

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M., September 5, 2006, pursuant to adjournment on August 29, 2006. Commissioners present were: Kolbe, Hajek, Twedt, and Zweep. Commissioner Pekas joined the meeting late. Also present were Sandy Kinder, Deputy Auditor and Gordy Swanson, Chief Civil Deputy State's Attorney.

Chairman Kolbe called the meeting to order.

AGENDA

Commissioner Twedt asked that discussion of the Metro budget be added under New Business. MOTION by Zweep, seconded by Hajek to approve the Agenda. 4 ayes.

MINUTES

MOTION by Hajek, seconded by Twedt to approve the Minutes for August 9, 2006. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Twedt, seconded by Zweep to approve the following bills totaling \$570,276.43 and August salaries. 4 ayes.

A & B Business Equip	Var. Depts	1,108.45	Action Electric Co.	Hiway Cons	82.04
Albers, Tyrone	Sheriff	129.66	Alexander, Daniel	Comm.	9.00
Ambulance Dynamics	Emer Mgmt	3,563.52	American Institution	Juv Det Cn	266.95
American Red Cross	Emer Mgmt	143.95	Anacon Leasing, Inc.	Sheriff	389.00
Anesthesiology Assoc	Human Svcs	864.00	Arena Motel	Human Svcs	778.94
Argus Leader	Var. Depts	2,429.19	Auto Body Specialtie	Hiway Cons	17.96
Automatic Building C	Correction	126.48	Avera Gastroenterolo	Human Svcs	388.34
Avera McKennan Hospi	Var. Depts	82,827.01	Avera Medical Oncolo	Human Svcs	198.74
Avera Medical Record	Var. Depts	61.88	Avera Rural Health I	Cnty Exten	30.00
Al Svc Inc/Laceys Ch	Hiway Cons	80.00	Bakken, Larry	Dir. Eq.	130.00
Barnett-Lewis Funera	Human Svcs	2,315.00	Bierschbach Equipmen	Hiway Cons	81.52
Bob Barker Company,	Correction	221.73	Border States Electr	Musm Entpr	38.16
Boyer Trucks Sioux F	Hiway Cons	182.75	Brennan Hill Townhou	Human Svcs	450.00
Brentwood Apartments	Human Svcs	565.00	Brevik Law Office, P	Mental Ill	191.57
Brightguy, Inc	Sheriff	197.88	Brown & Saenger	Var. Depts	2,260.58
Buhl, Ken	Human Svcs	350.00	Business & Legal Rep	Cnty Ins	295.00
CBM Food Service	Correction	28,855.19	Century Business Lea	Pub. Adv.	113.32
Charles Mix County S	Pub. Adv.	7.50	Charlotte Place/Beck	Human Svcs	300.00
Charm-Tex Inc	Correction	1,468.24	Chemco, Inc.	Var. Depts	1,662.34
Chicago Distribution	Musm Store	103.93	City Centre Hotel Co	Court Sys.	288.94
Cliff Avenue Auto Pa	Hiway Cons	36.79	Cole Papers, Inc.	Correction	626.00
Cole, John R	Dir. Eq.	130.00	Colton Water Dept.	Hiway Admi	42.35
Communication Servic	Court Sys.	67.00	Connecting Point	Info Svcs	656.00
Country Meadows Apts	Human Svcs	450.00	Cretex Concrete Prod	Hiway Cons	25,443.90
Crown Plastics, Inc.	Musm Entpr	108.42	Cunningham, Terry	Sheriff	197.00
Dakota Auto Parts	Hiway Cons	54.78	Dakota Fluid Power,	Hiway Cons	3.63
Dakota News, Inc.	Musm Store	71.18	Dakota Police & Spor	Emer Mgmt	1,156.00
Dakota Riggers & Too	County Par	54.03	Dallas County Sherif	St Atty	60.00
Decastro Law Office,	Court Sys.	399.01	Decisionone Corporat	Info Svcs	395.47
Dell Rapids Ford, In	Sheriff	28.38	Dex Media East	Museum	517.20
Dialnet/Ahrens Telec	Pettigrew	45.00	Diamond Mowers, Inc.	Hiway Cons	33.89
Dietrich, Donna K	Mental Ill	306.22	Dosch, Korey	Dir. Eq.	130.00
Dresbach, Steve	Mental Ill	1,755.00	Dunn, Theresa L	Dir. Eq.	130.00
Eagle Exterminating/	Pettigrew	35.00	Eirinberg, James A	Court Sys.	748.55
Etc. Sioux Falls / A	Musm Store	350.00	Exide Technologies	Hiway Cons	38.51
Farm & Home Publishe	Var. Depts	381.00	Farnham Forensic Med	Pub. D.	1,588.80
Filtra Tech Systems,	Facilities	228.78	First Class Rentals,	Human Svcs	450.00
First Dakota Nationa	Human Svcs	348.53	Fleetwood Financial	Sheriff	97,590.96
Formatop Co.	Musm Entpr	608.96	Fred Pryor Seminars	Dir. Eq.	198.00
Fremont Industries,	Facilities	64.06	Friese, Leroy W.	Human Svcs	275.00
Friest, Eileen	Human Svcs	225.00	G & H Distributing,	Hiway Cons	75.86

G & R Controls	Facilities	106.45	G&W, Inc DBA Gary Co	Human Svcs	367.36
Galland Legal Clinic	Court Sys.	1,850.00	Goebel Printing, Inc	Pub. D.	60.00
Gooden, Dana/Susan	Human Svcs	450.00	Gould, Jeff	Museum	100.00
Graham Tire Co. - Do	Var. Depts	386.11	Graham Tire Co. - No	Hiway Cons	15.90
Grainger, Inc.	Var. Depts	133.07	Graybar Electric Com	Var. Depts	68.60
Great Plains Int'l T	Emer Mgmt	142.23	Great Plains Paper C	Facilities	96.00
Guzman, Sandra V.	Court Sys.	112.50	Haffner, Marvin	Human Svcs	350.00
Hanson Brothers, Inc	Human Svcs	350.00	Harold's Photo Cente	Var. Depts	91.76
Haugaard, Steven G.	Mental Ill	187.50	Heartland Paper Comp	Correction	1,861.80
Helgeson, Jennifer	Metro-911	6.00	Helseth, Kyle	Dir. Eq.	130.00
High Plains Technolo	Emer Mgmt	1,942.00	Holdahl Company, Inc	Musm Entpr	197.12
Holiday Credit Office	Hiway Cons	52.52	Horn, Garrett	Mental Ill	179.60
Hoskins, William J	Museum	636.49	Hosmer, David M. Law	Mental Ill	101.47
Howalt-McDowell Insu	Pub. D.	50.00	Huezo, Dax I	Human Svcs	450.00
Hy-Vee Pharmacy	Human Svcs	66.70	Hy-Vee Pharmacy	Human Svcs	87.99
Hyde, Brady	Human Svcs	450.00	ICI Paints	Musm Entpr	37.90
Insight Public Secto	Metro-911	566.12	Instant Technologies	Correction	766.35
Interstate Office Pr	Var. Depts	4,838.15	Inventory Trading Co	Metro-911	79.25
Jarman Properties	Human Svcs	900.00	Jaros, Pete	Mental Ill	138.88
Jefferson Partners,	Correction	19.65	Jim Hawk Truck Trail	Hiway Cons	57.00
John Deere Credit	Hiway Cons	61,576.74	Johnstone Supply	Facilities	195.32
Kabeiseman & Pollard	Mental Ill	97.40	Kallemeyn, Richard	Comm.	9.00
Kennedy, Renee S.	Court Sys.	46.00	Kennedy, Rokahr, Pie	Mental Ill	361.60
Kettering Law Office	Mental Ill	118.80	Kimmel LLC	Human Svcs	450.00
Kleen Solutions, Inc	Correction	711.90	Knuppe, Jay	Dir. Eq.	130.00
Koch Hazard Architec	Build Fund	1,050.00	Kohl's Department St	Juv Det Cn	70.59
Kone, Inc.	Facilities	745.72	Kooistra, Nelva	Mental Ill	45.00
Koopman & Sons Gas C	Hiway Admi	438.00	L & M Property Manag	Human Svcs	525.00
L.G. Everist, Inc.	Hiway Cons	4,816.50	Lassegaard, Samuel C	Human Svcs	350.00
LCM Pathologists, P.	St Atty	1,100.00	Lewis & Clark BHS	Mental Ill	2,020.00
Lewis Drug Stores	Human Svcs	10,164.22	Lexisnexis Matthew B	Sheriff	47.00
Linweld, Inc.	Var. Depts	61.81	Loiseau Construction	Hiway Cons	118,713.83
Lutheran Social Serv	Museum	84.00	Mailway Printers	Museum	1,748.00
Mannie, Corey	Human Svcs	450.00	Marmolejo, Valerie	Correction	72.00
Matheson, William	Comm.	9.00	Mathison Company	Var. Depts	963.57
Mayo Clinic Rocheste	Human Svcs	1,030.36	McGowan Law Office	Court Sys.	493.99
Mcgreevy Clinic	Human Svcs	609.57	McKay, Julie	Cnty Exten	55.37
Meadowland Apts/SF L	Human Svcs	208.00	Medical X-Ray Center	Human Svcs	972.40
Menards - East	County Par	56.65	Menards - West	Pettigrew	75.47
Microfilm Imaging Sy	Reg Deeds	167.70	Midamerican Energy C	Var. Depts	1,881.62
Midcontinent Communi	Cnty Exten	31.09	Midwestern Mechanica	Pettigrew	367.40
Miller Funeral Home,	Human Svcs	1,850.00	Minnehaha Cnty Human	Human Svcs	123.00
Minnehaha Cnty Sheri	Var. Depts	52.18	Minnehaha Community	Hiway Cons	1,611.60
Moore, Rasmussen, Ka	Court Sys.	1,792.00	Motorola, Inc.	Metro-911	375.00
Murray Construction	Human Svcs	50.00	Niedringhaus, Paul	Sheriff	14.00
North Ridge Apartmen	Human Svcs	200.00	Nusz, June	Mental Ill	80.00
Nyhaug, Adam	Museum	60.73	Oakwood Estates/Inve	Human Svcs	450.00
Office Depot, Inc.	Var. Depts	1,897.12	Officemax	Cnty Exten	29.98
Olson's Pest Technic	Correction	55.00	Orthopedic Institute	Human Svcs	86.64
Palmer, Barbara	Mental Ill	1,935.00	Parkview, LLC	FEMA Fund	460.00
Pheasantland Industr	Correction	1,482.11	Physicians Laborator	Human Svcs	98.77
Pontiac Cadillac of	Sheriff	110.92	Prairie Publications	Comm.	1,006.63
Precision Dynamics C	Correction	1,050.25	Pride Neon, Inc	Hiway Cons	24.60
Quill	Human Res.	53.72	Qwest	Var. Depts	142.63
RDO Equipment Co.	Hiway Cons	14.68	Refinish Supply Cent	Hiway Cons	1,317.50
Rehfuss, Cathy A	Mental Ill	15.00	Richmond II Ltd Ptnr	Human Svcs	450.00
Risty, Maxine J	Var. Depts	274.01	River Ridge Oral & M	Human Svcs	83.01
Rochester Armored Ca	Treasurer	379.50	Roemen's Auto Supply	Hiway Cons	139.99
Ron's Sta-Sharp	County Par	40.20	Rural Metro Ambulanc	Var. Depts	750.00
Rypkema, Diane	Dir. Eq.	130.00	Sanner, Melanie Jo	Dir. Eq.	130.00
Santee, Charles	Human Svcs	350.00	SD Dept of Human Ser	Pub. D.	25.20
SD Dept of Public Sa	Emer Mgmt	22,461.22	SD Dept of Revenue	County Par	52.00
SD Newspaper Assn Se	Comm.	45.63	SD Secretary of Stat	Pub. D.	25.00
Sheehan Mack Sales &	Hiway Cons	1,800.00	Shopko Store	Juv Det Cn	286.90
Sioux Empire FCU / V	Emer Mgmt	329.47	Sioux Falls Ford, In	Sheriff	802.04
Sioux Falls Housing	Human Svcs	250.00	Sioux Falls Rubber S	Pub. D.	28.00
Sioux Falls Utilitie	Var. Depts	507.98	Sioux Valley Energy	Human Svcs	248.23
Sioux Valley Wireles	Hiway Admi	37.95	Sittig, Deb	Mental Ill	1,207.50
Solomon, Ghirmay	Court Sys.	100.00	Southeastern Behavio	Pub. D.	19.65

Stan Houston Equipme	Var. Depts	427.46	Stangeland, Lori	Dir. Eq.	130.00
State Steel of SD	Facilities	157.77	Sturdevant's Auto Pa	Hiway Cons	8.43
Surgical Institute O	Human Svcs	1,194.06	SV Phys Ptnr Sioux V	Human Svcs	946.94
Thomas, Bradley	Dir. Eq.	130.00	Thorin, Deyanira T.	Var. Depts	1,726.64
Thurman, Creighton A	Mental Ill	163.98	Unitech, Inc/United	Var. Depts	539.00
United Parcel Servic	Metro-911	5.96	US Postal Service	Court Sys.	760.00
US Postal Service	Cnty Exten	128.15	US Postmaster	Museum	1,500.00
Vandenbrink, Jean	Human Svcs	450.00	Velvet Uniforms, Inc	Var. Depts	420.10
Viking Office Produc	Pub. D.	153.70	Volk Investigations,	Pub. D.	910.58
Wal-Mart Pharmacy	Human Svcs	469.80	Walser, Bob	Mental Ill	30.00
Walsh, Mike	Sheriff	252.00	Weeda, Alvina	Info Svcs	94.09
Wellmark Blue Cross	Human Svcs	1,977.00	Whitney, Dennis	Dir. Eq.	130.00
Wilkes, Jeff	Dir. Eq.	116.00	Wood, Jay/Elizabeth	Musm Entpr	150.00
Xcel Energy, Inc.	Var. Depts	8,614.62	Yankton County Sheri	Mental Ill	16.50
Commission	Salaries	24,274.80	Auditor	Salaries	42,254.98
Treasurer	Salaries	61,270.06	Information Svcs	Salaries	98,626.30
States Atty	Salaries	184,112.43	Public Defender	Salaries	137,135.49
Public Advocate	Salaries	34,300.24	Facilities	Salaries	66,885.28
Equalization	Salaries	72,202.98	Register of Deeds	Salaries	45,576.50
Human Resources	Salaries	7,684.32	Sheriff	Salaries	924,940.01
Juvenile Detn Ctr	Salaries	199,513.43	Metro Communications	Salaries	214,634.26
Highway	Salaries	164,633.32	Human Services	Salaries	75,853.19
Museum	Salaries	77,702.94	Planning	Salaries	42,163.94
Extension	Salaries	11,932.84			

REPORT

The following report was received and placed on file in the County Auditor's Office: 2006 Appraisal Board Report on Tax Deed Properties.

PERSONNEL

MOTION by Twedt, seconded by Hajek to approve the following personnel changes. 4 ayes.

1. To promote Phillip Leidholt as Deputy Sheriff (12/2) for the Sheriff's Office at \$17.811 per hour effective 9-11-06.
2. To accept the resignation of Christian Kieso as Juvenile Correctional Officer II (11/5) for the Juvenile Detention Center effective 9-8-06.
3. To hire Christian Kieso as Juvenile Correctional Worker (5/3) for the Juvenile Detention Center at \$11.924 per hour effective 9-9-06.
4. To return Jeremy Hartman, Highway Maintenance Worker for the Highway Department, from military leave effective 8-31-06.
5. To accept the resignation of Mark Ellens and Alex Foster as Laborer for the Highway Department effective 9-1-06.
6. To hire Ryan Hockenberry as GIS Intern for the Planning Department at \$8.25 per hour effective 9-11-06 to 12-31-06.
7. To place Troy Waterman, Juvenile Correctional Officer I for the Juvenile Detention Center, on leave without pay (FMLA) beginning 8-30-06.
8. To accept the resignation of Trent Bertram as Juvenile Correctional Worker (5/3) for the Juvenile Detention Center effective 8-30-06.

Step increases due:

1. Phillip Leidholt – Correctional Officer II – Sheriff – 10/2 to 10/3, 9-10-06, \$16.638/hr
2. Jason Brown – Security Officer – Sheriff – 8/2 to 8/3, 4-27-06, \$14.753/hr
3. Wade Hanson – Air Guard Security Officer II – Sheriff – 10/6 to 10/7, 3-20-06, \$18.009/hr
4. Trini Gonzalez – Deputy Sheriff – Sheriff – 12/9 to 12/10, 7-8-06, \$21.278/hr
5. Ryan Qualseth – Deputy Sheriff – Sheriff – 12/2 to 12/3, 7-12-06, \$18.524/hr
6. Marc Wynia – Deputy Sheriff – Sheriff -12/3 to 12/4, 7-5-06, \$18.893/hr
7. Vicki Hicks – Deputy Sheriff Sergeant – Sheriff – 16/5 to 16/6, 7-5-06, \$23.659/hr
8. Steven Breuer – Deputy Sheriff Sergeant – Sheriff – 16/2 to 16/3, 7-17-06, \$22.293/hr
9. Jennifer Disburg – Communications Training Supervisor – Metro - 14/1 to 14/2, 9-6-06, \$19.624/hr

NOTICE

Sue Roust, Auditor, reported that the County has two properties to offer for sale at public auction on September 30th. One is a double lot located in the city of Baltic, and the other is a lot with a house in Sherman. The Appraisal Board has set values to both properties. Ms. Roust asked for direction on setting a minimum bid amount for each of the properties. MOTION by Zweep to set the minimum bid for the Baltic lot at \$4,200 and the Sherman property at \$1. Motion dies for lack of a second. MOTION by Twedt, seconded by Hajek to set the minimum bid for the lot in Baltic at \$6,000, and the property in Sherman at \$100 and to authorize the Auditor to publish Notice of Sale. 3 ayes, Zweep – nay.

EMERG MGMT

Lynn DeYoung, Emergency Management Director, reported that the Office of Domestic Preparedness has implemented a regional funding plan for the FY 2006 Homeland Security Grant award. The regional grant award is \$1,936,763.14 for Brookings, Lake, Moody, McCook, Turner, Lincoln, Union, Clay, and Minnehaha counties. The grant is divided into two areas, the Law Enforcement Terrorism Prevention Program and the State Homeland Security Equipment Grant. Minnehaha County will serve as the lead coordinating county for this region. Mr. DeYoung explained the responsibilities associated with this role and noted that the grant award would also cover the county's administrative costs at 50%. He requested that inclusion of the City Risk Manager to serve as part of the regional grant committee. Commissioner Twedt encouraged Mr. DeYoung to work with Southeastern Council of Governments.

Commissioner Pekas joined the meeting.

MOTION by Twedt, seconded by Hajek to approve the following supplements: From the Emergency Management Fund to the Emergency Management budget \$1,424.94 (ASN 16926 – 2005 ODP Training Grant), \$162,394.40 (ASN 16926 – 2005 ODP Equipment Grant), and \$3,255.67 (ASN 16927 – 2005 ODP Citizen Corp Grant); and from the General Fund to the Sheriff's budget \$67,351.15 (ASN 16578 – 2005 LETPP Grant). 5 ayes.

HEARING

Sue Roust, Auditor, was present for the scheduled hearing on the proposed FY 2007 budget. She reported that there have been no changes from the Provisional Budget approved in July of \$54,670,669. The budget includes a total of 30 new positions (21.5 public safety related and 8.5 other administrative). The budget also includes a \$1.625 million opt-out of the property tax limitation to help pay for costs associated with public safety needs. Property owners will see an increase of \$16 for every \$100,000 in property valuation. Commissioners discussed the potential loss of revenues if the cell phone tax is repealed. Loss of revenues to County will be substantial if the tax is repealed and is not covered under the current budget. No one from the public spoke. The final budget will be adopted on September 26, 2006.

LIEN

Commissioner Pekas, County Aid Lien Liaison, briefed the Commission on a lien compromise request from DPNO 42083. The petitioners are requesting to compromise the lien in the amount of \$1,122.40 to allow one of the petitioners to return to school leaving a reduced income to cover living expenses. MOTION by Pekas, seconded by Hajek to approve Resolution MC06-63. 5 ayes.

RESOLUTION MC06-63

WHEREAS, a County Aid Lien in the amount of \$1,122.40 purports to exist in favor of Minnehaha County and against DPNO 42083 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 \$500.00.

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

Dated at Sioux Falls, South Dakota, this 5th day of September, 2006.

APPROVED BY THE COMMISSION:

Robert Kolbe, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

RESOLUTION

Ken McFarland, Administrative Assistant, reported that the SD Assn of County Commissioners is asking for county support against Initiated Measure 8, the cell phone gross receipts tax repeal. The repeal of the cell phone tax would result in a loss of \$660,000 to Minnehaha County in 2007. The tax was developed to fairly tax telephone companies. Mr. McFarland noted that the petition was filed by out-of-state interests. MOTION by Zweep, seconded by Pekas to approve Resolution MC06-64. 5 ayes.

RESOLUTION MC06-64

OPPOSITION TO REPEAL OF THE CELL PHONE GROSS RECEIPTS TAX

WHEREAS, in 2003, South Dakota instituted a tax on the gross receipts of wireless communications companies; and,

WHEREAS, county governments across the state receive forty (40) percent of the total revenue of this tax; and,

WHEREAS, Minnehaha County is budgeted to receive receives \$660,000 from this revenue source in 2007; and,

WHEREAS, South Dakota voters will be asked to repeal this tax via Initiated Measure 8 in this November's election; and,

WHEREAS, if Initiated Measure 8 is passed by South Dakota voters, Minnehaha County would be forced to consider an opt out of the property tax freeze.

NOW, THEREFORE BE IT RESOLVED, that the Minnehaha County Commission does hereby offer its official opposition to Initiated Measure 8; and,

BE IT FURTHER RESOLVED, that the Minnehaha County Commission asks all voters in Minnehaha County to vote No on Initiated Measure 8.

Dated this 5th Day of September, 2006

APPROVED BY THE COMMISSION
Robert Kolbe, Chairman

ATTEST:
Sandy Kinder, Deputy Auditor

OLD BUSINESS

Commissioners discussed correspondence from opponents to a Planning Commission decision to grant a Conditional Use Permit for Second Chance Rescue Center and whether information provided in those letters was sufficient to be considered a formal appeal. MOTION by Pekas, seconded by Twedt, to reconsider the Planning Commission decision to approve a CUP for Second Chance Rescue. 4 ayes, Zweep – nay.

NEW BUSINESS

Commissioners discussed the Metro Communications budget that is scheduled for public hearing tonight with the City of Sioux Falls.

Commissioner Zweep left the meeting.

MOTION by Hajek, seconded by Pekas to adjourn into Executive Session. 4 ayes. Following Executive Session, the Commission adjourned until 5:00 p.m.

APPROVED BY THE COMMISSION:
Robert Kolbe, Chairman

ATTEST:
Sandy Kinder, Deputy Auditor