

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., August 10, 2004, pursuant to adjournment on August 3, 2004. Commissioners present were: Zweep, Twedt, Hajek, Kolbe, and Pekas. Also present were Sandy Kinder, Deputy Auditor, and Gordy Swanson, Chief Civil Deputy State's Attorney.

Chairman Zweep called the meeting to order.

## MINUTES

MOTION by Pekas, seconded by Hajek to approve the Minutes for August 3, 2004. 5 ayes.

## VOUCHERS TO BE PAID

MOTION by Pekas, seconded by Twedt to approve the following bills for payment. 5 ayes.

|                      |            |           |                      |            |           |
|----------------------|------------|-----------|----------------------|------------|-----------|
| A & B Business Equip | Var. Depts | 85.00     | Accurint             | Sheriff    | 35.85     |
| American Poultry Ass | Cnty Exten | 53.00     | Anacon Leasing, Inc. | Pub. D.    | 262.00    |
| Anderson, Elwood     | Human Svcs | 200.00    | Argus Leader         | Var. Depts | 994.33    |
| Around the Clock/Dra | Human Svcs | 59.95     | Ashbury Apts, Ltd Pa | Human Svcs | 350.00    |
| Atherton, David      | Metro-911  | 68.47     | Avera Home Medical E | Human Svcs | 602.81    |
| Avera McKennan Hospi | Var. Depts | 20,484.52 | Baha Townhouses, Ltd | Human Svcs | 200.00    |
| Bartunek, Russell F  | Human Svcs | 330.00    | Batteries plus #75   | Juv Det Cn | 17.98     |
| Baumgartner's Electr | Metro-911  | 3,240.84  | Bob Barker Company,  | Correction | 373.34    |
| Brown & Saenger      | Var. Depts | 145.10    | Brue, Paul           | Human Svcs | 250.00    |
| Budget Host Inn      | Human Svcs | 350.00    | Buffington, Michael  | Court Sys. | 861.92    |
| Burns, Dan           | Sheriff    | 59.67     | C & H Distributors,L | Info Svcs  | 3,012.00  |
| C & J Sayles, Inc.   | Museum Sto | 200.00    | Campbell Supply Co., | Museum     | 29.90     |
| Canistota Health Clu | Correction | 900.00    | CBM Food Service     | Correction | 8,645.67  |
| Cellular One-Store   | Hiway Cons | 26.25     | Chemco, Inc.         | Facilities | 222.10    |
| Cherry Tree / Beckma | Human Svcs | 400.00    | Children's Inn       | Dom Abuse  | 17,592.50 |
| Children's Theatre C | Mus Grant  | 100.00    | City Wide Taxi, Inc  | Human Svcs | 7.19      |
| Classic Cleaners     | Var. Depts | 35.00     | Cleveland Heights Ap | Human Svcs | 450.00    |
| Colton Lumber Co., I | Hiway Cons | 3,051.80  | Community Food Banks | Fema Fund  | 900.00    |
| Country Meadows Apts | Fema Fund  | 500.00    | Culligan Water Condi | Human Svcs | 37.39     |
| Dakota Dermatology,  | Correction | 37.20     | Dakota News, Inc     | Museum Sto | 1,099.14  |
| Dakota Plating       | Metro-911  | 50.00     | Decisionone Corporat | Info Svcs  | 1,518.52  |
| Degrata Tactical, In | Air Guard  | 62.80     | Dialnet / Ahrens Tel | Var. Depts | 162.04    |
| Diamond Vogel Paint  | Facilities | 63.71     | Disaster Management  | Emer Mgmt  | 12,500.00 |
| East Park Apts / Syc | Human Svcs | 350.00    | Ellis Investment     | Human Svcs | 450.00    |
| Family Service, Inc. | Human Res. | 180.00    | G & H Distributing,  | Juv Det Cn | 24.55     |
| Gateway Rewards Admi | Human Svcs | 288.10    | Genzlinger, Janeen   | Court Sys. | 34.20     |
| George Boom Funeral  | Human Svcs | 2,235.00  | Gibson, Gary & Angie | Human Svcs | 450.00    |
| GN Netcom, Inc.      | Reg Deeds  | 105.15    | Goebel Printing, Inc | Treasurer  | 220.85    |
| Graybar Electric Com | Facilities | 235.90    | Guzman, Sandra V     | Court Sys. | 295.83    |
| Harold's Photo Cente | Var. Depts | 230.88    | Heartland Paper Comp | Correction | 562.83    |
| Hegg, Jeremy         | Museum Ent | 250.00    | Hepner, Leanne       | Metro-911  | 207.00    |
| Hewlett-Packard Comp | Var. Depts | 36,302.00 | Hillyard, Inc.       | Juv Det Cn | 2,254.93  |
| Home Depot Credit Se | Var. Depts | 222.93    | Hy-Vee Food Store #1 | Juv Det Cn | 433.23    |
| Hy-Vee Pharmacy #163 | Human Svcs | 344.96    | IBM                  | Metro-911  | 14,250.00 |
| Insight Public Secto | Metro-911  | 325.82    | Interstate Office Pr | Var. Depts | 1,556.48  |
| J.C. Penney Company, | Var. Depts | 74.98     | J.H. Larson Company  | Facilities | 148.43    |
| Janitor's Closet, Lt | Var. Depts | 831.14    | Jaqua, Curtis Wayne  | Human Svcs | 350.00    |
| Jebro, Inc           | Hiway Cons | 908.00    | Jefferson Partners,  | Human Svcs | 366.00    |
| Johnson Controls, In | Facilities | 66.58     | Johnson Estates/Beld | Human Svcs | 250.00    |
| Johnstone Supply     | Facilities | 104.33    | Kannan, Kodi D.D.S.  | Correction | 365.00    |
| Kmart #4041          | Museum     | 16.13     | Kreisers, Inc.       | Correction | 958.24    |
| Kuemper, Nichole     | Juv Det Cn | 11.99     | LaCroix, Richard L   | Human Svcs | 1,989.00  |
| Law School Foundatio | Pub. D.    | 595.00    | LCM Pathologists, P. | Var. Depts | 39.10     |
| Lee, Clark           | Human Svcs | 525.00    | Leonard, LLP         | Human Svcs | 525.00    |
| Lewis & Clark BHS    | Mental Ill | 2,080.00  | Lewis Drugs          | Var. Depts | 18.85     |
| LexisNexis Matthew B | Var. Depts | 324.25    | Lincoln County Rural | Human Svcs | 305.05    |
| Lincoln County Sheri | St Atty    | 21.90     | Lithia Automotive, I | Hiway Cons | 949.90    |
| Lutheran Social Serv | Var. Depts | 187.50    | Mathison Company     | Var. Depts | 631.00    |

|                      |            |           |                      |            |            |
|----------------------|------------|-----------|----------------------|------------|------------|
| McCart Plumbing & He | Human Svcs | 144.26    | Medical X-Ray Center | Human Svcs | 28.80      |
| Midamerican Energy C | Human Svcs | 713.83    | Midwest Alarm Compan | Pettigrew  | 246.07     |
| Midwest Land Surveyi | Hiway Cons | 800.00    | Midwest Welding Co.  | Juv Det Cn | 150.00     |
| Mobile Electronic Se | Sheriff    | 105.00    | Murray Construction, | Human Svcs | 982.00     |
| Myrl & Roy's Paving, | Hiway Cons | 63,364.54 | New World Systems    | Metro-911  | 11,914.39  |
| Newark Electronics   | Metro-911  | 59.87     | North Ridge Apartmen | Human Svcs | 715.00     |
| Novak Sanitary Servi | Juv Det Cn | 73.06     | Nyhaug, Adam         | Museum     | 78.00      |
| Office Depot, Inc.   | Info Svcs  | 162.89    | Officemax Credit Pla | Var. Depts | 68.64      |
| Orthopedic Institute | Human Svcs | 3,210.86  | Overhead Door Compan | Facilities | 3,340.00   |
| Perennial Passion    | Facilities | 218.25    | Peters, Scott N, P.C | Mental Ill | 4,241.89   |
| Peterson, Tom        | Hiway Cons | 77.26     | Pietz, Paul          | Court Sys. | 1,043.40   |
| Plusco Printing & Co | Human Svcs | 283.50    | Powerplan            | Hiway Cons | 341.65     |
| Proval International | Var. Depts | 1,675.00  | Qualified Presort Se | Treasurer  | 2,871.28   |
| Qwest Interprise Net | Info Svcs  | 300.00    | R & L Supply, Ltd    | Facilities | 174.76     |
| Record Keepers, Inc. | Var. Depts | 3,283.04  | Records Management S | Court Sys. | 1,371.08   |
| Retail Data Systems  | Treasurer  | 93.00     | Rippentrop, Allen    | Human Svcs | 350.00     |
| River Tower Apartmen | Human Svcs | 123.00    | Rochester Armored Ca | Treasurer  | 330.00     |
| Rohn Airport Adverti | Museum     | 222.00    | Rural Metro Ambulanc | Coroner    | 200.00     |
| RW Rentals, Inc      | Human Svcs | 350.00    | Sand, Raymond & Gene | Hiway Cons | 115,379.25 |
| Sanitation Products  | Hiway Cons | 18,710.00 | Saras, LLP           | Human Svcs | 450.00     |
| SDSU - Workstudy Acc | Cnty Exten | 905.15    | Sears                | Facilities | 69.98      |
| Security Labs, Ltd   | Info Svcs  | 100.00    | SF Area Community Fo | Museum     | 9,073.15   |
| SF Detoxification Ce | Sheriff    | 12,516.66 | SF Rubber Stamp Work | Treasurer  | 5.00       |
| SF Two Way Radio Ser | Metro-911  | 2,189.50  | Shopko Pharmacy #210 | Human Svcs | 386.96     |
| Sichmeller, Sharon   | Museum Sto | 30.00     | Sigler Fire Equipmen | Hiway Cons | 34.00      |
| Silver Glen MHC, LLC | Human Svcs | 275.00    | Sioux Empire Fair As | Recreation | 10,417.50  |
| Sioux Empire FCU / V | Dir. Eq.   | 778.90    | Sioux Falls Ford, In | Hiway Cons | 204.08     |
| Sioux Falls Utilitie | Var. Depts | 336.17    | Sioux Valley Clinica | Correction | 961.64     |
| Sioux Valley Energy  | Hiway Admi | 165.59    | Sioux Valley Hospita | Var. Depts | 11,744.77  |
| Sioux Valley Hospita | St Atty    | 6,300.00  | Sioux Valley Telepho | Var. Depts | 598.72     |
| Sioux Vocational Ser | Var. Depts | 4,635.32  | South Dakota Network | Metro-911  | 23,567.83  |
| State Steel of SD    | Facilities | 65.94     | Storhaug, Adrean     | Human Svcs | 350.00     |
| Strunk, Lisa         | Court Sys. | 60.80     | Stuart, Gerry & Schl | Court Sys. | 15,807.36  |
| Sunshine Foods       | Human Svcs | 107.78    | SV Physician Partner | Sheriff    | 131.00     |
| Tenth Street, Inc.   | Comm.      | 11.45     | Thorin, Deyanira T   | Pub. D.    | 50.00      |
| TR Designs & Indoor  | Museum     | 260.00    | Tynan, Daniel G., MD | Human Svcs | 3,956.52   |
| U.S. Bank-Corporate  | Build Fund | 1,000.00  | Ulmer, Thomas O      | Human Svcs | 450.00     |
| Union Telephone Comp | Var. Depts | 357.22    | United Parcel Servic | Reg Deeds  | 55.52      |
| US Postal Service    | Museum     | 1,500.00  | Vantek Communication | Metro-911  | 157.00     |
| Velvet Uniforms, Inc | Var. Depts | 474.78    | Vietor, Kenneth M    | Human Svcs | 350.00     |
| W.W. Grainger, Inc.  | Var. Depts | 194.18    | Walgreens Pharmacy # | Human Svcs | 165.58     |
| Walgreens Pharmacy # | Human Svcs | 66.06     | Wall Lake Sanitary D | Hiway Admi | 35.00      |
| Warwick, Greg A      | Human Svcs | 250.00    | Waste Management of  | Facilities | 399.75     |
| Welker, Donald J     | Human Svcs | 325.00    | Williams, Steve      | Hiway Cons | 33.97      |
| Wiseman, Margaret A  | Human Svcs | 450.00    | Wollman Schoor Prope | Human Svcs | 350.00     |
| Woodside, April      | Museum     | 227.76    | WS Enterprises       | Human Svcs | 350.00     |
| Xcel Energy, Inc.    | Var. Depts | 1,800.24  | Zee Medical Service  | Hiway Admi | 155.95     |

## REPORTS

The following reports were received and placed on file in the County Auditor's office: Minnehaha County Human Services Report and the Regional Juvenile Detention Center Monthly Statistical Report, both for July, 2004.

## PERSONNEL

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

1. To accept the resignation of Pamela McBride as temporary Legal Office Assistant I for the Public Defender's Office effective 8-6-04.
2. To promote Jackie Rasmussen to Deputy Public Defender III (21/1) for the Public Defender's Office

at \$1882.96 biweekly effective 8-18-04.

3. To accept the resignation of Robert Sylliaasen and Adam Bobzien as Laborers for the Highway Department effective 8-5-04.
4. To hire Tamara Sinning as Intern for the Extension Office at \$7.00 per hour effective 8-9-04 through 8-20-04.
5. To hire Valerie Marmolejo as part-time Correctional Officer I (9/1) for the Sheriff's Office at \$13.678 per hour effective 8-2-04.
6. To adjust the pay grade for the following Air Guard Security Officer II employees as a result of the MAXIMUS recommendation approved on 7-20-04:

|                  |       |                   |
|------------------|-------|-------------------|
| Ron Christensen  | 10/12 | \$18.743 per hour |
| Wade Hanson      | 10/5  | \$16.316 per hour |
| Donald Heesch    | 10/4  | \$15.997 per hour |
| Jason Ingemansen | 10/5  | \$16.316 per hour |
| Robert Irvine    | 10/11 | \$18.375 per hour |
| Gordon Jensen    | 10/12 | \$18.743 per hour |
| Justin Sieler    | 10/4  | \$15.997 per hour |
| Keith Wynia      | 10/3  | \$15.683 per hour |

Step increases due:

1. Kimberly Mayer – Tax & License Specialist – Treasurer – 4/5 to 4/6, 7-23-04 – \$10.985 per hour
2. Colleen Moran – Deputy State's Attorney III – State's Attorney – 21/3 to 21/4, 8-9-04 – \$2077.28 biweekly
3. Travis Urban – Highway Maintenance Worker – Highway – 8/3 to 8/4, 8-5-04 – \$14.184 per hour
4. Rodney Hohn – Highway Maintenance Worker – Highway – 8/3 to 8/4, 8-28-04 – \$14.184 per hour

#### ABATEMENTS

Norma Erickson, Assistant Treasurer, requested that the Commission approve the abatement of interest in the amount of \$17,349.38 for 27 voided parcels with taxes outstanding. Ms. Erickson explained that the Treasurer's Office had discovered that these 27 properties were omitted from the tax rolls after their sale led to consolidation of parcels into a single parcel. In error, the County cancelled the voided parcels from the tax rolls during the year they were originally assessed. The property owners were not notified of taxes due, and have since accumulated interest on the unpaid taxes. Ms. Erickson stated that if approved, the taxpayers would be notified and given 30 days to make payment on the principal amount due. MOTION by Pekas, seconded by Kolbe to approve the abatement of interest on the 27 parcels. 5 ayes.

#### NOTICES

The Commission acknowledged receipt of a Notice of Intent to Conduct a Fund Raiser/Raffle by Inter-Lakes Community Action for the Early Head Start and Head Start Program.

## LIEN

Commissioner Pekas briefed the Commission on three requests to compromise county aid liens. The first petitioner is requesting a release of his lien (DPNO 32401) in full with no payment from him, or at most payment of \$1,000. The petitioner was in the process of purchasing a home when the title company noted the lien for medical services in the amount of \$12,353.84. Commissioner Pekas explained that the petitioner had declared bankruptcy shortly after receiving hospital treatment listing the hospital as a creditor. The petitioner stated that he was unaware that his hospital bill had been paid by the County and that a lien had been filed. As such, the County was never listed as a creditor on the bankruptcy filing. The petitioner assumed that the debt related to the hospitalization had been discharged as part of this filing. Commissioners discussed the process and timeline of events related to the petitioner's bankruptcy proceeding. Hugh Grogan, Human Services Director, answered questions on how hospital claims are processed and settled through the Human Services department. MOTION by Pekas, seconded by Kolbe to compromise the lien upon payment of \$1,000.00. Pekas and Zweep, aye; Kolbe, Twedt, and Hajek, nay. MOTION by Twedt, seconded by Pekas to approve Resolution MC04-36. 4 ayes, Kolbe nay.

## RESOLUTION MC04-36

WHEREAS, a County Aid Lien in the amount of \$12,353.84 purports to exist in favor of Minnehaha County and against DPNO 32401 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 in full with no payment from the petitioner.

Dated at Sioux Falls, South Dakota, this 10th day of August, 2004.

APPROVED BY THE COMMISSION:  
James Zweep, Chairman

ATTEST:  
Sandy Kinder, Deputy Auditor

Commissioner Pekas stated that the second request for compromise is from DPNO 31670. The lien is in the amount of \$7,250.43 for medical services. This petitioner is in the process of purchasing a home and the lien was noted by the title company. The petitioner is requesting that the lien be compromised in full upon payment of \$3,625.22 (50%). MOTION by Pekas, seconded by Twedt to approve Resolution MC04-37. 5 ayes.

## RESOLUTION MC04-37

WHEREAS, a County Aid Lien in the amount of \$7,250.43 purports to exist in favor of Minnehaha County and against DPNO 31670 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 \$3,625.22.

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

Dated at Sioux Falls, South Dakota, this 10th day of August, 2004.

APPROVED BY THE COMMISSION:  
James Zweep, Chairman

ATTEST:  
Sandy Kinder, Deputy Auditor

The final lien compromise request is from DPNO 20371. The petitioner is in the process of purchasing a home and the title company noted the lien for various services in the amount of \$2,470.60. The petitioner is requesting that the balance be split between him and his ex-wife equally. After the account is split, the petitioner is requesting to compromise his portion (\$1,235.30) in full upon payment of \$400. MOTION by Pekas, seconded by Twedt to approve Resolution MC04-38. 4 ayes; Hajek, nay.

RESOLUTION MC04-38

WHEREAS, a County Aid Lien in the amount of \$2,470.60 purports to exist in favor of Minnehaha County and against DPNO 20371 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 \$1,235.30.

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

Dated at Sioux Falls, South Dakota, this 10th day of August, 2004.

APPROVED BY THE COMMISSION:  
James Zweep, Chairman

ATTEST:  
Sandy Kinder, Deputy Auditor

SURCHARGE

On the recommendation of Gordy Swanson, Chief Civil Deputy State's Attorney, MOTION by Hajek, seconded by Kolbe to approve Resolution MC04-39. 5 ayes.

#### RESOLUTION MC04-39

##### ESTABLISH 911 TELEPHONE SURCHARGE FOR 2005

WHEREAS, Minnehaha County has established a telephone surcharge of seventy-five cents per line per month pursuant to the provisions of SDCL Chapter 34-45 and County Ordinance 15-1-92, and

WHEREAS, the governing board, prior to September 1st, reviews the current charge and establishes a rate of charge for the upcoming year, now

THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners, that the telephone surcharge of seventy-five cents per line per month is continued and re-established for the 2005 calendar year, effective January 1, 2005.

Dated this 10th Day of August, 2004.

APPROVED BY THE COMMISSION:  
James Zweep, Chairman

ATTEST:  
Sandy Kinder, Deputy Auditor

#### RESOLUTIONS

MOTION by Twedt, seconded by Pekas to approve Resolutions MC04-40 and MC04-41 and submit them to the SDACC Resolution Committee for their review and consideration at their annual convention. 5 ayes.

#### RESOLUTION MC04-40

##### PAYMENT OF CORONER FEES AND EXPENSES FOR OUT OF STATE RESIDENTS

WHEREAS, South Dakota state statute requires the county of residency to be responsible for the payment of coroner fees in conjunction with the duties outlined in SDCL 7-14-1 and the autopsy fees outlined in SDCL 23-14.9.2, however there is no mention of responsibility when the person for whom such coroner services are performed is not a resident of the state of South Dakota, and

WHEREAS, other statutes assigning responsibility for payment for out-of-state residents for other services, such as involuntary mental illness commitments, make the state responsible for payment of such services, now

THEREFORE BE IT RESOLVED, that the Minnehaha County Board of Commissioners requests that the South Dakota Association of County Commissioners support legislation that would require the State of South Dakota to be responsible for the fees and expenses of a county coroner who performs an investigation or autopsy of a person who dies after being brought into the state for emergency medical treatment by or at the direction of an out-of-state law enforcement officer or public authority, and

BE IT FURTHER RESOLVED, that in those cases where no law enforcement officer is involved, the fee and expenses of a county coroner who performs an investigation or autopsy of an out-of-state resident shall be paid by the county of appointment.

Dated this 10<sup>th</sup> Day of August, 2004.

APPROVED BY THE COMMISSION  
James Zweep, Chairman

ATTEST:  
Sandy Kinder, Deputy Auditor

RESOLUTION MC04-41

REQUEST FOR LEGISLATIVE ACTION TO RAISE SHERIFF’S FEES FOR SERVICE

WHEREAS, counties derive a portion of their revenues from fees for specific services authorized by state statute, and

WHEREAS, the restrictions imposed by the property tax limitation require counties to periodically examine fee structures to ensure that these fees are based on the cost of providing the service, and

WHEREAS, the expenses of the Sheriff Department in carrying out the duties enumerated in Chapter 7 - 12 are greater than the fees for service allowed pursuant to SDCL 7-12-18, and

WHEREAS, many of the fees for service enumerated in SDCL 7-12-18 have not been examined or raised for a number of years, now

THEREFORE BE IT RESOLVED, that the Minnehaha County Board of Commissioners requests that the South Dakota Association of County Commissioners work in conjunction with the South Dakota Sheriff Association to determine appropriate fees for service and support legislation that would raise the fees charged by the Sheriff to a level consistent with the cost of providing the service.

Dated this 10<sup>th</sup> Day of August, 2004.

APPROVED BY THE COMMISSION  
James Zweep, Chairman

ATTEST:  
Sandy Kinder, Deputy Auditor

OLD BUSINESS

Commissioners expressed condolences to Lieutenant Governor Dennis Daugaard on the death of his father.

At the request of Sue Roust, County Auditor, MOTION by Pekas, seconded by Hajek to rescind an action taken on August 3, 2004, to supplement \$8,140.00 from the Museum Endowment Fund to the Museum Endowment Interest (ASN#14418). 5 ayes.

Commissioners expressed condolences to Sue Roust, County Auditor, on the death of her mother.

NEW BUSINESS

Sheriff Mike Milstead reported that due to the Sturgis Rally, Pennington County is in need of additional jail space and has requested to house their inmates at the Minnehaha County Jail. Sheriff Milstead noted that we do not currently hold an inmate housing agreement with Pennington County, and requested that the Commission authorize the Chairman and the Sheriff to sign a standard inmate housing agreement with Pennington County. MOTION by Pekas, seconded by Hajek to authorize the Chairman and Sheriff to sign the Inmate Housing Agreement between Minnehaha County and Pennington County. 5 ayes.

MOTION by Hajek, seconded by Pekas to adjourn into Executive Session. 5 ayes. Following Executive Session, the Commission adjourned until 5:00 p.m. on Monday, August 16, 2004.

APPROVED BY THE COMMISSION:

James Zweep, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor