

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., April 10, 2007, pursuant to adjournment on April 3, 2007. Commissioners present were: Hajek, Twedt, Barth, Kolbe, and Pekas. Also present were Sandy Kinder, Deputy Auditor, and Gordy Swanson, Chief Civil Deputy State's Attorney.

Chairman Hajek called the meeting to order.

#### AGENDA

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

#### MINUTES

MOTION by Pekas, seconded by Barth to approve the Minutes for April 3, 2007. 5 ayes.

#### VOUCHERS TO BE PAID

MOTION by Pekas, seconded by Barth to approve the following bills totaling \$448,698.48. 5 ayes.

A & B Business Equip	Var. Depts	1,011.53	Accurint	Sheriff	30.00
Ahlers, Stacey	Musm Entpr	200.00	Allen, Ray	Sheriff	41.40
American Institution	Juv Det Cn	66.38	Anacon Leasing % Pio	Pub. D.	262.00
Andersen, Norma	Mental Ill	15.00	Anesthesiology Assoc	Human Svcs	760.00
Appeara / Dudley Lau	Hiway Cons	36.47	Argus Leader	Var. Depts	262.61
Arrington, Zigmond	Human Svcs	480.00	Automatic Building C	Juv Det Cn	395.00
Avera Gutnik & Assoc	Human Svcs	204.58	Avera Home Medical E	Human Svcs	289.38
Avera McGreevy Clini	Human Svcs	269.04	Avera McKennan Campu	Human Svcs	105.30
Avera McKennan Hospi	Var. Depts	23,113.34	Avera Medical Record	Pub. D.	51.00
Avera Pulmonary Asso	Human Svcs	410.99	Al Svc Inc/Laceys Ch	County Par	85.00
Babinski Properties	Human Svcs	435.00	Better Electric Co.,	Info Svcs	2,731.69
Billion	Sheriff	663.71	Bob Barker Company,	Correction	758.50
Bob's Lock & Key	Hiway Cons	19.55	Border States Electr	Facilities	457.18
Boyer Trucks Sioux F	Hiway Cons	435.00	Brentwood Apartments	Human Svcs	439.00
Brevik Law Office, P	Mental Ill	163.57	Brown & Saenger	Var. Depts	275.08
Brudigan, Suzanne M.	St Atty	230.00	Builders Supply Comp	Juv Det Cn	135.00
Bureau of Informatio	Var. Depts	245.00	Cain's View Estates,	Human Svcs	229.00
Campbell Supply Co.,	Var. Depts	116.39	CBM Food Service	Correction	16,332.68
Chapel Hill Funeral	Human Svcs	669.30	Charlotte Place/Beck	Human Svcs	880.00
City Centre Hotel Co	Var. Depts	200.83	City-Wide Taxi, Inc	Human Svcs	152.69
Cliff Avenue Auto Pa	Var. Depts	25.70	Clinton County Sheri	St Atty	18.88
Cole Papers, Inc.	Hiway Admi	409.08	Communication Servic	Var. Depts	11,556.75
Concrete Materials	Hiway Cons	149.72	Cooley, Carla F	Court Sys.	192.00
Cornerstone Energy,	Pettigrew	1,411.98	Dakota Fluid Power,	Hiway Cons	50.01
Dakota Splash	Hiway Admi	77.00	Dallas County Sherif	Correction	330.40
Daniels-Olsen Bldg P	Museum	338.39	Decisionone Corporat	Info Svcs	395.47
Degrata Tactical, In	Air Guard	429.20	Dell Rapids Ford, In	Sheriff	55.09
Dell-Comm, Inc.	Info Svcs	300.06	Dietrich, Donna K	Mental Ill	392.57
Dresbach, Steve	Mental Ill	2,340.00	DTN Corporation	Metro-911	642.00
Duffy, Michael	Human Svcs	575.00	Dust Tex Service, In	Var. Depts	15.81
Ecker, Dorothy	Human Svcs	410.00	Farm & Home Publishe	Auditor	367.75
First Premier Bank	Sheriff	105.62	Fred the Fixer, Inc.	Human Svcs	106.00
Fremont Industries,	Facilities	1,446.08	Gjoraas, Ronald M.	Mental Ill	176.00
Goebel Printing, Inc	Var. Depts	207.45	Golden West	Var. Depts	123.19
Graff, Richard	Human Svcs	180.00	Graham Tire Co. - Do	Sheriff	15.90
Grainger, Inc.	Pettigrew	52.50	Graybar Electric Com	Facilities	145.02
Gunner, Andrea	Court Sys.	23.00	Gustave A. Larson Co	Facilities	370.87
Guzman, Sandra V.	Court Sys.	462.48	HAI Inc DBA	Human Svcs	45.00
Hancock Fabrics, Inc	Museum	27.86	Harold's Photo Cente	Pub. D.	6.09
Heartland Paper Comp	Correction	2,570.99	Heaton, Eric	Human Svcs	340.00
Heirigs, Mary Ellen	Mental Ill	72.00	Help!Line Center, In	Sheriff	55.00
Hemmer, Charles	Hiway Admi	26.60	Hennepin County Sher	St Atty	38.40
High Point Networks,	Info Svcs	2,195.00	Hoekman, James	Sheriff	77.42
Hosmer, David M. Law	Mental Ill	101.89	Hy-Vee Food Store	Juv Det Cn	254.72

Hy-Vee Pharmacy	Human Svcs	311.97	I & P Inc/Brandon Ap	Human Svcs	200.00
Indenticard Systems	Correction	576.75	Insight Public Secto	Metro-911	551.99
Instant Technologies	Correction	640.97	Interstate Office Pr	Var. Depts	863.42
J.C. Penney Company,	Metro-911	49.99	Johnson, Ronald L	Hiway Admi	35.88
Kar Products, LLC	Metro-911	19.77	Kooistra, Nelva	Mental Ill	30.00
Koopman & Sons Gas C	Hiway Admi	312.90	Kpradith, Kyto	Court Sys.	366.63
Kriens Construction	Musm Entpr	7,113.00	Law Enforcement Targ	Emer Mgmt	217.59
LCM Pathologists, P.	Coroner	5,879.73	Lemus, Morena	Human Svcs	760.00
Lewis Drug Stores	Correction	13,941.15	Ludoc Enterprises, L	Sheriff	74.00
Lutheran Social Serv	Court Sys.	775.00	Matchan, Hope	St Atty	197.00
Mathison Company	Museum	451.20	Meadowbrook Apartmen	Human Svcs	350.00
Medical X-Ray Center	Human Svcs	426.56	Menards - East	Var. Depts	216.03
Michaelson, Shirley	Human Svcs	1,198.00	Midamerican Energy C	Var. Depts	8,119.33
Miller, Allan	Emer Mgmt	3,000.00	Minnehaha Cnty Pub D	Pub. D.	183.06
Minnehaha Cnty Sheri	Sheriff	44.46	Mobile Electronic Se	Sheriff	65.00
Monick Pipe & Supply	Facilities	39.36	Motorola, Inc.	Metro-911	18,186.90
Munk, Steven	Cnty Exten	27.89	Nacvso/Jim Goltart,	Human Svcs	250.00
Newark Electronics	Metro-911	87.48	Nguyen, Lam	Court Sys.	25.00
Niedringhaus, Paul	Sheriff	108.00	Northern Heights Dev	Human Svcs	575.00
Northland Chemical C	Juv Det Cn	565.43	Nyberg's Ace Hardwar	Court Sys.	125.55
Oballa, Ojulu A	Court Sys.	50.00	Office Depot, Inc.	Info Svcs	2,637.62
Olson Oil Co.	Sheriff	225.00	Olson, Matthew	Pub. D.	89.99
Olson's Pest Technic	Correction	55.00	Orthopedic Institute	Human Svcs	167.26
Palmer, Barbara	Mental Ill	1,710.00	Peska Construction,	Build Fund	13,800.00
Physicians Laborator	Human Svcs	293.81	Plastic Surgery Asso	Human Svcs	860.53
Plunkett's Pest Cont	Emer Mgmt	42.00	Prairiewave Communic	Human Svcs	78.57
Prescription Shop, I	Human Svcs	40.00	Prime Magazine	Museum	175.00
Provo, Tom	Human Svcs	860.00	Qualified Presort Se	Var. Depts	4,212.16
Quill	Pub. D.	62.76	Qwest	Var. Depts	525.09
Randall-Stanley Arch	Build Fund	1,705.00	Record Keepers, Inc.	Var. Depts	3,638.19
Rehfuss, Cathy A	Mental Ill	45.00	Ridgeview Apts., Ltd	Human Svcs	350.00
River Ridge Apartmen	Human Svcs	820.00	River Run Apts / Sio	Human Svcs	525.00
River Tower Apartmen	Human Svcs	727.00	Robson True Value	Emer Mgmt	43.95
Rural Metro Ambulanc	Coroner	200.00	Sanford Health Plan-	Human Svcs	581.96
Scheels All Sports	Metro-911	79.99	Schoeneman Bros. Co.	Museum	174.00
Schoolmeester, Julie	Pub. D.	39.04	SD Assn of County Of	Var. Depts	320.00
SD Continuing Legal	Var. Depts	450.00	SD Dept of Labor	Cnty Ins	394.82
SD Dept of Revenue	Var. Depts	95.59	SD Human Services Ce	Pub. D.	24.20
SD State Treasurer	Sales Tax	459.96	Sehr, Francis J/Sehr	Human Svcs	380.00
Shopko Pharmacy	Human Svcs	21.00	Sigler Fire Equipmen	Sheriff	57.00
Silchuk, Lyubov	Court Sys.	50.00	Sioux Empire Arts Co	Museum	50.00
Sioux Empire FCU / V	Info Svcs	578.43	Sioux Empire FCU / V	Sheriff	1,084.86
Sioux Empire FCU / V	Sheriff	475.95	Sioux Empire FCU / V	Correction	923.98
Sioux Empire FCU / V	Sheriff	995.33	Sioux Falls Ford, In	Sheriff	933.94
Sioux Falls School D	Var. Depts	120.50	Sioux Falls Two Way	Metro-911	302.55
Sioux Falls Utilitie	Human Svcs	292.75	Sioux Valley Energy	Var. Depts	178.33
Solomon, Ghirmay	Court Sys.	50.00	Stan Houston Equipme	Emer Mgmt	450.00
Storhaug, Adrean	Human Svcs	570.00	Streicher's	Sheriff	90.94
Strum, Steve A	Human Svcs	325.00	Sturdevant's Auto Pa	Hiway Cons	109.38
Styles, Harold	Human Svcs	350.00	Sutton, Thomas	Human Svcs	450.00
SV Hospital	Human Svcs	20,576.46	SV Phys Ptnr Sioux V	Human Svcs	690.37
Swift Contractors, I	Cap Proj	223,100.77	Tab Systems Inc	Facilities	250.00
Tammen Oil	Sheriff	77.50	TDS Auto Repair, Inc	Emer Mgmt	61.31
The Keg	Court Sys.	106.54	The Printers, Inc.	Human Res.	105.61
Thorin, Deyanira T.	Var. Depts	237.50	Tieszen, Stacey	Human Svcs	383.04
TMA of Sioux Falls R	Sheriff	14.28	Turner County Audito	Revenues	120.00
United Parcel Servic	Metro-911	12.61	Urology Institute, P	Human Svcs	566.98
Valley West Apartmen	Human Svcs	380.00	Vander Vliet, Rodney	Hiway Admi	45.48
Vantek Communication	Metro-911	57.00	Vaughn Bay Corp	Human Svcs	140.00
Velgersdyk, Dr. Scot	Human Svcs	94.04	Velvet Uniforms, Inc	Var. Depts	789.33
Verizon Wireless	Emer Mgmt	35.09	Viking Office Produc	Pub. D.	218.79
Vision Video, Inc.	St Atty	360.00	Vucurevich, Kent	Human Svcs	450.00
Wal-Mart Pharmacy	Human Svcs	29.62	Wal-Mart Pharmacy	Human Svcs	1,067.64
Wali, Khadija M.	Court Sys.	58.33	Wall Lake Sanitary D	Hiway Admi	105.00
West Group	Juv Det Cn	268.00	West Sioux Exhaust &	Juv Det Cn	189.50
Xcel Energy, Inc.	Var. Depts	2,331.64	Yankton County Sheri	Mental Ill	49.50

## REPORTS

The following reports were received and placed on file in the County Auditor's Office: Minnehaha County Human Services Report and the Minnehaha Regional Juvenile Detention Center Temporary Custody Directive Statistics for March 2007.

#### PERSONNEL

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

1. To accept the resignation of Victoria Fay as Correctional Officer II for the Sheriff's Office effective 4-5-07.
2. To accept the retirement of John Olson as Deputy Sheriff Sergeant for the Sheriff's Office effective 4-6-07.
3. To hire John Olson as Certified Civil Process Server (11/3) for the Sheriff Office at \$18.108 per hour effective 4-7-07.
4. To promote Terrance Tomes to Deputy Sheriff Sergeant (16/10) for the Sheriff's Office at \$26.377 per hour effective 4-7-07.
5. To discharge Ronda Lawrence as Correctional Officer for the Sheriff's Office effective 4-4-07.
6. To hire Richard Tupper as part-time Correctional Officer I (9/3) for the 24-7 program for the Sheriff's Office at \$16.166 per hour effective 4-10-07.
7. To accept the resignation of Timothy Rust and Kimberly Gartemaker as part-time, temporary Communications Operator for Metro Communications effective 4-5-07.

#### Step Increases Due:

1. Aaron Curry – Paralegal II – Public Advocate – 10/5 to 10/6, 4-13-07, \$18.186/hr
2. Joan Andrescik – Senior Records Specialist – Register of Deeds – 6/4 to 6/5, 3-27-07, \$13.790/hr
3. Krista Wixon – Correctional Officer II – Sheriff – 10/2 to 10/3, 4-8-07, \$17.137/hr
4. Marty Letexier – Deputy Sheriff – Sheriff – 12/7 to 12/9, 4-9-07, \$21.487/hr

#### Additional action:

To record volunteers in County Departments for March 2007. The list is on file in the Human Resources Department.

On April 3<sup>rd</sup>, Carey Deaver, Human Resources Director, briefed the Commission on two options for the Retirement Health Savings Plan because of concerns raised by the IRS, (1) mandatory participation or (2) discontinuation of the plan. MOTION by Twedt, seconded by Barth to discontinue the plan effective December 31, 2007. 5 ayes. Employees currently participating in the plan may continue at the same rate through the discontinuation date.

#### NOTICES

MOTION by Pekas, seconded by Kolbe to authorize the Auditor to publish Notice of Hearing on May 1st to consider a new application for a Retail On-Sale Liquor & Sunday Sales license and Retail On-Off Sale Malt Beverage License for Kyle & Jenny Goldammer/Ten-Pin Alley LLC. 5 ayes.

Notice was received that a disinterment and reinterment permit was issued by the SD Department of Health for the remains of Sonja Hillgren-Downs, Hills of Rest Memorial Park.

#### LIENS

Commissioner Pekas, County Aid Lien Liaison, briefed the Commission on a request to compromise DPNO 11966 by releasing the property only. The applicant was in the process of selling her home when the lien for attorney services provided to her adult son was noted by the title company. After the death of the applicant's husband, interest in the property was split between the applicant and her children (including the lienee). The lienee quit claimed his interest in the property back to the mother. By doing so, any liabilities on the property were also transferred to the grantee. MOTION by Pekas, seconded by Kolbe to approve Resolution MC07-18. 5 ayes.

#### RESOLUTION MC07-18

WHEREAS, a County Aid Lien in the amount of \$6,078.00 purports to exist in favor of Minnehaha County and against DPNO 11966 as Lienee, and

WHEREAS, an application has been filed 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 only in so far as the real property with no payment from the petitioner. Legal Description of real property: Tracts 1 & 2 Scollon's Addition W1/2 NW1/2 NW1/4 Section 21-101-48; Parcel A: The W 250' of the NW1/4 of Section 21-101-48 Except the NW Square Acre in the NW Quarter; Parcel B: The W1/2 of Lot 18 Block 2 of West Sioux Falls; and Parcel C: The W 168.01' of the E 336.02' of the S 259.29' SE1/4 SE1/4 Section 17-101-48.

Dated at Sioux Falls, South Dakota, this 10th day of April, 2007.

APPROVED BY THE COMMISSION:

Anne Hajek, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

Commissioner Pekas also briefed the Commission on a request to compromise DPNO 8096 in the amount of \$5,113.37. The applicant was in the process of purchasing a home when the lien was noted by the title company. This amount includes two filings from Yankton County totaling \$982.49. The applicant is requesting a release of the lien upon payment of \$2,500.00. MOTION by Pekas, seconded by Kolbe to compromise the lien upon payment of \$2,556.68. Information on whether Yankton County was contacted regarding the compromise was unknown. The motion and second were withdrawn. MOTION by Twedt, seconded by Pekas to defer consideration of this request for 1 week. 5 ayes.

CHANGE ORDER

Sue Roust, Auditor, presented Change Order 8 for the Siouxland Health & Human Services project. The change order includes fifteen minor add/delete items and has been reviewed by the Building Committee. MOTION by Twedt, seconded by Barth to authorize the Chairman to sign Change Order 8 to the general construction contract with Swift Contractors, Inc. for the Health & Human Services Project in the amount of \$9,908.66. 5 ayes. This change order will bring the new contract sum to \$6,928,415.68.

#### PROCLAMATION

Deb Berreth, Metro Communications Assistant Director, read a proclamation recognizing the week of April 8 – 14, 2007 as National Public Telecommunications Week in Minnehaha County. Several staff members in attendance were recognized. The center answered 313,000 calls in 2006. MOTION by Kolbe, seconded by Pekas to approve the Proclamation. 5 ayes.

#### BID

Ralph Hammer, Weed Supervisor, reported that bids were opened at 2:00 p.m., on April 9<sup>th</sup>, for the following weed chemicals: Item 1 - 100 gallons (more or less) of picloram 2lbs/gal; Item 2 - 30 gallons (more or less) of bromacil lithium salt; Item 3 - 5 gallons (more or less) of aminopyralid triisopropanolammonium salt; Item 4 – 150 Gallons (more or less) of non-ionic surfactant; and Item 5 – 180 pounds (more or less) dicamba sodium salt, diflufenzopyr sodium salt. The following bids were received (bidder/item 1 per gallon/item 2 per gallon/item 3 per gallon/item 4 per gallon/item 5 per pound): Wilbur-Ellis/\$80.25/\$63.00/\$279.50/\$14.50/\$37.25; United Agri Products (UAP) \$62.10/\$58.80/\$269.00/ \$8.60/\$34.55; VanDiest Supply Company/\$62.10/\$59.87/\$267.97/\$9.10/\$34.68; and Alenza/\$62.10/ \$61.05/\$295.00/\$7.10/\$38.90. Mr. Hammer requested that award of these items be deferred for 1 week to allow further review. MOTION by Barth, seconded by Kolbe to defer awarding the bid for weed chemicals for 1 week. 5 ayes.

#### PAYDATES

Pursuant to deferral on April 3<sup>rd</sup>, Sue Roust, Auditor, discussed the 27<sup>th</sup> pay date options with the Commission. She reported that paying the 27<sup>th</sup> check on 12/31/08 would result in a one-time increase of \$810,000 to the 2008 General Fund budget. Paying on 1/2/09 would result in a slightly higher cost if a COLA is approved for that year. Commissioners discussed using an unanticipated increase in the bank franchise revenue to cover the expense in 2008. MOTION by Pekas, seconded by Kolbe to adopt the 2008/2009 Pay Dates Schedule Option “B” paying the 27<sup>th</sup> pay date in 2008. 5 ayes.

#### BUDGET

Sheriff Sergeant Vicki Hicks thanked the Poet Company for their donation of 3 laptop computers to the DARE Program. She introduced Rod Pierson and Nathan Schock with the Poet Company. She also reported that the DARE Program has received a \$2,000 donation from Sencore and \$200 from Lewis Drug and requested that those amounts be supplemented into the Sheriff’s budget. MOTION by Pekas, seconded by Kolbe to supplement \$2,200 from the General Fund to the Sheriff’s budget (ASN 16576). 5 ayes.

Gordy Swanson, Chief Deputy State’s Attorney, reported that the 2007 budget allocates \$270,000 for the three rural ambulance service providers in Minnehaha County. The Commission also set a condition that the services work to establish an ambulance district in Minnehaha County to address funding needs prior to receiving the funding. The ambulance services have asked if this condition has been met and when they will receive their funding. Commissioner Pekas reported that the ambulance services have been working with the Rural Ambulance Task Force and he believes that the requirement had been fulfilled.

MOTION by Twedt, seconded by Barth to authorize disbursement of the first half of the funding in the amount of \$135,000 (\$45,000 each for Garretson, Humboldt, and Dell Rapids ambulance services). 5 ayes. The Rural Ambulance Task Force recommendation is forthcoming (May/June).

#### BID

Pursuant to deferral on April 3<sup>rd</sup> due to a tie-vote to re-let the bids for seven outdoor warning signals, the Commission again considered whether to reaffirm the bid to Danko Emergency Equipment/Federal Signal Corporation, waive the bid spec irregularities of ATI Systems (low bidder) and award the bid to them, or to re-let the bids. Gordy Swanson, Chief Deputy State's Attorney, listed factors in the bid specifications which could be considered for the award. Both companies failed a field testing requirement. He recommended waiving this specification as an irregularity. Danko/Federal did not meet the independent laboratory testing requirement by only providing internal testing results for the siren they bid. They did include an outside test result for a different siren model. ATI Systems had the following shortfalls from the bid specs: did not provide a 2-box system, decibel rating of 128 (not 130 plus or minus 1db), not UL Approved, not ISO 9001 certified, utilized a 2 battery backup source (4 required), and the siren mechanism was not a two motor system. Commissioners discussed the specifications and the information presented on March 20th. Commissioners Pekas and Twedt supported re-bidding as the responsible solution. Commissioner Barth noted that there were enough factors presented to move forward. MOTION by Kolbe, seconded by Barth to reaffirm the bid award for seven outdoor warning sirens to Danko Emergency Equipment/Federal Signal Corporation at a cost of \$11,691.88 per unit. 3 ayes, Pekas and Twedt – nay.

#### COMMITTEE

Commissioner Hajek announced that the Legislative Strategies Committee will hold its first meeting on April 13<sup>th</sup>.

#### OLD BUSINESS

Commissioners set the date to review Requests for Qualifications for the Construction Manager at Risk for the Courthouse Expansion Project as April 17<sup>th</sup> after the Commission Meeting. They will conduct interviews on May 1<sup>st</sup>.

MOTION by Barth, seconded by Kolbe to adjourn until 5:00 p.m. on Monday, April 16, 2007. 5 ayes.

#### APPROVED BY THE COMMISSION:

Anne Hajek, Chairman

#### ATTEST:

Sandy Kinder, Deputy Auditor