

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., March 18, 2008, pursuant to adjournment on March 11, 2008. Commissioners present were: Twedt, Kolbe, Barth, Hajek, and Pekas. 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 Hajek, seconded by Kolbe to approve the agenda. 5 ayes.

#### MINUTES

MOTION by Hajek, seconded by Kolbe to approve the Minutes for March 11, 2008. 5 ayes.

#### VOUCHERS TO BE PAID

MOTION by Kolbe, seconded by Pekas to approve the following bills totaling \$256,838.39. 5 ayes.

A & B Business Equip	Var. Depts	1,324.61	A to Z World Languag	Human Svcs	150.00
AAA Travel Agency	Hiway Admi	375.50	Accurint	Sheriff	31.35
Adams, Jason	Court Sys.	63.00	American Planning As	Plan & Zon	330.00
Anderson, Scott A.	Plan & Zon	197.00	Arena Motel	Human Svcs	1,780.00
Argus Leader	Var. Depts	1,657.76	Athey, Kristine M D	Pub. D.	190.80
Avera McKennan Hospi	Var. Depts	15,154.08	Avera Medical Record	Pub. D.	74.10
Baha Apartments	Human Svcs	285.00	Barth, Jeff	Comm.	52.40
Baumgartner's Electr	Info Tech.	485.00	Bechtel, Dave	Human Svcs	380.00
Beck Motor, Inc.	Dir. Eq.	14,984.00	Best Business Produc	Emer Mgmt	4,395.00
Best Buy Gov/Ed Llc	Museum	579.00	Bethke, Jeanne	Human Svcs	480.00
Bob Barker Company,	Correction	118.77	Border States Electr	Facilities	158.48
Boulevard Investment	Human Svcs	630.00	Brookings County Tre	Comm.	8.00
Brown & Saenger	Var. Depts	222.29	Bugg, William	Human Svcs	375.00
Builders Supply Comp	Facilities	484.15	Bureau of Informatio	Var. Depts	1,228.50
Burnette, Cleota Rae	Human Svcs	235.71	Byre, Elton W	Human Svcs	455.00
Case, Chuck	Mus Grant	200.00	Cbcinnovis, Inc.	Sheriff	85.80
Cedar Shore	Juv Det Cn	149.90	Century Business Pro	Treasurer	64.14
Chemco, Inc.	Var. Depts	5,519.55	Clayminn, Llc	Human Svcs	340.00
Cliff Avenue Auto Pa	Hiway Cons	70.91	CM Information Spec/	Pub. D.	61.34
Collision Forensic S	Sheriff	2,994.95	Common - A Users Gro	Info Tech.	4,185.00
Compass Tools Inc	Emer Mgmt	4,467.12	Connecting Point	Var. Depts	1,482.27
Constellation New En	Facilities	35,476.79	Construction Product	Hiway Cons	6.91
Country View MHC	Human Svcs	270.00	Crescent Electric Su	Facilities	410.78
Crooks Municipal Gas	Human Svcs	365.31	Culligan Water Condi	Human Svcs	35.00
Dakota Auto Parts	Hiway Cons	634.82	Dakota Data Shred	Var. Depts	205.98
Dakota Security Syst	Emer Mgmt	877.19	Dan Grigg Images, In	Musm Store	1,154.58
Danko Emergency Equi	Emer Mgmt	100.97	Davies, Boone T	Human Svcs	380.00
Decisionone Corporat	Info Tech.	395.47	Dell Rapids Chevrole	Sheriff	80.00
Dennis Supply Co. -	Facilities	72.89	Der Hagopian, Jack	Court Sys.	249.21
Dialnet/Ahrens Telec	Facilities	71.43	Dooyema, Eric J	Pub. D.	168.63
Dressler, Michael G	Human Svcs	350.00	Ebert's Properties,	Human Svcs	1,960.00
Election Systems & S	Elec Audit	2,294.00	Elite Business Syste	Human Svcs	270.00
Emdeon Business Serv	Human Svcs	40.50	Engbrecht, Roger	Human Svcs	380.00
Evans, Henry K.	Court Sys.	3,148.00	Family Service, Inc.	Human Res.	1,320.00
Farland, Lawrence A	Human Svcs	380.00	First Premier Bank	Sheriff	58.26
Fods, Randy	Hiway Cons	199.00	Fred The Fixer, Inc.	Museum Mtc	67.50
Fritza, Jan	Pub. Adv.	586.50	G & R Controls	Facilities	1,060.95
Galland Legal Clinic	Court Sys.	40.00	Garfield Apts Ltd Pt	Human Svcs	545.00
General Dentistry, L	Human Svcs	74.72	Genzlinger, Janeen	Court Sys.	317.40
Gibson, Dan/Nicole	Human Svcs	380.00	Goebel Printing, Inc	Var. Depts	104.24
Graff, Richard	Human Svcs	300.00	Graham Tire Co. - No	Hiway Cons	1,010.75
Grainger, Inc.	Facilities	232.38	Graybar Electric Com	Facilities	193.26
Great Plains Int'l T	Hiway Cons	131.00	Guzman, Sandra V.	Pub. D.	50.00

Hall, Bryan	Pub. D.	826.53	Hancock Fabrics, Inc	Museum	108.83
Hander, Inc.	Human Svcs	172.52	Hanson Logowear	Juv Det Cn	141.48
Haugan, Raymond C	Human Svcs	430.00	Heart of the Vine	Museum	19.25
Heartland Paper Comp	Correction	343.65	Help!Line Center, In	Mus Grant	55.00
Hewlett-Packard Comp	Var. Depts	1,999.28	High Point Networks,	Info Tech.	7,885.69
Hob-Lob Ltd	Museum	41.74	Hoekman, James	Sheriff	326.48
Holiday Mobile Home	Human Svcs	245.00	Hughes County Sherif	St Atty	14.30
Hy-Vee Food Store	Juv Det Cn	85.93	Hy-Vee Pharmacy	Human Svcs	401.96
Hy-Vee Pharmacy	Human Svcs	195.99	IBE, Inc.	Var. Depts	330.00
ICI Paints	Musm Entpr	7.00	Impact Homes Inc	Human Svcs	630.00
Ingalls, Janel M	Juv Det Cn	77.00	Interstate Office Pr	Var. Depts	830.38
Iosty, Alysia A	Dir. Eq.	56.11	Jim & Ron's Service,	Sheriff	45.00
Jim Hawk Truck Trail	Hiway Cons	81.50	KG2 Properties	Human Svcs	380.00
Kohl's Department St	Juv Det Cn	91.96	Kolbe, Robert	Comm.	94.72
Kone, Inc.	Var. Depts	3,650.00	Koopman & Sons Gas C	Hiway Admi	309.96
Krueger Excavating,	Facilities	2,335.00	Lason Systems, Inc.	Reg Deeds	129.15
Lassegaard, Samuel C	Human Svcs	380.00	Lewis Drug Stores	Var. Depts	4,884.61
Lexis-Nexis / Reed E	Var. Depts	269.00	Linweld, Inc.	Facilities	14.20
Lockwood Law Office,	Court Sys.	2,299.12	Lutheran Social Serv	Pub. Adv.	112.50
Lyman County Auditor	Revenues	137.39	Majestic View Apartm	Human Svcs	960.00
Malloy Electric Bear	Var. Depts	480.14	Mathison Company	Hiway Cons	159.08
Mattson, Monica	Court Sys.	549.00	Medical X-Ray Center	Correction	301.56
Menards - West	Var. Depts	123.24	Midamerican Energy C	Var. Depts	3,248.95
Midcontinent Communi	Info Tech.	55.00	Midwest Alarm Compan	Var. Depts	614.20
Midwest Oil Company,	Hiway Cons	1,123.77	Mielenz, Terri	Pub. D.	246.00
Minnehaha Cnty Human	Human Svcs	129.00	Minnehaha Cnty Jail	Correction	50.00
Minnehaha Cnty Priso	Correction	96.00	Minnehaha Cnty Sheri	Sheriff	95.72
Mobile Electronic Se	Sheriff	216.44	Monick Pipe & Supply	Facilities	64.52
Mr. Goodcents	Musm Entpr	24.68	Municipal Emergency	Emer Mgmt	180.34
Munk, Steven	Cnty Exten	67.04	Murray Construction	Human Svcs	870.00
Myers & Billion Llp	Mental Ill	552.80	NACDL	Pub. D.	500.00
Nat'l Trust for Hist	Museum	15.00	New Horizons	Info Tech.	5,390.00
NLADA	Pub. D.	50.00	North Ridge Apartmen	Human Svcs	480.00
Novak Sanitary Servi	Var. Depts	448.83	Nyberg's Ace Hardwar	Juv Det Cn	34.29
Office Depot	Pub. D.	528.62	PDSI	Correction	1,250.00
Pechous, Corey	Hiway Cons	54.40	Person, Larry D	Human Svcs	700.00
Peters, Scott N, P.C	Mental Ill	7,364.80	Pirrung, Sheila M	Human Svcs	480.00
Provo, Tom	Human Svcs	480.00	Qualified Presort Se	Var. Depts	5,156.74
Quill Corp.	Var. Depts	108.48	Qwest	Var. Depts	3,431.89
Rabuck, Steve/Nichol	Court Sys.	210.60	RDO Equipment Co.	Hiway Cons	125.70
Real Vision Software	Info Tech.	4,500.00	Revier Pressure Wash	Correction	155.00
San Joaquin County C	St Atty	30.00	Sanford Clinic	Correction	319.91
Sanford Hospital Med	Var. Depts	66.75	Sanner, Melanie Jo	Dir. Eq.	42.41
Schaaf, Susan	Human Svcs	375.00	SD Corrections Assoc	Juv Det Cn	100.00
SD Dept of Revenue	Var. Depts	34.00	SD Human Services Ce	Pub. D.	26.20
SD Risk Pool	Human Svcs	887.61	Seagull Software Sys	Info Tech.	9,090.00
Security Labs, Ltd	Info Tech.	100.00	Servall Towel & Line	Var. Depts	131.26
SF Seminary	Human Svcs	380.00	Silver Glen MHC, Llc	Human Svcs	911.21
Sinning, Mark	Human Svcs	565.00	Sioux Empire FCU / V	Var. Depts	666.29
Sioux Empire FCU / V	Var. Depts	2,279.58	Sioux Empire FCU / V	Dir. Eq.	66.89
Sioux Empire FCU / V	Plan & Zon	56.26	Sioux Equipment Co I	Hiway Cons	13.24
Sioux Falls City Fin	Var. Depts	13,535.88	Sioux Falls Music Co	Musm Entpr	156.48
Sioux Falls Two Way	Sheriff	125.00	Sioux Falls Utilitie	Var. Depts	146.81
Smith, Nolan	Human Svcs	750.00	Software House Inter	Hiway Admi	760.61
Somerset Partnership	Human Svcs	480.00	Spring Enterprises	Human Svcs	575.00
Springbrook Lloyd Pr	Human Svcs	2,010.00	Stan Houston Equipme	Museum	788.41
Sturdevant's Auto Pa	Hiway Cons	398.56	Sturgis Police Dept	Sheriff	50.00
Summit Apts, Inc	Human Svcs	380.00	Sunshine Foods	Human Svcs	34.77
Superior Lamp, Inc.	Hiway Cons	140.79	Surgical Institute O	Correction	463.59
Taylor's Place Llc	Human Svcs	780.00	Tenth Street, Inc.	Hiway Cons	19.95
Theophilus, Matt DB	Court Sys.	2,357.87	Thorin, Deyanira T.	Pub. D.	100.00
Timberland Village A	Human Svcs	380.00	Tires,Tires,Tires In	Var. Depts	330.08
TK Properties Llc	Human Svcs	285.00	Tschetter, Kenneth M	Court Sys.	4,017.71
Tuschen, Michael E	Hiway Cons	36.99	TWL Supplies Inc	Correction	19.98
Ultramax	Sheriff	710.00	US Postal Service	Cnty Exten	46.08
Van's Auto Electric	Hiway Cons	88.00	Verizon Wireless	Emer Mgmt	149.07
Voigt, Debra	Court Sys.	321.00	Volunteers of Americ	Correction	1,740.22
Wal-Mart Pharmacy	Human Svcs	603.50	Walgreen Co.	Human Svcs	2,269.13

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Warwick, Helen	Human Svcs	380.00	Waste Management of	Facilities	730.63
Weig, Mary	Human Svcs	760.00	West Group	Var. Depts	4,205.17
Whitcomb, Joshua	Human Svcs	380.00	Wilson, Shirley Ann	Human Svcs	900.00
Xcel Energy, Inc.	Var. Depts	3,218.04	Zabel Steel Co.	Hiway Cons	7.50

## REPORTS

The following reports were received and placed on file in the County Auditor's Office: Minnehaha County Sheriff's Department Monthly Report and the Register of Deeds Official Statements of Recording, Transfer, Marriage, and Express Fees for February 2008.

## PERSONNEL

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

1. To accept the resignation of Emily Gross as temporary, part-time Clerical Worker for the State's Attorney's Office effective 3-14-08.
2. To accept the resignation of Jennifer Schnabel as Juvenile Correctional Worker for JDC effective 3-22-08.
3. To place Michelle Thomas, Deputy Public Defender III for the Public Defender's Office, on leave without pay effective 3-17-08 to 4-4-08.
4. To move Diane Johnson from Air Guard Security Officer I (8/7) for the Air Guard to Correctional Systems Operator (7/10) for the Air Guard effective 3-11-08.
5. To accept the resignation of Kendal Bock as Correctional Officer II for the Jail effective 2-25-08.
6. To place Heidi Jerke, GIS Coordinator for Planning, on leave without pay effective 2-19-08 to 3-21-08.

### Step Increases Due:

1. Connie Malone – Senior Property Specialist – Equalization – 7/9 to 7/10, 3-21-08, \$16.994/hr
2. Karmen Johnson and Sidney Dunn – Correctional Officer II – Jail – 10/5 to 10/6, 3-20-08, \$18.913/hr
3. Carissa Cable – Correctional Officer II – Jail – 10/2 to 10/3, 2-10-08, \$17.822/hr
4. Derek Lauer and Steven Lutter – Correctional Officer II – Jail – 10/5 to 10/6, 3-6-08, \$18.913/hr
5. Elliott Milk – Correctional Officer II – Jail – 10/2 to 10/3, 3-10-08, \$17.822/hr
6. Patrick Rickerl – Correctional Officer I – 24/7 – 9/5 to 9/6, 2-15-08, \$17.841/hr
7. John Sites – Correctional Systems Operator – Jail – 7/3 to 7/4, 3-28-08, \$15.089/hr

Chairman Twedt read the Notice of Special Meeting for tonight noting that the commission would immediately convene into Executive Session for personnel issues as part of preparations for contract negotiations with employee bargaining units.

## ABATEMENTS

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

MOTION by Hajek, seconded by Pekas to approve the following abatement: The Luke Society Inc., ID 32895, 2007 property taxes, \$1,280.71. 5 ayes.

MOTION by Barth, seconded by Hajek to approve the following abatements: City of Sioux Falls, 2007 property taxes, ID 10611 - \$1,467.21, ID 11381 - \$359.18, ID 42926 - \$3,139.22, ID 42946 - \$1,043.94, ID 42947 - \$3,111.88, ID 75947 - \$3,023.83, ID 77049 - \$3,334.93, ID 81178 - \$136.92, and ID 79711 - \$2,131.07. 4 ayes, Kolbe abstained.

MOTION by Hajek, seconded by Barth to approve the following 2007 property tax abatements as part of the Elderly Freeze Program: Mary Lou Graves, ID 35384, \$322.32; Richard Thomas, ID 35527, \$314.80; Patricia Olson, ID 33781, \$882.92; Alvin Griebel, ID 33560, \$798.29; Richard Lineback, ID 32812, \$140.88; Leona Wallenberg, ID 25177, \$890.60; Eugene Urben, ID 25221, \$436.18. 5 ayes.

## AGREEMENT

Bob Meister, Highway Superintendent, presented an agreement with the SD Department of Transportation to provide for the striping of 295 miles of highway, 23 railroad crossings, and 7 turn lanes in Minnehaha County. The State will pay for 60% of project costs to a maximum of \$500,000. The County portion is estimated at \$111,487.13. Mr. Meister noted that this would be the last year for this funding due to cuts in the State budget. MOTION by Hajek, seconded by Pekas to authorize the Chairman to sign the Agreement. 5 ayes.

## PROPOSALS

Ken McFarland, Administrative Assistant, reported that proposals for vending machines in the Siouxland Health and Human Services facility were opened at 2:00 p.m. on February 25<sup>th</sup>. The following firms submitted proposals: Premium Food & Beverage, Premiere Vending, Inc., AJ's Gourmet Coffee, and PepsiAmerica Inc./TS Vending/Vending Americas. AJ's Gourmet Coffee only provides coffee vending service and did not provide the requested snack/healthy snack requirement. He explained the various offerings and commission options of the remaining three firms. The proposals were reviewed by the user groups at the facility and they recommended Premium Food & Beverage due to the snack offerings and highest commission. Mr. McFarland recommended Premier Vending, Inc. because they are the current vendor in the County Administration building and support Dakotabilities programming. Hugh Grogan, Human Services Director, explained that the user group believed the commissions could be used to fund items for clients. Sue Roust, Auditor, discussed the accounting of the commission revenues and expenditures. MOTION by Pekas, seconded by Hajek to defer award for 1 week to allow Hugh Grogan to prepare a report on potential uses of the commissions. 4 ayes, Barth – nay.

## EMERG MGMT

Lynn DeYoung, Emergency Management Director, reported that his department has put a new vehicle into service through the Homeland Security Grant Program. This vehicle replaces an existing 1990 Chevrolet Suburban. Mr. DeYoung stated that he had informed the rural fire departments that the Suburban could be considered surplus for donation and departments should submit a letter of need if interested in receiving it. The Crooks Volunteer Fire Department was the only department to submit a letter. MOTION by Hajek, seconded by Barth to declare one 1990 Chevrolet Suburban, VIN 1GNEV16K5LF149941, asset #38690 as surplus for donation to the Crooks Volunteer Fire Department.

5 ayes.

MOTION by Pekas, seconded by Kolbe to approve the following supplements from the Emergency Management Fund to the Emergency Management budget as part of the Homeland Security Grant Program: \$7,222.57 ASN 16926 (05 Law Enforcement EMT Training Grant), \$40,540.86 ASN 16929 (06 Region VIII Equipment Grant), \$6,632.13 ASN 16929 (06 Region VIII 5% Lead County), \$3,791.46 ASN 16929 (06 Region LETPP Grant), \$51,478.47 ASN 16922 (07 Region VIII Equipment Grant), \$88,895.88 ASN 16922 (07 Region VIII LETPP Grant), \$652,302.40 ASN 16922 (07 State-wide Livescan Grant), and \$9,923.74 ASN 16931 (08 Local Emergency Planning Committee Grant). 5 ayes.

## PLANNING

Scott Anderson, Planning Director, was present for the scheduled hearing to consider an amendment to the 1990 Revised Zoning Ordinance for Minnehaha County which will rezone from the A-1 Agricultural District to the I-1 Light Industrial District, property legally described as Brown's Lot 3 in Tract 2 Foster-Buckwalter Addition N1/2 Section 22-T102N-R48W. The 2 ½ acre property is located on the north edge of Corson. The request conforms to the County's comprehensive development plan and is located in an area identified as a rural service area. Applicant Tom Brown was present to answer questions and explained that he would like to move his existing business to the proposed site in the future. No one spoke in opposition to the request. MOTION by Hajek, seconded by Pekas to approve Ordinance MC16-98-08. 5 ayes.

Phil Kappen, Assistant Planning Director, presented two drainage permit applications submitted by Laurie Julson and Dale Stoltenberg. The proposed sites are located in Section 21 of Palisades Township, east of the city of Garretson. The proposed tile would drain into the ditch along County Highway 120, pass through culverts, and flow across another property, owned by Pat Jensen, before emptying into a tributary of Split Rock Creek. Staff believes that once the water reaches the creek tributary, there is adequate capacity to handle the flow from drainage. However, the channel through the Jensen property may be too small to handle the additional water flow. Staff recommended approval of the permits with the following conditions: 1) drainage shall conform to the site plan provided as part of the permit application; 2) all tiles shall be extended to outlet into the culverts under the highway; and 3) the petitioners shall ensure that the drainage water is moved across the Jensen property to the creek tributary by either improving the channels between the creek tributary and the highway, or by installing a solid pipe to carry the water across a portion of the Jensen property before the creek tributary. Either option should be constructed at the petitioner's expense. Ms. Jensen should determine which method would best serve her needs. Mr. Kappen noted that the applicant had questioned who would be responsible for future maintenance on the Jensen property. While staff did not address this issue, if the permit is approved, the issue could be addressed through an additional condition. Jim Julson was present representing his wife, Laurie, and explained that he would like to install the tile to reduce the immediate flow of water after a rainfall and allow the soil to better absorb the water. The tile will drain approximately 100 acres on the west and 40 acres on the east. He did not anticipate continuous water flow through the tile and favored the recommended conditions. Pat Jensen opposed the drainage citing current saturation problems on her land. She stated the pasture stays wet through July making it difficult to maintain and that natural springs lie beneath the ground on her land. She explained that she breeds horses for a living and has concerns on the environmental impact of the additional flow of water carrying nitrates onto her property, and the safety of her well. Robert Julson, county resident, stated that he recently purchased land from Ms. Jensen and voiced concerns on the higher concentration of nitrate runoff from subsurface tile versus natural runoff. He also noted that there are projects to the east in Minnesota that will drain a large amount of water into the same creek tributary. Harvey Weeldreyer, county resident, expressed concerns over running more water onto land that is already saturated making it more difficult for him to properly maintain the Jensen land. Commissioner Kolbe explained that there is bedrock along the creek and that tiling will only

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change the time to move the water, not the amount. MOTION by Pekas, seconded by Hajek to deny the permits. Chairman Twedt and Commissioner Barth expressed concern over closing the issue and supported deferring action to give the landowners time to resolve their issues. VOTE on the motion, 2 ayes, Barth, Kolbe, and Twedt nay. Motion fails. MOTION by Barth, seconded by Kolbe to defer consideration for 1 month. 4 ayes, Pekas - nay.

MOTION by Hajek, seconded by Pekas to adjourn into Executive Session for personnel discussion. 5 ayes. Following Executive Session, the Commission adjourned until 7:00 p.m.

APPROVED BY THE COMMISSION:

Carol Twedt, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor