

4/19/05

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., April 19, 2005, pursuant to adjournment on April 18, 2005. 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.

Chairman Twedt called the meeting to order.

MINUTES

MOTION by Zweep, seconded by Pekas to approve the Minutes for April 12, 2005. 4 ayes.

VOUCHERS TO BE PAID

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

A & B Business Equip	Var. Depts	466.29	A to Z Language Inte	Var. Depts	1,775.00
Abbott Travel/Arco I	St Atty	864.89	Accurint #1007791	Sheriff	115.65
Ad-Venture	Museum Sto	135.00	Alliance Communicati	Metro-911	823.25
Anderson-Crane Rubbe	Hiway Cons	96.80	Anesthesia Physician	Human Svcs	224.00
Appeara / Dudley Lau	Hiway Admi	47.46	Argus Leader	Var. Depts	2,229.42
ASAP Software Expres	Metro-911	158.38	Asfora, Wilson T, MD	Human Svcs	985.37
Ashbury Apts, Ltd Pa	Human Svcs	825.00	Assembled Products C	Emer Mgmt	265.08
Automatic Building C	Var. Depts	1,887.00	Avera Health Plans,	Human Svcs	372.30
Avera McKennan Hospi	Var. Depts	60,598.52	Avera McKennan Hospi	Pub. D.	60.26
Berreth, Deborah	Metro-911	31.04	Best Business Produc	Reg Deeds	39.00
Best Western Doublew	Hiway Cons	397.80	Billion Automotive	Sheriff	1,800.00
Blackburn & Stevens,	Mental Ill	187.40	Blomker, Douglas	Emer Mgmt	162.00
Bob Barker Company,	Correction	236.49	Boon, Dan	Human Svcs	445.00
Boyer Trucks Sioux F	Hiway Cons	98.46	Brown & Saenger	Var. Depts	221.40
Building Sprinkler,	Pettigrew	204.69	Buller, Henry	Human Svcs	350.00
Bureau of Informatio	Var. Depts	1,825.65	Burkhart, Wayne	Human Svcs	350.00
California Public-Sa	Metro-911	47.50	Campbell Supply Co.,	Var. Depts	115.64
CBM Food Service	Correction	19,379.25	Cellular One-Store	Hiway Admi	70.48
Center for Family Me	Correction	705.98	Century Business Pro	Var. Depts	95.00
Charlotte Place/Beck	Human Svcs	350.00	Christensen, David D	Hiway Cons	55.40
City Centre Hotel Co	Court Sys.	163.83	Clayminn, LLC	Human Svcs	300.00
Cleveland Heights Ap	Human Svcs	425.00	Cliff Avenue Auto Pa	Hiway Cons	44.05
Concrete Materials	Hiway Cons	75.33	Conexis Benefit Admi	Human Svcs	410.71
Country View Mobile	Human Svcs	880.00	Credit Bureau of Tol	Correction	65.20
Culligan Water Condi	Metro-911	133.80	Cunningham, Terry	Sheriff	50.00
Dacotah Bank	Pub. D.	262.00	Dakota Riggers & Too	Hiway Cons	188.93
Dakota Supply Group,	Juv Det Cn	36.10	Dale Animal Hospital	Sheriff	75.26
Davis Distributors,	Juv Det Cn	125.40	Dell Rapids Ford, In	Sheriff	30.31
Deschutes Clerk of C	St Atty	17.25	Dialnet / Ahrens Tel	Correction	352.75
Diamond Vogel Paint	Correction	368.40	Drake Equipment, Inc	Emer Mgmt	70.71
Dumdei, Sheila M	Metro-911	21.74	Emedco Innovative Si	Pettigrew	37.99
Engelgau, Elaine	Court Sys.	64.60	Executive Touch, LLC	Sheriff	199.00
Fastenal Company	Hiway Cons	141.84	Federal Express Corp	Metro-911	21.31
First Premier Bank	Sheriff	100.28	Fortin, Margaret	Mental Ill	136.00
Fox, Mark W , MD	Human Svcs	20.75	Fred Pryor Seminars	Juv Det Cn	179.00
Fred the Fixer, Inc	Sheriff	27.50	G & R Controls	Juv Det Cn	288.78
Galland Legal Clinic	Court Sys.	504.00	Gene's Studio	Museum Ent	100.00
Golden Creek Investo	Human Svcs	300.00	Golden West	Sheriff	35.77
Graham Tire Co. - Do	Var. Depts	1,033.15	Graham Tire Co. - No	Sheriff	543.50
Great Plains Psychol	Pub. D.	70.00	Guzman, Sandra V	Var. Depts	258.33
Hammer, Ralph	Hiway Admi	60.00	Hanisch Properties	Human Svcs	450.00
Harold's Photo Cente	Museum	76.92	Hartman, Jeremy	Hiway Cons	136.09
Heartland Paper Comp	Var. Depts	1,127.65	Helgeson, Jennifer	Metro-911	6.00
Herman, Patricia	Plan & Zon	44.00	Honkamp, Jim	Human Svcs	261.00

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Howalt-McDowell Insu	St Atty	50.00	Hurtgen, Timothy T	Human Svcs	450.00
Hy-Vee Food Store #1	Cnty Exten	37.65	Hy-Vee Pharmacy #162	Human Svcs	80.90
Hybertson, Greg	Human Svcs	450.00	Iddings, Ev	Museum	100.00
Inland Truck Parts &	Hiway Cons	8.78	Insight Public Secto	Metro-911	265.00
Int'l Personnel Mana	Correction	1,180.00	Interstate Office Pr	Var. Depts	2,162.39
Intoximeters, Inc	Correction	368.05	Jacobsen, Harlan	Human Svcs	340.00
Jans Corporation	Build Fund	238,851.00	Jefferson Partners,	Correction	77.80
Jim Bork Enterprises	Reg Deeds	204.00	Johnson, Heideprie	Comm.	2,880.00
Keller, Thomas M	Court Sys.	3,591.59	Kmart #7318	Human Svcs	40.53
Kohl's Department St	Juv Det Cn	43.98	Kone, Inc.	Pettigrew	50.00
Lacey's Chemical Res	Hiway Cons	73.00	Lakeview Apts / Wiem	Human Svcs	450.00
Language Line Servic	Metro-911	341.00	Larson, Deanna	Metro-911	169.00
Lason Systems, Inc.	Reg Deeds	145.30	Lautwein, Dawn	Info Svcs	30.00
Lawson Products, Inc	Hiway Cons	63.99	LCM Pathologists, P.	Coroner	11,803.95
Lexis-Nexis / Reed E	Var. Depts	1,783.51	Lietz, Rich	Auditor	30.00
Linweld, Inc.	Hiway Cons	96.28	Lithia Automotive, I	Sheriff	16.41
Lyle Signs, Inc	Hiway Cons	322.26	Mac's, Inc.	Hiway Cons	25.70
Malloy Electric Bear	Hiway Cons	103.30	Mambo, Jacques	Human Svcs	61.44
Mariah Press	Museum Sto	243.00	Marion Manor / Pine	Human Svcs	225.00
Mathison Company	Reg Deeds	30.24	Maxwell Food Equipme	Var. Depts	496.68
Medical X-Ray Center	Correction	300.21	Meile-Rasmussen, Jac	Pub. D.	59.46
Menards - East	Museum	69.21	Menards - West	Hiway Admi	15.04
Merrow, Danielle L	Human Svcs	350.00	Mid American Special	Metro-911	735.78
Midamerican Energy C	Var. Depts	3,493.29	Midcontinent Communi	Var. Depts	344.85
Midwest Copier Solut	Cnty Exten	146.00	Miller & Swier,	Mental Ill	148.00
Miller Funeral Home,	Human Svcs	8,495.00	Mini Critters	Juv Det Cn	93.32
Minnehaha Cnty Priso	Correction	20.00	Mobile Electronic Se	Sheriff	150.00
Moore, Rasmussen, Ka	Court Sys.	2,430.00	Motorola, Inc.	Emer Mgmt	16,075.00
Mr. Goodcents	Museum Ent	14.37	Murphy, Patrick M	Sheriff	171.84
Murray Construction,	Human Svcs	217.50	National Pawn Co. of	Sheriff	150.00
Neurology Associates	Correction	66.60	Nguyen, Lam	Court Sys.	25.00
Nguyen, Quang D	Human Svcs	450.00	Norman, Theresa	Museum	38.40
North Central Heart	Correction	132.75	Northern Safety Tech	Hiway Cons	391.72
Northern Truck Equip	Hiway Cons	84,759.52	Northland Chemical C	Hiway Admi	60.86
Novak Sanitary Servi	Var. Depts	310.82	Nyberg's Ace Hardwar	Emer Mgmt	219.90
Orthopedic Institute	Var. Depts	224.95	Osborn, Roxane R	Court Sys.	434.00
Osmundson, Gregory D	Correction	25.20	Otter Tail Energy Se	Facilities	25,245.62
Pepsiamericas	Museum Ent	39.00	Person, Larry D	Human Svcs	325.00
Peters, Scott N, P.C	Mental Ill	3,957.02	Pfeifer Implement Co	Hiway Cons	33.12
Phoenix Bat Company	Museum	283.00	Physicians Laborator	Correction	14.60
Plusco Printing & Co	Human Svcs	226.49	Pomp's Tire Service,	Hiway Cons	541.92
Pontiac Cadillac of	Sheriff	120.04	Prairie Publications	Var. Depts	1,835.90
Provo, Tom	Human Svcs	450.00	Psroc Enterprises, L	Human Svcs	345.00
Puumala, Dr. Michael	Correction	67.61	Qualified Presort Se	Court Sys.	321.44
Quest Engineering, I	Hiway Cons	441.71	Qwest	Var. Depts	8,105.03
RDO Equipment Co	Hiway Cons	543.50	Record Keepers, Inc.	Var. Depts	257.20
River Tower Apartmen	Human Svcs	423.00	Roust, Sue	Auditor	111.20
Runco Inc/Gas Stop	Human Svcs	29.51	Rural Metro Ambulanc	Coroner	1,000.00
Safelite Glass Corp.	Sheriff	209.17	Sazomov, Vitlay	Human Svcs	225.00
SD Assn of County Co	Var. Depts	200.00	SD Dept of Human Ser	Pub. D.	200.00
SD Dept of Revenue	Sheriff	4.00	SD Dept of Transport	Hiway Cons	1,719.47
SD Secretary of Stat	St Atty	25.00	SDAAO	Dir. Eq.	1,080.00
Seed Solutions	Hiway Cons	130.00	Servall Towel & Line	Var. Depts	28.24
SF Area Humane Socie	Animal Con	1,527.76	SF City Finance - Fu	Var. Depts	8,754.79
SF Rubber Stamp Work	Var. Depts	36.50	SF Two Way Radio Ser	Metro-911	350.00
SF Wheelchair Transp	Correction	30.00	Shopko Store #076	Juv Det Cn	39.98
Sioux Empire FCU / V	Var. Depts	1,175.81	Sioux Empire FCU / V	Sheriff	3,578.92
Sioux Empire FCU / V	St Atty	284.52	Sioux Empire FCU / V	Sheriff	535.70
Sioux Empire FCU / V	Sheriff	138.89	Sioux Empire FCU / V	Emer Mgmt	491.85
Sioux Empire FCU / V	Metro-911	150.00	Sioux Empire Shrm	Human Res.	50.00
Sioux Falls Ford, In	Hiway Cons	23.10	Sioux Falls School D	Emer Mgmt	757.68
Sioux Falls Utilitie	Human Svcs	71.57	Sioux Valley Clinica	Human Svcs	70.98

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Sioux Valley Clinica	Var. Depts	1,162.76	Sioux Valley Heart P	Human Svcs	301.62
Sioux Valley Hospita	St Atty	540.00	Slate Creek Counseli	Mental Ill	113.40
Smith Publishing Co.	Comm.	99.00	Solar Gardens, LLC	Human Svcs	525.00
Solomon, Ghirmay	Var. Depts	141.66	Southeastern Behavio	Mental Hlt	37,066.25
Starlite Estates Mob	Human Svcs	265.00	Stronghold Counselin	Pub. D.	125.00
Sturdevant's Auto Pa	Hiway Cons	479.13	Surgical Institute o	Correction	88.29
SV Clinic Podiatry	Correction	29.80	SV Physician Partner	Correction	31.90
Tammen Oil	Sheriff	21.11	Tee's plus	Sheriff	1,708.75
The Flower Box	Mus Grant	115.00	Thorin, Deyanira T	Var. Depts	387.50
TR Designs & Indoor	Museum	305.00	TS Olson Ltd Ptnrs	Human Svcs	450.00
TSP Four, Inc	Build Fund	26,035.22	United Parcel Servic	Metro-911	16.33
Velvet Uniforms, Inc	Var. Depts	428.37	Voigt, Debra	Court Sys.	230.22
Volunteers of Americ	Juv Det Cn	3,007.50	Wal-Mart Business /	Metro-911	28.47
Washington Dept of L	St Atty	5.00	Welker, Donald J	Human Svcs	225.00
Xcel Energy, Inc.	Var. Depts	2,594.49	Yankton County Sheri	Mental Ill	16.50
Yankton County Treas	Mental Ill	1,612.35	Zeeb, Mary	Auditor	30.00
Zep Manufacturing Co	Hiway Cons	129.18			

REPORTS

The following reports were received and placed on file in the County Auditor's Office: Register of Deeds Official Statements of Marriage, Recording, Transfer, and Express Fees for March, 2005.

PERSONNEL

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

1. To accept the resignation of Jennifer Eichmann as Juvenile Correctional Officer I for JDC effective 4-15-05.
2. To hire Deb Critser as PT Tax and License Specialist (4/1) for the Treasurer's Office at \$9.858 per hour effective 4-20-05.
3. To place on military leave Jeremy Hartman as Highway Maintenance Worker for the Highway Department beginning 4-15-05.
4. To hire Larry Dunkelberger as temporary Spray Truck Operator for the Highway Department at \$9.52 per hour effective 4-18-05.
5. To hire Daryle Schuetts as temporary Spray Truck Operator for the Highway Department at \$10.14 per hour effective 4-18-05.
6. To hire Bill Shatter as temporary Spray Truck Operator for the Highway Department at \$9.78 per hour effective 4-18-05.
7. To reassign Douglas Adams as PT Deputy Sheriff (12/2) for the Sheriff's Office at \$17.292 per hour effective 4-16-05.
8. To amend the position of Cory Shamatt from Correctional System Operator (7/1) to Correctional Officer I (9/1) for the Sheriff's Office at \$14.088 per hour effective 3-28-05.

Step increases due:

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1. Winfred Kumlien - Custodian I - Facilities and Construction - 3/3 to 3/4, 4-28-05, \$9.942 per hour
2. Christopher Leshovsky - PT Correctional Officer II - Sheriff - 10/1 to 10/2, 2-7-05, \$15.531 per hour
3. Toni McLain - Correctional Systems Operator - Sheriff - 7/2 to 7/3, 4-21-05, \$13.408 per hour
4. Eric Smith - Correctional Officer I - Sheriff - 9/1 to 9/2, 4-26-05, \$14.652 per hour
5. Aaron Curry - Paralegal II - Public Advocate - 10/3 to 10/4, 4-13-05, \$16.477 per hour

Additonal Action requested:

To record volunteers in County departments for April 2005. The list is on file in the Human Resources Department.

ABATEMENTS

On the recommendation of Dennis Whitney, Deputy Director of Equalization, MOTION by Zweep, seconded by Kolbe to approve the following abatement: Jerome Baumberger, ID 19297, 2003 Taxes - \$393.54. 4 ayes.

Mr. Whitney also recommended approval of an abatement for Kristin Kollis, ID 73188. He explained that the applicant had taken out a building permit for basement finish. The work was not completed and she is now requesting the abatement. Gordy Swanson, Chief Deputy State's Attorney, recommended denial of the request noting that he received information that the occupant wrongly obtained Owner Occupied status in prior years, and that the basement finish issue has been corrected. His opinion was that if the owner occupied status had been received in error and if taxes were wrongly not paid in one aspect and wrongly paid in another that the denial would be a wash. The applicant's mother was present at the meeting and stated that the Ms. Kollis was told by the Equalization office to fill out the Owner Occupied form and that she was living in the house prior to November 1, 2004. MOTION by Pekas, seconded by Zweep to approve the following abatement: Kristin Kollis, ID 73188, 2004 Taxes - \$253.99. 3 ayes, Kolbe - nay.

NOTICES

MOTION by Zweep, seconded by Kolbe to authorize the Auditor to publish the Minnehaha County Institutional Food Service Notice to Bidders. 4 ayes.

MOTION by Pekas, seconded by Zweep to authorize the Auditor to publish Notice of Hearing for Application to Transfer Retail (On-Off Sale) Malt Beverage and Retail On-Sale Liquor and Sunday Sales License from DJ's Bar, Inc. to Triple J, Inc. 4 ayes.

MOTION by Kolbe, seconded by Pekas to authorize the Auditor to publish Notice of Hearing for Application to Transfer Retail (On-Off Sale) Malt Beverage and Retail On-Sale Liquor and Sunday Sales License from Walters Hi-Ho, LLP to Quarry Grill, LLC. 4 ayes.

Notice was received of the East Dakota Water Development District Regular Board Meeting on April 21, 2005.

ADDENDUM

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Ken McFarland, Administrative Assistant, explained that the agreement retaining The Winkels Group as the owner representative on the Minnehaha County Jail Project has expired. He presented an addendum to the contract that would allow The Winkels Group to continue in this capacity on a per hour per service basis not exceed \$10,000 through July 31, 2005. MOTION by Kolbe, seconde by Pekas to authorize the Chairman to sign the addendum. 3 ayes, Zweep - nay.

EASEMENT

Ken McFarland, Administrative Assistant, presented a Permanent Drainageway Easement and Temporary Construction Easement that will allow the City of Sioux Falls to construct and maintain a drainageway as part of the Covell Lake Storm Drainage Improvement Project on property legally described as that part of Tract 2 East of River W.H. Lyon Addition to the City of Sioux Falls Section 18-101-49. Shannon Ausen, Assistant City Engineer, and Kim Heck, from JSA Consulting Engineers, were present to answer questions. Gordy Swanson, Chief Deputy State's Attorney, questioned wording in the agreement and asked for confirmation that the easement would allow for installation of drainage pipe and not for the construction of a retention pond. Ms. Ausen stated that the City would not be constructing a pond and that the easement allows for the City to maintain the pipe and any water that may flow along the drainageway. MOTION by Zweep, seconded by Kolbe to authorize the Chairman to sign the easements. 4 ayes.

AGREEMENT

In 2004, Minnehaha County and the City of Sioux Falls were awarded a state grant for mosquito/West Nile control efforts. The grant requires that the County and City have a joint cooperative agreement in place to receive funding. Ken McFarland, Administrative Assistant, presented the Joint Cooperative Agreement for Mosquito Control between the City of Sioux Falls and Minnehaha County. He also explained the three levels of control efforts. The grant funding for 2005 will only be available for reimbursement of chemicals; equipment and personnel would not be covered as they were in the past. The proposed budget for Minnehaha County for mosquito control is \$169,248 (\$37,474 grant funding and \$131,774 County funds). Craig Rosenberg, County Extension Educator, and Ralph Hammer, Weed Supervisor, were present to answer questions. MOTION by Zweep, seconded by Pekas to authorize the Chairman to sign the Joint Agreement. 4 ayes.

BID

Ralph Hammer, Weed Supervisor, reported that no bids were received at the Auditor's office by the scheduled bid opening time of 9:00 a.m., April 18th. MOTION by Pekas, seconded by Zweep to re-let the bid for weed chemicals and authorize the Auditor to publish Notice to Bidders. 4 ayes.

LAND ACQUISITION

Scott Anderson, Planning Director, requested that the Commission authorize the Chairman to sign an offer to purchase three lots in Willow Ridge Estates next to the Perry Nature Area up to the appraised value of \$36,250. He also presented a resolution that would authorize the Planning Director to file a grant application for up to 50% of the cost of the purchase. MOTION by Zweep, seconded by Kolbe to authorize the Chairman to sign a purchase offer for Lots 16, 17, and 18 in Willow Ridge Estates and approve Resolution MC05-23. 4 ayes.

RESOLUTION MC05-23

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RESOLUTION OF GOVERNING BODY

WHEREAS, the United States of America and the State of South Dakota have authorized the making of grants from the Land and Water Conservation Fund (LWCF) to public bodies to aid in financing the acquisition and/or construction of specific public outdoor recreation projects;

NOW, THEREFORE BE IT RESOLVED:

1. That Scott A. Anderson is hereby authorized to execute and file an application on behalf of Minnehaha County with the National Park Service, U.S. Department of the Interior, through the State of South Dakota, Department of Game, Fish and Parks, Division of Parks and Recreation, for an LWCF grant to aid in financing the Perry Nature Area Expansion for the Minnehaha County, South Dakota and its Environs.
2. That Scott A. Anderson, Planning/Parks Director is hereby authorized and directed to furnish such information as the above mentioned federal and/or state agencies may reasonably request in connection with the application which is hereby authorized to be filed.
3. That Minnehaha County shall provide a minimum of 50% of the total cost of the project; and will assume all responsibility in the operation and maintenance of the project upon completion of construction, for the reasonable life expectancy of the facility.
4. That the Minnehaha County shall dedicate for park and recreation purposes in perpetuity, the real property identified in the authorized application.

Dated this 19th day of April 2005

APPROVED BY
BOARD OF COUNTY COMMISSIONERS:
Carol Twedt, Chairman

ATTEST: Sue Roust, Auditor

Sandy Kinder, Deputy Auditor

BRIEFING

Pam Nelson, Treasurer, updated the Commission on the extended Saturday hours for the Treasurer's office. She reported that schedule is working well and that there have not been any staffing issues. She is also pursuing other options that would provide more flexibility in obtaining renewals of license tags and paying taxes. She also commented on the workload due to increased RV registrations for persons over the phone and suggested a review of the convenience fees for this service. Commissioners thanked Ms. Nelson for the update.

AGREEMENTS

Ken McFarland, Administrative Assistant, presented an Architectural Limited Services Agreement between Minnehaha County and Koch Hazard Baltzer to develop a preliminary cost estimate for an addition and renovations to the County Highway Administration Building and Shop. Total compensation for the work will be billed for the hours expended not to exceed \$3,700 plus applicable taxes. MOTION

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by Zweep, seconded by Pekas to authorize the Chairman to sign the Architectural Limited Services Agreement. 4 ayes.

Mr. McFarland, also presented an Architectural Limited Services Agreement between Minnehaha County and Koch Hazard Baltzer to develop a preliminary cost estimate for selective interior improvements to the south end of the W.H. Lyon Expo Building. Some of the proposed improvements include upgrading an exhaust system, lighting, and interior wall and ceiling surfaces. Total compensation for the work will be billed for the hours expended and will not exceed \$1,940 plus applicable taxes. Koch Hazard Baltzer has also agreed to perform some work free of charge in order to develop cost estimates for some exterior improvements at the Coliseum. MOTION by Pekas, seconded by Kolbe to authorize the Chairman to sign the Architectural Limited Services Agreement. 4 ayes.

PROCLAMATION

Steve Munk, Extension Educator, read a proclamation declaring April 24th through the 30th as Arbor Week, and designates April 29, 2005 as Arbor Day. He also gave a brief presentation on Ash trees. Harley Shafer, Minnehaha County Conservation District Manager, presented the Commissioners with Redosier Dogwood shrubs and distributed Conservation Trees pamphlets. MOTION by Pekas, seconded by Zweep to adopt the proclamation. 4 ayes.

MOTION by Zweep, seconded Pekas by to adjourn into Executive Session. 5 ayes. Following Executive Session the Commission adjourned until 9:00 a.m. on Tuesday, April 26, 2005. 4 ayes.

APPROVED BY THE COMMISSION:

Carol Twedt, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor