAROLYN K	COURT SYS.	290.25
DICKINSON COUNTY SHE	ST ATTY	17.38	DIETRICH, DONNA K	MENTAL ILL	470.78
DRAKE EQUIPMENT, INC	JUV DET CN	319.50	DRESBACH, STEVE	MENTAL ILL	253.80
DRIES, SCOTT	CORRECTION	129.00	DUNN, THERESA L	DIR. EQUAL.	268.41
ECONO LODGE, LLC	SU OF POOR	185.00	EDMUNDS BRAKE & ALIG	CORRECTION	576.98
EIRINBERG, JAMES A	COURT SYS.	1,867.32	EKEREN, MARVIN R	MENTAL ILL	60.00

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ELEMENT K JOURNALS	DATA PROC.	99.00	ELLENBECKER & WEISBE	SU OF POOR	127.63
ELLINGTON, ALYSIA A	DIR. EQUAL.	284.91	EMPIRE PLASTICS	MUSEUM	301.85
ENGBRECHT, ROGER	SU OF POOR	202.50	FAMILY SERVICE, INC.	HUMAN RES.	240.00
FARRELL, LORAE J	COURT SYS.	116.10	FASTENAL COMPANY	HIWAY CONS	97.57
FLEET CAPITAL LEASIN	PUB. DEF.	173.45	FOOD SERVICE CENTER,	FEMA FUND	720.00
FOUR WINDS INDIAN BO	JUV DET CN	40.85	FOX, YOUNGBERG & LEW	MENTAL ILL	139.52
FRASCH, DONALD L	CORRECTION	110.50	FRED THE FIXER, INC	METRO-911	60.00
FRISBEE, INC.	JUV DET CN	105.73	G & D VIKING GLASS,	MUSEUM	1,240.00
G & R /MICHAEL A MEC	FACILITIES	69.60	GALLAND LEGAL CLINIC	PUB. ADV.	1,000.00
GALLS, INC.	VAR. DEPTS	622.65	GARFIELD APTS LIMITE	SU OF POOR	150.00
GEORGE BOOM FUNERAL	SU OF POOR	1,750.00	GOEBEL PRINTING, INC	VAR. DEPTS	30.00
GRAYBAR ELECTRIC CO.	METRO-911	52.08	GREAT PLAINS INT'L T	HIWAY CONS	176.10
GREAT PLAINS PSYCHOL	COURT SYS.	1,630.00	GREATAMERICA LEASING	PUB. ADV.	149.03
GREEN, JACK H	SU OF POOR	375.00	GREENPOINT CREDIT	SU OF POOR	181.07
GROGAN, HUBERT J	SU OF POOR	135.61	GRUENEWALD, AARON D	JUV DET CN	287.44
GUZMAN, SANDRA V	VAR. DEPTS	1,183.32	HAMLET APARTMENTS, L	VAR. DEPTS	961.00
HANNEMAN, RUSSELL	CNTY PARKS	112.52	HAPPY REST MOTEL	SU OF POOR	40.00
HARRIS, MICHAEL J.	CORRECTION	43.00	HAUGAARD, STEVEN G.	MENTAL ILL	315.00
HAUGEN, KENNETH L	CORRECTION	20.51	HCMT, INC.	PUB. DEF.	38.25
HEALTHCOMP EVALUATIO	VAR. DEPTS	85.00	HEALTHWORKS/EASTERN	VAR. DEPTS	438.00
HEDMAN'S IRON HORSE	DIR. EQUAL.	35.00	HENNEPIN COUNTY SHER	ST ATTY	46.00
HERMANSON, BARRY	SU OF POOR	425.00	HILL VIEW APTS, LTD	SU OF POOR	320.63
HOBBY LOBBY STORES,	MUSEUM	11.44	HOEKSTRA, DENISE	COURT SYS.	37.80
HOFEMAN, DALLAS	SU OF POOR	330.00	HOME FEDERAL SAVINGS	SU OF POOR	580.12
HORTON, DENNIS L.	SU OF POOR	425.00	HOWIE'S SERVICE CENT	HIWAY CONS	44.00
HY-VEE FOOD STORE #1	JUV DET CN	920.04	ICI DULUX PAINT CENT	MUSEUM	81.60
INDOFF, INC. (BP DIV	CNTY EXTEN	87.50	INT'L PERSONNEL MANA	CORRECTION	732.50
INTERSTATE OFFICE PR	VAR. DEPTS	4,064.76	J D EVANS, INC.	HIWAY CONS	244.59
J.C. PENNEY COMPANY,	METRO-911	59.98	J.D.'S HOUSE OF TROP	METRO-911	10.50
J.H. LARSON COMPANY	FACILITIES	955.57	JAMES & ASSOCIATES,	MENTAL ILL	162.41
JEBRO, INC	HIWAY CONS	589.96	JEFFERSON PARTNERS,	SU OF POOR	696.00
JERMELS	COURT SYS.	84.95	JORGENSEN, MARY LOU	COURT SYS.	636.50
KALLEMEYN, RICHARD	DIR. EQUAL.	248.40	KENNELLY, DR. DANIEL	MENTAL ILL	2,920.00
KMART PHARMACY #7306	SU OF POOR	700.64	KMART PHARMACY #7318	SU OF POOR	115.52
KOLBE, ROBERT	COMMISSION	145.47	KONE, INC.	VAR. DEPTS	704.27
LANGUAGE LINE SERVIC	VAR. DEPTS	224.75	LAWN PRO, INC.	MUSEUM MTC	120.00
LCM PATHOLOGISTS, P.	CORONER	2,518.20	LEE, TAMARA D	MENTAL ILL	498.38
LEWIS & CLARK BHS	MENTAL ILL	1,375.00	LEWIS DRUGS	VAR. DEPTS	3,611.94
LINWELD, INC.	HIWAY CONS	206.66	LUTHERAN SOCIAL SERV	VAR. DEPTS	787.50
MAC'S, INC.	VAR. DEPTS	24.16	MAJESTIC VIEW APARTM	FEMA FUND	245.00
MAKING FRIENDS.COM,	MUSEUM	463.00	MALLOY ELECTRIC BEAR	FACILITIES	46.44
MATTHEW BENDER & CO.	PUB. DEF.	68.60	MCBREEN, LARRY/RENTA	SU OF POOR	320.00
MCCROSSAN BOYS RANCH	MUSEUM	50.00	MCFARLAND, KENNETH	COMMISSION	145.47
MCGRATH, MICHAEL J,	PUB. DEF.	1,495.00	MCKINNEY, DR. KRIS D	SU OF POOR	48.90
MEADOWLAND APTS/SF L	SU OF POOR	330.00	MEDICAL X-RAY CENTER	SU OF POOR	600.43
MEDTOX LABORATORIES,	ST ATTY	7.00	MELLEGARD, LINDA	MENTAL ILL	60.00
MENARDS	VAR. DEPTS	939.28	MERRILL, JEFF	SHERIFF	50.00
METAL EDGE, INC.	MUSEUM	296.05	MEYER, JULIE A	SHERIFF	281.00
MICHAELS #9602	MUSEUM	26.91	MICHAELSON, SHIRLEY	SU OF POOR	151.00
MICROFILM IMAGING SY	REG DEEDS	150.00	MIDAMERICAN ENERGY C	VAR. DEPTS	1,889.69
MIDCONTINENT COMMUNI	CNTY EXTEN	39.60	MIDWEST ALARM COMPAN	CNTY EXTEN	70.89

MIDWEST OFFICE EQUIP	VAR. DEPTS	216.45	MIDWEST OIL COMPANY	HIWAY CONS	635.31
MINILEC SERVICE, INC	METRO-911	50.00	MINNEHAHA CNTY METRO	VAR. DEPTS	616.02
MINNEHAHA CNTY PUB D	PUB. DEF.	86.91	MINNEHAHA COUNTY TRE	VAR. DEPTS	8,000.00
MITCHELL, LEONARD	SU OF POOR	250.00	MOEN, STEPHANIE L	MENTAL ILL	52.50
MOHR, BRYAN	CORRECTION	126.00	MONICK PIPE & SUPPLY	FACILITIES	25.49
MOTOROLA, INC.	VAR. DEPTS	2,334.00	MYERS, PEARL	ST ATTY	60.25
NATIONAL ACADEMY OF	METRO-911	90.00	NELSON, GARY	HIWAY CONS	20.00
NEUROLOGY ASSOCIATES	SU OF POOR	109.00	NGUYEN, HAI DINH	COURT SYS.	50.00
NGUYEN, LAM	COURT SYS.	50.00	NORBERG PAINTS, INC.	JUV DET CN	26.30
NORTH CENTRAL HEART	SU OF POOR	130.75	NORTHERN STATES SUPP	HIWAY CONS	85.81
NORTHLAND CHEMICAL C	HIWAY CONS	303.23	NOVAK SANITARY SERVI	VAR. DEPTS	398.25
O'CONNOR, MICHAEL J	COMMISSION	145.47	OFFICE DEPOT, INC.	DATA PROC.	732.83
OFFICEMAX CREDIT PLA	HIWAY ADMI	53.98	OHNSTAD, GARY A	SU OF POOR	330.00
ORTHOPEDIC INSTITUTE	CORRECTION	39.00	OSBORN, ROXANE R	ST ATTY	18.00
OVERHEAD DOOR COMPAN	VAR. DEPTS	186.33	PALMER, DAVID ALAN,	COURT SYS.	742.50
PANKRATZ & ASSOC./LO	PUB. DEF.	150.00	PECHENY, HENRY	VAR. DEPTS	325.00
PFEIFER IMPLEMENT CO	FACILITIES	237.77	PHEASANT VIEW APTS.	SU OF POOR	330.00
PRAIRIE PUBLICATIONS	COMMISSION	505.39	PRIDE NEON, INC	HIWAY CONS	20.68
PSROC ENTERPRISES, L	SU OF POOR	425.00	PULSTAR DISTRIBUTING	METRO-911	40.85
QUINLAN PUBLISHING G	ST ATTY	107.85	QWEST	VAR. DEPTS	17,277.09
QWEST INTERPRISE	VAR. DEPTS	713.44	RAABE, SHEM L	CORRECTION	48.91
RAMKOTA INN / RIVER	DIR. EQUAL.	2,125.00	RECORD KEEPERS, INC.	VAR. DEPTS	2,396.80
REDI TOWING	ST ATTY	330.00	REFINISH SUPPLY CENT	HIWAY CONS	1,350.04
REVIER PRESSURE WASH	CORRECTION	138.00	RICHARDSON ELECTRONI	FACILITIES	360.23
RINEHART PROPERTIES,	SU OF POOR	780.00	RINEHART, NORMAN R	SU OF POOR	425.00
ROACH, MARTY J	HIWAY CONS	48.00	ROBERTS, YVONNE	SU OF POOR	290.00
ROBSON TRUE VALUE	FACILITIES	7.33	RONNING COMMERCIAL,	VAR. DEPTS	470.00
ROUST, SUE	VAR. DEPTS	321.00	RYPKEMA, DIANE	DIR. EQUAL.	233.90
SANNER, MELANIE JO	DIR. EQUAL.	115.00	SATURN OF SIOUX FALL	SHERIFF	126.00
SCHELLING, SHELDON	MENTAL ILL	920.00	SCHMITZ, ROXIE L	ST ATTY	260.00
SCOTTING, GREGORY G	VAR. DEPTS	810.00	SD DEPT OF HUMAN SER	PUB. DEF.	98.40
SD DEPT OF REVENUE	SALES TAX	443.40	SD NEWSPAPER ASSOCIA	COMMISSION	46.20
SDSU EXTENSION ACCT	CNTY EXTEN	385.00	SECOND HARVEST FOOD	FEMA FUND	142.29
SERVALL TOWEL & LINE	MUSEUM MTC	21.75	SERVICEMASTER BUILDI	MUSEUM	2,006.00
SF CITY FINANCE	VAR. DEPTS	13,215.90	SF CITY FINANCE - FU	VAR. DEPTS	748.90
SF HOUSING & REDEVEL	SU OF POOR	375.00	SF HUMANE SOCIETY	ANIMAL CON	4,810.00
SF TWO WAY RADIO SER	VAR. DEPTS	727.51	SHEEHAN MACK SALES &	HIWAY CONS	29.84
SIEMONSMA, VANCE	CORRECTION	22.00	SIGLER FIRE EQUIPMEN	MUSEUM MTC	270.00
SIGMA-ALDRICH, INC.	EMER MGMT	117.89	SIOUX EMPIRE FCU / V	SHERIFF	202.08
SIOUX EMPIRE FCU / V	DATA PROC.	3,335.00	SIOUX EMPIRE FCU / V	METRO-911	2,507.66
SIOUX EMPIRE FCU / V	ST ATTY	594.00	SIOUX FALLS FORD, IN	VAR. DEPTS	355.94
SIOUX FALLS SCHOOL D	MUSEUM	11.62	SIOUX FALLS UTILITIE	VAR. DEPTS	122.96
SIOUX VALLEY HEART P	SU OF POOR	2,124.54	SIOUX VALLEY HOSPITA	VAR. DEPTS	17,464.03
SIOUX VALLEY PHYSICI	SU OF POOR	412.60	SIOUX VALLEY SW ELEC	HIWAY CONS	21.50
SIOUX VALLEY TELEPHO	HIWAY ADMI	69.30	SIOUX VOCATIONAL SER	JUV DET CN	3,789.06
SKILLPATH SEMINARS	AUDITOR	298.00	SLOWEY, YAVONNE C	MENTAL ILL	250.00
SMITHBACK, ED	SU OF POOR	330.00	SOMERSET PARTNERSHIP	SU OF POOR	330.00
SONGSTAD, MELINDA J,	MENTAL ILL	30.00	ST. MICHAEL CEMETERY	SU OF POOR	260.00
STAN HOUSTON EQUIPME	HIWAY CONS	1,649.00	STORHAUG, ADREAN	SU OF POOR	550.00
STURDEVANT'S AUTO PA	HIWAY CONS	320.69	SUAREZ, ISRAEL D	CORRECTION	115.00
SUBURBAN MOTEL	SU OF POOR	90.00	SUNSHINE FOODS / NFC	SU OF POOR	61.15

SUPER 8 MOTEL	SU OF POOR	112.50	SYCAMORE VILLAGE APT	SU OF POOR	291.00
TED TUFTY DODGE	VAR. DEPTS	82.67	THOMAS, BRADLEY	DIR. EQUAL.	491.42
THURMAN, CREIGHTON A	MENTAL ILL	429.87	TILBERG, MICHELLE	COMMISSION	18.50
TOWN PARK II APTS	SU OF POOR	225.00	TRACTOR SALVAGE & WE	HIWAY CONS	4,492.00
TRUGREEN-CHEMLAWN	EMER MGMT	31.00	TRUTHOUGHT, LLC	JUV DET CN	40.00
TURNER COUNTY SHERIF	ST ATTY	22.10	TURNING POINT	JUV DET CN	2,587.50
TWEDT, CAROL	COMMISSION	145.47	U.S. DIARY	SU OF POOR	15.69
ULTRAMAX	EMER MGMT	138.00	UNITED PARCEL SERVIC	METRO-911	4.65
UNIVERSITY PHYSICIAN	ST ATTY	1,041.66	UROLOGY SPECIALISTS	CORRECTION	89.03
US POSTAL SERVICE	COURT SYS.	800.00	US POSTMASTER	ELEC AUDIT	2,437.80
VAN LIERE, ROY	HIWAY CONS	330.80	VANTEK COMMUNICATION	VAR. DEPTS	136.00
VANZANTEN, RON J	SU OF POOR	425.00	VELVET UNIFORMS, INC	VAR. DEPTS	626.04
WAGNER, WAYNE H	SU OF POOR	425.00	WALI, KHADIJA M	COURT SYS.	50.00
WALL LAKE SANITARY D	CNTY PARKS	35.00	WALTER, DELMAR J	COURT SYS.	6,141.45
WASTE MANAGEMENT OF	FACILITIES	274.79	WEST PUBLISHING CORP	ST ATTY	680.00
WHEELCHAIR EXPRESS,	SU OF POOR	220.00	WHEELCO BRAKE & SUPP	HIWAY CONS	346.68
WHITNEY, DENNIS	DIR. EQUAL.	248.40	WILKES, JEFF	DIR. EQUAL.	407.03
WILKISON, DOROTHY	DIR. EQUAL.	115.00	WIPF, JAMES L	CORRECTION	115.00
WOLFE, MARLENE	REG DEEDS	169.01	XCEL ENERGY, INC.	VAR. DEPTS	43,781.64
YANKTON COUNTY SHERI	MENTAL ILL	66.00	YELLOW CAB, INC.	SU OF POOR	53.20
ZEE MEDICAL SERVICE	HIWAY ADMI	40.80	ZIEGLER, ERIC N	REVENUES	20.56
ZWEEP, JAMES E	COMMISSION	145.47	EXTENSION	SALARIES	8,394.65
COMMISSION	SALARIES	12,879.83	AUDITOR	SALARIES	21,419.92
TREASURER	SALARIES	32,443.65	DATA PROCESSING	SALARIES	36,367.61
STATES ATTORNEY	SALARIES	85,745.96	PUBLIC DEFENDER	SALARIES	56,441.26
PUBLIC ADVOCATE	SALARIES	11,323.83	FACILITIES	SALARIES	34,297.14
EQUALIZATION	SALARIES	41,017.62	REGISTER OF DEEDS	SALARIES	25,871.74
VETERANS SRVC OFCR	SALARIES	2,443.43	HUMAN RESOURCES	SALARIES	8,425.90
SHERIFF	SALARIES	357,074.34	JUVENILE DET CTR	SALARIES	102,765.75
METRO COMMUNICATIONS	SALARIES	91,572.29	HIGHWAY	SALARIES	69,169.95
WELFARE	SALARIES	28,101.45	PLANNING	SALARIES	21,505.87
MUSEUM	SALARIES	37,527.49			

## REPORTS

The following reports were received and placed on file in the County Auditor's Office: Minnehaha County Constables Monthly Report, Melvin Dykstra, August 2001; State and Local Government Information (EEO-4) Report as of June 30, 2001; Veteran Service Office Monthly Statistical Report, August 2001; Register of Deeds Official Statements of Marriage, Recording and Transfer Fees Collected, all for August 2001; Auditor's Account with the County Treasurer, August 31, 2001.

## AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

Total on Deposit in Banks, Interest Bearing, Open Accounts	\$ 3,127,304.71
Total on Deposit in Banks, CD and Savings	13,400,775.59
Total Amount of Actual Cash	7,418.75
Total Amount of Checks and Drafts Which Have Been in The Treasurer's Possession Over Three Days	3,381.25
Total	\$16,538,880.30

## PERSONNEL

MOTION by O'Connor, seconded by Twedt to approve the following personnel changes. 5 ayes.

09/25/2001

1. To accept the resignation of Laura Jones as Correctional Officer I for the Sheriff's Office (Jail) effective 9-20-01.
2. To amend the step increase date for Nathan Kroesche, Juvenile Correctional Officer I (23/2) to 12-23-01.
3. To hire James Ness as Juvenile Correctional Officer I (23/1) for the Juvenile Detention Center at \$11.7314 per hour effective 10-1-01.
4. To hire Katherine Stark as Communications Operator I (24/1) for Metro Communications at \$12.0247 per hour effective 10-1-01.
5. To hire Tiffany Miller as Communications Operator I (24/1) for Metro Communications at \$12.0247 per hour effective 10-1-01.
6. To hire Michael Hanson as Communications Operator I (24/1) for Metro Communications at \$12.0247 per hour effective 10-01-01.
7. To hire Leslee Carroll as Communications Operator I (24/1) for Metro Communications at \$12.0247 per hour effective 10-01-01.
8. To hire Kelly Garnaas as Property Clerk I (12/2) for the Equalization Office at \$9.3883 per hour effective 9-24-01.
9. To hire Thomas Wilsey as Assistant Highway Superintendent (39/3) for the Highway Department at \$1532.52 biweekly effective 9-20-01.

Step increases:

1. Mary Lou Buddi--Officer Assistant III--Museums--17/2 to 17/3 9-23-01--\$11.1276 per hour
2. Thomas Warne--Chief Building Inspector--Planning--35/4 to 35/5 9-25-01--\$18.7749 per hour
3. Mary Yale--Assistant Register of Deeds--Register of Deeds--33/6 to 33/7 09-25-01--\$19.0716 per hour
4. Phillip Kappen--Assistant Planning Director--Planning--42/3 to 42/4 9-25-01--\$1725.38 biweekly
5. Thomas Rabb--Juvenile Prosecution Assistant--States Attorney--24/1 to 24/2 9-1-01--\$12.6259 per hour

NOTICES

Notice was received from the SDDOT that a public meeting will be held at the Sioux Falls Water Plant, 2100 N Minnesota Ave, at 3 p.m. on October 2nd, to explain the new rules regarding access to South Dakota highways.

Notice was received that the State Historical Society approved the nomination of the Berg and Estensen Store, Sherman, SD, to the National Register of Historical Places.

MOTION by Twedt, seconded by O'Connor to authorize the County Auditor to publish Notice of Hearing for new Liquor with Sunday Sales and Malt Beverage Licenses for Walters' Sports Bar. 5 ayes.

BOOKMOBILE

Dave Leedom, Executive Vice-President of BANKFIRST, announced their donation to the bookmobile of \$20,000. He also introduced Doug Brown and David King of BANKFIRST, and stated that they have set up a special account at their bank to receive donations for this cause. The Commissioners thanked BANKFIRST for its magnanimous contribution to keep the bookmobile running in rural Minnehaha County.

ADOPT 2002 BUDGET

Sue Roust, County Auditor, presented an overview of the final 2002 County Budget, totalling \$38,972,099, an increase of \$2,875,678 over the 2001 budget. She noted that, in reviewing the statistics for the bookmobile, the usage in rural areas is 80% of total use, so the total needed for this from the County is approximately \$88,000. With the Commission allocating \$20,000 to the bookmobile and the same amount donated by BANKFIRST, \$48,000 remains to be raised to continue rural service. The largest budget increase was for the 911 Center at \$1,075,000, there was a \$435,000 increase in health insurance premiums, and the budget includes 15 new jail positions, most of these starting in late 2002, and a 3%

wage increase. The loss in revenue from state inheritance tax and decreased jail bed rental almost entirely offsets increased property tax revenue, which resulted in the Commission's decision to opt out of the tax limitation in the amount of \$500,000. Commissioner Pekas thanked Ms. Roust for her hard work and expertise throughout the budget process. MOTION by Kolbe, seconded by Twedt to approve Resolution MC01-57 and to adopt the Final 2002 County Budget in the amount of \$38,972,099. 5 ayes. The Budget as approved includes the following changes from the Provisional Budget:

	FROM:	TO:		FROM:	TO:
Commission	\$ 350,942	\$ 330,163	Sheriff/Air Guard	\$ 490,327	\$ 489,649
Data Processing	959,765	954,765	State's Attorney	1,527,669	1,524,669
Equalization	820,433	803,772	Treasurer	763,507	764,208
JDC	2,183,109	2,175,541	CASA	-0-	7,000
Museum Operations	840,525	827,025	Humane Society	27,000	28,500
Public Defender	1,091,688	1,079,392	SECOG	10,754	18,574
Register of Deeds	552,949	534,949	Communications 911	2,294,111	3,228,383
Sheriff	2,869,955	2,869,294	Library	540,000	560,000
Sheriff/Jail	4,681,709	4,676,568	TOTAL BUDGET	38,104,090	38,972,099

RESOLUTION MC01-57

ADOPTION OF THE ANNUAL BUDGET FOR MINNEHAHA COUNTY, SOUTH DAKOTA

Whereas, (7-21-5 thru 13), SDCL provides that the Board of County Commissioners shall each year prepare a Provisional Budget of all contemplated expenditures and revenues of the County and all its institutions and agencies for such fiscal year and,

Whereas, the Board of County Commissioners did prepare a Provisional Budget and cause same to be published by law, and

Whereas, due and legal notice has been given to the meeting of the Board of County Commissioners for the consideration of such Provisional Budget and all changes, eliminations and additions have been made thereto.

Now therefore be it resolved, That such provisional budget as amended and all its purposes, schedules, appropriations, amounts, estimates and all matters therein set forth, shall be approved and adopted as the Annual Budget of the appropriation and expenditures for Minnehaha County, South Dakota and all its institutions and agencies for calendar year beginning January 1, 2002 and ending December 31, 2002 and the same is hereby approved and adopted by the Board of County Commissioners of Minnehaha County, South Dakota, this 25th day of September, 2001. The Annual Budget so adopted is available for public inspection during normal business hours at the office of the County Auditor, Minnehaha County, South Dakota. The accompanying taxes are levied by Minnehaha County for the year January 1, 2002 through December 31, 2002.

BOARD OF COUNTY COMMISSIONERS OF MINNEHAHA COUNTY,

SOUTH

DAKOTA

James Zweep, Chairman  
John Pekas

ATTEST:  
Jody Hilmoe  
Deputy Auditor

Carol Twedt  
Michael J. O'Connor  
Robert Kolbe

COUNTY TAX LEVIES: General - \$16,107,064, \$2.479/1000; Library - \$544,402, \$0.368/1000; Building Fund - \$1,918,294, \$0.295/1000; Fire Protection - \$261,381, \$0.166/1000

DOMESTIC VIOLENCE AWARENESS PROCLAMATION

MOTION by O'Connor, seconded by Twedt to approve the proclamation declaring the month of October, 2001, as Domestic Violence Awareness Month in collaboration with the Take Back the Night Committee and the Minnehaha County Family Violence Council. Karen Hattervig of East River Legal Services and the Take Back the Night Committee, read the proclamation, and distributed purple ribbons to the Commission. She also introduced several individuals from the committee and Children's Inn, and commended them, as well as Sheriff's Office and State's Attorney's Office staff for their dedication to fighting domestic violence. VOTE on the motion: 5 ayes.

09/25/2001

## SECURITY BRIEFING

Sheriff Mike Milstead stated that the Attorney General's Office has made money available to assist in the purchase of a new magnetometer for the Courthouse, at which time the magnetometer currently in use at the Courthouse can be moved to the jail to assist in security checks. The machine currently in use at the jail is on loan from the U. S. Marshal Service. He also stated that 2 of 8 sworn law enforcement officers patrolling the airport are sheriff's officers. He stated that he is a strong proponent of having sworn law enforcement officers working security at airports.

## JAIL BED CONTRACT

Sheriff Milstead requested the Commission's approval of a 10-bed guarantee contract at the jail for Lincoln County. This means guaranteed revenue of \$65/bed for 10 beds for Lincoln County, whether they use them or not, and they are also to pay the same fee for beds over this amount if they need them and they are available. Jail Administrator Steve Reecy stated that he doesn't foresee this agreement affecting the availability of beds for Minnehaha County inmates, and Auditor Sue Roust agreed that this contract is a good idea for the County. MOTION by Pekas, seconded by Kolbe to approve the agreement. 5 ayes.

Commissioner Twedt left the meeting.

## TAX DEEDS

MOTION by Pekas, seconded by O'Connor to approve Resolutions MC01-58, MC01-59, MC01-60 and MC01-61. 4 ayes.

### RESOLUTION MC01-58

WHEREAS, Minnehaha County holds under Tax Deed proceedings Deed #2409, covering property legally described as:

N1/2 Tract 53 of West Acres in the SW1/4 17-101-50      Record ID# 12606; and

WHEREAS, Kenneth W. Brune, 4208 West Mesa Pass, Sioux Falls SD 57106, is the prior record owner of the above described property; and

WHEREAS, SDCL 10-25-41 provides for the restoration of title to said record owner upon payment of all taxes, interest, and cost represented in the Tax Deed; and

WHEREAS, Kenneth W. Brune has deposited \$300.79 with the Minnehaha County Treasurer, this amount representing all the taxes owing on said Tax Deed; now, therefore, be it

RESOLVED, by the Minnehaha County Commission, that the property be restored to Kenneth W. Brune, and that the Minnehaha County Treasurer is hereby authorized to issue a quitclaim deed thereto.

Dated at Sioux Falls, South Dakota, this 25th day of September, 2001.

Approved by the Commission:

James Zweep

ATTEST:

Michael J. O'Connor

Jody Hilmoe

John Pekas

Deputy Auditor

Robert Kolbe

### RESOLUTION MC01-59

WHEREAS, Minnehaha County holds under Tax Deed proceedings Deed #2392, covering property legally described as:

Lot 8 Block 2 1st Subd of Part of Norton Tracts Sub Record ID# 41066; and

09/25/2001

WHEREAS, Sherry K Peterson & Shanna Barnes, 2120 E 30th St N, Sioux Falls SD 57104, are the prior record owners of the above described property; and

WHEREAS, SDCL 10-25-41 provides for the restoration of title to said record owner upon payment of all taxes, interest, and cost represented in the Tax Deed; and

WHEREAS, \$2,496.46 has been deposited with the Minnehaha County Treasurer, this amount representing all the taxes owing on said Tax Deed; now, therefore, be it

RESOLVED, by the Minnehaha County Commission, that the property be restored to Sherry K Peterson & Shanna Barnes, and that the Minnehaha County Treasurer is hereby authorized to issue a quitclaim deed thereto.

Dated at Sioux Falls, South Dakota, this 25th day of September, 2001.

Approved by the Commission:  
James Zweep

ATTEST:  
Jody Hilmoe  
Deputy Auditor

Michael J. O'Connor  
John Pekas  
Robert Kolbe

#### RESOLUTION MC01-60

WHEREAS, Minnehaha County holds under Tax Deed proceedings the following property (Tax deed#, RDID#, legal description, 2001 Appraisal Board value):

2413, 63027, Lot 31A Blk 2 Rustic Hills Addn, \$325; and

WHEREAS, it is in the best interest of Minnehaha County taxpayers to return this property to the tax rolls and attach it to an adjacent property; now, therefore, be it

RESOLVED, that the Minnehaha County Commission hereby declares RDID# 63027 to be surplus property; and be it further

RESOLVED, that the Minnehaha County Treasurer is authorized to issue a Quit Claim Deed to Robert Hecox, 5018 E Havenhill Dr, Sioux Falls 57110 in return for payment of all back taxes, interest, and penalties (\$269.32).

Approved this 25th day of September, 2001.

