

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., February 19, 2008, pursuant to adjournment on February 12, 2008. Commissioners present were: Twedt, Barth, Hajek, and Pekas. Commissioner Kolbe was absent. Also present were Sandy Kinder, Deputy Auditor, and Gordy Swanson, Chief Civil Deputy State's Attorney.

Chairman Twedt called the meeting to order.

## AGENDA

MOTION by Pekas, seconded by Hajek to approve the agenda. 4 ayes.

## MINUTES

MOTION by Hajek, seconded by Barth to approve the Minutes for February 12, 2008. 4 ayes.

## VOUCHERS TO BE PAID

MOTION by Pekas, seconded by Hajek to approve the following bills totaling \$1,267,061.05. 4 ayes.

A & B Business Equip	Var. Depts	770.51	A to Z World Languag	Var. Depts	300.00
Adams, Robert V	Human Svcs	751.62	Advance Auto Parts	Sheriff	83.98
American Institution	Juv Det Cn	1,049.54	Amicho, Julius	Court Sys.	75.00
Anacon Leasing, Inc.	Pub. D.	329.00	Anderson, Carol	Human Svcs	600.00
Architecture, Inc.	Cap Proj	8,722.38	Arena Motel	Human Svcs	655.00
Argus Leader	Var. Depts	4,573.45	Avera McKennan Hospi	Var. Depts	23,843.72
Avera Queen of Peace	Hiway Admi	126.00	Al Svc Inc/Laceys Ch	Hiway Cons	180.00
Bauer, Daryl L	Human Svcs	380.00	Best Business Produc	Reg Deeds	39.00
Bill's Snow	Human Svcs	37.00	Bob Barker Company,	Correction	1,442.53
Boomgarden, Harm	Human Svcs	575.00	Bosman, Joseph	Sheriff	197.00
Boyer Trucks Sioux F	Hiway Cons	25,979.00	Braithwaite, Tacey E	Mental Ill	337.50
Brevik Law Office, P	Mental Ill	361.48	Brown & Saenger	Treasurer	207.36
Brule County Sheriff	St Atty	43.44	Bureau of Informatio	Var. Depts	1,072.28
Burma, James J.	Human Svcs	380.00	Campbell Supply Co I	Var. Depts	99.53
Cases by Source Inc	Musm Entpr	1,445.50	Catco	Hiway Cons	23.34
CBM Food Service	Correction	27,081.40	Century Business Pro	Var. Depts	125.93
Chemco, Inc.	Var. Depts	6,862.56	City Centre Hotel Co	Court Sys.	156.11
Clearview Windshield	Sheriff	345.00	Com-Tec Security, LL	Correction	14,211.96
Construction Product	Hiway Cons	30.00	Cook County IL Clerk	Pub. Adv.	18.00
Crescent Electric Su	Var. Depts	277.94	Culligan Water Condi	Human Svcs	35.00
Dakota Costume & Tha	Musm Entpr	350.00	Dakota Data Shred	Facilities	40.59
Dakota Fluid Power,	Hiway Cons	552.93	Daniels-Olsen Bldg P	Var. Depts	303.29
Devries, Kurt	Human Svcs	380.00	Dietrich, Donna K	Mental Ill	1,105.78
Eastern Farmers Coop	Human Svcs	389.60	Ebert's Properties,	Human Svcs	1,095.00
Eggebraaten, Glen	Human Svcs	380.00	Emdeon Business Serv	Human Svcs	41.30
Exide Technologies	Hiway Cons	62.93	Falls Terrace Apartm	Human Svcs	575.00
Family Drug	Human Svcs	1,387.60	Farnsworth, Michael	Pub. D.	6,600.00
Fastenal Company	Hiway Cons	35.63	First Premier Bank	Sheriff	126.26
Flexible Arms Ltd	Facilities	308.11	Fox, Youngberg & Lew	Mental Ill	188.32
Fremont Industries,	Hiway Admi	145.07	G & R Controls	Juv Det Cn	99.15
Gearman, Jason	Mental Ill	249.29	Genzlinger, Janeen	Court Sys.	174.80
Glazier, David Alan	Human Svcs	380.00	Glock, Inc	Emer Mgmt	71.00
Glory House	Social Ser	2,640.00	Grainger, Inc.	Var. Depts	420.65
Grapevine, Dan	Hiway Cons	12.58	Great America Leasin	Cnty Exten	278.00
Great Plains Psychol	Court Sys.	140.00	Gunner, Andrea	Court Sys.	30.40
Guzman, Sandra V.	Var. Depts	266.66	Harold's Photo Cente	Pub. D.	27.27
Heartland Paper Comp	Correction	899.70	Henry Carlson Compan	Cap Proj	849,198.00
Hob-Lob Ltd	Museum	6.93	Horn, Garrett	Mental Ill	190.00
Huffer, Douglas A	Hiway Cons	6.50	Hughes County Sherif	St Atty	28.60
Hurtgen, Timothy T.	Human Svcs	380.00	Husman, Larry/Vicki	Human Svcs	480.00
Hutchinson County Sh	St Atty	30.64	Hy-Vee Food Store	Cnty Exten	7.39
ICI Paints	Pettigrew	13.94	Interstate Office Pr	Var. Depts	1,168.44
Intoximeters, Inc.	Donation	2,000.00	J.C. Penney Company,	Juv Det Cn	89.97

Jefferson Partners,	Var. Depts	2,719.74	Jim & Ron's Service,	Correction	32.50
Jim Hawk Truck Trail	Hiway Cons	102.19	Johnson Controls, In	Pettigrew	841.53
Johnston, Roger	Human Svcs	475.00	Kabeiseman & Pollard	Mental Ill	332.00
Kennedy, Renee S.	Court Sys.	349.60	Kennedy, Rokahr, Pie	Mental Ill	169.18
Kiesz, Lyle	Human Svcs	250.00	Kleen Solutions, Inc	Correction	455.61
Koch, Elizabeth	Human Svcs	380.00	Kone, Inc.	Pettigrew	892.25
Kooistra, Nelva	Mental Ill	120.00	Kramer, Sharon (Shay	Human Svcs	350.00
Kreislers, Inc.	Comm.	75.00	Kuchenreuther, Derek	Sheriff	197.00
Kuhle, Donald	Human Svcs	575.00	Language Line Servic	Court Sys.	193.45
Lason Systems, Inc.	Reg Deeds	316.05	Lassegaard, Samuel C	Human Svcs	570.00
Lawn & Garden Show	Hiway Admi	90.00	Lewis & Clark BHS	Mental Ill	2,210.00
Lewis Drug Stores	Var. Depts	6,635.31	Lexis-Nexis / Reed E	Var. Depts	269.00
Lickide-Split Car Cl	Var. Depts	300.00	Linn County IA Sheri	St Atty	35.00
Linweld, Inc.	Facilities	14.70	Mac's, Inc.	Hiway Cons	8.57
Malmgren, Kim	Human Svcs	380.00	Manatron, Inc.	Dir. Eq.	5,961.09
Marbett Enterprises,	Museum	150.00	Maricopa County Sher	St Atty	168.00
Marion Manor / Pine	Human Svcs	195.00	Martin, Greg E DBA	Hiway Cons	125.00
Mathison Company	Hiway Cons	106.88	Maxwell Food Equipme	Var. Depts	2,329.58
Medical X-Ray Center	Human Svcs	199.34	Menards - East	Var. Depts	140.74
Metro Communications	Var. Depts	204.70	Microfilm Imaging Sy	Reg Deeds	75.00
Midwest Oil Company,	Hiway Cons	232.77	Midwestern Mechanica	Var. Depts	270.00
Mielenz, Terri	Pub. D.	162.00	Mikelson, Gary E.	Mental Ill	161.64
Mills & Miller, Inc.	Hiway Cons	1,161.97	Minnehaha Cnty Human	Human Svcs	122.00
Mohr, Bryan	Mental Ill	159.08	Murray Construction	Human Svcs	617.00
NASW-SD	Human Svcs	150.00	Nebraska Dept. of Mo	St Atty	3.00
New World Systems	Emer Mgmt	24,938.00	Norment Security Gro	Correction	168.06
North Ridge Apartmen	Human Svcs	480.00	Oakland County Sheri	St Atty	38.00
Officemax	Var. Depts	90.23	Oliver Excavating In	Facilities	1,957.50
Palmer, Barbara	Mental Ill	3,397.50	Park Ridge Shoes & S	Museum	18.00
PBC Sioux Falls, LLC	Human Svcs	557.95	Peters, Scott N, P.C	Mental Ill	5,185.92
Pheasantland Industr	Var. Depts	2,228.33	Portable Computer Sy	Emer Mgmt	57,589.00
Precision Dynamics C	Juv Det Cn	137.65	Presto-X-Company	Juv Det Cn	72.00
Qualified Resort Se	Dir. Eq.	11,400.00	Qwest	Var. Depts	301.55
Ramsey Partners II L	Human Svcs	380.00	Rashid, Mustafa	Pub. D.	25.00
Record Keepers, Inc.	Court Sys.	4,086.82	Refinish Supply Cent	Hiway Cons	223.83
Rehfuss, Cathy A	Mental Ill	120.00	Reliance Communicati	Emer Mgmt	3,110.00
Richard-Ewing Equipm	Juv Det Cn	110.30	River Ridge Oral & M	Human Svcs	33.60
Sanford Hospital - R	Human Svcs	480.00	Sayre Associates, In	Cap Proj	15,500.00
SD Human Services Ce	Mental Ill	400.00	SD Risk Pool	Human Svcs	1,303.92
Security Labs, Ltd	Treasurer	614.00	Servall Towel & Line	Var. Depts	187.51
Shopko Pharmacy	Human Svcs	206.19	Shopko Store	Juv Det Cn	145.36
Sig Sauer Inc	Var. Depts	20,624.00	Sioux Empire FCU	Hiway Cons	38.33
Sioux Falls City Fin	Gen Fund B	23,562.03	Sioux Falls City Fin	Var. Depts	992.02
Sioux Falls Rubber S	Pub. D.	37.00	Sioux Falls Utilitie	Emer Mgmt	39.34
Sioux Valley Energy	Human Svcs	211.00	Slowey, Yavonne C	Mental Ill	440.00
Solomon, Ghirmay	Court Sys.	50.00	Spectra Associates I	Reg Deeds	53.60
Staab, Matthew G.	Human Svcs	400.00	Stern Oil Co., Inc.	Hiway Cons	18,989.28
Sunshine Foods	Human Svcs	74.53	Sunshine Foods	Human Svcs	68.89
Supercircuits, Inc.	Emer Mgmt	3,023.88	Thorin, Deyanira T.	Var. Depts	166.66
Tires,Tires,Tires In	Sheriff	85.56	TK Properties LLC	Human Svcs	662.00
Total Filtration Ser	Facilities	326.16	Trane	Facilities	637.27
Tri-Tech, Inc.	St Atty	3,575.00	Ultramax	Var. Depts	5,800.00
Unitech, Inc/United	Dir. Eq.	59.90	Urban, Travis	Hiway Cons	44.98
US Postal Service	Cnty Exten	46.38	Valley Rental Servic	Human Svcs	414.00
Vandenbos, Dallas	Human Svcs	371.00	Verizon Wireless	Var. Depts	4,117.30
Vision Care Associat	Human Svcs	231.56	Voigt, Debra	Court Sys.	732.00
Volunteers of Americ	Juv Det Cn	2,511.25	Wal-Mart Pharmacy	Human Svcs	614.05
Walden Carpets, Inc.	Museum Mtc	1,096.50	Walgreen Co.	Human Svcs	902.78
West Group	Var. Depts	4,448.17	Xcel Energy, Inc.	Var. Depts	4,052.76
Yankton County Sheri	Mental Ill	175.00	Yankton County Treas	Mental Ill	2,056.40
Zabel Steel Co.	Hiway Cons	61.65	Zandt, James R	Human Svcs	450.00
Zee Medical Service	Hiway Admi	117.75			

## PERSONNEL

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

1. To hire Robert Irvine as part-time Air Guard Security Officer II (10/3) for the Air Guard at \$17.822 per hour effective 2-4-08.
2. To hire Mark Thorstenson as temporary, part-time Project Specialist for the Sheriff's Office at \$15.00 per hour effective 2-4-08.
3. To promote Tracie Groen to Correctional Officer II (10/2) for the Jail at \$17.136 per hour effective 1-12-08.
4. To hire Corey Pechous as Highway Maintenance Worker (8/1) for the Highway Department at \$14.610 per hour effective 2-25-08.
5. To increase the hourly rate of Melissa Godber, part-time Museum Aide for the Museum, to \$9.25 per hour effective 2-16-08.
6. To hire Gene Nelson as Appraiser I (7/3) for the Equalization Department at \$14.793 per hour effective 2-19-08.

Step Increases Due:

1. Arthur Borden – Tax/License Specialist – Treasurer – 4/4 to 4/5, 2-8-08, \$12.240/hr
2. Jeffrey Gromer – Deputy Sheriff Sergeant – Sheriff – 16/7 to 16/9, 1-18-08, \$26.893/hr
3. Craig Olson – Deputy Sheriff – Sheriff – 12/5 to 12/6, 1-27-08, \$21.058/hr
4. Kendal Bock – Correctional Officer II – Jail – 10/5 to 10/6, 1-17-08, \$18.913/hr
5. Ryan Connor – Correctional Officer I – Jail – 9/2 to 9/3, 2-10-08, \$16.813/hr
6. Justin Duchene – Correctional Officer II – Jail – 10/5 to 10/6, 1-27-08, \$18.913/hr
7. Scott Hacking – Correctional Officer II – Jail – 10/9 to 10/10, 1-8-08, \$20.472/hr
8. John Homan – Correctional Officer II – Jail – 10/6 to 10/7, 1-27-08, \$19.291/hr
9. Christopher Leshovsky – Correctional Officer II – Jail – 10/4 to 10/5, 2-7-08, \$18.541/hr
10. Beverley Skyberg – Court Records Officer – Jail – 10/3 to 10/4, 1-3-08, \$18.179/hr
11. Neville Smith – Correctional Officer I – Jail – 9/2 to 9/3, 1-30-08, \$16.813/hr
12. Ethan Palluck – Correctional Officer II – Jail – 10/5 to 10/6, 2-25-08, \$18.913/hr
13. Kurt Schaunaman – Correctional Officer I – Jail – 9/1 to 9/2, 1-13-08, \$16.167/hr
14. Julie Tighe – Correctional Officer II – Jail – 10/6 to 10/7, 1-3-08, \$19.291/hr
15. Jason Ingemansen – Air Guard Security Officer II – Air Guard – 10/7 to 10/8, 12-21-07, \$19.677/hr

Additional action:

To record volunteers in County Departments for January 2008. The list is on file in Human Resources.

MOTION by Barth, seconded by Pekas to authorize a two year Deputy Sheriff position funded by a grant through the Department of Justice. 4 ayes.

The following employee anniversaries were recognized: Patricia Kroupa, Human Services, 25 years and Jeffrey LeMair, JDC, 30 years.

#### ABATEMENTS

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

MOTION by Pekas, seconded by Barth to approve the following abatement: City of Sioux Falls, 2007 property taxes, ID 77104 - \$5,055.84, & ID 75560 - \$160.58. 4 ayes.

MOTION by Barth, seconded by Hajek to approve the following abatement: City of Sioux Falls, 2007 property taxes, ID 32329 - \$2,869.51, ID 43008 - \$4,181.08, & ID 73283 - \$1,844.50. 4 ayes.

MOTION by Hajek, seconded by Pekas to approve the following abatement: Carey Pickner, 2006 property taxes, ID 72926 - \$767.59. 4 ayes.

MOTION by Barth, seconded by Hajek to approve the following abatement: LAL Inc., 2007 property taxes, ID 11378 - \$2,879.75. 4 ayes.

#### NOTICE

Notice was received from Big Sioux Ducks Unlimited on their intent to conduct a fund raising raffle on April 12, 2008.

Notice was received of the East Dakota Water Development District Board Meeting on February 21, 2008.

#### LIENS

Commissioner Pekas briefed the Commission on a request to compromise DPNO 52424 in the amount of \$11,411.90. The applicant was in the process of purchasing a home when the lien was noted by a title company. The lien was for medical services provided to the applicant when she was 18 years old and without health insurance. She is now an employed single parent and is offering her full tax refund to compromise the lien. MOTION by Pekas, seconded by Hajek to approve Resolution MC08-07. 4 ayes.

#### RESOLUTION MC08-07

WHEREAS, a County Aid Lien in the amount of \$11,411.90 purports to exist in favor of Minnehaha County and against DPNO 52424 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:

Compromise and release the lien upon payment of \$4,300.00. If payment is not made within one year from approval, this agreement is null and void.

Dated at Sioux Falls, South Dakota, this 19th day of February, 2008.

APPROVED BY THE COMMISSION:  
Carol Twedt, Chairman

ATTEST:  
Sandy Kinder, Deputy Auditor

Commissioner Pekas also briefed the Commission on a request to compromise DPNOs 44537, 51967, 32429, & 29847 totaling \$12,868.01. The liens are for services provided to the applicant, his wife, and her ex-husband. The liens were noted during a title search. The applicants have made payments totaling \$375 and were unaware that the liens would hinder their attempt to purchase their first home. MOTION by Pekas, seconded by Hajek to approve Resolution MC08-08. 4 ayes.

RESOLUTION MC08-08

WHEREAS, County Aid Lien(s) totaling \$12,868.01 purports to exist in favor of Minnehaha County and against DPNO(s) 44537 (\$11,702.46), 51967 (\$27.60), 32429 (\$568.45), and 29847 (\$569.50), 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:

Compromise and release DPNO(s) 44537, 51967, and 32429 in full and release the applicant (ex-wife) only from DPNO 29847 upon payment of \$1,300.00. DPNO 29847 in the amount of \$569.50 to remain filed under the name of the ex-husband only. If payment is not made within one year from approval, this agreement is null and void.

Dated at Sioux Falls, South Dakota, this 19th day of February, 2008.

APPROVED BY THE COMMISSION:  
Carol Twedt, Chairman

ATTEST:  
Sandy Kinder, Deputy Auditor

On November 20, 2007, the Commission approved a resolution releasing a lien from a property in order to complete the transfer of the property from the lienee's ex-husband to their son. The attorney representing the property owner was notified by the title company that the full legal description of the property was not included in the original resolution. MOTION by Pekas, seconded by Hajek to approve Resolution MC08-09. 4 ayes.

## RESOLUTION MC08-09

WHEREAS, the Minnehaha County Commission adopted Resolution MC07-70 on November 27, 2007, which released DPNO 56399 in full against the real property upon payment of \$2,000, and

WHEREAS, all of the legal descriptions involved in the petitioner's transaction were not included in Resolution MC07-70,

NOW, THEREFORE, BE IT RESOLVED that after due consideration of the circumstances the Board of County Commissioners finds it advisable and proper to approve the amended legal description for Minnehaha County Resolution MC07-70:

Parcel A: N1/2 SE1/4 (Ex Tr 1) & Tr 3 SE1/4 Section 18-103-49; and the SW1/4 SE1/4 of Section 19-T103N-R49W

Parcel B: Tract 18 of the SW1/4 Section 17-T103N-R49W

Parcel C: Tract 4 of the SE1/4 Section 18-T103N-R49W

Dated at Sioux Falls, South Dakota, this 19th day of February, 2008.

## APPROVED BY THE COMMISSION:

Carol Twedt, Chairman

## ATTEST:

Sandy Kinder, Deputy Auditor

## PRESENTATIONS

Bob and Ross Winkels with The Winkels Group presented the Space Needs Analysis for Minnehaha County. The study involved 18 departments with the exception of Sheriff, Human Services, and Public Defender. Bob Winkels detailed the summary of existing space, needed space, and 3 to 5 year needs. He explained that each department was interviewed on current use, staffing, public traffic, long and short term storage, and frequency of interaction with other county and city departments. The study offered various alternatives to building which included utilizing leased areas and relocating storage areas and/or departments to another building in order to resolve/temporarily resolve the space needs issue. Commissioners discussed the feasibility of co-locating with city departments to provide better public access. Commissioners will continue to look at short and long-range planning for space needs.

Sally Felix, Siouxland Libraries Director, gave a presentation on the rural library system and the expansion of the main branch. In 2010, the rural libraries will celebrate 50 years of service.

## TRANSFER

MOTION by Hajek, seconded by Pekas to authorize an interfund transfer from the General Fund to the Emergency Management Fund (\$207,942) in accordance with the 2008 budget. 4 ayes.

## SURPLUS

MOTION by Hajek, seconded by Barth to declare one Exide Uninterruptable Power Supply, IT, asset

#40790, value zero, as surplus for disposal effective 12/31/07. 4 ayes.

#### JAIL

Jail Warden Tim Devlin presented a Memorandum of Understanding with Volunteers of America, Dakotas Floyd Career Learning Center for the continuation of the Inmate GED Program. The program is funded through pop sales at the Jail and Public Safety Building. The MOU will remain in effect until 6/30/09. MOTION by Hajek, seconded by Barth to authorize the Chairman to sign the MOU. 4 ayes.

Warden Devlin also presented an amendment to the inmate food service contract with CBM. The amendment raises the per meal price 4.4% from 94¢ to 98¢ effective 7/1/08 to 6/30/09. MOTION by Pekas, seconded by Hajek to authorize the Chairman to sign the amendment. 4 ayes.

#### ADDENDUM

David Atherton, Metro Communications Director, requested approval of an addendum to the lease agreement for office space for Metro Communications. The addendum adds 96 square feet of office space to the existing 4200sf lease for a total of 4296sf at a rate of \$11 per square foot. The addendum was approved by Metro Management Council. MOTION by Pekas, seconded by Barth to authorize the Chairman to sign the addendum. 4 ayes.

#### SURPLUS

On 2/12/08, a request to donate surplus to the Court Appointed Special Advocate office failed to pass unanimously due to the request being out of sequence with the annual surplus action. Ken McFarland, Administrative Assistant, reported that CASA is now offering to purchase the surplus furniture for \$100. MOTION by Hajek, seconded by Pekas to authorize declare 2 desks, 1 four-drawer file cabinet, 1 two-drawer file cabinet, and 1 desk chair as surplus for sale for \$100 to CASA. 4 ayes.

#### UPDATE

Ken McFarland, Administrative Assistant, briefed the Commission on proposed legislation affecting county government.

#### OLD BUSINESS

Commissioner Barth reported that a information is being distributed by an unknown source opposing a proposed measure to enact a per drink alcohol tax. The flyer contains inaccurate/inappropriate contact information for commissioners and does not contain a disclaimer.

Commissioner Barth commented on the need for more security during meetings in light of other recent tragic events happening across the nation.

Commissioner Pekas reported that he has received calls regarding accessibility issues due to snow and reminded those in the community to make sure snow is cleared from handicap parking stalls appropriately.

MOTION by Hajek, seconded by Barth to adjourn into Executive Session for consultation with counsel on a contract issue. 4 ayes. Following Executive Session, the Commission adjourned until 5:00 p.m.

APPROVED BY THE COMMISSION:

2/19/08

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Carol Twedt, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor