

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M., April 6, 2010, pursuant to adjournment on March 30, 2010. Commissioners present were: Hajek, Twedt, and Barth. Commissioners Kelly and Pekas were 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 Barth, seconded by Twedt to approve the Agenda. 3 ayes.

MINUTES

MOTION by Twedt, seconded by Barth to approve the Minutes of March 30, 2010. 3 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Twedt to approve the following bills totaling \$396,823.18 for payment. 3 ayes.

A & B Business Equip	Var. Depts	780.21	Aaker, Anita	Courts	89.60
Ace Group, LLC	Hwy Constr	5,603.19	Adnan, Suljic	Courts	87.49
Albers, Tyrone	Sheriff	72.00	Allied Oil & Supply	Hwy Constr	18.50
American Ink LLC	Hwy Constr	541.02	American Planning As	Planning	350.00
Anderson, Dennis/Em	Em Mgmt	2,339.62	Anesthesiology Assoc	Human Svcs	192.00
Appera / Dudley Lau	Hwy Constr	32.75	Argus Leader	Var. Depts	4,543.04
Avera Health Informa	Var. Depts	131.70	Avera McKennan Hospi	Var. Depts	4,743.58
Avera Pulmonary Asso	Human Svcs	203.13	Avera Queen of Peace	Jail	573.40
Awate, Elashe	Public Def	72.00	Bierschbach Equipmen	Hwy Constr	80.85
Boyd, Michelle	Sheriff	209.61	Boyer Trucks Sioux F	Hwy Constr	250.51
Brewer, Ryan	Human Svcs	210.00	Building Sprinkler,	Facilities	4,721.00
Bureau of Informatio	Info Tech	360.00	Burnette, Sara L	Courts	1,045.00
Butler Machinery Com	Hwy Constr	56.77	Cadd/Engineering Sup	Mus Ops	700.00
Campbell Supply Co I	Facilities	35.06	Campbell, Vicki	Human Svcs	400.00
Canfield Business In	Reg Deeds	590.60	Carlson, Jim A	Human Svcs	150.00
Carlson, Lisa	Courts	27.20	CBM Food Service	Jail	11,800.71
Century Business Pro	Treasurer	75.56	City Centre Hotel Co	Courts	308.67
Clausen Enterprises	Human Svcs	154.00	Claveau, Julie	Human Svcs	109.52
Cleveland Heights Ap	ARRA-HPRP	296.00	Cliff Avenue Auto Pa	Hwy Constr	225.08
Commercial Audio & V	Commission	357.25	Connecting Point	Info Tech	1,023.97
Constellation New En	Pettigrew	1,347.38	Cooley, Carla F	Courts	19.00
Crew & Crew	Courts	20,431.20	Dakota County Sherif	St Atty	9.25
Dakota Forensic Cons	Coroner	6,000.00	Dakota Riggers & Too	Hwy Constr	69.30
Dakota Security Syst	JDC	181.12	Dakota Splash	Hwy Admin	86.20
Dangel, Jeremy N	Em Mgmt	2,321.36	Danko Emergency Equi	Em Mgmt	1,166.00
Dearborn, Lori	Human Svcs	158.25	Deaver, Carey Jo	Human Res	99.00
Dell Rapids Ambulanc	Ambulance	40,000.00	Dialnet/Ahrens Telec	Info Tech	131.12
Dickinson County(IA)	St Atty	30.00	Diesel Machinery, In	Hwy Constr	2,969.58
Dobberpuhl, Randy	Human Svcs	75.48	Dollar Genl Stores M	JDC	15.50
Donahue, David J	Human Svcs	550.00	Donovan's Hobby & Sc	Em Mgmt	274.39
DRL Investments, Inc	Hwy Constr	125.00	Dust Tex Service, In	Mus Maint	9.84
Ebert's Properties,	Human Svcs	245.00	Eich Law Office LLC	Courts	1,608.95
Falls Community Heal	Public Adv	22.00	Fastenal Company	Hwy Constr	168.05
Force America Inc/Va	Hwy Constr	301.32	Four Winds Indian Bo	JDC	72.75
Fred the Fixer Inc	Sheriff	5.50	G & R Controls Inc	Facilities	220.00
Garretson Ambulance	Ambulance	40,000.00	Goebel Printing, Inc	Public Def	226.09
Golden West	Hwy Admin	74.84	Graham Tire Co. - No	Hwy Constr	28.50
Graybar Electric Com	Facilities	1,004.85	Great Plains Int'l T	Hwy Constr	138.92
Guarantee Roofing of	Facilities	599.80	Guzman, Sandra V.	Var. Depts	179.16
Hander, Inc.	Human Svcs	231.55	Handy Man, Inc.	Facilities	99.99
Heirloom Creations	Mus Ops	111.20	Hewlett-Packard Comp	Var. Depts	158.00
Hoekstra, Denise A.	Courts	252.00	Hollaway Const Inc	Hwy Constr	53,743.68

Howard, Cynthia A	Public Adv	117.00	Hughes County Sherif	St Atty	29.30
Humboldt Fire & Ambu	Ambulance	40,000.00	Hy-Vee Accounts Rece	Var. Depts	443.53
Interstate Office Pr	Hwy Admin	28.68	J.C. Penney Company,	JDC	76.47
Johnson Custom Home	Pettigrew	2,734.70	Johnson Feed, Inc.	Hwy Constr	7,137.29
Johnstone Supply	Facilities	52.21	Jolly, Julie	Human Svcs	400.00
Kadi, Mark	Public Adv	137.00	Kahler Funeral Home	Human Svcs	2,250.00
Khoroosi, Sam	Courts	2,767.60	Knology	Human Svcs	97.03
Kohl's Department St	JDC	198.93	Krier & Blain, Inc.	Facilities	24,706.00
Kunkel, Parker J	Human Svcs	400.00	Larson, Leslie Marie	Human Svcs	400.00
Lassegaard, Samuel C	Human Svcs	300.00	Lewis Drug Stores	Extension	4.97
Libengood, Anny	Human Svcs	91.07	Locators & Supplies,	Hwy Constr	69.98
Ludoc Enterprises In	Ambulance	2,395.83	Mac's, Inc.	Hwy Constr	26.44
Mailway Printers	Mus Ops	560.00	Malloy Electric Bear	Hwy Constr	384.60
McCook County Sherif	Public Def	12.15	McFarland, Kenneth	Commission	33.50
Medical Legal Analys	Public Def	400.00	Metro Communications	Var. Depts	9,818.05
Midamerican Energy C	Var. Depts	4,369.60	Midcontinent Communi	Law Lib	150.00
Midwest Welding Co.	Mus Ops	100.00	Midwestern Mechanica	Mus Maint	198.38
Minnehaha Cnty Pub D	Public Def	178.83	Minnehaha Community	Hwy Admin	31.00
Mohr, Bryan	Sheriff	72.00	Moore, Rasmussen, Ka	Courts	3,037.97
Murray Properties, L	Human Svcs	308.00	NAREM, Inc	Hwy Constr	90.97
Nat'l Public Safety	Sheriff	144.00	Nat'l Student Housin	Human Svcs	300.00
Ne Dept of Motor Veh	St Atty	6.00	New World Systems	Info Tech	1,945.00
Norm Feldman's Glass	Hwy Constr	158.08	Northern Safety Tech	Hwy Constr	394.07
Nyberg's Ace Hardwar	Var. Depts	24.51	Office Depot	Public Def	565.43
Office Depot, Inc.	Info Tech	1,288.75	Orthopedic Institute	Human Svcs	1,258.74
PBC Sioux Falls LLC	Human Svcs	35.99	Pierre Parkside Deve	Human Svcs	197.98
Prairie Rehabilitati	Human Svcs	179.13	Presto-X-Company	Facilities	260.00
Quality Efficiencies	Human Svcs	165.00	Quest Engineering, I	Hwy Constr	237.16
Quill Corp.	Public Def	183.52	Qwest	Jail	103.11
R & L Supply, Ltd	Facilities	19.43	Radco - Sioux Falls	Hwy Constr	440.00
Reardon, Thomas J DB	Mus Ops	580.00	Robinson, Lynn	Human Svcs	40.00
Rochester Armored Ca	Treasurer	379.50	Rocky Mount Instrume	Public Def	150.00
Rural Metro Ambulanc	Coroner	400.00	Safelite Glass Corp.	Sheriff	188.85
Sanford Clinic	Human Svcs	1,156.95	Sanford Hospital Med	Public Def	121.00
Schwartz, Gerald	Facilities	12.00	SD Continuing Legal	Var. Depts	450.00
SD Dept of Public Sa	Human Svcs	10.00	SD State Fire Marsha	Facilities	90.00
SD State Treasurer	Sales Tax	444.06	SDES (SD Engineering	Hwy Admin	265.00
Sf Leased Hsg Assoc	Human Svcs	595.00	SF Surgical Hospital	Human Svcs	3,080.43
Sheehan Mack Sales &	Hwy Constr	422.84	Simon, Anthony	Commission	75.00
Sioux Building Produ	Facilities	415.64	Sioux Equipment Co I	Hwy Constr	94.52
Sioux Falls Housing	ARRA-HPRP	832.00	Sioux Falls Two Way	Em Mgmt	35.00
Sioux Falls Utilitie	Var. Depts	670.82	Sioux Valley Energy	Hwy Admin	214.70
Solomon, Ghirmay	Courts	191.66	Stan Houston Equipme	Facilities	36.98
Stoner's Landing	Human Svcs	400.00	Storhaug, Adrean	Human Svcs	400.00
Thorin, Deyanira T	Var. Depts	571.70	Tieszen, Stacey	Human Svcs	167.61
Tires,Tires,Tires In	Sheriff	442.59	TK Enterprises	ARRA-HPRP	695.00
Tool Depot	Hwy Constr	72.24	Tractor Supply Co.	Hwy Constr	104.99
Tyler Buildings Llc	Human Svcs	450.00	Union County Emer Mg	Em Mgmt	1,599.39
Us Postmaster	Elections	1,547.16	Verizon Wireless	Em Mgmt	810.18
Vision Care Associat	Human Svcs	31.99	Voigt, Debra	Courts	5,965.73
Wal-Mart Pharmacy #1	Human Svcs	51.96	Walgreen Co.	Human Svcs	676.06
Weeda, Alvina	Info Tech	196.00	Weerheim, Tom	Courts	1,056.05
Wilka & Welter Llp	Courts	5,229.32	Xcel Energy, Inc.	Var. Depts	35,866.72
Zabel Steel Co.	Hwy Constr	149.11	Zdorovtsov, Christin	Extension	131.04

REPORTS

The following reports were received and placed on file in the County Auditor's Office: 2010 Unified Planning Work Program for the Sioux Falls Metropolitan Area, 2010-2014 Transportation Improvements Program for the Sioux Falls Metropolitan Area, and the Minnehaha County Human Services Report for March, 2010.

PERSONNEL

MOTION by Twedt, seconded by Barth to approve the following personnel changes. 3 ayes.

1. To promote Michael Tuschen from Highway Maintenance Worker (12/11) to Senior Highway Maintenance Worker (14/9) for the Highway Department at \$21.438/hour effective 4-12-10.
2. To hire Bill Shatter as temporary, part-time Spray Truck Operator for the Highway Department at \$11.250/hour effective 4-12-10.
3. To hire Morris Gjoraas as temporary, part-time Laborer for the Highway Department at \$10.960/hour effective 4-8-10.
4. To hire David Kemper as temporary, part-time Laborer for the Highway Department at \$10.650/hour effective 4-8-10.
5. To hire Jennifer Beller as Administrative Clerk (9/3) for Extension at \$14.441/hour effective 4-12-10.
6. To hire Ed Powderly as temporary, part-time Park Worker for the Parks Department at \$11.250 per hour effective from 4-8-10 to 11-1-10.
7. To hire Gregg Kringen as temporary, part-time Park Worker for the Parks Department at \$11.250 per hour effective from 4-8-10 to 12-1-10.

Step Increases Due:

1. Jeffrey Helgeson – Deputy Sheriff Sergeant – Jail – 20/11 to 20/12, 3-10-10, \$31.048/hour
2. Michael McGovern – Deputy Sheriff – Jail – 16/4 to 16/5, 3-21-10, \$21.438/hour
3. Justin Du Chene – Correctional Officer – Jail – 13/9 to 13/10, 1-27-10, \$20.915/hour
4. Christine Slaight – Corrections System Operator – Jail – 9/9 to 9/10, 4-26-10, \$17.166/hour
5. John Sites – Corrections System Operator – Jail – 9/8 to 9/9, 3-28-10, \$16.747/hour
6. Bryan Mohr – Deputy Sheriff – Sheriff – 16/15 to 16/16, 3-28-10, \$28.128/hour
7. George Le Texier – Deputy Sheriff – Sheriff – 16/11 to 16/12, 4-9-10, \$25.483/hour
8. John Olson – Certified Civil Process Server – Sheriff – 13/10 to 13/11, 4-7-10, \$21.438/hour
9. Kenneth Headrick – Civil Process Server – Sheriff – 12/10 to 12/11, 4-11-10, \$20.405/hour
10. Robert Wilson – Assistant Commission Administrative Officer – Commission – 21/1 to 21/2, 3-16-10, \$2,038.64/bi-weekly
11. Angela Valder – Juvenile Correctional Officer II – JDC – 14/10 to 14/11, 3-26-10, \$22.523/hour

Special Commission Action Requests:

1. To recognize the following significant employee anniversaries for April: 5 years - Matthew Tirevold, Eric Haan, Ryan Baker, Jessica Hill, and Deb Critser; and 10 years - James Ness, Todd Cheever, Jason Ingemansen,

and Brian Van Den Hul.

2. To record volunteers in County Departments for March 2010. The list is on file at Human Resources.

MOTION by Barth, seconded by Twedt to approve the 2010 Affirmative Action Plan for Minnehaha County. 3 ayes. Carey Deaver, Human Resources Director, reviewed the data which was presented during the briefing on 3/30/10.

NOTICE

MOTION by Barth, seconded by Twedt to authorize the Auditor to publish Notice to Bidders for the Public Safety Building Re-Roof Project. 3 ayes.

PLANNING

Pat Herman, Planner, gave the first reading of proposed amendments to the 2001 Revised Joint Zoning Ordinance for Minnehaha County and the City of Dell Rapids. The proposed amendments will add 1) vehicle restrictions for commercial, recreational, and agricultural vehicles and equipment; 2) crushed asphalt as an option for hard surfacing; 3) additional use operations in the Agricultural and Recreational zoning districts; and 4) related definitions. MOTION by Twedt, seconded by Barth to authorize the Auditor to publish Notice of Hearing on 4/27/10. 3 ayes.

LIEN

Ken McFarland, Commission Administrative Officer, briefed the Commission on a request to compromise DPNO 49719 in the amount of \$2,174.60. There is no pending real estate transaction involved in this request. The applicant is attempting to pay down his debts and make repairs to his home. This is a second compromise request for this account. In June 2007, the Commission approved a compromise request from the same applicant for this account. No payments were made within 1 year of approval, so the full amount of the lien was reinstated. The applicant's Public Defender supported the request. MOTION by Twedt, seconded by Barth to approve Resolution MC10-14. 3 ayes.

RESOLUTION MC10-14

WHEREAS, County Aid Lien in the amount of \$2,174.60 purports to exist in favor of Minnehaha County and against DPNO 49719 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:

A compromise and release of the lien in full upon payment of \$1,087.30. If payment is not made within one year from approval, this agreement is null and void.

Dated at Sioux Falls, South Dakota, this 6th day of April, 2010.

APPROVED BY THE COMMISSION:

Anne Hajek, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

COMMITTEE

Commissioner Twedt introduced Jodi Kirschenman with the Department of Corrections who serves with her on the Governor's Council on Juvenile Services (CJS). She explained how the CJS was formed and gave a brief history on the County's efforts to comply with the Juvenile Justice and Delinquency Prevention Act. Ms. Kirschenman discussed an opportunity to participate in a pilot program for detention reform. Minnehaha and Pennington Counties will pilot the program. MOTION by Twedt, seconded by Barth to approve Resolution MC10-15. 3 ayes.

RESOLUTION MC10-15

Ratification of the Minnehaha County Juvenile Detention Alternatives Initiative Partnership Committee

WHEREAS, studies show that juveniles are more effectively rehabilitated in community-based treatment programs than confinement in Juvenile Detention facilities; and

WHEREAS, the Annie E. Casey Foundation has extensive experience in undertaking juvenile detention reform nationwide and has committed to assisting Minnehaha County in developing alternatives to juvenile detention; and

WHEREAS, close collaboration between County agencies, the courts, community-based organizations, school districts, and elected officials from within Minnehaha County will be required to successfully undertake detention reform; and

WHEREAS, the Minnehaha County Board of Commissioners desires to participate in juvenile detention reform in order to more effectively rehabilitate our youth and to create a more fair justice system for juveniles; and

WHEREAS, the Minnehaha County Board of Commissioners desire to support the Juvenile Detention Alternative Initiative Partnership Committee in Minnehaha County to eliminate the inappropriate or unnecessary use of secure detention of youth and to reduce the disproportionate incidents of minority confinement in secure detention, now

THEREFORE, BE IT RESOLVED that the Minnehaha County Board of Commissioners hereby ratifies the participation of the following officials or their designees to the Minnehaha County Juvenile Detention Alternatives Initiative Partnership Committee:

Chief Doug Barthel, Sioux Falls Police Department
Pam Bollinger, CEO, Volunteers of America
Kristi Bunkers, Director of Classification/Community Service, Department of Corrections
Vicki Burger, Department of Social Services
Presiding Judge Kathleen K. Caldwell, State Court System, Second Judicial Circuit
Todd Cheever, Director, Minnehaha County Juvenile Detention Center
Dr. Pam Homan, Superintendent, Sioux Falls Public Schools
Ken McFarland, Commission Administrative Officer, Minnehaha County
Judge Stuart L. Tiede, State Court System, Second Judicial Circuit
Aaron McGowan, State's Attorney, Minnehaha County State's Attorney's Office
Judge Joseph Neiles, State Court System, Second Judicial Circuit

Betty Oldenkamp, President, Lutheran Social Services
Dr. Susan Randall, South Dakota Voices for Children
Traci Smith, Public Defenders Office
Commissioner Carol Twedt, Minnehaha County Commission
Patty Vonsik, Chief CSO, Unified Judicial System, Second Judicial Circuit

BE IT FURTHER RESOLVED, that it is understood that the Juvenile Detention Alternatives Initiative Partnership Committee will partner with the Council of Juvenile Services and the Annie C. Casey Foundation to identify and develop alternatives to juvenile detention for potential implementation to the appropriate officials agencies involved with the juvenile justice system.

Dated this 6th day of April, 2010.

APPROVED BY MINNEHAHA COUNTY
BOARD OF COMMISSIONERS
Anne Hajek, Chairman

ATTEST:
Sandy Kinder, Deputy Auditor

SURPLUS

Bob Meister, Highway Superintendent, requested that the Commission declare 2 automated roadway weather monitoring systems as surplus for donation to the SD Department of Transportation. The items were vandalized and are now inoperable. The SD DOT would like to use the units for parts. MOTION by Barth, seconded by Twedt to declare 2 automated roadway weather monitoring systems, asset #47940 and #47950, as surplus for donation to the SD Department of Transportation. 3 ayes.

BRIEFING

As part of County Government Month (April), department heads are invited to discuss the duties and responsibilities of their departments. This week, Eli Whitney, Director of Equalization, and Lynn DeYoung, Emergency Management Director, spoke about their departments.

OLD BUSINESS

Lynn DeYoung, Emergency Management Director, reported on spring flooding in the area. He explained that in order to qualify for disaster funding, there must be \$480,000 in damages from flooding. After assessing the County with staff from the Highway department and discussion at the Towns and Township Officials meeting it was determined that Minnehaha County will not seek a disaster declaration.

Commissioner Hajek announced that an update on the Safe Home Project will be scheduled for next week.

Commissioner Hajek announced that the Board of Equalization will meet next week following the Commission Meeting.

Ken McFarland, Commission Administrative Officer, reported that a briefing on the 2011 budget outlook is scheduled for 5/11/10 following the Commission Meeting.

Commissioner Barth announced that the Multi-Cultural Center Intergovernmental Board will be meeting today. He

asked what the deadline is for submitting items for the Joint City/County Meeting agenda on April 19th, if there is an update from this meeting to be discussed.

Commissioner Barth announced that the first meeting of the Drainage Task Force will be held tomorrow night. Commissioner Twedt commented on an article in the Argus Leader related to the Task Force and members and explained that the non-inclusion of a member representing wetland areas was an oversight. The meeting will be open to the public. Commissioner Hajek stated that at the meeting, the Task Force could consider the appointment of additional members subject to Commission approval.

MOTION by Barth, seconded by Twedt to adjourn into Executive Session for contract discussion. 3 ayes. Following the Executive Session, the Commission adjourned until 9:00 a.m. on Tuesday, April 13, 2010.

APPROVED BY THE COMMISSION:

Anne Hajek, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

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