James Zweep

ATTEST:  
Jody Hilmoe  
Deputy Auditor

Michael J. O'Connor  
John Pekas  
Robert Kolbe

#### RESOLUTION OF SALE MC01-61

WHEREAS, The County Auditor offered for sale on September 12, 2001, at public auction, the following described surplus properties pursuant to SDCL 6-13 (RDID#, Legal Description, Minimum Bid Set for Auction):

RDID# 53734, NE1/4 Tr 7 15-101-49 unplatted lands, \$100

RDID# 58318, E12' W112' E297.3' S64' Co Aud Tr 2 NE1/4 22-101-49, \$1

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RDID# 62594, Lot 2 49th St Addn to City of Sioux Falls, \$100

AND WHEREAS, no bids were received, and

WHEREAS, an offer has since been received to purchase said properties at the minimum price set for the auction,

NOW, THEREFORE, BE IT RESOLVED by the Minnehaha County Commission that the sale of the properties to Lester Larson Jr., PO Box 1152, Sioux Falls, SD, 57101, be approved as set forth above and that the Minnehaha County Treasurer is hereby authorized to sign the Deeds.

Dated at Sioux Falls, South Dakota, this 25th day of September, 2001.

APPROVED:  
BY THE COMMISSION:  
James Zweep

ATTEST: Michael J. O'Connor  
Jody Hilmoie John Pekas  
Deputy Auditor Robert Kolbe

PETTY CASH

MOTION by O'Connor, seconded by Pekas to approve the request to increase the Public Defender's Office Petty Cash fund amount from \$100 to \$200. 4 ayes.

Commissioner Twedt rejoined the meeting.

CASA LEASE

Ken McFarland, Administrative Assistant, explained that the Commission has agreed to provide funds to the Court Appointed Special Advocate (CASA) program for 2002. At the same time, the Commission planned to begin charging rent for the Administration Building space that CASA uses through an agreement similar to that for other non-County entities that use space in the building. The rental agreement is from October 1, 2001 through December 31, 2002 for a total rental payment of \$7,000. MOTION by O'Connor, seconded by Kolbe to approve the CASA lease agreement. 5 ayes.

DRAINAGE

Phil Kappen, Assistant Planning Director, requested the Commission's approval of an application for a drainage permit to install two tiles to serve as outlets for a terrace system on property in Moody County legally described as the SW1/4 Section 32-T105N-R49W. He explained that State law requires approval from the county commissions of all affected counties if the drainage request is deemed to be of inter-county significance, and this drainage would cross over on to Minnehaha County property. He noted that the petitioner, Reginald Crisp, has obtained waivers from downstream landowners, including those for at least 1 1/4 miles into Minnehaha County. Planning staff has no problem with approval of the drainage permit. MOTION by Pekas, seconded by Kolbe to approve the drainage permit. 5 ayes.

Mr. Kappen explained that a drainage complaint was received from Fred Elbert regarding drainage done by Emil Johansen in the NW1/4 section 17-T102N-R47W. Mr. Johansen installed a tile in 1998 which drained onto Mr. Elbert's property, and in 1999 Mr. Elbert registered a complaint about the tiling. Mr. Johansen was contacted and, whereas he should have applied to the County for a drainage permit prior to installing the tile, he applied for the permit in August 1999 to retain the tile work. On October 12, 1999, the Commission denied the request and required Mr. Johansen to plug the tile. On December 4, 1999, the contractor contacted the County and said that they had dug down to the tile, cut it, and smashed the end. Mr. Elbert stated that it is not properly plugged and the drainage is still flowing through the tile at almost full capacity. He also stated that if he were allowed to do some drainage work from his property to downstream properties, it would solve the problem for all parties concerned. Dick Johansen, Emil's son, stated that Mr. Elbert's property is in a low lying area and several properties, not just his father's, drain onto his land. Deputy State's Attorney Gary Colwill stated that the issue to address today is simply whether the Commission's decision to require Mr. Johansen to plug the tile was carried out properly. In his opinion, this would mean stopping the drainage flow through the tile, and this has not been accomplished. Mr. Johansen noted that the contractor has offered to cut the tile every hundred feet, if necessary, to completely stop the drainage. Chairman Zweep and Commissioner O'Connor stated it would be preferable to have the neighboring landowners, including those downstream of Mr. Elbert, meet together to form a drainage district, as opposed to Mr. Johansen destroying tile that may have to be replaced later. MOTION by O'Connor, seconded by Kolbe to defer consideration of this complaint for 45 days and ask that the neighboring landowners meet during this time and attempt to establish a drainage district. 5 ayes.

09/25/2001

NEW BUSINESS

Kevin Gallo, citizen, expressed his gratitude to those who have pledged donations to the continuation of rural Bookmobile service, and to the Commissioners for their support.

MOTION by Kolbe, seconded by Pekas to adjourn into Executive Session. 5 ayes.

Following the Executive Session, the Commission adjourned until 9:00 a.m. on Tuesday, October 2, 2001.

Jody Hilmoie, Deputy Auditor