

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M., March 16, 2010, pursuant to adjournment on March 15, 2010. Commissioners present were: Hajek, Twedt, Barth, Kelly, 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 Pekas, seconded by Twedt to approve the Minutes for March 9, 2010. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Kelly, seconded by Pekas to approve the following bills totaling \$678,421.07 for payment. 5 ayes.

A & B Business Equip	Var. Depts	764.90	A to Z World Languag	Var. Depts	312.50
A-Ox Welding Supp Co	Sheriff	186.00	ABN Army Surplus	Em Mgmt	597.50
Advance Auto Parts	Sheriff	20.98	Allied Oil & Supply	Hwy Constr	18.50
Anacon Leasing Inc	Public Def	591.00	Anderson, Scott A.	Planning	980.01
Anesthesiology Assoc	Human Svcs	256.00	APWA	Hwy Admin	282.00
Architectural Roofin	Bldg Fund	16,181.00	Arena Motel	Human Svcs	1,550.00
Argus Leader	Var. Depts	1,705.54	Associated Consult/E	Bldg Fund	640.00
Athena Fibers	Mus Store	25.47	Atwood, Brian	Human Svcs	459.18
Auburn Manor LLC	Human Svcs	400.00	Automatic Building C	Facilities	120.00
Avera Endocrinology	Human Svcs	272.24	Avera Gastroenterolo	Human Svcs	1,965.06
Avera Health Informa	Public Def	21.60	Avera McKennan Hosp	Human Svcs	2,905.26
Avera McKennan Hospi	Var. Depts	38,240.40	Avera North Central	Human Svcs	171.50
Avera Queen of Peace	Hwy Admin	77.50	Avera Sacred Heart H	Human Svcs	429.68
Al Svc Inc/Laceys Ch	Hwy Constr	103.00	Bendorf Law Firm Pro	Courts	369.00
Benz, Vergil C	Human Svcs	400.00	Berg Bag Company	Hwy Constr	2,772.90
Best Business Produc	Reg Deeds	47.62	Bierschbach Equipmen	Hwy Constr	1,786.98
Billion, James A	Courts	596.15	Billion's	Var. Depts	551.37
Bob Barker Company,	Jail	163.69	Bob's Carry Out & De	Courts	107.00
Bosman, Joseph	Sheriff	128.00	Bound Tree Medical L	Em Mgmt	358.30
Boyer Trucks Sioux F	Hwy Constr	67.39	Brandhagen, Douglas	Human Svcs	250.00
Brevik Law Office Pr	Mental Ill	189.50	Brown & Saenger	Var. Depts	30.60
Bugg, William	Human Svcs	390.00	Bureau of Informatio	Var. Depts	999.26
Business & Legal Rep	Insurance	354.87	Butler, Craig	Sheriff	53.00
Cadwell, Sanford, Deib	Bldg Fund	560.00	Campbell Supply Co I	Var. Depts	65.01
Canfield Business In	Courts	139.75	Carper, Nichole A	Courts	495.98
Carroll Institute	Courts	35.00	CBM Food Service	Jail	12,039.67
Century Business Pro	Var. Depts	279.87	Chemco, Inc.	Var. Depts	2,261.58
Cleveland Heights Ap	Human Svcs	970.00	Cliff Avenue Auto Pa	Hwy Constr	175.18
Cobraserve National	Human Svcs	512.81	Cole Papers, Inc.	Jail	643.65
Conrad, Dawn	Extension	40.20	Constellation New En	Facilities	25,330.81
Correct Care Solutio	Var. Depts	210,405.50	Country View MHC	Human Svcs	604.00
Crescent Electric Su	Facilities	613.55	Culligan Water Condi	Var. Depts	73.50
Cyntom Property Mana	Var. Depts	1,400.00	Dakota District Pipe	Mus Ops	100.00
Dakota Fluid Power,	Hwy Constr	200.01	Dakota Riggers & Too	Em Mgmt	675.00
Dakotaland Autoglass	Hwy Constr	569.35	Dale Animal Hospital	Sheriff	323.05
Daniels-Olsen Bldg P	Mus Ops	3,702.64	Danko Emergency Equi	Em Mgmt	525.00
Deaver, Carey Jo	Human Res	32.10	Decastro Law Office,	Courts	1,780.09
Dell Rapids Chevrole	Sheriff	46.26	Dialnet/Ahrens Telec	Facilities	86.73
Dressler, Michael G	Human Svcs	400.00	Ebert's Properties,	Human Svcs	635.00
Eirinberg, James A	Courts	2,304.00	Electric Supply Co.,	Var. Depts	1,654.39
Ergometrics, Inc.	Sheriff	2,414.60	Family Service Inc	Human Res	390.00
Farland, Lawrence A	ARRA-HPRP	700.75	First Premier Bank	Sheriff	204.14
Force America Inc	Hwy Constr	81.02	Forward Sioux Falls	SF Develop	5,000.00

Genzlinger, Janeen	Courts	224.20	Glory House	Glory Hous	3,855.00
Golden West	Var. Depts	196.25	Governors Inn, Inc.	Var. Depts	565.00
Graham Tire Co. - No	Hwy Constr	20.00	Graybar Electric Com	Var. Depts	134.72
Guzman, Sandra V.	Courts	212.50	Hammer, Ralph	Hwy Constr	48.20
Handy Man, Inc.	Facilities	7.98	Harold's Photo Cente	Public Def	345.10
Hauff Mid-America Sp	JDC	815.24	Hewlett-Packard Comp	Reg Deeds	199.00
High Point Networks,	Info Tech	1,152.00	Hirsh Industries Par	Public Def	180.00
Home Depot Credit Se	Hwy Constr	133.75	Homestead Trails, Lt	Human Svcs	324.00
Hughes County Sherif	St Atty	72.90	Hurtgen, Timothy T.	Human Svcs	525.00
Hy-Vee Accounts Rece	Var. Depts	134.69	Hy-Vee Food Store	Commission	124.80
Interstate Office Pr	Var. Depts	280.19	IRET Properties	Human Svcs	400.00
J.C. Penney Company,	Var. Depts	476.90	Jaros, Pete	Mental Ill	262.70
JCL Solutions-Janito	Var. Depts	224.53	Jim & Ron's Service,	Sheriff	148.75
Johnson Feed, Inc.	Hwy Constr	12,006.42	Johnson, Heidepriem,	Courts	2,278.00
Kabeiseman & Pollard	Mental Ill	340.00	KCI USA Inc	Human Svcs	3,298.50
Keystone Treatment C	Courts	50.00	Kleen Solutions, Inc	Jail	405.65
Knology	Human Svcs	97.36	Kone, Inc.	Pettigrew	50.00
Koopman & Sons Gas C	Hwy Admin	306.64	Krier & Blain, Inc.	Facilities	880.04
Landborg, Richard	ARRA-HPRP	1,135.00	Language Line Servic	Var. Depts	907.19
Lason Systems, Inc.	Reg Deeds	129.15	Lassegaard, Samuel C	Human Svcs	500.00
LCM Pathologists PC	Coroner	28.00	Lewis Drug Stores	Human Svcs	2,144.99
Lexis-Nexis / Reed E	Var. Depts	311.00	Light and Siren	Var. Depts	2,466.74
Linweld, Inc.	Var. Depts	86.27	Llano County Sheriff	St Atty	75.00
Lloyd Companies	Human Svcs	400.00	Lose, Jeffrey R DBA	Jail	448.00
Lutheran Social Svce	Courts	1,887.50	Lyon County IA Sheri	St Atty	20.50
Mac's, Inc.	Hwy Constr	18.17	Malloy Electric Bear	Facilities	13.48
Marberg, Richard	Reg Deeds	1,544.68	Mayer, Michael P	Hwy Constr	47.96
McDonald, Chad	Human Svcs	500.00	McDonnell, Ike (Dwig	ARRA-HPRP	1,150.00
McFarland, Kenneth	Commission	248.16	Medical X-Ray Center	Human Svcs	481.57
Menards - East	Facilities	388.50	Menards - West	Hwy Constr	98.89
Merrow, Danielle L	Human Svcs	660.00	Metro Communications	Metro Comm	33,101.00
Microfilm Imaging Sy	Reg Deeds	75.00	Midamerican Energy C	Var. Depts	5,993.97
Midcontinent Communi	Mus Ops	55.00	Midwest Alarm Compan	Var. Depts	556.34
Midwest Oil Company,	Hwy Constr	927.05	Miller Funeral Home,	Human Svcs	2,775.00
Miller Sellers Herou	Library	899.00	Miller, Les	Planning	100.00
Miller, Steve	Courts	4,304.81	Mitel Datanet	Info Tech	5,485.00
Monick Pipe & Supply	Facilities	198.02	Moore, Rasmussen, Ka	Courts	2,802.80
Munk, Steven	Extension	31.60	Murray Properties, L	Human Svcs	475.00
Museum Petty Cash	Mus Entpr	200.00	NACVSO/Jim Goltgart,	Human Svcs	300.00
Narem, Inc	Hwy Constr	95.88	NASCO	JDC	110.10
Nasser Law Office	Courts	774.46	Newman, Scott G	Human Svcs	800.00
North Central Heart	Human Svcs	39.59	Orthopedic Institute	Human Svcs	8.85
Osborn, Roxane R	Courts	768.00	Patriot Signage, Inc	Elections	115.50
Peska Construction,	Library	35,186.70	Peterson, Bill	Mus Ops	500.00
Pine Meadows/Univers	Human Svcs	472.00	Provo, Tom	Human Svcs	400.00
Quad State Task Forc	JDC	45.00	Qualified Presort Se	Dir of Eq	794.93
Qwest	Var. Depts	5,272.37	R & L Supply, Ltd	Facilities	469.83
Real Vision Software	Info Tech	4,500.00	Reardon, Thomas J DB	Mus Ops	580.00
Redwood Biotech	Jail	387.50	Reliance Telephone I	Public Def	9.45
Retail Data Systems	Treasurer	65.00	Richard-Ewing Equipm	Var. Depts	906.17
Risty, Maxine J	Public Def	330.00	Robson True Value	Jail	116.97
Rochester Armored Ca	Treasurer	379.50	Rocket Software Inc/	Info Tech	9,090.00
Rods Properties LLC	ARRA-HPRP	1,005.00	Roust, Sue	Elections	31.75
Rural Metro Ambulanc	Jail	978.67	Salem, Calvin L	Human Svcs	400.00
Salhi, Delear	Courts	50.00	Sanford Hospital	Human Svcs	19,175.61
Sanford Hospital - R	Human Svcs	550.00	Sanford Hospital Med	Public Def	13.50
Sanford Laboratories	Coroner	3,496.48	Scharffenberg, Cheri	Public Def	143.00
Schelling, Sheldon	Mental Ill	652.50	Schetnan, Thad S	Human Svcs	395.00
Schoeneman Bros. Co.	Hwy Constr	10.55	Scotty's Automotive	Commission	103.11
SD Dept of Public Sa	Human Svcs	120.00	SD Magazine LLC	Mus Store	232.00
SD Secretary of Stat	Auditor	30.00	SDN Communications	Info Tech	625.26
Security Labs, Ltd	Info Tech	100.00	Servall Towel & Line	Var. Depts	99.32
Shepherd Reporting L	Mental Ill	41.50	Sherwin Williams	Hwy Constr	137.88
Shopko Store	JDC	50.80	Sigler Fire Equipmen	Sheriff	60.00
Simon, Anthony	Commission	85.00	Sioux Empire FCU	Planning	38.59
Sioux Empire FCU	St Atty	517.97	Sioux Empire FCU	Em Mgmt	1,592.79
Sioux Empire Shrm	Human Res	99.00	Sioux Falls City Fin	Hwy Admin	116.40

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Sioux Falls Developm	SF Develop	2,500.00	Sioux Falls Humane S	Humane Soc	3,523.16
Sioux Falls Paint &	Hwy Constr	796.00	Sioux Falls School D	Em Mgmt	97,701.57
Sioux Falls Utilitie	Human Svcs	206.23	Skorczewski, Jena	Courts	184.00
Snoozy, Scott	Human Svcs	500.00	Solomon, Ghirmay	Courts	401.66
Southridge Apts Ltd	ARRA-HPRP	535.00	Sturdevant's Auto Pa	Hwy Constr	47.20
T&K Enterprises DBA	Sheriff	143.00	Tally Ho Apartments	Human Svcs	500.00
Tammen Oil	Sheriff	72.78	Taylor Place LLC	Human Svcs	200.00
Thesenvitz,Mickelson	Courts	3,413.00	Thorin, Deyanira T	Var. Depts	437.50
Thurman, Creighton A	Mental Ill	644.26	Tires,Tires,Tires In	Sheriff	136.18
Tool Depot	Hwy Constr	108.17	Tuschen, Michael E	Hwy Constr	43.98
Urology Institute, P	Human Svcs	821.77	US Postal Service	Extension	84.18
Valley West Apartmen	Human Svcs	400.00	Van Lier, Harold	Hwy Constr	30.45
Vandenbos, Dallas	Human Svcs	500.00	Volunteers of Americ	Jail	1,545.22
Walgreen Co.	Human Svcs	171.13	Wall Lake Sanitary D	Hwy Admin	70.00
Walworth Co (SD) She	Treasurer	44.35	Waste Management of	Jail	499.93
West Group	Var. Depts	3,316.11	Wilka & Welter LLP	Courts	962.00
Xcel Energy, Inc.	Var. Depts	1,893.90	Yankton Urological S	Human Svcs	460.73
Yellow Cab, Inc.	Human Svcs	19.30	4Imprint	Mus Entpr	229.84

REPORTS

The following reports were received and placed on file in the County Auditor's Office: 2009 Annual Report of the SD Public Funds Investment Trust and the Auditor's Account with the County Treasurer as of February 28, 2010.

On Deposit in Banks	
Interest-bearing open accounts	2,902,902.99
CD's and savings	19,000,000.00
Cash	18,841.52
Checks/drafts in Treasurer's possession for more than 3 days	7,638.48
Total Cash on Hand	21,929,382.99
Total Reconciled AS/400 Cash Balance	21,929,382.99

PERSONNEL

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

1. To promote Matthew Aanenson from Correctional Officer (13/8) to Deputy Sheriff (16/4) for the Jail at \$20.915/hour effective 3-20-10.
2. To move Johnathan Cory, Correctional Officer (13/8) for the Jail, from full-time status to part-time status at \$19.907/hour effective 3-18-10.
3. To accept the resignation of Kristen Lien as Administrative Clerk for Extension effective 3-12-10.

Step Increases Due:

1. Corey Stanley – Deputy Sheriff – Sheriff's Office – 16/7 to 16/8, 1-15-10, \$23.086/hour
2. Margaret Kuipers – Correctional Officer – Jail – 13/4 to 13/5, 1-30-10, \$18.486/hour
3. Jarod Hettich – Correctional Officer – Jail – 13/2 to 13/3, 3-8-10, \$17.595/hour
4. Constance Malone – Senior Property Technician – Equalization – 12/7 to 12/8, 3-21-10, \$18.948/hour

ABATEMENTS

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

MOTION by Pekas, seconded by Barth to approve the following abatement: James Greene/MaGuire Jones Boys LLC, ID 62850, property taxes, 2008 - \$928.50 & 2009 - \$972.97. 5 ayes.

MOTION by Barth, seconded by Pekas to approve the following abatement: Daniel Sorensen, ID 45406, 2009 property taxes, \$922.88. 5 ayes.

MOTION by Barth, seconded by Pekas to approve the following abatement: West Twelfth Properties LLC, ID 72210, property taxes, 2007 - \$184.35, 2008 - \$185.55, & 2009 - \$170.51. 5 ayes.

On the recommendation of Pam Nelson, Treasurer, MOTION by Twedt, seconded by Pekas to approve the following 2009 property tax abatements as part of the Elderly Freeze Program: Glorianne Reiter, ID 31742, \$397.51; and William Schoen, ID 49504, \$867.74. 5 ayes.

NOTICES

MOTION by Pekas, seconded by Twedt to authorize the Auditor to publish Notice to Bidders for 2010-2011 Highway Materials. 5 ayes. Commissioners discussed a joint materials letting with Lincoln County, however, Lincoln County has already let bids.

Notice was received of the East Dakota Water Development District Board Meeting on 3/19/10.

PUBLIC COMMENT

Vince Jones with the Sioux Falls Hockey Association briefed the Commission on the status of the Expo ice and on a new organization, the Ice Sports Association, which will be working on fundraising for a new ice rink project in Sioux Falls. He reported that the Hockey Association contracts with the Fair Association for use of the Expo ice. They would like to continue to use the Expo ice until the new ice rink is done. He asked that the Hockey Association be included in discussions on the future of the ice at the fairgrounds. Commissioners noted that the County contracts with the Fair Association to manage the facilities and activities there and suggested going to the city of Sioux Falls for support on their project.

MUSEUM

Bill Hoskins, Museum Director, presented a petition to annex into the city of Sioux Falls property legally described as Tract 1, Halls Addition, SE1/4 T102N-R49W. The property is located at the southeast corner of 54th Street North and Westport Avenue and was donated by Bob and Kari Hall to Minnehaha County and the Siouxland Heritage Museums for the purpose of building a storage facility. The land surrounding the property has already been annexed. MOTION by Pekas, seconded by Kelly to authorize the Chairman to sign the Annexation Petition. 5 ayes.

REPORT

Cindy Howard, Public Advocate, presented the 2009 Annual Report of the Office of the Public Advocate. She reported that there was a large increase in the number of cases opened in 2009 which she attributed to the economy.

AGREEMENTS

Warden Tim Devlin requested approval of the 2010 jail housing contracts with surrounding counties. He reported that the daily rate for 2010 has been calculated at \$74.35/day, a decrease from the 2009 rate of \$79.73. The rate for work release inmates and for Lincoln County, with a 12 bed guarantee, will remain the same as in 2009 at \$32.00/day and \$73.00/day respectively. The contracts will be valid from 4/1/10 to 3/31/11. MOTION by Pekas, seconded by Twedt to approve the 2010 jail housing agreements with the counties of Aurora, Brookings, Deuel, Gregory, Hanson, Hutchinson, Jerauld, Kingsbury, Lake, Lincoln, McCook, Miner, Moody, Pennington, Sanborn, Turner, and the Santee Sioux Tribe. 5 ayes.

DONATION

On 10/20/09, the Commission accepted the transfer of a bus from the city of Sioux Falls. The bus was then donated to the Multi-Cultural Center to be used by the SD African American History Museum as a traveling museum. The bus could not be donated directly to the Museum because they were not established as a 501(c)3, non-profit. Since that time, the SD African American History Museum has become a non-profit organization and the title was only recently received by the County. The bus may now be considered for donation directly to the Museum. Porter Williams with the Museum spoke briefly on this organization. MOTION by Twedt, seconded by Barth to rescind the action on 10/20/09 donating 1 transit bus, model #G27E102N2, to the Sioux Falls Multi-Cultural Center specifically for use by the South Dakota African American History Museum, and to approve the donation of the same bus (1997 Gillig Phantom) to the SD African American History Museum Committee. 5 ayes.

Commissioner Hajek relinquished the Chair to Commissioner Twedt.

GRANT

Ryan Streff, Planner, requested authorization to submit a grant application to the Department of Environmental and Natural Resources Solid Waste Management Program to fund a rural clean-up project for subdivisions in Minnehaha County. The grant would be for a two-year project with an estimated cost of \$105,415. The grant requires a 25% match in funding. Staff anticipates a \$15,720 in-kind match, reducing the County portion to \$10,633.75. Commissioner Twedt cautioned approving grants that could add to next year’s budget. MOTION by Kelly, seconded by Pekas to authorize the submission of the grant application and to approve Resolution MC10-12. 4 ayes.

MINNEHAHA COUNTY
RESOLUTION MC10-12

SOLID WASTE MANANGEMENT PROGRAM FUNDING APPLICATION SPONSORSHIP

WHEREAS, the County Commission of Minnehaha County has determined the need for the Unincorporated Rural Subdivision Recycling and Solid Waste Clean Up Project; and

WHEREAS, financial assistance will be necessary to enable Minnehaha County to conduct this project; and

WHEREAS, the Minnehaha County Commission desires funding assistance from the Solid Waste Management Program (SWMP) of the South Dakota Department of Environment and Natural Resources for this improvement.

THEREFORE BE IT RESOLVED, the County Commission of Minnehaha County hereby authorizes the filing of a SWMP grant application, including all assurances contained therein, and hereby designates the Commission Chairperson to act as Project Certifying Officer in connection with the application, grant agreement, and other required forms, and to provide such additional information as may be required by the State of South Dakota.

Adopted this 16th day of March 2010, by the County Commission of Minnehaha County, South Dakota.

Carol Twedt, Vice-Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

Commissioner Hajek resumed the Chair.

HEARING

Pat Herman, Planner, was present for the scheduled hearing to consider two amendments to the 1990 Revised Zoning Ordinance for Minnehaha County. Both amendments were heard at the Joint City/County meeting on 3/15/10 and will be applied to the County ordinance. The first amendment adds vehicle and equipment restrictions and definitions. Commissioner Pekas noted that the Ordinance does not define how the number of vehicles stored on a property will be counted. Gordy Swanson, Deputy State's Attorney, explained that the Ordinance captures the intent to have some mechanism in place to enforce the issue. MOTION by Kelly, seconded by Twedt to approve Ordinance MC16-108-10. 4 ayes, Pekas – nay. The entire Ordinance is on file in the Auditor's office.

The second amendment revises the standards for driveway, parking lots, and loading areas. MOTION by Pekas, seconded by Barth to approve Ordinance MC16-109-10. 5 ayes. The Ordinance is on file in the Auditor's office.

OLD BUSINESS

At the request of Sue Roust, Auditor, MOTION by Barth, seconded by Kelly to correct the following carryover supplements from the General Fund approved on 3/9/10: Sheriff's budget \$312.39 (ASN 16574), \$15,047.19 (ASN 16575), and \$3,790.33 (ASN 16576); and to the Emergency Management budget \$17,048.09 (ASN 16931). 5 ayes.

Lynn DeYoung, Emergency Management Director, gave an update on area flooding. He reported that Minnehaha County will not be greatly impacted by spring run-off and that Highway staff will monitor county roads.

Commissioner Twedt discussed difficulties that are anticipated for the 2011 budget. Ken McFarland, Commission Administrative Officer, noted that he has received notice that the CPI next year will be 0 and that the preliminary figures on new growth are around 1.7% to 1.8%. Commissioners discussed relaying this information to Department Heads. They also discussed rural ambulance licensing and contract services.

Ken McFarland, Commission Administrative Officer, announced that the 2010 Legislative Session has recessed. They will meet March 29th to finalize the budget and other issues.

MOTION by Barth, seconded by Pekas to adjourn into Executive Session for personnel discussion. 5 ayes. Following the Executive Session, the Commission adjourned until 9:00 a.m. on Tuesday, March 23, 2010.

APPROVED BY THE COMMISSION:

Carol Twedt, Vice-Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

3/16/10

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