

7/19/05

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., July 19, 2005, pursuant to adjournment on July 18, 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 Hajek, seconded by Kolbe to approve the Minutes for July 12, 2005. 4 ayes.

VOUCHERS TO BE PAID

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

A & B Business Equip	Var. Depts	407.03	A to Z Language Inte	Var. Depts	200.00
Accurint	Sheriff	32.40	Alcopro	Correction	207.50
Antiques Gallery Mid	Sheriff	150.00	APCO International,	Metro-911	309.00
Appera / Dudley Lau	Hiway Cons	25.16	Arena Motel	Human Svcs	77.98
Argus Leader	Var. Depts	722.98	ASAP Software Expres	Info Svcs	1,076.33
Automatic Building C	Correction	1,305.00	Avera Gutnik & Assoc	Correction	46.52
Avera McKennan Hospi	Var. Depts	136,567.30	Avera McKennan Hospi	Human Svcs	350.00
Baldwin Cooke Compan	Human Svcs	66.99	Bentwood Manor Apts,	Human Svcs	450.00
Best Business Produc	Var. Depts	168.38	Bierschbach Equipmen	Hiway Cons	310.00
Blackburn & Stevens,	Mental Ill	194.80	Border States Electr	Facilities	103.20
Borgum, Diana	Museum	100.00	Boyer Trucks Sioux F	Hiway Cons	19.20
Brentwood Apartments	Human Svcs	450.00	Brevik Law Office, P	Mental Ill	361.14
Brown & Saenger	Auditor	73.81	Builders Supply Comp	Facilities	186.75
Bureau of Informatio	Var. Depts	1,509.41	Burleigh County Sher	St Atty	18.00
C & R Supply, Inc.	Hiway Cons	11.82	CBM Food Service	Correction	19,030.77
Cellular One-Store	Sheriff	15.00	Center for Family Me	Correction	2,194.41
Central States Fire	Emer Mgmt	217.14	Century Business Pro	Var. Depts	188.52
Charlotte Place/Beck	Human Svcs	350.00	City-Wide Taxi, Inc	Human Svcs	184.00
Claritus	Emer Mgmt	7.50	Classic Cleaners	Correction	52.50
Cleveland Heights Ap	Human Svcs	595.00	Cliff Avenue Auto Pa	Var. Depts	391.82
Cole Papers, Inc.	Correction	866.27	Concrete Materials	Hiway Cons	27,177.97
Country Meadows Apts	Human Svcs	807.00	Culligan Water Condi	Metro-911	77.90
Dakota Dental/Timoth	Correction	10,542.00	Dakota Fluid Power,	Hiway Cons	37.52
Dakota Riggers & Too	Hiway Cons	76.50	Daniels-Olsen Bldg P	Museum	668.39
Davidson, John Q.	Mental Ill	240.00	Dell Rapids Ford, In	Sheriff	21.04
Dennis Supply Co. -	Info Svcs	1,168.63	Dialnet/Ahrens Telec	Var. Depts	73.72
Diamond Vogel Paint	Hiway Cons	31.95	Dietrich, Donna K	Mental Ill	1,215.97
Donahue, David J	Human Svcs	175.00	Dresbach, Steve	Mental Ill	2,397.50
Eastern Farmers Coop	Hiway Cons	160.26	Eastview Apts./Arnol	Human Svcs	350.00
Econo Lodge of Sioux	Human Svcs	213.00	Ekeren, Marvin R.	Mental Ill	144.00
Election Center	Elec Audit	150.00	Empire Plastics	Museum	194.50
Eugene Beckman & Son	Hiway Cons	209.99	Falcon Associates, I	Info Svcs	45.00
Family Drug	Human Svcs	2,079.31	Fastenal Company	Hiway Cons	83.24
Fortin, Margaret	Mental Ill	240.00	Fox, Youngberg & Lew	Mental Ill	162.50
Franklin Food Market	Fema Fund	200.00	Fred the Fixer, Inc.	Human Svcs	41.00
George Boom Funeral	Human Svcs	1,850.00	Golden West	Sheriff	34.45
Graham Tire Co. - Do	Var. Depts	385.78	Graham Tire Co. - No	Hiway Cons	115.57
Grapevine, Dan	Hiway Cons	40.43	Graybar Electric Com	Metro-911	292.60
Great Plains Psychol	Court Sys.	4,770.00	Greentree Services	Human Svcs	700.00
Guzman, Sandra V.	Court Sys.	75.00	Hander, Inc.	Facilities	71.43
Harold's Photo Cente	Sheriff	594.80	Hauk, Bert	Human Svcs	450.00
Haworth, Inc.	Treasurer	2,813.44	Heartland Paper Comp	Correction	423.60
Herc-U-Lift	Hiway Cons	187.50	Herring Reporting Se	St Atty	757.70
Hewlett-Packard Comp	Sheriff	76.00	Hoekstra, Denise A.	Court Sys.	1,398.40

