

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., October 25, 2005, pursuant to adjournment on October 18, 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.

HEARING

Dell Rapids City Administrator, Jeff Traill, and Council Members Sally Kroger, Kris Langer, David Sommerfeld, Carrie Testerman, and Todd Wiebenga, and County Planning Director Scott Anderson, were present for the scheduled public hearing to consider zoning text amendments related to temporary uses and fees in the 2001 Revised Zoning Ordinance for Minnehaha County and the City of Dell Rapids. Staff recommended fee increases related to Temporary Use Permits, Conditional Use Permits, Rezoning, Variances and Appeals, Zoning Permits, and Planned Developments. The County Planning Commission recommended that Temporary Use Permits remain at \$50.00 and be studied further, and that the Board of Adjustment be changed to \$100.00 rather than the proposed \$250.00. The fees recommended were based on fees charged in other parts of the state and the Planning & Zoning annual budget. Commissioner Zweep discussed using a sliding fee scale for Temporary Use Permits. Mr. Anderson stated that a work group will be appointed to review sliding fees. Commissioner Hajek added that a sliding fee scale can be incorporated after the study is done. Mr. Anderson noted that the County Commission approved the proposed fees for Minnehaha County. Having two sets of fees for the county and joint jurisdictional areas could pose problems with equity. The fee scale has not had major amendments in the past ten years. MOTION by Zweep, seconded by Pekas to approve Ordinance MC28-06-05. 5 ayes. Dell Rapids City Council concurred.

ORDINANCE MC28-06-05

AN ORDINANCE AMENDING THE 2001 REVISED ZONING ORDINANCE FOR MINNEHAHA COUNTY AND THE CITY OF DELL RAPIDS BY REVISING TEMPORARY USE PERMITS AND FILING FEES APPLICABLE TO APPLICATIONS.

BE IT ORDAINED BY MINNEHAHA COUNTY, SOUTH DAKOTA:

That Ordinance MC28-01, the 2001 Revised Zoning Ordinance for Minnehaha County and the City of Dell Rapids is hereby amended as follows:

Section 1: That Article 12.00 is hereby amended to read:

12.11 TEMPORARY USES (H) Fees. A fee of \$250.00 shall accompany the application for a temporary use permit.

Section 2: That Article 24.00 is hereby amended to read:

24.02 CHANGE OF ZONE. A fee of \$350.00 shall be charged for filing an application to change the zoning classification of property, except to the Planned Development District. If any use, for which a rezoning is required, is commenced prior to the application for a rezoning, the application fee shall be double the regular fee.

24.05 CONDITIONAL USE. A fee of \$250.00 shall be charged for filing an application for a conditional use permit in any district. If any use, for which a conditional use permit is required, is commenced prior to the application for a conditional use permit, the application fee shall be double the regular fee.

24.06 BOARD OF ADJUSTMENT. A fee of \$250.00 shall be charged for filing a Variance_application or an appeal to the Zoning Board of Adjustment.

24.07 ZONING PERMIT. A fee of \$250.00 shall be charged for all zoning permits not requiring a building permit fee.

24.08 PLANNED DEVELOPMENT DISTRICT. A fee of \$350.00 plus \$50.00 for each subarea shall be charged for the filing of an application to change to the Planned Development District. If any use, for which a rezoning is required, is commenced prior to the application for a rezoning, the application fee shall be double the regular fee.

Approved this 25th day of October, 2005

BOARD OF COUNTY COMMISSIONERS
Carol Twedt, Chairman

ATTEST:
Sandy Kinder, Deputy Auditor

MINUTES

MOTION by Pekas, seconded by Kolbe to approve the Minutes for October 17 & 18, 2005. 5 ayes.

VOUCHERS TO BE PAID

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

A to Z Language Inte	Var. Depts	225.00	Agricultural Communi	Cnty Exten	28.50
Albers, Tyrone	Sheriff	28.00	Alliance Communicati	Metro-911	823.25
Anderson, C Bruce	Sheriff	506.54	Anesthesiology Assoc	Human Svcs	336.00
Appeara / Dudley Lau	Hiway Cons	22.30	Arena Motel	Human Svcs	366.99
Argus Leader	Var. Depts	584.48	Avera Health Plans,	Human Svcs	744.60
Avera Home Medical E	Human Svcs	210.00	Avera McKennan Hospi	Var. Depts	6,132.72
Avera Medical Record	Pub. D.	13.74	Avera Queen of Peace	Metro-911	12.00
B & E Apts/Holland,	Human Svcs	285.00	Babinski Properties	Human Svcs	450.00
BCD Associates	Museum	551.00	Behavior Management	Pub. D.	15.00
Berreau, Cynthia	Court Sys.	674.50	Best Business Produc	Reg Deeds	39.00
Binger Law Office	Court Sys.	988.00	Black Hills Ammuniti	Sheriff	559.00
Boyer Trucks Sioux F	Hiway Cons	77,740.09	BP Products North Am	Var. Depts	108.78
Brandon Fire Dept	Emer Mgmt	500.00	Brazos County Sherif	St Atty	50.00
Brown & Saenger	Var. Depts	560.47	Builders Supply Comp	Facilities	469.34
C & R Supply, Inc.	Hiway Cons	110.33	Cambridge Partnershi	Human Svcs	350.00
Campbell Supply Co.,	Var. Depts	122.93	Carper, Nichole A	Court Sys.	1,346.00
Century Business Pro	Var. Depts	154.81	Certified Crop Advis	Cnty Exten	75.00
Chang, Hyun	Human Svcs	300.00	Chemco, Inc.	Facilities	1,819.46
Children's Inn	Dom Abuse	21,705.00	City of Garretson	Human Svcs	105.57
Clayminn, LLC	Human Svcs	150.00	Clean Plumbing & Hea	Build Fund	1,523.00
Cliff Avenue Auto Pa	Metro-911	63.30	Cobra Administration	Human Svcs	377.82
Colton Lumber Co., I	County Par	1,165.39	Community Food Banks	FEMA Fund	362.90
Concrete Materials	Hiway Cons	18,842.79	Construction Product	Hiway Cons	57.80
Country Meadows Apts	Human Svcs	450.00	Country View Mobile	Human Svcs	535.00
Covrig, Mark	Human Svcs	450.00	Crimson Fire, Inc.	Emer Mgmt	11.40
Culligan Water Condi	Metro-911	124.51	Dacotah Bank	Var. Depts	300.00
Dacotah Paper Co.	Correction	543.10	Dakota Surgical, Ltd	Human Svcs	393.89
Dialnet/Ahrens Telec	Build Fund	297.96	Diamond Vogel Paint	Build Fund	609.14
Donovan's Hobby & Sc	Emer Mgmt	98.25	Dullerud, Wayne R	Human Svcs	350.00
Dust Tex Service, In	Museum Mtc	12.48	Edmunds Brake & Alig	Sheriff	124.61
Engbrecht, Roger	Human Svcs	350.00	First National Pawn	Sheriff	236.03
Frisina, Ann	Mus Grant	3,735.00	Froehlich, Floyd	Human Svcs	420.00

Frontier	Metro-911	362.71	Garretson Fire Dept	Emer Mgmt	500.00
Geick, Gordon	Human Svcs	375.00	Goebel Printing, Inc	Metro-911	309.51
Golden West	Metro-911	312.57	Graham Tire Co. - Do	Sheriff	610.98
Grapevine, Dan	Hiway Cons	26.99	Graybar Electric Com	Facilities	98.12
Great Plains Int'l T	Hiway Cons	133.63	Great Plains Paper C	Facilities	24.00
Green Louis Properti	Human Svcs	450.00	Guzman, Sandra V.	Var. Depts	150.00
Hanson, Larry	FEMA Fund	450.00	Harold's Photo Cente	Musm Entpr	79.90
Harvey, Richard/Judy	Human Svcs	350.00	Hauk, Bert	Human Svcs	450.00
Heartland Paper Comp	Facilities	391.46	Heier, Bernard/Pam	Human Svcs	450.00
Heimdal, Marie Ann	St Atty	54.40	Hello Direct Inc	Pub. D.	314.19
Hills Telephone Comp	Metro-911	208.38	Hofer, Julie A.	Court Sys.	3,289.06
Home Depot Credit Se	Hiway Cons	97.24	Howalt-McDowell Insu	Pub. D.	50.00
Huffer, Douglas A	Hiway Cons	128.14	Hy-Vee Food Store	FEMA Fund	258.04
Hy-Vee Food Store	Museum	8.88	Hy-Vee Pharmacy	Human Svcs	67.97
Instant Technologies	Var. Depts	624.33	Interstate Office Pr	Var. Depts	290.31
J.C. Penney Company,	Var. Depts	179.09	Jacobsen, Harlan	Human Svcs	450.00
Janitor's Closet, Lt	Var. Depts	989.76	Jim Bork Enterprises	Reg Deeds	395.20
Jim Hawk Truck Trail	Hiway Cons	65.00	John Morrell Benefit	Human Svcs	1,815.14
Johnson, Heidepriem,	Comm.	60.00	Kidney Consultants,	Human Svcs	128.58
Kmart	Juv Det Cn	502.68	Kmart	Human Svcs	15.98
Kohl's Department St	Juv Det Cn	84.97	Lacey's Chemical Res	Hiway Cons	75.00
Lakeview Apts / Wiem	Human Svcs	225.00	Langeauge Line Servic	Var. Depts	585.80
Lason Systems, Inc.	Reg Deeds	516.60	Lassegaard, Samuel C	Human Svcs	325.00
LCM Pathologists, P.	Coroner	1,470.00	Lewis Drug Stores	Var. Depts	12,540.94
Lexis-Nexis / Reed E	Sheriff	116.51	Link Law Office	Court Sys.	281.20
Linweld, Inc.	Var. Depts	62.15	M&T Fire and Safety,	Emer Mgmt	5,716.00
Mac's, Inc.	Hiway Cons	10.77	Macdoctors	Pub. D.	306.00
Mcgreevy Clinic	Human Svcs	483.53	Medical X-Ray Center	Human Svcs	635.35
Menards - East	Facilities	33.54	Merrow, Danielle L	Human Svcs	525.00
Microfilm Imaging Sy	Reg Deeds	75.00	Midamerican Energy C	Var. Depts	301.19
Midcontinent Communi	Info Svcs	345.00	Midwest Alarm Compan	Facilities	280.80
Mills & Miller, Inc.	Hiway Cons	1,040.80	Motorola, Inc.	Var. Depts	18,149.96
Murphy, Patrick M	Sheriff	92.80	Murray Construction	Human Svcs	525.00
Nat'l Crime Preventi	Museum	413.25	Nephrology Associate	Human Svcs	216.44
New World Systems	Metro-911	22,703.00	Nextel Partners, Inc	Sheriff	42.55
Nguyen, Lam	Var. Depts	50.00	North Central Heart	Human Svcs	324.31
Northland Chemical C	Juv Det Cn	371.33	Novak Sanitary Servi	Var. Depts	733.57
Office Depot, Inc.	Emer Mgmt	2,058.00	Officemax Credit Pla	Museum	15.99
Oriental Trading Com	Museum	110.70	Orthopedic Institute	Human Svcs	423.19
Paulson, Rod	Human Svcs	450.00	Pfeifer Implement Co	Hiway Cons	16.73
Physicians Laborator	Human Svcs	451.12	Plusco Printing & Co	Human Svcs	130.97
Pomp's Tire Service,	Hiway Cons	1,629.13	Pontiac Cadillac of	Sheriff	62.02
Prairie Publications	Comm.	442.12	Prairie Wind Apts/In	Human Svcs	450.00
Presto-X-Company	Juv Det Cn	64.00	Qualified Presort Se	Var. Depts	9,404.53
Qwest	Var. Depts	1,301.63	RDO Equipment Co.	Hiway Cons	15.14
Red Wing Shoe Store	Facilities	118.99	Refinish Supply Cent	Hiway Cons	137.25
Retail Data Systems	Treasurer	101.00	Richmond II Ltd Ptnr	Human Svcs	350.00
Rios, Roy	Human Svcs	450.00	River Ridge Apartmen	Human Svcs	300.00
River Ridge Oral & M	Human Svcs	1,668.03	Ronning Commercial,	Human Svcs	515.00
Rural Metro Ambulanc	Coroner	200.00	Rutgers University	Cnty Exten	25.00
Sanitation Products	Hiway Cons	142.76	Sax Arts & Crafts	Museum	234.54
Schliemann, Micah/II	Plan & Zon	100.00	Schoenfelder, Shane	Human Svcs	350.00
Schroeder, Matthew	Correction	37.47	SD Continuing Legal	Pub. D.	100.00
SD Dept of Transport	Hiway Cons	9.00	SD Network, LLC	Metro-911	7,618.99
SD Newspaper Assn Se	Comm.	44.46	SD Risk Pool	Human Svcs	546.70
SD Secretary of Stat	Var. Depts	50.00	SD State Treasurer	Gen Fund B	3,376.61
SDSU ARS Depart Anim	Cnty Exten	20.00	Sheehan Mack Sales &	Hiway Cons	129,258.00
Siemonsma, Vance	Sheriff	87.36	Sioux Empire FCU / V	Sheriff	753.60
Sioux Empire FCU / V	Sheriff	5,074.99	Sioux Empire FCU / V	Emer Mgmt	775.25
Sioux Empire FCU / V	Metro-911	155.67	Sioux Falls City Fin	Var. Depts	11,632.39
Sioux Falls Ford, In	Sheriff	633.32	Sioux Falls Music Co	Museum	23.98
Sioux Falls Two Way	Var. Depts	64,278.21	Sioux Falls Utilitie	Emer Mgmt	22.82
Sioux River Valley C	Human Svcs	44,500.00	Sioux Valley Energy	Var. Depts	903.69
Skold Specialty Cont	Build Fund	7,424.00	Smart, Richard	Human Svcs	753.22
Smith, Traci M.	Pub. D.	164.00	Solar Gardens, LLC	Human Svcs	450.00
Solomon, Ghirmay	Court Sys.	122.49	Spence, Rebecca L	Court Sys.	170.72
Staples	Treasurer	41.70	Streicher's	Sheriff	314.95
Sunshine Foods	Human Svcs	48.45	SV Hospital	St Atty	80.00
SV Phys Ptnr Sioux V	Human Svcs	373.60	Tammen Oil	Sheriff	28.22

10/25/05

10511

TDS Auto Repair, Inc	Emer Mgmt	172.30	The Eye Doctors, P.C	Correction	94.20
Theophilus Law Offic	Court Sys.	444.00	Thorin, Deyanira T.	Var. Depts	437.50
Tomacelli's Pizza	Court Sys.	80.95	Toner Plus, Inc.	Pub. D.	41.00
Tri-State Implement,	Hiway Cons	7.18	Tri-Valley School Di	Sheriff	9,959.57
TSP Four, Inc.	Build Fund	69,682.62	Union County Sheriff	St Atty	7.50
United Enterprises,	Human Svcs	660.00	United Parcel Servic	Metro-911	22.13
University Physician	Human Svcs	58.73	US Marshals Service	Correction	1,153.00
US Postmaster	Var. Depts	1,537.00	Vantek Communication	Metro-911	45.00
Velgersdyk, Dr. Scot	Human Svcs	507.68	Viking Office Produc	Pub. D.	401.23
Virginia Coop Extens	Cnty Exten	24.00	Vision Care Associat	Human Svcs	194.44
Volunteers of Americ	Juv Det Cn	765.00	Wagner Office Soluti	Juv Det Cn	154.00
Wal-Mart Business /	Metro-911	7.44	Walcro Floor Coverin	Build Fund	525.63
Warren's Sharpening	Museum	68.74	Weeg's Trailer Park	Human Svcs	170.00
Wellmark, Inc.	Human Svcs	712.28	Westergard, Rod	Hiway Admi	414.66
Xcel Energy, Inc.	Var. Depts	42,616.43	Zabel Steel Co.	Hiway Cons	12.80

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 and the Sheriff's Department Monthly Report for September, 2005; the and the Auditor's Account with the County Treasurer as of September 30, 2005.

AUDITOR'S ACCOUNT WITH THE COUNTY TREASURER

On Deposit in Banks	
Interest-bearing open accounts	2,842,909.76
CD's and savings	14,000,000.00
Cash	20,992.12
Checks in Treasurer's possession for more than 3 days	3,387.88
Total	\$16,867,289.76

PERSONNEL

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

1. To accept the resignation of Scott Pulse as part-time Deputy Sheriff for the Sheriff's Office effective 10-21-05.
2. To hire Nicole Dewar as Caseworker I (11/1) for Human Services at \$15.781 per hour effective 10-25-05.

Step increases due:

1. Michael Mayer – Highway Maintenance Worker – Highway – 8/9 to 8/10 – 10/23/05 - \$16.452/hr
2. Jerry Quam – Highway Maintenance Supervisor – Highway – 15/5 to 15/6 – 10/14/05 - \$21.998/hr
3. Marty Roach – Highway Maintenance Worker – Highway – 8/9 to 8/10 – 10/23/05 - \$16.452/hr
4. Rebecca Carpenter – Legal Office Asst I – State's Attorney – 6/2 to 6/3 – 10/25/05 - \$12.492/hr

The Commission also considered a request from Sheriff Lieutenant Bruce Swan to fill a vacancy for one Army Guard Security Officer. The position will be vacated on 12/2/05. This is a contract position that is funded through the Army Guard Security Agreement. MOTION by Pekas, seconded by Hajek to authorize the hire of one Army Guard Security Officer effective 12/2/05. 5 ayes.

Sheriff Mike Milstead requested authorization to fill a vacancy for one Deputy Sheriff (to be vacated 10/28/05) and one Correctional Officer (to be vacated 10/27/05). Commissioner Twedt noted that these positions are considered critical and were needed to adequately staff the jail. MOTION by Zweep, seconded by Kolbe to authorize the request to hire. 5 ayes.

ABATEMENTS

On the recommendation of Dennis Whitney, Deputy Director of Equalization, MOTION by Zweep, seconded by Hajek to approve the following abatements: Sioux Valley Hospital, 2003 & 2004 Property Taxes totaling \$29,570.71 for ID #'s 43469, 43470, 43471, 43472, 43473, 43474, 43475, 43476, 43477, 47478, 43479, 43480, 43482, 43483, 34793, 34794, 34796, 34797, 34798, 34799, 34802, 34803, and 55343. 5 ayes.

Mr. Whitney also presented an application for abatement from Duane Sherman for parcel #54524. The property is located at 5001 W 26th Street, Sioux Falls. The petitioner recently replatted the parcel and the survey calculated the size at 27.14 acres, 2.941 acres less than what is recorded. Mr. Whitney explained that through the years, deductions were made to the original parcel size based on other recorded plats. The valuation was based on the size of the parcel that remained after all counts of recorded plats had been removed. The petitioner has received annual notice of the valuation of the property and did not appeal it in the past. Gordy Swanson, Chief Deputy State's Attorney, noted that the fact that there had not been a prior appeal is significant. The survey does not show that the value of the land has decreased due to the change in size. Mr. Swanson and Mr. Whitney recommended denial of the request. Mr. Sherman noted that the land had been surveyed several times over the years. He indicated that when he brought the materials to the Director of Equalization office, he was under the impression that they would go back four years and correct the mistake. He did not feel he should be taxed for land that he did not own. Commissioner Hajek discussed the selling price of the lots sold off of the main parcel. Mr. Whitney noted that the property was taxed based on a value of \$1.50 per sq ft. Mr. Sherman stated he received approximately \$11 per sq. ft. for the last property sold. He noted that the lot was in a prime location and the remaining land would not be worth the same amount. MOTION by Pekas to approve the abatement. Motion dies for lack of a second. Commissioner Pekas explained that he supported the abatement because surveys were wrong in the past, and the current survey shows that the size should be corrected. Commissioner Zweep noted that it was incumbent upon the property owner to determine the correct land size and come before the Board of Equalization if there are errors. MOTION by Zweep, seconded by Kolbe to deny the request for abatement. 4 ayes, Pekas – nay.

NOTICE

Notice of intent to conduct a raffle on November 17, 2005, was received from the Sioux Falls Good Samaritan Center.

LIEN

Commissioner Pekas, County Aid Lien Liaison, briefed the Commission on a request to compromise DPNO 8321 in the amount of \$830.63. The petitioner was in the process of refinancing her residence when the lien was noted against the property for the petitioner and her ex-husband. The petitioner is requested that her property be released and her name removed from the lien upon payment of \$134.17. The payment would cover services prior to the divorce in September 1992. The balance of the lien would remain in the name of the ex-husband only. MOTION by Pekas, seconded by Zweep to approve Resolution MC05-59. 5 ayes.

WHEREAS, a County Aid Lien in the amount of \$830.63 purports to exist in favor of Minnehaha County and against DPNO 8321 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 and the real property in full upon payment of \$134.17 from the petitioner; the balance of the lien to remain against the ex-husband's name only. If payment is not made within one year from approval, this agreement is null and void.

Legal Description of real property: S1/2 Lot 4 Block 3 Beverly Gardens Addition to the City of Sioux Falls, Minnehaha County, South Dakota.

Dated at Sioux Falls, South Dakota, this 25th day of October, 2005.

APPROVED BY THE COMMISSION:
Carol Twedt, Chairman

ATTEST:
Sandy Kinder, Deputy Auditor

SUPPLEMENT

MOTION by Hajek, seconded by Zweep to approve the following supplement from the Museum Grants Fund to the Museum Grants budget: \$1,500 (ASN 18952) and \$28,500 (ASN 18980), representing disbursement from the Museum Endowment Fund administered by the Sioux Falls Area Foundation. 5 ayes.

AGREEMENT

Bob Meister, Highway Superintendent, presented a Force Account Agreement for the installation of standard mast highway-rail grade crossing signals 2 miles north of Colton on County Road 104. He reported that this is the last active crossing project on the highway system. The estimated cost of the project is \$155,000. Minnehaha County will be required to provide a 10% match in funding. MOTION by Zweep, seconded by Pekas to authorize the Chairman to sign the agreement. 5 ayes.

AMBULANCE LICENSE

Jay Masur, CEO/President of Med-Star Ambulance Service was present to request that the Commission consider an amendment to Ordinance MC31-02, An Ordinance for Licensing Surface Ambulance Service in Minnehaha County. The current ordinance allows for one license for each of the ambulance districts. Mr. Masur introduced Joe Kulhavy, Assistant Director, and Steve Hanson, Med-Star Training Center, and showed a video detailing Med-Star's services. He also presented application materials. Med-Star is requesting that the current ordinance be amended to either allow a license for an at-large service or create a new district which would run from Six Mile Road to the west, 2 miles north of I-29 on the north, south and east to the Iowa and Minnesota borders. Gordy Swanson, Chief Civil Deputy State's Attorney, noted that the current ordinance allows for a review of the licenses in 2006 for services beginning January 2007.

The applicant could apply for licensure at that time. They would have to demonstrate the need for a second ambulance service in a given territory and show that a second service would not make it financially impossible for the main ambulance service to survive. Commissioner Zweep noted that the application would also need the approval of the medical director. Commissioner Hajek asked about the reasons for the ordinance and noted that the situation may have changed. MOTION by Hajek, seconded by Zweep to direct Gordy Swanson to prepare an ordinance amendment that would allow for the application of a second ambulance service to be reviewed and considered. 5 ayes.

EMERGENCY MANAGEMENT

Lynn DeYoung, Emergency Management Director, announced that the county has been awarded \$23,643.89 as part of the 2004 ODP Grant Program. The funding will be used to cover expenses of a tactical rescue exercise involving local law enforcement officers. No matching funds are required for this grant. MOTION by Zweep, seconded by Hajek to authorize the Chairman to sign the State of South Dakota Grant Reimbursement Agreement for Office for Domestic Preparedness FY 2004 Exercise Grant Program between Minnehaha County and the SD Department of Public Safety. 5 ayes.

Mr. DeYoung also reported that as part of the 2003 Grant Reallocation Project, the county was awarded \$35,000 for security equipment for the Sioux Valley and McKennan Hospitals and Brandon Valley Middle School. MOTION by Zweep, seconded by Kolbe to authorize the Chairman to sign the State of South Dakota Grant Reimbursement Agreement for U.S. Department of Justice FY 2003 Grant Reallocation between Minnehaha County and the SD Department of Public Safety. 5 ayes.

LEASE

Warden Tim Devlin requested approval of a lease agreement with Kleen Solutions for a commercial dishwasher. Under the terms of the agreement, Kleen Solutions will provide a commercial dishwasher at no charge, but dishwashing supplies must be purchased from Kleen Solutions. Gordy Swanson, Chief Deputy State's Attorney, has reviewed the proposal and reported that it was not subject to bid as it is considered a rental and the total amount spent on chemicals would not exceed \$15,000 per year. MOTION by Kolbe, seconded by Pekas to authorize the Chairman to sign the lease agreement. 5 ayes.

RFP'S

Ken McFarland, Administrative Assistant, reported that RFP's for a Lunch/Snack Bar Operator in the County Administration Building were received and opened on October 17th. Two proposals were received from Dakotabilities and Top Taste Fine Foods. Both firms propose to operate the lunch/snack bar as outlined in the RFP. Dakotabilities representatives Robin Prunty, Assistant Director, and Kathy Grimmus, Vocational Manager, were present to answer questions and explained that they are a non-profit organization and would like to offer a way for their clients to earn a wage and meet people within the community. Brent and Lisa Fowler with Top Taste Fine Foods were also present. They propose to add enthusiasm with their product line. Commissioners were in consensus that the Chairman appoint a committee to review the RFP's, conduct interviews, and bring a recommendation back as soon as possible to allow for a transition timeframe.

Mr. McFarland also reported that RFP's were opened on October 17th for Animal Control Services in Minnehaha County. The Sioux Falls Area Humane Society was the only organization to submit a proposal. Proposed fees for services are as follows: \$40/hr Day Calls, \$55/hr After Hours Calls, \$10/day Boarding Charge, \$40/animal Euthanize/Disposal Fee, On-Call Payment Fee will be eliminated (currently \$60/month). Suzanne Zutter, Executive Director, was present to answer questions and introduced Board Member Jessica Armstrong. MOTION by Hajek, seconded by Pekas to award the 5 year contract for animal control services to the Sioux Falls Area Humane Society. 5 ayes.

SURPLUS

Sue Roust, Auditor, reported that the 2005 surplus sale grossed \$14,767.50 for the county. After deducting the auctioneer's fee, the county realized \$14,179.75 from the sale. County commissioners have the option of allocating funds for highway items acquired by the county after the time the Highway Fund became self-sufficient in 1994 back to that Fund. Three items acquired by the Highway Department in 1994 or later were sold for \$270.00. MOTION by Zweep, seconded by Pekas to allocate 100% of the proceeds to the General Fund. 5 ayes.

SUPPLEMENT

MOTION by Zweep, seconded by Hajek to supplement \$7,356.44 from the FEMA Fund to the FEMA budget representing the second half of the FEMA Grant allocation plus interest, with the \$150.00 administrative fee going to the General Fund. 5 ayes.

OLD BUSINESS

At the request of Scott Anderson, Planning Director, MOTION by Pekas, seconded by Zweep to amend Resolution MC05-57, Resolution to Vacate Public Right-of-Way, adopted on October 11, 2005, by including "to Corson" in the legal description: Jackson Avenue lying between Lot 3 Block 3 and Lot 4 Block 4 Sampson's Subdivision of Fauskes Addition to Corson in Section 27-T102N-R48W of the 5th PM, Minnehaha County, South Dakota. 5 ayes.

Commissioner Kolbe commented on correspondence received from Cecilia Benson regarding rural school history.

NEW BUSINESS

Chairman Twedt announced that there would be a Building Committee meeting on Thursday night to discuss space needs at the Courthouse.

MOTION by Hajek, seconded by Zweep to adjourn into Executive Session. 5 ayes. Following Executive Session the Commission adjourned until 9:00 a.m. on November 1, 2005.

APPROVED BY THE COMMISSION:

Carol Twedt, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor