

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., July 10, 2007, pursuant to adjournment on July 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 Barth, seconded by Pekas to approve the Agenda. 5 ayes.

## MINUTES

MOTION by Twedt, seconded by Pekas to approve the Minutes for July 3, 2007. 5 ayes.

## VOUCHERS TO BE PAID

MOTION by Pekas, seconded by Barth to approve the following bills totaling \$184,864.72. 5 ayes.

A & B Business Equip	Var. Depts	175.73	Ad Enterprises	Emer Mgmt	225.00
Advertising Arts, In	Pettigrew	15.00	Am Capital Group LLC	Human Svcs	575.00
American Institution	Juv Det Cn	462.37	Anacon Leasing % Pio	Pub. D.	262.00
Arena Motel	Human Svcs	260.00	Argus Leader	Var. Depts	184.27
Atherton, David	Metro-911	199.00	Atwood, Michael/Bren	Human Svcs	200.00
Avera Home Medical E	Human Svcs	255.53	Avera McKennan Hospi	Var. Depts	3,081.44
Barth, Jeff	Comm.	38.48	Batteries Plus	Facilities	159.98
Belitz, Larry	Musm Store	75.00	Benson, Charles	Human Svcs	380.00
Braithwaite, Tacey E	Mental Ill	502.50	Brevik Law Office, P	Mental Ill	808.50
Brown & Saenger	Var. Depts	221.79	Buller, Henry/Buller	Var. Depts	550.00
Bureau of Informatio	Info Svcs	200.00	C & J Inc DBA	Museum Mtc	117.00
CBM Food Service	Juv Det Cn	7,960.59	Century Business Pro	Treasurer	82.34
Certified Folder Dis	Museum	382.36	Charlotte Place/Beck	Human Svcs	380.00
Chemco, Inc.	Var. Depts	90.39	Cinrod Property Mana	Human Svcs	275.00
Clayminn, LLC	Human Svcs	300.00	CM Information Speci	Pub. D.	31.40
Cobraserve National	Human Svcs	749.74	Communication Servic	Court Sys.	57.00
Cones Plaza, LLC	Human Svcs	30.00	Connecting Point	Info Svcs	1,050.00
Cornerstone Energy,	Pettigrew	294.01	Country View MHC	Human Svcs	485.00
Craftmaster Hardware	Juv Det Cn	188.81	Cunningham, Terry	Correction	75.00
Dakotabilities	Mental Hlt	1,853.50	Decisionone Corporat	Info Svcs	513.28
Denherder, Rosalie	Human Svcs	450.00	Dennis Supply Co. -	Facilities	132.55
Deyoung, Lynn	Emer Mgmt	197.00	Dietrich, Donna K	Mental Ill	910.26
Dresbach, Steve	Mental Ill	4,815.00	DTN Corporation	Metro-911	642.00
Duncan, Kara	Pub. D.	30.72	Ekeren, Marvin R.	Mental Ill	36.00
Electric Constructio	Musm Entpr	2,300.00	Empire Business Syst	Auditor	1,096.64
Empire Plastics	Museum	121.00	Eschenbaum, Kari	Pub. D.	191.68
Evans, Jerald L	Human Svcs	250.00	Evans, Preston	Sheriff	78.00
Farm & Home Publishe	Var. Depts	445.00	Farrell, Lorae J	Court Sys.	40.80
Federal Express Corp	Museum	5.52	Felton, John DBA	Human Svcs	625.00
Fox, Youngberg & Lew	Mental Ill	347.94	Frerichs, Franz	Human Svcs	480.00
G & R Controls	Facilities	203.75	Gayetaye, Daniel	Court Sys.	25.00
Geotek Engineering &	Build Fund	1,500.00	Goebel Printing, Inc	Treasurer	329.30
Great Plains Psychol	Court Sys.	7,145.00	Guzman, Sandra V.	Court Sys.	200.00
Haacke, Hattie V.	Human Svcs	480.00	HAJ Inc DBA	Human Svcs	310.68
Hanson Logowear	Juv Det Cn	96.65	Harr Development Co	Human Svcs	380.00
Heritage Apartments	Human Svcs	346.00	Hewlett-Packard Comp	Info Svcs	1,149.00
Holland, Robert M. D	Human Svcs	1,275.00	Hollinger Corporatio	Musm Store	21.35
Hoskins, William J	Musm Entpr	140.16	Hy-Vee Food Store	Juv Det Cn	11.84
Hy-Vee Pharmacy	Human Svcs	50.98	ICI Paints	Museum	26.80
Interstate Office Pr	Var. Depts	1,135.13	Janitor's Closet, Lt	Var. Depts	129.42
Jefferson Partners,	Human Svcs	1,407.78	Johnson, Allan R	Human Svcs	190.00
Johnstone Supply	Facilities	1,332.82	Kabeiseman & Pollard	Mental Ill	160.80
Kannan, Dr. Poongkod	Human Svcs	75.76	Kapp's Fire Services	Emer Mgmt	243.00
Kauffman, David W. P	Court Sys.	2,562.50	Kennedy, Rokahr, Pie	Mental Ill	175.10

Kmart	Human Svcs	39.97	Kohl's Department St	Juv Det Cn	55.98
Kooistra, Nelva	Mental Ill	111.00	Krump, Wayne	FEMA Fund	450.00
Language Line Servic	Court Sys.	29.15	Larson, Rick	Correction	75.00
Lawrence, Monica L	Musm Entpr	150.00	Learning Zone Expres	Cnty Exten	95.37
LKT Inc	Human Svcs	111.61	Lockwood Law Office,	Court Sys.	93.16
Mailway Printers	Museum	1,080.00	Maxwell Food Equipme	Juv Det Cn	32.40
McGowan-Hensley Law	Court Sys.	1,939.40	McNeil Janell	Human Res.	9.95
Meile-Rasmussen, Jac	Pub. D.	641.45	Menards - East	Var. Depts	417.48
Midamerican Energy C	Var. Depts	2,293.26	Midcontinent Communi	Info Svcs	55.00
Midwest Land Surveyi	County Par	400.00	Midwest Management/T	Human Svcs	960.00
Midwestern Mechanica	Pettigrew	236.52	Mielenz, Terri	Pub. D.	279.00
Miller, Allan	Emer Mgmt	3,197.00	Minnehaha Cnty Clerk	Juv Det Cn	100.00
Minnehaha Cnty Human	Human Svcs	127.00	Motorola, Inc.	Metro-911	2,769.00
Myron Corp	Metro-911	257.04	Newman, Scott G.	Human Svcs	375.00
Nguyen, Lam	Court Sys.	50.00	Northern Heights Dev	Human Svcs	480.00
Nyhaug, Adam	Museum	149.67	Office Depot, Inc.	Info Svcs	736.84
Officemax	Museum	29.95	Olson Painting/Reise	Museum Mtc	5,431.50
Palmer, Barbara	Mental Ill	945.00	PBC Sioux Falls, LLC	Human Svcs	349.75
Pearson Education	Emer Mgmt	1,650.00	Peters, Scott N, P.C	Mental Ill	1,844.80
Peterson, Mark	Human Svcs	380.00	Physicians Laborator	Correction	194.05
Prairiewave Communic	Human Svcs	77.68	Prime Magazine	Museum	175.00
Qwest	Info Svcs	101.91	R & L Supply, Ltd	Facilities	83.76
Rabuck, Steve/Nichol	Court Sys.	4,412.05	Randall-Stanley Arch	Build Fund	3,426.61
Record Keepers, Inc.	Court Sys.	4,959.10	Reh fuss, Cathy A	Mental Ill	75.00
Richmond Apartments,	Human Svcs	458.00	River Glen Place Apt	Human Svcs	480.00
Ronning Commercial,	Human Svcs	380.00	Salem, Calvin L	Human Svcs	380.00
SD Dept of Revenue	Var. Depts	309.31	SD Human Services Ce	Pub. D.	20.80
SD State Treasurer	Sales Tax	482.56	SDSU Agbio Communica	Cnty Exten	35.00
Seagull Software Sys	Info Svcs	5,760.00	Security Labs, Ltd	Var. Depts	540.00
Shopko Store	Juv Det Cn	12.18	Simons, Duane	Human Svcs	480.00
Sioux Empire Fair As	Recreation	10,417.00	Sioux Falls City Fin	Museum	50.00
Sioux Falls School D	Mus Grant	75.00	Sioux Falls Two Way	Metro-911	1,732.38
Sioux Falls Utilitie	Human Svcs	213.23	Sioux Valley Energy	Metro-911	23.00
Siouxland Oral & Max	Correction	45.48	Solomon, Ghirmay	Court Sys.	50.00
Sourcemedial	Build Fund	1,875.50	Southeast SD Tourism	Museum	175.00
Southeast Technical	Emer Mgmt	5,462.50	Southeastern Behavio	Mental Hlt	37,066.25
Sportsman's Warehous	Emer Mgmt	14.99	Story County Clerk o	St Atty	11.00
Stronghold Counselin	Court Sys.	695.00	Strum, Steve A	Human Svcs	325.00
SV Home Medical Equi	Human Svcs	218.30	SV Hospital Medical	Pub. D.	51.25
Swenson, Wayne K	Human Svcs	55.70	The Keg	Court Sys.	109.65
Thorin, Deyanira T.	Court Sys.	100.00	Thurman, Creighton A	Mental Ill	170.29
Timberland Village A	Human Svcs	409.00	Tomes, Terrance	Correction	75.00
Trane	Facilities	3,053.37	Travelhost of Sioux	Museum	153.00
Treats & Eats	Musm Entpr	75.00	Uecker Family Invest	Human Svcs	630.00
University Products,	Museum	327.51	US Bank-Corporate Tr	Build Fund	1,200.50
US Postmaster	Juv Det Cn	697.00	Vanroekel, Jennifer	Sheriff	66.00
Vaughn Bay Corp	Human Svcs	145.00	Velvet Uniforms, Inc	Var. Depts	210.72
Vik, Darrell	Museum	600.00	Wal-Mart Pharmacy	Human Svcs	648.76
Wallace, Matt	Musm Entpr	300.00	Washington Pavilion	Comm.	56.87
West Group	Var. Depts	365.00	Widlund, John W	Human Svcs	480.00
Wiegert, David	Human Svcs	780.00	Wilka & Ramstad	Court Sys.	1,313.05
Williamsburg Townhom	Human Svcs	816.00	Windsor Heights Apar	Human Svcs	480.00
Wipf, Ray	Human Svcs	380.00	Wright Line LLC	Metro-911	240.00
Xcel Energy, Inc.	Var. Depts	2,285.22	Yankton County Sheri	Mental Ill	132.00
Zuraff, Dianne	Human Svcs	375.00	21st Mortgage Corp	Human Svcs	317.00

## REPORT

The following report was received and placed on file in the County Auditor's Office: Minnehaha County Human Services Report for June, 2007.

## PERSONNEL

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

1. To convert Carla Dirkson to permanent PT Correctional Officer I – 24/7 program (9/3) with partial

benefits at \$16.166 per hour effective 7-2-07.

2. To hire Chad Robson as Custodian I (3/1) for the Facilities Department at \$9.559 per hour effective 7-10-07.
3. To hire Paul Harkness as Custodian I (3/1) for the Facilities Department at \$9.559 per hour effective 7-11-07.
4. To accept the resignation of Julie Schoolmeester as Paralegal I (8/3) for the Public Defender's Office effective 7-3-07.
5. To place Bonnie Dietrich, Accounting Specialist for the Auditor's Office, on leave without pay effective 6-21-07 thru 7-27-07.

Step Increases Due:

1. Kari Gackle – Legal Office Assistant I – State's Attorney – 6/2 to 6/3 – 7-10-07 - \$13.253/hr
2. Kimberly Muller – Legal Office Assistant I – State's Attorney – 6/3 to 6/4 – 7-11-07 - \$13.518/hr
3. Gordon Swanson – Chief Civil Deputy State's Attorney – State's Attorney – 24/9 to 24/10 - 7-9-07 - \$2,823.92/biweekly
4. Daniel Burns – Deputy Sheriff – Sheriff/Patrol – 12/3 to 12/4 – 7-12-07 - \$19.460/hr
5. Deborah O'Donnell – Office Assistant II – Human Services – 5/3 to 5/4 – 7-6-07 - \$12.528/hr

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

ABATEMENTS

The following abatements were recommended by Kyle Helseth, Deputy Director of Equalization:

MOTION by Barth, seconded by Twedt to approve the following abatement: City of Sioux Falls, 2006 property taxes, ID 40116 - \$108.09, ID 73293 - \$7,429.87, and ID 77774 - \$2,907.87. 5 ayes.

Commissioner Twedt left the meeting.

MOTION by Barth, seconded by Pekas to approve the following abatement: City of Sioux Falls, 2006 property taxes, ID 80793 - \$188.79. 4 ayes.

Commissioner Twedt returned.

NOTICE

Notice of intent to conduct a fund raising raffle on September 10th, was received from the Dell Rapids Chapter of Ducks Unlimited.

LIEN

Commissioner Pekas, County Aid Lien Liaison, briefed the Commission on a request to compromise

DPNO 55538 in the amount of \$1,600 by releasing the lien with no payment from the petitioner. The lien is for dental assistance. The petitioner indicated that she currently has limited Social Security income and does not have the ability to repay the lien. Commissioner Pekas noted that the lien was filed less than two years ago and no effort has been made to repay the debt. MOTION by Pekas, seconded by Barth to deny the request. 5 ayes.

#### SUPPLEMENT

MOTION by Twedt, seconded by Barth to approve the following supplements from the Emergency Management Fund to the Emergency Management budget as part of the Homeland Security Grant Program: \$10,331.00 (ASN 16926 – 2005 LETPP reallocation intelligence gathering equipment project), \$10,345.00 (ASN 16926 – 2005 EMT/LE training project), \$35,628.00 (ASN 16929 – 2006 personnel), \$311,994.78 (ASN 16929 – 2006 equipment), \$229,540.69 (ASN 16929 2006 LETPP), \$2,442.17 (ASN 16927 - 2006 Citizen Corp). 5 ayes.

#### AGREEMENTS

On July 3<sup>rd</sup>, the Commission voted to set the JDC per diem rate at \$200 per child per day for agencies and counties that are not members of the Regional Juvenile Detention Consortium. Todd Cheever, JDC Director, requested approval of an agreement with the SD Department of Corrections incorporating the rate increase effective July 1, 2007 through June 30, 2008. This is an increase from last year's rate of \$173.21 per day. MOTION by Pekas, seconded by Kolbe to authorize the Chairman to sign the State of SD Contract/Letter of Agreement for Services. 5 ayes.

Warden Tim Devlin presented a renewal contract for the state work release program with the SD Department of Corrections. The contract allows for the same daily rate as last year of \$28.00, however, due to a reduction in the number of state inmates eligible for the program, the total contract is not to exceed \$153,300 for a period of July 1, 2007 to June 30, 2008. This is a decrease from last year's total of \$715,400. MOTION by Pekas, seconded by Kolbe to authorize the Chairman to sign the State of SD Consultant Contract/Letter of Agreement for Consultant Services between the Minnehaha County Jail and the SD Department of Corrections. 5 ayes.

#### BRIEFING

Sheriff Lieutenant Bruce Swan briefed the Commission on the 24/7 Program detailing changes since its start in January, 2005. The program now allows participation from other agencies and charges the participants per test. Lt. Swan will provide quarterly reports in the future. Commissioner Pekas noted that the program benefits the county as well by eliminating services that would have been provided to the inmate if they were incarcerated at the county jail.

#### FAIR

Matt Adamski, Fair General Manager, proposed that Minnehaha County consider supplementing the Sioux Empire Fair budget in the amount of \$123,975 to allow them to apply for a liquor license. The County would then receive the funds back as the local authority for the liquor license. He explained that many protocols to accommodate liquor sales are already in place because they currently hold a malt beverage license. He also noted that sales would be determined by event and that they do not intend to operate as a bar and that one-day event licenses are not available through the county. Don South spoke on behalf of the SD Wine Growers Association in support of the request. Commissioner Twedt did not feel the notice period was sufficient and she did not support the county paying for a liquor license. Commissioner Pekas believed the request to be a legitimate funding solution. Sue Roust, Auditor, reported that the county currently has 3 liquor licenses available and could not predict if there would be a

demand for them. Commissioner Hajek looked at the request as a loan and supported repayment of the funds. MOTION by Kolbe, seconded by Pekas to authorize the Auditor to post Notice of Hearing on July 24<sup>th</sup> to consider a budget supplement to the Sioux Empire Fair budget and to publish Notice of Hearing on July 31<sup>st</sup> to consider the application for a new Retail On-Sale Liquor License for the Sioux Empire Fair Association. 3 ayes, Twedt and Hajek - nay.

#### TIF

At the request of Scott Anderson, Planning Director, MOTION by Twedt, seconded by Barth to approve Resolution MC07-37. 5 ayes. The legal description of TIF District No. 1 was reduced by this action.

RESOLUTION MC07-37  
A RESOLUTION AMENDING TAX INCREMENT DISTRICT NUMBER ONE  
MINNEHAHA COUNTY, SOUTH DAKOTA

WHEREAS the property within the following described District meets the qualifications and criteria set forth in SDCL 11-9; and,

WHEREAS the Commission of Minnehaha County, South Dakota finds that the aggregate assessed value of taxable property in this District does not exceed ten percent (10%) of the total assessed value of taxable property in Minnehaha County, South Dakota; and

WHEREAS the Commission finds that

1. Not less than twenty-five percent (25%) by area, of the real property within the district is a blighted area as defined in SDCL 11-9-9 through 11-9-11;
2. The improvement of the area is likely to significantly enhance the value of substantially all the other real property in the district;
3. That there is a reasonable likelihood that there will be, one or more businesses engaged in manufacturing or in the transportation, storage, processing or sale of agricultural products, located within the district; and,
4. That Tax Increment District Number One is feasible and in conformity with the comprehensive plan of Minnehaha County.

NOW THEREFORE, BE IT RESOLVED by Minnehaha County, South Dakota that the real property legally described as:

Government Lots 1 & 2 in the NE1/4 Section 34-T104N-R47W.; That portion of Government Lots 1 and 2 in the SE1/4 Section 34-T104N-R47W lying north and south of the railroad.; The SE1/4 SW1/4, and the S 587.34' of the NE1/4 SW1/4, and the S 587.34' E103.71' of the NW1/4 SW1/4, and the E103.71' SW1/4 SW1/4 (except Tract 1 Ramey Addition) all in Section 34-T104N-R47W of the 5<sup>th</sup> P.M. in Minnehaha County, SD.

Is hereby designated as Tax Increment District Number One, Minnehaha County, South Dakota, created on February 6, 2007 and amended on July 10, 2007.

Dated this 10<sup>th</sup> day of July 2007.

MINNEHAHA COUNTY COMMISSION

Anne Hajek, Chairperson

ATTEST:

Sandy Kinder, Deputy Auditor

A moment of silence was observed for Staff Sergeant Robb Roling who was killed in Iraq.

HEARING

Pat Herman, Planner, was present for the scheduled hearing to consider adoption of the 2006 International Building Code, 2006 International Residential Code, and 2006 International Existing Building Code and amendments and additions. Many agencies across the state have or are in the process of adopting the 2006 IBC, and the Home Builders Association of the Sioux Empire supported adoption. She also presented a resolution to increase building permit fees from a fee scale to a straight percentage based on value. Dick Sorum, county resident, asked about plumbing, heating, and electrical inspections in the county. Ms. Herman explained that the county performs footings, framing, and final inspection and that the state is responsible for electrical and plumbing. MOTION by Kolbe, seconded by Pekas to adopt Ordinance MC35-07. 5 ayes. The ordinance is on file in the Minnehaha County Auditor's Office. MOTION by Twedt, seconded by Pekas to approve Resolution MC07-38. 5 ayes.

RESOLUTION MC07-38

WHEREAS, Minnehaha County has adopted the 2006 Editions of the International Building Code, International Residential Code, and International Existing Building Code; and

WHEREAS, Section 108 of the International Building Code, and Section R108 of the International Residential Code require the County as governing authority to establish a permit fee schedule; and

WHEREAS, the permit fees are utilized by the County to administer the International Building Code, International Residential Code, and International Existing Building Code.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners establishes the following building permit fees for Minnehaha County:

RESIDENTIAL PERMITS GROUP R AND U OCCUPANCIES  
BUILDING PERMIT VALUATION/FEE SCHEDULE  
2006 INTERNATIONAL BUILDING CODE AND  
2006 INTERNATIONAL RESIDENTIAL CODE

The valuation to determine permit fees for residential buildings and additions are based on a dollar per square foot schedule per the following. The bid price must be quoted for renovation and remodeling work.

Dwellings - site built	
Finished habitable space	\$75 per square foot
Finished basements	\$50 per square foot
Unfinished space (basement)	\$30 per square foot
Attached garages	\$30 per square foot
Detached garages, accessory structures, & decks	\$25 per square foot
Dwellings - moved	
Finished habitable space	\$25 per square foot

Finished basements	\$50 per square foot
Unfinished space (basement)	\$30 per square foot
Attached garages (moved on)	\$20 per square foot
Detached garages & accessory structures (moved on)	\$10 per square foot
<b>Manufactured and Mobile Homes</b>	
Finished habitable space	\$30 per square foot
Finished basements	\$50 per square foot
Unfinished space (basement and upper level)	\$30 per square foot
Foundation (no basement)	\$10 per square foot
Attached garages	\$30 per square foot
Detached garages	\$25 per square foot
<b>Agricultural Structures</b>	\$20 per square foot

Approved this 10 day of July, 2007.

**MINNEHAHA COUNTY**

Anne Hajek, Chair, Board of County Commissioners

ATTEST:

Sandy Kinder, Deputy Auditor

**OLD BUSINESS**

Commissioner Twedt discussed the next budget hearing, proposed cuts, and asked when the request to support the State's Attorney on a change to Class B retirement would be discussed. Ken McFarland, Administrative Assistant, reported that his office is working at identifying ASNs for potential budget cuts and that the retirement issue will be on the agenda next week.

**NEW BUSINESS**

Hugh Grogan, Human Services Director, introduced Kari Benz, new Human Services Assistant Director.

MOTION by Pekas, seconded by Barth to adjourn into Executive Session for pending litigation, contract negotiation, and personnel discussions. 5 ayes. Following Executive Session, the Commission adjourned until 5:00 p.m. on Monday, July 16, 2007.

**APPROVED BY THE COMMISSION:**

Anne Hajek, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor