

4/12/05

THE MINNEHAHA COUNTY COMMISSION CONVENE AT 9:00 A.M., April 12, 2005, pursuant to adjournment on April 5, 2005. Commissioners present were: Twedt, Pekas, Hajek, Kolbe, and Zweep. Also present were Sandy Kinder, Deputy Auditor, and Gordy Swanson, Chief Civil Deputy State's Attorney.

Chairman Twedt called the meeting to order.

MINUTES

MOTION by Kolbe, seconded by Hajek to approve the Minutes for April 5, 2005. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Hajek, seconded by Kolbe to approve the following bills for payment. 5 ayes.

Anderson Publication	Var. Depts	26.50	Anderson, Elwood	Human Svcs	375.00
APCO International,	Metro-911	309.00	Apex Property Manage	Human Svcs	300.00
Argus Leader	Var. Depts	2,423.25	ASAP Software Expres	Info Svcs	369.91
Atherton, David	Metro-911	113.28	Avera McKennan Hospi	Var. Depts	35,640.76
Avera Queen of Peace	Metro-911	20.00	Beck, Pat/Low Eight,	Human Svcs	84.00
Blackburn & Stevens,	Mental Ill	172.60	Bob Barker Company,	Correction	172.73
Bortnem, Arnold	Mus Grant	150.00	Brecher, Grant	Human Svcs	375.00
Brevik Law Office, P	Mental Ill	331.54	Brown & Saenger	Var. Depts	922.27
Buffington, Michael	Court Sys.	823.58	Campbell Supply Co.,	Hiway Cons	132.11
CBM Food Service	Juv Det Cn	5,127.93	Cellular One-Store	Sheriff	76.48
Charlotte Place/Beck	Human Svcs	435.00	City Centre Hotel Co	Court Sys.	147.32
City Glass & Glazing	Museum	24.00	City-Wide Taxi, Inc	Human Svcs	97.19
Cliff Avenue Auto Pa	Hiway Cons	11.54	Concrete Materials	Hiway Cons	9,782.63
Cooey, Carla F	Court Sys.	943.00	Cook County Sheriff,	St Atty	24.60
Cross Threads Fiber	Mus Grant	100.00	Cruz, Dora	Human Svcs	250.00
Culligan Water Condi	Human Svcs	58.40	Dakota Fluid Power,	Hiway Cons	33.42
Dakota Riggers & Too	Hiway Cons	304.59	Dakota Splash	Hiway Admi	22.35
Daniels-Olsen Bldg P	Museum	200.00	Davidson, John Q	Mental Ill	208.00
Davis Typewriter Co.	Reg Deeds	405.00	Days Inn	Var. Depts	360.00
Decisionone Corporat	Info Svcs	1,234.43	Dell Rapids Fire Dep	Emer Mgmt	500.00
DeVaney, Tom	Hiway Cons	54.99	Dialnet / Ahrens Tel	St Atty	210.00
Diamond Vogel Paint	Var. Depts	553.55	Dietrich, Donna K	Mental Ill	852.10
Dresbach, Steve	Mental Ill	5,130.00	Dries, Scott	Correction	9.00
East Pointe Townhous	Human Svcs	150.00	Ekeren, Marvin R	Mental Ill	105.00
Electric Innovations	Facilities	1,774.91	Ellett, Dennis	Info Svcs	34.50
Engelbrecht, Joann	Mus Grant	100.00	Evercom	Correction	7,000.00
Family Drug	Human Svcs	1,860.12	Family Service, Inc.	Human Res.	720.00
Fastenal Company	Hiway Cons	106.38	Framers Supply Co.	Museum Ent	31.04
G & H Distributing,	Facilities	87.79	Galland Legal Clinic	Court Sys.	1,756.80
Genzlinger, Janeen	Court Sys.	54.60	Glory House	Pass-thru	5,303.70
Golden West	Var. Depts	596.01	Grabber, Leroy	Mus Grant	100.00
Graham Tire Co. - Do	Var. Depts	509.67	Graybar Electric Com	Info Svcs	108.51
Grosz, Mark	Human Svcs	350.00	Guzman, Sandra V	Court Sys.	237.49
Handy Man, Inc.	Facilities	20.63	Heartland Paper Comp	Correction	222.96
Hentges, Don	Mus Grant	100.00	Herman, Patricia	Plan & Zon	7.99
Hewlett-Packard Comp	Var. Depts	1,515.00	Hobby Lobby Stores,	Museum Ent	58.26
Hofer, Ryan	Human Svcs	375.00	Home Federal Savings	Human Svcs	337.50
Howalt-McDowell Insu	Hiway Cons	241.00	Huebner, Dave	Mus Grant	100.00
Humboldt Threshing A	Mus Grant	100.00	Hunter's Lawn & Land	Human Svcs	54.00
Hurtgen, Timothy T	Human Svcs	875.00	Hy-Vee Food Store #1	Juv Det Cn	243.36
Hy-Vee Pharmacy #162	Human Svcs	58.44	Insight Public Secto	Metro-911	152.76
Interstate Office Pr	Var. Depts	328.69	J & K Properties / T	Human Svcs	450.00
J.H. Larson Company	Var. Depts	644.80	Janitor's Closet, Lt	Correction	394.91
Jefferson Partners,	Human Svcs	1,152.30	Jim Hawk Truck Trail	Hiway Cons	91.65

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Johnson Estates/Beld	Human Svcs	250.00	Johnstone Supply	Correction	673.30
Kabeiseman & Pollard	Mental Ill	324.10	Kappenman, Thomas L	Human Svcs	350.00
Kar Parts Inc	Emer Mgmt	179.40	Keller, Jana Buehner	Mus Grant	100.00
Kennedy, Renee S.	Court Sys.	135.20	Keystone Apts / Kell	Human Svcs	525.00
Kidney Consultants,	Human Svcs	89.08	Kilian Community Col	Auditor	200.00
Kone, Inc.	Museum Mtc	121.98	Kooistra, Nelva	Mental Ill	105.00
Landborg, Richard J	Human Svcs	350.00	Larson, Bernell	Correction	62.00
LCM Pathologists, P.	Coroner	24.50	Lee, Tamara D	Mental Ill	179.07
Lewis Drugs	Dir. Eq.	13.98	Linweld, Inc.	Hiway Cons	186.64
Lithia Automotive, I	Hiway Cons	81.12	Mac's, Inc.	Hiway Cons	46.20
Malloy Electric Bear	Var. Depts	278.11	Malmgren, Kim	Human Svcs	450.00
Maryland Motor Vehic	St Atty	9.00	Master Blaster, Inc.	Hiway Admi	45.00
Mathison Company	Var. Depts	71.23	Menards - East	Var. Depts	70.47
Menards - West	Facilities	244.51	Meteorlogix, LLC	Metro-911	127.00
Michaelson, Shirley	Human Svcs	375.00	Mid American Special	Metro-911	705.23
Midamerican Energy C	Var. Depts	4,274.18	Midwest Oil Company	Hiway Cons	456.10
Miller & Swier,	Mental Ill	148.00	Minnehaha Cnty Priso	Correction	5.00
Minnehaha Cnty Sheri	Sheriff	33.00	Monick Pipe & Supply	Facilities	119.62
Monona County Sherif	St Atty	15.00	Monte's Woodshop	Museum	45.00
Muldbakken, Sunhild	Mus Grant	100.00	Murray Construction,	Human Svcs	217.50
Nebraska Dept. of Mo	St Atty	6.00	Nelson, Linda	Mus Grant	100.00
New World Systems	Metro-911	46,529.00	Nguyen, Lam	Court Sys.	100.00
Niklason, Ruby	Mus Grant	100.00	Nilsson, Marian	Mus Grant	100.00
Norberg Paints, Inc.	Facilities	18.80	North Ridge Apartmen	Human Svcs	450.00
Northern Truck Equip	Hiway Cons	948.68	Novak Sanitary Servi	Var. Depts	571.25
Nyberg's Ace Hardwar	Emer Mgmt	7.56	Office Depot, Inc.	Info Svcs	1,686.73
Officemax Credit Pla	Museum	28.87	Optometric Clinic	Human Svcs	194.44
Peterson, Bill	Mus Grant	500.00	Pfeifer Implement Co	Hiway Cons	186.07
Pheasantland Industr	Var. Depts	401.87	Priorier Equipment Co	Hiway Admi	4,950.00
Pomp's Tire Service,	Hiway Cons	57.20	Pontiac Cadillac of	Var. Depts	148.61
Prairie Publications	Comm.	659.55	Push-Pedal-Pull	Correction	153.00
Qualified Presort Se	Var. Depts	7,102.02	Quest Engineering, I	Hiway Cons	21.88
R & L Supply, Ltd	Facilities	143.74	Rainbow Sportscards	Museum	48.36
Rambow, David C	Mus Grant	150.00	Rasmussen, Paavo	Museum	10.00
Record Keepers, Inc.	Court Sys.	3,362.86	Rinehart, Norman R	Human Svcs	450.00
River Run Apts / Sio	Human Svcs	450.00	RJ Rental Properties	Human Svcs	725.00
Robson True Value	Var. Depts	78.41	Rock County Sheriffs	St Atty	25.00
Rockhurst College Co	Auditor	249.00	Roemen's Auto Supply	Hiway Cons	291.33
Rohn Airport Adverti	Museum	222.00	Russ' Pest Control,	Emer Mgmt	42.00
Sazomov, Vitlay	Human Svcs	300.00	Schoeneman Bros. Co.	Facilities	59.96
SD Dept of Human Ser	Mental Ill	200.00	SD Federal Property	Hiway Cons	12,626.50
SD State Fire Marsha	Human Svcs	100.00	SD State Treasurer	Sales Tax	439.19
SF Area Chamber of C	Var. Depts	2,790.00	SF City Finance	Pass-thru	3,815.77
SF Rubber Stamp Work	Var. Depts	84.00	SF Two Way Radio Ser	Metro-911	50.00
Shopko Store #076	Juv Det Cn	37.13	Sioux Falls Ford, In	Var. Depts	84.61
Sioux Falls School D	Pass-thru	945.17	Sioux Falls Utilitie	Emer Mgmt	194.18
Sioux Valley Clinica	Correction	542.61	Sioux Valley Energy	Var. Depts	351.55
Sioux Valley Hospita	St Atty	20.00	Siouxland Oral & Max	Human Svcs	840.66
Smith Publishing Co.	Auditor	168.00	Solomon, Ghirmay	Court Sys.	50.00
Somerset Partnership	Human Svcs	350.00	South Dakota Network	Metro-911	7,618.99
Srstka, Cynthia L	Court Sys.	3,024.00	Stan Houston Equipme	Hiway Cons	398.81
Stern Oil Co., Inc.	Hiway Cons	11,771.62	Storhaug, Adrean	Human Svcs	325.00
Sturdevant's Auto Pa	Hiway Cons	355.29	Talavera, Zoila Judi	Court Sys.	166.66
Thomas, Debbie Hein	Correction	36.00	Thorin, Deyanira T	Var. Depts	404.17
Thurman, Creighton A	Mental Ill	401.86	Tri-Tech, Inc.	St Atty	1,782.42
TSP Four, Inc	Build Fund	3,455.65	Turning Point	Pass-thru	7,873.75
Union Telephone Comp	Metro-911	321.91	University of Minnes	Cnty Exten	677.15
US Postmaster	Museum Ent	37.00	Valley View MH Park/	Human Svcs	240.00
Valley West Apartmen	Human Svcs	350.00	Variety Foods, Inc.	Correction	1,113.60
Velgersdyk, Dr. Scot	Human Svcs	136.14	Velvet Uniforms, Inc	Var. Depts	512.51
Verizon Wireless, Be	Emer Mgmt	26.16	Volk Investigations,	Pub. Adv.	932.52
W.W. Grainger, Inc.	Facilities	78.53	Walcro Floor Coverin	Facilities	68.55

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Walgreens Pharmacy	Human Svcs	629.19	Walgreens Pharmacy	Human Svcs	17.21
Wall Lake Sanitary D	Hiway Admi	35.00	Weelborg Bros., Inc.	Hiway Cons	1,200.00
West Group	Juv Det Cn	216.50	Whitney, Dennis	Dir. Eq.	34.99
Windsor Heights Apar	Human Svcs	450.00	Woodside, Matthew D.	Mus Grant	150.00
Xcel Energy, Inc.	Human Svcs	370.65	Yankton County Sheri	Mental Ill	181.50
Zabel Steel Co.	Hiway Cons	217.71			

REPORTS

The following reports were received and placed on file in the County Auditor's Office: Minnehaha County Regional Juvenile Detention Center Statistical Report and the Human Services Monthly Report for March, 2005.

PERSONNEL

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

1. To appoint Michelle Boyd as Assistant Sheriff (24/7) for the Sheriff's office at \$2,508.32 bi-weekly effective 4-12-05.
2. To hire Ryan Baker as part-time Correctional Systems Operator (7/1) for the Sheriff's Office at \$12.397 per hour effective 4-11-05.
3. To hire Jessica Hill and Kim Feerick, as Correctional Systems Operator (7/1) for the Sheriff's Office at \$12.397 per hour effective 4-11-05.
4. To hire Kim Lippincot as Correctional Systems Operator (7/1) for the Sheriff's Office at \$12.397 per hour effective 4-12-05.
5. To hire Eric Haan, Jennifer Matthews, Josh Reinfeld, and Matthew Tirevold as Correctional Officer I (9/1) for the Sheriff's Office at \$14.088 per hour effective 4-11-05.
6. To promote Debbie Halouska to AG Security Officer II (10/2) for the Sheriff's Office at \$15.531 per hour effective 3-26-05.
7. To reassign Kathleen Cline as Correctional Officer I (9/2) for the Sheriff's Office at \$14.652 per hour effective 4-9-05.
8. To accept the resignation of Scott Prenger as Investigator for the State's Attorney's office effective 4-1-05.
9. To hire Dave Queal as temporary Park Worker for the Parks Office at \$9.50 per hour effective 4-18-05 to 12/31/2005.

Step increases due:

1. Suwa Otten - Office Assistant I - Sheriff - 4/3 to 4/4 - 2-2-05 - \$10.876 per hour
2. Jolynn Harris - Correctional Officer I - Sheriff - 9/3 to 9/4 - 2-10-05 - \$15.544 per hour
3. Gary Nickerson - Correctional Officer I - Sheriff - 9/2 to 9/3 - 2-24-05 - \$15.238 per hour

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4. Elaine Muller - Correctional Systems Operator - Sheriff - 7/2 to 7/3 - 4-16-05 - \$13.408 per hour
5. Matthew McQuisten - Deputy Sheriff - Sheriff - 12/2 to 12/3 - 12-21-04 - \$17.984 per hour
6. Sydney Green - Juvenile Correctional Officer I - 10/8 to 10/9 - 3-30-05 - \$18.191 per hour
7. Jennifer Disburg - Communication Training Supervisor - Metro Communications - 11/3 to 11/4 - 4-13-05 - \$17.410 per hour
8. Adam Nyhaug - Collections Assistant - Museum - 7/2 to 7/3 - 4-14-05 - \$13.408 per hour

Sheriff Mike Milstead briefed the Commission on the appointment of Michelle Boyd to Assistant Sheriff and explained the duties of the position. Commissioner Twedt expressed her disappointment in the lack of media attendance at the recent Commission Meetings and urged the Sheriff to involve the media in announcing the appointment to the public.

ABATEMENT

On the recommendation of Dennis Whitney, Deputy Director of Equalization, MOTION by Zweep, seconded by Hajek to approve the following abatement: LG Everist, Inc., ID 18657, Property Taxes, 2003 - \$1,534.17 and 2004 - \$1,488.03. 5 ayes.

Mr. Whitney also presented an Application for Abatement from Philip Pyper. The applicant is requesting that Owner Occupied (O/O) status be granted to property ID 66355 for 2004, and that the difference between O/O and non O/O be abated. Mr. Whitney recommended denial due to Mr. Pyper not filing the appropriate paperwork by the deadline set by law for 2004. Mr. Pyper was present to answer questions and stated that he did receive an Owner Occupied Form from the County this year and was told that had he filled the form out last year, it would have reduced the taxes. He stated that he did visit the Equalization office last year to question the valuation of his land and stated that if he had received the proper form last year he would have filled it out. The land was purchased in 1998 and a structure built late in 2003. Gordy Swanson, Chief Deputy State's Attorney, noted that there are no provisions in state law that allows an exception to the filing deadline date set at March 15th of each year. MOTION by Hajek, seconded by Pekas to approve the abatement for Owner Occupied status. 2 ayes, Kolbe, Zweep, and Twedt, nay. Motion fails.

LIENS

Commissioner Pekas, County Aid Lien Liaison, briefed the Commission on a request to compromise DPNO 26653, in the amount of \$2,552.54, by releasing the property only with no payment from the petitioner. He explained that the petition was submitted by the Mackoff Kellogg Law Firm on behalf of JP Morgan Chase Bank as trustee for Equity One ABS, Inc. The bank is pursuing foreclosure action on the property. The lien for medical services was filed prior to the mortgage. Gordy Swanson, Chief Deputy State's Attorney, gave his legal opinion on the possibility that the lien would be superior to the mortgage and advised that the question of priority as between the county lien and mortgage is ripe for decision by a court. MOTION by Pekas, seconded by Hajek to deny the request. 5 ayes.

SUPPLEMENT

MOTION by Zweep, seconded by Pekas to supplement \$43,383.93 from the Highway Fund to the Highway Construction budget representing a FEMA Disaster Assistance Grant awarded through the State

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of SD Public Assistance Disaster Award to replace a box culvert damaged by flooding in 2004. 5 ayes.

REQUEST

The Commission received a request from Dennis Brunsting, county resident, requesting reimbursement for work he did in a ditch adjacent to his property along County Highway 103. The request detailed the property owner's efforts in contacting the County Highway Department to have them do dirt work and seed the ditch to make it easier to mow. Bob Meister, Highway Superintendent, detailed his accounting of the contacts with Mr. Brunsting, and stated that his department would have followed up on the request as time allowed and that it was considered a low priority. He also noted that he did not approve reimbursement because the improvements did not benefit the traveling public and had minimal benefit to the right-of-way. Mr. Brunsting stated that he contacted Mr. Meister again to get permission to do the work himself. Mr. Meister stated that there was no promise for reimbursement. Commissioner Hajek commented on the communication efforts between the Highway Department and Mr. Brunsting, and stressed the importance of returning calls. Gordy Swanson, Chief Deputy State's Attorney, noted that the Commission is not obligated to reimburse for the work because the right-of-way does not belong to the County and no benefit to the highway has been determined. MOTION by Zweep, seconded by Kolbe to deny the request. 3 ayes, Hajek and Pekas, nay.

SUPPLEMENT

MOTION by Hajek, seconded by Zweep to approve the following supplements from the Emergency Management Fund to the Emergency Management Budget representing reimbursement from the State of SD for the 2004 Homeland Security Grant: \$1,159.82 (ASN 16924) , \$45,090.81 (ASN 16925), \$21,441.33 (ASN 16577), \$173.50 (ASN 16927). 5 ayes.

APPOINTMENT

Scott Anderson, Planning Director, announced that applications were reviewed for the Planning Commission (PC) vacancy and four candidates were selected for further review by the County Commission. Three of the candidates, John Rave, Elaine Hendrickson, and Mark Rogen were present at the meeting to answer questions. The fourth candidate, Paul Evenson, was not available. Commissioners interviewed the candidates to review their background and why they were interested in serving in this capacity. Commissioner Twedt thanked the candidates and Mr. Anderson. Commissioners discussed past appointments noting that there has not been as many candidates brought before them in the past. They also discussed current PC terms that would be up later this year. MOTION by Hajek, seconded by Zweep to appoint Mark Rogen to the Planning Commission through December 31, 2008. 5 ayes.

MOTION by Pekas, seconded by Zweep to adjourn into Executive Session. 5 ayes. Following Executive Session the Commission adjourned until 5:00 p.m. on Monday, April 18, 2005. 5 ayes.

APPROVED BY THE COMMISSION:

Carol Twedt, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor