

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., August 23, 2005, pursuant to adjournment on August 16, 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 August 15 & 16, 2005. 4 ayes.

VOUCHERS TO BE PAID

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

A & B Business Equip	Var. Depts	430.17	A to Z Language Inte	Var. Depts	2,407.50
All about Travel, In	Pub. D.	308.29	Anacon Leasing, Inc.	Sheriff	389.00
Appearance Plus Towi	Sheriff	116.00	Argus Leader	Var. Depts	553.82
ASAP Software Expres	Info Svcs	602.42	Avera Health Plans,	Human Svcs	744.60
Avera McKennan Hospi	St Atty	76.00	Avera McKennan Hospi	Human Svcs	350.00
Avera McKennan Regio	Correction	2,230.80	B & E Apts/Holland,	Human Svcs	400.00
Berens, Lisa	Juv Det Cn	66.00	Best Business Produc	Reg Deeds	56.30
Binger Law Office	Court Sys.	1,121.80	Boyd, Michelle	Sheriff	26.00
Brennan Hill Townhou	Human Svcs	350.00	Brentwood Apartments	Human Svcs	350.00
Brown & Saenger	Var. Depts	439.16	Builders Supply Comp	Facilities	101.74
Butler Machinery Com	Hiway Cons	2,709.72	Cardinal Canvas Prod	Juv Det Cn	58.00
CBM Food Service	Correction	8,963.50	Century Business Pro	Var. Depts	117.72
Chemco, Inc.	Var. Depts	2,070.60	Cobraserve National	Human Svcs	367.00
Cole's Petroleum Inc	Hiway Cons	18,475.65	Concrete Materials	Hiway Cons	62,907.66
Construction Product	Facilities	189.00	Country Meadows Apts	Human Svcs	200.00
Country View Mobile	Human Svcs	500.00	Craftmaster Hardware	Juv Det Cn	270.69
Crisp, James	Hiway Cons	56.75	Cumberland Apts. I	Human Svcs	450.00
Cunningham, Terry	Sheriff	53.00	Dale Animal Hospital	Sheriff	133.72
Deboer, Dustin	St Atty	3.95	Dell Rapids Ford, In	Sheriff	47.04
Dennis Supply Co. -	Facilities	64.80	Dialnet/Ahrens Telec	Facilities	35.00
Diamond Vogel Paint	Hiway Cons	407.85	Dust Tex Service, In	Museum Mtc	12.12
Earsay	Pub. Adv.	92.25	East, Paul T DBA	Human Svcs	350.00
Embassy Suites-Phoen	Pub. D.	357.00	Evans, Preston	Sheriff	53.00
Family Drug	Human Svcs	2,774.92	Farrell, Lorae J	Pub. D.	216.60
Fastenal Company	Hiway Cons	41.73	Frederes, Matthew	Museum	50.00
Goebel Printing, Inc	Metro-911	83.46	Goergen, Ronald	Facilities	79.99
Graham Tire Co. - Do	Var. Depts	129.00	Gunner, Andrea	Court Sys.	1,013.60
Guzman, Sandra V.	Var. Depts	318.33	Harold's Photo Cente	Var. Depts	113.63
Heartland Paper Comp	Correction	503.96	Hobby Lobby Stores,	Museum	14.95
Hoekstra, Denise A.	Court Sys.	64.40	Hofer, Ryan	Human Svcs	450.00
Hohn, Rodney L	Hiway Cons	73.50	Holiday Inn Hotel/Co	Juv Det Cn	129.00
Hoskins, William J	Museum	156.80	Hy-Vee Food Store	Var. Depts	119.02
Hy-Vee Pharmacy	Human Svcs	442.99	Hy-Vee Pharmacy	Human Svcs	19.70
Hy-Vee Pharmacy	Human Svcs	19.98	Int'l Personnel Mana	Correction	1,589.50
Interstate Office Pr	Var. Depts	829.06	Investors Management	Human Svcs	300.00
J.C. Penney Company,	Metro-911	29.99	Jacobson, Harlan	Human Svcs	350.00
Janitor's Closet, Lt	Facilities	400.00	Jefferson Partners,	Var. Depts	112.10
Jim Hawk Truck Trail	Hiway Cons	146.70	Johnson, Heidepriem,	Comm.	120.00
Johnstone Supply	Facilities	366.95	Kone, Inc.	Facilities	517.94
Kreisers, Inc.	Correction	143.42	Krell, Lynn	Juv Det Cn	87.00
La Ron's II Power Eq	Museum Mtc	42.76	Language Line Servic	Var. Depts	936.20
Lason Systems, Inc.	Reg Deeds	251.25	LCM Pathologists, P.	Coroner	5,908.00
Lewis Drug Stores	Cnty Exten	14.98	LexisNexis Matthew B	Var. Depts	52.90
Linweld, Inc.	Var. Depts	147.26	M.J. Dalsin Co. of S	Facilities	198.90
Mannie, Corey	Human Svcs	350.00	Maxwell Food Equipme	Juv Det Cn	17.82
Medical Waste Transp	Correction	495.99	Menards - West	Hiway Cons	18.42

Microfilm Imaging Sy	Reg Deeds	75.00	Midamerican Energy C	Var. Depts	378.00
Midcontinent Communi	Info Svcs	345.00	Minnehaha Cnty Priso	Var. Depts	2,319.70
Motorola, Inc.	Metro-911	450.00	Muhmel, Kim/Peggy	Human Svcs	450.00
Myrl & Roy's Paving,	Hiway Cons	115,528.01	Nat'l Academy of Emd	Metro-911	665.00
Newman, Scott G.	Human Svcs	500.00	Nextel Partners, Inc	Sheriff	42.55
Nguyen, Lam	Court Sys.	50.00	North Ridge Apartmen	Human Svcs	157.77
Northern Heights Dev	Human Svcs	525.00	Northern Safety Tech	Hiway Cons	241.72
Northern States Supp	Hiway Cons	32.70	Novak Sanitary Servi	Correction	320.50
Nyberg's Ace Hardwar	Correction	114.85	Overhead Door Compan	Facilities	59.95
PC Enterprises	Human Svcs	450.00	Perennial Passion	Facilities	336.38
Petco Animal Supplie	Sheriff	43.62	Pfeifer Implement Co	Hiway Cons	49.50
Plusco Printing & Co	Pub. Adv.	15.00	Pontiac Cadillac of	Sheriff	33.15
Prairie Publications	Comm.	353.92	Precision Dynamics C	Correction	467.85
Pulstar Distributing	Metro-911	260.97	Qualified Presort Se	Var. Depts	6,749.34
Quest Engineering, I	Hiway Cons	20.23	Qwest	Metro-911	16,427.40
Radio Shack Corporat	Metro-911	98.68	RDO Equipment Co	Hiway Cons	18.30
Record Keepers, Inc.	Court Sys.	3,102.65	Refinish Supply Cent	Hiway Cons	382.00
Restful Lodging, Inc	Human Svcs	250.00	Ridgeview Apts., Ltd	Human Svcs	450.00
River Run Apts / Sio	Human Svcs	525.00	River Tower Apartmen	Human Svcs	423.00
Robinson Motors	Comm.	256.83	Rural Metro Ambulanc	Coroner	600.00
Safelite Glass Corp.	Var. Depts	612.36	Salem, Calvin L	Human Svcs	156.00
SD Corrections Assoc	Juv Det Cn	150.00	SD Dept of Human Ser	Pub. D.	47.20
SD Dept of Revenue	Var. Depts	100.50	SD Newspaper Assn Se	Comm.	44.46
SD State Historical	Museum	45.00	Security Labs, Ltd	Info Svcs	100.00
Shipley's Laundry &	Musm Entpr	34.50	Shopko Store	Juv Det Cn	113.21
Sigler Fire Equipmen	Correction	274.83	Sioux Falls Chamber	Comm.	12.00
Sioux Falls City Fin	Library	160,690.00	Sioux Falls Ford, In	Var. Depts	1,587.12
Sioux Falls Humane S	Animal Con	2,704.73	Sioux Falls School D	Metro-911	180.00
Sioux Falls School D	Human Svcs	670.50	Sioux Falls Two Way	Metro-911	477.50
Sioux Valley Energy	Human Svcs	132.71	Smith, Traci M.	Pub. D.	623.00
Smythe, Toby D DBA	Human Svcs	700.00	Sorken, Laverle	Museum	150.00
State Steel of SD	Facilities	202.64	Steinberger, Samuel	Cnty Exten	7.68
Stricherz, Kelly	Pub. D.	500.00	Sturdevant's Auto Pa	Hiway Cons	177.10
Sunshine Foods	Human Svcs	354.85	SV Clinic Vandemark	Correction	71.80
SV Clinical Labs	Coroner	388.53	Talavera, Zoila Judi	Court Sys.	200.00
Thorin, Deyanira T.	Var. Depts	292.49	Timberland Village A	Human Svcs	350.00
Triangle Properties,	Human Svcs	350.00	TSP Four, Inc.	Build Fund	29,235.46
United Enterprises,	Human Svcs	450.00	United Parcel Servic	Correction	25.40
University Products,	Reg Deeds	254.95	Van Wyhe, Marilyn/St	Human Svcs	350.00
Velgersdyk, Dr. Scot	Human Svcs	1,181.28	Velvet Uniforms, Inc	Air Guard	45.55
Volunteers of Americ	Juv Det Cn	2,790.00	Wagner Office Soluti	Var. Depts	310.03
Wal-Mart Pharmacy	Human Svcs	266.64	Weig, Mary	Human Svcs	450.00
Wellmark, Inc.	Human Svcs	552.76	West Group	Var. Depts	6,606.30
Westbrooke Apts/Inve	Human Svcs	450.00	Wilsey & Associates,	Hiway Cons	6,894.25
Xcel Energy, Inc.	Var. Depts	51,811.42	Zabel Steel Co.	Hiway Cons	8.80
5-Forty Partnership	Human Svcs	900.00	Commission	Salaries	15,663.02
Auditor	Salaries	26,231.44	Treasurer	Salaries	37,030.96
Information Svcs	Salaries	41,854.32	States Atty	Salaries	114,552.66
Public Defender	Salaries	79,411.82	Public Advocate	Salaries	19,189.80
Facilities	Salaries	43,259.93	Equalization	Salaries	51,553.82
Register of Deeds	Salaries	28,939.03	Human Resources	Salaries	9,791.85
Sheriff	Salaries	567,359.82	Juv Detention Ctr	Salaries	125,600.68
Metro Communications	Salaries	128,757.46	Highway	Salaries	108,542.42
Human Services	Salaries	45,102.64	Museum	Salaries	53,516.94
Planning	Salaries	25,365.95	Extension	Salaries	8,736.62

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 July 2005; the Minnehaha County Audit Report from the SD Department of Legislative Audit for the year ended December 31, 2004; and the Auditor's Account with the County Treasurer as of July 29, 2005.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

On Deposit in Banks	
Interest-bearing open accounts	3,797,612.89
CD's and savings	14,000,000.00
Cash	19,352.19
Checks in Treasurer's possession for more than 3 days	4,977.81
Total	\$17,821,942.89

PERSONNEL

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

1. To approve leave without pay (FMLA) for Larry Capra, Custodian I for the Facilities Department effective 8-4-05 to 8-30-05.
2. To accept the resignation of the following individuals as Laborers for the Highway Department effective as follows: Dustin Woolam, 7-29-05; Nathan Thorpe, 8-4-05; Joseph Wright, 8-10-05; and Brent Fjeldheim, 8-10-05.
3. To accept the resignation of Annmarie Kowalczyk as Museum Intern for the Museum effective 8-19-05.
4. To accept the resignation of Anthony DeJean as Correctional Officer I for the Sheriff's Office effective 8-12-05.
5. To accept the resignation of John Keeler as Caseworker I for Human Services effective 8-10-05.

Step increases due:

1. Larry Bakken – Appraiser III – Director of Equalization – 10/12 to 10/13, 8-28-05, \$19.691/hr
2. Korey Dosch – Appraiser I – Director of Equalization – 7/3 to 7/4, 8-2-05, 13.676/hr
3. Bradley Thomas – Appraiser II – Director of Equalization – 9/6 to 9/7, 7-10-05, \$16.493/hr
4. Bernice Arendt – Office Assistant II – Highway – 5/5 to 5/6, 7-5-05, \$12.286/hr
5. Rodney Hohn – Highway Maintenance Worker – Highway – 8/4 to 8/5, 8-28-05, \$14.901/hr
6. Stacey Tieszen – Caseworker I – Human Services – 11/4 to 11/5, 8-26-05, \$17.758/hr
7. Bonnie Costain – Deputy State's Attorney III – State's Attorney – 21/8 to 21/9, 8-15-05, \$2362.32/biweekly

Nora Buckman briefed the Commission on a request to fill a vacancy in the Information Services Department. She explained that the position was open due to a resignation prior to the implementation of the Delayed Hiring Plan. MOTION by Zweep, seconded by Hajek to authorize the request to fill one Programmer Analyst vacancy for IS. 4 ayes.

NOTICES

Notice was received from the SD Society for Respiratory Care of intent to conduct a raffle on September 12, 2005.

Notice was received from WMW Cable TV of Hartford, SD, of a basic cable package rate increase to be effective September 6, 2005.

MOTION by Zweep, seconded by Hajek to authorize the Auditor to publish Notice of Sale of County Surplus Property on September 17, 2005. 4 ayes.

LIENS

The following lien compromise requests were recommended by Hauge Associates:

MOTION by Zweep, seconded by Hajek to release DPNO 27575 in the amount of \$321.78 in full upon payment of \$200.00 within 7 days. 4 ayes.

MOTION by Hajek, seconded by Zweep to release DPNO 35605 in the amount of \$703.00 in full upon payment of \$100.00 within 7 days. 4 ayes.

AGREEMENT

Phil Kappen, Assistant Planning Director, presented an agreement between Minnehaha County and the City of Sioux Falls for use of the Sioux Falls Sanitary Landfill. At the request of Mr. Kappen, MOTION by Hajek, seconded by Zweep to defer consideration of the Landfill Agreement for 1 month. 4 ayes.

CHANGE ORDER

Bob Meister, Highway Superintendent, presented Change Order 1 to the contract with Myrl and Roy's Inc. in the amount of \$157,816.41 for Project MC 110BM-05. Mr. Meister explained that the majority of the increase was for additional excavation at the site. Additional materials were also brought in to provide more stability. MOTION by Zweep, seconded by Kolbe to approve Change Order 1 in the amount of \$157,816.41 to the general contract with Myrl and Roy's Paving, Inc. 4 ayes. This change order will increase the contract total to \$1,585,700.17.

HEARING

The scheduled hearing was held to consider a new Retail On-Off Sale Malt Beverage License for Michael Raderschadt/Treasures On I-29 located on property legally described as Tract 1 Oyens Addition W1/2 NE1/4 Section 1-T103N-R50W. The property is located at the southeast corner of the I-29/Baltic Exit. Phil Kappen, Assistant Planning Director, reported that the Planning Commission has approved a conditional use permit for this use at this site. The applicant was present to answer questions. No one spoke in opposition to the request. MOTION by Zweep, seconded by Hajek to approve the new Retail On-Off Sale Malt Beverage License for Michael Raderschadt/Treasures On I-29. 4 ayes.

OLD BUSINESS

Commissioner Hajek followed up on the issue of cage fighting. She asked whether the commissioners wanted to move forward with an ordinance. Commissioner Zweep suggested a permit process through

Planning and Zoning. Commissioner Pekas noted that he would still like to review the issue and discuss it with Lincoln County. Gordy Swanson, Chief Civil Deputy State's Attorney, commented on an e-mail from an opponent of the fights who discussed his opinion and shared a personal experience. Mr. Swanson noted that the County could revise the current lease agreement for the W.H. Lyon Fairgrounds to include a provision that would not allow cage fighting events to be held on the grounds.

NEW BUSINESS

Commissioner Zweep discussed the current usage of the ice rink at the Expo building. He noted that usage has been declining and if a new events center is constructed, the Fair Board may face a hardship making it difficult for them to fund the remaining bond payments. Commissioner Kolbe suggested that this issue be discussed further during Building Committee.

Commissioner Hajek briefed the Commission on the August 22nd Planning Commission meeting. She commented on a discussion over a proposed increase in fees for planning and zoning services, a conditional use permit issued for a Confined Animal Feeding Operation, and opposition to a proposed electrical substation ½ mile east of Six Mile Road on Maple street.

MOTION by Hajek, seconded by Zweep to adjourn into Executive Session. 4 ayes. Following Executive Session the Commission adjourned until 9:00 a.m. on Tuesday, August 30, 2005.

APPROVED BY THE COMMISSION:

Carol Twedt, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor