

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., January 18, 2005, pursuant to adjournment on January 11, 2005. Commissioners present were: Twedt, Pekas, Hajek, and Kolbe. Commissioner Zweep was absent. Also present were Sandy Kinder, Deputy Auditor, and Gordy Swanson, Chief Civil Deputy State's Attorney.

Chairman Twedt called the meeting to order and introduced new Planning Director, Scott Anderson.

MINUTES

MOTION by Kolbe, seconded by Hajek to approve the Minutes for January 11, 2005. 4 ayes.

VOUCHERS TO BE PAID

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

A & B Business Equip	Var. Depts	331.37	A to Z Language Inte	Pub. D.	215.00
Ace Ready Mix	Hiway Cons	334.50	Aegis Analytical Lab	Pub. D.	195.00
Alliance Communicati	Metro-911	823.25	Anacon Leasing, Inc.	Pub. D.	262.00
Appeara / Dudley Lau	Hiway Admi	22.30	Argus Leader	Var. Depts	1,377.06
Automatic Building C	Juv Det Cn	240.00	Automotive Brake & E	Hiway Cons	25.00
Avera McKennan	Correction	405.76	Avera McKennan Hospi	Var. Depts	1,789.95
B & E Apts / Holland	Human Svcs	260.00	Best Business Produc	Reg Deeds	39.00
Billion Automotive	Juv Det Cn	42.53	Blackburn & Stevens	Mental Ill	168.00
Bob Barker Company,	Correction	184.65	Brentwood Apartments	Human Svcs	450.00
Brevik & Thurman, LL	Mental Ill	422.29	Broveleit, Joel	Museum Ent	350.00
Brown & Saenger	Metro-911	50.88	Builders Supply Comp	Facilities	180.42
Bus Systems, Inc.	Human Svcs	214.80	Campbell Supply Co.,	Hiway Cons	118.52
Carlson, Don C	Mental Ill	45.00	CBM Food Service	Correction	9,476.28
Center for Family Me	Correction	1,750.00	Century Business Pro	Var. Depts	100.51
Chemco, Inc.	Facilities	592.68	City Centre Hotel Co	Court Sys.	299.23
Cliff Avenue Auto Pa	Hiway Cons	94.33	Colton Lumber Co., I	Hiway Admi	93.45
Communication Servic	Var. Depts	123.75	Cooley, Carla F	Court Sys.	220.40
Culligan Water Condi	Metro-911	73.40	Cumberland Apts. I	Human Svcs	300.00
Dade Behring, Inc.	Correction	1,203.42	Dakota Dental/Timoth	Correction	1,981.00
Dakota Fluid Power,	Hiway Cons	183.18	Dakota Security Syst	Emer Mgmt	5,000.00
Dakota Splash	Hiway Admi	18.70	Dakota Supply Group,	Hiway Admi	51.95
Decisionone Corporat	Info Svcs	1,281.78	Dee Bee Management-L	Human Svcs	350.00
Degrata Tactical, In	Correction	83.75	Dell Marketing L.P.	Metro-911	2,240.40
Dietrich, Donna K	Mental Ill	1,416.62	Direct Safety Compan	Museum	275.80
Dispatch Monthly Mag	Metro-911	20.00	Dollar, Etc.	Juv Det Cn	48.60
Drake Equipment, Inc	Emer Mgmt	376.89	Dresbach, Steve	Mental Ill	720.00
Dust Tex Service, In	Museum Mtc	12.12	Ed M. Feld Equipment	Emer Mgmt	4,982.00
Edmunds Brake & Alig	Sheriff	196.40	Eirinberg, James A	Court Sys.	1,500.00
Ekeren, Marvin R	Mental Ill	114.00	Fastenal Company	Facilities	18.65
Federal Express Corp	Emer Mgmt	30.23	Fireguard Inc.	Sheriff	3,962.72
First Dakota Title	Treasurer	625.00	First Premier Bank	Sheriff	68.85
Frisbee, Inc.	Juv Det Cn	43.80	Frontier	Metro-911	178.35
Galland Legal Clinic	Court Sys.	1,259.40	George Boom Funeral	Human Svcs	4,470.00
Goebel Printing, Inc	Sheriff	15.00	Gourley Properties I	Human Svcs	450.00
Graham Tire Co. - Do	Sheriff	55.80	Graham Tire Co. - No	Hiway Cons	1,320.68
Graybar Electric Com	Human Res.	324.95	Green, Jack H	Human Svcs	250.00
Greene Count Sheriff	St Atty	25.00	Greentree Psychologi	Mental Ill	200.00
Grevco Inc-Shop N Ca	Hiway Cons	152.00	Guzman, Sandra V	Court Sys.	345.83
Harmelink & Fox Law	Mental Ill	753.42	Harmelink, Janet	Facilities	26.42
Harold's Photo Cente	Museum Ent	19.95	Hauk, Bert	Human Svcs	800.00
Help!Line Center, In	Social Ser	2,000.00	Hidden Meadows, LLC	Human Svcs	470.00
Hills of Rest Memori	Human Svcs	275.00	History Cooks	Museum Sto	65.50
Hoekstra, Denise A	Court Sys.	1,062.60	Hofer, Julie A	Court Sys.	369.20
Hofer, Ryan	Human Svcs	350.00	Home Depot Credit Se	Var. Depts	98.35
Hosmer, David M.	Mental Ill	117.20	Howalt-McDowell Insu	Var. Depts	108,391.00
Hurtgen, Timothy T	Human Svcs	326.00	Hy-Vee Food Store #1	Juv Det Cn	78.33
Hy-Vee Food Store	Cnty Exten	10.14	ICI Dulux Paint Cent	Museum	57.65
Inland Truck Parts &	Hiway Cons	280.07	Interstate Office Pr	Var. Depts	3,686.56

J.C. Penney Company,	Juv Det Cn	17.49	Johnson Estates/Beld	Human Svcs	250.00
Johnson, Heidepriem,	Comm.	9,733.14	Kappenman, Thomas L	Human Svcs	490.00
Kennedy, Rokahr, Pie	Mental Ill	325.76	Kettering Law Office	Mental Ill	129.20
Kmart #4041	Juv Det Cn	648.65	Kohl's Department St	Juv Det Cn	49.98
Kone, Inc.	Pettigrew	50.00	Kooistra, Nelva	Mental Ill	177.00
Kuiper, Kevin L	Human Svcs	142.00	L G Everist, Inc.	Hiway Cons	99.71
Laerdal Medical Corp	Metro-911	6.75	Lason Systems, Inc.	Reg Deeds	558.60
LCM Pathologists, P.	Coroner	24.50	Lee, Tamara D	Mental Ill	253.69
Leggett, Joe	Human Svcs	525.00	Lewis & Clark BHS	Mental Ill	1,430.00
Lewis Drugs	Correction	25,725.31	Lexis-Nexis / Reed E	Var. Depts	1,667.00
Linweld, Inc.	Facilities	10.75	Mathison Company	Museum	577.64
Maxwell Food Equipme	Correction	23,969.00	Menards - West	Var. Depts	631.69
Meteorlogix, LLC	Metro-911	861.51	Metronic	Emer Mgmt	2,027.72
Midamerica Motoplex	Emer Mgmt	140.25	Midamerican Energy C	Var. Depts	1,930.68
Midwest Alarm Compan	Emer Mgmt	34,627.09	Midwest Copier Solut	Cnty Exten	146.00
Midwest Oil Company	Hiway Cons	485.65	Mikelson, Gary E.	Mental Ill	216.37
Miller, Steve	Court Sys.	667.44	Milstead, Michael W	Sheriff	31.00
Minnehaha Cnty Infor	Museum	767.77	Minnehaha Cnty Metro	Sheriff	2,253.00
Minnehaha Cnty Priso	Correction	20.89	Minnehaha Cnty Sheri	Sheriff	81.98
Minnehaha County Wel	Human Svcs	143.00	Missouri APCO	Metro-911	198.00
Motorola, Inc.	Info Svcs	8,856.00	Mt Pleasant Cemetery	Human Svcs	275.00
Murray Construction,	Human Svcs	1,386.00	Myrl & Roy's Paving,	Hiway Admi	121.13
NACDL	Pub. Adv.	125.00	Nat'l Assn of Counti	Comm.	2,574.00
New World Systems	Metro-911	12,027.42	Nichols & Rabuck, P.	Court Sys.	1,850.50
Norberg Paints, Inc.	Facilities	159.60	North Cleveland Apts	Human Svcs	1,050.00
North Star Publishin	Museum	1,456.00	Novak Sanitary Servi	Var. Depts	275.50
Nuts & Volts	Metro-911	24.95	Nyberg's Ace Hardwar	Emer Mgmt	42.75
Oaknoll Partners	Human Svcs	350.00	Oxbow Estates	Human Svcs	700.00
Parkview, L.L.C.	Human Svcs	350.00	Peters, Scott N, P.C	Mental Ill	4,317.55
Pheasant View Apts.	Human Svcs	450.00	Pheasantland Industr	Correction	355.46
Pine Hill Press, Inc	Museum Sto	846.50	Pitney Bowes, Inc	Human Svcs	223.21
Plusco Printing & Co	Human Svcs	152.78	Pontiac Cadillac of	Sheriff	105.58
Portable Computer Sy	Emer Mgmt	3,436.00	Prairie Publications	Var. Depts	789.72
Presto-X-Company	Juv Det Cn	64.00	Pride Neon, Inc	Hiway Cons	67.20
Priority Dispatch	Metro-911	434.25	Prodata Computer Ser	Info Svcs	295.00
Progressive Farmer	Cnty Exten	9.00	Qualified Presort Se	Var. Depts	22,951.50
Qwest	Var. Depts	4,187.92	Randall-Stanley Arch	Build Fund	633.00
Rapiscan	Emer Mgmt	33,500.00	RASE	Dir. Eq.	400.00
RDO Equipment Co	Hiway Cons	66.72	Record Keepers, Inc.	Var. Depts	212.12
Reh fuss, Cathryn A	Mental Ill	18.00	Restful Lodging, Inc	Human Svcs	40.00
Retail Data Systems	Treasurer	1,800.00	Richard-Ewing Equipm	Juv Det Cn	56.66
Richmond Apartments	Human Svcs	400.00	Riedemann, Gayleen	Human Svcs	700.00
River Tower Apartmen	Human Svcs	123.00	Rockingham County Sh	St Atty	40.00
Ron Anderson Constru	Build Fund	18,543.33	Ron's Garage, Inc.	Facilities	1,329.54
Ronning Commercial	Human Svcs	350.00	RSM McGladrey, Inc.	Treasurer	963.00
Rubin, Clarence/Dori	Human Svcs	320.00	S.E.C.O.G.	S.E.C.O.G.	19,623.00
Safelite Glass Corp.	Correction	39.95	Safety Systems Corpo	Sheriff	1,611.21
Sanborn Funeral Home	Human Svcs	1,850.00	Sanitation Products	Hiway Cons	9,722.65
Schultz, Richard	Human Svcs	450.00	Scotting, Gregory G	Human Svcs	200.00
SD Assn of County Co	Var. Depts	17,130.91	SD Dept of Human Ser	Mental Ill	200.00
SD Dept of Labor	Cnty Ins	3,819.04	SD Dept of Transport	Hiway Cons	62,940.81
SD Emergency Managem	Emer Mgmt	90.00	SD Federal Property	Hiway Cons	16,700.00
SD Newspaper Assn Se	Comm.	46.41	SD Planners Associat	Plan & Zon	85.00
SD State Treasurer	Sales Tax	2.77	Security Labs, Ltd	Info Svcs	100.00
SF City Finance	Var. Depts	12,061.35	SF City Finance - Fu	Var. Depts	685.05
SF Two Way Radio Ser	Var. Depts	5,319.40	Shopko Store #076	Juv Det Cn	46.91
Sioux Empire Fair As	Recreation	11,337.87	Sioux Empire FCU / V	Info Svcs	1,700.00
Sioux Empire FCU / V	Sheriff	548.78	Sioux Empire FCU / V	St Atty	170.29
Sioux Empire FCU / V	Sheriff	155.08	Sioux Empire FCU / V	Sheriff	19.98
Sioux Empire FCU / V	Emer Mgmt	620.98	Sioux Empire FCU / V	Metro-911	454.51
Sioux Empire FCU / V	Dir. Eq.	62.00	Sioux Falls Utilitie	Human Svcs	129.35
Sioux Valley Clinica	Var. Depts	1,631.12	Sioux Valley Health	Human Svcs	272.71
Sioux Valley Hospita	Pub. D.	1,400.00	Sioux Valley Telepho	Metro-911	520.95
Slowey, Yavonne C	Mental Ill	897.50	Smythe, Toby D	Human Svcs	350.00
Solomon, Ghirmay	Court Sys.	50.00	Somerset Partnership	Human Svcs	350.00
South Dakota Network	Metro-911	7,781.35	Southeastern Behavio	Correction	5,699.75
Speirs, Jim	Museum Ent	300.00	State Steel of SD	Facilities	159.00
Stoney Creek Townhou	Human Svcs	200.00	Streicher's	Correction	627.20

Sturdevant's Auto Pa	Hiway Cons	858.95	Sungard HTE Inc.	Info Svcs	5,790.00
T.M. Schultz & Co., I	Hiway Cons	3,130.00	Talavera, Zoila Judi	Court Sys.	150.00
Target Pharmacy	Human Svcs	381.97	Taylor, Robert H	Human Svcs	800.00
The Center for Activ	Recreation	3,000.00	Thesenvitz & Mickels	Court Sys.	885.00
Thorin, Deyanira T	Var. Depts	462.50	Timber Creek Apartme	Human Svcs	350.00
TR Designs & Indoor	Museum	305.00	Union Telephone Comp	Sheriff	321.91
US Postal Service	Var Depts	211.53	Velvet Uniforms, Inc	Var. Depts	1,205.83
Verizon Wireless, Be	Emer Mgmt	25.23	Volk Investigations	Court Sys.	253.00
Walgreens Pharmacy	Human Svcs	507.73	Walgreens Pharmacy	Human Svcs	425.57
West Group	Pub. D.	2,171.40	West Pointe Townhous	Human Svcs	450.00
Willard, Roger	Hiway Cons	556.00	Witte, Fred	Human Svcs	297.50
Xcel Energy, Inc.	Var. Depts	554.77	Yankton County Audit	Mental Ill	811.65
Yankton County Sheri	Mental Ill	132.00	Zabih, Asif	Human Svcs	800.00
Zee Medical Service	Hiway Admi	47.75	3D Specialties, Inc.	Hiway Cons	6,883.50

REPORTS

The following reports were received and placed on file in the County Auditor's office: Minnehaha County Sheriff's Department Monthly Report and the Register of Deeds Official Statements of Marriage, Recording, Transfer, and Express Fees for December, 2004.

PERSONNEL

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

1. To accept the resignation of Kendal Bock as Correctional Officer II for the Sheriff's Office effective 12-23-04.
2. To hire Kendal Bock as part-time Correctional Officer II (10/2) for the Sheriff's Office at \$15.531 per hour effective 1-3-05.
3. To promote Erik Carlson and Courtnee Mulroy to Correctional Officer II (10/2) for the Sheriff's Office at \$15.531 per hour effective 1-15-05.
4. To accept the resignation of Thomas Olson and Bret Hamlyn as part-time Deputy Sheriff for the Sheriff's Office effective 1-15-05.
5. To increase the hourly rate of Dale Holter and William Wasserman as Parking Attendant for the Sheriff's Office to \$9.50 per hour effective 12-18-04.
6. To hire Mark Thorstenson as part-time Project Specialist for the Sheriff's Office at \$15.00 per hour effective 1-17-05.
7. To hire James Holiway as part-time Security Officer (8/1) for the Sheriff's Office (Army Guard) at \$13.242 per hour effective 1-18-05.

Step increases due:

1. Jason Ingemansen – Security Officer II – Sheriff – 10/5 to 10/6, 12-21-04 – \$17.142 per hour
2. Melvyn Makinson – Correctional Systems Operator – Sheriff – 7/2 to 7/3, 12-21-04 – \$13.408 per hour
3. Lena Schaaf, Sarah Bonrud (PT), and Johna Brooks – Correctional Officer I – Sheriff – 9/2 to 9/3, 12-21-04 – \$15.238 per hour

4. Michael Harris – part-time Correctional Officer II – Sheriff – 10/5 to 10/6, 12-26-04 – \$17.142 per hour
5. Julie Tighe – Correctional Officer II – Sheriff – 10/3 to 10/4, 1-3-05 – \$16.477 per hour
6. Krista Epperson – Deputy Sheriff – Sheriff – 12/1 to 12/2, 1-12-05 – \$17.292 per hour
7. John Olson – Deputy Sheriff Sergeant – Sheriff – 16/12 to 16/13, 12-21-04 – \$26.384 per hour
8. Scot Pfeifer – Deputy Sheriff Sergeant – Sheriff – 16/8 to 16/9, 12-21-04 – \$24.375 per hour
9. Cory Winter – Correctional Officer I – Sheriff – 9/2 to 9/3, 1-21-05 – \$15.238 per hour
10. Steven Lambertz – part-time Court Security Officer – Sheriff – 10/2 to 10/3, 12-21-04 – \$16.153 per hour
11. Judith Sperling – Election Technician – Auditor – 8/10 to 8/11, 12-21-04 – \$16.782 per hour
12. Joan Conklin – Representative Payee – Human Services – 9/9 to 9/10, 11-19-04 – \$16.994 per hour
13. Ryan Justice and Ryan Mickelson- Juvenile Correctional Officer I - JDC - 10/1 to 10/2, 1-5-05 - \$15.531 per hour
14. Alan Baker - Juvenile Correctional Officer I - JDC - 10/3 to 10/3, 1-5-05 - \$16.153 per hour

NOTICES

MOTION by Pekas, seconded by Kolbe to authorize the Auditor to publish Notice of Hearing to consider the renewal of a Cable TV Franchise Agreement between Minnehaha County and WMW Cable of Hartford on February 15, 2005. 4 ayes.

MOTION by Hajek, seconded by Pekas to authorize the Auditor to publish Notice to Bidders for one Emergency Response Vehicle for Emergency Management. 4 ayes.

LIENS

Commissioner Pekas, County Aid Lien Liaison, briefed the Commission on three lien compromise requests. The first petitioner, DPNO 48510, requested that a lien in the amount of \$83.75 be split into two separate accounts. Commissioner Pekas stated the lien was for attorney services for a minor and that the lien was filed against both parents. The petitioner, now divorced, would like to only be responsible for half of the amount. Commissioner Pekas noted that the divorce stipulation was not included with the application materials and without such document, it would be difficult to determine if payment responsibility should be shared. MOTION by Pekas, seconded by Hajek to deny the request. 4 ayes.

The second petitioner is requesting a compromise of DPNO 26077, in the amount of \$3,816.96, in full upon payment of \$2,500.00 (65%). Commissioner Pekas explained that the Commission denied a previous request from this petitioner on April 27, 2004, for payment of \$1,000 and \$2,000. The lien is for attorney services dating back to 1990. MOTION by Pekas, seconded by Kolbe to approve Resolution MC05-03. 4 ayes.

RESOLUTION MC05-03

WHEREAS, a County Aid Lien in the amount of \$3,816.96 purports to exist in favor of Minnehaha County and against DPNO 26077 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 \$2,500.00.

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

Dated at Sioux Falls, South Dakota, this 18th day of January, 2005.

APPROVED BY THE COMMISSION:
Carol Twedt, Chairman

ATTEST:
Sandy Kinder, Deputy Auditor

The third request is for DPNO 51151. The petitioner, a realtor, is requesting that the property be released with no payment from him to complete the sale of the property. During a foreclosure sale, the lien was noted against the former owner in the amount of \$375.00. Gordy Swanson, Chief Civil Deputy State's Attorney, discussed the foreclosure filing date and its bearing on whether the lien would be senior or junior to the mortgage. MOTION by Pekas, seconded by Hajek to defer this request for one week. 4 ayes.

CHANGE ORDER

Chris Schiltz, AIA, Koch Hazard Baltzer Principal, presented a change order in the amount of \$846.00 for the Old Courthouse Museum Restoration Project. The change order is for mobilization and tile replacement and will change the completion date from December 3, 2004 to January 31, 2005. Mr. Schiltz also updated the Commission on the progress of the project. Commissioners complimented Mr. Schiltz on the project. MOTION by Kolbe, seconded by Hajek to authorize the Chairman to sign Change Order #1 to the contract with Ron Anderson Construction for the Old Courthouse Museum Restoration Project in the amount of \$846.00. 4 ayes. This change order will bring the total contract to \$23,357.48.

HEARING

Sheriff Mike Milstead was present for the scheduled hearing to consider creating an STI Security budget and supplementing \$62,932 from the General Fund to the STI Security budget. On November 30, 2004 the Commission approved an agreement with Southeast Technical Institute to provide security services on the STI campus. Sheriff Milstead explained that the duties of the STI Security Officer would be similar to the School Resource Officers. Sue Roust, Auditor, discussed the breakdown of the supplement amount and noted that creating a separate budget would aid in tracking the actual costs of this service.

No one spoke in opposition to the request. MOTION by Hajek, seconded by Pekas to approve Resolution MC05-04. 4 ayes.

RESOLUTION MC05-04
FOR SUPPLEMENTAL BUDGET

WHEREAS it is necessary to supplement the 2005 Annual Budget in order to carry on the indispensable functions of Minnehaha County; and

WHEREAS, the adoption of the proposed Supplemental Budget was duly considered by the Minnehaha County Commission on the 18th day of January, 2005, at 9:15 a.m., in the Commission Meeting Room, pursuant to due notice; now, therefore, be it

RESOLVED by the Minnehaha County Commission that the following Supplemental Budget be, and the same is, hereby approved for the purpose of providing budget to conduct the indispensable functions of Government, to-wit:

From the General Fund to the STI Security budget as follows:

ASN	AMOUNT
17000	\$32,305
17002	15,528
17007	3,659
17009	2,585
17015	2,041
17017	3,932
17022	632
17034	250
17060	<u>2,000</u>
	\$62,932

APPROVED BY THE COUNTY COMMISSION:

Carol Twedt, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

RECOGNITION

Sheriff Mike Milstead recognized Al Bowden of Sencore, Inc. for his company's generous donation of \$6,000 to the Sheriff's Department for exercise equipment and the DARE Program. Commissioners expressed thanks to Mr. Bowden and Sencore. MOTION by Pekas, seconded by Hajek to supplement \$4,000 from the General Fund to the Jail budget for exercise equipment and \$2,000 from the General Fund to the Sheriff's budget for the DARE Program representing a donation from Sencore, Inc. 4 ayes.

CONTRACTS

Sheriff Mike Milstead and Sheriff Lieutenant Kaci Zwak requested approval of the Police Services

Contracts between Minnehaha County and cities in the county. Lt. Zwak stated that the rate for services has increased from \$20.75 to \$21.50 per hour for a set number of hours for each community. Sheriff Milstead commented on the success and benefits of this program. MOTION by Hajek, seconded by Pekas to approve the 2005 Police Services Contracts between Minnehaha County and the cities of Baltic, Colton, Crooks, Dell Rapids, Hartford, Humboldt, and Valley Springs. 4 ayes.

EXTENSION

Sandra Aamlid, Extension Educator, introduced District Extension Supervisor, Mike McCurry, who announced that there was an opportunity to add a 6th Extension Educator to the staff in Minnehaha County. Ms. Aamlid discussed the duties of the additional Family and Consumer Science position. Commissioners thanked Mr. McCurry and the State for considering Minnehaha County for this additional position.

APPOINTMENT

MOTION by Kolbe, seconded by Hajek to appoint Dr. Gary Olson to the Siouxland Heritage Museum Board for a term from January 18, 2005 through December 31, 2007. 4 ayes.

HEARING

Pat Herman, Planner, was present for the scheduled hearing to consider vacating a section line highway described as the Statutory section line highway from the east sixteenth corner of Section 9-T101N-R48W south to the east quarter corner of Section 9-T101N-R48W; of the 5th PM, Minnehaha County, South Dakota. Ms. Herman stated that due to the construction of Sioux Boulevard, this portion of the section line road was no longer needed. The petitioner owns property on both sides of the right-of-way and the vacation would allow the owner to expand his nursery business without having to split the property into two parcels. Ms. Herman noted that the City of Brandon and Split Rock Township did not oppose the request. No one spoke in opposition to the request. MOTION by Kolbe, seconded by Pekas to approve Resolution MC05-05. 4 ayes.

RESOLUTION 05-05 RESOLUTION TO VACATE STATUTORY SECTION LINE HIGHWAY

WHEREAS, a public hearing was held on January 18, 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 from the east sixteenth corner of Section 9-T101N-R48W south to the east quarter corner of Section 9-T101N-R48W; of the 5th 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 18th day of January, 2005.

BOARD OF COUNTY COMMISSIONERS

Carol Twedt, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

AGREEMENT

On November 9, 2004, the Commission awarded the bid for institutional food service for the Juvenile Detention Center to CBM to be effective January 1, 2005. Todd Cheever, JDC Director, requested that the Commission authorize the Chairman to sign a contract for the specified services. The contract will provide for 3000 calories per day per child and will be effective February 1, 2005 through December 31, 2005. MOTION by Hajek, seconded by Kolbe to authorize the Chairman to sign the Minnehaha County Regional Juvenile Detention Center Food Service Contract Between Minnehaha County and CBM (Catering by Marlins). 4 ayes.

SUPPLEMENT

On September 30, 2003, the Commission approved an Easement Agreement with the City of Sioux Falls for the Madison Street Interchange Project. The Commission also approved Resolution MC03-62 which specifies that proceeds from the easements will be earmarked for the replatting of the parcels at the W.H. Lyon Fairgrounds, with any remaining balance being utilized for improvements to the fairgrounds property. Ken McFarland, Administrative Assistant, reported that the project has been completed and after payment of \$9,637.13 to Sayre Associates for the survey and plat work, \$11,337.87 remains for physical improvements to the fairgrounds. He requested that the Commission supplement the remaining balance to the Sioux Empire Fair Association budget. Mr. McFarland also presented a draft of a letter to Matt Adamski, Sioux Empire Fair General Manager, requesting that the Sioux Empire Fair Association Board identify the project in which the funds will be used and notify the County Commission so that the W H. Lyon heirs can be notified. MOTION by Kolbe, seconded by Hajek to supplement \$11,337.87 from the General Fund to the Sioux Empire Fair Association budget for use for physical improvements to the fairgrounds. 4 ayes.

AGREEMENT

Ken McFarland, Administrative Assistant, requested that the Commission authorize the Chairman to sign an agreement with the City of Sioux Falls for detoxification services. Under the agreement, the City will pay the County \$160,000 in monthly installments for 2005. This is an increase from \$150,200 in 2004. The County will then forward the monthly installments to Avera McKennan for detoxification services. The County has also allocated \$160,000 for this service. MOTION by Hajek, seconded by Kolbe to authorize the Chairman to sign the Agreement for Detoxification Services between the City of Sioux Falls and Minnehaha County. 4 ayes.

NEW BUSINESS

Chairman Twedt requested that legislative updates be placed on the agenda beginning next week.

MOTION by Pekas, seconded by Hajek to adjourn into Executive Session. Following Executive Session the Commission adjourned until 5:00 p.m. on Tuesday, January 18, 2005. 4 ayes.

APPROVED BY THE COMMISSION:

Carol Twedt, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor