

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., November 14, 2006, pursuant to adjournment on October 31, 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.

The official canvass of the 2006 General Election was held November 13, 2006.

Chairman Kolbe called the meeting to order.

## AGENDA

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

## MINUTES

MOTION by Twedt, seconded by Hajek to approve the Minutes for October 31, 2006. 5 ayes.

## VOUCHERS TO BE PAID

MOTION by Zweep, seconded by Pekas to approve the following bills totaling \$368,119.84. 5 ayes.

A & B Business Equip	Var. Depts	435.24	Accurint	Sheriff	30.00
Adams, Jason	Pub. D.	375.71	Advertising Arts, In	Museum	75.00
Ahrendt, Cynthia J	Court Sys.	1,019.00	Anacon Leasing % Pio	Pub. D.	262.00
Anderson Landscaping	Hiway Cons	972.40	Anderson, Elwood	Human Svcs	226.00
Appeara / Dudley Lau	Hiway Cons	35.09	Architectural Models	Ch Art Wor	2,000.00
Arena Motel	Human Svcs	807.00	Argus Leader	Var. Depts	3,135.01
Asfora, Wilson T, Md	Human Svcs	86.64	Automatic Security C	Pettigrew	840.00
Avera Dermatology &	Correction	68.81	Avera Health Plans,	Human Svcs	525.24
Avera McGreevy Clini	Var. Depts	518.32	Avera McKennan Hospi	Var. Depts	62,650.85
Avera McKennan Schoo	Metro-911	6.00	Avera Medical Record	Pub. D.	45.90
B & E Apts/Holland,	Human Svcs	500.00	Bamsey, Irene	Human Svcs	350.00
Batiz, Oscar	Human Svcs	750.00	Beck, Pat/Low Eight,	Human Svcs	47.25
Belitz, Clarence H /	Human Svcs	450.00	Berts Truck Equip Of	Hiway Cons	503.05
Binger Law Office	Court Sys.	1,453.06	Blake, Mildred	Elec Audit	17.50
Bob Barker Company,	Correction	217.05	Border States Electr	Facilities	66.37
Borgum, Diana	Museum	200.00	Bosch, Curt	Human Svcs	495.00
Boyer Trucks Sioux F	Hiway Cons	92.03	Braithwaite, Tacey E	Mental Ill	435.00
Brandenburg, Michell	Cnty Exten	13.41	Braun, Mason	Sheriff	142.00
Brecher, Grant	Human Svcs	350.00	Brentwood Apartments	Human Svcs	350.00
Briese, Lonnie	Hiway Cons	100.97	Brown & Saenger	Var. Depts	1,971.85
Builders Supply Comp	Facilities	1,515.00	Bureau of Informatio	Info Svcs	200.00
Butler Machinery Com	Hiway Cons	10.52	Campbell Supply Co.,	Var. Depts	141.23
Carlson, Lisa	Court Sys.	64.60	Carlson, Scott B Att	Court Sys.	519.00
Carper, Nichole A	Court Sys.	764.40	Carriage Villa/Beldt	Human Svcs	255.00
Center for Family Me	Var. Depts	273.85	Century Business Pro	Juv Det Cn	1,954.00
Charlotte Place/Beck	Human Svcs	350.00	Chemco, Inc.	Var. Depts	4,113.85
City-Wide Taxi, Inc	Human Svcs	151.39	Cleveland Heights Ap	Human Svcs	912.50
Cliff Avenue Auto Pa	Metro-911	27.52	Cody, Denise	Mental Ill	15.00
Cole Papers, Inc.	Var. Depts	936.16	Communication Servic	Var. Depts	177.00
Concrete Materials	Hiway Cons	13,118.77	Conklin, Gary W. Att	Court Sys.	474.00
Connecting Point	Info Svcs	1,191.85	Coultas, Scott	Elec Audit	970.00
Country Meadows Apts	Human Svcs	525.00	Crayne, Elliott	Sheriff	142.00
Crescent Electric Su	Facilities	259.44	Crittenden, John	Hiway Cons	87.52
D & S Rentals, Inc	Human Svcs	225.00	Decisionone Corporat	Info Svcs	395.47
Dell Rapids Ford, In	Sheriff	28.38	Dialnet/Ahrens Telec	Sheriff	142.86
Dietrich, Donna K	Mental Ill	788.49	Dresbach, Steve	Mental Ill	2,857.50
Dust Tex Service, In	Museum Mtc	12.86	Dzinic, Vernesa	Var. Depts	125.00
Edmunds Brake & Alig	Sheriff	288.95	Election Systems & S	Elec Audit	81.25
Elite Business Syste	Human Svcs	93.60	Enercon, Inc	Hiway Cons	2,148.00
Family Memorials By	Ch Art Wor	3,177.60	Family Service, Inc.	Human Res.	240.00
Farland, Lawrence A	Human Svcs	624.00	Farrell, Lorae J	St Atty	148.00

Fastenal Company	Hiway Cons	269.84	Federal Express Corp	St Atty	49.92
Filtra Tech Systems,	Facilities	69.60	First Dakota Nationa	Human Svcs	340.00
First Premier Bank	Sheriff	58.26	Fox, Youngberg & Lew	Mental Ill	365.68
Fremont Industries,	Var. Depts	413.21	G&W, Inc DBA Gary Co	Human Svcs	148.77
Galland Legal Clinic	Court Sys.	1,124.80	Genzlinger, Janeen	Court Sys.	19.00
George Boom Funeral	Human Svcs	475.00	Gerken, Gerald A	Human Svcs	351.00
Glazier, David Alan	Human Svcs	840.00	Glory House	Social Ser	1,680.00
Goebel Printing, Inc	Var. Depts	3,506.39	Golden West	Var. Depts	464.46
Graham Tire Co. - Do	Sheriff	720.81	Graham Tire Co. - No	Var. Depts	283.70
Grapevine, Dan	Hiway Cons	98.97	Gunner, Andrea	Court Sys.	172.20
Guzman, Sandra V.	Var. Depts	604.16	Hancock Fabrics, Inc	Museum	67.35
Hander, Inc.	Human Svcs	91.84	Hanson, Bryon	Human Svcs	450.00
Hanson, Larry	Human Svcs	450.00	Harold's Photo Cente	Pub. Adv.	10.88
Harries, Leanne	St Atty	17.98	Haugaard, Steven G.	Court Sys.	10,112.20
Hauk, Bert	Human Svcs	495.00	Heartland Paper Comp	Correction	899.26
Heaton, Eric	Human Svcs	340.00	Heggen, Leo	Hiway Admi	33.64
Hemmer, Charles	Hiway Admi	26.60	Heritage Place Apts	Human Svcs	298.00
Herrboldt, Gregory E	Human Svcs	350.00	Hewlett-Packard Comp	Info Svcs	311.00
Hicks, Vicki A	Correction	89.00	Hoekstra, Denise A.	Court Sys.	61.20
Home Depot Credit Se	Hiway Cons	21.65	Home Federal Savings	Human Svcs	450.00
Howalt-McDowell Insu	Sheriff	50.00	Huntington, Darcy	Human Svcs	450.00
Hurtgen, Timothy T.	Human Svcs	700.00	Inland Truck Parts &	Hiway Cons	66.72
Insight Public Secto	Var. Depts	3,420.56	Institutions Service	Facilities	33.18
Int'l Personnel Mana	Correction	1,400.00	Interstate Office Pr	Var. Depts	742.56
IRET Properties	Human Svcs	450.00	Jarmans Midwest Clea	Hiway Admi	188.10
Jefferson Partners,	Human Svcs	1,738.34	Jerzak, Bob	Hiway Cons	98.99
Jim Hawk Truck Trail	Hiway Cons	26.00	Johnstone Supply	Var. Depts	179.32
Kabeiseman & Pollard	Mental Ill	118.80	Kauffman, David W. P	Court Sys.	2,725.00
KCI USA Inc	Human Svcs	6,903.00	Kennedy, Renee S.	Court Sys.	129.60
Kennedy, Rokahr, Pie	Mental Ill	452.40	Kinder, Sandra	Elec Audit	11.70
Kittelson, Joan M	Mental Ill	54.00	Kleen Solutions, Inc	Correction	125.90
Kmart	Museum	10.44	Kohl's Department St	Juv Det Cn	45.00
Kone, Inc.	Pettigrew	50.00	Kooistra, Nelva	Mental Ill	99.00
Kraayenhof, Nancy	Human Svcs	450.00	Kreislers, Inc.	Var. Depts	137.28
L.G. Everist, Inc.	Hiway Cons	337.65	Lamination Depot, In	Correction	28.06
Landborg, Richard J.	Human Svcs	317.00	LCM Pathologists, P.	Coroner	5,028.00
Lewis Drug Stores	Var. Depts	14,892.23	Linweld, Inc.	Hiway Cons	273.58
Lockfast, Inc.	Museum	69.19	Ludoc Enterprises, L	Correction	74.00
Mailway Printers	Museum	979.00	Majestic View Apartm	Human Svcs	975.00
Malloy Electric Bear	Facilities	968.97	Maloney, James	Human Svcs	450.00
Mathison Company	Pub. D.	139.94	Maxwell Food Equipme	Juv Det Cn	260.19
McFarland Supply Co.	Facilities	57.84	Medical X-Ray Center	Var. Depts	1,558.58
Menards - East	Var. Depts	275.97	Midamerican Energy C	Var. Depts	4,994.64
Midcontinent Communi	Var. Depts	126.09	Midwest Oil Company	Hiway Cons	621.13
Midwest Welding Co.	Museum	140.00	Miller Funeral Home,	Human Svcs	1,850.00
Miller, Diane D	Elec Audit	61.25	Minnehaha Cnty Pub D	Pub. D.	191.10
Minnehaha Cnty Sheri	Sheriff	190.53	Moen, Stephanie L	Court Sys.	57.25
Monick Pipe & Supply	Facilities	1,867.98	Moore Medical Corp.	Juv Det Cn	280.08
Morefield Autobody R	Hiway Cons	225.00	Motorola, Inc.	Metro-911	1,223.47
Mr. Goodcents	Musm Entpr	24.06	Mulkey, John	Human Svcs	350.00
Murray Construction	Human Svcs	320.00	Nat'l District Attor	St Atty	315.00
Newman, Scott G.	Human Svcs	350.00	Nguyen, Lam	Court Sys.	441.66
Niedringhaus, Paul	Sheriff	9.90	North Central Heart	Correction	38.00
North Ridge Apartmen	Human Svcs	440.00	Northern Truck Equip	Hiway Cons	315.36
Nyberg's Ace Hardwar	Var. Depts	74.63	Oakwood Estates/Inve	Human Svcs	1,067.00
Office Depot, Inc.	Info Svcs	2,231.66	Officemax	Var. Depts	481.92
Olson's Pest Technic	Correction	55.00	Orion Electronics Lt	Sheriff	3,410.00
Orthopedic Institute	Var. Depts	1,459.00	Pesi LLC	Human Svcs	169.00
Pfeifer Implement Co	Var. Depts	609.40	Pfeifer, Scott	Correction	89.00
Pheasantland Industr	Sheriff	308.45	Physicians Laborator	Var. Depts	79.44
Plusco Printing & Co	Human Svcs	81.99	Pontiac Cadillac of	Sheriff	219.91
Prairie Partnership	Human Svcs	1,050.00	Prairie Publications	Var. Depts	2,947.87
Precision Dynamics C	Correction	1,050.39	Preheim Lawn & Lands	Facilities	1,061.22
Proel, Klaus	Human Svcs	350.00	Provo, Tom	Human Svcs	330.00
Pulstar Distributing	Metro-911	1,010.17	Push-Pedal-Pull	Facilities	94.50
Qualified Presort Se	Var. Depts	17,012.41	Quest Engineering, I	Hiway Cons	23.89
Qwest	Var. Depts	1,056.17	R & L Supply, Ltd	Facilities	578.24
Ramsey Partners II L	Human Svcs	350.00	RDO Equipment Co.	Hiway Cons	224.52
Record Keepers, Inc.	Pub. D.	163.84	Reh fuss, Cathy A	Mental Ill	30.00

Rehurek, John/Beth	Human Svcs	350.00	Rhomar Industries, I	Hiway Admi	567.88
Richmond Apartments,	Human Svcs	450.00	Ridgeview Apts., Ltd	Human Svcs	1,050.00
Rieck, Dave	Human Svcs	500.00	Ronning Commercial,	Human Svcs	595.00
Roto-Rooter Sewer &	Hiway Cons	1,225.00	Rugamba, Patrick M	Court Sys.	135.00
Rural Metro Ambulanc	Var. Depts	805.09	Sandy Creek Apts / M	Human Svcs	525.00
Scheels All Sports	Metro-911	84.99	Schoeneman Bros. Co.	Museum	50.64
SD Dept of Legislati	Comm.	32,523.70	SD Human Services Ce	Pub. D.	41.40
SD Magazine / Hunhof	Musm Store	221.00	SD State Treasurer	Sales Tax	476.73
SD 4H Foundation CC!	Cnty Exten	20.00	SDAE4-HE	Cnty Exten	100.00
SDSU Agbio Communica	Cnty Exten	20.35	SDSU Ars Depart Anim	Cnty Exten	21.25
Sensource	Court Sys.	146.00	Servall Towel & Line	Var. Depts	107.62
Sheehan Mack Sales &	Hiway Cons	401.76	Shopko Store	Juv Det Cn	63.31
Silchuk, Lyubov	Court Sys.	100.00	Sioux Empire Fair As	Cnty Exten	1,350.00
Sioux Empire FCU / V	Sheriff	539.81	Sioux Empire FCU / V	Sheriff	265.43
Sioux Empire FCU / V	Sheriff	217.66	Sioux Empire Homeles	Human Svcs	35.00
Sioux Equipment Co.,	Hiway Cons	382.76	Sioux Falls Chamber	Comm.	30.00
Sioux Falls City Fin	Law Enf Gr	2,995.00	Sioux Falls Ford, In	Var. Depts	465.37
Sioux Falls Housing	Human Svcs	70.00	Sioux Falls Kitchen	Juv Det Cn	11.00
Sioux Falls Rubber S	Var. Depts	77.50	Sioux Falls Two Way	Var. Depts	1,014.00
Sioux Falls Utilitie	Var. Depts	6,408.50	Sioux Valley Energy	Var. Depts	999.29
Siouxland Oral & Max	Human Svcs	477.75	Smith Kramer, Inc.	Museum	1,832.00
Solarwinds.Net, Inc.	Info Svcs	395.00	Solomon, Ghirmay	Court Sys.	50.00
Southeast SD Tourism	Museum	1,265.00	Star Hospitality DBA	Cnty Exten	337.50
Steak-Out Sioux Fall	Court Sys.	160.11	Sturdevant's Auto Pa	Hiway Cons	299.02
Sunshine Foods	Human Svcs	52.83	Super 8 Motel	Human Svcs	49.99
SV Clinical Labs	Correction	133.53	SV Home Medical Equi	Human Svcs	600.01
SV Hospital	Var. Depts	1,162.67	SV Phys Ptnr Sioux V	Correction	529.11
SV Phys Ptnr SV Clin	Court Sys.	1,050.00	Swenson, Wayne K	St Atty	37.50
Tally-Ho Apts/Americ	Human Svcs	395.00	Tammen Oil	Sheriff	25.25
Texture Plus	Museum	73.91	Thesenvitz, Mickelson	Court Sys.	4,632.95
Thorin, Deyanira T.	Var. Depts	641.66	Timberland Village A	Human Svcs	300.00
Titze's Auto Repair	Sheriff	930.38	TK Properties	Human Svcs	350.00
Travelhost of Sioux	Museum	153.00	Tri-State Implement,	Hiway Cons	1,754.76
Triangle Properties,	Human Svcs	350.00	Trygstad Financial G	Human Svcs	300.00
Tschetter, Kenneth M	Court Sys.	846.29	Tufts University	Cnty Exten	28.00
Tuschen, Michael E	Hiway Cons	132.03	Ultramax	Sheriff	2,240.00
Union Telephone Comp	Metro-911	321.91	Unitech, Inc/United	Correction	465.00
United Parcel Servic	Metro-911	28.69	University of MN 4HC	Cnty Exten	75.13
US Bank-Corporate Tr	Build Fund	1,250.00	Valley Rental Servic	Human Svcs	200.00
Valley West Apartmen	Human Svcs	350.00	Van Liere, Roy	Hiway Cons	325.00
Vander Vliet, Rodney	Hiway Admi	45.48	Vantek Communication	Metro-911	191.55
Vavra, Jeff DBA Vavr	Human Svcs	350.00	Velgersdyk, Dr. Scot	Human Svcs	127.96
Velvet Uniforms, Inc	Var. Depts	291.97	Viking Office Produc	Pub. D.	581.20
Voigt, Debra	Court Sys.	5,371.37	Volunteers of Americ	Juv Det Cn	5,022.50
Vugate, Inc.	Correction	13,178.18	Wal-Mart Pharmacy	Human Svcs	156.62
Walcro Floor Coverin	Facilities	92.00	Wall Lake Sanitary D	Hiway Admi	35.00
Walter, Delmar J.	Court Sys.	504.00	West Group	Var. Depts	156.00
West Twelfth Propert	Human Svcs	510.00	Westbrooke Apts/Inve	Human Svcs	900.00
Whittemore, Angi	Human Svcs	750.00	Xcel Energy, Inc.	Var. Depts	9,762.39
Yankton County Sheri	Mental Ill	66.00	Yellow Cab, Inc.	Human Svcs	62.20
Zep Manufacturing Co	Hiway Admi	151.51	4904 Four Plex LLC	Human Svcs	350.00

## REPORTS

The following reports were received and placed on file in the County Auditor's Office: Minnehaha County Human Services Report and the Minnehaha County Regional Juvenile Detention Center Temporary Custody Directive Statistics for October 2006.

## PERSONNEL

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

1. To accept the resignation of Sarah Prenger as Juvenile Correctional Officer I for the Juvenile Detention Center effective 11-3-06.

2. To accept the resignation of Michelle Mattern as Juvenile Correctional Officer I for the Juvenile Detention Center effective 10-31-06.
3. To promote Lori Smart as Juvenile Correctional Officer II (11/4) for the Juvenile Detention Center at \$17.932 per hour effective 11-8-06.
4. To hire Mandi Mowery as Deputy State's Attorney I (17/1) for the State's Attorney's Office at \$1,718.80 biweekly effective 11-6-06.
5. To accept the resignation of Thomas Hensley as Senior Trial Attorney for the State's Attorney Office effective 10-31-06.
6. To hire Rose Hobart and Brett Dannen as Tax/License Specialist (4/1) for the Treasurer's Office at \$10.154 per hour effective 11-13-06.
7. To layoff Mark Narveson as temporary Spray Truck Operator for the Highway Department effective 10-18-06.
8. To hire Mark Narveson as temporary Laborer for the Highway Department at \$10.00 per hour effective 10-24-06.
9. To cancel the hire of Daniel Coulter as temporary Election Worker for the Auditor's Office effective 10-18-06.
10. To return Wade Hanson, Air Guard Security Officer II, from military leave effective 11-18-06.

Step increases due:

1. Craig Rolfs – Communications Operator – Metro Communications – 9/2 to 9/3, 11-8-06, \$15.695/hr
2. Susan Straight – Legal Office Assistant I – Public Defender – 6/3 to 6/4, 11-9-06, \$13.124/hr
3. James Ness – Juvenile Correctional Officer II – Juvenile Detention Center – 11/4 to 11/5, 10-15-06, \$18.291/hr
4. Denise Logan – Juvenile Correctional Officer I – Juvenile Detention Center – 10/5 to 10/6, 10-15-06, \$17.656/hr

NOTICES

MOTION by Zweep, seconded by Hajek to authorize the Auditor to publish Notice of Hearing on December 5, 2006, to consider applications for liquor license renewals for 2007. 5 ayes.

Notice was received of the East Dakota Water Development District Board Meeting on November 16, 2006.

LIENS

Commissioner Pekas, County Aid Lien Liaison, briefed the commission on a request to compromise DPNO 36875 in the amount of \$7,684.03. The applicant was in the process of purchasing a home when the lien was noted. The applicant provided information that the lien was for services provided to her ex-husband after their divorce in August, 1999. MOTION by Pekas, seconded by Twedt to approve

Resolution MC06-71. 5 ayes.

RESOLUTION MC06-71

WHEREAS, a County Aid Lien in the amount of \$7,684.03 purports to exist in favor of Minnehaha County and against DPNO 36875 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 against the petitioner (ex-wife) in full with no payment. The amount of \$7,684.03 to remain filed under the name of the ex-husband only.

Dated at Sioux Falls, South Dakota, this 14th day of November, 2006

APPROVED BY THE COMMISSION:  
Robert Kolbe, Chairman

ATTEST:  
Sandy Kinder, Deputy Auditor

Commissioner Pekas also briefed the commission on a request to compromise DPNO 45233 in the amount of \$1,803.03. The applicant is requesting to compromise the lien in full upon payment of \$49.98. She has already paid \$730.02. The applicant is requesting the compromise due to her limited income, supporting her minor child, and attending school full-time. MOTION by Pekas, seconded by Twedt to approve Resolution MC06-72. 5 ayes.

RESOLUTION MC06-72

WHEREAS, a County Aid Lien in the amount of \$1,803.03 purports to exist in favor of Minnehaha County and against DPNO 45233 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 \$49.98.

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

Dated at Sioux Falls, South Dakota, this 14th day of November, 2006.

APPROVED BY THE COMMISSION:  
Robert Kolbe, Chairman

## ATTEST:

Sandy Kinder, Deputy Auditor

On the recommendation of Hauge Associates, Inc., MOTION by Pekas, seconded by Hajek to release DPNO 6170 in the amount of \$7,852.42 in full upon payment of \$5,000 within 10 days. 5 ayes.

## PUBLIC COMMENT

Sue Roust, Auditor, recognized the following departments and individuals who assisted in making the 2006 General Election a success in Minnehaha County: Minnehaha County Information Services (Dennis Ellett, Chad Wilson, and Kelsi Johnson), Highway (Tom Peterson and Doug Huffer), and Facilities (Lloyd Olson and staff), the Washington Pavilion (for use of tables), the City of Sioux Falls City Clerk's Office (Debra Owen and staff), Sioux Falls School District (Bev Chase and staff), and the Sioux Council Boy Scouts of America (Jeff Wilkes).

## HEARING

Alan Glover, Attorney for Kingbrook Rural Water System, Inc., was present for the scheduled hearing to consider approval of a resolution granting Kingbrook Rural Water System, Inc. franchise rights to construct, operate, and maintain water pipelines in both county and township public right-of-ways. The non-exclusive franchise would require that the provider abide by state law and all rules and requirements set by the county. Currently, Kingbrook Rural Water System, Inc. serves five persons in Minnehaha County. No one spoke in opposition to the request. MOTION by Zweep, seconded by Hajek to approve Resolution MC06-73. 5 ayes.

RESOLUTION MC06-73  
COUNTY FRANCHISE FOR RURAL WATER SYSTEM

WHEREAS, KINGBROOK RURAL WATER SYSTEM, INC., a South Dakota non-profit Corporation, organized and doing business as a rural water system, under the laws and statutes of the State of South Dakota, and engaged in the distribution and sale of water did on the 18th day of October, 2006, file in the office of the County Auditor in the County of Minnehaha, State of South Dakota, an Application requesting the right and franchise to construct, maintain and operate along, upon and over all of the public highways of the county, rural water pipelines for rural water purposes, for the purpose of operating a rural water system in said county, and

WHEREAS, said Application came on for hearing before the County Commissioners of Minnehaha County, State of South Dakota, on the 14<sup>th</sup> day of November, 2006, at the hour of 9:15 o'clock A.M., in the Chamber of the County Commissioners in the City of Sioux Falls, South Dakota, and it appearing that due and timely notice of said hearing having been given by mail by the County Auditor to all persons, firms and corporations owning or operating electric transmission, telegraph or telephone lines on or along any part of the public highways and roads of the county, all in accordance with the laws and statutes of the State of South Dakota pertaining thereto, and

WHEREAS, the matter having been heard and considered by the Board of County Commissioners, and it appearing to the satisfaction of said Board that KINGBROOK RURAL WATER SYSTEM, INC., is in compliance with and willing to comply with the provisions of Chapter 31-26 SDCL and good cause appearing therefore, now therefore,

BE IT RESOLVED by the Board of County Commissioners of the County of Minnehaha, State of South Dakota, that the Application of KINGBROOK RURAL WATER SYSTEM, INC., be and the same is hereby granted, and the right and franchise to construct, operate and maintain water pipelines, in,

under and across county and township roads for purposes of operating a rural water system in said county, be and the same is hereby granted to said KINGBROOK RURAL WATER SYSTEM, INC., for a period of twenty (20) years from and after the date hereof; said franchise being subject to the conditions set forth in Chapter 31-26 SDCL and such further reasonable regulations as this County or the Legislature may hereafter prescribe.

Introduced, passed and approved this 14th day of November, 2006, at Sioux Falls, South Dakota.

Robert Kolbe, Chairman of the Board of County Commissioners

ATTEST: Sue Roust, Auditor

Sandy Kinder, Deputy Auditor

#### CHANGE ORDER

Bob Meister, Highway Superintendent, presented Change Order 1 to the general contract with RS Halstead Corp. for the reconstruction/structure & approach grading of 60th Street North project. The majority of the overrun was for the addition of a diversion channel to protect the Topeka Shiner. MOTION by Twedt, seconded by Hajek to authorize the Chairman to sign Change Order 1 to the general construction contract with RS Halstead Corp. (bid #6-06) in the amount of \$28,031.97. 5 ayes. This change order increases the contract amount to \$434,282.32.

#### SUPPLEMENT

MOTION by Twedt, seconded by Hajek to approve the following supplements from the Museum Grants Fund to the Museum Grants Budget: \$1,000 (ASN 18952) and \$16,000 (ASN 18980), representing disbursement from the Museum Endowment Fund. 5 ayes.

#### HIGHWAY

Lloyd Siemonsma, Mapleton Township Chairman, thanked the Commission and Highway Superintendent, Bob Meister, for completing the paving of 476<sup>th</sup> Street and for working with the township on getting an additional 1/4 mile on 476<sup>th</sup> Avenue, and 1/4 mile on Slip Up Creek Road paved (paid for by the township and residents served).

#### AGREEMENTS

Ken McFarland, Administrative Assistant, presented the SD Municipal League Worker's Compensation Fund Agreement Overview. The renewal premium is up slightly from \$264,795 in 2006 to \$282,273 for 2007. Mr. McFarland noted that although payroll has increased by approximately 5.2%, there was a reduction in the fund modifier from .93 to .91 based on past claims experience and the work of the Safety Committee. MOTION by Hajek, seconded by Zweep to approve the Intergovernmental Contract and Coverage Document Overview between Minnehaha County and the SDML. 5 ayes.

Sheriff Mike Milstead and Warden Tim Devlin requested approval of a renewal agreement for inmate health services with Avera McKennan. The agreement is for services from January 1, 2007 through December 31, 2007, at a cost of \$550,395.30 which has been included in the 2007 Jail budget. This is a 5% increase from the 2006 rate of \$524,186. All other provisions of the agreement will remain in effect. MOTION by Hajek, seconded by Twedt to authorize the Chairman to sign the Addendum to Health Care Services Agreement between Avera McKennan and Minnehaha County. 5 ayes.

Sheriff Milstead also requested approval of a renewal agreement with Avera McKennan to perform blood draw services in the jail for first and second DWI offenders as per state law effective July 1, 2006. The original agreement was for a six month term and provided for 1.6 FTE licensed practical nurse or paramedic level personnel to provide the blood draw services and assist nursing staff. The 2007 cost for services will be \$103,159.24, a 5% increase over 2006. MOTION by Twedt, seconded by Hajek to authorize the Chairman to sign the Addendum to Blood Draw Services Agreement between Avera McKennan and Minnehaha County. Commissioners discussed the increasing cost to the County for these services. Inmate healthcare services increased by 5%, while the County is capped at a 2.9% growth rate to cover services. They noted that the blood draw requirement is another state imposed mandate with no revenue source. MOTION by Zweep, seconded by Hajek to call the question. 5 ayes. VOTE on the MOTION. 5 ayes.

David Atherton, Metro Communications Director, requested approval of the following agreements:

An agreement with New World Systems to provide for the installation of bar code scanner hardware in the Sioux Falls Police Department Property Room. The expenses for these services, estimated at \$1,120 plus travel costs, will be paid for by the City of Sioux Falls. MOTION by Twedt, seconded by Hajek to authorize the Chairman to sign the Additional Services Agreement between New World Systems and Minnehaha County. 5 ayes.

An agreement with South Dakota Network (SDN) to provide software/hardware support on 9-1-1 telephone equipment purchased from SDN. The purchase agreement provided for a 5 year maintenance agreement which commenced on October 1, 2005. The first year was included under warranty. This agreement would cover the remainder of the 5 year term through October 1, 2010 at a total cost of \$62,394. MOTION by Zweep, seconded by Pekas to authorize the Chairman to sign the Basic Maintenance Agreement. 5 ayes.

A lease agreement with SD Public Broadcasting for space at the Prairie Winds broadcast tower to add mobile data system use. This site is one of three currently used for simulcast on the digital radio system. Due to the expansion of the mobile data system used by local law enforcement agencies, the expanded services were added to the agreement which will run from July 1, 2006 through June 30, 2016. This is a no cost lease. MOTION by Pekas, seconded by Zweep to authorize the Chairman to sign the State of South Dakota SD Public Broadcasting Network Tower Lease Agreement. 5 ayes.

#### SHERIFF

Sheriff Lieutenant Kaci Zwak reported that the County has been awarded \$88,851 through a Department of Justice Grant. The funds were earmarked for the purchase and installation of PurAir UV Germicidal Systems for the jail housing units. The funds will also cover replacement items for the systems for an additional two years. MOTION by Pekas, seconded by Zweep to authorize the purchase of 25 PurAir units from The Pure Water/Clean Air Group, N.A. 5 ayes. The Pure Water/Clean Air Group, N.A. is a sole source provider of this equipment.

MOTION by Twedt, seconded by Pekas to approve the following supplements from the General Fund representing reimbursement from a variety of sources for unanticipated expenses: \$75,951.24 to the Sheriff's Office budget (ASN 15501-\$45,218.61; ASN 16531-\$1,556.64; ASN 16557-\$658.07; ASN 16593-\$432.95; ASN 16574-\$813.95; and ASN 16565-\$2271.02), and \$36,268.00 to the Jail budget (ASN 16601-\$29,268.00; and ASN 16654-\$7,000.00). 5 ayes.

#### HEARING

Scott Anderson, Planning Director, was present for the scheduled hearing to consider a supplement in the

amount of \$1,928.93 from the General Fund to the Planning budget representing costs incurred from nuisance property clean ups. Mr. Anderson reported that the costs will be recovered through special assessments. No one spoke in opposition to the request. MOTION by Hajek, seconded by Zweep to approve Resolution MC06-74. 5 ayes.

RESOLUTION MC06-74  
FOR SUPPLEMENTAL BUDGET

WHEREAS it is necessary to supplement the 2006 Annual Budget in order to carry on the indispensable functions of Minnehaha County; and

WHEREAS, the adoption of the proposed Supplemental Budget was duly considered by the Minnehaha County Commission on the 14th day of November, 2006, at 9:15 a.m., in the Commission Meeting Room, pursuant to due notice; now, therefore, be it

RESOLVED by the Minnehaha County Commission that the following Supplemental Budget be, and the same is, hereby approved for the purpose of providing budget to conduct the indispensable functions of Government, to-wit:

From the General Fund to the Planning budget: \$1,928.93  
(representing costs incurred from nuisance property clean-ups)

APPROVED BY THE COUNTY COMMISSION:  
Robert Kolbe, Chairman

ATTEST:  
Sandy Kinder, Deputy Auditor

LEGISLATIVE DISCUSSION

Ken McFarland solicited input on issues that the Commission would like presented at the Joint County/City/School District meeting on November 15<sup>th</sup>. The following items were discussed: sheriff fees, ambulance districts, and county funding. Commissioners discussed the unique challenges that Minnehaha County faces due in part to its large population. They stressed the need to develop a process for stable local funding and permissive legislation to allow the County to address its needs. Jeff Barth, commissioner elect, commented on the opt-out deadline, Human Services limitations, recouping for services, tobacco tax, and alternatives to the property tax. Commissioners also requested to meet with local legislators in a separate session.

OLD BUSINESS

Commissioner Kolbe recognized Jeff Barth as Commissioner Elect.

NEW BUSINESS

Bob O'Connell, Public Affairs Director with the Sioux Falls Chamber of Commerce, introduced himself.

MOTION by Hajek, seconded by Zweep to adjourn into Executive Session. 5 ayes. Following Executive Session, the Commission adjourned until 5:00 p.m. on Monday, November 20, 2006.

APPROVED BY THE COMMISSION:  
Robert Kolbe, Chairman

11/14/06

10913

ATTEST:  
Sandy Kinder, Deputy Auditor