

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M., October 14, 2003, pursuant to adjournment on September 30, 2003. Commissioners present were: Pekas, Hajek, Kolbe, Twedt, and Zweep. Also present were Sandy Kinder, Deputy Auditor, and Gordy Swanson, Chief Civil Deputy State's Attorney.

Chairman Pekas called the meeting to order.

MINUTES

MOTION by Kolbe, seconded by Zweep to approve the Minutes for September 30, 2003. 5 ayes.

VOUCHERS TO BE PAID

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

A & B Business Equip	Var. Depts	127.06	A+ Rentals / Dougher	Human Svcs	450.00
Accurint	Sheriff	31.10	Action Electric Co.	Hiway Cons	388.58
Alliance Communicati	Metro-911	823.25	American Business Fo	Treasurer	1,764.14
American Lodge and S	Cnty Exten	80.00	American Red Cross	Juv Det Cn	18.00
Anacon Leasing, Inc.	Correction	220.00	Anderson, Kris	Cnty Exten	17.83
Arena Motel	Human Svcs	317.70	Argus Leader	Var. Depts	2,690.44
Armcom Distributing	Juv Det Cn	38.40	AT & T	Var. Depts	70.74
Automatic Building C	Var. Depts	404.94	Avera McKennan Hospi	Var. Depts	9,718.22
Avera McKennan Hospi	Pub. D.	22.31	Baldwin Supply Compa	Hiway Cons	78.48
Berreth, Deborah	Metro-911	83.05	Biggies Subs & Clubs	Museum Ent	15.78
Binger Law Office	Court Sys.	1,591.50	Bliss, Dr. Allen D.	Human Svcs	60.26
Bob Barker Company,	Correction	4,064.76	BP Products North Am	Human Svcs	99.10
Brentwood Apartments	Human Svcs	450.00	Brown & Saenger	Var. Depts	1,134.71
Bureau of Informatio	Reg Deeds	60.00	Burman, Andrew %Rent	Human Svcs	400.00
C & R Supply, Inc.	Hiway Cons	33.98	Cafe 334	Museum Ent	36.00
Campbell Supply Co.,	Var. Depts	131.18	Carlson, Don C	Mental Ill	75.00
CBM Food Service	Correction	14,904.45	Cellular One Store	Var. Depts	211.22
Center for Family Me	Correction	2,356.80	Chemco, Inc.	Facilities	899.03
Cherry Tree / Beckma	Human Svcs	850.00	Clinical Labs of Mid	Coroner	38.87
Codington County Tre	St Atty	5.00	Cole Papers, Inc.	Hiway Cons	192.58
Communication Servic	Pub. D.	165.00	Connecting Point	Info Svcs	1,416.00
Control Technology,	Facilities	122.20	Cooey, Carla F	Court Sys.	237.00
Country Meadows Apts	Human Svcs	172.00	Crawford Supply Comp	Juv Det Cn	29.88
Crescent Electric Su	Museum Mtc	63.00	Culligan Water Condi	Metro-911	66.00
D & B Tune-Up / Ferd	Juv Det Cn	124.80	Dakota Riggers & Too	Hiway Cons	78.39
Davidson, John Q	Mental Ill	216.00	Decisionone Corporat	Info Svcs	1,974.85
Dialnet / Ahrens Tel	Human Svcs	461.99	Diesel Machinery, In	Hiway Cons	73.90
Dietrich, Donna K	Mental Ill	624.50	DLRS Properties, Inc	FEMA Fund	340.00
Doane Agricultural S	Cnty Exten	126.00	Donahue, David J	Human Svcs	200.00
Dresbach, Steve	Mental Ill	4,146.90	Driscoll, Jodi R	Sheriff	83.00
Dunn, Theresa L	Dir. Eq.	148.50	Dust Tex Service, In	Museum Mtc	12.12
Eagle Exterminating/	Facilities	40.00	Eagle Pipe, Harold	Rep Payee	90.00
Edmunds Brake & Alig	Sheriff	38.00	Ekeren, Marvin R	Mental Ill	75.00
Eotech	Law Enf Gr	1,418.00	Erpenbach, Michelle	Human Svcs	219.13
Esser, Tia	Mental Ill	56.00	Evelyn Skiles	Human Svcs	450.00
Exide Corporation	Hiway Cons	203.50	Extension Annual Con	Cnty Exten	135.00
Facilities Petty Cas	Facilities	94.64	Family Drug	Human Svcs	1,834.36
Farm & Ranch Living	Cnty Exten	29.98	Farrell, Lorae J	Var. Depts	1,518.40
Federal Express Corp	Var. Depts	118.60	Fluth, Rodney P	Human Svcs	750.00
Fox, Youngberg & Lew	Mental Ill	167.58	Frontier	Metro-911	177.78
G & D Viking Glass,	Museum	1,764.00	Galland Legal Clinic	Court Sys.	2,769.00
Gearman, Jason	Sheriff	46.00	Goetz & Klimisch	Mental Ill	253.30
Graham Tire Co. - Do	Sheriff	18.02	Graham Tire Co. - No	Hiway Cons	7.42
Graham, Robert C.	Human Svcs	600.00	Graybar Electric Com	Var. Depts	739.29
Great America Leasin	Cnty Exten	220.30	Great Plains Int'l T	Hiway Cons	34.96
Gromer, Jeff	Sheriff	46.00	Gross, Richard P	Human Svcs	350.00
Guzman, Sandra V	Var. Depts	600.00	Harmelink & Fox Law	Mental Ill	85.87
Harms Oil Company	Hiway Cons	6,412.50	Harold's Photo Cente	Var. Depts	354.34

Harris, Michael J.	Correction	18.00	Haugaard, Steven G.	Mental Ill	210.00
Hauk, Bert	Human Svcs	440.00	Healthworks/Eastern	Var. Depts	334.00
Hennipen County Cour	St Atty	10.00	Heritage Funeral Hom	Human Svcs	2,250.00
Hermanson Properties	Human Svcs	450.00	Hewlett-Packard Comp	Info Svcs	1,571.00
Hillyard, Inc.	Juv Det Cn	1,281.66	Hinrichs, John R	Pub. D.	34.22
Hobby Lobby Stores,	Museum	130.71	Holiday Commercial	Hiway Cons	108.49
Holiday Station -	Hiway Cons	735.54	Home Federal Savings	Human Svcs	450.00
Howalt-McDowell Insu	Var. Depts	100.00	Howard, Lisa	Cnty Exten	14.35
Howard, Richard J M	Human Svcs	244.46	Hy-Vee Food Store #1	Juv Det Cn	42.15
Infectious Disease S	Human Svcs	252.51	Interstate Office Pr	Var. Depts	1,340.20
Iosty, Alysia A	Dir. Eq.	217.30	J & A Handy Crafts,	Museum	200.04
Jamar Technologies,	Hiway Cons	9,746.00	Janitor's Closet, LT	Var. Depts	119.38
Jefferson County She	Metro-911	20.00	Jefferson Partners,	Human Svcs	719.00
Jersey Skillet Licke	Museum	140.00	Jim & Ron's Service,	Sheriff	115.00
Johnstone Supply	Facilities	171.52	Kallemeyn, Richard	Dir. Eq.	15.00
Kannan, Dr. Poongkod	Human Svcs	227.14	Kennedy, Rokahr, Pie	Mental Ill	551.50
Kettering Law Office	Mental Ill	254.90	Kmart Pharmacy #7318	Human Svcs	111.95
Kolb, Jay Anthony	Court Sys.	1,301.51	Kolbe, Robert	Museum Sto	324.00
Kone, Inc.	Museum Mtc	107.92	Kramer, Shay	Human Svcs	450.00
LCM Pathologists, P.	Coroner	6,068.68	Lewis Drugs	Juv Det Cn	98.99
Linweld, Inc.	Var. Depts	247.20	Locke Auto Electric	Plan & Zon	488.62
Lockwood Law Office,	Court Sys.	6,074.33	Lockwood, Allison C	Pub. D.	30.74
Lutheran Social Serv	Var. Depts	675.00	Mac's, Inc.	Hiway Cons	27.78
Mailway Printers	Museum	1,336.00	Malloy Electric Bear	Facilities	104.14
Marshall, Greg	Human Svcs	200.00	Matco Tools	Hiway Cons	40.40
Maxwell Food Equipme	Juv Det Cn	73.60	McBride, Barb	Museum Sto	120.00
Mcgowan, Aaron F	St Atty	136.30	McLaughlin & Schulz,	Hiway Cons	145,672.87
Medical X-Ray Center	Var. Depts	1,055.82	Menards	Var. Depts	485.61
Meteorlogix, LLC	Hiway Cons	2,211.00	Microfilm Imaging Sy	Reg Deeds	50.00
Midamerican Energy C	Var. Depts	2,570.57	Midcontinent Communi	Cnty Exten	36.00
Midwest Copier Solut	Var. Depts	3,621.59	Midwestern Mechanica	Museum Mtc	329.00
Mikelson, Gary E.	Mental Ill	371.53	Minnehaha Cnty Metro	Var. Depts	729.54
Minnehaha Cnty Priso	Correction	8.08	Minnehaha Cnty Sheri	Correction	42.75
Mobile Electronic Se	Sheriff	85.00	Monick Pipe & Supply	Facilities	207.91
Moore Medical Corp.	Juv Det Cn	171.23	Motorola, Inc.	Var. Depts	2,480.34
Murray Construction,	Human Svcs	50.00	Myrl & Roy's Paving,	Hiway Cons	17,049.45
Nguyen, Lam	Court Sys.	50.00	Nites Inn / Smith Ho	Human Svcs	31.55
Norberg Paints, Inc.	Juv Det Cn	67.95	Norm Feldman's Glass	Hiway Cons	387.87
North Cleveland Apts	Human Svcs	450.00	Northern Safety Tech	Hiway Cons	9.12
Northern States Supp	Hiway Cons	62.48	Novak Sanitary Servi	Var. Depts	785.84
Nyhaug, Adam	Museum	45.86	O'Hara Masonry	Juv Det Cn	76.50
Office Depot, Inc.	Info Svcs	248.54	Overhead Door Compan	Hiway Cons	8.50
Painter, Steven L	Human Svcs	300.00	Palluck, Ethan	Correction	22.00
Performance Paint &	Plan & Zon	2,728.20	Peters, Scott N, P.C	Mental Ill	3,466.66
Peterson, Tom	Hiway Cons	52.00	Pietz, Paul	Pub. D.	234.30
Plusco Printing & Co	Correction	55.00	Pontiac Cadillac of	Sheriff	130.16
Prairie Publications	Comm.	213.30	Precision Industries	Hiway Cons	13.75
Presto-X-Company	Juv Det Cn	64.00	Pride Neon, Inc	Hiway Cons	80.00
Puumala, Dr. Michael	Human Svcs	44.70	Qualified Presort Se	Var. Depts	6,133.24
Quest Engineering, I	Hiway Cons	168.31	Qwest	Var. Depts	3,098.61
R & L Supply, Ltd	Facilities	194.40	Radio Shack Corporat	Law Enf Gr	49.99
Ramkota Hotel	Pub. D.	170.64	Record Keepers, Inc.	Var. Depts	2,949.11
Restful Lodging, Inc	Human Svcs	35.00	Richard and Pam John	Museum	150.00
Richard-Ewing Equipm	Correction	27.66	Richmond Apartments,	Human Svcs	400.00
RJ Rental Properties	FEMA Fund	500.00	Robson True Value	Var. Depts	138.65
Rochester Armored Ca	Treasurer	330.00	Rohn Airport Adverti	Museum	222.00
Rural Metro Ambulanc	Coroner	200.00	Russ' Pest Control,	Emer Mgmt	42.00
Rypkema, Diane	Dir. Eq.	148.50	Safelite Glass Corp.	Sheriff	39.95
Safety Systems Corpo	Law Enf Gr	481.78	Sanner, Melanie Jo	Dir. Eq.	148.50
Saturn of Sioux Fall	Var. Depts	182.05	Scadden, Jeremy	Human Svcs	350.00
Scheels All Sports	Law Enf Gr	2,399.97	Schelling, Sheldon	Mental Ill	922.50
Schoeneman Bros. Co.	Museum	614.07	Schooley, Matt	Correction	94.00
Schroer Bolt	Hiway Cons	308.36	Scotts Pharmacy II/S	Human Svcs	370.31
SD Association of Th	Human Svcs	593.80	SD Dept of Human Ser	Pub. D.	200.00
SD Dept of Labor	Cnty Ins	6,452.00	SD Dept of Revenue	St Atty	52.00
SD Paralegal Assn in	Pub. D.	60.00	SD Secretary of Stat	Var. Depts	50.00
SD State Treasurer	Sales Tax	451.82	SDSU Agbio Communica	Cnty Exten	92.81
Security Labs, Ltd	Info Svcs	560.00	Selves, Michael	Law Enf Gr	3,740.00
Servall Towel & Line	Var. Depts	107.00	SF Area Humane Socie	Animal Con	3,018.50
SF City Finance	Facilities	37.24	SF City Finance - Fu	Var. Depts	576.91

SF Fence & Deck	Human Svcs	1,523.00	SF Rubber Stamp Work	Auditor	13.50
Sf Two Way Radio Ser	Var. Depts	972.24	Shopko Store #076	Juv Det Cn	120.35
Short Elliott Hendri	Hiway Cons	4,491.44	Siemonsma, Vance	Correction	391.50
Sigler Fire Equipmen	Sheriff	48.00	Sioux Empire FCU / V	Info Svcs	1,265.16
Sioux Empire Fcu / V	Var. Depts	342.02	Sioux Empire FCU / V	Sheriff	213.00
Sioux Empire Fcu / V	St Atty	286.71	Sioux Equipment Co,	Hiway Cons	4,495.00
Sioux Falls Ford, in	Sheriff	204.86	Sioux Falls School D	Var. Depts	100.18
Sioux Falls Utilitie	Var. Depts	895.20	Sioux Valley Energy	Var. Depts	184.83
Sioux Valley Hospita	Var. Depts	6,697.36	Sioux Valley Physici	Human Svcs	286.41
Sioux Valley Physici	Human Svcs	368.92	Sioux Valley Telepho	Var. Depts	595.81
Sioux Valley Wireles	Hiway Admi	34.95	Sioux Vocational Ser	Var. Depts	3,250.31
Siouxland Oral & Max	Human Svcs	718.41	Slaughter, Molly	Museum	150.00
Slavic Interpreter S	Human Svcs	30.00	Software House Inter	Hiway Admi	424.00
Solomon, Ghirmay	Court Sys.	75.00	South Western Dental	Human Svcs	2,077.38
Southeastern Behavior	Correction	4,025.50	Specialized Armament	Law Enf Gr	950.91
Stan Houston Equipme	Var. Depts	69.50	Stangeland, Lori	Dir. Eq.	148.50
State Steel of Sd	Facilities	185.28	Stern Oil Co., Inc.	Hiway Cons	6,596.25
Stoner, Dean E	Human Svcs	700.00	Streicher's	Law Enf Gr	1,179.95
Stronghold Counselin	Court Sys.	410.00	Sunshine Foods	Human Svcs	46.78
SV Physician Partner	Var. Depts	2,095.00	SV Physician Partner	Correction	444.44
Svec, Harvey	Human Svcs	650.00	Tamarack Materials,	Facilities	381.38
Texas Cooperative ex	Cnty Exten	40.00	The Winkels Group, I	Build Fund	862.50
Thorin, Deyanira T	Var. Depts	512.50	Thurman & Thurman	Cnty Exten	95.73
Tilden, Dennis D	Human Svcs	450.00	Tilden, James a	Human Svcs	450.00
Tri-state Garage Doo	Hiway Cons	257.00	Tri-tech, Inc.	St Atty	2,260.64
Tschetter, Kenneth M	Court Sys.	1,223.95	Turner County Sherif	St Atty	24.90
Union Telephone Comp	Var. Depts	411.26	University Products,	Reg Deeds	274.95
Urban, Travis	Hiway Cons	70.06	US Postal Service	Cnty Exten	58.64
US Postmaster	Museum Ent	37.00	Valley West Apartmen	Human Svcs	800.00
Vantek Communication	Mental Ill	70.00	Velvet Uniforms, Inc	Var. Depts	981.09
Verhoek, Michael	Human Svcs	350.00	Verizon Wireless, Be	Emer Mgmt	18.75
Voigt, Debra	Court Sys.	3,154.66	Volunteers of Americ	Juv Det Cn	2,087.50
Wal-mart Pharmacy #3	Human Svcs	596.75	Wall Lake Sanitary D	Hiway Admi	35.00
Walsh, Mike	Sheriff	46.00	Walters, Renita	Info Svcs	269.00
Warne, Tom	Plan & Zon	5.00	Warren, Rhonda	Auditor	12.00
Watkins, Jeff	Correction	10.00	Wells Fargo	Human Svcs	604.12
West Group	Var. Depts	2,564.75	Wieczorek, Julie	Cnty Exten	18.12
Wilkison, Dorothy	Dir. Eq.	200.12	Willard, James a	Cnty Exten	24.50
Wollack & Associates	Sheriff	505.30	Wright, Larry	Cnty Exten	15.80
Wynia, Keith	Air Guard	386.28	Xcel Energy, Inc.	Var. Depts	2,551.70
Yankton County Sheri	Mental Ill	115.50	Yellow Cab, Inc.	Human Svcs	145.40
Commission	Salaries	13,963.58	Auditor	Salaries	23,339.36
Treasurer	Salaries	36,193.98	Informatio	Salaries	40,401.36
States Att	Salaries	96,855.01	Public Def	Salaries	63,829.33
Public Adv	Salaries	12,912.16	Facilities	Salaries	39,077.57
Equalizati	Salaries	47,258.20	Register O	Salaries	30,356.56
Veterans S	Salaries	2,633.12	Human Reso	Salaries	8,798.72
Sheriff	Salaries	511,051.05	Juvenile D	Salaries	114,040.08
Metro Comm	Salaries	104,457.65	Highway	Salaries	84,558.12
Human Serv	Salaries	34,233.68	Museum	Salaries	46,793.27
Planning	Salaries	20,127.53	Extension	Salaries	5,998.89

REPORTS

The following reports were received and placed on file in the Auditor's Office: South Dakota Department of Transportation Five Year, 2004-2008, Statewide Transportation Improvement Plan; Sheriff's Department Monthly Report and Regional Juvenile Detention Center Monthly Report both for September, 2003.

PERSONNEL

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

1. To hire LeAnne Harries as Paralegal II (10/3) for the State's Attorney's Office at \$15.226 per hour

effective 10-16-03.

2. To reactivate David Molengraaf from military leave of absence as Deputy Sheriff for the Sheriff's Office effective 10-4-03.
3. To reactivate Steve Kirton from military leave of absence as Correctional Officer II for the Sheriff's Office (Corrections) effective 9-26-03.
4. To hire Karen Jelsma as Correctional Officer I (9/1) for the Sheriff's Office (Corrections) at \$13.280 per hour effective 10-4-03.
5. To hire Tamara Pearson and Jill Beatty as Communications Operators (9/1) for Metro Communications at \$13.280 per hour effective 10-27-03.
6. To hire Meghan Voracek as Deputy Public Defender I (17/1) for the Public Defender's Office at \$1572.88 biweekly effective 10-20-03.
7. To hire Tressa Zahrbock as temporary Legal Office Assistant I (6/1) for the Public Defender's Office at \$10.887 per hour effective 10-3-03.
8. To promote Donald Hanson to Senior Trial Attorney (22/13) for the State's Attorney Office at \$2,494.40 biweekly effective 10-5-03.
9. To hire Amanda Boyd as Juvenile Correctional Worker (5/1) for Juvenile Detention at \$10.089 per hour effective 10-15-03.
10. To hire Paul Mausbach as Juvenile Correctional Worker (5/3) for Juvenile Detention at \$10.913 per hour effective 10-16-03.
11. To hire Shane Bartels as Juvenile Correctional Worker (5/2) for Juvenile Detention at \$10.493 per hour effective 10-16-03.
12. To hire Sara Keyman as Juvenile Correctional Worker (5/1) for Juvenile Detention at \$10.089 per hour effective 10/16/03.
13. To accept the resignation of Cari Hanzel as Paralegal II for the State's Attorney's Office effective 10-3-03.
14. To accept the resignation of Javier Castaneda as Custodian I for Facilities effective 10-6-03.
15. To accept the resignation of James Kneip as Tax/License Specialist for the Treasurer's Office effective 10-6-03.
16. To hire Eric Kuntz as Custodian I(3/2) for Facilities at \$8.834 per hour effective 10-14-03.

Step increases due:

1. Leslee Carroll—Communications Operator—Metro Communications—9/1 to 9/2, 10-1-03—\$13.811 per hour.

2. Michael Hanson–Communications Operator–Metro Communications–9/1 to 9/2, 10-1-03–\$13.811 per hour.
3. Kathryn Estergard–Computer Support Tech II–Information Services–12/4 to 12/5, 9-20-03–\$17.636 per hour.
4. Diane Johnson–Air Guard Security Officer I–Sheriff’s Office (Air Guard)–8/3 to 8/4, 9-4-03–\$13.771 per hour.
5. Julie Vandenhul–Office Assistant III–Sheriff’s Office–7/3 to 7/4, 9-19-03–\$12.891 per hour.
6. Jason Ingemansen–Air Guard Security Officer I–Sheriff’s Office (Air Guard)–8/4 to 8/5, 9-14-03, \$14.046 per hour.
7. Kevin DeNeui–Sr. Tax & License Specialist–Treasurer’s Office–5/3 to 5/4, 10-15-03–\$11.131 per hour.

ROAD VACATION

On February 25, 2003, a public hearing was held by the Minnehaha County Commission to consider a request to vacate that portion of Greystone Avenue lying between Lot 3 Block 16 and Lot 1 Block 15 of Rowena Original Addition. At that time Commissioners denied the request on a vote of 4-1. Today, Bob Jones, Attorney for petitioners Hans and Maxine Kjergaard, requested that the Commission reconsider the denial of the request to vacate, and place this matter back up for consideration. MOTION by Twedt, seconded by Hajek to reconsider the request to vacate. 5 ayes. MOTION by Hajek, seconded by Zweep to authorize the County Auditor to publish notice of hearing on November 4, 2003. 5 ayes.

TAX DEEDS

On the recommendation of Sue Roust, County Auditor, MOTION by Zweep, seconded by Kolbe to approve Resolution MC03-63. 5 ayes.

RESOLUTION OF SALE MC03-63

WHEREAS, the County Auditor offered for sale on September 25, 2003, at public auction, the following described surplus property pursuant to SDCL 6-13 (Tax Deed #, ID#, legal description, minimum bid):

2421, ID# 12629, Tr 40A of West Acres Sub of SW1/4 17-101-50, \$200;
 2422, ID# 12630, Tr 41A of West Acres Sub of SW1/4 17-101-50, \$200;
 2423, ID# 12631, Tr 42A of West Acres Sub of SW1/4 17-101-50, \$200; and

WHEREAS, no bids were received, and

WHEREAS, adjacent owners to these properties have agreed to accept them; and

WHEREAS, it is in the best interest of Minnehaha County taxpayers to return these properties to the tax rolls; now, therefore, be it

RESOLVED, by the Minnehaha County Commission, that the Minnehaha County Treasurer is hereby authorized to issue Quit Claim Deeds as follows and to abate all outstanding taxes, interest, and penalties levied against these properties:

2421, Brian J. and Susan L. Stahl, 46702 Chestnut St, Sioux Falls SD 57107

2422, Duane Anderson, 46706 Chestnut St, Sioux Falls SD 57107

2423, Ronald Alan & Lynn M. Hammerschmidt, 46708 Chestnut St, Sioux Falls SD 57107

Approved this 14th day of October, 2003.

John Pekas, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

Chairman Pekas relinquished the Chair to Commissioner Twedt due a conflict of interest on the next item.

Ms. Roust briefed the Commission on the status of Tax Deed 2427. Ms. Roust stated that Habitat for Humanity has made a formal request that this property be donated to them for the purpose of constructing a single-family home on it. Pursuant to SDCL 7-29-26, county property may be donated to non-profit agencies by unanimous vote of the Commission. The adjacent property owners had been notified of this request, and one property owner, Jim Breyfogle, objected to this action. Mr. Breyfogle was present at the meeting to answer questions and request that the property be put up for sale by bid. MOTION by Kolbe, seconded by Zweep to place Tax Deed 2427 up for auction. 2 ayes, Twedt and Hajek, nay. Motion fails. MOTION by Hajek, seconded by Zweep to donate the property to Habitat for Humanity. 3 ayes, Kolbe, nay. Motion fails for lack of unanimous vote. MOTION by Hajek, seconded by Zweep to auction the property with a minimum bid of \$5,600, the assessed value, and to authorize the Auditor to publish notice of sale on November 3, 2003. 4 ayes.

Chairman Pekas resumed the Chair at this time.

Ms. Roust stated that Tax Deed 2428 was offered for sale at the auction and no bids were received. After the auction, three informal offers were made for the property. Letters were sent to the three bidders requesting written bids. There was one written bid received for \$125 from Dean Wilson. MOTION by Zweep, seconded by Twedt to accept the bid. 2 ayes, Hajek, Kolbe and Pekas nay. Motion failed. MOTION by Hajek, seconded by Kolbe to authorize the Auditor to publish notice of sale for Tax Deed 2428 with no minimum bid. 3 ayes, Twedt and Zweep nay.

OLD BUSINESS

Phil Kappen, Assistant Planner, was present for the scheduled hearing to reconsider a drainage permit that was approved on August 26, 2003, for Kevin Nothdurft on property legally described as the NE1/4 NE 1/4 (Ex N312' E326.7' & Ex H-2) and all of Lot 5 (Ex H-1) E 1/2 NW1/4 21-101-51 (located near Wall Lake). At that time the petitioner noted that there were permanent easements, controlled by the US Fish and Wildlife Service, in the plan area. Planning Staff had not been previously made aware of those easements and asked Mr. Nothdurft to provide details on those wetlands that could not be disturbed. A revised drainage plan has been received by Planning Staff and Mr. Kappen reviewed the proposed changes with Commissioners. Mr. Nothdurft was present to answer questions. Merle Miller, adjacent property owner, was present and requested more information on how the new drainage plan would affect his land. Brian Top, U.S. Department of Agriculture, also requested more detailed information on the new drainage plan and how it would affect Wall Lake. Commissioner Hajek questioned the legal issues that the County may encounter if the permit were issued. MOTION by Zweep, seconded by Hajek to defer this item for one week. 5 ayes.

Commissioner Twedt wished Robert Kolbe and Phil Kappen a happy birthday.

Commissioner Zweep commended Billie Jo Waara, Treasurer, on her efforts to have Wells Fargo and US Bank participate in the South Dakota Counties Convention. Commissioner Kolbe commented on the success of the convention.

NEW BUSINESS

MOTION by Hajek, seconded by Twedt to cancel the November 11, 2003 Commission Meeting due to the observance of Veteran's Day. 5 ayes.

MOTION by Hajek , seconded by Zweep to adjourn into Executive Session. 5 ayes. Following Executive Session, the Commission adjourned until 5:00 p.m. on Monday, October 20, 2003.

APPROVED BY THE COMMISSION:

Chairman

ATTEST:

Deputy Auditor