

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., January 11, 2005, pursuant to adjournment on January 4, 2005. Commissioners present were: Pekas, Hajek, Kolbe, and Zweep. Commissioner Twedt was absent. Also present were Sandy Kinder, Deputy Auditor, and Gordy Swanson, Chief Civil Deputy State's Attorney.

Vice-Chairman Pekas called the meeting to order.

## MINUTES

MOTION by Zweep, seconded by Kolbe to approve the Minutes for January 4, 2005. 4 ayes.

## VOUCHERS TO BE PAID

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

A to Z Language Inte	Var. Depts	62.50	Aamlid, Sandra	Cnty Exten	64.68
Accurint	Sheriff	58.30	Albers, Tyrone	Correction	59.00
Anacon Leasing, Inc.	Sheriff	389.00	Anderson, Elwood	Human Svcs	350.00
Anhalt, Josh	Info Svcs	294.86	Argus Leader	Var. Depts	3,918.00
Ashraf, Tofan	Hiway Admi	1,115.82	Automatic Building C	Correction	83.00
Avera Health Plans,	Human Svcs	372.30	Avera Home Medical E	Human Svcs	167.50
Avera McKennan Hospi	Var. Depts	75,005.76	Baha Apartments	Human Svcs	270.00
Bakken, Larry	Dir. Eq.	273.36	Barnes & Noble, Inc.	Cnty Exten	103.00
Batteries Plus #75	Juv Det Cn	12.99	Beck, Pat	Human Svcs	143.00
Billion Olds Toyota	Sheriff	1,800.00	Binger Law Office	Court Sys.	3,385.00
Bliss, Dr. Allen D.	Human Svcs	74.21	Bob Barker Company,	Correction	5,014.37
Brandenburg, Michell	Cnty Exten	17.34	Brennan Hill Townhou	Human Svcs	72.00
Brentwood Apartments	Human Svcs	878.00	Broughton Internatio	Info Svcs	5,135.25
Brown & Saenger	Var. Depts	122.97	Bumblebee-Gibson	Facilities	709.18
Bureau of Informatio	Info Svcs	250.00	Byre, Elton W	Human Svcs	1,050.00
CADD/Engineering Sup	Info Svcs	4,845.00	Cambridge Partnershi	Human Svcs	450.00
Campbell Supply Co.,	Facilities	94.47	Cellular One-Store	Dir. Eq.	161.00
Center for Family Me	Correction	418.87	Centerpoint Energy G	Hiway Admi	1,747.14
Century Business Lea	Dir. Eq.	69.61	CES, Family and Yout	Cnty Exten	305.00
City-Wide Taxi, Inc	Human Svcs	101.00	Cole, John R	Dir. Eq.	542.40
Comfort Inn of Pierr	Var. Depts	275.00	Communication Servic	Var. Depts	522.50
Complete Equity Mark	Pub. D.	117.75	Comtech Group USA, I	Info Svcs	101,462.43
Connecting Point	Var. Depts	7,844.00	Country Meadows Apts	Human Svcs	111.00
Culligan Water Condi	Human Svcs	37.50	Dakota Lettering, In	Juv Det Cn	208.40
Dakotabilities	Mental Hlt	7,738.00	Davidson, John Q	Mental Ill	136.00
Degrata Tactical, In	Air Guard	180.80	Dell Marketing L.P.	Law Enf Gr	3,691.10
Dell Rapids Ambulanc	Human Svcs	134.72	Der Hagopian, Jack	Court Sys.	7,704.00
Dialnet / Ahrens Tel	Var. Depts	196.21	Diesel Machinery, In	Hiway Admi	300.00
Drake Equipment, Inc	Emer Mgmt	2,424.44	Dresbach, Steve	Mental Ill	1,284.80
Dunn, Theresa L	Dir. Eq.	78.08	E.S.R.I., Inc	Info Svcs	15,101.72
Electric Constructio	Pettigrew	152.63	Evans, Preston	Mental Ill	221.12
Family Service, Inc.	Human Res.	60.00	Fastenal Company	Hiway Cons	380.49
Federal Express Corp	Sheriff	25.47	Fortin, Margaret	Mental Ill	136.00
Fred the Fixer, Inc	Sheriff	45.00	Frieberg, Zimmer, Dunc	Court Sys.	296.02
Gastroenterology	Correction	437.52	Genetic Technologies	Pub. D.	1,068.85
George Boom Funeral	Human Svcs	1,850.00	Goebel Printing, Inc	Pub. Adv.	63.40
Graham Tire Co. - Do	Correction	317.82	Graham, Robert C.	Human Svcs	350.00
Graybar Electric Com	Var. Depts	506.31	Great Properties, LL	Human Svcs	700.00
Grogan, Hubert J	Human Svcs	81.28	Guzman, Sandra V	Court Sys.	325.00
Harold's Photo Cente	Museum	17.98	Hauk, Bert	Human Svcs	187.50
Heart Hospital of SD	Human Svcs	39,781.99	Heartland Paper Comp	Correction	163.60
Hepner, Leanne	Metro-911	46.00	Hewlett-Packard Comp	Var. Depts	44,955.00
Hillyard, Inc.	Facilities	46.00	Home Federal Savings	Human Svcs	450.00
Hy-Vee Pharmacy #163	Human Svcs	18.99	I.C.E.	Human Svcs	175.00
ICI Dulux Paint Cent	Museum Mtc	10.00	Institutions Service	Correction	48.94
Interstate Office Pr	Var. Depts	1,556.67	Iosty, Alysia A	Dir. Eq.	36.16
Iowa Turfgrass Insti	Cnty Exten	170.00	J.D.'s House of Trop	Comm.	81.10
J.H. Larson Company	Facilities	120.00	Jacobsen, Harlan	Human Svcs	340.00

Janitor's Closet, Lt	Facilities	517.90	Jerke, Heidi	Plan & Zon	12.16
Johnson, Deborah	Plan & Zon	59.02	Kennedy, Renee S.	Pub. D.	125.40
Kilian Community Col	Auditor	200.00	KKLS Radio	Metro-911	3,000.00
Kmart #7318	Human Svcs	114.63	Knowlton, Jeff	Human Svcs	700.00
KTTW-Fox-TV	Museum Sto	252.00	Lassegaard, Samuel C	Human Svcs	285.00
LCM Pathologists, P.	Coroner	11,166.72	Leonard, LLP	Human Svcs	175.00
Lewis Drugs	Var. Depts	11,260.31	Lexisnexis Matthew B	Law Librar	471.45
Lincoln County Sheri	St Atty	20.40	Linweld, Inc.	Hiway Cons	721.48
Lithia Automotive, I	Var. Depts	244.43	Mac's, Inc.	Hiway Cons	15.50
Malloy Electric Bear	Hiway Cons	68.28	Mannie, Corey	Human Svcs	525.00
Martin, Michelle	Museum Ent	200.00	Mathison Company	Hiway Admi	425.71
Medical X-Ray Center	Var. Depts	370.88	Menards - East	Museum Ent	14.85
Menards - West	Museum	297.90	MGGGA	Cnty Exten	175.00
Microfilm Imaging Sy	Reg Deeds	690.00	Midamerican Energy C	Var. Depts	7,011.06
Midcontinent Communi	Cnty Exten	29.85	Midwest Alarm Compan	Hiway Admi	305.40
Midwest Line-X	Hiway Cons	415.00	Midwestern Dermatolo	Correction	140.52
Miller Funeral Home,	Human Svcs	1,355.40	Minnehaha County Fir	Metro-911	60.00
Moore Medical Corp.	Juv Det Cn	292.51	Murfield, Gary	Human Svcs	350.00
Murphy, Patrick M	Sheriff	123.52	Murray Construction,	Human Svcs	932.00
Newman, Scott	Human Svcs	900.00	Nicholson, Thomas J	Court Sys.	206.77
Niedringhaus, Paul	Sheriff	375.00	NLADA Regional Train	Pub. D.	25.00
Northern States Supp	Hiway Cons	137.26	Northern Truck Equip	Hiway Cons	1,197.93
Novak Sanitary Servi	Facilities	556.50	Officemax	Var. Depts	217.82
Officemax Credit Pla	Var. Depts	638.11	Oreck Floor Care Cen	Hiway Admi	298.98
Orthopedic Institute	Var. Depts	2,015.16	Overhead Door Compan	Facilities	880.00
Palmer, Alex	Correction	63.36	Palmer, Barbara	Mental Ill	630.00
Physicians Laborator	Correction	62.94	Priorier Equipment Co	Hiway Admi	7,907.55
Pontiac Cadillac of	Var. Depts	157.60	Prairie Publications	Var. Depts	5,310.99
Qualified Presort Se	Var. Depts	6,199.19	R & L Supply, Ltd	Facilities	19.28
Record Keepers, Inc.	Court Sys.	3,523.20	Retail Data Systems	Treasurer	223.00
Reynolds, Brad	Court Sys.	1,144.80	River Tower Apartmen	Human Svcs	123.00
Robson True Value	Emer Mgmt	106.65	Rochester Armored Ca	Treasurer	330.00
Rohn Airport Adverti	Museum	222.00	RSM Mcgladrey, Inc.	Treasurer	125.00
Rural Metro Ambulanc	Var. Depts	703.52	Russ' Pest Control,	Emer Mgmt	42.00
Salberg Law Firm P.C	Court Sys.	284.60	Schmidt, Rod	Human Svcs	350.00
SD Assn of County of	Var. Depts	9,271.86	SD Dept of Revenue	Hiway Cons	13.00
SD Dept of Transport	Hiway Cons	353.18	SD Federal Property	Hiway Cons	14.00
SD Sheriffs Assn	Sheriff	600.00	SD State Bar	Pub. D.	170.00
SD State Treasurer	Sales Tax	517.53	Security Labs, Ltd	Treasurer	325.00
SF Area Humane Socie	Animal Con	1,376.90	SF Two Way Radio Ser	Metro-911	80.00
Sioux Empire Fair As	Recreation	10,416.63	Sioux Falls Surgical	Correction	322.00
Sioux Falls Utilitie	Human Svcs	117.74	Sioux Valley Clinica	Var. Depts	901.78
Sioux Valley Energy	Var. Depts	230.86	Sioux Valley Hospita	Var. Depts	52,260.36
Sioux Valley Hospita	Pub. D.	11.25	Sioux Valley Physici	Correction	130.74
Sioux Valley Telepho	Hiway Admi	74.82	Sioux Valley Wireles	Hiway Cons	34.95
Sioux Vocational Ser	Juv Det Cn	3,838.80	Smith Publishing Co.	Reg Deeds	282.00
Solar Sound Corp/Lig	Court Sys.	92.04	South Western Dental	Human Svcs	500.00
Stan's Northview Cam	Hiway Cons	369.00	Stricherz, Kelly	Pub. D.	53.44
SV Home Medical Equi	Human Svcs	150.57	Tammen Oil	Sheriff	26.16
Taylor, Robert H	Human Svcs	350.00	The Eye Doctors, P.C	Correction	163.00
Thesenvitz & Mickels	Court Sys.	1,421.00	Thomson Healthcare D	Law Librar	69.90
Thorin, Deyanira T	Pub. D.	25.00	Tower Apartments	Human Svcs	148.00
Tschetter, Kenneth M	Court Sys.	49.99	U.S. Bank-Corporate	Build Fund	1,200.50
Underberg, Phil A	Human Svcs	450.00	Union Telephone Comp	Sheriff	38.67
University Products	Reg Deeds	242.45	Velvet Uniforms, Inc	Var. Depts	146.70
Voigt, Debra	Court Sys.	1,655.88	W.W. Grainger, Inc.	Museum Mtc	7.11
Wal-Mart Pharmacy #3	Human Svcs	609.48	Walgreens Pharmacy	Human Svcs	91.28
Walgreens Pharmacy	Human Svcs	141.29	Walgreens Pharmacy	Human Svcs	607.11
Washington Mutual	Human Svcs	450.00	Weed and Pest Confer	Cnty Exten	60.00
West Group	Var. Depts	4,127.58	Wiebesiek, Stacy L	Var. Depts	792.62
Wilkes, Jeff	Dir. Eq.	116.48	Wilkison, Dorothy	Dir. Eq.	10.56
Xcel Energy, Inc.	Human Svcs	1,020.99			

## PERSONNEL

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

1. To accept the resignation of Brendan Johnson as Deputy State's Attorney I for the State's Attorney Office effective 1-7-05.
2. To promote Mark Kadi to Deputy Public Advocate III (21/3) for the Public Advocate's Office at \$2,097.68 biweekly effective 1-20-05.
3. To promote Judi Eliason to Senior Tax & License Specialist (5/13) for the Treasurer's Office at \$14.112 per hour effective 1-17-05.
4. To grant leave without pay to Kim Feerick, Correctional Systems Operator for the Sheriff's Office effective 12-27-04.
5. To return from military leave Scott Voeltz as Deputy Sheriff for the Sheriff's Office effective 12-29-04.

Step increase due:

1. Jennifer Brenden – Juvenile Correctional Officer I – JDC – 10/3 to 10/4, 12-21-04 – \$16.477 per hour
2. Carmen Kasin – Juvenile Correctional Officer I – JDC – 10/2 to 10/3 1-5-05 – \$16.153 per hour
3. Corey Stanley – Deputy Sheriff – Sheriff – 12/2 to 12/3, 1-15-05 – \$17.984 per hour
4. Jeffery Gromer – Deputy Sheriff Sergeant – Sheriff – 16/4 to 16/5, 1-18-05 – \$22.519 per hour
5. Shane Thomas – Air Guard Division Supervisor – 12/8 to 12/9, 12-21-04 – \$20.253 per hour
6. Julie Risty – Register of Deeds – Register of Deeds – 20/2 to 20/3, 1-6-05 – \$2,024.48 biweekly
7. Sue Broveak – Records Technician – Register of Deeds – 7/10 to 7/11, 1-8-05 – \$15.709 per hour
8. Karmen Sawh – Communications Operator – Metro – 9/3 to 9/4, 1-16-05 – \$15.544 per hour
9. LeNora Giles – Communications Operator – Metro – 9/4 to 9/5, 1-18-05 – \$15.854 per hour

## REPORT

Nora Buckman, Human Resources Director, introduced Diversity Committee members Wes Garcia, Saeed Saeed, Mary Lou Buddi, and Kim Cournoyer. Mr. Garcia presented the Diversity Committee Annual Report. He noted the success of the Native American Resource Fair held in conjunction with the Native American Day Pow Wow at the Multi-Cultural Center in October and stated that the Committee continues to work with the Department of Justice on meeting the ADA agreement requirements. MOTION by Zweep, seconded by Hajek to accept the Diversity Committee Annual Report. 4 ayes.

## ABATEMENT

On the recommendation of Eli Whitney, Deputy Director of Equalization, MOTION by Zweep, seconded by Hajek to approve the following abatement: Union Gospel Mission, ID 53838, 2001 Property Taxes, \$6,071.55. 4 ayes.

**PROGRAM**

Sheriff Mike Milstead and Assistant Sheriff Bruce Swan briefed the Commission on a pilot program which would allow defendants arrested on certain DWI charges to be released from jail and allowed to live at home, as long as they agree to alcohol breath tests on a daily basis. The program will be funded through a grant awarded to the Attorney General by the National Highway Traffic Safety Administration. The Attorney General has granted Minnehaha County \$60,000 to hire temporary staff to run the program and allows for a 15% administrative fee. The pilot program will run through December 15, 2005. Sheriff Milstead commented on the potential benefits of this program and requested approval to participate. MOTION by Zweep, seconded by Kolbe to approve participation in the 24/7 Sobriety Pilot Program. 4 ayes.

**HEARING**

Pat Herman, Planner, was present for the scheduled hearing to consider vacating a public right-of-way described as the Statutory section line highway lying between Tracts 4 and 5 Grimmus' Addition SE1/4 SE1/4 of Section 34 and SW1/4 SW1/4 of Section 35; both in T101N-R48W of the 5<sup>th</sup> PM, Minnehaha County, South Dakota. Ms. Herman explained that the petitioner owns Tracts 4 and 5 and would like to combine them into one. No one spoke in opposition to this request. MOTION by Zweep, seconded by Kolbe to approve Resolution MC05-02. 4 ayes.

**RESOLUTION MC05-02  
RESOLUTION TO VACATE STATUTORY SECTION LINE HIGHWAY**

WHEREAS, a public hearing was held on January 11, 2005, pursuant to the provisions of SDCL 31-3-7 and SDCL 31-18-3 to consider a petition to vacate a statutory section line highway; and

WHEREAS, said hearing was for the purpose of determining whether the public interest will be better served by such proposed vacation; and

WHEREAS, the Board finds that the proposed section line highway to be vacated does not provide access to public lands.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the Minnehaha County Board of Commissioners that the following described statutory section line highway, is hereby declared vacated:

Statutory section line highway lying between Tracts 4 and 5 Grimmus' Addition SE1/4 SE1/4 of Section 34 and SW1/4 SW1/4 of Section 35; both in T101N-R48W of the 5<sup>th</sup> PM, Minnehaha County, South Dakota.

BE IT FURTHER RESOLVED, that this resolution be placed on file with the Minnehaha County Auditor and recorded with the Minnehaha County Register of Deeds.

Dated this 11th day of January, 2005.

BOARD OF COUNTY COMMISSIONERS  
John Pekas, Vice-Chairman

ATTEST:  
Sandy Kinder, Deputy Auditor

**BID AWARD**

On January 3, 2005, bids were opened by Lynn DeYoung, Emergency Management Director, for up to 10 Thermal Imaging Cameras. Mr. DeYoung explained that the cameras would be used by the Rural Fire Departments in Minnehaha County. The following bids were received (bidder/specification compliance percentage/unit price/total price): M & T Fire & Safety/100%/\$15,335.00/\$153,350.00; LAMSA Weapons Systems/81.8%/\$13,989.40/\$139,894.00; and Fire Guard/59%/\$12,744.00/\$127,440.00. Mr. DeYoung recommended award to M & T Fire & Safety as they were the only bidder in full compliance with the requested specifications. MOTION by Koble, seconded by Zweep to award the bid for up to 10 Thermal Imaging Cameras to M & T Fire & Safety at a per unit cost of \$15,335.00. 4 ayes.

**DRAINAGE HEARING**

Vice-Chairman Pekas announced that the parties involved in the Duane Schreurs drainage application hearing had settled.

**OLD BUSINESS**

Commissioner Kolbe commented on the annual salaries of commissioners in nearby Minnesota and Iowa counties.

MOTION by Zweep, seconded by Hajek to adjourn into Executive Session. Following Executive Session the Commission adjourned until 9:00 a.m. on Tuesday, January 18, 2005. 4 ayes.

**APPROVED BY THE COMMISSION:**

Carol Twedt, Chairman

**ATTEST:**

Sandy Kinder, Deputy Auditor