

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M., April 15, 2003, pursuant to adjournment on April 8, 2003. Commissioners present were: Pekas, Twedt, Hajek, Kolbe, and Zweep. Also present were Sue Roust, County Auditor, and Gary Colwill, Deputy State's Attorney.

Chairman Pekas called the meeting to order.

BEGINNING FARMER

MOTION by Zweep, seconded by Kolbe to move this item to first on today's agenda. 5 ayes. Thomas Opitz was present to confirm that he meets the legal requirements for beginning farmer status. MOTION by Zweep, seconded by Hajek to approve Resolution MC03-16. 5 ayes.

RESOLUTION MC03-16

DECLARATION OF BEGINNING FARMER DESIGNATION FOR PARCELS #55508 AND #68566 OWNED BY THOMAS AND BARBARA OPITZ

WHEREAS: Thomas and Barbara Opitz as owners of parcels #55508 and #68566 (parcel numbers assigned by the Minnehaha County Equalization Office) located in Minnehaha County, South Dakota, meet the criteria of SDCL 10-6-31.5 to qualify as beginning farmers; and

WHEREAS: By virtue of meeting the criteria set forth in SDCL 10-6-31.5, such parcels may be granted a tax freeze for five (5) years in accordance with the provisions of SDCL 10-6-31.4; and

WHEREAS: The granting of such designation is discretionary with the Minnehaha County Board of Commissioners; and

WHEREAS: The Minnehaha County Board of Commissioners is willing to grant such designation upon the terms and conditions hereinafter set forth.

NOW THEREFORE BE IT RESOLVED, That the Minnehaha County Board of Commissioners grants beginning farmer status to Thomas and Barbara Opitz as the owners of parcels #55508 and #68566 as designated by the Minnehaha County Equalization Office; and

BE IT FURTHER RESOLVED, That the granting of the beginning farmer status be for a period of five years from and after this date with the taxes upon such property be frozen for that period of time, except that the tax freeze so granted shall not apply to any new buildings or structures which may be constructed upon such property during the period of the tax freeze.

Dated this 15th day of April, 2003.

APPROVED BY THE COMMISSION:

John Pekas
Carol Twedt
James Zweep
Anne Hajek
Robert Kolbe

ATTEST:

Sue Roust
County Auditor

ORDINANCE

Dave Queal, Planning Director, was present for first reading of an Ordinance adopting the Minnehaha County Flood Plain Management Ordinance and repealing the Flood Damage Prevention Ordinance of Minnehaha County. This ordinance would repeal Ordinance MC11-88 and recognize new Flood Insurance Rate Maps issued by FEMA. MOTION by Kolbe, seconded by Hajek, to schedule second reading and consideration of the proposed ordinance for April 22, 2003. 5 ayes.

MINUTES

MOTION by Kolbe, seconded by Zweep to approve the Minutes for April 8, 2003. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Zweep, seconded by Kolbe to approve the following bills for payment. 5 ayes.

| | | | | | |
|----------------------|------------|----------|----------------------|------------|----------|
| A & B BUSINESS EQUIP | VAR. DEPTS | 5,656.00 | ACE GROUP, LLC | HIWAY CONS | 2,000.00 |
| AGC OF SD BUILDING C | HIWAY CONS | 190.00 | AIPPERSPACH, EARL | HUMAN SVCS | 525.00 |
| ALLIANCE COMMUNICATI | METRO-911 | 823.25 | ARGUS LEADER | VAR. DEPTS | 1,754.44 |
| ARMOUR CAPTIONING | MUSEUM | 677.00 | AT & T | CORRECTION | 24.61 |
| AUTOMATIC BUILDING C | JUV DET CN | 371.28 | AVERA MCKENNAN HOSPI | ST ATTY | 64.00 |
| AWARE, QADIR | COURT SYS. | 50.00 | BEST WESTERN DOUBLEW | HIWAY CONS | 330.00 |
| BIALAS, JAROD / RENT | HUMAN SVCS | 325.00 | BIERSCHBACH EQUIPMEN | HIWAY CONS | 736.19 |
| BOYER TRUCKS SIOUX F | HIWAY CONS | 125.78 | BRAITHWAITE, TACEY E | MENTAL ILL | 462.00 |
| BRENNAN HILL TOWNHOU | HUMAN SVCS | 525.00 | BRENTWOOD APARTMENTS | HUMAN SVCS | 825.00 |
| BROWN & SAENGER | METRO-911 | 20.98 | BURNS, JOSEPH J | HUMAN SVCS | 450.00 |
| BUS SYSTEMS, INC. | HUMAN SVCS | 562.10 | BUTLER MACHINERY COM | HIWAY CONS | 387.80 |
| CAMPBELL SUPPLY CO., | VAR. DEPTS | 52.66 | CARLSON, DON C | MENTAL ILL | 45.00 |
| CARPER, NICHOLE A | PUB. ADV. | 2,200.00 | CBM FOOD SERVICE | CORRECTION | 6,062.06 |
| CELLULAR ADVANTAGE | HIWAY CONS | 26.00 | CELLULAR ONE STORE | VAR. DEPTS | 159.98 |

| | | | | | |
|----------------------|------------|----------|----------------------|------------|----------|
| CENTER FOR FAMILY ME | CORRECTION | 262.26 | CHEMCO, INC. | MUSEUM MTC | 136.38 |
| CHERRY TREE / BECKMA | HUMAN SVCS | 900.00 | CHILD'S VOICE | PUB. D. | 35.00 |
| CHILE-N-CRACKER'S | MUSEUM ENT | 25.00 | CITY GLASS & GLAZING | MUSEUM | 25.00 |
| CLEVELAND HEIGHTS AP | HUMAN SVCS | 800.00 | CLIFF AVENUE AUTO PA | HIWAY CONS | 432.38 |
| CLINICAL LABS OF MID | CORONER | 421.34 | COMMUNICATION SERVIC | COURT SYS. | 220.00 |
| CONCRETE MATERIALS | HIWAY CONS | 2,590.24 | CONNECTING POINT | INFO SVCS | 50.00 |
| CONSECO FINANCIAL SE | HUMAN SVCS | 225.00 | CRESCENT ELECTRIC SU | HIWAY CONS | 11.42 |
| CUMBER, ROBERT L | HUMAN SVCS | 350.00 | DADE BEHRING, INC. | CORRECTION | 2,403.83 |
| DAKOTA RIGGERS & TOO | HIWAY CONS | 81.85 | DAKOTA SPLASH | HIWAY ADMI | 24.25 |
| DECISIONONE CORPORAT | INFO SVCS | 1,880.90 | DEVANEY, TOM | HIWAY CONS | 19.00 |
| DIETRICH, DONNA K | MENTAL ILL | 385.81 | DRESBACH, STEVE | MENTAL ILL | 2.30 |
| DUNN, THERESA L | DIR. EQ. | 80.04 | DUST TEX SERVICE, IN | MUSEUM MTC | 12.12 |
| E.F. JOHNSON COMPANY | METRO-911 | 659.64 | EAST POINTE TOWNHOUS | HUMAN SVCS | 525.00 |
| EAST, PAUL T | HUMAN SVCS | 300.00 | EKEREN, MARVIN R | MENTAL ILL | 30.00 |
| ELECTION SYSTEMS & S | ELEC AUDIT | 1,875.00 | ELVE, ZOYA | HUMAN SVCS | 275.00 |
| FALK, ALEX | HUMAN SVCS | 450.00 | FIDUCIARY COMMUNICAT | BUILD FUND | 2,176.44 |
| FOOD HISTORY NEWS | MUSEUM | 20.00 | FOUNTAIN RIDGE INVES | HUMAN SVCS | 750.00 |
| FOX, YOUNGBERG & LEW | MENTAL ILL | 317.41 | FRONTIER | METRO-911 | 176.47 |
| FRONTIER VILLAGE | HUMAN SVCS | 100.00 | GANSZ, KEVIN | MUSEUM | 46.00 |
| GOEBEL PRINTING, INC | PUB. D. | 15.00 | GOVERNORS INN | VAR. DEPTS | 165.00 |
| GUZMAN, SANDRA V | VAR. DEPTS | 375.00 | HARMON AUTOGLASS | HIWAY CONS | 129.83 |
| HAROLD'S PHOTO CENTE | VAR. DEPTS | 252.61 | HARRIS, MICHAEL J. | CORRECTION | 28.00 |
| HEARTLAND RESTAURANT | CORRECTION | 11.07 | HENLE, TODD J | HUMAN SVCS | 350.00 |
| HEWLETT-PACKARD COMP | VAR. DEPTS | 418.00 | HOBBY LOBBY STORES, | MUSEUM | 211.47 |
| HOFER, JULIE A | PUB. ADV. | 2,400.00 | HOLIDAY INN CITY CEN | HUMAN SVCS | 258.84 |
| HOWIE'S CAR SERVICE | HIWAY CONS | 87.70 | HUFFER, DOUGLAS A | HIWAY CONS | 84.98 |
| HUGHES COUNTY SHERIF | ST ATTY | 10.50 | HURLEY CUSTOM WOODWO | MUSEUM ENT | 654.50 |
| HY-VEE FOOD STORE #1 | JUV DET CN | 57.08 | HY-VEE PHARMACY #163 | HUMAN SVCS | 196.98 |
| HY-VEE PHARMACY #163 | HUMAN SVCS | 144.98 | HYDRAULIC WORLD, INC | HIWAY CONS | 27.60 |
| INLAND TRUCK PARTS & | HIWAY CONS | 122.04 | INTAB, INC. | ELEC AUDIT | 345.06 |
| INTERSTATE COMPANIES | EMER MGMT | 866.60 | INTERSTATE OFFICE PR | VAR. DEPTS | 1,610.15 |
| JAMES & ASSOCIATES, | MENTAL ILL | 332.20 | JANITOR'S CLOSET, LT | VAR. DEPTS | 204.60 |
| JAQUA, CURTIS WAYNE | HUMAN SVCS | 375.00 | JIM BORK ENTERPRISES | REG DEEDS | 121.00 |
| JOHNSON FEED, INC. | HIWAY CONS | 771.90 | JOHNSON, ALLAN R | HUMAN SVCS | 195.00 |
| JOHNSON, LORI A. | CORRECTION | 28.55 | KAPPENMAN, THOMAS L | HUMAN SVCS | 350.00 |
| KELLER, THOMAS M | COURT SYS. | 1,070.00 | KENNEDY, ROKAHR, PIE | MENTAL ILL | 127.80 |
| KENNELLY, DR. DANIEL | MENTAL ILL | 1,080.00 | KEYSTONE APTS / KELL | HUMAN SVCS | 815.00 |

| | | | | | |
|----------------------|--------------|-----------|----------------------|------------|----------|
| KITTELSON, JOAN M | MENTAL ILL | 15.00 | KONE, INC. | VAR. DEPTS | 157.92 |
| KOOPMAN & SONS GAS C | HIWAY ADMI | 342.36 | LASON SYSTEMS, INC. | REG DEEDS | 96.12 |
| LASSEGARD, SAMUEL C. | HUMAN SVCS | 505.00 | LEESCH, JERALD K | HUMAN SVCS | 350.00 |
| LEWIS DRUGS | CORRECTION | 14,430.18 | LINWELD, INC. | HIWAY CONS | 67.79 |
| LITHIA AUTOMOTIVE, I | HIWAY CONS | 62.96 | MAC'S, INC. | HIWAY CONS | 6.00 |
| MALLOY ELECTRIC BEAR | HIWAY CONS | 12.20 | MATAYA, JOHN | SHERIFF | 76.85 |
| MAXWELL HOTEL SUPPLY | JUV DET CN | 22.80 | MEDICAL X-RAY CENTER | CORRECTION | 15.60 |
| MEISTER, BOB | HIWAY ADMI | 913.76 | MENARDS | VAR. DEPTS | 49.30 |
| MICHAEL'S PURPLE PET | EMER MGMT | 75.00 | MIDAMERICAN ENERGY C | VAR. DEPTS | 1,241.41 |
| MIDCONTINENT COMMUNI | COMM. | 85.00 | MIDWEST ALARM COMPAN | HIWAY CONS | 683.01 |
| MIDWEST COPIER SOLUT | JUV DET CN | 334.00 | MIDWEST OIL COMPANY | HIWAY CONS | 527.80 |
| MIDWEST PSYCHIATRIC | PUB. D. | 25.00 | MINNEHAHA CNTY PRISO | CORRECTION | 47.92 |
| MINNEHAHA COUNTY WEL | HUMAN SVCS | 135.80 | MODZELWSKA, MAGDALEN | COURT SYS. | 88.32 |
| MOTOROLA, INC. | METRO-911 | 736.94 | MR. GOODCENTS | MUSEUM ENT | 27.70 |
| MURPHY, PATRICK M | SHERIFF | 54.07 | MURRAY CONSTRUCTION, | HUMAN SVCS | 308.00 |
| MUSEUM PETTY CASH | VAR. DEPTS | 54.71 | MYERS, PEARL | ST ATTY | 65.75 |
| NESSON LAW OFFICE, P | COURT SYS. | 619.02 | NGUYEN, LAM | COURT SYS. | 112.50 |
| NORBERG PAINTS, INC. | VAR. DEPTS | 114.45 | NORM FELDMAN'S GLASS | HIWAY CONS | 198.44 |
| NORTHERN STATES SUPP | HIWAY CONS | 23.50 | NOVAK SANITARY SERVI | VAR. DEPTS | 173.59 |
| OFFICE DEPOT, INC. | VAR. DEPTS | 595.79 | OFFICEMAX CREDIT PLA | VAR. DEPTS | 67.48 |
| OLSON'S PEST TECHNIC | CORRECTION | 75.00 | ORTHOPEDIC INSTITUTE | CORRECTION | 31.50 |
| OTTER TAIL ENERGY SE | FACILITIES | 26,135.43 | PAJOR, TOM | HUMAN SVCS | 525.00 |
| PALMER, DAVID ALAN, | COURT SYS. | 3,334.05 | PEPSIAMERICAS | MUSEUM ENT | 63.50 |
| PERSON, LARRY D | HUMAN SVCS | 230.00 | PETERSON & STUART | PUB. ADV. | 1,100.00 |
| PFEIFER IMPLEMENT CO | HIWAY CONS | 835.00 | PHARMERICA, INC. | JUV DET CN | 28.92 |
| PIER 1 IMPORTS | MUSEUM ENT | 344.00 | PRECISION DYNAMICS C | JUV DET CN | 785.07 |
| PRIORITY DISPATCH | METRO-911 | 68.00 | PURCHASE POWER | CNTY EXTEN | 1,019.00 |
| QUEAL, DAVID K | PLAN & ZON | 1,319.35 | QWEST | VAR. DEPTS | 4,481.35 |
| RANDALL-STANLEY ARCH | CAP PROJECTS | 6,900.00 | RDO EQUIPMENT CO. | HIWAY CONS | 299.79 |
| RECORD KEEPERS, INC. | VAR. DEPTS | 4,144.34 | ROBSON TRUE VALUE | EMER MGMT | 1.17 |
| ROUST, SUE | AUDITOR | 100.00 | RURAL METRO AMBULANC | CORONER | 370.00 |
| RUSS' PEST CONTROL, | EMER MGMT | 42.00 | SALLY QUEEN & ASSOCI | MUSEUM | 110.35 |
| SANITATION PRODUCTS | HIWAY CONS | 121.60 | SHELLING, SHELDON | MENTAL ILL | 920.00 |
| SCHILDHAUER, TERRI L | ST ATTY | 99.50 | SD DEPT OF LABOR | CNTY INS | 1,197.71 |
| SD NEWSPAPER ASSOCIA | COMM. | 48.10 | SD STATE TREASURER | SALES TAX | 49.20 |
| SECURITY LABS, LTD | INFO SVCS | 5,410.00 | SF AREA HUMANE SOCIE | ANIMAL CON | 1,239.68 |
| SF RUBBER STAMP WORK | HUMAN RES. | 6.50 | SF TWO WAY RADIO SER | METRO-911 | 2,772.60 |

| | | | | | |
|----------------------|--------------|-----------|----------------------|------------|-----------|
| SIoux EMPIRE FCU / V | VAR. DEPTS | 10,413.77 | SIoux FALLS UTILITIE | VAR. DEPTS | 462.95 |
| SIoux VALLEY SW ELEC | VAR. DEPTS | 99.68 | SIoux VALLEY TELEPHO | VAR. DEPTS | 594.71 |
| SIoux VOCATIONAL SER | JUV DET CN | 4,810.80 | SIouxLAND ORAL & MAX | HUMAN SVCS | 73.06 |
| SOMERSET PARTNERSHIP | HUMAN SVCS | 513.00 | SOUTHEASTERN BEHAVIO | MENTAL HLT | 37,070.25 |
| SOUTHWEST DAILY TIME | ST ATTY | 30.10 | SPORTS PLUS, INC. | HIWAY CONS | 45.20 |
| STAN HOUSTON EQUIPME | VAR. DEPTS | 141.56 | STURDEVANT'S AUTO PA | HIWAY CONS | 712.78 |
| SWIFT CONTRACTORS, I | CAP PROJECTS | 68,730.00 | T.D.S. AUTO REPAIR, | EMER MGMT | 1,441.76 |
| TALLY-HO APTS/AMERIC | HUMAN SVCS | 450.00 | TAYLOR, KRISTEN E | JUV DET CN | 33.35 |
| TENTH STREET, INC. | HIWAY CONS | 54.80 | THORIN, DEYANIRA T | COURT SYS. | 100.00 |
| TILDEN, JAMES A | HUMAN SVCS | 250.00 | TIMEKEEPING SYSTEMS, | JUV DET CN | 539.35 |
| TR DESIGNS & INDOOR | MUSEUM | 260.00 | UNION TELEPHONE COMP | METRO-911 | 384.91 |
| US POSTAL SERVICE | COURT SYS. | 750.00 | VALCOM/EXCEL COMPUTE | INFO SVCS | 499.00 |
| VAN DYKE SUPPLY COMP | MUSEUM ENT | 1,418.25 | VOCATIONAL SERVICES | MUSEUM STO | 188.61 |
| VOLUNTEERS OF AMERIC | PUB. D. | 800.00 | WALGREENS PHARMACY # | HUMAN SVCS | 29.98 |
| WALL LAKE SANITARY D | HIWAY ADMI | 35.00 | WEELBORG BROS., INC. | HIWAY CONS | 1,200.00 |
| WEIG, MARY | HUMAN SVCS | 425.00 | WEST GROUP | LAW LIBRAR | 1,758.95 |
| WHEELCO BRAKE & SUPP | HIWAY CONS | 38.20 | WILLIAMS, STEVE | HIWAY CONS | 19.00 |
| WILSEY, THOMAS M | HIWAY CONS | 19.00 | WOODSIDE, APRIL | MUSEUM | 46.00 |
| XCEL ENERGY, INC. | VAR. DEPTS | 1,740.45 | YANKTON COUNTY SHERI | MENTAL ILL | 148.50 |
| ZABEL STEEL CO. | HIWAY CONS | 53.25 | ZEE MEDICAL SERVICE | HIWAY ADMI | 72.15 |
| 3D SPECIALTIES, INC. | HIWAY CONS | 724.90 | | | |

REPORTS

The following reports were received and placed on file in the County Auditor's office: Human Services Monthly Report and Juvenile Detention Center Monthly Statistical Report, both for March 2003.

PERSONNEL

MOTION by Twedt, seconded by Hajek to approve the following personnel changes. 5 ayes.

1. To promote Richard Lietz to Assistant Auditor (14/1) for the Auditors Office at \$17.268 per hour effective 4-14-03.
2. To promote Sharon Bakker to Senior Accounting Specialist (6/1) for the Auditors Office at \$10.887 per hour effective 4-14-03.
3. To hire Deanna Holst as part time Assistant Auditor for the Auditors Office at \$21.883 per hour effective 4-11-03 to 2-27-04.
4. To accept the resignation of Joann Hilmoe as Senior Office Assistant for the Auditors Office effective 4-7-03.

5. To hire Harvey Enalls as part time Deputy Sheriff (12/2) for the Sheriffs Office at \$16.299 per hour effective 4-19-03.
6. To promote Clint Zoss to Correctional Officer II (10/1) for the Sheriffs Office (Jail) at \$14.077 per hour effective 4-26-03.
7. To accept the resignation of Lynn Bingham as Correctional Officer I for the Sheriffs Office effective 4-5-03.
8. To accept the resignation of Jeff Merrill as part time Deputy Sheriff for the Sheriffs Office effective 4-9-03.
9. To hire Kenneth Headrick as part time Civil Process Server (9/3) for the Sheriffs Office at \$14.363 per hour effective 4-11-03.
10. To hire Bonnie Wenzlaff as part time Clerical Worker for the Register of Deeds Office at \$9.00 per hour effective 4-16-03.
11. To hire Sarah Engler as Intern for the Museum at \$7.00 per hour effective 5-19-03.
12. To hire Amber Juffer as Intern for the Museum at \$7.00 per hour effective 6-2-03.
13. To hire Mandi Yurkovich, Jessica Poss, Toni McLain, Bonnie Jones, Debra Hendrix, and Traci Hillman as Correctional Systems Operators (7/1) Sheriffs Office (Jail) at \$11.685 per hour effective 4-21-03.
14. To hire Elaine Muller as Correctional Systems Operator (7/1) for the Sheriffs Office (Jail) at \$11.685 per hour effective 4-16-03. (\$24,305)
15. To discharge Delbert Maxfield as Highway Maintenance Worker effective 4-11-03.
16. To discharge Jennifer Hoyme as Juvenile Correctional Worker effective 4-11-03.

ABATEMENTS

Note: The following abatements were recommended by Dick Kallemeyn, Director of Equalization.

MOTION by Hajek, seconded by Kolbe to approve the following abatement: Melissa Naranjo, 2001 Taxes - \$375.98 - ID# 39549. 5 ayes.

MOTION by Zweep, seconded by Hajek to approve the following abatement: Gerald Quinn, 2002 taxes - \$55.43 - ID# 35776. 5 ayes.

MOTION by Twedt, seconded by Kolbe to approve the following abatement: Jennette Kuca, 2002 taxes - \$98.55 - ID# 72410. 5 ayes.

MOTION by Zweep, seconded by Kolbe to approve the following abatement: Pamela Boe, 1999 taxes - \$361.35, 2000 taxes - \$389.07, 2001 taxes - \$436.60, 2002 taxes - \$451.87 - ID# 57295. 5 ayes.

MOTION by Hajek, seconded by Twedt to approve the following two abatements: Church of Jesus Christ of Latter-Day Saints, 2002 taxes - \$345.74 (9 months) - ID# 73331, and Central Valley Community Church, 2002 taxes - \$186.41 (163 days) - ID# 23388. 5 ayes.

NOTICES

The East Dakota Water Development District Board will meet April 17, 2003 at 9 am.

MOTION by Zweep, seconded by Kolbe to publish Notice to Bidders for weed control chemicals. 5 ayes.

ZONING

Dave Queal, Planning Director, was present for the scheduled hearing to consider a request to rezone property in Rowena to C Commercial. This would allow activities such as offices, banks, churches, and retail trade with no outside storage. All other uses would require a conditional use permit. Mark Meierhenry, representing petitioner Kay Assam Trust, stated that the proposed rezoning conforms to the county's comprehensive plan, and urged approval of the request. No one else was present to speak on this issue. MOTION by Twedt, seconded by Zweep to approve Ordinance MC16-63-03. 5 ayes.

ORDINANCE MC16-63-03

AN ORDINANCE AMENDING ORDINANCE MC16-90 BY REZONING CERTAIN PROPERTY.

BE IT ORDAINED BY MINNEHAHA COUNTY, SOUTH DAKOTA:

That Ordinance MC16-90 be amended as follows:

That portion of the ICR abandoned right-of-way lying west of Douglas Avenue and Co. Aud. Sub. Tr. 3 (ex. E427.3'), in the SE1/4 Section 26-T101N-R48W are hereby rezoned from A-1 Agricultural and unzoned to C Commercial and the official zoning map referred to in Article 2.03(A) is amended to include the property in the C Commercial District.

Approved this 15th day of April, 2003.

BOARD OF COUNTY COMMISSIONERS

ATTEST: John Pekas
Sue Roust Carol Twedt
County Auditor James Zweep
 Anne Hajek
 Robert Kolbe

BID AWARD

On April 10, 2003 at 9:00 a.m., the following bids were received for Project MC139BM-03 Asphalt Profiling and Resurfacing (Tea/Ellis Road): Asphalt Surfacing Co., \$594,615.96; Krueger Excavating, \$695,776.83; McLaughlin & Schulz, \$571,048.59; Myrl & Roy's Paving, \$519,881.33; Kruse Paving, \$543,191.26; Brower Construction Co., \$624,926.20; Bituminous Paving, \$585,848.27; C & W Enterprises, \$579,869.35 (engineer's estimate \$580,638). Bob Meister, Highway Superintendent, recommended awarding the contract to the low bidder. MOTION by Zweep, seconded by Kolbe to award the bid for Project MC139BM-03 Asphalt Profiling and Resurfacing to Myrl & Roy's Paving for \$519,881.33. 5 ayes.

CONTRACT

MOTION by Twedt, seconded by Zweep to authorize the Chairman to sign Amendment #1 to the agreement between the State of SD Dept of Human Svcs, Division of Alcohol and Drug Abuse and Minnehaha County for residential detox services. 5 ayes. The Amendment raises the not to exceed amount from \$82,410 to \$84,664. Commissioners directed that a letter thanking the state for continuing to participate in funding detox services be sent.

EASEMENT

MOTION by Hajek, seconded by Zweep to authorize the Chairman to sign a Temporary Construction Easement between Minnehaha County and the City of Brandon. 5 ayes.

SURPLUS PROPERTY

MOTION by Twedt, seconded by Hajek to declare the following surplus for destruction (Register of Deeds): 3M 2600 AU Processor Microfilm Camera, S/N 437754, Asset # 48690; and 3M "520" Duplicator Model 407, S/N 404304, Asset # 51820 (total value \$0.00). 5 ayes.

BIKE TRAIL

State Senator Clarence Kooistra and Greg Carmon of the Brandon Chamber of Commerce were present to request approval of a resolution directing

the county Planning Dept to seek grants to fund development of a Brandon to Garretson bike trail. Phil Kappen, Assistant Planning Director, noted that the county routinely administers grants but does not seek them for outside groups. Commissioners asked several questions regarding the project and the county's obligation. MOTION by Hajek, seconded by Twedt to defer action on the request until an SDSU engineering report on the project is received (expected date April 29). 5 ayes.

ARBOR DAY

Steve Munk, Extension Educator, read the 2003 Arbor Day Proclamation. Harley Shafer, Minnehaha County Conservation District Manager, thanked the Commission for their support of the Sioux Empire Water Festival and introduced fifth grader Jordan Munk, who read his prize-winning essay on Arbor Day. MOTION by Zweep, seconded by Twedt to proclaim the week of April 20 to April 26, 2003 as ARBOR WEEK; and designate April 25, 2003 as ARBOR DAY. 5 ayes.

OLD BUSINESS

Lynn DeYoung, Emergency Management Director, on behalf of the rural fire chiefs, asked the Commission to enact an emergency burning ban. There have been 18 rural grass fires within the last week. Gary Colwill, Deputy State's Attorney, noted that no open burning permits may be issued during the ban. MOTION by Zweep, seconded by Hajek to approve Resolution MC03-17. 5 ayes.

RESOLUTION MC 03-17

A RESOLUTION DECLARING A FIRE DANGER EMERGENCY IN MINNEHAHA COUNTY AND PROHIBITING OPEN BURNING

WHEREAS, due to extreme drought conditions prevalent in Minnehaha County and due to recent high temperatures, a fire danger emergency now exists within Minnehaha County, South Dakota, now

THEREFORE BE IT RESOLVED BY THE MINNEHAHA COUNTY BOARD OF COMMISSIONERS that a Fire Danger Emergency is hereby declared and until this resolution be otherwise rescinded by the Minnehaha County Board of Commissioners, all open burning as defined in Ordinance MC 14-2-99, is hereby prohibited within the boundaries of Minnehaha County, South Dakota, exclusive of any incorporated municipality within the county, and

BE IT FURTHER RESOLVED, that this Resolution is declared to be necessary for the immediate preservation of the public safety in accordance with the provisions of SDCL 7-18A-8 and is effective immediately and shall continue in force and affect until rescinded by the Minnehaha County Board of Commissioners.

Dated this 15th Day of April, 2003.

APPROVED BY BOARD OF COUNTY COMMISSIONERS

John Pekas
Carol Twedt

ATTEST:
Sue Roust
County Auditor

James Zweep
Anne Hajek
Robert Kolbe

NEW BUSINESS

Commissioners noted receipt from Sheriff Mike Milstead of a letter reporting the city's request to use up to 8 parking spaces at the Community Correction Center for Elmwood Golf Course employees. Commissioners had no objections to the request.

Commissioner Hajek asked Deputy State's Attorney Gary Colwill if contracts may be discussed by the Commission in closed session if they are not related to a budgeted item and have not had an initial public discussion. Mr. Colwill stated that policy discussions may not be held in closed session.

MOTION by Twedt, seconded by Zweep to adjourn until 9:00 a.m. on Tuesday, April 22, 2003. 4 ayes (Commissioner Zweep left prior to the vote).

Sue Roust, County Auditor

APPROVED:
MINNEHAHA COUNTY BOARD OF COMMISSIONERS
MINNEHAHA COUNTY, SOUTH DAKOTA

ATTEST:

Sue Roust, County Auditor

John Pekas, Chairman