

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., October 30, 2001, pursuant to adjournment on October 23, 2001. Commissioners present were: Kolbe, O'Connor, and Twedt. Commissioners Zweep and Pekas absent. Also present were Jody Hilmoe, Deputy Auditor, and Gary Colwill, Deputy State's Attorney.

Vice-Chairman Kolbe called the meeting to order.

ZONING ITEM

Dave Queal, Planning Director, was present for the first reading of an amendment to the 1990 Revised Zoning Ordinance for Minnehaha County which would rezone from the A-1 Agricultural to the Preheim PD Planned Development District property legally described as Tract 1 & 2 of Preheim's Addition N1/2 of Section 27-T101N-R48W. The subject property is located 1.5 miles west of Rowena, and the Planning Commission determined that this is not in compliance with the comprehensive plan and recommended denial of the rezoning. MOTION by O'Connor, seconded by Twedt to authorize the County Auditor to publish Notice of Hearing on November 20, 2001, for this rezoning. 3 ayes.

APPROVE MINUTES

MOTION by Twedt, seconded by O'Connor to approve the Minutes for October 23, 2001. 3 ayes.

VOUCHERS TO BE PAID

MOTION by O'Connor, seconded by Twedt to approve the following bills for payment and October salaries. 3 ayes.

A & B BUSINESS EQUIP	VAR. DEPTS	137.21	ADAMS, JERRY D	SU OF POOR	200.00
AGAN DRYWALL SUPPLY,	FACILITIES	337.85	ANACON LEASING, INC.	VAR. DEPTS	777.65
APCO INTERNATIONAL,	METRO-911	352.00	ARGUS LEADER	VAR. DEPTS	461.70
AVERA MCKENNAN	SU OF POOR	6,518.82	AVERA MCKENNAN HOSPI	VAR. DEPTS	14,433.92
B & E APTS / HOLLAND	SU OF POOR	789.00	BALFE, ANGELA	SHERIFF	50.00
BERRETH, DEBORAH	METRO-911	12.18	BOLTE'S PARKING LOT	JUV DET CN	178.50
BROOKINGS COUNTY AUD	REVENUES	1,168.19	BROOKINGS COUNTY SHE	ST ATTY	16.50
BROWN & SAENGER	VAR. DEPTS	46.50	BUDGET HOST INN	SU OF POOR	84.00
BUHL'S TOWEL &/DUDLE	HIWAY CONS	50.60	BUILDERS SUPPLY COMP	CORRECTION	1,160.00
CAMPBELL SUPPLY CO.,	HIWAY CONS	134.05	CARLSON, JIM A	SU OF POOR	205.00
CATERING BY MARLIN'S	CORRECTION	6,974.83	CEDAR SHORE	CNTY EXTEN	140.50
CELLULAR ONE	VAR. DEPTS	1,825.88	CENTER FOR FAMILY ME	CORRECTION	258.70
CENTURY BUSINESS PRO	VAR. DEPTS	87.46	CHERRY TREE / BECKMA	SU OF POOR	305.00
CHEVALIER, JEFFREY	SU OF POOR	330.00	CHILDREN'S INN	DOM ABUSE	20,475.00
CLASSIC CLEANERS	CORRECTION	10.00	CLEVELAND HEIGHTS AP	SU OF POOR	330.00
CONCRETE MATERIALS	HIWAY CONS	16,037.56	CONSTRUCTION PRODUCT	HIWAY CONS	92.65
COSTELLO APARTMENTS	SU OF POOR	130.00	CRITTENDEN, JOHN	HIWAY CONS	170.48
D & K INVESTMENTS /	SU OF POOR	296.00	DAKOTACARE/SD STATE	SU OF POOR	227.17
DAVE'S AUTOMOTIVE /	DIR. EQUAL.	1,730.45	DIALNET	VAR. DEPTS	108.89
EDMUNDS BRAKE & ALIG	SHERIFF	181.41	ELERT & ASSOCIATES	METRO-911	3,802.50
ELMWOOD ESTATES / DO	SU OF POOR	185.00	FALLS INVESTMENT, IN	SU OF POOR	330.00
FLUTH, RODNEY P	SU OF POOR	425.00	FLYNN, LEO T	COURT SYS.	4,174.10
FRED THE FIXER, INC	FACILITIES	7.50	GALLAND LEGAL CLINIC	COURT SYS.	649.90
GARDNER & ASSOCIATES	SHERIFF	432.50	GENERAL BINDING CORP	SU OF POOR	34.96
GENZLINGER, JANEEN	COURT SYS.	202.50	GEORGE BOOM FUNERAL	SU OF POOR	2,385.00
GEOTEK ENGINEERING &	JUV DET CN	500.00	GOEBEL PRINTING, INC	PUB. DEF.	15.00
GRAHAM TIRE CO. - DO	FACILITIES	21.28	GRAPEVINE, DAN	HIWAY CONS	38.00
GRAYBAR ELECTRIC CO.	VAR. DEPTS	1,023.50	GREAT PLAINS PSYCHOL	COURT SYS.	1,360.00
GREENPOINT CREDIT	SU OF POOR	319.55	GUZMAN, SANDRA V	VAR. DEPTS	500.00
HANSON, MICHAEL W	COURT SYS.	958.10	HAPPY REST MOTEL	SU OF POOR	82.50

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HARRIS, MICHAEL J.	CORRECTION	18.00	HEIMDAL, MARIE ANN	COURT SYS.	627.00
HENRY K. EVANS, P.C.	COURT SYS.	1,909.00	HILLYARD	JUV DET CN	2,273.91
HOFFMAN, DOUGLAS E	COURT SYS.	477.00	HOLIDAY COMMERCIAL	HIWAY CONS	187.36
HOWALT-MCDOWELL INSU	VAR. DEPTS	100.00	HURTGEN, TIMOTHY T	SU OF POOR	340.00
HY-VEE FOOD STORES,	SU OF POOR	127.93	INTERSTATE OFFICE PR	VAR. DEPTS	1,287.35
KMART PHARMACY #7306	SU OF POOR	1,022.84	KMART PHARMACY #7318	SU OF POOR	397.55
KOHL'S DEPARTMENT ST	JUV DET CN	69.98	KONE, INC.	FACILITIES	334.88
KREISERS, INC.	CORRECTION	817.40	KRUSE, RENAE S	PUB. DEF.	51.94
KUIPER, KEVIN L	SU OF POOR	137.50	L E PUBLISHERS	PUB. ADV.	50.00
LANGUAGE LINE SERVIC	COURT SYS.	123.20	LARSON, BERNELL	CORRECTION	38.08
LEWIS DRUGS	VAR. DEPTS	13,419.00	LINCOLN COUNTY SHERI	ST ATTY	31.50
LINWELD, INC.	HIWAY CONS	103.46	LOCKE AUTO ELECTRIC	CORRECTION	189.21
LOCKWOOD, RHONDA C	COURT SYS.	953.76	LOS ANGELES COUNTY S	ST ATTY	60.00
MATCHAN, HOPE	ST ATTY	7.50	MCFARLAND SUPPLY CO.	CORRECTION	188.03
MCFARLAND, KENNETH	COMMISSION	8.50	MCGRATH, MICHAEL J,	PUB. DEF.	1,120.00
MCKINNEY, DR. KRIS D	SU OF POOR	57.46	MEDICAL X-RAY CENTER	SU OF POOR	13.88
MIDAMERICAN ENERGY C	VAR. DEPTS	113.36	MIDCONTINENT COMMUNI	COMMISSION	105.00
MIDWEST ALARM COMPAN	FACILITIES	270.00	MIDWEST OFFICE EQUIP	JUV DET CN	33.05
MILLER FUNERAL HOME,	SU OF POOR	2,070.00	MILSTEAD, MICHAEL W	SHERIFF	54.98
MONICK PIPE & SUPPLY	FACILITIES	8.10	MOORE MEDICAL CORP.	SHERIFF	101.45
MOTOROLA, INC.	SHERIFF	8,701.00	MT PLEASANT CEMETERY	SU OF POOR	260.00
NAGORNIUK, PETER	SU OF POOR	425.00	NAT'L DISTRICT ATTOR	ST ATTY	315.00
NATIONAL HOME GARDEN	CNTY EXTEN	24.30	NATIONAL PEN CORPORA	CNTY EXTEN	123.45
NELSON, GARY	HIWAY ADMI	15.43	NGUYEN, HAI DINH	COURT SYS.	50.00
NORTHERN TRUCK EQUIP	HIWAY CONS	18.62	OCWEN FEDERAL BANK	SU OF POOR	504.32
OPTOMETRIC CLINIC	SU OF POOR	134.26	ORTIZ, HERNAN	SU OF POOR	400.00
ORTON LATENT PRINT &	PUB. ADV.	150.30	PALMER, DAVID ALAN,	COURT SYS.	1,726.35
PECHENY, HENRY	COURT SYS.	50.00	PEGLER-SYSCO FOOD SE	FEMA FUND	500.00
PFEIFER IMPLEMENT CO	VAR. DEPTS	33,129.66	PHYSICIANS LABORATOR	SU OF POOR	219.90
PRAIRIE PUBLICATIONS	COMMISSION	358.17	PRESCRIPTION SHOP, I	SU OF POOR	32.25
PRO-TEL, INC.	METRO-911	300.00	PUEBLO CHIEFTAIN	ST ATTY	50.40
QWEST	METRO-911	11,005.22	RACOM CORPORATION	METRO-911	64.75
RAMSEY COUNTY SHERIF	ST ATTY	27.70	RANCE, FRANK M	SU OF POOR	330.00
RAPID CITY POLICE DE	ST ATTY	76.00	RELM PARTNERS, LLC	SU OF POOR	300.00
RICHARD-EWING EQUIPM	CORRECTION	7.36	ROKUSEK, JERAD	SU OF POOR	330.00
ROUST, SUE	VAR. DEPTS	213.46	SATURN OF SIOUX FALL	SHERIFF	36.00
SCHEID, PAMELA M.	PUB. DEF.	27.30	SCHULTE, KENNETH	SU OF POOR	300.00
SCOTTING, GREGORY G	SU OF POOR	775.00	SD ASSN OF EXTENSION	CNTY EXTEN	152.00
SD DEPT OF HUMAN SER	PUB. ADV.	400.00	SD DEPT OF LABOR	CNTY INS	1,172.00
SD SECRETARY OF STAT	VAR. DEPTS	20.00	SEARS	FACILITIES	52.98
SECOND HARVEST FOOD	FEMA FUND	150.00	SELECT INN OF SIOUX	SU OF POOR	170.44
SF AREA CHAMBER OF C	SHERIFF	138.00	SF CITY FINANCE - FU	VAR. DEPTS	4,535.54
SF HOUSING ASSN II,L	SU OF POOR	295.00	SF RUBBER STAMP WORK	AUDITOR	39.60
SF TWO WAY RADIO SER	VAR. DEPTS	1,527.90	SIMPLEX TIME RECORDE	METRO-911	19.30
SIOUX FALLS UTILITIE	VAR. DEPTS	2,716.37	SIOUX VALLEY HOSPITA	VAR. DEPTS	1,747.31
SIOUX VALLEY PHYSICI	SU OF POOR	23.80	SIOUX VALLEY SW ELEC	VAR. DEPTS	3,023.86
SIOUXLAND ORAL & MAX	SU OF POOR	494.21	STAN HOUSTON EQUIPME	HIWAY CONS	417.12
STANGA, TROY J	SU OF POOR	300.00	STINGER, CAROL J.	SU OF POOR	528.97
SUNSHINE FOODS / NFC	SU OF POOR	95.21	SUPER 8 MOTEL	SU OF POOR	112.50
SVEC, HARVEY	SU OF POOR	395.00	TAMMEN OIL	SHERIFF	56.28
THE AED FOUNDATION	CNTY EXTEN	34.95	TIMOTHY'S HOUSE OF H	SU OF POOR	340.00

TUFTS UNIVERSITY	CNTY EXTEN	36.00	UNITED PARCEL SERVIC	METRO-911	17.42
UNIVERSITY PHYSICIAN	SU OF POOR	1,605.17	US MARSHALS SERVICE	CORRECTION	800.00
VELVET UNIFORMS, INC	VAR. DEPTS	1,979.61	WEELBORG BROS., INC.	HIWAY CONS	1,200.00
WELKER, DONALD J	SU OF POOR	175.00	WHEELCHAIR EXPRESS,	SU OF POOR	110.00
XCEL ENERGY, INC.	VAR. DEPTS	3,033.52	ZANDT, JAMES R	SU OF POOR	286.20
COMMISSION	SALARIES	12,916.44	AUDITOR	SALARIES	21,660.22
TREASURER	SALARIES	32,902.53	DATA PROCESSING	SALARIES	36,181.77
STATES ATTORNEY	SALARIES	90,261.80	PUBLIC DEFENDER	SALARIES	54,542.28
PUBLIC ADVOCATE	SALARIES	11,282.38	FACILITIES	SALARIES	34,000.85
EQUALIZATION	SALARIES	40,686.64	REGISTER OF DEEDS	SALARIES	27,547.93
VETERANS SRVC OFCR	SALARIES	2,443.43	HUMAN RESOURCES	SALARIES	8,202.61
SHERIFF	SALARIES	367,300.43	JUVENILE DET CTR	SALARIES	103,347.58
METRO COMMUNICATIONS	SALARIES	96,605.19	HIGHWAY	SALARIES	68,664.41
WELFARE	SALARIES	27,759.98	EXTENSION	SALARIES	8,551.70
MUSEUM	SALARIES	39,442.90	PLANNING	SALARIES	20,708.99

REPORTS

The following reports were received and placed on file in the County Auditor's Office: Veteran Service Officer Individual Contact Report, September 2001; Minnehaha County Constables Monthly Report, Patti Miles and Melvin Dykstra, both for September 2001; SD Department of Transportation's 5-Year 2002-2006 Statewide Transportation Improvement Program.

PERSONNEL

MOTION by Twedt, seconded by O'Connor to approve the following personnel changes. 3 ayes.

1. To accept the resignation of Kari Kohlhoff as Curator of Collections for the Museum effective 10-26-01.
2. To accept the resignation of Rebecca Hess as Victim Witness Assistant for the State's Attorney's Office effective 10-26-01.
3. To hire Dale Holter as part time Parking Attendant for the Sheriff's Office at \$9.00 per hour effective 10-31-01.
4. To hire Vernon Aberle as Correctional Officer I (21/1) for the Sheriff's Office (Jail) at \$11.1661 per hour effective 11-5-01.
5. To hire Robert Bockorny as Correctional Officer I (21/1) for the Sheriff's Office (Jail) at \$11.1661 per hour effective 11-5-01.
6. To hire Erick Doppenberg as Correctional Officer I (21/1) for the Sheriff's Office (Jail) at \$11.1661 per hour effective 11-5-01.
7. To hire Jeffrey Hoekstra as Correctional Officer I (21/1) for the Sheriff's Office (Jail) at \$11.1661 per hour effective 11-5-01.
8. To hire Phyllis McMartin as Correctional Officer I (21/1) for the Sheriff's Office (Jail) at \$11.1661 per hour effective 11-5-01.
9. To hire Dan Muller as Correctional Officer I (21/1) for the Sheriff's Office (Jail) at \$11.1661 per hour effective 11-5-01.
10. To hire Nikki Swier as Correctional Officer I (21/1) for the Sheriff's Office (Jail) at \$11.1661 per hour effective 11-5-01.
11. To hire Keith Wynia as Correctional Officer I (21/1) for the Sheriff's Office (Jail) at \$11.1661 per hour effective 11-5-01.
12. To hire Marilyn David as part time Correctional Officer I (21/1) for the Sheriff's Office (Jail) at \$11.1661 per hour effective 11-5-01.
13. To hire Paige Curry as part time Correctional Officer I (21/1) for the Sheriff's Office (Jail) at \$11.1661 per hour effective 11-5-01.

Step increases:

1. Michael Tuschen--Highway Maintenance Worker--Highway--24/1 to 24/2 11-1-01--\$12.6259 per hour
2. Karen Wajer--Property Clerk II--Equalization--12/6 to 12/7 09-26-01--\$11.3553 per hour
3. Dorothy Wilkison--Appraiser II--Equalization--26/5 to 26/6 10-04-01--\$15.5391 per hour
4. Jeffrey Wilkes--Appraiser III--Equalization--27/7 to 27/8 9-29-01--\$16.8340 per hour
5. Chad Wilson--Certified Network Engineer--Data Processing--42/3 to 42/4 9-19-01--\$21.5673 per hour

LIENS

Commissioner O'Connor, County Aid Lien Liaison, stated that a lienee (DPNO 33475) requested that his lien be released only from a property to allow his wife to complete a purchase on a home through Habitat for Humanity. Rev. Bill Cooper, Habitat for Humanity Executive Director, was present to support the lienee's request, and stated that the lienee will sign a waiver of homestead rights on the property. He stated that the lienee is not trying to avoid payment of the lien, on which he has already made payments of \$1,882.57, but can not pay it in full immediately and does not want it to stand in the way of his wife's home purchase. MOTION by O'Connor, seconded by Twedt to approve Resolution MC01-65. 3 ayes.

RESOLUTION MC01-65

WHEREAS, a County Aid Lien in the amount of \$12,329.06 purports to exist in favor of Minnehaha County and against DPNO 33475 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 Chairman of the County Board and the County Auditor to execute the following: Release the lien only in so far as the real property with no payment. Legal description of real property: Lot 1 Block 4 Bylsma Addn to City of Sioux Falls.

Dated at Sioux Falls, South Dakota, this 30th day of October, 2001.

ATTEST:	APPROVED:
Jody Hilmoe	BOARD OF COUNTY COMMISSIONERS:
Deputy Auditor	Robert Kolbe
	Michael J. O'Connor
	Carol Twedt

MOTION by O'Connor, seconded by Twedt to authorize Hauge Associates to proceed with litigation on DPNO's 35873 and 34906. 3 ayes.

HEARING - LAW ENF GRANT

Sheriff Milstead was present for the scheduled Public Hearing on the Department of Justice Law Enforcement Block Grant Joint Spending Plan for the grant awarded to the City of Sioux Falls and Minnehaha County. Following the disparate allocation ruling from the Attorney General on the City grant award, Minnehaha County's portion of the grant will be \$106,610 (including the 10% matching funds). Sheriff Milstead noted some of the equipment which will be purchased, noting that they wish to leave the dollar amount allocated for different items flexible due to ongoing changes in security measures. MOTION by Twedt, seconded by O'Connor to approve the Joint Spending Plan between Minnehaha County and the City of Sioux Falls for the Local Law Enforcement Block Grant Program Award. 3 ayes.

BUDGET HEARING

The scheduled public hearing was held to consider the \$15,000 supplement to the Humane Society Budget. The Society's \$27,000 budget allocation was down to \$1,055 at the end of August, and a recent neglect case involving 29 animals has resulted in unexpected expenses. Deputy State's Attorney Gary Colwill stated that the County plans to request that

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reimbursement of these expenses be included as part of any sentence handed down by the court in this case. If this doesn't work a civil judgment will be filed. MOTION by O'Connor, seconded by Twedt to approve Resolution MC01-66. 3 ayes.

RESOLUTION MC01-66
FOR SUPPLEMENTAL BUDGET

WHEREAS it is necessary to supplement the 2001 Annual Budget in order to carry on the indispensable functions of Minnehaha County; and

WHEREAS, the adoption of a proposed Supplemental Budget was duly considered by the Minnehaha County Commission on the 30th day of October, 2001, at 9:20 a.m., in the Commission Meeting Room, pursuant to due notice; now, therefore, be it

RESOLVED by the Minnehaha County Commission that the following Supplemental Budget be, and the same is, hereby approved for the purpose of providing budget to conduct the indispensable functions of Government, to-wit:

FROM: General Fund \$15,000

TO: Humane Society Budget (ASN 20700)

APPROVED BY THE COUNTY COMMISSION:

ATTEST:
Jody Hilmoe
Deputy Auditor

Robert Kolbe
Michael J. O'Connor
Carol Twedt

CHANGE ORDER

Pursuant to deferral on October 23rd, Sue Salter, Sioux Empire Fair General Manager, requested approval of Change Order #1 for Phase II Electrical Upgrades at the Fairgrounds. The change order results in a net deduct from the original contract amount, which reflects actual quantities of materials used as compared with the original estimated quantities. MOTION by Twedt, seconded by O'Connor to approve and authorize the Chairman to sign Change Order #1 (- \$66,928.79) for Muth Electric for the General Contract for Phase II, Fairgrounds Electrical Improvements at the W. H. Lyon Fairgrounds for a new contract sum of \$1,310,122.20. 3 ayes.

BUDGET SUPPLEMENTS

MOTION by O'Connor, seconded by Twedt to supplement \$400 to the Sheriff's Budget (ASN 16575) from the General Fund representing a check received from the Elks Club for the DARE Program. 3 ayes.

MOTION by Twedt, seconded by O'Connor to supplement \$47,458.82 to the Jail Budget (ASN 16691) from the General Fund representing a Federal Grant reimbursement for equipment purchased for the "INS Video Conferencing". 3 ayes.

EXHIBIT AGREEMENT - MUSEUM

Pursuant to deferral on October 23rd, Museum Director Bill Hoskins requested the Commission's approval of the agreement among the SD Department of Transportation (DOT), the Department of Game, Fish and Parks (GF&P) and Siouxland Heritage Museum for the Fort Sisseton State Park Hospital and Doctor's Quarters Interpretation Exhibits project. The Museum will prepare interpretive exhibits, and Mr. Hoskins stated that most of the work will be completed between January 1 and June 30, 2002. A temporary exhibits assistant will be hired and this position will be paid out of proceeds from this contract, the project amount being \$83,000. MOTION by Twedt, seconded by O'Connor to approve the contract. 3 ayes.

NEW BUSINESS

Commissioner Twedt stated that she feels an impartial facilitator is needed to head the task force assigned to research the possibility of a Home Rule Charter for Minnehaha County. MOTION by Twedt, seconded by O'Connor to direct Administrative Assistant Ken McFarland to prepare a Request for Proposals to hire a facilitator for the Home Rule Charter Task Force. 3 ayes.

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MOTION by O'Connor, seconded by Twedt to adjourn into Executive Session. 3 ayes.

Following the Executive Session, the Commission adjourned until 9:00 a.m. on Tuesday, November 6, 2001.

Jody Hilmo, Deputy Auditor