

10/16/2001

THE MINNEHAHA COUNTY COMMISSION CONVENE D AT 9:00 A.M., October 16, 2001, pursuant to adjournment on October 15, 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.

APPROVE MINUTES

MOTION by Pekas, seconded by Kolbe to approve the Minutes for October 9, 2001. 5 ayes.

VOUCHERS TO BE PAID

MOTION by O'Connor, seconded by Twedt to approve the following bills for payment. 5 ayes.

ADAMS ADVERTISING &	VAR. DEPTS	136.00	ADAMS, DOUGLAS P	MENTAL ILL	198.07
AMERICAN CORRECTIONA	CORRECTION	224.50	ANESTHESIOLOGY ASSOC	SU OF POOR	432.00
APCO INTERNATIONAL,	METRO-911	60.00	ARENA MOTEL	SU OF POOR	31.95
ARGUS LEADER	VAR. DEPTS	1,941.74	ARNOLD MURRAY CONSTR	SU OF POOR	375.00
ASFORA, WILSON T, MD	SU OF POOR	2,555.77	AT & T	CORRECTION	2.59
AUTO BODY SPECIALTIE	HIWAY CONS	37.78	AUTOMATIC BUILDING C	CORRECTION	76.50
AVERA MCKENNAN HOSPI	VAR. DEPTS	4,781.46	AVERA MCKENNAN HOSPI	VAR. DEPTS	351.32
BAUER, DARYL L	SU OF POOR	330.00	BEST WESTERN RAMKOTA	COMMISSION	126.00
BLOOMINGTON SECURITY	JUV DET CN	57.50	BORDER STATES ELECTR	CORRECTION	125.41
BRAITHWAITE, TACEY E	MENTAL ILL	308.00	BRANDON TRUE VALUE H	CNTY PARKS	7.27
BREVIK, MARCIA R	MENTAL ILL	275.22	BROWN & SAENGER	VAR. DEPTS	185.60
BUFFINGTON, MICHAEL	COURT SYS.	973.86	BUREAU OF ADMINISTRA	VAR. DEPTS	1,124.26
BURNETTE, SARA L	MENTAL ILL	1,340.00	BUTLER MACHINERY COM	HIWAY CONS	41.62
CADD/ENGINEERING SUP	PLAN & ZON	59.90	CAMPBELL SUPPLY CO.,	VAR. DEPTS	649.36
CARLSON, DON C	MENTAL ILL	60.00	CATERING BY MARLIN'S	CORRECTION	6,404.72
CENTER FOR FAMILY ME	CORRECTION	27.10	CENTRAL PLAINS CLINI	SU OF POOR	9,112.49
CENTURY BUSINESS PRO	TREASURER	58.51	CHARLES MIX COUNTY S	ST ATTY	26.70
CHEMCO, INC.	FACILITIES	193.80	CHERRY TREE INVESTME	SU OF POOR	695.00
CHRISTENSEN, DENNIS	HIWAY CONS	164.51	CLEVELAND HEIGHTS AP	SU OF POOR	200.00
COMMUNICATION SERVIC	COURT SYS.	200.00	CONCRETE MATERIALS	HIWAY CONS	4,659.66
CRAWFORD SUPPLY COMP	JUV DET CN	113.04	CUMBERLAND APTS. I	SU OF POOR	490.00
CUNNINGHAM, LLOYD B	SU OF POOR	660.00	DADE BEHRING, INC.	CORRECTION	1,090.94
DATALINE ASSOC./FIOR	METRO-911	240.00	DAVIDSON, JOHN Q	MENTAL ILL	150.00
DELUX MOTEL / DAKOTA	SU OF POOR	124.00	DEVANEY, TOM	HIWAY CONS	149.99
DIALNET	VAR. DEPTS	60.60	DIAMOND VOGEL PAINT	CORRECTION	98.76
DICK, CAROLYN K	COURT SYS.	738.00	DIETRICH, DONNA K	MENTAL ILL	851.30
DRESBACH, STEVE	MENTAL ILL	4.60	EAST PARK APTS / SYC	SU OF POOR	425.00
EDMUNDS BRAKE & ALIG	FACILITIES	19.95	EIRINBERG, JAMES A	COURT SYS.	2,606.92
EKEREN, MARVIN R	MENTAL ILL	120.00	ELMWOOD ESTATES / DO	SU OF POOR	425.00
ENGELGAU, ELAINE	COURT SYS.	318.60	ERPENBACH, JOHN E	MENTAL ILL	400.00
FALLS INVESTMENT, IN	SU OF POOR	425.00	FAMILY DRUG	SU OF POOR	256.00
FASTENAL COMPANY	HIWAY CONS	16.00	FIRST NATIONAL BANK	SU OF POOR	425.00
FLEET CAPITAL LEASIN	PUB. DEF.	173.45	FOX, YOUNGBERG & LEW	MENTAL ILL	558.38
GALLS, INC.	VAR. DEPTS	314.00	GENESCREEN, INC.	ST ATTY	600.00
GEORGE BOOM FUNERAL	SU OF POOR	1,512.00	GOEBEL PRINTING, INC	PUB. DEF.	30.00
GOETZ & KLIMISCH	MENTAL ILL	202.92	GOVERNORS INN	ELEC AUDIT	50.00
GRAYBAR ELECTRIC CO.	METRO-911	859.02	GREAT PLAINS INT'L T	HIWAY CONS	41.26

GUZMAN, SANDRA V	VAR. DEPTS	300.00	HARMELINK & FOX LAW	MENTAL ILL	63.24
HAROLD'S PHOTO CENTE	EMER MGMT	19.93	HEALTHWORKS/EASTERN	METRO-911	113.00
HEARTLAND PAPER COMP	CORRECTION	731.76	HEARTLAND RESTAURANT	CORRECTION	33.96
HENNINGS, MONICA	SU OF POOR	400.00	HERITAGE PLACE APTS	SU OF POOR	425.00
HICKS, LISA	SU OF POOR	295.00	HILLYARD	FACILITIES	17.10
HILTON GARDEN INN HA	VAR. DEPTS	934.08	HOBBY LOBBY STORES,	MUSEUM	73.36
HOLIDAY MOBILE PARK/	SU OF POOR	100.00	HOME DEPOT CRC/GEFC	HIWAY CONS	63.72
HOWALT-MCDOWELL INSU	AUDITOR	50.00	HOWIE'S SERVICE CENT	HIWAY CONS	84.50
HY-VEE FOOD STORE #1	CNTY EXTEN	29.85	HY-VEE FOOD STORES,	SU OF POOR	409.75
INTERSTATE OFFICE PR	VAR. DEPTS	1,206.59	J & S TRAVEL ASSOCIA	MUSEUM	475.98
J.H. LARSON COMPANY	FACILITIES	167.17	JANITOR'S CLOSET	HIWAY ADMI	27.01
JAQUA, CURTIS WAYNE	SU OF POOR	330.00	JERMELS	COURT SYS.	217.60
JIM'S AUTOMATIC TRAN	CORRECTION	174.35	KATZENBERGER, TIMOTH	SU OF POOR	330.00
KENNELLY, DR. DANIEL	VAR. DEPTS	2,617.30	KETTERING LAW OFFICE	MENTAL ILL	103.70
KMART PHARMACY #7318	SU OF POOR	370.42	KOHL'S DEPARTMENT ST	JUV DET CN	379.94
KOLBACH, JEAN	PUB. DEF.	418.50	KONE, INC.	FACILITIES	152.79
KOOISTRA, NELVA	MENTAL ILL	30.00	LACEY, NINA J.	SU OF POOR	200.00
LASSEGARD, SAMUEL C.	SU OF POOR	995.00	LCM PATHOLOGISTS, P.	CORONER	18.20
LEWIS DRUGS	VAR. DEPTS	66.74	LIAS, DANIEL WILLIAM	COURT SYS.	487.65
LINCOLN COUNTY SHERI	ST ATTY	15.00	LOCKWOOD, RHONDA C	COURT SYS.	2,330.99
LUTHERAN SOCIAL SERV	VAR. DEPTS	612.50	MAC'S, INC.	VAR. DEPTS	68.67
MAMBO, JACQUES	SU OF POOR	168.60	MATTHEW BENDER & CO.	VAR. DEPTS	623.16
MAVRON, INC.	CORRECTION	30.75	MCKENNAN CAMPUS PHAR	SU OF POOR	2,657.31
MEDICAL X-RAY CENTER	VAR. DEPTS	7,345.98	MERSCO MEDICAL / EAS	SU OF POOR	270.25
MICHAELS #9602	MUSEUM	11.26	MIDAMERICAN ENERGY C	VAR. DEPTS	580.55
MIDCONTINENT COMMUNI	CNTY EXTEN	41.40	MINGWAH CAFE	COURT SYS.	75.25
MINNEHAHA CNTY DATA	MUSEUM	431.35	MINNEHAHA CNTY PRISO	CORRECTION	10.00
MINNEHAHA CNTY WORK	CORRECTION	10.00	MOEN, STEPHANIE L	MENTAL ILL	402.50
MOTOROLA, INC.	METRO-911	640.77	MYRL & ROY'S PAVING,	BUILD FUND	33,490.41
NORMAN, THERESA	MUSEUM	132.00	NORTH RIDGE APARTMEN	SU OF POOR	290.00
NOVAK SANITARY SERVI	VAR. DEPTS	479.25	OFFICEMAX CREDIT PLA	HIWAY ADMI	99.96
OPTOMETRIC CLINIC	SU OF POOR	164.26	PALMER, DAVID ALAN,	COURT SYS.	2,139.50
PARK RIDGE SHOES & S	EMER MGMT	22.00	PETERS, SCOTT N, P.C	MENTAL ILL	1,476.95
PHEASANTLAND INDUSTR	CORRECTION	66.60	PHYSICIANS LABORATOR	SU OF POOR	114.70
PRAIRIE PUBLICATIONS	COMMISSION	54.85	PRAIRIE WIND APTS/IN	SU OF POOR	480.00
PUSH-PEDAL-PULL	CORRECTION	1,720.00	QWEST	VAR. DEPTS	6,843.49
RECORD KEEPERS, INC.	VAR. DEPTS	2,379.11	REECY, STEVE	CORRECTION	115.00
RIDGEVIEW APTS., LTD	SU OF POOR	495.00	RINEHART PROPERTIES,	SU OF POOR	205.00
ROACH, MARTY J	HIWAY CONS	71.51	ROBO STARTING & TOWI	CORRECTION	40.00
ROBSON TRUE VALUE	FACILITIES	61.38	ROCHESTER HOSPITALIT	SU OF POOR	546.48
ROUST, SUE	ELEC AUDIT	19.95	SCHEID, PAMELA M.	COURT SYS.	96.00
SHELLING, SHELDON	MENTAL ILL	320.00	SCHILDHAUER, TERRI L	VAR. DEPTS	74.05
SCHROEDER, GRANT	SU OF POOR	330.00	SCOTTS PHARMACY II/S	SU OF POOR	1,433.45
SD DEPT OF HUMAN SER	PUB. DEF.	64.80	SD NEWSPAPER ASSOCIA	COMMISSION	40.60
SD SECRETARY OF STAT	AUDITOR	10.00	SF CITY FINANCE	CNTY PARKS	1,258.29
SF CITY FINANCE - FU	VAR. DEPTS	519.10	SF DETOXIFICATION CE	SHERIFF	13,152.75
SF RUBBER STAMP WORK	MUSEUM	6.50	SHEEHAN MACK SALES &	HIWAY CONS	7,021.88
SIGLER FIRE EQUIPMEN	FACILITIES	261.25	SIMPLEX TIME RECORDE	METRO-911	30.65
SIOUX EMPIRE FCU / V	METRO-911	170.48	SIOUX FALLS FORD, IN	CORRECTION	424.22
SIOUX FALLS SCHOOL D	MUSEUM	90.00	SIOUX FALLS UTILITIE	VAR. DEPTS	226.42
SIOUX VALLEY HOSPITA	VAR. DEPTS	615.10	SIOUX VALLEY SURGICA	SU OF POOR	23.80

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SIoux VALLEY SWELEC	HIWAY CONS	32.95	SIoux VALLEY TELEPHO	HIWAY ADMI	68.64
SIoux VOCATIONAL SER	JUV DET CN	3,768.68	SMALL ENGINE SPECIAL	EMER MGMT	80.89
SOUTHEASTERN BEHAVIO	MENTAL HLT	30,952.25	SOUTHERN, DANIELLE L	SU OF POOR	425.00
SPLITROCK APARTMENTS	SU OF POOR	210.00	STERN OIL CO., INC.	HIWAY CONS	5,815.44
STRUNK, LISA	COURT SYS.	210.60	SUBURBAN MOTEL	SU OF POOR	45.00
SUPER 8 MOTEL	SU OF POOR	35.00	SYCAMORE COURT APTS/	SU OF POOR	425.00
TALLY-HO APTS/AMERIC	SU OF POOR	425.00	TERVEEN, VIOLET	SU OF POOR	300.00
THE EYE DOCTORS, P.C	CORRECTION	890.00	THE PRINTERS, INC.	TREASURER	124.90
THOMAS, DEBBIE HEIN	CORRECTION	11.00	THURMAN, CREIGHTON A	MENTAL ILL	377.58
TOWER APARTMENTS	SU OF POOR	145.00	TRACTOR SALVAGE & WE	HIWAY CONS	708.00
TUSCHEN, MICHAEL E	HIWAY CONS	304.35	UNITED LABORATORIES,	CORRECTION	272.18
UNIVERSITY PHYSICIAN	SU OF POOR	78.50	VAN BOCKERN, DARYL G	SU OF POOR	267.50
VANDENBOS, DALLAS	SU OF POOR	425.00	VELVET UNIFORMS, INC	VAR. DEPTS	684.15
VERIZON WIRELESS, BE	EMER MGMT	2.34	VISION VIDEO, INC.	VAR. DEPTS	1,297.50
W.W. GRAINGER, INC.	EMER MGMT	18.00	WAARA, BILLIE JO	TREASURER	5.00
WALGREENS PHARMACY #	SU OF POOR	472.45	WALGREENS PHARMACY #	SU OF POOR	61.68
WALL LAKE SANITARY D	CNTY PARKS	35.00	WALSER, BOB	MENTAL ILL	30.00
WASTE MANAGEMENT OF	FACILITIES	276.53	WEIG, MARY	SU OF POOR	400.00
WELLMARK, INC.	SU OF POOR	629.19	WEST PUBLISHING CORP	HUMAN RES.	688.00
WESTPORT APTS/WESTPO	SU OF POOR	425.00	WHEELCHAIR EXPRESS,	SU OF POOR	330.00
WINNER ADVOCATE	ST ATTY	33.06	XCEL ENERGY, INC.	VAR. DEPTS	1,489.04
YANKTON COUNTY SHERI	MENTAL ILL	115.50	YELLOW CAB, INC.	SU OF POOR	16.20
ZABEL STEEL CO.	HIWAY CONS	936.00	ZEE MEDICAL SERVICE	HIWAY ADMI	41.00

REPORTS

The following reports were received and placed on file in the County Auditor's Office: SD Municipal League Workers Compensation Fund 2000 Annual Report; Juvenile Detention Center Monthly Statistical Report, September 2001; Register of Deeds Official Statements of Marriage, Recording and Transfer Fees Collected, all for September 2001; Auditor's Account with the County Treasurer, September 30, 2001.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

Total on Deposit in Banks, Interest Bearing, Open Accounts	\$ 6,102,920.84
Total on Deposit in Banks, CD and Savings	11,900,775.59
Total Amount of Actual Cash	7,914.62
Total Amount of Checks and Drafts Which Have Been in The Treasurer's Possession Over Three Days	2,985.38
Total	\$18,014,596.43

PERSONNEL

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

1. To accept the resignation of Daniel Jungen as Deputy Sheriff for the Sheriff's Office (Jail) effective 10-15-01.
2. To hire Dan Weinstein as part time Deputy Sheriff (34/4) for the Sheriff's Office (Jail) at \$17.7013 per hour effective 10-17-01.
3. To discharge Alice Hansen as Records Clerk I for the Register of Deeds Office effective 10-09-01.

Step increases:

1. Doreen Kriese--Correctional Officer II--Sheriff (Jail)--25/2 to 25/3 10-16-01--\$13.5578 per hour

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2. Justin Sieler--Air Guard Security Officer II--Sheriff (AG)--25/1 to 25/2 10-14-01--\$12.9416 per hour
3. Kathryn Estergard--Computer Support Tech II--30/2 to 30/3 9-20-01--\$15.3393 per hour

NOTICES

MOTION by O'Connor, seconded by Pekas to Authorize the County Auditor to Post Notice of Hearing on October 30, 2001, to Supplement the Humane Society Budget from the General Fund for Animal Control. 5 ayes.

MOTION by O'Connor, seconded by Twedt to Authorize the County Auditor to Post Notice of Hearing on October 30, 2001, to Review the City of Sioux Falls and Minnehaha County Law Enforcement Block Grant Joint Spending Plan. 5 ayes.

COURTHOUSE ART

Winnie Bones, regent of the Mary Chilton Daughters of the American Revolution (DAR) Foundation, introduced Don Seten and Carolyn Dick, members of the Student Art Committee for the DAR, and briefly explained the student art contest which the DAR sponsors each year. The winners of the contest receive a scholarship and their art is put on display in the Minnehaha County Courthouse for the next year. Mr. Seten showed the winning artwork, and read a brief essay from the first place winner. The second prize of \$500 was presented to Tawnya Harding, senior at NSU, for a piece entitled "Lake Kampeska at Sunset", and first prize of \$1750 was presented to Kelly Quamen, senior at SDSU, for her work entitled "Surpassing Beauty", which will be displayed in the Courthouse.

LIQUOR LICENSE

The scheduled public hearing was held to consider a New Retail On-Off Sale Malt Beverage License and New Retail On-Off Sale Liquor License with Sunday Sales for Walters' Sports Bar. The Sheriff, Planning and State's Attorney's Offices have no objections to the approval of the licenses. Applicants Ervin and George Walters were present to answer questions, and no one was present to speak in opposition. MOTION by Twedt, seconded by Kolbe to approve the applications for a New Retail (On-Off Sale) Malt Beverage License and a New Retail On-Off Sale Liquor License with Sunday Sales for Walters' Sports Bar. 5 ayes.

LIEN COLLECTION CONTRACT

Pursuant to deferral on September 11, 2001, the Commission considered a proposal from FJM Collection Agency to work a portion of the county aid liens. Chairman Zweep noted that Arnie Hauge of Hauge Associates had requested that the Commission defer consideration of this for one additional week, however Commissioners O'Connor and Twedt stated that Mr. Hauge had notice that this would be on today's agenda and could have sent a representative if he could not attend. County Auditor Sue Roust stated that she has met with Register of Deeds Marlene Wolfe, Welfare Director Hugh Grogan, and Commissioner O'Connor, County Aid Lien Liaison, and reviewed the proposal from FJM, as well as the collection history on accounts sent to Hauge, using those sent in January 2000 as an example. She stated that if FJM can match or exceed the results Hauge has had, 5% of all liens placed, then it may be in the best interest of the County to assign accounts of \$500 and less to FJM, as they have offered to work these at a 25% fee, while Hauge is paid 35% on all accounts they work. She stated that it would be best to leave accounts with the agency they are originally assigned to, even if an account assigned to FJM should later exceed a \$500 balance due to lien amounts added later. She also asked that, if assignment of these accounts to FJM is approved, the arrangement be reviewed at the end of one year to determine how successful it has been. Mr. Grogan stated that he wants to see the same requirements followed by FJM as the County now has for Hauge. Verna Yarnall of FJM Collections, stated that her agency is prepared to work hard on all accounts they are assigned by the County. MOTION by O'Connor, seconded by Twedt to assign all county aid lien accounts of \$500 or less, on which no payments have been made for three years, and which are not already assigned to Hauge Associates, to FJM Collections, Inc., with the understanding that these liens will remain with FJM even if they later exceed a \$500 balance. The Commissioners briefly discussed turning legal liens over for collection after two years with no payments. VOTE on the motion: 4 ayes, Zweep nay.

STATE'S ATTORNEY RESOLUTION

MOTION by Twedt, seconded by Kolbe to approve Resolution MC01-63. 5 ayes.

RESOLUTION MC01-63 AUTHORIZATION TO ACT AS MINNEHAHA COUNTY DEPUTY STATES ATTORNEY

WHEREAS, Minnehaha County and Lincoln County are now part of the Second Judicial Circuit and,

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WHEREAS, there are those instances where conflict of interest situations may arise in the Minnehaha County State's Attorney Office in the prosecution of certain cases, now

THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners, that the Lincoln County State's Attorney Office is hereby authorized to act as a Minnehaha County Deputy State's Attorney in conflict of interest situations of the Minnehaha County State's Attorney Office.

Dated this 16th Day of October 2001.

APPROVED BY THE COMMISSION:

James Zweep

John Pekas

Michael J. O'Connor

Carol Twedt

Robert Kolbe

ATTEST:

Jody Hilmoe

Deputy Auditor

WATER COALITION BROCHURE

Phil Kappen, Assistant Planning Director, explained that the Minnehaha County Water Coalition, a group of local farmers, resource managers and agency representatives whose purpose it is to keep informed on water-related concerns, began work last year on developing a resource guide for living in the country. This guide has tentatively been named "Welcome to the Country", and would inform rural residents on rights, responsibilities, and where to find information on living in the country. The Natural Resources and Conservation Service (NRCS) has offered to assist in layout and printing, and has expressed interest in creating a guide for use state-wide, which would have a pocket in which county-specific information could be inserted. MOTION by O'Connor, seconded by Pekas to encourage this project with a letter of support from the Commission Chairman to the NRCS. 5 ayes.

DRAINAGE

Phil Kappen, Assistant Planning Director, requested the Commission's approval of an application for a drainage permit for property, legally described as E1/2 SE1/4 Section 31-105-49, in Moody County, on which the drainage would flow into Minnehaha County. Moody County has determined this to be of inter-county significance and Mr. Kappen noted that the petitioner, Gregory Schnieder, has obtain waivers from downstream landowners, including those for at least 1 mile into Minnehaha County. Planning staff has no problem with approval of the drainage permit. MOTION by Twedt, seconded by Kolbe to approve the drainage permit. 5 ayes.

NEW BUSINESS

Rhonda Omar, citizen, stated to the Commission that she questions the quality and equality of procedures followed in the Welfare Office. She stated that she was informed that she was turned down for assistance on a utilities bill because she is in low-income housing. Welfare Director Hugh Grogan stated that Ms. Omar had previously expressed concerns of racial discrimination in the Welfare Office and Caseworker Jacques Mambo stated that, in his 10 years with the Welfare Office, he has seen fair and equitable treatment of all clients, regardless of race, and that cases are decided based on a review of the client's financial and employment status. Mr. Grogan and Mr. Mambo pointed out that clients have the right to appeal to the Fair Hearing Panel if they feel they have been treated unfairly. Mr. Grogan stated, in reference to the utility bill that Ms. Omar referred to, that the caseworker spoke with the utility company and made arrangements to have payment delayed as Ms. Omar was to have started a new job in a short while and would then be able to pay the bill. Commissioner Twedt, Welfare Liaison, stated that she has heard of very few complaints regarding service in the Welfare Office. The Commissioners commended Ms. Omar for her personal hard work in bettering herself through her continued education and her new job.

MOTION by O'Connor, 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 23, 2001.

Jody Hilmoe, Deputy Auditor