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Hoffman, Douglas E	Court Sys.	216.08	Hosmer, David M. Law	Mental Ill	218.93
Hy-Vee Pharmacy	Human Svcs	108.99	Insight Public Secto	Metro-911	284.99
Interstate Office Pr	Var. Depts	955.49	Intoximeters, Inc	Correction	311.60
J.C. Penney Company,	Metro-911	57.94	Johnstone Supply	Info Svcs	157.08
Kabeiseman & Pollard	Mental Ill	356.30	Karstens, Andrew	Human Svcs	350.00
Kennedy, Ryan	Human Svcs	350.00	Kmart	Var. Depts	375.13
Kohl's Department St	Juv Det Cn	254.92	Kolbe, R.E.	Human Svcs	350.00
Kooistra, Nelva	Mental Ill	144.00	Kreisers, Inc.	Correction	760.18
Language Line Servic	Metro-911	457.00	Lason Systems, Inc.	Reg Deeds	278.25
Law School Foundatio	St Atty	35.00	LCM Pathologists, P.	Coroner	28.00
Lewis Drug Stores	Correction	34,490.65	Lexis-Nexis / Reed E	Var. Depts	1,667.75
Linweld, Inc.	Hiway Cons	211.30	Lithia Automotive, I	Sheriff	311.38
Mac's, Inc.	Var. Depts	28.44	Maschino, Jeffrey B.	Museum Mtc	140.00
Master Blaster, Inc.	Hiway Admi	60.00	Mathison Company	Reg Deeds	3.00
Medical X-Ray Center	Correction	512.33	Menards - West	Var. Depts	308.65
Merrow, Danielle L	Human Svcs	350.00	Midamerican Energy C	Var. Depts	1,091.25
Midcontinent Communi	Var. Depts	376.04	Midwest Alarm Compan	Var. Depts	235.00
Midwestern Mechanica	Museum Mtc	672.87	Mikelson, Gary E.	Mental Ill	235.54
Miller Funeral Home,	Human Svcs	4,065.00	Minnehaha Cnty Priso	Correction	100.00
Mobile Electronic Se	Sheriff	295.00	Moore, Rasmussen, Ka	Court Sys.	2,668.52
Mulder, Dee A.	Mental Ill	490.18	Nesson Law Office, P	Court Sys.	1,706.01
New World Systems	Metro-911	1,894.75	Nicholson, Thomas J	Court Sys.	502.39
Norberg Paints, Inc.	Pettigrew	35.00	Northern Heights Dev	Human Svcs	525.00
Northern States Cons	Museum	9.95	Northern Truck Equip	Hiway Cons	22.30
Notary Law Institute	Auditor	79.00	Novak Sanitary Servi	Var. Depts	857.50
Oakwood Estates/Inve	Human Svcs	875.00	Office Depot, Inc.	Var. Depts	2,522.75
Otter Tail Energy Se	Facilities	6,907.63	Palmer, Barbara	Mental Ill	675.00
PC Fixxer, Inc.	Plan & Zon	75.00	Pfeifer Implement Co	Hiway Cons	28.03
Pheasantland Industr	Correction	77.94	Physicians Desk Refe	Human Svcs	59.95
Pomp's Tire Service,	Hiway Cons	1,041.29	Pontiac Cadillac of	Sheriff	31.01
Prairie Publications	Comm.	474.60	Protel Inc.	Metro-911	80.00
Qualified Presort Se	Var. Depts	9,980.26	Qwest	Var. Depts	26,834.13
Qwest Interprise	Var. Depts	3,578.81	Resel, Paul	Human Svcs	320.00
Richard-Ewing Equipm	Var. Depts	187.54	River Tower Apartmen	Var. Depts	447.00
Robson True Value	Facilities	19.54	Rockhurst College Co	Auditor	298.00
Ronning Commercial,	Human Svcs	695.00	Russ' Pest Control,	Emer Mgmt	42.00
Scheid, Pamela M.	Human Svcs	29.40	Schotzko, Dennis	Hiway Cons	177.45
SD Continuing Legal	Correction	500.00	SD Dept of Transport	Hiway Cons	7,784.94
SD Magazine / Hunhof	Museum Sto	217.00	SD Network, LLC.	Metro-911	7,618.99
SD Newspaper Assn Se	Comm.	45.24	Security Labs, Ltd	Var. Depts	593.00
Seed Solutions	County Par	21.90	Sewell, Carolyn	Human Svcs	350.00
Sherwin Williams	Emer Mgmt	32.99	Shopko Pharmacy	Human Svcs	875.67
Sioux Empire FCU / V	Info Svcs	410.95	Sioux Empire FCU / V	Sheriff	425.00
Sioux Empire FCU / V	St Atty	576.88	Sioux Empire FCU / V	Correction	127.57
Sioux Empire FCU / V	Sheriff	921.06	Sioux Empire FCU / V	Metro-911	1,419.90
Sioux Empire FCU / V	Dir. Eq.	1,410.24	Sioux Falls City Fin	Facilities	31.35
Sioux Falls City Fin	Var. Depts	1,133.09	Sioux Falls Ford, In	Var. Depts	317.98
Sioux Falls School D	Var. Depts	160,529.94	Sioux Falls Two Way	Metro-911	14,694.22
Sioux Falls Utilitie	Human Svcs	85.46	Sioux Valley Energy	Human Svcs	173.00
Siouxland Oral & Max	Var. Depts	3,894.76	Solomon, Ghirmay	Court Sys.	75.00
Southeastern Behavio	Var. Depts	43,162.25	Springbrook Estates	Human Svcs	86.00
St. Michael Cemetery	Human Svcs	275.00	Stan Houston Equipme	Hiway Cons	173.87
Sturdevant's Auto Pa	Hiway Cons	22.16	Sunset Strip Pawn, I	Sheriff	75.00
SV Hospital	St Atty	20.00	SV Phys Ptnr Sioux V	Correction	20.75
T & G Rentals, LLC	Human Svcs	350.00	Talavera, Zoila Judi	Court Sys.	204.15
Tammen Oil	Sheriff	27.40	Target Pharmacy	Human Svcs	1,936.79
Taylor, Robert H	Human Svcs	350.00	The Eye Doctors, P.C	Correction	209.00
The Winkels Group, I	Build Fund	475.00	Thorin, Deyanira T.	Court Sys.	50.00
Thurman, Creighton A	Mental Ill	838.15	Tschetter, Kenneth M	Court Sys.	4,858.57
TSP Four, Inc.	Build Fund	26,364.26	Tunnel Radio of Amer	Sheriff	11,553.00
Tuschen, Michael E	Hiway Cons	164.96	United Parcel Servic	Var. Depts	51.35
Van's Auto Electric	Hiway Cons	125.00	Vantek Communication	Metro-911	9,316.75

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Velvet Uniforms, Inc	Metro-911	49.86	Voigt, Debra	Court Sys.	466.48
Volk Investigations,	Court Sys.	318.98	Volunteers of Americ	Juv Det Cn	2,182.50
W.W. Grainger, Inc.	Facilities	54.72	Wal-Mart Business /	Metro-911	103.35
Walgreen Co.	Human Svcs	1,033.03	Waste Management of	Facilities	490.17
Watkins, Jeff	Correction	20.00	West Group	Plan & Zon	30.00
Xcel Energy, Inc.	Var. Depts	6,622.83	Yankton County Sheri	Mental Ill	379.50
Yellow Cab, Inc.	Human Svcs	13.30	Zabel Steel Co.	Hiway Cons	39.10
Zanter, Mary	Human Svcs	450.00			

REPORTS

The following reports were received and placed on file in the County Auditor's Office: Minnehaha County Human Services Report for June, 2005; Sheriff's Department Monthly Report for May & June, 2005; and the Register of Deeds Official Statements of Marriage, Recording, Transfer, and Express Fees for June, 2005.

PERSONNEL

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

1. To place on Family and Medical Leave, Sheila Dumdei, Communications Operator for Metro Communications effective 7-13-05 to 8-9-05.
2. To place on Leave of Absence, Sarah Nyhus-Wear, Deputy State's Attorney I for the State's Attorney's office effective 7-14-05 to 7-28-05.
3. To hire Nicholas Van Wyhe as temporary Laborer for the Highway Department at \$9.50 per hour effective 7-18-05.

Step increases due:

1. Jerry Lenderts - Correctional Officer II - Sheriff - 10/2 to 10/3 - 7-17-05 - \$16.153/hr
2. Richard Schmitt - Civil Process Server - Sheriff - 9/1 to 9/2 - 7-21-05 - \$14.652/hr
3. Daniel Burns - Deputy Sheriff - Sheriff - 12/1 to 12/2 - 7-12-05 - \$17.292/hr
4. Mark Tursam - Correctional Officer II - Sheriff - 10/4 to 10/5 - 6-22-05 - \$16.805/hr
5. Scott Dries - Correctional Officer II - Sheriff - 10/5 to 10/6 - 7-08-05 - \$17.142/hr
6. Jason Burns - Correctional Officer II - Sheriff - 10/2 to 10/3 - 7-10-05 - \$16.153/hr
7. Michael Johnson - Deputy Sheriff - Sheriff - 12/1 to 12/2 - 7-12-05 - \$17.292/hr
8. John Mork - Parks Worker - Parks - 6/6 to 6/7 - 7-23-05 - \$13.522/hr
9. Paul Bengford - Deputy State's Attorney - State's Attorney - 21/4 to 21/5 - 7-17-05 - \$2182.40/biweekly
10. Gordon Swanson - Chief Civil Deputy State's Attorney - State's Attorney - 24/7 to 24/8 - 7-9-05 -

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\$2558.56/biweekly

11. Deborah O'Donnell - Office Assistant II - Human Services - 5/1 to 5/2 - 7-6-05 - \$11.132/hr
12. James Hawkins - Building Superintendent II - Juvenile Detention Center - 11/6 to 11/7 - 7-16-05 - \$18.475/hr
13. Kim Morstad - Senior Legal Office Assistant - Juvenile Detention Center - 9/12 to 9/13 - 7-16-05 - \$18.575/hr

NOTICE

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

AGREEMENT

Warden Tim Devlin presented an Agreement for Provision of Reference Laboratory Services between Minnehaha County and Avera McKennan Regional Laboratory (AMRL) to provide reference laboratory services for inmates. Under the terms of the agreement, the County would continue to receive Medicaid discounts for all lab services and will receive an additional discount from AMRL for the 15 highest volume lab tests requested by medical staff at the jail. These discounts should result in an overall savings to the County for lab work. Representatives from Avera McKennan were present to answer questions. MOTION Zweep, seconded by Kolbe to authorize the Vice-Chairman to sign the agreement. 4 ayes.

HEARINGS

Pat Herman, Planner, was present for the scheduled hearing to consider a proposed amendment to the 1990 Revised Zoning Ordinance for Minnehaha County which would rezone from the R-1 Residential District to the A-1 Agricultural District property legally described as Lots 1-10 & 22-33 Block 4 & N1/2 vac. 2nd St. & all vac. Alley Lyons Village Addition in Section 17-T103N-R50W. Subject property is located on the north end of Lyons and was never developed. The site is owned by an adjacent agricultural operation and is used for storage of agricultural equipment. The Planning Commission recommended approval of the request. No one spoke in opposition. MOTION by Zweep, seconded by Kolbe to approve Ordinance MC16-76-05. 4 ayes.

ORDINANCE MC16-76-05

AN ORDINANCE AMENDING THE 1990 REVISED ZONING ORDINANCE FOR MINNEHAHA COUNTY BY REZONING CERTAIN PROPERTY.

BE IT ORDAINED BY MINNEHAHA COUNTY, SOUTH DAKOTA:

That Ordinance MC16-90, the 1990 Revised Zoning Ordinance for Minnehaha County is hereby amended as follows:

That Lots 1-10 & 22-33 Block 4 & N1/2 vac. 2nd St. & all vac. Alley Lyons Village Addition in Section 17-T103N-R50W in hereby rezoned from R-1 Residential to A-1 Agricultural and the official zoning map referred to in Article 2.03(A) is amended to include the property in the A-1 Agricultural District.

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Approved this 19th day of July, 2005

BOARD OF COUNTY COMMISSIONERS

John Pekas, Vice-Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

Ms. Herman was also present for the scheduled hearing to consider an amendment to the 1990 Revised Zoning Ordinance for Minnehaha County which would rezone from the C Commercial District to the R-1 Residential District property legally described as Lots 1-12 Block 3 Lyons Village Addition and that property lying adjacent to Lot 1 Block 3 described as depot grounds on the original plat of Lyons Village Addition in Section 17-T103N-R50W. Subject property is located in Lyons. The rezoning would reflect the current use of the property. The Planning Commission recommended approval of the request. No one spoke in opposition. MOTION by Zweep, seconded by Kolbe to approve Ordinance MC16-77-05. 4 ayes.

ORDINANCE MC16-77-05

AN ORDINANCE AMENDING THE 1990 REVISED ZONING ORDINANCE FOR MINNEHAHA COUNTY BY REZONING CERTAIN PROPERTY.

BE IT ORDAINED BY MINNEHAHA COUNTY, SOUTH DAKOTA:

That Ordinance MC16-90, the 1990 Revised Zoning Ordinance for Minnehaha County is hereby amended as follows:

That Lots 1-12 Block 3 Lyons Village Addition and that property lying adjacent to Lot 1 Block 3 described as depot grounds on the original plat of Lyons Village Addition in Section 17-T103N-R50W is hereby rezoned from the C Commercial District to the R-1 Residential District and the official zoning map referred to in Article 2.03(A) is amended to include the property in the R-1 Residential District.

Approved this 19th day of July, 2005

BOARD OF COUNTY COMMISSIONERS

John Pekas, Vice-Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

Ms. Herman was present for the scheduled hearing to consider an amendment to the 1990 Revised Zoning Ordinance for Minnehaha County which would rezone from the A-1 Agricultural District to the C Commercial District property legally described as the E800' W1155' N800' of Tract 1 Raven Hills Addition NW1/4 in Section 27-T103N-R49W. Subject property is located ¼ mile east of Midway Corner. The Minnehaha County Comprehensive Plan states that commercial uses should be located at interstate highway interchanges and high traffic intersections and that such uses should be developed in a nodal pattern. This request is in conformance with the Comprehensive Plan. There is an existing building on the site which is used for storage of farm spray equipment. The petitioner would like to add

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office and shop space to the building which requires that the property be commercially zoned. The Planning Commission recommended approval. No one spoke in opposition. MOTION by Zweep, seconded by Kolbe to approve Ordinance MC16-78-05. 4 ayes.

ORDINANCE MC16-78-05

AN ORDINANCE AMENDING THE 1990 REVISED ZONING ORDINANCE FOR MINNEHAHA COUNTY BY REZONING CERTAIN PROPERTY.

BE IT ORDAINED BY MINNEHAHA COUNTY, SOUTH DAKOTA:

That Ordinance MC16-90, the 1990 Revised Zoning Ordinance for Minnehaha County is hereby amended as follows:

That the E800' W1155' N800' of Tract 1 Raven Hills Addition NW1/4 in Section 27-T103N-R49W is hereby rezoned from the A-1 Agricultural District to the C Commercial District and the official zoning map referred to in Article 2.03(A) is amended to include the property in the C Commercial District.

Approved this 19th day of July, 2005

BOARD OF COUNTY COMMISSIONERS

John Pekas, Vice-Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

SUPPLEMENT

MOTION by Hajek, seconded by Zweep to supplement \$3,693.47 from the General Fund to the Extension budget (ASN 18057) representing a grant from SDSU for mailing supplies. 4 ayes.

OLD BUSINESS

Commissioner Hajek commented on discussion of the Metro Communications Joint Powers Agreement at the Joint City/County meeting on July 18th. She discussed the current cost split and 911 surcharge. Commissioner Pekas discussed how the capital obligation of the agreement is burdening the County noting that operational costs have increased over 60% in the past two years. Commissioner Zweep attributed the significant increase to New World Systems and noted that most of the software applications service City public safety agencies. Commissioners also discussed that Minnehaha County's portion of the operating expenses are being used to support services that are provided to Lincoln County residents living within the city limits of Sioux Falls. MOTION by Hajek, seconded by Kolbe to direct Gordy Swanson, Chief Deputy State's Attorney, to approach City Attorney, Gary Colwill, regarding revisions to the Joint Powers Agreement. 4 ayes.

MOTION by Zweep, seconded by Hajek to adjourn until 9:00 a.m. on Tuesday, July 26, 2005. 4 ayes.

APPROVED BY THE COMMISSION:

Carol Twedt, Chairman

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ATTEST:
Sandy Kinder, Deputy Auditor