

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M., January 4, 2005, pursuant to adjournment on December 28, 2004. Commissioners present were: Twedt, Pekas, Kolbe, and Zweep. Commissioner Hajek was absent. Also present were Sandy Kinder, Deputy Auditor, and Gordy Swanson, Chief Civil Deputy State's Attorney.

Circuit Court Judge Gene Paul Kean administered the Oath of Office to County Commissioners John Pekas and Robert Kolbe, and Treasurer Pam Nelson.

Sue Roust, County Auditor, opened the meeting, noted that States's Attorney Dave Nelson was sworn into office on January 3rd, and called for nominations for Commission Chairman. MOTION by Kolbe, seconded by Zweep to nominate Commissioner Twedt as Chairman. 4 ayes.

Ms. Roust relinquished the Chair to Chairman Twedt.

Chairman Twedt called for nominations for Commission Vice-Chairman. MOTION by Zweep, seconded by Kolbe to nominate Commissioner Pekas as Vice-Chairman. 4 ayes.

DESIGNATION OF OFFICIAL NEWSPAPERS

Administrative Assistant Ken McFarland explained that the Argus Leader had submitted a letter on behalf of all three legal newspapers for 2005, requesting to continue in this role. The proposal would keep the same rates as 2004 unless a state approved increase is implemented. The current rates are \$5.39 per inch in the Argus Leader and \$0.311 per line, with a 10% discount for minutes, in the Dell Rapids Tribune and the Garretson Weekly. MOTION by Kolbe to designate Garretson Weekly, Dell Rapids Tribune, and Brandon Valley Challenger as the three official newspapers for 2005. Motion fails for lack of a second. Commissioner Zweep questioned whether a change in the rate would be brought back before the Commission for consideration. Glen Turner, Argus was present to answer questions. MOTION by Zweep, seconded by Pekas to designate the Sioux Falls Argus Leader, Dell Rapids Tribune, and Garretson Weekly as Minnehaha County's three official newspapers for 2005, at the same rates as 2004. 4 ayes.

RECORD OF NON-ELECTED DEPARTMENT HEADS

MOTION by Zweep, seconded by Kolbe to record the following individuals as non-elected Department Heads, as of January 1, 2005. 4 ayes.

Ken McFarland	Commission Office
David Atherton	Metro Communications
Dennis Ellett	Information Services
Sandra Aamlid	Extension
Bob Meister	Highway
Todd Cheever	Juvenile Detention Center
Glenn Chick	Maintenance
Bill Hoskins	Museum
Nora Buckman	Human Resources
Scott A. Anderson (eff. 1/14/05)	Planning, Parks
Cynthia Howard	Public Advocate
Jeff Larson	Public Defender
Ralph Hammer	Weed & Pest
Hugh Grogan	Human Services

Pat Kroupa
 Dick Kallemeyn
 Lynn DeYoung

Veterans Service Officer
 Equalization
 Emergency Management

APPOINTMENTS

MOTION by Pekas, seconded by Kolbe to appoint/reappoint the following Advisory Board Members. 4 ayes.

EMERGENCY MANAGEMENT - EMERGENCY SERVICES ADVISORY COUNCIL

<u>Member Name</u>	<u>Representing</u>
Mike Marnach	Airport Authority
Kathy Jacobs	Avera McKennan Hospital
Jeff Luther	EMS Medical Authority
David Meyer	Federal Aviation Administration
David Atherton	Metro Communication
Lynn DeYoung	Minnehaha Co. Emergency Mgmt
Doug Blomker	Minnehaha Co. Emergency Mgmt
Charles Jarding	Minnehaha Co. Fire Chiefs Assn.
Marty LeTexier	Minnehaha Co. Sheriff's Office
Gordon Swanson	Minnehaha Co. St. Attorney's Office
Todd Heitkamp	National Weather Service
LaVonne Gaspar	Prince of Peace
Megan Chamberlain	Red Cross Office
Tim Rave	Rural Metro Medical Services
Rick Larson	S.D. Air National Guard
James Hoskin	Salvation Army
Donn Hill	Sioux Falls Fire Department
Judy Buseman	Sioux Falls Health Department
Dave Kull	Sioux Falls Police Department
Regan Smith	Sioux Falls Risk Management
Greg Santa Maria	Sioux Valley Hospital
Jim Twamley	V.A. Hospital

*The two Commissioners assigned as liaisons to Emergency Management will also serve on this council in 2005.

EMERGENCY MANAGEMENT - HAZARDOUS MATERIALS COMMITTEE

<u>Member Name</u>	<u>Representing</u>
Corrine Olson	Argus Leader
Glenn Mehlhaff	Cenex Harvest States
Terry Blackford	Eastern Farmer's Coop
Treva Houska	EROS Data Center
Charles Luden	EROS Data Center
Dan Fink	Harrisburg Public Works
Todd Lowe	Hartford Fire Department

Wayne Kumm	John Morrell & Co.
Cary Pieterick	John Morrell & Co.
Tim Kenyon	Leggette, Brashears & Graham
Pam Oines	McKenna Poison Control
David Atherton	Metro Communications
Paul Knudsen	Mid American Energy
Lynn DeYoung	Minnehaha Co. Emergency Management
Doug Blomker	Minnehaha Co. Emergency Management
Sandra Aamlid	Minnehaha Co. Extension Service
LeRoy Koopman	Minnehaha Co. Fire Chiefs Assn.
Bob Meister	Minnehaha Co. Highway Dept.
Phil Kappen	Minnehaha Co. Planning & Zoning
Gordon Swanson	Minnehaha Co. St. Attorney's Office
Todd Heitkamp	National Weather Service
Kurt Doeden	Raven Industries, Inc.
Megan Chamberlain	Red Cross Office
Mike Schmitz	Renner Fire Department
Rick Larson	S.D. Air National Guard
Doug Johnson	Sioux Falls Environmental Division
Morris Forsting	Sioux Falls Environmental Division
Donn Hill	Sioux Falls Fire Department
Dorothy Franklin	Sioux Falls Health Department
Dave Kull	Sioux Falls Police Department
Regan Smith	Sioux Falls Risk Management
Tom Barr	Williams Pipeline

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MOTION by Pekas, seconded by Zweep to reappoint Jeff Hazard and Margaret Nussbaum to the Museum Board. 4 ayes. Board Member Roger Buechler has completed his 2nd term leaving an opening. Interested parties may contact the Minnehaha County Commission office to submit an application.

MOTION by Pekas, seconded by Zweep to reappoint Duane Simons and Jim Willard to the Minnehaha County Extension Board. 4 ayes.

COMMISSION SALARY

Pursuant to SDCL 7-7-5, the board of county commissioners must establish their salary at the first regular meeting of each year, or receive the salary set by state statute which is \$8,193.00. Ken McFarland, Administrative Assistant, presented the past salary history of the Minnehaha County Commission and a Commission Salary Comparison of comparable jurisdictions. MOTION by Zweep, seconded by Pekas to set the Commissioners' salaries at \$20,000 for 2005. 3 ayes, Twedt nay.

ELECTION PAY

At the request of Sue Roust, Auditor, MOTION by Kolbe, seconded by Zweep to approve Resolution MC05-01. 4 ayes.

RESOLUTION MC05-01

WHEREAS, it may be necessary to appoint election officials in 2005, and

WHEREAS, pursuant to SDCL 12-15-11, the fee paid to election officials shall be established annually by the board of county commissioners at its first regular meeting of the year; now, therefore, be it

Resolved by the Minnehaha County Board of Commissioners that for the year 2005, election officials shall be paid as follows:

Precinct Superintendent	\$95.00 per day
Precinct Deputy	85.00 per day
General election added fee	5.00 per day
Absentee Precinct and Counting Center Officials	7.00 per hour
Election school attendance	10.00

Dated this 4th day of January, 2005.

APPROVED BY THE COMMISSION:

Carol Twedt, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

MINUTES

MOTION by Kolbe, seconded by Zweep to approve the Minutes for December 28, 2004. 4 ayes.

VOUCHERS TO BE PAID

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

A & B Business Equip	Var. Depts	1,517.21	Adams Advertising &	Plan & Zon	786.63
Agricultural Publica	Cnty Exten	55.95	American Institution	Juv Det Cn	672.41
Anderson, Elwood	Human Svcs	650.00	Argus Leader	Var. Depts	1,623.07
Avera McKennan Hospi	St Atty	74.00	Avera McKennan Hospi	Pub. D.	35.74
Baldwin Cooke Compan	Human Svcs	18.90	Best Business Produc	Juv Det Cn	44.62
Brown & Saenger	Cnty Exten	3,123.52	Building Sprinkler,	Facilities	1,948.90
Bureau of Informatio	Reg Deeds	45.00	CADD/Engineering Sup	Plan & Zon	168.96
Callies, Kim E	St Atty	91.00	Campbell Supply Co.,	Var. Depts	384.19
CBM Food Service	Correction	19,213.92	Cellular One	Var. Depts	2,392.89
Century Business Lea	Pub. Adv.	113.32	Century Business Pro	Pub. Adv.	35.00
Channing Bete Compan	Metro-911	28.50	Chemco, Inc.	Facilities	2,541.94
Cleveland Heights Ap	Human Svcs	350.00	Climate Systems, Inc	Facilities	48.68
Colton Water Dept	Hiway Admi	42.75	Communication Servic	Court Sys.	1,127.50
Crooks Fire Dept	Emer Mgmt	350.00	Cumberland Apts. I	Human Svcs	695.00
Dacotah Bank	Var. Depts	300.00	Dakota Police & Spor	Emer Mgmt	213.25
Daniels-Olsen Bldg P	Museum	466.55	Dialnet / Ahrens Tel	Var. Depts	237.75
Director of Equaliza	Dir. Eq.	16.00	Doane Agricultural S	Cnty Exten	110.40
Dresbach, Steve	Mental Ill	3,894.80	Dust Tex Service, In	Museum Mtc	12.12
Estate of Raymond F.	Inher. Tax	220.25	Fluth, Rodney P	Human Svcs	990.00
Forensic Laboratorie	Pub. Adv.	40.00	Fred the Fixer, Inc	Facilities	93.00
G & H Distributing,	Hiway Admi	75.15	George Boom Funeral	Human Svcs	995.00
Graham Tire Co. - Do	Emer Mgmt	384.04	Great America Leasin	Cnty Exten	220.30

Great Plains Psychol	Court Sys.	1,000.00	Green, Jack H	Human Svcs	237.50
Guzman, Sandra V	Var. Depts	225.00	Hagen, Joanne C	Human Svcs	700.00
Harold's Photo Cente	Pub. Adv.	5.19	Haug Steel Construct	County Par	8,090.00
Haugaard, Steven G.	Mental Ill	315.00	Hauk, Bert	Human Svcs	450.00
Heartland Paper Comp	Correction	302.20	Heil, Greg	Human Svcs	1,190.00
Help!line Center, In	Human Svcs	4,000.00	Herman, Patricia	Plan & Zon	6.08
Hollingshead, Don	Hiway Cons	176.91	Home Depot Credit Se	Hiway Admi	29.19
Howalt-McDowell Insu	Cnty Ins	1,202.50	Howie's Car Service	Hiway Cons	8.50
Hurtgen, Timothy T	Human Svcs	900.00	Hy-Vee Food Store #1	Juv Det Cn	447.58
Hy-Vee Pharmacy #162	Human Svcs	59.18	Hy-Vee Pharmacy #163	Human Svcs	22.96
Hy-Vee Pharmacy #163	Human Svcs	25.97	Interstate Office Pr	Var. Depts	2,027.76
Investors Management	Human Svcs	610.00	Iosty, Alysia A	Dir. Eq.	206.40
J.C. Penney Company,	Juv Det Cn	74.97	Janitor's Closet, Lt	Var. Depts	2,262.23
Jefferson Partners,	Human Svcs	45.00	Johnson Feed, Inc.	Hiway Cons	1,951.27
Johnson, Deborah	Plan & Zon	40.98	Johnstone Supply	Facilities	44.53
Jorgenson, Randy L	Plan & Zon	689.40	Kauffman, David W. P	Court Sys.	3,300.00
Keefe Supply Company	Juv Det Cn	468.40	Knochenmus, Roger	Hiway Cons	8,107.00
Kohl's Department St	Juv Det Cn	149.95	Koopman & Sons Gas C	Hiway Admi	308.20
Lacey's Chemical Res	Hiway Cons	140.00	Laerdal Medical Corp	Metro-911	369.34
Language Line Servic	Pub. D.	6.60	Leshovsky, Chris M	Correction	10.00
Lewis Drugs	Cnty Exten	35.39	Lutheran Social Serv	Pub. D.	375.00
Mailway Printers	Museum	1,954.00	Malloy Electric Bear	Facilities	79.37
McCook County Highwa	Hiway Cons	2,001.00	McFarland, Kenneth	Comm.	29.99
Menards - West	Facilities	201.99	Meteorlogix, LLC	Metro-911	450.00
Midamerican Energy C	Var. Depts	1,646.21	Midcontinent Communi	Comm.	457.50
Midwest Copier Solut	Cnty Exten	1,180.00	Moore Medical Corp.	Emer Mgmt	445.54
Mulder Refrigeration	Juv Det Cn	336.68	Munk, Steven	Cnty Exten	168.64
Murray Construction,	Human Svcs	514.00	National Business Fu	Cnty Exten	351.90
Nguyen, Lam	Var. Depts	37.50	Northern Safety Tech	Hiway Cons	2,942.80
Optometric Clinic	Human Svcs	120.14	Palluck, Ethan	Correction	29.00
Palmer, Barbara	Mental Ill	247.50	Pennington County Ja	Correction	2,180.36
Person, Larry D	Human Svcs	300.00	Prairie Publications	Comm.	162.96
Quail Hollow Townhou	Human Svcs	450.00	Qualified Presort Se	Var. Depts	6,062.99
Rosenberg, Craig	Cnty Exten	138.72	Rural Metro Ambulanc	Coroner	200.00
Schoeneman Bros. Co.	Museum	176.85	SD Dept of Revenue	Correction	135.00
SD Public Assurance	Var. Depts	146,743.77	SDML Workers' Compen	Var. Depts	245,974.00
Security Mortgage Co	Human Svcs	450.00	Servall Towel & Line	Var. Depts	101.09
SF City Finance	Human Svcs	20.00	SF Kiwanis West	Emer Mgmt	30.00
SF Rubber Stamp Work	Reg Deeds	218.85	SF Two Way Radio Ser	Metro-911	90.00
Shipley's Laundry &	Museum Ent	15.50	Sigler Fire Equipmen	Var. Depts	393.36
Sioux Falls Utilitie	Var. Depts	3,976.75	Sioux Valley Energy	Metro-911	8.00
Skogen Company	Human Svcs	430.00	Smith Publishing Co.	Elec Audit	828.30
Solomon, Ghirmay	Court Sys.	25.00	Somerset Partnership	Human Svcs	900.00
South Western Dental	Human Svcs	1,600.00	Stan Houston Equipme	Facilities	349.90
Staples	Emer Mgmt	238.96	Taylor, Robert H	Human Svcs	350.00
The Eye Doctors, P.C	Correction	1,401.00	Thorin, Deyanira T	Var. Depts	187.50
Tri-State Implement,	Hiway Cons	49.77	Triangle Properties,	Human Svcs	405.00
United Parcel Servic	Metro-911	13.69	Vantek Communication	Metro-911	125.00
Variety Foods, Inc.	Correction	29.94	Vavra, Jeff DBA Vavr	Human Svcs	350.00
Velvet Uniforms, Inc	Metro-911	22.05	W.W. Grainger, Inc.	Facilities	206.10
Wal-Mart Pharmacy #3	Human Svcs	901.81	Waldner, Peter J.	Human Svcs	350.00
Walgreens Pharmacy	Human Svcs	205.95	Walgreens Pharmacy	Human Svcs	389.03
Walgreens Pharmacy	Human Svcs	107.26	Washington Pavilion	Comm.	43.70
Wassink, Owen	Human Svcs	525.00	Watkins, Jeff	Correction	11.00
Whitney, Dennis	Dir. Eq.	110.00	Xcel Energy, Inc.	Correction	26,391.11

PERSONNEL

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

1. To accept the resignation of Kevin DeNeui as Tax & License Supervisor for the Treasurer's Office effective 12-29-04.
2. To accept the resignation of Tresa Klaassen as Legal Office Assistant II for the Public Defender's

Office effective 12-30-04.

3. To hire Margaret VanLoh as a temporary Accountant for the Auditor's Office at \$15.699 per hour effective 1-4-05 through 2-28-05.
4. To promote Rebecca McChesney to Tax & License Supervisor (10/1) for the Treasurer's Office at \$14.934 per hour effective 1-3-05.

Step increase due:

1. Jean Quinlivan-Smith – Representative Payee – Human Services – 9/1 to 9/2, 12-17-04 – \$14.225 per hour
2. John Keeler – Caseworker – Human Services – 11/3 to 11/4, 12-21-04 – \$17.410 per hour
3. Lynn DeYoung – Emergency Management Director – Emergency Management, 18/3 to 18/4, 12-21-04 – \$1,915.52 biweekly
4. Glenn Chick – Facilities/Construction Director – Facilities – 21/12 to 21/13, 12-21-04 – \$2,557.04 biweekly
5. Bob Meister – Highway Superintendent – Highway – 24/7 to 24/8, 12-21-04 – \$2,558.56 biweekly
6. Carmen Means – Deputy Public Advocate – Public Advocate – 21/10 to 21/11, 1-3-05 – \$2,457.76 biweekly
7. Cynthia Howard – Public Advocate – Public Advocate – 26/6 to 26/7, 12-21-04 – \$2,666.88 biweekly
8. Tresa Klaassen – Legal Office Assistant II – Public Defender – 7/8 to 7/9, 12-21-04 – \$15.099 per hour
9. Renae Kruse – Deputy Public Defender III – Public Defender – 21/4 to 21/5, 1-5-05 – \$2,182.40 biweekly
10. Travis Ripperda – Juvenile Correctional Worker – JDC – 5/3 to 5/4, 12-21-04 – \$11.809 per hour
11. Angela Valder, Christian Kieso, Jodi Myhre, and Timothy Brommer – Juvenile Correctional Officer I – JDC – 10/3 to 10/4, 12-21-04 – \$16.477 per hour
12. Lynn Krell – Assistant Director – JDC – 19/6 to 19/7, 12-21-04 – \$2,112.08 biweekly

ABATEMENT

On the recommendation of Eli Whitney, Deputy Director of Equalization, MOTION by Pekas, seconded by Kolbe to approve the following abatements: Scandivanian Evangelical Lutheran Congregation of Willow Creek, ID 76230, 2004 Property Taxes, \$328.10 and Lyons Township Cemetery, ID 76242, 2004 Property Taxes, \$358.18. 4 ayes.

NOTICES

MOTION by Pekas, seconded by Zweep to authorize the Auditor to publish Notice of Hearing for Consideration of Vacation of Statutory Section Line Highway on January 18, 2005. 4 ayes.

MOTION by Kolbe, seconded by Zweep to authorize the Auditor to post Notice of Hearing on January 18, 2005 to consider creating an STI Security budget and supplement. 4 ayes.

AMENDMENT

Ken McFarland, Administrative Assistant, presented an amendment to the Law Enforcement Center Agreement between Minnehaha County and the City of Sioux Falls. The original agreement estimated Minnehaha County's portion of the facility at 10,000 square feet. After completion of the project, it has been determined that the county's portion of the building is 16,000 square feet. The amendment reflects the change in the area as well as responsibility for the subsequent maintenance and utilities. MOTION by Zweep, seconded by Pekas to authorize the Chairman to sign the Amendment to Joint Cooperative Agreement for Sioux Falls Law Enforcement Center Use. 4 ayes.

AGREEMENTS

Lonna Larson, SECOG Planner, presented the 2005 Agreement Between SECOG and Minnehaha County for Accomplishing the Sioux Falls Area Transportation Planning Process. This annual agreement establishes partial funding for transportation activities withing the Sioux Falls Metropolitan Planning Organization. The agreement would run from January 1, 2005 to December 31, 2005 and makes \$30,000 in Federal Highway Administration funds available to the Minnehaha County Highway and Planning Departments. MOTION by Pekas, seconded by Kolbe to authorize the Chairman to sign the Agreement Between the Southeastern Council of Governments and Minnehaha County for Accomplishing the Sioux Falls Area Transportation Planning Process. 4 ayes.

Ken McFarland, Administrative Assistant, presented an Interim Agreement for Detoxification Services between Minnehaha County and Avera McKennan Hospital. The agreement provides for a simple protective custody detox program until such time as the clinically managed residential detox program facility is constructed. Under the terms of the agreement, the County will forward monthly payments of \$13,500 currently budgeted by the Sheriff's office, and an additional \$13,500 funded by the City of Sioux Falls to Avera McKennan. MOTION by Pekas, seconded by Kolbe to authorize the Chairman to sign the Interim Agreement for Detoxification Services. 4 ayes.

OLD BUSINESS

Commissioner Zweep announced that correspondence was received from Mike Bender on the progress of the fund raising efforts for the Museum Lighting Project.

Chairman Twedt commented on the recent article in the Argus Leader on Cleo Grogan.

MOTION by Pekas, seconded by Zweep to recess into Executive Session. 4 ayes. Following Executive Session the Commission reconvened in open session.

SETTLEMENT

Gordy Swanson, Chief Civil Deputy State's Attorney, explained that he has been contacted by Attorney Jason Harris regarding a potential claim against the County for the Six Mile Road improvement project. The claim alleges that the County took right-of-way land without payment and has removed dirt from the

owner's remaining land alongside the new roadway. On the recommendation of Gordy Swanson, Chief Civil Deputy State's Attorney, MOTION by Zweep, seconded by Kolbe to authorize the settlement of the claim in the amount of \$55,000 to the Assam Family Trust and to acknowledge the dirt used as a gift. 4 ayes.

MOTION by Zweep, seconded by Pekas to adjourn until 9:00 a.m. on Tuesday, January 11, 2005. 4 ayes.

APPROVED BY THE COMMISSION:
John Pekas, Vice-Chairman

ATTEST:
Sandy Kinder, Deputy Auditor