

THE MINNEHAHA COUNTY COMMISSION CONVENE AT 9:00 A.M., November 29, 2005, pursuant to adjournment on November 22, 2005. Commissioners present were: Twedt, Pekas, Hajek, and Zweep. Commissioner Kolbe 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.

Commissioner Hajek announced that the November 28th Planning Commission meeting was rescheduled to December 12th, at 7:00 p.m., due to weather conditions.

ZONING

MOTION by Zweep, seconded by Hajek to authorize the Auditor to publish Notice of Hearing on December 6, 2005, to consider vacating a public right-of-way described as the alley lying adjacent to Lots 1 through 32, inclusive, in Block 7 of Lyons Village Addition in Section 17-T103N-R50W west of the 5th PM, Minnehaha County, South Dakota. 4 ayes.

Phil Kappen, Assistant Planning Director, was present for the first reading of a proposed text amendment to Ordinance MC20-92, On-Site Wastewater Treatment Systems, related to fees and drainage from garage floor drains, and tracer wire requirements. MOTION by Zweep, seconded by Pekas to authorize the Auditor to publish Notice of Hearing on December 13, 2005. 4 ayes.

EMERG MGMT

MOTION by Hajek, seconded by Zweep to approve the following supplements: \$107,429.66 from the General Fund to the Sheriff's Department Budget (ASN 16577) representing reimbursement from the 2004 Law Enforcement Terrorism Prevention Grant; and from the Emergency Management Fund to the Emergency Management Budget \$1,224.91 (ASN 16925) representing reimbursement from the 2004 Terrorism Training Grant and \$73,839.82 (ASN 16984) representing the 4th quarter State & Local Agreement Grant. 4 ayes.

Lynn DeYoung, Emergency Management Director, reported that as part of the 2005 Weapons of Mass Destruction Grant, Sioux Falls Fire and Rescue (SFFR) was awarded \$73,000 to be used for needed equipment. He requested authorization to purchase an air compressor identified as one of the budgeted items in the grant package off of a bid awarded by the City of Sioux Falls. MOTION by Hajek, seconded by Pekas to authorize the purchase of one Bauer Air Compressor System with Option #2 & #3 from Clarey's Safety Equipment Inc of Rochester, Minnesota, in the amount of \$26,295.50. 4 ayes.

Mr. DeYoung also requested that one 1986 Rescue Truck for Emergency Management be declared as surplus with the disposition to be determined by the Commission. Options presented included holding the vehicle until the next surplus sale, advertising for sale to the highest bidder, or donating the vehicle to another emergency service department. MOTION by Hajek, seconded by Pekas to declare one 1986 Rescue Truck, Asset # 13667, as surplus for donation to an emergency services agency to be determined by the Emergency Management Director. 4 ayes.

MINUTES

MOTION by Pekas, seconded by Zweep to approve the Minutes for November 22, 2005. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Pekas, seconded by Zweep to approve the following bills for payment and November

salaries. 4 ayes.

A & B Business Equip	Var. Depts	771.31	Adams County (Colora	St Atty	38.00
American Institution	Juv Det Cn	1,369.11	American Red Cross	Emer Mgmt	3,300.00
Anesthesia Physician	Correction	96.00	Anesthesiology Assoc	Human Svcs	144.00
Arena Motel	Human Svcs	274.95	Argus Leader	Var. Depts	503.83
Arrow Ridge Townhome	Human Svcs	300.00	ASAP Software Expres	Var. Depts	3,432.21
Austad, Dean B	Human Svcs	525.00	Avera Dakota Endocri	Mental Ill	120.02
Avera Gutnik & Assoc	Mental Ill	151.55	Avera Health Kannan	Mental Ill	148.19
Avera McKennan Hospi	Var. Depts	45,793.52	Avera McKennan Regio	Correction	622.72
Avera Midwest Psychi	Mental Ill	695.53	Avera University Psy	Mental Ill	1,993.07
Batteries Plus	Facilities	415.85	Baumgartner Trees &	Museum	60.00
Best Business Produc	Juv Det Cn	229.22	Blackhawk Industries	Sheriff	49.95
Boyer Trucks Sioux F	Hiway Cons	56.00	Brown & Saenger	Var. Depts	148.31
Buckman, Nora	Human Res.	89.00	Business Printing &	Cnty Exten	38.50
C & R Supply, Inc.	Hiway Cons	121.00	Campbell Supply Co.,	Metro-911	87.96
Carstens, Dale	Human Svcs	375.00	Cellular One	Var. Depts	2,490.38
Center For Family Me	Correction	2,591.44	Century Business Pro	Metro-911	75.00
Chemco, Inc.	Var. Depts	410.12	Cleveland Heights Ap	Human Svcs	200.00
Cliff Avenue Auto Pa	Hiway Cons	5.81	Cole, John R	Dir. Eq.	265.60
Connecting Point	Correction	55.00	Crescent Electric Su	Museum	98.76
Dacotah Bank	Var. Depts	300.00	Dakota County Court	St Atty	3.00
Dakota Dermatology,	Correction	61.63	Dakota Fluid Power,	Hiway Cons	871.96
Dataline Assoc./Fior	Info Svcs	1,772.40	Ellsworth Funeral Ho	Human Svcs	1,120.50
Empire Plastics	Museum	236.90	Ergometrics, Inc.	Metro-911	130.75
Exide Technologies	Hiway Cons	121.64	Family Service, Inc.	Human Res.	180.00
First Baptist Church	Human Svcs	450.00	Foreman Sales & Svc	Emer Mgmt	192,913.00
Goebel Printing, Inc	Treasurer	3,420.40	Gourley Properties I	Human Svcs	450.00
Graham Tire Co. - Do	Sheriff	553.67	Graybar Electric Com	Facilities	92.13
Great America Leasin	Cnty Exten	220.30	Great Plains Int'l T	Hiway Cons	265.20
Guzman, Sandra V.	Var. Depts	366.64	Hancock Fabrics, Inc	Museum	123.02
Handy Man, Inc.	Facilities	12.98	Harris, Hank	Musm Entpr	175.00
Heartland Paper Comp	Emer Mgmt	123.80	Herting, Richard	Human Svcs	1,190.00
Hewlett-Packard Comp	Info Svcs	8,680.00	High Point Networks,	Info Svcs	8,085.00
Hobby Lobby Stores,	Museum	61.81	Hollinger Corporatio	Museum	558.34
Hy-Vee Food Store	Juv Det Cn	161.33	Hy-Vee Pharmacy	Human Svcs	80.47
Instant Technologies	Var. Depts	1,419.94	Interstate Office Pr	Var. Depts	278.17
J.H. Larson Company	Facilities	405.55	Jefferson Partners,	Human Svcs	718.89
Jerzak, Bob	Hiway Cons	169.99	Jim Hawk Truck Trail	Hiway Cons	33.91
Johnstone Supply	Facilities	143.77	Kar Products, Llc	Metro-911	320.25
Kennedy, Renee S.	Court Sys.	54.40	Kilian Community Col	Human Svcs	70.00
Kohl's Department St	Juv Det Cn	57.98	Kubla Crafts	Musm Store	343.62
Language Line Servic	Var. Depts	289.70	Lassegaard, Samuel C	Human Svcs	450.00
Lewis Drug Stores	Cnty Exten	9.99	Linweld, Inc.	Hiway Cons	163.46
Mac's, Inc.	Hiway Cons	3.27	Mathison Company	Hiway Cons	241.83
Mcfarland Supply Co.	Facilities	12.42	Medical X-Ray Center	Var. Depts	217.84
Menards - East	Var. Depts	151.13	Metronic	Emer Mgmt	80,000.00
Midamerican Energy C	Human Svcs	2,072.84	Midcontinent Communi	Info Svcs	150.00
Midwest Alarm Compan	Emer Mgmt	72,125.00	Midwestern Mechanica	Museum Mtc	290.10
Minnehaha Cnty Priso	Correction	90.00	Minnehaha Cnty Sheri	Sheriff	18.47
Nartec, Inc.	Sheriff	476.50	Neafcs-Sd Treasurer	Cnty Exten	105.00
Nebraska Dept. of Mo	St Atty	3.00	New World Systems	Metro-911	6,240.00
Novak Sanitary Servi	Correction	329.72	Office Depot, Inc.	Info Svcs	1,665.71
Officemax	Var. Depts	70.88	Oliver Excavating In	Facilities	4,100.00
Orthopedic Institute	Var. Depts	2,805.62	Peters Distributing,	Var. Depts	16,747.46
Peterson, Tom	Hiway Cons	179.45	Pfeifer Implement Co	Facilities	38.25
Pheasantland Industr	Dir. Eq.	1,120.77	Plastic Surgery Asso	Mental Ill	88.29
Pomp's Tire Service,	Hiway Cons	1,511.04	Pontiac Cadillac of	Sheriff	115.01
Prairie Publications	Plan & Zon	6.82	Presto-X-Company	Juv Det Cn	64.00
Qualified Presort Se	Var. Depts	7,615.88	R.S.P. Properties /	Human Svcs	450.00
Radio Shack Corporat	Metro-911	71.68	RDO Equipment Co.	Hiway Cons	13,975.00
Rehfeld's Inc	Musm Store	86.88	River Ridge Apartmen	Human Svcs	350.00
Safety Systems Corpo	Sheriff	183.31	Schoolmeester, Julie	Pub. D.	39.04
SD Dept Of Agricultu	Hiway Cons	1,080.00	SD Dept of Human Ser	Pub. D.	51.20
SD Network, Llc	Metro-911	7,618.99	SD Pheasantland Indus	Emer Mgmt	1,076.80
SD Symphony Orchestr	Musm Entpr	275.00	SDCAA/SD Cnty Agents	Cnty Exten	85.00
Servall Towel & Line	Var. Depts	38.63	Shopko Store	Juv Det Cn	183.91
Sioux Falls City Fin	Var. Depts	160,744.90	Sioux Falls Ford, In	Var. Depts	2,755.80
Sioux Falls Two Way	Var. Depts	4,445.00	Sioux Falls Utilitie	Var. Depts	2,665.41

Sioux Valley Energy	Human Svcs	370.00	Siouxland Heritage M	Museum	12.00
Siouxland Oral & Max	Var. Depts	1,344.02	Stan Houston Equipme	Hiway Cons	17.85
Stanley, Corey G	Sheriff	96.50	Steak-Out Sioux Fall	Court Sys.	145.32
Strunk, Lisa	Court Sys.	117.80	Sturdevant's Auto Pa	Hiway Cons	158.74
Surgical Institute O	Var. Depts	230.68	SV Clinical Labs	Var. Depts	1,375.96
SV Health Plan COBRA	Human Svcs	214.80	SV Hospital	Correction	899.97
Thorin, Deyanira T.	Var. Depts	441.66	Timekeeping Systems,	Var. Depts	584.56
Tuschen, Michael E	Hiway Cons	146.04	United Parcel Servic	Metro-911	19.41
University Products,	Museum	289.95	US Bank-Corporate Tr	Build Fund	750.00
Vander Haag's, Inc.	Var. Depts	344.58	Vantek Communication	Metro-911	40.00
Velvet Uniforms, Inc	Var. Depts	1,228.91	Viking Office Produc	Pub. D.	107.12
Wagner Office Soluti	Cnty Exten	146.00	Wal-Mart Business /	Metro-911	16.37
Wal-Mart Pharmacy	Human Svcs	83.70	Wal-Mart Pharmacy	Human Svcs	167.00
Walgreen Co.	Human Svcs	1,634.15	Western Souvenirs	Musm Store	127.58
Westwick Motel, Inc.	Human Svcs	66.10	Wheelco Brake & Supp	Hiway Cons	137.93
Whetstone Valley Pre	Musm Store	175.60	Williams, Michael G	Human Svcs	450.00
Williamsburg Townhom	Human Svcs	525.00	Wilson, Shirley Ann	Human Svcs	250.00
X-Ray Express	Correction	1,460.00	Xcel Energy, Inc.	Facilities	2,138.79
Commission	Salaries	15,663.02	Auditor	Salaries	26,608.45
Treasurer	Salaries	39,102.15	Information Svcs	Salaries	45,489.94
States Atty	Salaries	117,764.48	Public Defender	Salaries	84,717.44
Public Advocate	Salaries	20,891.48	Facilities	Salaries	41,842.85
Equalization	Salaries	52,018.33	Register of Deeds	Salaries	29,001.46
Human Resources	Salaries	9,791.85	Sheriff	Salaries	592,932.23
Juvenile Detn Ctr	Salaries	122,268.03	Metro Communications	Salaries	125,862.72
Highway	Salaries	93,492.40	Human Services	Salaries	41,356.80
Museum	Salaries	48,032.59	Planning	Salaries	25,117.23
Extension	Salaries	6,216.46			

PERSONNEL

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

1. To accept the resignation of Katherine Axtman as part-time Tax and License Specialist in the Treasurer's Office effective 11-20-05.
2. To hire Ronnette Locke as part-time Tax and License Specialist (4/1) for the Treasurer's Office at \$9.858 per hour effective 12-6-05.
3. To promote Jeremy Schave to Deputy Sheriff (12/1) for the Sheriff's Office at \$16.627 per hour effective 10-22-05.
4. To accept the resignation of Leslie Earhart as Correctional Officer I for the Sheriff's Office effective 11-23-05.
5. To hire Leslie Earhart as part-time Correctional Officer I (9/3) for the Sheriff's Office at \$15.238 per hour effective 11-24-05.
6. To accept the resignation of Tanya Lenz as Correctional Systems Operator for the Sheriff's Office effective 11-25-05.
7. To hire Tanya Lenz as part-time Correctional Systems Operator (7/3) for the Sheriff's Office at \$13.408 per hour effective 11-26-05.

Step increases due:

1. Kristen Sanford – Communication Operator – Metro Communications – 9/1 to 9/2, 12-1-05, \$14.652/hr

2. Joan Conklin – Representative Payee – Human Services – 9/10 to 9/11, 11-19-05, \$17.854/hr
3. Daphna Hansen – Senior Legal Office Assistant – Sheriff – 9/11 to 9/12, 10-28-05, \$18.211/hr
4. Patricia Olthoff – Computer Support Technician II – Information Svcs – 12/6 to 12/7, 11-10-05, \$19.466/hr

NOTICES

Ken McFarland, Administrative Assistant, was present for the first reading of a proposed amendment to Ordinance MC32-02, Licensing Surface Ambulance Service in Minnehaha County. The proposed amendment would allow for an additional “at large” ambulance license. MOTION by Hajek, seconded by Pekas to authorize the Auditor to publish Notice of Public Hearing on Amendments to Minnehaha County Surface Ambulance License Ordinance on January 24, 2006, at 7:00 p.m. 4 ayes.

MOTION by Zweep, seconded by Hajek to authorize the Auditor to publish Notice to Bidders for Project MC 142JR-05, Concrete Joint Repair on 3.5 miles of County Road 142. 4 ayes.

SUPPLEMENT

Deputy Sheriff Lieutenant Kaci Zwak reported that the Wal-Mart Foundation has awarded the Sheriff’s Office \$750 from Sam’s Club and \$1,000 from Wal-Mart West for use in the D.A.R.E. Program. School Resource Deputy Trevor Osmer and Sergeant Preston Evans were present to answer questions and explain the importance of D.A.R.E. in the schools. MOTION by Hajek, seconded by Zweep to supplement \$1,750 from the General Fund to the Sheriff’s Budget representing a donation from Sam’s Club & Wal-Mart for the D.A.R.E. Program. 4 ayes.

LIEN

On the recommendation of Hauge Associates, Inc., MOTION by Pekas, seconded by Zweep to release DPNO 30453 in the amount of \$896.02 in full upon payment of \$700.00 within 10 days. 4 ayes.

Commissioner Pekas, County Aid Lien Liaison, briefed the Commission on a compromise request from DPNO 35865. The petitioner was in the process of purchasing a home when the title company noted the lien in the amount of \$4,310.75. Services for the lien date back to February, 1996 through October, 2002, and the petitioner had made payments totaling \$570. The petitioner was unaware of the existing balance. Gordy Swanson, Chief Deputy State’s Attorney, commented on the legal services provided to the petitioner and noted that they ceased in 2002. MOTION by Pekas, seconded by Hajek to approve Resolution MC05-66. 4 ayes.

RESOLUTION MC05-66

WHEREAS, a County Aid Lien in the amount of \$4,310.75 purports to exist in favor of Minnehaha County and against DPNO 35865 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 \$2,000.00.

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

Dated at Sioux Falls, South Dakota, this 29th day of November, 2005.

APPROVED BY THE COMMISSION:

Carol Twedt, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

LEASE

Bill Hoskins, Museum Director, requested approval of a lease renewal agreement between Minnehaha County and the Sioux Valley Genealogical Society for office space in the Old Courthouse Museum. Mr. Hoskins explained that the lease is for approximately 600 square feet of office space rent free. The agreement will be valid from January 1, 2006 to December 31, 2006. MOTION by Zweep, seconded by Hajek to authorize the Chairman to sign the 2006 Lease Agreement. 4 ayes.

NUISANCE

Phil Kappen, Assistant Planning Director, requested that the Commission issue a Notice of Intent to Conduct Public Hearing for a declaration of a public nuisance on Tract 11 of Nelson's Tracts in the NW1/4 SW1/4 Section 23-T102N-R49W. He reported that the property in question has been a problem for several years. The county has filed previous complaints against the property owner. The owner did not clean up the property by the court imposed deadline. Mr. Kappen requested that a hearing date be set to formally declare the property to be a nuisance. MOTION by Pekas, seconded by Zweep to set December 13, 2005, as the hearing date to consider declaring the property to be a public nuisance. 4 ayes.

AGREEMENT

Pursuant to deferral on November 22nd, Bruce Swan, Deputy Sheriff Lieutenant, requested that consideration of an Expanded Air Guard Security Agreement be deferred further until federal funding can be confirmed. MOTION by Pekas, seconded by Hajek to defer consideration of this agreement indefinitely. 4 ayes.

AGENDA

On November 15th, the Commission discussed reformatting the Commission Meeting Agenda to include an opportunity for public comment and approval of the agenda. Ken McFarland, Administrative Assistant, presented a proposed format that incorporated these two items and made a minor change to the Routine Business items. Commissioners discussed placing public comments between Routine and Regular Business and limiting the time for non agenda items. MOTION by Hajek, seconded by Pekas to approve the proposed Commission Meeting Agenda with the change of placing Public Comment for non agenda items between Routine and Regular Business with a time limitation to be set by the Chairman. 4 ayes.

LEGISLATIVE ISSUES

Ken McFarland, Administrative Assistant, reported that the next joint County/City/School District Meeting will be on December 21st. The focus of the meeting will be a dialogue with area state legislators

regarding issues important to local units of government. Each entity will submit their main areas of concern and a question to legislators. Commissioners discussed topics important to Minnehaha County such as dealing with rising operating costs and space needs. Mr. McFarland will draft a question and present it at the next meeting.

MOTION by Pekas, seconded Zweep to adjourn into Executive Session with the option to reconvene. 4 ayes. Commissioner Hajek left during the Executive Session.

Following Executive Session the Commission reconvened in open session.

MOTION by Pekas, seconded by Zweep, to resume in regular session. 3 ayes.

MOTION by Pekas, seconded by Zweep, to uphold the decision of the Minnehaha County Human Relations Committee for no change in the current grade and step assignment for Al Penning, and to direct that a letter be prepared that will detail the decision of the County Commission. 3 ayes.

MOTION by Pekas, seconded by Zweep, to adjourn until 9:00 a.m. on December 6, 2005. 3 ayes.

APPROVED BY THE COMMISSION:

Carol Twedt, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor