

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., July 8, 2003, pursuant to adjournment on July 1, 2003. Commissioners present were: Pekas, Hajek, Kolbe, and Zweep. Commissioner Tweedt was absent. Also present were Sandy Kinder, Deputy Auditor, and David Nelson, State's Attorney.

Chairman Pekas called the meeting to order.

#### MINUTES

MOTION by Hajek, seconded by Zweep to approve the Minutes for July 1, 2003. 4 ayes.

#### VOUCHERS TO BE PAID

MOTION by Zweep, seconded by Hajek to approve the following bills for payment. 4 ayes.

A & B Business Equip	Var. Depts	21.00	Anacon Leasing, Inc.	Correction	425.85
Anesthesiology Assoc	Correction	304.00	Argus Leader	Var. Depts	1,626.29
Ash, Margaret Randal	Museum	300.00	Avera Mckennan Hospi	St Atty	32.00
Avera Mckennan Hospi	Pub. D.	35.41	B & E Apts / Holland	Human Svcs	350.00
Baker, Mary	Pub. D.	47.85	Bierschbach Equipmen	Hiway Cons	280.00
Brandhagen, Douglas	Human Svcs	150.00	Brasnic, Belma	Court Sys.	125.00
Brown & Saenger	Reg Deeds	23.80	Building Sprinkler,	Museum Mtc	294.94
C & R Supply, Inc.	Hiway Cons	100.47	Cadd/Engineering Sup	Plan & Zon	170.00
Campbell Supply Co.,	Hiway Cons	10.38	Cbm Food Service	Correction	5,803.56
Cellular One Store	Hiway Admi	70.00	Century Business Lea	Dir. Eq.	69.61
Century Business Pro	Dir. Eq.	75.00	Chemco, Inc.	Correction	3,777.53
Cherry Tree / Beckma	Human Svcs	450.00	Cleveland Heights Ap	Human Svcs	450.00
Clinnet Solutions, L	Hiway Admi	42.50	Communication Servic	Court Sys.	165.00
Corp. For Supportive	Human Svcs	190.00	Country View Mobile	Human Svcs	105.00
Dakota News, Inc	Museum Sto	452.92	Dakotabilities	Mental Hlt	7,738.00
Davis Typewriter Co.	Reg Deeds	540.00	Dialnet / Ahrens Tel	Var. Depts	672.04
Diamond Triumph Auto	Hiway Cons	127.36	Eastern Farmers Coop	Hiway Cons	38.52
Eirinberg, James A	Court Sys.	1,928.39	Fastenal Company	Var. Depts	122.63
Fountain Ridge Inves	Human Svcs	350.00	Foy, Stephanie	Human Svcs	450.00
Fred the Fixer, Inc	Var. Depts	85.50	Fremont Industries,	Facilities	809.00
Gehling Auction Co,	Hiway Cons	165.00	Glass Pros, Inc	Pettigrew	2,130.00
Graybar Electric Com	Facilities	118.98	Gustave A. Larson Co	Facilities	819.09
Guzman, Jose A	Human Svcs	450.00	Guzman, Sandra V	Court Sys.	425.00
Harmelink, Janet	Facilities	16.43	Harris Properties, L	Var. Depts	700.00
Harris, Michael J.	Correction	74.00	Hobby Lobby Stores,	Museum Ent	115.25
Hurtgen, Timothy T	Human Svcs	200.00	Hy-Vee Food Store #1	Juv Det Cn	116.14
Hy-Vee Pharmacy #163	Human Svcs	160.96	Interstate Office Pr	Var. Depts	912.36
J.H. Larson Company	Facilities	75.69	Janitor's Closet, Lt	Correction	837.15
Jebro, Inc	Hiway Cons	826.42	Johnstone Supply	Facilities	365.00
Kirpach, Aleksandr	Court Sys.	195.82	Kmart #7306	Human Svcs	37.97
Kohl's Department St	Juv Det Cn	54.98	Koski, Delano	Human Svcs	275.00
Lamb's Chevrolet & I	Hiway Cons	18,473.00	Lewis Drugs	Correction	2,059.43
Lockwood Law Office,	Court Sys.	2,028.10	Luther, Jeff	Metro-911	2,395.83
Meadowland Apts/SF L	Human Svcs	350.00	Menards	Var. Depts	145.76
Midamerican Energy C	Human Svcs	455.65	Miller, Steve	Court Sys.	1,929.53
Minnehaha Cnty Infor	Museum	295.39	Moore, Dave	Museum Ent	400.00
Moore, Rasmussen, Ka	Court Sys.	3,683.54	Motorola, Inc.	Metro-911	303.64
Moulton, Vern W	Human Svcs	400.00	Murray Construction,	Human Svcs	217.50
Nebraska Dept. Of Mo	St Atty	3.00	Nesson Law Office, P	Court Sys.	329.00
Nguyen, Lam	Court Sys.	262.50	Nicholson, Thomas J	Court Sys.	260.00
Niedringhaus, Paul	Sheriff	23.00	North Ridge Apartmen	Human Svcs	525.00
Northern States Supp	Facilities	82.95	Northern Truck Equip	Hiway Cons	493.00
Oakwood Estates/inve	Human Svcs	600.00	Optometric Clinic	Human Svcs	194.44
Orthopedic Institute	Correction	739.53	Palluck, Ethan	Correction	11.00
Pheasantland Industr	Correction	338.17	Popp, Richard L.	Hist Pres.	2,040.11
Prairie Publications	Comm.	154.44	Priority Dispatch	Metro-911	83.00

Remy Woodworks	Museum Ent	584.44	Restful Lodging, Inc	Human Svcs	105.00
Ringneck Properties/	Human Svcs	350.00	River Tower Apartmen	Human Svcs	280.00
Schissel, Kyle	Correction	50.00	Schoeneman Bros. Co.	Var. Depts	271.56
Scholten, Vincent P	Human Svcs	450.00	Servall Towel & Line	Var. Depts	67.83
Sf Two Way Radio Ser	Metro-911	327.00	Shipley's Laundry &	Correction	193.70
Sigler Fire Equipmen	Juv Det Cn	77.52	Sign Pro	Juv Det Cn	73.22
Sioux Falls Ford, in	Hiway Cons	203.53	Sioux Falls Utilitie	Var. Depts	2,174.90
Sioux Valley Clinic	Human Svcs	417.68	Sioux Valley Hospita	Correction	497.96
Sioux Valley Sw Elec	Var. Depts	227.29	Sioux Vocational Ser	Juv Det Cn	4,531.48
Solomon, Ghirmay	Court Sys.	175.00	Stan Houston Equipme	Hiway Cons	292.44
State Steel of SD	Facilities	191.12	Strunk, Lisa	Court Sys.	40.40
Sturdevant's Auto Pa	Hiway Cons	1,101.33	Tenth Street, Inc.	Hiway Cons	131.00
Thorin, Deyanira T	Court Sys.	283.33	Uap Timberland, Llc	Hiway Cons	18,120.00
Unique Properties, L	Human Svcs	50.00	United Parcel Servic	Metro-911	5.01
Velvet Uniforms, Inc	Correction	621.45	Voigt, Debra	Court Sys.	1,038.24
Walgreens Pharmacy #	Human Svcs	215.48	Weidenaar, Amy L	Court Sys.	390.50
West Group	Pub. D.	1,039.18	Woodbury County Sher	St Atty	19.38
Xcel Energy, Inc.	Var. Depts	695.18	Yankton County Treas	Mental Ill	89.80
Yankton Medical Clin	Human Svcs	29.24	Zandt, James R	Human Svcs	400.00
Zee Medical Service	Facilities	36.40			

## REPORTS

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

## PERSONNEL

MOTION by Zweep, seconded by Hajek to approve the following personnel changes. 4 ayes.

1. To increase the hourly rate for Diana Hummel, part time Museum Aide for the Museum from \$8.00 to \$8.25 per hour effective 7-19-03.
2. To accept the resignation of Russell Nelson as Deputy Sheriff for the Sheriff's Office effective 6-30-03.
3. To amend the hire date of John Mataya as Civil Process Server for the Sheriff's Office to 7-7-03.

### Step Increases:

1. James Hawkins--Building Superintendent II--Juvenile Detention Center--11/4 to 11/5 7-16-03 \$16.739
2. Kim Morstad--Senior Legal Office Assistant--Juvenile Detention Center--9/11 to 9/12 7-16-03 \$17.166
3. Trini Gonzalez--Deputy Sheriff--Sheriff--12/5 to 12/6 7-8-03--\$17.989

## NOTICES

Notice was received from the South Dakota State Historical Society of the nomination of Slip Up Creek Homestead, 25359 478<sup>th</sup> Avenue, Garretson, to the National Register of Historic Places.

## LIEN

Commissioner Kolbe, County Aid Lien Liaison, stated that a Lienee (DPNO 43557) requested a compromise of his lien in the amount of \$1,245.84 upon payment of \$600.00. This is the second request from this petitioner. Mr. Kolbe explained that at the time of the first request the petitioner was just released from being incarcerated and now he has current employment. MOTION by Hajek to deny the

request, motion died for lack of a second. MOTION by Zweep, seconded by Kolbe to compromise the lien in full upon payment of \$1,000.00. MOTION to amend by Kolbe, to allow an immediate payment of \$600.00, or \$1,000.00 paid within one year. Motion died for lack of a second. VOTE on the main motion: 3 ayes, Hajek nay.

#### RESOLUTION MC03-35

WHEREAS, a County Aid Lien in the amount of \$1,245.84 purports to exist in favor of Minnehaha County and against DPNO 43557 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:

A compromise and release of the lien in full upon payment of \$1,000.00.

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

Dated at Sioux Falls, South Dakota, this 8<sup>th</sup> day of July, 2003.

ATTEST:  
Sandy Kinder, Deputy Auditor

APPROVED BY THE COMMISSION:  
John Pekas, Chairman

#### GRANT

Lynn DeYoung, Director of Emergency Management, briefed the Commissioners on a Hazardous Materials Grant that was received in the amount of \$800.00. The grant money will be used to cover costs associated with a County emergency training exercise. MOTION by Zweep, seconded by Hajek to authorize the Chairman to sign an agreement with the State of South Dakota for the funding. 4 ayes.

#### TAX DEED

Upon recommendation by Sue Roust, County Auditor, MOTION by Hajek, seconded by Zweep to approve Resolution MC03-36. 4 ayes.

#### RESOLUTION MC03-36 RESTORING TAX DEED PROPERTY TO RECORD OWNER

WHEREAS, Minnehaha County holds under Tax Deed Proceedings Deed 2383, covering property described as:

Lot 19 Blk 7 Residence Park Addn, ID #59082, and

WHEREAS, Gary D Haines is the 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, Gary D Haines has deposited with the Minnehaha County Treasurer an amount representing all the taxes in said Tax Deed, now, therefore, be it

RESOLVED, by the Minnehaha County Commission, that the property be restored to Gary D Haines and that the County Treasurer is hereby authorized to issue a Quit Claim Deed Thereto.

Approved this 8th day of July, 2003.

ATTEST:  
Sandy Kinder, Deputy Auditor

APPROVED BY THE COMMISSION:  
John Pekas, Chairman

#### LIEN RESOLUTIONS

Sue Roust, County Auditor, requested the Commission approve Resolutions to discharge certain County Aid Liens as per County Policy. Commissioner Kolbe suggested that the policy of releasing liens after 30 years be reviewed, since some people receiving legal assistance at a young age may well be able to pay the lien 30 years later. MOTION by Zweep, seconded by Kolbe to take each Resolution one at a time. 4 ayes.

MOTION by Zweep, seconded by Hajek to approve Resolution MC03-37. 4 ayes.

#### RESOLUTION MC03-37 To compromise county aid liens to a \$20,000 cap

WHEREAS, the Minnehaha County Commission has determined that it is in the County's best interest to annually reduce all county aid liens to a \$20,000 cap, and

WHEREAS, as of July 3, 2003, there are 36 existing liens with a balance greater than \$20,000 as listed on a computer printout on file in the Minnehaha County Auditor's Office; now

THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners, that the Register of Deeds is hereby directed to compromise these liens to a balance of \$20,000 per account. Total amount compromised is \$173,776.18.

Dated this 8th day of July, 2003.

ATTEST:  
Sandy Kinder, Deputy Auditor

APPROVED BY THE COMMISSION:  
John Pekas, Chairman

MOTION by Hajek, seconded by Zweep to approve Resolution MC03-38. 4 ayes.

#### RESOLUTION MC03-38 To discharge county aid liens of deceased persons

WHEREAS, the Minnehaha County Commission has determined that it is in the County's best interest to discharge county aid liens against deceased persons and those liens deemed uncollectible; and

WHEREAS, as of July 3, 2003, there are 49 such liens totalling \$316,997.08 for deceased persons, as listed on reports on file in the Minnehaha County Auditor's Office; now

THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners, that the Register of Deeds is hereby directed to discharge these liens.

Dated this 8th day of July, 2003.

ATTEST:  
Sandy Kinder, Deputy Auditor

APPROVED BY THE COMMISSION:  
John Pekas, Chairman

MOTION by Zweep, seconded by Kolbe to defer action on a Resolution to discharge liens with no activity after 30 years, until further information is provided by the Auditor. 4 ayes.

MOTION by Kolbe, seconded by Hajek to approve Resolution MC03-39. 4 ayes.

RESOLUTION MC03-39  
To discharge county aid liens with less than \$250 balance  
and no activity for 10 years

WHEREAS, the Minnehaha County Commission has determined that it is in the County's best interest to annually discharge those county aid liens with less than \$250 balance and no activity for 10 years, and

WHEREAS, as of July 3, 2003, there are 606 such liens totalling \$71,917.29, as listed on a computer printout on file in the Minnehaha County Auditor's Office; now

THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners, that the Register of Deeds is hereby directed to discharge these liens with less than \$250 balance and no activity for 10 years.

Dated this 8th day of July, 2003.

ATTEST:  
Sandy Kinder, Deputy Auditor

APPROVED BY THE COMMISSION:  
John Pekas, Chairman

GRANT

Sheriff Mike Milstead requested the Commission's approval of a Community Oriented Policing Services (COPS) Grant application that would award \$2,235,375 for the funding of the CAD project. MOTION by Zweep, seconded by Hajek to allow the application process to continue. 4 ayes.

PRESENTATION

Craig Rosenberg, County Extension Educator, gave an overview of the programs offered through the Extension Office and recognized Steve Munk, Extension Educator, on his involvement with these programs and his position as President of the National Association of County Agricultural Agents. Mr. Rosenberg stated that Mr. Munk will be presiding over the 88<sup>th</sup> Annual Meeting and Professional Improvement Conference in Green Bay, Wisconsin. He will be only the 3<sup>rd</sup> person from South Dakota to be chosen for this honor. Mr. Munk introduced his wife, Connie, and his staff and thanked them for their work and dedication. Lisa Howard, Chairwoman of the Minnehaha County Extension Board, presented Mr. Munk with a plaque recognizing this accomplishment.

OLD BUSINESS

Commissioner Kolbe asked why all Commissioners sign Resolutions, even if they voted no on the action. Auditor Roust suggested that Commissioners sign to signify that the action was approved by the Commission, but that Resolutions can also be signed just by the Chairman. Commissioners directed that future Resolutions require only the Chairman's signature.

Commissioners talked briefly about situations where it would be appropriate for a Commissioner to abstain from voting due to a conflict of interest.

MOTION by Hajek, seconded by Zweep to adjourn into Executive Session. 4 ayes. Following Executive Session, the Commission adjourned until 9:00 a.m. on Tuesday, July 15, 2003.

ATTEST:

APPROVED BY THE COMMISSION:

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Sandy Kinder, Deputy Auditor

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John Pekas, Chairman