

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., November 8, 2005, pursuant to adjournment on November 1, 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 Hajek, seconded by Pekas to approve the Minutes for November 1, 2005. 5 ayes.

VOUCHERS TO BE PAID

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

A & B Business Equip	Var. Depts	110.16	Amsterdam Printing &	St Atty	40.55
Anesthesiology Assoc	Correction	157.20	Appera / Dudley Lau	Hiway Cons	22.30
Arena Motel	Human Svcs	39.99	Argus Leader	Var. Depts	1,296.97
Auto Body Specialtie	Hiway Cons	43.30	Automatic Security C	Metro-911	105.00
Avera Gutnik & Assoc	Correction	34.11	Avera Home Medical E	Human Svcs	246.23
Avera McKennan Hospi	Var. Depts	5,210.09	Avera McKennan Hospi	Human Svcs	350.00
Avera McKennan Schoo	Metro-911	4.00	Behavior Management	Pub. D.	15.00
Belitz, Larry	Museum	376.00	Berreau, Cynthia	Court Sys.	246.66
Bethlehem, Eyob	Human Svcs	450.00	Boldt, Bradley D	Human Svcs	450.00
Border States Electr	Hiway Cons	38.38	Bossmann, Lorie	Musm Store	48.00
Boyer Trucks Sioux F	Hiway Cons	480.00	Brandenburg, Michell	Cnty Exten	178.44
Braun, Mason	Sheriff	72.32	Breit Law Offices, P	Court Sys.	759.20
Brevik Law Office, P	Mental Ill	147.27	Brown & Saenger	Var. Depts	467.71
Buffington, Michael	Court Sys.	1,461.94	Bureau Of Informatio	Var. Depts	248.00
Butler Machinery Com	Hiway Cons	61.11	C & R Supply, Inc.	Hiway Cons	233.49
Campbell Supply Co.,	Juv Det Cn	14.94	Canfield Business In	Info Svcs	1,409.20
Carlson, Jim A	Human Svcs	450.00	Carpenter, Donovan	Hiway Admi	33.00
Catco	Hiway Cons	1,767.23	CBM Food Service	Correction	20,102.81
Center For Family Me	Correction	29.24	Chemco, Inc.	Var. Depts	3,014.72
Christensen, David D	Hiway Cons	115.20	Cleveland Heights Ap	Human Svcs	1,023.00
Cliff Avenue Auto Pa	Hiway Cons	73.66	Communication Servic	Var. Depts	770.00
Concrete Materials	Hiway Cons	66,574.69	Cooley, Carla F	Court Sys.	45.80
Crisp, James	Hiway Cons	132.50	Dakota Fluid Power,	Hiway Cons	307.64
Dakota News, Inc.	Musm Store	1,156.23	Dakota Riggers & Too	Hiway Cons	68.18
Dakota Splash	Hiway Admi	219.80	Dawg, Inc	Emer Mgmt	623.29
Dell Rapids Ford, In	Sheriff	196.38	Dewitt, Marty	Musm Entrp	75.00
Dialnet/Ahrens Telec	Treasurer	30.00	Dietrich, Donna K	Mental Ill	1,056.26
Director Of Equaliza	Dir. Eq.	16.75	Dispatch Furniture,	Metro-911	50.76
Drake Equipment, Inc	Emer Mgmt	173.26	Dynamite Enterprises	Human Svcs	525.00
East, Paul T DBA	Human Svcs	300.00	Electric Constructio	Musm Litng	7,430.00
Farrell, Lorae J	Court Sys.	127.60	Fastenal Company	Hiway Cons	68.74
Federal Express Corp	Pub. D.	19.35	First Dakota Title	St Atty	50.00
First Premier Bank	Sheriff	87.26	G & D Viking Glass,	Musm Store	34.83
G & G Mfg. & Souveni	Musm Store	171.85	G & H Radiator	Hiway Cons	68.00
Galls, Inc.	Sheriff	996.45	Gearman, Jason	Mental Ill	49.92
Goebel Printing, Inc	Treasurer	1,656.42	Golden West	Var. Depts	422.67
Graham Tire Co. - Do	Sheriff	270.37	Great America Leasin	Cnty Exten	220.30
Great Plains Int'l T	Hiway Cons	1,900.05	Gregory, Candise	Cnty Exten	11.60
Guzman, Sandra V.	Var. Depts	320.83	Hagen, Joanne C.	Human Svcs	350.00
Harold's Photo Cente	Pub. Adv.	6.69	Heartland Paper Comp	Juv Det Cn	607.66
Hegge, Kathleen J DB	Court Sys.	1,087.20	Heggen, Leo	Hiway Admi	35.24
Hy-Vee Food Store	Juv Det Cn	157.13	Hy-Vee Food Store	Juv Det Cn	51.00
Hy-Vee Pharmacy	Human Svcs	987.74	ICI Paints	Museum Mtc	53.10
Int'l Right of Way A	Reg Deeds	200.00	Interstate Office Pr	Var. Depts	865.61
J.C. Penney Company,	Metro-911	30.57	Jefferson Partners,	Human Svcs	75.50
Johnson, Ronald L	Hiway Admi	37.16	Johnstone Supply	Museum Mtc	79.90
Kallemeyn, Richard	Dir. Eq.	307.79	Kennedy, Renee S.	Court Sys.	532.00
Kipp Brothers, Inc.	Musm Store	203.70	Kmart	Museum	9.84
Kohl's Department St	Juv Det Cn	209.97	Kone, Inc.	Pettigrew	50.00

Landborg, Richard J.	Human Svcs	270.00	Larson, Nickolee A.	Human Svcs	900.00
Lassegaard, Samuel C	Human Svcs	350.00	Lawson Products, Inc	Hiway Cons	176.04
LCM Pathologists, P.	Coroner	1,000.00	LexisNexis Matthew B	Var. Depts	92.75
Linweld, Inc.	Hiway Cons	223.24	Lockwood Law Office,	Court Sys.	2,423.32
Luther, Jeff	Metro-911	7,187.49	Lyon County Engineer	Hiway Cons	150.00
Mailway Printers	Museum	1,170.00	Management Service P	Human Svcs	100.00
Mathison Company	Var. Depts	29.55	Mayo Clinic Rocheste	Human Svcs	627.12
Medical X-Ray Center	Var. Depts	8,340.81	Menards - West	Reg Deeds	87.59
Mergen, Robert	Human Svcs	450.00	Michigan Dept of Sta	St Atty	8.00
Midamerican Energy C	Var. Depts	4,937.29	Midwest Oil Company	Hiway Cons	1,441.18
Mills & Miller, Inc.	Hiway Cons	3,417.60	Minnehaha Cnty Sheri	Sheriff	4.42
Nebraska Dept. of Mo	St Atty	3.00	Nguyen, Lam	Court Sys.	50.00
Northern Safety Tech	Hiway Cons	899.20	Northern States Supp	Hiway Cons	87.63
Northern Truck Equip	Hiway Cons	66.62	Obstetrics & Gynecol	Correction	69.30
Officemax Credit Pla	Var. Depts	85.42	Orthopedic Institute	Correction	96.25
Petco Animal Supplie	Sheriff	38.30	Pfeifer Implement Co	Hiway Cons	155.83
Phonic Ear, Inc	Court Sys.	142.00	Plusco Printing & Co	Human Svcs	76.39
Pomp's Tire Service,	Hiway Cons	618.18	Pontiac Cadillac of	Sheriff	124.04
Positive Promotions,	Cnty Ins	141.26	Prairie Publications	Comm.	460.62
Profile Evaluations,	Metro-911	1,250.00	Qualified Presort Se	Var. Depts	6,679.31
Quest Engineering, I	Hiway Cons	18.80	Record Keepers, Inc.	Human Svcs	105.94
Restful Lodging, Inc	Human Svcs	40.00	Richmond II Ltd Ptnr	Human Svcs	350.00
River Run Apts / Sio	Human Svcs	300.00	River Tower Apartmen	Human Svcs	123.00
Riverview Park, Ltd.	Human Svcs	86.00	Riverview Residentia	Human Svcs	250.00
Robson True Value	Emer Mgmt	5.99	Rochester Armored Ca	Treasurer	330.00
Rohn Airport Adverti	Museum	225.00	Ronning Commercial,	Human Svcs	350.00
Rural Metro Ambulanc	Coroner	400.00	Safelite Glass Corp.	Sheriff	230.55
Salvation Army	Fema Fund	2,500.00	Sax Arts & Crafts	Museum	124.23
SD Acoustic Christma	Musm Entpr	400.00	SD Counseling Associ	Cnty Exten	80.00
SD Dept of Human Ser	Court Sys.	200.00	SD Dept Of Revenue	Sheriff	6.00
SD State Treasurer	Sales Tax	504.25	SDAE4-HE	Cnty Exten	250.00
SDEMTA Dist II Treas	Emer Mgmt	115.00	Security Labs, Ltd	Treasurer	844.00
Simons, Duane	Cnty Exten	16.40	Sioux Equipment Co.,	Hiway Cons	422.00
Sioux Falls Chamber	Comm.	600.00	Sioux Falls Ford, In	Var. Depts	702.20
Sioux Falls Rubber S	Var. Depts	95.10	Sioux Falls Two Way	Var. Depts	2,023.55
Sioux Falls Utilitie	Var. Depts	500.47	Sioux Valley Energy	Var. Depts	1,397.73
Siouxland Heritage M	Museum	84.80	Solarwinds.Net, Inc.	Info Svcs	395.00
Solheim, Virginia	Hiway Admi	39.72	Solomon, Ghirmay	Court Sys.	53.32
St. Alexius Medical	Pub. D.	20.00	Stansell, Roger	Hiway Cons	273.91
SV Clinical Labs	Human Svcs	24.08	SV Hospital	St Atty	80.00
SV Medical Equipment	Human Svcs	167.50	Terry's Village	Musm Store	89.55
Thorin, Deyanira T.	Var. Depts	212.50	Townsend Pricing, In	Musm Store	60.43
TR Designs & Indoor	Museum	305.00	Tri-State Implement,	Hiway Cons	35.50
Tuschen, Michael E	Hiway Cons	14.00	United Enterprises,	Human Svcs	300.00
United Parcel Servic	Sheriff	31.97	University Physician	Human Svcs	58.73
Vander Haag's, Inc.	Hiway Cons	1,589.04	Vander Vliet, Rodney	Hiway Admi	47.40
Vantek Communication	Metro-911	827.00	Velvet Uniforms, Inc	Var. Depts	815.07
Viking Office Produc	Pub. D.	530.20	Voigt, Debra	Court Sys.	891.95
Wagner Office Soluti	Cnty Exten	242.76	Wall Lake Sanitary D	Hiway Admi	35.00
WCEC, Inc	Emer Mgmt	6,234.00	Westergard, Rod	Hiway Admi	63.66
Western Commercial P	Musm Store	714.93	Wilkes, Jeff	Dir. Eq.	327.04
Willard, James A.	Cnty Exten	26.00	Williamsburg Townhom	Human Svcs	525.00
Woodlawn Cemetery As	Human Svcs	275.00	Wright, Larry	Cnty Exten	16.40
Xcel Energy, Inc.	Var. Depts	2,095.85	Zep Manufacturing Co	Hiway Admi	251.80

REPORTS

The following reports were received and placed on file in the County Auditor's Office: South Dakota Municipal League Worker's Compensation Fund 2004 Annual Financial Report, Minnehaha County Human Services Report, and Regional Juvenile Detention Center Monthly Statistical Report for October 2005.

PERSONNEL

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

1. To promote Michelle Mattern to Juvenile Correctional Officer II (11/4) for the Juvenile Detention Center at \$17.410 per hour effective 11-7-05.
2. To hire the following individuals as PT Juvenile Correctional Workers (5/1) for the Juvenile Detention Center at \$10.704 per hour: Alan Roemeling, 11-10-05; Thomas LaFramboise, 11-10-05; Roxanne Gallup, 11-10-05; and Heidi Stotz, 11-16-05.
3. To hire Greg Brostad as PT Juvenile Correctional Worker (5/2) for the Juvenile Detention Center at \$11.132 per hour effective 11-10-05.
4. To promote Dalvin Ross to Deputy Sheriff Sergeant (16/2) for the Sheriff's Office at \$20.812 per hour effective 11-05-05.
5. To increase the hourly rate of Diana Hummel, PT Museum Aide for the Museum, to \$8.75 per hour effective 11-08-05.
6. To increase the hourly rate of Cornelius Baker, PT Custodial Worker for the Museum, to \$10.50 per hour effective 11-08-05.
7. To hire Jason Gearman as Mental Illness Investigator for the Mental Illness Board at \$10.00 per hour effective 8-9-05.
8. To hire Ryan Connor as PT Correctional Officer I (9/1) for the Sheriff's Office at \$14.088 per hour effective 11-8-05.

Step increases due:

1. Kevin Brown – Communications Operator – Metro Communications, 9/1 to 9/2, 11-8-05, \$14.652/hr
2. Craig Rolfs – Communications Operator – Metro Communications, 9/1 to 9/2, 11-8-05, \$14.652/hr
3. Susan Straight – Legal Office Assistant I – Public Defender's Office, 6/2 to 6/3, 11-9-05, \$12.492/hr
4. Karen Jelsma – Correctional Officer I – Sheriff, 9/2 to 9/3, 10-4-05, \$15.238/hr
5. Justin Sieler - AG Security Officer II – Sheriff, 10/5 to 10/6, 10-14-05, \$17.142/hr
6. Dalvin Ross – Deputy Sheriff – Sheriff, 12/5 to 12/6, 11-3-05, \$19.085/hr
7. Vance Siemonsma – Deputy Sheriff – Sheriff, 12/4 to 12/5, 10-12-05, \$18.710/hr
8. Rebecca Martell - Juvenile Correctional Officer I – JDC, 9/2 to 9/3, 11-17-05, \$15.238/hr
9. LeAnne Harries – Paralegal – State's Attorney's Office, 10/4 to 10/5, 10-16-05, \$16.805/hr
10. Cheri Travis – Senior Accounting Specialist – Auditor, 7/6 to 7/7, 10/28/05, \$14.513/hr
11. Deborah Dose – Senior Accounting Specialist – Auditor, 7/6 to 7/7, 10/31/05, \$14.513/hr

Chairman Twedt expressed sympathy on behalf of Minnehaha County to Lloyd Olson, Facilities Director, on the death of his wife.

NOTICES

Notice of Public Hearing/Open House on November 17th, at 6:30 p.m., was received from the SD Department of Transportation for the I-29 from the Tea Exit to Skunk Creek in Sioux Falls noise study results.

MOTION by Zweep, seconded by Pekas to authorize the Auditor to post Notice of Hearing for Consideration of a Proposed Supplemental Budget on November 22nd, at 9:15 a.m., to consider creating and supplementing Museum Lighting and Courthouse Artwork Budgets. 5 ayes.

LIENS

Commissioner Pekas, County Aid Lien Liaison, briefed the Commission on a request to compromise DPNO 18374 in the amount of \$42,401.26 by releasing the lien against the property only with no payment from the petitioner. The mortgage holder of the property foreclosed, naming Minnehaha County as a junior lienholder. The property was then sold at a sheriff's sale and the proceeds deposited with the Clerk of Courts. The petitioner purchased the right to redeem from the lienees without knowledge of the lien being attached to the property. She is now requesting that the lien be released to re-sell the property. Gordy Swanson, Chief Deputy State's Attorney, cautioned that discharging the lien may result in loss of the right to obtain the surplus proceeds from the court. Commissioner Pekas noted that there are other creditors that will go after the proceeds if the county discharges the lien. Commissioner Hajek noted that the request to forgive the lien would enable the petitioner to gain a larger profit from the sale. MOTION by Pekas, seconded by Hajek to deny the request. 5 ayes.

Commissioner Pekas also briefed the Commission on a request to compromise DPNO 44485 in full upon payment of \$500.00. The petitioner had previously made payments of \$210.00 to clear a previous balance and has since incurred the remaining balance of \$1,030.63. The Commission has generally followed the precedence of accepting 50% as payment. MOTION by Pekas, seconded by Zweep to approve Resolution MC05-60. 5 ayes.

RESOLUTION MC05-60

WHEREAS, a County Aid Lien in the amount of \$1,030.63 purports to exist in favor of Minnehaha County and against DPNO 44485 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 in full upon payment of \$516.00.

If payment is not made within one year from approval, this agreement is null and void.

Dated at Sioux Falls, South Dakota, this 8th day of November, 2005.

APPROVED BY THE COMMISSION:
Carol Twedt, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

On the recommendation of Hauge Associates, Inc., MOTION by Pekas, seconded by Hajek to release DPNO 27424 in the amount of \$322.80 in full upon payment of \$161.40 within 10 days. 5 ayes.

AGREEMENTS

Ladene Bachtell with Hagan Benefits, Inc. presented a revised Intergovernmental Contract for the South Dakota Public Assurance Alliance. The contract has been revised to incorporate the previously separate Appendix and Amendment 1-A/Property Rider into the Intergovernmental Contract. There were no changes in the operation of the SDPAA. The perpetual contract clarifies the operation of the SDPAA as it has been operating for the past 18 years. Gordy Swanson, Chief Deputy State's Attorney has reviewed the contract and recommend approval. MOTION by Hajek, seconded by Kolbe to authorize the Chairman to sign the Intergovernmental Contract for the South Dakota Public Assurance Alliance. 5 ayes.

Sheriff Mike Milstead reported that the Sheriff's Department has been awarded \$33,333.00 for a security enhancement project as part of the FY 2005 Buffer Zone Protection Plan awarded under the US Department of Homeland Security Office for Domestic Preparedness and distributed through the State of SD. The money will be used to purchase equipment to better protect identified areas needing additional security. MOTION by Pekas, seconded by Kolbe to authorize the Chairman to sign the State of South Dakota Grant Reimbursement Agreement for Department of Homeland Security FY 2005 Buffer Zone Protection Plan between Minnehaha County and the SD Department of Public Safety. 5 ayes.

VOTING PRECINCTS

Sue Roust, Auditor, presented a resolution to consolidate voting precinct 3-3 into precincts 3-4 and 3-6 due to the voting place, Lincoln Professional Development Center, closing. The City of Sioux Falls approved the same action at their meeting on November 7th. The resolution would match the changes made by the City. Chairman Twedt felt that one entity should be responsible for making boundary changes. MOTION by Pekas, seconded by Zweep to approve Resolution MC05-61. 5 ayes.

RESOLUTION MC05-61

WHEREAS, it is deemed advisable to consolidate certain voting precincts in Minnehaha County, and

WHEREAS, pursuant to SDCL 12-14-1 and 12-14-2, the County Commission may by resolution establish new voting precincts and make changes in precinct boundaries; now, therefore, be it

RESOLVED by the Minnehaha County Commission that the area included in precinct 3-3 be attached to precincts 3-4 and 3-6, and that precinct 3-3 be deleted; and be it further

RESOLVED that the new boundaries of precincts 3-4 and 3-6 shall be described as follows:

Precinct 3-4 shall be bounded on the east by Minnesota Avenue from 1st Street to 10th Street; on the south by 10th Street from Minnesota Avenue to Prairie Avenue, thence north on Prairie Avenue from 10th Street to 6th Street, thence west on 6th Street from Prairie Avenue to West Avenue; on the west by West Avenue from 6th Street to Russell Street; and on the north by Russell Street from West Avenue to Prairie Avenue, then on Prairie Avenue from Russell Street to 1st Street, then on 1st Street from Prairie Avenue to Minnesota Avenue.

Precinct number 3-6 shall be bounded on the east by Prairie Avenue from 6th Street to 10th Street, then on 10th Street from Prairie Avenue to Menlo Avenue, then on Menlo Avenue from 10th Street to 11th Street and the Highway 42 intersection; on the south by South Dakota Highway 42 and 12th Street from Menlo Avenue to the Interstate Highway 29; on the west by the Interstate Highway 29 from 12th Street to a point where 6th Street extended intersects Interstate Highway 29; on the north by 6th Street extended from Interstate Highway 29 to Prairie Avenue.

Approved by the Minnehaha County Commission this 8th day of November, 2005.
Carol Twedt, Chairman

ATTEST:
Sandy Kinder, Deputy Auditor

OLD BUSINESS

Commissioner Hajek commented on a recent newspaper headline and apologized for references that indicated the financing arrangement for the Human Services Center was not a good deal. Commissioners asked that Ken McFarland, Administrative Assistant, work with Citibank representatives on a potential groundbreaking ceremony.

Chairman Twedt thanked Hugh Grogan, Human Services Director, and Michelle Boyd, Assistant Sheriff, for the success of the United Way Campaign. Minnehaha County had an 8% increase in donations from last year.

MOTION by Hajek, seconded by Pekas to adjourn into Executive Session. 5 ayes. Following Executive Session the Commission adjourned until 9:00 a.m. on November 15, 2005.

APPROVED BY THE COMMISSION:
Carol Twedt, Chairman

ATTEST:
Sandy Kinder, Deputy Auditor