

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M., February 23, 2010, pursuant to adjournment on February 16, 2010. Commissioners present were: Hajek, Barth, Kelly, and Pekas. Commissioner Twedt was absent. 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 Barth to approve the Agenda. 4 ayes.

## MINUTES

MOTION by Pekas, seconded by Kelly to approve the Minutes for February 16, 2010. 4 ayes.

## VOUCHERS TO BE PAID

MOTION by Barth, seconded by Pekas to approve the following bills totaling \$219,604.76 for payment. 4 ayes.

A & B Business Equip	Var. Depts	620.30	ABN Army Surplus	Em Mgmt	106.00
Advance Auto Parts	Sheriff	52.48	Allen, Stephen L	Human Svcs	200.00
American Institution	JDC	82.67	Anacon Leasing Inc	Public Def	329.00
Appeara / Dudley Lau	Hwy Constr	32.75	Argus Leader	Var. Depts	745.90
Aspen Park Apts	ARRA-HPRP	590.00	Association of SD Mu	Mus Ops	100.00
Avera Gastroenterolo	Human Svcs	302.05	Avera Health Informa	Var. Depts	58.80
Avera Health Plans I	Human Svcs	270.54	Avera McKennan Hospi	Var. Depts	17,722.75
Avera Sacred Heart H	Human Svcs	3,967.72	Belitz, Clarence H /	Human Svcs	400.00
Boyer Trucks Sioux F	Hwy Constr	246.46	Brevik Law Office Pr	Mental Ill	193.60
Brown & Saenger	Hwy Admin	390.00	Building Sprinkler,	Mus Maint	199.84
Bureau of Informatio	Var. Depts	1,121.78	Catco	Hwy Constr	96.43
Century Business Lea	Public Adv	74.88	Century Business Pro	JDC	86.54
CM Information Spec/	Public Def	46.45	Columbia Dam LLC	Human Svcs	410.00
Concrete Materials	Hwy Constr	51,382.81	Country View MHC	Human Svcs	300.00
Dakota Fluid Power,	Hwy Constr	53.98	Dakota Security Syst	JDC	1,654.34
Dell Rapids Chevrole	Sheriff	11.54	Dietrich, Donna K	Mental Ill	1,867.15
Donahue, David J	ARRA-HPRP	1,680.00	Electric Constructio	Mus Maint	437.65
Emdeon Business Serv	Human Svcs	39.95	Evans, Jerald L	ARRA-HPRP	1,800.00
Exide Technologies	Hwy Constr	56.08	First Administrators	Human Svcs	158.93
Fluth, Rodney P	ARRA-HPRP	1,650.00	Fox, Youngberg & Lew	Mental Ill	566.78
Garretson Ambulance	Em Mgmt	300.00	Gaylord Bros.	Mus Ops	536.75
Goebel Printing, Inc	Public Def	157.97	Governors Inn, Inc.	Commission	140.00
Great Plains Int'l T	Hwy Constr	59.96	Gunner, Andrea	Courts	989.40
Guzman, Sandra V.	St Atty	50.00	Halbur/McGuckin LLC	Human Svcs	495.00
Heirigs, Mary Ellen	Mental Ill	80.00	Heugh Edmondson Cons	Mus Entpr	150.00
Hollinger Corporatio	Var. Depts	195.04	Horn, Garrett	Mental Ill	811.00
Hosmer, David M. Law	Mental Ill	202.50	Hunter Automotive, I	Hwy Constr	479.27
Hy-Vee Accounts Rece	Human Svcs	597.58	Hydraulic World, Inc	Hwy Constr	5.43
Interstate Office Pr	Var. Depts	630.59	JCL Solutions-Janito	Var. Depts	148.83
Jefferson Partners L	Human Svcs	840.00	Johnson,Miner,Marlow	Mental Ill	154.95
Kabeiseman & Pollard	Mental Ill	340.00	Kappenman, Timothy D	Jail	4,276.00
Kar Parts, Inc.	Em Mgmt	7.99	Karl's, Inc.	Em Mgmt	229.96
Kmart	St Atty	47.48	Kmart Pharmacy	Human Svcs	139.63
Knutson, William	Human Svcs	120.00	Koch Hazard Architec	Mus Entpr	17,000.00
Kooistra, Nelva	Mental Ill	219.00	Lacroix, Heather	Mental Ill	422.80
Lancaster (NE) Count	St Atty	35.00	Lewis Drug Stores	Var. Depts	22,488.18
Lexis-Nexis / Reed E	St Atty	185.00	Lincoln County Audit	Mental Ill	67.50
Lutheran Social Svce	Var. Depts	6,269.04	Mac's, Inc.	Hwy Constr	13.43
Marco	Extension	158.00	McFarland, Kenneth	Commission	199.16
Medical X-Ray Center	Human Svcs	117.77	Menards - East	Hwy Constr	103.70
Merrow, Danielle L	Human Svcs	400.00	Microfilm Imaging Sy	Reg Deeds	75.00
Midamerican Energy C	JDC	2,599.50	Mikelson, Gary E	Mental Ill	197.38

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Miller Funeral Home, NACDL	Human Svcs	2,775.00	MKT Equipment	Hwy Constr	34.00
Nelson, Carlyann	Public Def	125.00	ND Dept of Motor Veh	St Atty	6.00
Office Depot	ARRA-HPRP	1,200.00	Nobles County Sherif	St Atty	45.00
Panasonic Finance So	Public Def	332.73	Palmer, Barbara	Mental Ill	2,430.00
Qualified Presort Se	Extension	203.12	Presto-X-Company	JDC	79.80
Quill Corp.	Var. Depts	4,042.93	Quest Engineering, I	Hwy Constr	11.46
RDO Equipment Co.	Public Def	236.15	Qwest	Jail	47.20
Rehfuss, Cathy A	Hwy Constr	38.28	Redwood Biotech	JDC	110.86
Renner Fire Dept	Mental Ill	219.00	Reliance Telephone I	Public Def	29.77
River Glen Place Apt	Em Mgmt	75.00	Richland Prop Mgmt L	Human Svcs	355.00
Rods Properties LLC	Human Svcs	400.00	Rockhurst College Co	Human Res	249.00
Rounds Intl LLC	ARRA-HPRP	940.00	Ronning Commercial,	Human Svcs	430.00
Sanford Health Plan-	Mental Ill	687.50	Sanford Clinic	Coroner	475.00
Sanford Vermillion M	Human Svcs	543.30	Sanford Hospital Med	Var. Depts	198.50
SD Dept of Public Sa	Pass-Thru	732.25	Schelling, Sheldon	Mental Ill	652.50
SD State Bar	Human Svcs	5.00	SD Risk Pool	Human Svcs	547.34
Shald-Hudelson, Bren	Public Def	319.00	SDEMTA Dist II	Em Mgmt	2,375.00
Sioux Falls Two Way	Var. Depts	436.55	Sioux Falls City Fin	Var. Depts	15,267.37
Sioux Valley Energy	Jail	319.50	Sioux Falls Utilitie	Var. Depts	715.55
Songstad, Melinda	Var. Depts	191.65	Skorjanec, Joseph	Human Svcs	370.00
Sunshine Foods	Courts	1,108.60	Sturdevant's Auto Pa	Hwy Constr	99.95
Tires,Tires In	Human Svcs	33.04	T&K Enterprises DBA	Sheriff	110.00
Ultramax	Sheriff	2,008.83	Tri-Tech, Inc.	St Atty	4,160.64
US Postmaster	Sheriff	3,585.00	Urban Indian Health	Human Svcs	20.00
Verizon Wireless	Mus Ops	185.00	Velgersdyk, Dr. Scot	Human Svcs	89.00
Walsh, Mike	Var. Depts	6,439.79	Wal-Mart Pharmacy	Human Svcs	36.84
West Group	Sheriff	10.01	Washington Heights A	Human Svcs	600.00
2 Guys on The Move I	St Atty	1,502.41	Xcel Energy, Inc.	Var. Depts	8,114.30
	ARRA-HPRP	408.10			

## REPORT

The following report was received and placed on file in the County Auditor's Office: Auditor's Account with the County Treasurer as of 1/31/10.

On Deposit in Banks	
Interest-bearing open accounts	15,465,094.54
CD's and savings	19,000,000.00
Cash	18,686.80
Checks/drafts in Treasurer's possession for more than 3 days	7,793.20
Total Cash on Hand	34,491,574.54
Total Reconciled AS/400 Cash Balance	34,491,574.54

## PERSONNEL

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

1. To hire Raylene Larson as Accounting Technician (10/3) for the Auditor's Office at \$15.172/hour effective 2-24-10.
2. To hire Clark Baker as part-time Correctional Officer in Training (12/2) for the Jail at \$16.339/hour effective 3-1-10.
3. To accept the resignation of Dennis Sievers as part-time Protective Services Worker for the Sheriff's Office effective 2-11-10.
4. To transfer Robert Bockorny from part-time Parking Attendant for the Sheriff's Office to part-time Protective Services Worker for the Sheriff's Office at \$11.780/hour effective 3-2-10.

Step Increases Due:

1. Scot Pfeifer – Deputy Sheriff Lieutenant – Jail – 22/9 to 22/10, 2-12-10, \$2,741.76/bi-weekly
2. Ethan Palluck – Correctional Officer – Jail – 13/9 to 13/10, 2- 25-10, \$20.915/hour
3. Kurt Schaunaman – Correctional Officer – Jail – 13/3 to 13/4, 1-13-10, \$18.035/hour
4. Patricia Hughes – Corrections System Operator – Jail – 9/9 to 9/10, 1-12-10, \$17.166/hour

## NOTICE

MOTION by Pekas, seconded by Barth to authorize the Auditor to post Notice of Hearing to consider 2010 carryover supplements on 3/9/10. 4 ayes.

Notice was received of the East Dakota Water Development District Board Meeting on 2/25/10.

Notice of intent to conduct a fund raising raffle on 2/27/10 at the Crooks Community Center was received from the Big Sioux Chapter of Ducks Unlimited.

## LIEN

Commissioner Pekas, County Aid Lien Liaison, briefed the Commission on a request to compromise DPNO 71555 in the amount of \$658.61. The applicant is requesting a release of the lien with no payment. The applicant was the petitioner in an involuntary commitment. Pursuant to SDCL 34-20A-70.1, the county shall be reimbursed for attorney fees by the petitioner, if the petitioner is a family member and financially able to do so. The applicant claims that due to the economic downturn, it would be a financial burden to repay the lien. Commissioner Hajek noted the applicant's assets and explained that the petitioner is responsible for payment of the committal process and did not have to pay for the actual treatment. MOTION by Barth, seconded by Kelly to release DPNO 71555 in full with no payment. 2 ayes, Hajek and Pekas nay. Due to the tie vote, this item will be deferred until 3/2/10.

## FINANCING

In 2008, the Commission authorized the issuance of 2009 tax-exempt revenue bonds in the amount of \$9.8 million for a project at O'Gorman High School. The project involved two series of bonds. The Series A bonds were for a refinancing, and the Series B were for the construction of a new performing arts center and addition to the High School. The Bonds are to be repaid through pledges and donations over a period of time with prepayments to be applied equally between both series. Sherri Rotert, attorney for the Sioux Falls Catholic School Corporation (SFCS), reported that the SFCS would like to make a principal prepayment, but have been advised by their bond counsel that the payment would remove the tax exempt status of the Series A bonds. They are requesting approval of a waiver to waive compliance with the provisions of the bond documents by applying a disproportional payment to each series in order to keep the tax exempt status of the bonds. MOTON by Pekas, seconded by Barth to authorize the Chairman to sign the Waiver and Consent. 4 ayes.

## BRIEFING

Chris Torkelson with Lloyd Companies briefed the Commission on the tax credit financing application for the Safe Home Project, prepared by the Minnehaha County Housing and Redevelopment Commission. The application deadline is 2/26/10, with notice on whether the application is approved or denied by early May.

Commissioner Kelly reported that the HRDC met and elected officers and is awaiting a decision on the tax credits. Commissioner Barth noted the design change since the last concept. Sue Roust, Auditor, commented on the challenges in comparing the cost between conventional financing and the tax credit approach. She reported that a fair comparison indicates that conventional financing would cost about \$75,000/yr more, but expressed concerns on additional obligations of future commissions for this project and discussed some of the requirements of the HRDC bylaws which could create additional expenses. Commissioner Kelly explained that there is the potential for additional positions with the HRDC, but this is not the intent for now. Hugh Grogan, Human Services Director, did not feel there were a lot of other options available due to the loss of other grant funding opportunities.

## BIDS

Bob Meister, Highway Superintendent, reported on two bid lettings that were opened on 2/17/10.

Highway Project MC 50-146-130 was opened at 10:30 a.m. with the following bids received: Hollaway Construction Company, Inc. - \$129,655.12; Nolz Dragline and Construction Inc. - \$132,819.44; Graves Construction Company, Inc. - \$170,995.02; and Swingen Construction Company - \$175,174.80. He recommended award to the low bidder noting that the bid is \$21,035 below the engineer's estimate. MOTION by Pekas, seconded by Barth to award Project MC 50-146-130 to Hollaway Construction Company, Inc. in the amount of \$129,655.12. 4 ayes.

Highway Project MC 130BM-10 was opened at 10:45 a.m. with the following bids received: Myrl & Roy's Paving, Inc. - \$1,118,507.49; Double H Paving, Inc. - \$1,187,821.04; Asphalt Surfacing Co. - \$1,206,429.87; and Sioux Falls Construction - \$1,226,474.79. Mr. Meister recommended award to the low bidder noting that the bid is \$44,265 above the engineer's estimate. MOTION by Pekas, seconded by Barth to award Project MC 130BM-10 to Myrl & Roy's Paving, Inc. in the amount of \$1,118,507.49. 4 ayes.

The SD Department of Transportation conducted a bid letting for Project P-6364(06) on 2/17/10. They received 8 bids ranging from \$872,680 to \$739,637.90, \$255,903.90 below their estimate. The project will be funded by the FHWA and SD DOT, and is subject to the concurrence of the County. MOTION by Barth, seconded by Pekas to concur with the SD DOT in the awarding of Project P-6364(06) to Myrl and Roy's Paving, Inc. in the amount of \$739,637.90. 4 ayes.

## AGREEMENTS

Kristin Trana, Sheriff's Office Administrative Coordinator, presented the 2010 Police Services Agreements for municipalities in Minnehaha County. The hourly rate for services increased 5% from \$25.75 in 2009 to \$27.00 per hour for 2010. The service hours for each community remained the same as in 2009. MOTION by Kelly, seconded by Barth to authorize the Chairman to sign the 2010 Agreement for Furnishing Police Service between Minnehaha County and the cities of Baltic, Colton, Crooks, Dell Rapids, Garretson, Hartford, Humboldt, and Valley Springs. 4 ayes.

## UPDATE

Robert Wilson, Assistant Commission Administrative Officer, briefed the Commission on proposed legislation affecting county government.

MOTION by Kelly, seconded by Pekas to adjourn until 5:00 p.m. on Thursday, February 25, 2010. 4 ayes.

APPROVED BY THE COMMISSION:

2/23/10

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Anne Hajek, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

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