

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., January 24, 2006, pursuant to adjournment on January 17, 2006. Commissioners present were: Kolbe, Hajek, Pekas, Twedt, and Zweep. Also present were Sandy Kinder, Deputy Auditor, and Gordy Swanson, Chief Civil Deputy State's Attorney.

Chairman Kolbe called the meeting to order.

## AGENDA

MOTION by Zweep, seconded by Hajek to approve the Agenda. 5 ayes.

## MINUTES

MOTION by Hajek, seconded by Pekas to approve the Minutes for January 17, 2006. 5 ayes.

## VOUCHERS TO BE PAID

MOTION by Zweep, seconded by Pekas to approve the following bills totaling \$223,999.36 for payment and January salaries. 5 ayes.

|                      |            |           |                      |            |           |
|----------------------|------------|-----------|----------------------|------------|-----------|
| A & B Business Equip | Var. Depts | 711.78    | Advertising Arts, In | Court Sys. | 390.00    |
| AGC of SD Building C | Musm Entrp | 150.00    | Al-Ostaz, Mohammed   | Court Sys. | 2,405.00  |
| Anderson, Scott A.   | Plan & Zon | 26.00     | Anesthesiology Assoc | Correction | 157.20    |
| Arena Motel          | Human Svcs | 77.98     | Argus Leader         | Var. Depts | 848.68    |
| Avera McKennan Hospi | Var. Depts | 44,115.29 | Avera Medical Record | Var. Depts | 143.21    |
| Bechtel, Donald J    | Human Svcs | 350.00    | Best Business Produc | Var. Depts | 180.16    |
| Bob Barker Company,  | Correction | 3,013.39  | Border States Electr | Hiway Cons | 47.27     |
| BP Products North Am | Hiway Cons | 47.68     | Brown & Saenger      | Dir. Eq.   | 37.50     |
| Brule County Sheriff | St Atty    | 9.02      | Burnette, Sara L.    | Court Sys. | 277.50    |
| Campbell Supply Co., | Var. Depts | 66.46     | CBM Food Service     | Correction | 18,844.28 |
| Center For Family Me | Correction | 23.85     | Center For Western S | Musm Store | 449.19    |
| Century Business Pro | Var. Depts | 109.67    | Charleston Place Hot | Pub. D.    | 975.39    |
| Charlotte Place/Beck | Human Svcs | 100.00    | Chemco, Inc.         | Var. Depts | 4,105.83  |
| Children's Inn       | Dom Abuse  | 12,525.00 | Claims Associates, I | Cnty Ins   | 5,000.00  |
| Colton Lumber Co., I | County Par | 16.95     | Concrete Materials   | Hiway Cons | 24,420.68 |
| Construction Product | Facilities | 45.00     | Country View Mobile  | Human Svcs | 265.00    |
| Crescent Electric Su | Var. Depts | 306.37    | Dacotah Bank         | Var. Depts | 300.00    |
| Dakota Riggers & Too | Hiway Cons | 36.00     | Dale Animal Hospital | Sheriff    | 117.42    |
| Dialnet/Ahrens Telec | Museum Mtc | 78.06     | Diamond Vogel Paint  | Correction | 15.95     |
| East, Paul T DBA     | Human Svcs | 350.00    | Estwick, Chris       | Human Svcs | 700.00    |
| Evans, Preston       | Mental Ill | 105.60    | Exide Technologies   | Hiway Cons | 38.51     |
| First Premier Bank   | Sheriff    | 58.26     | Flynn, Leo T         | Court Sys. | 7,535.00  |
| Fort Pierre Motel    | Plan & Zon | 43.00     | Fred The Fixer, Inc. | Facilities | 22.00     |
| G & H Distributing,  | Facilities | 25.10     | Galland Legal Clinic | Court Sys. | 3,996.00  |
| Goebel Printing, Inc | Juv Det Cn | 60.00     | Graham Tire Co. - Do | Sheriff    | 461.59    |
| Graybar Electric Com | Facilities | 275.72    | Great Plains Int'l T | Hiway Cons | 215.09    |
| Guzman, Sandra V.    | Court Sys. | 100.00    | Hanson Brothers, Inc | Human Svcs | 450.00    |
| Hanson, Michael W.   | Court Sys. | 823.60    | Harold's Photo Cente | Pub. D.    | 43.32     |
| Hauk, Bert           | Human Svcs | 450.00    | Hegge, Kathleen J DB | Court Sys. | 880.60    |
| Heimdahl, Marie Ann  | Court Sys. | 960.00    | Hoekman, James       | Sheriff    | 28.00     |
| Hy-Vee Pharmacy      | Human Svcs | 86.08     | Hy-Vee Pharmacy      | Human Svcs | 119.98    |
| Insight Public Secto | Metro-911  | 1,039.92  | Interstate Office Pr | Var. Depts | 464.14    |
| J.C. Penney Company, | Juv Det Cn | 74.97     | J.H. Larson Company  | Facilities | 293.72    |
| Jackson-Hirsh, Inc   | Museum     | 32.73     | Janitor's Closet, Lt | Correction | 260.52    |
| Jefferson Partners,  | Var. Depts | 1,074.92  | Kauffman, David W. P | Court Sys. | 700.00    |
| Kennedy, Ryan        | Human Svcs | 350.00    | Kohl's Department St | Juv Det Cn | 94.97     |
| Lakeview Apts/Finber | Human Svcs | 225.00    | Lammi, Linda         | Human Svcs | 200.00    |
| Landborg, Richard J. | Human Svcs | 450.00    | Language Line Servic | Var. Depts | 824.00    |
| LCM Pathologists, P. | Var. Depts | 6,142.94  | Lewis Drug Stores    | Human Svcs | 12,613.99 |
| Lincoln County Rural | Human Svcs | 108.15    | Linweld, Inc.        | Hiway Cons | 149.55    |
| Lutheran Social Serv | Court Sys. | 150.00    | Mabee, Lee M, Jr., M | Correction | 172.20    |
| Mailway Printers     | Museum     | 641.00    | Malloy Electric Bear | Facilities | 55.20     |
| Mathison Company     | Metro-911  | 11.25     | Maxwell Food Equipme | Juv Det Cn | 382.77    |

|                      |            |            |                      |            |            |
|----------------------|------------|------------|----------------------|------------|------------|
| Medical X-Ray Center | Correction | 44.48      | Menards - East       | County Par | 11.21      |
| Menards - West       | Correction | 17.28      | Merrow, Danielle L   | Human Svcs | 450.00     |
| Microfilm Imaging Sy | Reg Deeds  | 75.00      | Midamerican Energy C | Var. Depts | 1,503.25   |
| Midwest Oil Company  | Hiway Cons | 14,184.55  | Minnehaha Cnty Fire  | Metro-911  | 63.50      |
| Minnehaha Cnty Treas | Human Svcs | 409.80     | Monick Pipe & Supply | Facilities | 373.45     |
| Murray Construction  | Human Svcs | 570.00     | Nat'l Assn of County | Hiway Admi | 400.00     |
| Newark Electronics   | Metro-911  | 52.62      | Nguyen, Lam          | Court Sys. | 50.00      |
| Niedringhaus, Paul   | Sheriff    | 28.00      | Northern States Supp | Hiway Cons | 137.80     |
| Oakwood Estates/Inve | Human Svcs | 250.00     | Officemax            | Var. Depts | 182.89     |
| Oliver Excavating In | Facilities | 3,980.00   | Ophthalmology, Ltd   | Correction | 25.20      |
| Orthopedic Institute | Correction | 314.25     | Pacer Service Center | St Atty    | 14.00      |
| Pennington County Ja | Correction | 2,263.89   | Petco Animal Supplie | Sheriff    | 21.04      |
| Pheasantland Industr | Var. Depts | 515.00     | Physicians Laborator | Correction | 53.60      |
| Pine Knoll, Inc.     | Human Svcs | 150.00     | Pomp's Tire Service, | Hiway Cons | 501.98     |
| Pontiac Cadillac of  | Sheriff    | 69.39      | Priority Dispatch    | Metro-911  | 130.00     |
| Prodata Computer Ser | Info Svcs  | 295.00     | Qualified Presort Se | Court Sys. | 338.08     |
| Quest Engineering, I | Hiway Cons | 17.13      | Qwest                | Var. Depts | 1,209.53   |
| R & L Supply, Ltd    | Facilities | 545.50     | R.S.P. Properties /  | Human Svcs | 225.00     |
| Restful Lodging, Inc | Human Svcs | 395.75     | Reynolds, Brad       | Court Sys. | 2,721.60   |
| River Ridge Oral & M | Human Svcs | 255.48     | RJ Rental Properties | Human Svcs | 450.00     |
| Rural Metro Ambulanc | Coroner    | 800.00     | SD Newspaper Assn Se | Comm.      | 43.68      |
| SD Sheriff's Assn.   | Var. Depts | 625.00     | Shepherd Reporting,  | Court Sys. | 212.50     |
| Shopko Store         | Juv Det Cn | 322.01     | Sioux Empire FCU / V | Info Svcs  | 122.00     |
| Sioux Falls City Fin | Correction | 8,037.57   | Sioux Falls Ford, In | Var. Depts | 784.82     |
| Sioux Falls Surgical | Correction | 157.20     | Sioux Falls Two Way  | Metro-911  | 125.00     |
| Sioux Falls Utilitie | Human Svcs | 83.74      | Siouxland Oral & Max | Correction | 1,419.02   |
| Smythe, Toby DBA     | Human Svcs | 257.97     | Staples              | Auditor    | 34.69      |
| Steak-Out Sioux Fall | Court Sys. | 128.15     | Strunk, Lisa         | Court Sys. | 561.60     |
| Sturdevant's Auto Pa | Hiway Cons | 158.05     | SV Clinical Labs     | Var. Depts | 1,502.28   |
| SV Hospital          | Var. Depts | 174.08     | Thorin, Deyanira T.  | Court Sys. | 200.00     |
| TK Properties        | Human Svcs | 350.00     | Tower Campground / O | Human Svcs | 350.00     |
| Unique Properties, L | Human Svcs | 50.00      | US Postal Service    | Cnty Exten | 58.90      |
| Valley Rental Servic | Human Svcs | 525.00     | Van's Auto Electric  | Hiway Cons | 363.00     |
| Viking Office Produc | Pub. D.    | 105.64     | Volk Investigations, | Pub. Adv.  | 152.50     |
| W.W. Grainger, Inc.  | Var. Depts | 225.13     | Wagner Office Soluti | Juv Det Cn | 171.39     |
| Wal-Mart Pharmacy    | Human Svcs | 72.50      | Wheelco Brake & Supp | Hiway Cons | 88.88      |
| Xcel Energy, Inc.    | Var. Depts | 7,275.26   | Zweep, James E       | Comm.      | 38.40      |
| Commission           | Salaries   | 16,178.20  | Auditor              | Salaries   | 28,654.71  |
| Treasurer            | Salaries   | 41,270.07  | Information Svcs     | Salaries   | 46,980.85  |
| States Atty          | Salaries   | 121,716.79 | Public Defender      | Salaries   | 87,257.40  |
| Public Advocate      | Salaries   | 21,888.58  | Facilities           | Salaries   | 45,145.42  |
| Equalization         | Salaries   | 54,023.01  | Register of Deeds    | Salaries   | 29,915.76  |
| Human Resources      | Salaries   | 10,176.75  | Sheriff              | Salaries   | 691,602.22 |
| Juvenile Detn Ctr    | Salaries   | 130,823.28 | Metro Communications | Salaries   | 128,517.66 |
| Highway              | Salaries   | 105,028.22 | Human Services       | Salaries   | 46,760.91  |
| Museum               | Salaries   | 50,817.88  | Planning             | Salaries   | 24,639.17  |
| Extension            | Salaries   | 6,523.84   |                      |            |            |

## REPORT

The following report was received and placed on file in the County Auditor's Office: SECOG Urbanized Development Commission Year 2025 Long-Range Transportation Plan.

## PERSONNEL

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

1. To hire the following as Communications Operator (9/1) for Metro Communications at \$14.511 per hour effective 1-23-06: Lisa Hardison, Tara Hurley, and Stacy Meendering.
2. To rescind step increases recorded on 1/10/06 for the following (clerical correction): Donald Heesch, Jason Ingemanson, and Wade Hanson.
3. To accept the resignation of the following part time Sheriff's Office employees effective 1-19-06:

Douglas Adams, Deputy Sheriff; Tanya Everett, Correctional Systems Operator; Bernell Larson, Transport Officer; and Dan Weinstein, Correctional Officer I.

4. To accept the resignation of Suwa Otten as Legal Office Assistant II for the Sheriff's Office effective 1-19-06.
5. To reassign Daniel Freemark as Correctional Systems Operator (7/3) for the Sheriff's Office at \$13.810 per hour effective 1-17-06.
6. To discharge Cheryl Monen as Correctional Officer I for the Sheriff's Office effective 1-19-06.
7. To rescind the hire of Timothy Sorenson as Correctional Officer I for the Sheriff's Office.
8. To hire Elliot Milk and Neville Smith as Correctional Officer I (9/1) for the Sheriff's Office at \$14.511 per hour effective 1-30-06.
9. To hire Michelle Morrison as Correctional Systems Operator (7/1) for the Sheriff's Office at \$12.769 per hour effective 1-30-06 (to correct action taken 1/17/06).
10. To return to active status Kent McIntire, Communications Supervisor for Metro Communications, effective 1-23-06.
11. To discontinue the temporary assignment of Robin Pappas as Communications Supervisor and Deborah McMahon as Assistant Communications Supervisor effective 1-22-06.

Step increases due:

1. Scott Hacking – Correctional Officer II – Sheriff – 10/6 to 10/7 – 1-8-06 - \$18.009/hr
2. Kendal Bock – PT Correctional Officer II – Sheriff – 10/3 to 10/4 – 1-17-06 - \$16.971/hr
3. Cory Winter – Correctional Officer I – Sheriff – 9/3 to 9/4 – 1-21-06 - \$16.010/hr
4. Julie Tighe – Correctional Officer II – Sheriff – 10/4 to 10/5 – 1-3-06 - \$17.309/hr
5. David Voy – PT Court Security Officer – Sheriff – 10/3 to 10/4 – 12-21-05 - \$16.971/hr
6. Janet Eden – Legal Office Assistant I – State's Attorney – 6/3 to 6/4 – 1-20-06 - \$13.124/hr

Assistant Sheriff Michelle Boyd requested no delay in hire of a Legal Office Assistant for the Jail. The position was vacated on January 19<sup>th</sup>, and is an essential bookkeeping position. MOTION by Hajek, seconded by Twedt to approve the hire with no delay. 5 ayes.

**REPORT**

Nora Buckman, Human Resources Director, introduced Diversity Committee Member, Wes Garcia, and presented a draft Affirmative Action Plan for Minnehaha County. She read statistical information on minority workers from the Plan and asked the Commission about the terms of the committee members. Mr. Garcia introduced additional committee members in attendance, Mary Lou Buddi, Kim Cournoyer, and Mary Patterson. Members Jenneil Watkins and Saeed Saeed were absent. He also reported on committee sponsored events in 2005, and 2006 event goals. Commissioners thanked the group for their report and Commissioner Pekas requested that the Committee also work with the Deputies Association

and Highway Union. Commissioner Hajek suggested that the committee bring a recommendation on the terms and number of committee members for the Commission to consider in the future.

## NOTICES

Notice of the Articles of Merger between McCook Electric Cooperative and Southeastern Electric Cooperative was received from Southeastern Electric Cooperative, Inc. relative to the Minnehaha County Franchise Agreement.

MOTION by Zweep, seconded by Hajek to authorize the Auditor to post Notice of Hearing on January 31<sup>st</sup>, to consider the 2006 Byrne Justice Assistance Grant joint spending plan. 5 ayes.

## LIEN

Commissioner Pekas, County Aid Lien Liaison, briefed the Commission on a request to compromise DPNO 6376 in full with no payment from the petitioner. He reported that the petitioner was in the process of refinancing his home when the lien in the amount of \$10,236.30 was noted by the title company. The lien is for medical services dating from October, 1979, to May, 1997. No payments have been applied to the account. The petitioner has indicated that he has significant health problems and would like to obtain the loan to get his affairs in order and repair his home. To be consistent with past applications, MOTION by Pekas, seconded by Twedt to compromise DPNO 6376 in full upon payment of \$5,118.15 (50%). 5 nays. Motion fails. Commissioner Hajek noted that the request should be looked at differently as it is for medical services and not attorney services. MOTION by Twedt, seconded by Hajek to approve Resolution MC06-07. 5 ayes.

## RESOLUTION MC06-07

WHEREAS, a County Aid Lien in the amount of \$10,236.30 purports to exist in favor of Minnehaha County and against DPNO 6376 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:

Release the lien in full with no payment from the petitioner.

Dated at Sioux Falls, South Dakota, this 24th day of January, 2006

APPROVED BY THE COMMISSION:

Robert Kolbe, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

## AGREEMENTS

Ken McFarland, Administrative Assistant, presented a renewal lease agreement with Court Appointed Special Advocate (CASA). The terms of the agreement will remain the same as in 2005. CASA will pay \$3,500 to lease 750 square feet of office space on the third floor of the Administrative Building (\$875 quarterly). In 2003, the rental rate was reduced in lieu of a cash contribution from the County during budget hearings. The County will be responsible for janitorial services and utilities, excluding telephone.

CASA will also be responsible for maintaining worker's compensation insurance on their employees. MOTION by Hajek, seconded by Zweep to authorize the Chairman to sign the 2006 Lease Agreement. 5 ayes.

Sheriff Lieutenant Kaci Zwak requested approval of an addendum to the security agreement with Southeast Technical Institute (STI). Currently, STI contracts for one full-time security officer plus an additional 24 hours of service per week. The proposed request would allow for two full-time officers plus four hours of coverage per week. STI would reimburse the County at an hourly rate that pays employee costs plus benefits, along with a 15% administrative fee. All other provisions of the agreement will remain in effect. MOTION by Zweep, seconded by Hajek to authorize the Chairman to sign the Second Addendum to Agreement for Furnishing Security Services between Minnehaha County and Southeast Technical Institute. 5 ayes.

#### BID AWARD

Sheriff Lieutenant Kaci Zwak reported that on January 17<sup>th</sup>, bids were opened for three 2006 four door sedans with trade-ins. She recommended award to the sole bidder, Sioux Falls Ford, in the amount of \$62,000 after a \$2,500 trade-in allowance. MOTION by Twedt, seconded by Zweep to award Bid 1-06 to Sioux Falls Ford in the amount of \$62,000 after a \$2,500 trade-in allowance and declare the following vehicles as surplus for trade-in: 2002 Ford Crown Victoria, Serial Number 2FAFP71WX2X157188, Asset #69990; 2000 Ford Crown Victoria, Serial Number 2FAFP71W3YX154187, Asset #63190; and 2000 Ford Crown Victoria, Serial Number 2FAFP71W9YX154193, Asset #63230. 5 ayes.

#### SURPLUS

Sheriff Lieutenant Kaci Zwak briefed the Commission on an accident involving a Sheriff patrol car and livestock and requested that the vehicle be declared as surplus for disposal due to the amount of damage sustained in the accident. The following salvage bids were received: Nordstrom's Auto Recycling in the amount of \$1,080 and Oakleaf Auto Salvage in the amount of \$1,450. Sheriff Mike Milstead noted that the department would not seek reimbursement from the livestock owner due to the Open Fields Doctrine. MOTION by Hajek, seconded Zweep to declare one 2004 Ford Crown Victoria, Serial number 2FAFP71W84X138240, Asset #72310 as surplus for disposal by salvage to Oakleaf Auto Salvage for \$1,450. 5 ayes.

#### SUPPLEMENT

MOTION by Hajek, seconded by Pekas to supplement \$2,000 from the General Fund to the Sheriff's Office budget representing a donation from Sencore for the D.A.R.E. Program. 5 ayes. Commissioners and Sheriff Lieutenant Kaci Zwak expressed thanks to Al Bowden and Sencore for their continued support of D.A.R.E. and youth programs.

#### REPORT

On January 3<sup>rd</sup>, the Commission requested a report on 2005 grant funding from Sheriff Mike Milstead. Today, Sheriff Milstead presented that information to the Commission. He reported on 13 grants totaling approximately \$1.4 million. Commissioners discussed the potential shortage of grant funding in the future. Sheriff Milstead noted that there is a shift in allotments to larger metropolitan areas. Commissioner Twedt commented on the savings to the taxpayer when grant funds are acquired.

#### AGREEMENT

Lloyd Olson, Facilities Director, requested approval to enter into an agreement with Cornerstone Energy,

Inc. for natural gas services. He reported on the potential cost savings to the county if under contract and noted that he did check references and all contacts were satisfied with the services and rates provided by Cornerstone. Christy Atchison with Cornerstone Energy was present to answer questions. Gordy Swanson, Chief Deputy States Attorney, reported that SDCL 5-18-18 exempts the purchase of utility services from the bid process. The agreement will be valid for one year. MOTION by Zweep, seconded by Hajek to authorize the Chairman to sign the Base Agreement with Cornerstone Energy, Inc. 5 ayes.

#### LEGISLATIVE UPDATE

Ken McFarland, Administrative Assistant, briefed the Commission on proposed legislation affecting county government.

#### NEW BUSINESS

Commissioner Hajek asked for information on a February 9<sup>th</sup> public forum on the Minnehaha County Subdivision Ordinance. Scott Anderson, Planning Director, responded that the Register of Deeds and Planning Department will conduct an educational seminar to provide information on subdivisions to surveyors and other interested parties.

Ken McFarland, Administrative Assistant, read the proposed Agenda for the Ambulance Ordinance Hearing scheduled for this evening. No one objected to the format.

Mr. McFarland also announced that the 2006 liaison assignments are complete and that two additional assignments have been requested. Two commissioners will be appointed for Mental Illness/Detoxification and Inter-Lakes Community Action and Volunteers of America, Dakotas will be added.

MOTION by Pekas, seconded by Zweep to adjourn into Executive Session. 5 ayes. Following Executive Session the Commission adjourned until 7:00 p.m.

#### APPROVED BY THE COMMISSION:

Robert Kolbe, Chairman

#### ATTEST:

Sandy Kinder, Deputy Auditor