

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., May 9, 2006, pursuant to adjournment on May 2, 2006. Commissioners present were: Hajek, Pekas, Twedt, and Zweep. Commissioner Kolbe was absent. Also present were Sandy Kinder, Deputy Auditor, and Gordy Swanson, Chief Civil Deputy State's Attorney.

The Sioux Falls Police Department Honor Guard opened the meeting with a Grand Entry. Sheriff Mike Milstead read a proclamation declaring the week of May 14-20, 2006 as Law Enforcement Appreciation Week in Minnehaha County and designating May 15th as Peace Officers Memorial Day. MOTION by Twedt, seconded by Zweep to adopt the Proclamation. 4 ayes.

Vice-Chair Hajek called the meeting to order.

AGENDA

MOTION by Pekas, seconded by Zweep to approve the Agenda. 4 ayes.

MINUTES

MOTION by Zweep, seconded by Pekas to approve the Minutes for May 2, 2006. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Zweep, seconded by Twedt to approve the following bills totaling \$207,126.02 for payment. 4 ayes.

A & B Business Equip	Var. Depts	492.69	Accurint #1007791	Sheriff	25.25
Ace Towing, Inc.	Hiway Cons	187.50	Al-Ostaz, Mohammed	Court Sys.	2,857.50
Alltel Communication	Var. Depts	2,430.21	Altamira Press	Juv Det Cn	40.34
American Stamp & Mar	Reg Deeds	48.95	Amsterdam Printing &	Mus Grant	33.24
Anacon Leasing %Pion	Pub. D.	262.00	Anesthesiology Assoc	Var. Depts	976.00
Appeara / Dudley Lau	Hiway Cons	32.12	Argus Leader	Var. Depts	2,876.34
Automatic Building C	Juv Det Cn	158.10	Avera Gastroenterolo	Human Svcs	403.20
Avera Heart Hospital	Emer Mgmt	2,398.00	Avera McKennan Hospi	Var. Depts	40,316.74
Avera Medical Record	Pub. D.	27.49	Avera North Central	Human Svcs	81.33
Avera University Psy	Pub. D.	3,037.12	Al Svc Inc/Lacey's Ch	Hiway Cons	75.00
Baumgartner's Electr	Facilities	1,046.35	Beck, Pat/Low Eight,	Human Svcs	157.50
Behrend, Lisa	Elec Audit	21.88	Berreau, Cynthia	Court Sys.	2,055.50
Blomker, Douglas	Emer Mgmt	122.00	Boyer Trucks Sioux F	Hiway Cons	146.30
Brale, Miranda	St Atty	15.36	Breu, Julie	Museum	154.65
Brown & Saenger	Var. Depts	1,743.25	Builders Supply Comp	Facilities	391.26
Building Sprinkler,	Pettigrew	188.60	Bureau of Informatio	Info Svcs	200.00
C & R Supply, Inc.	Hiway Cons	574.56	Carl, Robert J., Jr	Court Sys.	266.00
Castle, Derek	Hiway Cons	132.38	CBM Food Service	Juv Det Cn	11,695.90
Center for Family Me	Correction	2,733.60	Chemco, Inc.	Var. Depts	1,488.95
Clayminn, LLC	Human Svcs	550.00	Cleveland Heights Ap	Fema Fund	450.00
CLIA	Sheriff	275.00	Cliff Avenue Auto Pa	Hiway Cons	70.13
Communication Servic	Var. Depts	647.25	Cummins Central Powe	Hiway Cons	3.06
Dakota Riggers & Too	County Par	55.39	Dakota Splash	Hiway Admi	22.50
Dakotaland Autoglass	Hiway Cons	270.00	Decastro Law Office,	Court Sys.	679.15
Dell Rapids Ford, In	Sheriff	258.68	DeYoung, Lynn	Emer Mgmt	241.00
Dialnet/Ahrens Telec	Museum	45.92	Dust Tex Service, In	Museum Mtc	12.48
Eide Bailly LLP	Human Res.	438.25	Elhai, Jonathon D.,	Pub. D.	1,250.00
Etc. Sioux Falls / A	Museum	2,400.00	Eugene Beckman & Son	Hiway Cons	8.75
Explorer Post 11	Sheriff	300.00	Express Copy & Print	Cnty Exten	67.56
Federal Express Corp	Musm Entpr	22.82	Fluth, Rodney P	Var. Depts	1,150.00
G&W, Inc DBA Gary Co	Human Svcs	251.40	Gaylord Bros.	Museum	871.51
Golden West	Var. Depts	110.92	Graham Tire Co. - Do	Var. Depts	69.25
Great Plains Int'l T	Hiway Cons	54.40	Great Plains Paper C	Facilities	89.85
Griffin, Janice	Human Svcs	450.00	Guzman, Sandra V.	Var. Depts	404.16
Handy Man, Inc.	Facilities	6.68	Harold's Photo Cente	Pub. Adv.	6.99
Hartford's Best Pain	Emer Mgmt	2,089.15	Harty, Josh	Musm Entpr	100.00

Hobby Lobby Stores,	Museum	19.90	Hoekstra, Denise A.	Court Sys.	745.20
Hollinger Corporatio	Musm Store	384.08	Hy-Vee Food Store	Juv Det Cn	110.70
Hy-Vee Pharmacy	Human Svcs	283.93	Int'l Assoc of Campu	Musm Entpr	150.00
Interstate Office Pr	Var. Depts	533.24	J D Evans, Inc.	Hiway Cons	1,398.62
Jackson-Hirsh, Inc	Museum	95.09	Janitor's Closet, Lt	Pettigrew	80.13
Jay Egge Automatic S	Hiway Cons	79.45	Jefferson Partners,	Human Svcs	1,466.00
Jensen, Theresa	Human Svcs	117.76	Johnny Sundby Photog	Musm Store	48.00
Kauffman, David W. P	Court Sys.	1,250.00	Keller, Fred	Musm Entpr	250.00
Kennedy, Renee S.	Court Sys.	72.20	Kmart	Museum	9.00
Kohl's Department St	Juv Det Cn	54.98	Kuhle, Donald	Human Svcs	525.00
La Ron's II Power Eq	Var. Depts	92.81	Lassegaard, Samuel C	Human Svcs	725.00
LCM Pathologists, P.	Coroner	5,000.00	Lewis Drug Stores	Musm Entpr	4.49
Linweld, Inc.	Hiway Cons	79.89	Lithia Automotive, I	Hiway Cons	21.00
Locateplus Corp	Sheriff	72.00	Lutheran Social Serv	Court Sys.	762.70
Mac's, Inc.	Hiway Cons	19.97	Mailway Printers	Museum	2,149.40
Main Street SF, Inc.	Mus Grant	65.00	Malloy Electric Bear	Var. Depts	624.28
Mambo, Jacques	Human Svcs	70.40	Mathison Company	Museum	943.81
Maximum Promotions,	Museum Mtc	38.00	Mcgreevy Clinic	Human Svcs	343.02
Medical X-Ray Center	Human Svcs	1,047.69	Menards - East	County Par	4.93
Microfilm Imaging Sy	Reg Deeds	167.70	Midamerican Energy C	Var. Depts	4,825.90
Midcontinent Communi	Var. Depts	111.09	Midwest Alarm Compan	Museum Mtc	586.27
Midwest Line-X	Hiway Cons	563.00	Midwest Oil Company	Hiway Cons	1,067.96
Milstead, Michael W	Sheriff	44.00	Minnehaha Cnty Liquo	Sheriff	81.41
Minnesota West Comm	Sheriff	200.00	Monick Pipe & Supply	Facilities	286.37
Montana State Univer	Cnty Exten	855.00	Morris, Paul Jeffrey	Musm Entpr	300.00
Murray Construction	Human Svcs	350.00	Museum Petty Cash	Var. Depts	43.00
NACDL	Pub. D.	125.00	Nguyen, Lam	Court Sys.	75.00
Norman, Theresa	Museum	247.96	Northern Arizona Uni	Sheriff	125.00
Northern States Supp	Hiway Cons	4.65	Nyberg's Ace Hardwar	Museum Mtc	8.98
Office Depot, Inc.	Museum	40.47	Officemax	Mus Grant	10.59
Orthopedic Institute	Human Svcs	881.15	Pennock, Victoria	Musm Entpr	100.00
Physicians Laborator	Human Svcs	243.23	Pierre Parkside Deve	Cnty Exten	73.00
Pomp's Tire Service,	Hiway Cons	531.10	Pontiac Cadillac of	Sheriff	160.94
Prairie Publications	Comm.	339.78	Presto-X-Company	Juv Det Cn	64.00
Provo, Tom	Human Svcs	450.00	PSI Health Care, Inc	Human Svcs	215.50
Qualified Presort Se	Var. Depts	7,102.99	Qwest	Info Svcs	101.70
Record Keepers, Inc.	Court Sys.	3,734.68	Remington Arms Comp	Sheriff	5,450.00
Restful Lodging, Inc	Human Svcs	520.00	Risty, Maxine J	Human Svcs	419.82
River Tower Apartmen	Human Svcs	350.00	Riverview Park, Ltd.	Human Svcs	393.00
Robbennolt Law Firm.	Court Sys.	900.00	Robson True Value	Emer Mgmt	80.80
Roemen's Auto Supply	Hiway Cons	286.81	Rural Metro Ambulanc	Coroner	200.00
Schriever, Jeanne	Human Svcs	350.00	Schulte Sales, LLC	Human Svcs	450.00
SD Dept Of Human Ser	Pub. D.	39.20	SD Dept of Revenue	Hiway Cons	26.00
SD Federal Property	Hiway Cons	10,800.00	SD Search & Rescue D	Emer Mgmt	700.00
SD State Treasurer	Sales Tax	547.38	SD-IACLEA	Emer Mgmt	125.00
SDAAO	Dir. Eq.	1,080.00	Sears	Pettigrew	23.32
Servall Towel & Line	Var. Depts	55.55	Sheehan Mack Sales &	Hiway Cons	31.48
Signwarehouse.Com	Museum	261.01	Sioux Empire FCU / V	Correction	2,467.45
Sioux Empire FCU / V	Sheriff	49.36	Sioux Falls Ford, In	Var. Depts	606.74
Sioux Falls Rubber S	Correction	12.00	Sioux Falls Two Way	Hiway Cons	100.00
Sioux Falls Utilitie	Var. Depts	1,616.76	Sioux Valley Energy	Var. Depts	486.92
Sjovold, Svein	Musm Entpr	250.00	Snap-On Industrial	Hiway Admi	1,541.45
Snyder, Dan	Emer Mgmt	122.00	Somerset Partnership	Human Svcs	350.00
Spoke 'N' Sport	Emer Mgmt	18.99	Stan Houston Equipme	County Par	54.23
State Steel of SD	Facilities	70.54	Steak-Out Sioux Fall	Court Sys.	177.19
Streicher's	Sheriff	182.95	Sturdevant's Auto Pa	Hiway Cons	116.48
SV Clinic Family Pra	Human Svcs	110.39	SV Hospital	Var. Depts	18,909.41
Swanson, Donald M	Human Svcs	450.00	T & G Rentals, LLC	Human Svcs	250.00
Techonweb	Emer Mgmt	1,710.00	The Flower Box	Mus Grant	108.00
Thorin, Deyanira T.	Var. Depts	608.33	Timberland Village A	Fema Fund	295.00
Tinklenberg, Douglas	Human Svcs	450.00	Travelhost of Sioux	Museum	153.00
Tynan, Daniel G., Md	Human Svcs	1,556.81	University Physician	Human Svcs	148.34
US Bank-Corporate Tr	Build Fund	1,250.00	Verizon Wireless	Emer Mgmt	25.88
Viking Office Produc	Pub. D.	234.17	Voigt, Debra	Court Sys.	3,017.84
Volk Investigations,	Pub. D.	1,489.96	Vugate, Inc.	Correction	2,500.00
W.E.Grace Mfg	Hiway Cons	13.90	Wal-Mart Pharmacy	Human Svcs	420.22
Walgreens Pharmacy	Human Svcs	215.39	Wall Lake Sanitary D	Hiway Admi	35.00
Washington Pavilion	Museum	140.00	Washington State Pat	Sheriff	869.00
Welker, Donald J	Fema Fund	400.00	Wilka, John M	Court Sys.	370.62

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Winter, Inc.	Hiway Cons	220.50	Woodside, April	Museum	47.00
Wrangler Inn	Museum	124.20	Xcel Energy, Inc.	Var. Depts	1,723.22
Yarn Barn of Kansas	Musm Store	38.75	Zabel Steel Co.	Hiway Cons	63.97
Zahn, Dan	Musm Entpr	200.00	Zep Manufacturing Co	Hiway Admi	194.19

REPORTS

The following reports were received and placed on file in the County Auditor's Office: Human Services Monthly Report and the Regional Juvenile Detention Center Monthly Statistical Report for April, 2006.

PERSONNEL

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

1. To hire Alise Nickel and Dana Hoogendoorn as Summer Interns for the Extension Office at \$6.25 per hour effective 5-22-06.
2. To hire Jason Borah as temporary GIS Intern for the Planning Office at \$8.00 per hour effective 5-22-06 to 8-18-06.
3. To hire Ken Schafer as Seasonal Building Inspector for the Planning Office at \$12.25 per hour effective 6-1-06 to 8-25-06.
4. To hire the following individuals as Laborers for the Highway Department at \$10.00 per hour effective on the date listed: Matthew Larsen - 5/8/06; Isaac Aanensen, Craig Atkins, and Wade Kulesa - 5/15/06; Adam Bobzien, Alex Foster, and Mark Ellens - 5/22/06.
5. To amend Michael Mattson's promotion to Deputy Sheriff effective 6-19-06.
6. To promote Jennifer Stanley and Matthew Tirevold to Correctional Officer II (10/2) for the Sheriff's Office at \$15.997 per hour effective 4-22-06.
7. To place Rhonda Ritter, Juvenile Correctional Officer I for the Juvenile Detention Center, on Family and Medical Leave effective 6-12-06 to 6-29-06.

Step increases due:

1. Paavo Rasmussen – Museum Intrepreter – Museum – 4/2 to 4/3 – 5-3-06 - \$10.983/hr
2. William Hoskins – Museum Director – Museum – 22/6 to 22/7 – 5-12-06 - \$2420.40/biwkly
3. Jennifer Stanley and Matthew Tirevold – Correctional Officer I – Sheriff – 9/1 to 9/2 – 4-11-06 - \$15.092/hr
4. Lena Schaaf – PT Correctional Officer I – Sheriff – 9/3 to 9/4 – 12-21-05 - \$16.010/hr
5. Sharon Bakker – Senior Accounting Specialist – Auditor – 7/3 to 7/4 – 4-14-06 - \$14.086/hr
6. Bonnie Dietrich – Accounting Specialist – Auditor – 4/3 to 4/4 – 4-11-06 - \$11.202/hr
7. Richard Lietz – Assistant Auditor – Auditor – 14/3 to 14/4 – 4-14-06 - \$20.817/hr

ABATEMENTS

The following abatements were recommended by Dennis Whitney, Director of Equalization:

MOTION by Twedt, seconded by Zweep to approve the following abatements: Carroll Institute, ID 31418, 2005 Taxes - \$2,974.44; The Luke Society, Inc., ID 32895, 2005 Taxes - \$5,153.67; Peace Lutheran Church, ID 52601, 2005 Taxes - \$2,356.89; First Evangelical Free Church, ID 29486, 2005 Taxes - \$1,087.26; Furniture Mission, 2005 Taxes, ID 29745 - \$2,331.34 & ID 29746 - \$1,109.83; Sioux Properties & Businesses Corporation, ID 41169, 2005 Taxes - \$1,928.06; and SD Industries for the Blind, ID 62746, 2005 Taxes - \$6,820.69. 4 ayes.

MOTION by Pekas, seconded by Twedt to approve the following abatement: Michael Schwebach, ID 75787, 2005 Taxes - \$120.79. 4 ayes.

MOTION by Zweep, seconded by Pekas to approve the following abatement: American Eagle Airlines, Inc., Taxes, 2004 - \$14,244.65 & 2005 - \$31,255.16. 4 ayes.

NOTICE

MOTION by Zweep, seconded by Twedt to authorize the Auditor to publish Notice to Bidders for road reconstruction, structure, and approach grading for Project 60th Street North. 4 ayes.

COURTHOUSE

Second Circuit Presiding Judge Glen Severson and Karl Thoennes, Court Administrator, gave a presentation on space needs at the Courthouse. Mr. Thoennes explained that courtrooms are now overbooked and growth projections indicate the need for additional court rooms and personnel. Since the Courthouse opened in 1996, FTE's have increased 45%, the number of judges has increased 62%, and population has increased 30%. Commissioners discussed the County's responsibility in accommodating the space needs at the Courthouse as part of law enforcement mandates. They also discussed the 31% growth in sworn law enforcement officers over the 1995 to 2005 period, noting that the growth was with the City of Sioux Falls and not in the County. Parking needs will also need to be addressed if the Courthouse is expanded. Commissioner Twedt noted that it may be necessary to opt-out of the tax freeze in order to fulfill the County's state mandated obligations. Mr. Thoennes asked for support on two proposals that would allow the Court to proceed with the preliminary steps in the proposed expansion. MOTION by Pekas, seconded by Zweep to authorize the Courts to have Architecture, Inc. prepare a more specific cost estimate for the proposed project based on the early plans drawn to date, identify funding options for the project, and to assist with the development of a plan for public information sessions for a courthouse expansion. 4 ayes. Commissioners directed that the cost estimate be prepared prior to public presentation. Judge Severson thanked the Commissioners for today's action and Commissioners Kolbe, Twedt, and Zweep for their foresight during the initial planning stages of the Courthouse.

HEARING

Sue Roust, Auditor, explained that on March 14th, the Commission gave preliminary approval of a conduit financing for up to \$5 million to finance a new Center for Children and Youth for Lutheran Social Services (LSS). A public hearing was held to solicit public comments on the proposed financing. Steve Anderson with LSS, and Sherry Rotert with Boyce, Greenfield, Pashby, & Welk, LLP, were present for today's hearing. Ms. Rotert stated that LSS was still working on title commitments and appraisal matters and would be drafting the preliminary bond documents. Final resolutions will be presented to the Commission in the early part of June, with a closing following the publication of those final documents and expiration of the referendum period. No one spoke in opposition to the proposed financing. Commissioners asked if any other requests for financing have been presented. Ms. Roust noted that no

other outside agencies have requested financing so far. She also noted that the County is looking at some projects that may need financing, especially if the Courthouse expansion is approved. She did not anticipate borrowing for these projects this year however.

AMBULANCE

Gordy Swanson, Deputy State's Attorney, reported that on April 25th, the Commission was briefed by Dr. Jeff Luther, County Medical Director, on compliance issues with Garretson Ambulance. During a review period of January 1, to April 9, 2006, Garretson Ambulance Service exceeded the 10% tolerance rate allowed in the area of response acknowledgement. The response issues indicated that there was also a shortfall in the 24/7 call answering and staffing requirement. The Commission voted to give Garretson Ambulance formal notice of non-compliance with the county ambulance ordinance. Garretson Ambulance has responded by letter within the time period required by the ordinance. The letter was reviewed by Mr. Swanson and Dr. Luther. Commissioner Zweep questioned whether hiring an outside consultant to look at long range solutions for rural ambulance service in Minnehaha County would be beneficial. Mr. Swanson stated that even though there was not support for a county-wide ambulance taxing district due to resistance from some municipalities, the rural ambulance services were encouraged to form their own taxing district in the areas they serve. Funding would then come from those taxpayers directly benefiting from each ambulance service. Commissioner Twedt noted that during the 2006 budget hearing, it was made very clear that the Commission expected the rural ambulance services to solve their future funding problems. Terry Tronson, Garretson Ambulance volunteer, acknowledged the compliance issues and reported that Garretson Ambulance has hired daytime personnel to cover calls when volunteers would not be available and have reviewed their radio protocol with the volunteers. He did not feel it was feasible to create a taxing district without support from municipalities. He noted that larger municipalities that are in close proximity of Sioux Falls are not in support of taxing districts because they are able to use Rural Metro Ambulance rather than a volunteer service. MOTION by Pekas, seconded by Zweep to give Garretson Ambulance 60 days to bring their compliance scores back up and remain under review for 6 months to ensure that they remain up. 4 ayes.

RESOLUTION

Scott Peters, Chairman of the Minnehaha County Board of Mental Illness, presented a resolution to increase the hourly wage for deputies serving as investigators for the Board. The rate of \$10 per hour with overtime at \$15 per hour has been in place for several years with no increase. He reported that while wages have not increased, the duties of the investigators has. MOTION by Twedt, seconded by Pekas to approve Resolution MC06-23. 4 ayes.

RESOLUTION MC 06-23 ESTABLISH HOURLY RATE FOR BOARD OF MENTAL ILLNESS INVESTIGATORS

WHEREAS, SDCL 27A-7-8 and 27A-10-6 provides that the County Board of Commissioners determine compensation rates for certain activities of the County Board of Mental Illness and establishes responsibility for the payment of certain expenses of the Board of Mental Illness, and

WHEREAS, the Chairman of the Minnehaha County Board of Mental Illness has recommended an increase in the rate for activities of the Investigators associated with the Board of Mental Illness, now

THEREFORE BE IT RESOLVED BY the Minnehaha County Board of Commissioners that the following hourly rate is hereby established for the Investigator of the Minnehaha County Board of Mental Illness and such rate is subject to overtime wage provisions:

Investigator Services

\$14.00 per hour

BE IT FURTHER RESOLVED, this base rate is effective May 1, 2006, and shall remain in place until changed by resolution by the Minnehaha County Board of Commissioners.

BE IT FURTHER RESOLVED, the hourly rate shall be adjusted at the first county pay period of each year to reflect the same general increase as given to county employees.

Dated this 9th day of May, 2006

APPROVED BY THE COMMISSION:

Anne Hajek, Vice-Chair

ATTEST: Sue Roust, Auditor

Sandy Kinder, Deputy Auditor

DONATION

At the request of Scott Anderson, Planning Director, MOTION by Zweep, seconded by Twedt to accept the donation of a 1984 utility trailer from county resident, Richard Lahn. 4 ayes. Commissioners and Mr. Anderson thanked Mr. Lahn for his contribution.

AGREEMENTS

Last year, Minnehaha County and the City applied for and received state grant funds in the amount of \$79,479 for mosquito control efforts. The City of Sioux Falls has again filed a joint application for 2006 funding. The application requires that a joint agreement be in place to be considered for funding. Ken McFarland, Administrative Assistant, presented an agreement with the City of Sioux Falls for mosquito control. The application addresses control in three levels, Education Efforts, Sioux Falls Area Activities, and Other County Incorporated & Unincorporated Areas. This year, only chemicals will be eligible for reimbursement. The total proposed 2006 budget for Minnehaha County for mosquito control is \$144K. Of this amount, \$37,474 will be covered by grant funding, with the county providing an additional \$106,774. MOTION by Zweep, seconded by Pekas to authorize the Vice-Chair to sign the Joint Cooperative Agreement for Mosquito Control with the City of Sioux Falls. 4 ayes.

Todd Cheever, Juvenile Detention Center Director, requested approval of an agreement with Center for Family Medicine to provide "standing orders" for dispensing specific over the counter medications for minor illness or injury to residents of JDC at a rate of \$150 per month. The agreement will be valid from May 1, 2006 to April 30, 2007. MOTION by Twedt, seconded by Zweep to authorize the Vice-Chair to sign the agreement. 4 ayes.

Ken McFarland, Administrative Assistant, reported that the current contract for state funding for a clinically-managed residential detoxification unit is due to expire on May 31st. The state has approved \$86,749.71 for FY 2007. This is the same amount as last year. Minnehaha County and the City of Sioux Falls currently allocate \$160,000 annually, along with these state funds, to operate the detox facility. Preliminary budget figures indicate that if state funding remains constant, the City and County would need to increase their allocation to \$225,000 each. Mr. McFarland also reported that Carroll Institute requested that the Commission declare them as a "core service agency". He recommended declining this request as it will not have any impact on funding to any service provider in Minnehaha County. MOTION by Zweep, seconded by Twedt to authorize the Vice-Chair to sign the Department of Human Services Division of Alcohol and Drug Abuse FY 2007 Request for Funding and decline declaration of a core service agency. 4 ayes.

HEARING

Pat Herman, Planner, was present for the scheduled hearing to consider declaring Tr 2 & A Tr 40' x 100' E of Tr 2 Johnsons Tracts in the NW1/4 of Section 26-T102N-R48W (26018 482nd Avenue, Corson) a public nuisance. The property owner, Daniel Triggs, was notified of the hearing by certified mail and was not present. Ms. Herman briefed the Commission on the history of complaints of the property since April 12, 2006. Upon inspection, garbage and debris were found discarded throughout the property. The owner was sent a letter requesting that the property be cleaned up by May 1st. After the deadline, the property was again inspected and found in violation of the county nuisance ordinance. Ms. Herman stated that the owner has contacted staff acknowledging the mess and indicated that he is going through foreclosure action on the property. Staff felt that the health risks posed by the garbage on the site warranted a public nuisance be declared. Sandy Johnson, county resident, stated that her property abuts Mr. Triggs property. She described the condition of the property and expressed concerns over rats in the yard. MOTION by Zweep, seconded by Pekas to approve Resolution MC06-24. 4 ayes.

RESOLUTION MC06-24

WHEREAS, the Minnehaha County Planning Department have been working to abate a public nuisance on property legally described as Tr. 2 & A Tr. 40' x 100' E of Tr. 2 John's Tracts NW1/4 in Section 26-T102N-R48W (26018 482nd Ave.); and

WHEREAS, the public nuisance consists of abandoned property, litter, rubbish, and building materials as defined by the Minnehaha County Public Nuisance Ordinance; and

WHEREAS, the Minnehaha County Planning Department requested the property owner correct the violations on the property himself; and

WHEREAS, the there has been no abatement of the public nuisance by the property owner; and

WHEREAS, the property owner of the site was notified of the public hearing by certified mail with return receipt required.

NOW, THEREFORE, BE IT RESOLVED that the subject property is hereby declared a public nuisance and that the Minnehaha County Planning Department shall arrange a suitable contractor or company to abate the nuisance and that the cost of the abatement will be paid for by County funds and that the cost of the abatement will be reported to the County Auditor so that it can be specially assessed and collected in the same manner as the current year's taxes.

Approved this 9th day of May, 2006.

MINNEHAHA COUNTY

Anne Hajek, Vice-Chair, Board of County Commission

ATTEST:

Sandy Kinder, Deputy Auditor

MOTION by Zweep, seconded by Pekas to adjourn into Executive Session. 4 ayes. Following Executive Session the Commission adjourned until 5:00 p.m. on Monday, May 15, 2006.

APPROVED BY THE COMMISSION:

Anne Hajek, Vice-Chair

5/9/06

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ATTEST:
Sandy Kinder, Deputy Auditor