

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M., March 23, 2010, pursuant to adjournment on March 16, 2010. Commissioners present were: Twedt, Barth, Kelly, and Pekas. Commissioner Hajek was absent. Also present were Sandy Kinder, Deputy Auditor, and Gordy Swanson, Chief Civil Deputy State's Attorney.

Vice-Chairman Twedt called the meeting to order.

## AGENDA

MOTION by Barth, seconded by Pekas to approve the Agenda. 4 ayes.

## MINUTES

MOTION by Pekas, seconded by Kelly to approve the Minutes of March 15 & 16, 2010. 4 ayes.

## VOUCHERS TO BE PAID

MOTION by Pekas, seconded by Barth to approve the following bills totaling \$273,384.66 for payment. 4 ayes.

A & B Business Equip	Public Def	262.00	Adams, Charice	Courts	25.92
Adams, Hannah Ester	Courts	28.14	Ahrendt, Brian T.	Courts	1,869.10
Akoi, Bang	Courts	25.92	Anderson, Carol	Human Svcs	450.00
Anderson, Elwood	Human Svcs	200.00	Anderson, Scott A.	Planning	18.50
Anderson's Towing	Sheriff	49.00	Appeara / Dudley Lau	Hwy Constr	32.75
Argus Leader	St Atty	226.60	Association of SD Mu	Mus Ops	210.00
Atssa, Inc.	Hwy Admin	529.50	Avera Home Medical E	Human Svcs	77.43
Avera McKennan Hosp	Mental Ill	341.37	Avera McKennan Hospi	Var. Depts	20,976.53
Al Jet LLC	Hwy Constr	271.04	B&F Fastener Supply	Hwy Constr	339.00
Baker, Mary/Lannie	Human Svcs	380.00	Baldwin Supply Co	Facilities	144.00
Belitz, Clarence H /	Human Svcs	400.00	Best Business Produc	St Atty	384.00
Bierschbach Equipmen	Hwy Constr	314.74	Billion's	Em Mgmt	21.95
Blair, Joshua	Courts	22.96	Boyer Trucks Sioux F	Hwy Constr	61.75
Boyok, Marissa	Courts	22.22	Brown & Saenger	Var. Depts	3,586.26
Bureau of Informatio	Var. Depts	360.00	Buus, David DBA	Hwy Constr	10.80
Byrne, Jessi	Courts	22.96	C & R Supply, Inc.	Hwy Constr	25.46
Cain's View Estates,	Human Svcs	229.00	Campbell Supply Co I	Facilities	49.73
Canfield Business In	Auditor	110.00	Carper, Nichole A	Courts	379.00
CBM Food Service	Jail	23,679.70	Center for Family Me	Courts	352.00
Century Business Lea	Public Adv	64.83	Chemco, Inc.	Facilities	1,401.35
Clausen Enterprises	Human Svcs	500.00	Cleveland Heights Ap	ARRA-HPRP	296.00
Cliff Acceptance Cor	Human Svcs	525.00	Communication Svcs F	Public Def	78.00
Cook, Terry	Human Svcs	400.00	Crescent Electric Su	Var. Depts	323.59
Crew & Crew	Courts	1,262.00	Criterion Prop Mgmt	Human Svcs	500.00
Dakota Data Shred	Jail	44.80	Danko Emergency Equi	Em Mgmt	249.41
Darnell, Jim	Courts	20.74	Deluxe Business Form	Jail	1,312.45
Dickinson County(IA)	St Atty	15.00	Dietrich, Donna K	Mental Ill	2,300.37
Dollar Tree Stores I	Human Svcs	361.83	Dossett, Jody	Courts	22.96
Dust Tex Service, In	Mus Maint	9.83	Eagleroad, Alyssina	Courts	24.44
Eastgate Towing	Sheriff	94.00	Ebert's Properties,	Human Svcs	450.00
Force America Inc	Hwy Constr	34.50	Ford, Michael	Courts	20.00
Fred the Fixer Inc	Facilities	46.92	Fritz, Justin	Courts	22.96
G&W, Inc DBA Gary Co	Human Svcs	262.57	Gene Rollinger Const	JDC	86.70
George Boom Funeral	Human Svcs	4,025.00	George, Aaron	Human Svcs	290.00
Gillund Enterprises	Hwy Constr	168.96	Glasco, Randy	Human Svcs	425.00
Glory House	Pass-Thru	15,254.19	Goebel Printing, Inc	Public Adv	20.00
Golden Creek Investo	Human Svcs	500.00	Governors Inn, Inc.	Commission	70.00
Graham Tire Co. - Do	Mus Ops	234.21	Graham Tire Co. - No	Hwy Constr	693.60
Grainger, Inc.	Facilities	39.93	Graybar Electric Com	Facilities	23.25
Greene, James W. Tru	Apportmnt	928.50	Gromer, Jeff	Sheriff	26.00
Hanson Logowear	JDC	1,443.85	Heartland Paper Comp	Em Mgmt	42.50
Heim, Brittany	Courts	23.70	Help Line Center, In	Mus Entpr	55.00

Hennepin County Medi	Coroner	490.00	Heritage Funeral Hom	Human Svcs	3,175.00
Herman , Tiffany	Courts	21.48	Hillyard, Inc.	Facilities	318.67
Holmes, Robert	Courts	21.48	Human Engineering So	Facilities	385.00
Hurtgen, Timothy T.	Human Svcs	400.00	Hy-Vee Accounts Rece	Var. Depts	54.36
Inland Truck Parts &	Hwy Constr	23.09	Intab ,Inc	Elections	476.58
Interstate Office Pr	Var. Depts	1,984.01	Invespro, Inc	Human Svcs	351.00
Iosty, Alysia A	Dir of Eq	56.14	J & S Hospitality DB	Human Svcs	179.00
J.C. Penney Company,	Facilities	107.99	Jackson, Kelly L	Courts	20.74
JCL Solutions-Janito	Var. Depts	398.50	Jefferson Partners L	Var. Depts	2,082.36
Johnson Feed, Inc.	Hwy Constr	5,330.87	Johnson, Timothy J	Courts	22.96
Johnson,Miner,Marlow	Mental Ill	154.95	Johnston, Roger	Human Svcs	200.00
Jones, Christine	Courts	21.48	Karras, Donald	Courts	27.40
Kennedy, Pier & Knof	Mental Ill	311.40	Kennedy, Renee S	Courts	47.60
Kittelston, Joan M	Mental Ill	90.00	Knudson, Suanne	Courts	21.85
Koch Hazard Architec	Var. Depts	10,500.00	Kooistra, Nelva	Mental Ill	225.00
Koopman & Sons Gas C	Hwy Admin	218.23	Landborg, Richard	Human Svcs	345.00
LCM Pathologists PC	Coroner	6,675.00	Leaf Inc.	Var. Depts	189.77
Legal Dimensions	Public Def	48.50	Lutheran Social Svce	Var. Depts	1,350.00
Mac's, Inc.	Hwy Constr	31.97	Malloy Electric Bear	Facilities	42.51
Marco	Extension	191.80	Marzolf, Jason	Em Mgmt	104.00
Mattson Law Office P	Courts	492.00	Mcfarland, Kenneth	Commission	182.16
Medical Waste Transp	Jail	111.09	Medical X-Ray Center	Mental Ill	33.32
Meister, Bob	Hwy Admin	106.00	Menards - East	Var. Depts	108.35
Menards - West	Hwy Constr	5.52	Meyer, Bradley	Courts	20.37
Midamerican Energy C	JDC	2,036.10	Midcontinent Communi	Law Lib	55.00
Midwest Alarm Compan	Facilities	224.24	Midwest Oil Company,	Hwy Constr	288.75
Miller Funeral Home,	Human Svcs	5,284.50	Miller, Carol	Courts	23.70
Millikan, Bruce	Courts	20.74	Minnehaha Cnty Priso	Jail	50.00
Minnehaha Cnty Pub D	Public Def	150.81	Mkt Equipment	Hwy Constr	150.00
Monte's Woodshop	Mus Entpr	50.00	Morgan County(OH)She	St Atty	35.00
Muller, Dan	Courts	23.70	Murray Properties, L	Human Svcs	320.00
NAREM, Inc	Hwy Constr	59.90	Nat'l 4-H Council-Su	Extension	51.90
Niedringhaus, Paul	Sheriff	26.00	Nold, Nancy	Human Svcs	400.00
Northern Truck Equip	Hwy Constr	75.91	Nyberg's Ace Hardwar	Facilities	46.54
Office Depot	Public Def	2,749.60	Oulai, Noemie	Courts	20.00
Panasonic Finance So	Extension	203.12	Patch Natalie	Courts	64.44
Pechous, Corey	Hwy Constr	59.96	Pennington County Ja	Jail	5,399.60
Perspective Inc	Var. Depts	27,971.29	Peterson, Jackson	Em Mgmt	104.00
Pharmchem Inc	24/7 Prog	200.00	Presto-X-Company	Var. Depts	252.00
Provo, Tom	Human Svcs	400.00	Quality Efficiencies	Human Svcs	400.00
Quill Corp.	Var. Depts	595.78	Qwest	Jail	47.20
R & L Supply, Ltd	Var. Depts	929.18	Ramsey County Medica	Coroner	1,400.00
Refinish Supply Cent	Hwy Constr	23.38	Rehfuss, Cathy A	Mental Ill	135.00
Ronning Commercial,	Human Svcs	400.00	Rons, Norm	Human Svcs	300.00
Ross, Tanya R	Courts	21.48	Rud, Celina	Courts	23.70
Sanford Clinic	Human Svcs	97.59	Sanford Hospital	St Atty	40.00
Sanford Hospital Med	St Atty	14.00	Schaffer, Michael	Courts	22.96
SD Law Review	St Atty	33.02	SD Risk Pool	Human Svcs	1,958.09
SDAE4-HE	Extension	200.00	Sherman Municipal	Var. Depts	3,977.14
Sigala, Sarah	Courts	21.85	Sioux Council Boy Sc	Pass-Thru	10,033.63
Sioux Empire FCU	Sheriff	280.22	Sioux Empire FCU	Sheriff	402.30
Sioux Empire FCU	24/7 Prog	23.38	Sioux Empire FCU	Jail	761.61
Sioux Empire FCU	Sheriff	1,719.50	Sioux Falls Chamber	Commission	320.00
Sioux Falls City Fin	Var. Depts	958.54	Sioux Falls Conventi	Mus Ops	800.00
Sioux Falls School D	Pass-Thru	1,921.50	Sioux Falls Two Way	Var. Depts	442.59
Sioux Falls Utilitie	Var. Depts	4,751.46	Sioux Printing, Inc.	Hwy Admin	66.75
Smith, Michael	Courts	22.22	Southeastern Behavio	Jail	398.75
Stanley County Audit	Mental Ill	142.00	Sturdevant's Auto Pa	Hwy Constr	449.00
Sunshine Foods	Human Svcs	44.65	Surgical Institute o	Human Svcs	75.92
Tarr, Jourdan	Courts	24.44	TBEI (Truck Bodies &	Hwy Constr	416.00
Tenth Street Lodging	Human Svcs	570.00	Tenth Street, Inc.	Var. Depts	130.35
The Center for Activ	Mus Ops	54.00	Thompson, Ashton	Courts	21.11
Thompson, Julie	Courts	21.11	Thorin, Deyanira T	Public Def	100.00
Thurman, Creighton A	Mental Ill	359.72	Thyssenkrupp Elevato	Jail	2,299.03
Timberland Village A	Human Svcs	500.00	TK Enterprises	ARRA-HPRP	1,695.00
Toay, Ron	ARRA-HPRP	500.00	Torok, Norbert	Courts	20.00
Town Park II Apts	Human Svcs	529.00	Trademark Properties	ARRA-HPRP	450.00

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Tschetter & Adams La	Courts	6,371.59	United Parcel Servic	Hwy Admin	47.52
Unke - Lyons, Inc.	Human Svcs	375.00	US Bank-Corporate Tr	Bldg Fund	1,250.00
US Postmaster	Em Mgmt	240.00	Van Voorst, Arnie	Facilities	1,736.31
Verizon Wireless	Var. Depts	6,322.90	Volunteers Of Americ	Pass-Thru	16,874.92
Vugate, Inc.	Jail	12,898.00	Wal-Mart Pharmacy	Human Svcs	146.52
Walsh, Mike	Sheriff	26.00	Weed and Pest Confer	Hwy Admin	184.56
Weerheim, Tom	Courts	1,083.20	Welker, Donald J	Human Svcs	400.00
West Group	Law Lib	1,994.80	West Pointe Townhous	Human Svcs	500.00
Winner Police Depart	Jail	66.80	Wolfe, Michael	Courts	47.40
Woodlake Apts CL LLC	Human Svcs	800.00	Xcel Energy, Inc.	Var. Depts	10,152.19
Yankton County Treas	Mental Ill	415.00	Yellow Book USA/McLe	Mus Ops	1,094.40
Zee Medical Service	Hwy Admin	74.80	Zutz, Jerald	ARRA-HPRP	119.00

**REPORT**

The following report was received and placed on file in the County Auditor’s Office: Register of Deeds Official Statement of Revenue Report for February, 2010.

**PERSONNEL**

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

1. To place Jaclyn Noteboom, Correctional Officer (13/9) for the Jail, on leave without pay effective 3-29-10 to 4-7-10.
2. To hire Nick Boschee as part-time Correctional Officer in Training (12/2) for the 24/7 Program at \$16.339 per hour effective 3-23-10.
3. To hire Sheila Kramer as temporary, part-time Election Worker for the Auditor’s Office at \$9.500/hour effective from 3-17-10 to 11-12-10.
4. To hire Norma Dunker and Merla Severson as temporary, part-time Election Workers for the Auditor’s Office at \$9.500/hour effective from 3-29-10 to 11-12-10.
5. To hire Alex Anderson as part-time Juvenile Correctional Worker (9/1) for the Juvenile Detention Center at \$13.745/hour effective 3-23-10.
6. To hire Jason Doppenberg as part-time Tax & License Technician (10/1) for the Treasurer’s Office at \$14.441/hour effective 3-29-10.
7. To accept the resignation of Kimberly Luke as Victim Witness Assistant for the State’s Attorney’s Office effective 3-12-10.

Step Increases Due:

1. Matthew Olson – Senior Deputy Public Defender – Public Defender’s Office – 22/3 to 22/4, 3-27-10, \$2,364.16/bi-weekly
2. Jennifer Van Roekel – Deputy Sheriff – Sheriff’s Office – 16/10 to 16/11, 3-23-10, \$24.861/hour
3. Cleota Burnette – Caseworker I – Human Services – 16/5 to 16/6, 3-22-10, \$21.974/hour

MOTION by Pekas, seconded by Barth to defer the briefing on the Minnehaha County 2010 Affirmative Action

Plan until Carey Deaver, Human Resources Director, is available. 4 ayes.

#### ABATEMENTS

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

MOTION by Pekas, seconded by Kelly to approve the following abatement: Sioux Falls 57 Good Samaritan Housing, Inc., ID 80979, 2009 property taxes, \$50,717.34. 3 ayes, Barth – nay.

MOTION by Pekas, seconded by Barth to approve the following abatement: Design Tanks Inc., ID 53538, 2009 property taxes, \$3,592.40. 4 ayes.

MOTION by Kelly, seconded by Pekas to approve the following abatement: Sioux Empire Housing Partnership Inc., ID 42362, 2009 property taxes, \$5,171.75. 4 ayes.

The following 2009 property tax abatements were recommended by Pam Nelson, Treasurer, as part of the Elderly Freeze Program:

MOTION by Pekas, seconded by Kelly to approve the following abatements: Eva Nelson, ID 30218, \$327.83; Barbara Brisbin, ID 48587, \$575.80; and Mona McDonald, ID 77541, \$129.78. 4 ayes.

Gordy Swanson, Deputy State's Attorney, did not support approval of an Elderly Freeze application for ID 41830, in the amount of \$550.44. This applicant also received an abatement in 2009 for 2008 taxes as part of this program. He explained that law requires these applications by a certain deadline, but allows for a grace period allowing people to request an abatement if they missed that deadline. However, no window of time was set on how many times you can request this type of abatement. He did not feel the intent of the law was to allow a person to come back year after year for an abatement and stated that compliance with legislative intent would suggest denial of the application. Pam Nelson, Treasurer, explained the program criteria and noted that elderly people are often forgetful and that this applicant did not know that she had to apply every year. MOTION by Kelly, seconded by Pekas to approve the 2009 property tax abatement for Lois Lundberg, ID 41830, in the amount of \$550.44. 4 ayes.

#### LIEN

Commissioner Pekas, County Aid Lien Liaison, briefed the Commission on a request to compromise DPNOs 45441 in the amount of \$388.60 & 53128 in the amount of \$928.21. The applicant was in the process of purchasing a home when the liens were noted by the title company. The applicant reported that she is responsible for DPNO 45441, for services provided to her minor child, and for \$370 of DPNO 53128. The remaining services on DPNO 53128 were provided to the applicant's ex-husband after their divorce. Commissioners discussed the number of compromise requests for liens that are discovered during title searches that the applicants claim to be unaware of. Hugh Grogan, Human Services Director, explained the notification process for liens when services are provided. MOTION by Pekas, seconded by Barth to approve Resolution MC10-13. 4 ayes.

#### RESOLUTION MC10-13

WHEREAS, County Aid Lien(s) totaling \$1,316.81 purport to exist in favor of Minnehaha County and against DPNO(s) 45441 & 53128 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:

Release DPNO 45441 in full upon payment of \$194.30; and compromise and release applicant only on DPNO 53128, receipt #411406 in the amount of \$370.00, upon payment of \$185.00. The balance of \$558.21 on DPNO 53128 to remain filed in the name of the applicant's 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 23rd day of March, 2010.

APPROVED BY THE COMMISSION:

Carol Twedt, Vice-Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

#### PURCHASE

At the request of Todd Cheever, JDC Director, MOTION by Pekas, seconded by Barth to authorize the purchase of a 2010 Chevrolet Impala off of state contract #15768 awarded to Beck Motors, Pierre, SD, in the amount of \$17,233. 4 ayes.

#### PROCLAMATION

Steve Munk, Extension Educator, introduced West Central teacher Cheryl Prunty and students, Mercede Odegaard, Dana Voss, and Mariah Fallon, who gave a presentation on the importance of water in our community. Harley Shafer with the Minnehaha County Conservation District distributed water bottles and invitations to the Water Festival. Phil Kappen, Assistant Planning Director, read a proclamation recognizing March 29<sup>th</sup> & 30<sup>th</sup>, 2010 as Sioux Empire Water Festival Days. MOTION by Kelly, seconded by Barth to approve the Proclamation. 4 ayes.

#### OLD BUSINESS

Commissioner Kelly reported that the members have been appointed to the task force to review the Drainage Ordinance. The task force announcement and process will be part of next week's agenda.

#### NEW BUSINESS

Commissioner Pekas announced that it is Dakotabilities "Thank You" day to recognize patrons who support their establishment. He read a portion of a statement from the Disability Awareness Task Force. He encouraged everyone to take time to think about disabilities and how persons with disabilities are a part of our community.

Commissioner Barth announced that he and Commissioner Kelly attended the SDACC Spring Workshop in Pierre last week.

MOTION by Pekas, seconded by Barth to adjourn into Executive Session for contract discussion and a legal briefing. 4 ayes. Following the Executive Session, the Commission adjourned until 9:00 a.m. on Tuesday, March 30, 2010.

APPROVED BY THE COMMISSION:

3/23/10

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Anne Hajek, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

Published once at the total approximate cost of \$\_\_\_\_\_