

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M., May 11, 2010, pursuant to adjournment on May 4, 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 Pekas, seconded by Twedt to approve the Agenda. 5 ayes.

MINUTES

MOTION by Pekas, seconded by Barth to approve the Minutes of May 4, 2010. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Twedt to approve the following bills totaling \$716,710.76 for payment. 5 ayes.

A & B Business Equip	Var. Depts	831.43	ABN Army Surplus	Em Mgmt	78.00
Ace Neon Signs & Svc	Var. Depts	315.00	All About Travel Inc	Public Def	1,043.90
Allied Oil & Supply	Hwy Constr	7,105.50	Alsobrook, Danny D	Hwy Constr	125.00
Anderson, Elwood	Human Svcs	400.00	Arena Motel	Human Svcs	850.00
Argus Leader	St Atty	71.45	Associated Consult/E	Bldg Fund	4,835.65
Avera Health Informa	Public Adv	15.00	Avera Health Plans I	Human Svcs	90.18
Avera McKennan Campu	Human Svcs	22.07	Avera McKennan Hosp	Mental Ill	126.07
Avera McKennan Hospi	Var. Depts	13,708.08	Awate, Elashe	Public Def	322.00
Bierschbach Equipmen	Hwy Constr	188.27	Bob Barker Company,	JDC	182.31
Boulevard Investment	Human Svcs	1,000.00	Boyd, Michelle	Sheriff	44.00
Brown & Saenger	Var. Depts	24,325.58	Buus, David DBA	Hwy Constr	42.00
Campbell Supply Co I	Var. Depts	135.15	CBM Food Service	Jail	11,603.98
Center for Family Me	JDC	150.00	Clausen Enterprises	Human Svcs	550.00
Cliff Avenue Auto Pa	Hwy Constr	9.06	Colton Lumber Co Inc	Hwy Constr	7.20
Connecting Point	Var. Depts	15.00	Constellation New En	Pettigrew	919.43
Correct Care Solutio	Jail	95,765.50	Crop Production Svcs	Hwy Constr	5,198.00
Culligan Water Condi	Human Svcs	37.00	Custom Tank & Traile	Hwy Constr	1,558.75
Dakota Data Shred	Public Def	44.80	Dakota Fluid Power,	Hwy Constr	75.76
Dakota News, Inc.	Mus Store	181.35	Dakota Riggers & Too	Hwy Constr	80.00
Dakotaland Autoglass	Sheriff	120.00	Deaver, Carey Jo	Human Res	107.00
Dell Rapids Chevrole	Sheriff	58.32	Delux Motel / Dakota	Human Svcs	700.00
Dialnet/Ahrens Telec	Jail	61.22	Dietrich, Donna K	Mental Ill	1,550.04
Driveline Service In	Hwy Constr	58.24	Eastern Farmers Coop	Hwy Constr	41.60
Ebert's Properties,	Human Svcs	380.00	Election Systems & S	Elections	810.36
Evans, Jerald L	Human Svcs	200.00	Express Copy & Print	Extension	61.48
Farrell, Lorae J	Courts	224.40	Federal Express Corp	Mus Ops	58.59
Fluth, Rodney P	Human Svcs	1,000.00	Fountain Ridge Inves	Human Svcs	400.00
Fred the Fixer Inc	Var. Depts	170.75	Friest, Eileen	Human Svcs	400.00
G&W, Inc DBA Gary Co	Human Svcs	205.52	Gaylord Bros Inc	Mus Ops	720.74
George, Aaron	Human Svcs	400.00	Glass Doctor	Em Mgmt	408.37
Glory House	Glory Hous	4,650.00	Goebel Printing, Inc	Public Adv	66.21
Golden West	Var. Depts	194.73	Graham Tire Co. - No	Hwy Constr	572.21
Grainger, Inc.	Hwy Constr	54.19	Graves, Mike/Marlene	Human Svcs	440.00
Greene County(OH) Sh	St Atty	35.80	Guzman, Sandra V.	Public Def	62.50
Hancock Fabrics, Inc	Mus Ops	149.50	Harold's Photo Cente	Var. Depts	126.94
Harr Development Co	Human Svcs	500.00	Heiman Fire Equipmen	Jail	42.50
Hembree, Bill	Human Svcs	96.90	Hewlett-Packard Comp	Info Tech	4,752.00
Holcomb Freightliner	Hwy Constr	21.24	Holiday Inn Express	Extension	139.50
Hollaway Const Inc	Hwy Constr	71,496.50	Hosmer, David M. Law	Mental Ill	138.14
Howard, Cynthia A	Public Adv	94.35	Hy-Vee Accounts Rece	Var. Depts	1,477.23
IBE, Inc.	Reg Deeds	58.00	Interstate Office Pr	Var. Depts	1,022.90
Jefferson Partners L	Human Svcs	1,154.00	Johnson, Roy	Human Svcs	550.00
Kappes, Mike DBA	Hwy Constr	1,734.70	Kmart	Mus Ops	9.99

Kmart Pharmacy	Human Svcs	118.09	Knights Inn	Human Svcs	1,150.00
Knology	Human Svcs	97.38	Kooistra, Nelva	Mental Ill	201.00
Kuchenreuther, Derek	Sheriff	180.00	L.G. Everist, Inc.	Hwy Constr	279.84
Lang Properties LLC	Human Svcs	400.00	Lassegaard, Samuel C	Human Svcs	1,160.00
Lincoln County Commu	Em Mgmt	479.52	Linweld, Inc.	Hwy Constr	87.10
Lounsberry, Amber	Extension	247.66	Majestic View Apartm	Human Svcs	500.00
Malloy Electric Bear	Hwy Constr	156.20	McGrath, Michael J,	Mental Ill	549.00
Medical X-Ray Center	Mental Ill	92.06	Menards - East	Parks	11.45
Metro Communications	Var. Depts	311.60	Microfilm Imaging Sy	Reg Deeds	211.85
Midamerican Energy C	Var. Depts	3,653.00	Midcontinent Communi	Mus Ops	55.00
Mikelson, Gary E	Mental Ill	131.20	Millborn Seeds Inc	Parks	1,612.80
Milstead, Michael W	Sheriff	44.00	Mkt Equipment	Hwy Constr	150.00
MOMCC	Mus Ops	25.00	Motorola, Inc.	Em Mgmt	134,587.46
Museum Petty Cash	Var. Depts	26.85	Nat'l Rifle Assoc	Sheriff	525.00
Nat'l 4-H Council-Su	Extension	84.30	NLADA	Public Def	3,575.00
Nordstrom, Arthur G	Human Svcs	450.00	Novak Sanitary Servi	Var. Depts	1,954.41
Oakwood Estates/Inve	ARRA-HPRP	720.00	Old-House Journal	Mus Ops	27.00
Oriental Trading Com	Var. Depts	90.92	P & P Properties	Human Svcs	470.00
Palmer, Barbara	Mental Ill	4,027.50	Pfeifer Implement Co	Var. Depts	201.79
Pheasantland Industr	Sheriff	111.62	Physicians Laborator	Human Svcs	30.67
Prostrollo, Casey D	Human Svcs	400.00	Qualified Presort Se	Var. Depts	4,786.04
Quest Engineering, I	Hwy Constr	121.37	Quill Corp.	Public Def	504.21
Qwest	Jail	47.33	Rapid City Regional	Mental Ill	337.07
RDO Equipment Co.	Hwy Constr	146.26	Record Keepers, Inc.	Public Def	164.84
Reh fuss, Cathy A	Mental Ill	201.00	Reliance Telephone I	Public Def	9.70
Retail Data Systems	Treasurer	68.00	River Tower Apartmen	ARRA-HPRP	398.00
Robson True Value	Em Mgmt	181.91	Rochester Armored Ca	Treasurer	379.50
Rural Metro Ambulanc	Coroner	200.00	Sam's Club Pharmacy	Human Svcs	198.79
Sanford Hospital	Human Svcs	880.00	School Specialty	Mus Ops	196.15
SD Dept of Revenue	Var. Depts	1,974.24	SD Dept of Transport	Hwy Constr	30,896.96
SD State Treasurer	Sales Tax	478.64	SDSU Coop Extension	Extension	92.50
Secure SD Partnershi	Em Mgmt	150.00	SF Family Vision	Human Svcs	10.00
Sigler Fire Equipmen	JDC	67.50	Sioux Empire FCU	Planning	33.84
Sioux Empire FCU	Var. Depts	2,325.51	Sioux Empire FCU	Var. Depts	1,814.22
Sioux Empire FCU	St Atty	111.61	Sioux Empire FCU	Dir of Eq	144.00
Sioux Falls Chamber	Commission	30.00	Sioux Falls City Fin	Library	221,250.00
Sioux Falls Utilitie	Human Svcs	104.16	Sioux Valley Energy	Var. Depts	317.83
Slowey, Yavonne C	Mental Ill	40.00	Southeastern Behavior	Jail	2,236.00
Southeastern Electri	Human Svcs	261.30	Stadel, Brenda DBA	Em Mgmt	350.00
Stratman, Robert DB	Human Svcs	500.00	Sturdevant's Auto Pa	Hwy Constr	18.70
Swanson, Gordon	Commission	145.00	Target Pharmacy	Human Svcs	136.95
Thomas, Michelle	Public Def	1,582.76	Thorin, Deyanira T	Public Def	37.50
Tires,Tires,Tires In	Var. Depts	412.56	US Postmaster	JDC	264.00
Vantek Communication	Mental Ill	25.00	Velgersdyk, Dr. Scot	Human Svcs	35.00
Velvet Uniforms, Inc	Em Mgmt	164.00	Wal-Mart Pharmacy	Human Svcs	338.79
Wal-Mart Pharmacy	Human Svcs	34.78	Wall Lake Sanitary D	Hwy Admin	70.00
Washington Pavilion	Commission	94.30	Weelborg Bros Inc	Hwy Constr	1,950.00
West Group	Var. Depts	1,743.21	Westwick Motel, Inc.	Human Svcs	650.00
Wheelco Brake & Supp	Hwy Constr	88.76	Willow Wood Apartmen	Human Svcs	500.00
Woodlake Apts Cl LLC	Human Svcs	400.00	Woodlawn Cemetery As	Human Svcs	400.00
Xcel Energy, Inc.	Var. Depts	4,206.32	Yankton County Sheri	Mental Ill	275.00
Yankton County Treas	Mental Ill	1,784.25	Zdorovtsov, Christin	Extension	33.00
Zutz, Jerald	ARRA-HPRP	297.00			

REPORTS

The following reports were received and placed on file in the County Auditor's Office: Regional Infant and Child Mortality Review Committee 2009 Annual Report, and Minnehaha County Human Services Report and Minnehaha County Regional Juvenile Detention Center Report for April, 2010.

PERSONNEL

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

1. To increase the hourly wage of Melissa Godber, temporary, part-time Museum Aide for the Museum to \$9.500/hour effective 5-13-10.
2. To hire William Warren as temporary, part-time Laborer for the Highway Department at \$10.650/hour effective 5-14-10.
3. To hire David Myers as temporary, part-time Laborer for the Highway Department at \$10.900/hour effective 5-17-10.
4. To correct the action last week which should have reflected a start date of 5-17-10, as opposed to 5-10-10, for Isaac Aanenson, Jesse Jones, and Trevor Mead as temporary part-time Laborers for the Highway Department.
5. To rescind the action, dated 5-4-10, to hire Jordan Reker as temporary part-time Laborer for the Highway Department.
6. To hire Adam McClary as temporary, part-time Summer Intern for the Extension Office at \$8.250/hour effective 5-17-10 to 8-20-10.
7. To hire Thomas Hensley as Senior Deputy State's Attorney (22/14) for the State's Attorney's Office at \$3,026.32/bi-weekly effective 5-17-10.

Step Increases Due:

1. Ron Christensen – Air Guard Security Officer II – Air Guard – 13/15 to 13/16, 3-20-10, \$24.255/hour
2. Kim Schoenhard – Administrative Secretary – Jail – 10/7 to 10/8, 3-20-10, \$17.166/hour
3. Rick Lohnes – Correctional Officer – Jail – 13/9 to 13/10, 4-21-10, \$20.915/hour
4. Kristin Trana – Administrative Coordinator – Sheriff – 18/2 to 18/3, 5-4-10, \$22.523/hour
5. Darren Magee – Senior Deputy Public Defender – Public Defender – 22/8 to 22/9, 5-9-10, \$2,674.88/bi-weekly
6. Michael Miller – Senior Deputy Public Defender – Public Defender – 22/6 to 22/7, 5-10-10, \$2,546.00/bi-weekly

ABATEMENTS

The following Abatements were recommended by Eli Whitney, Director of Equalization.

MOTION by Pekas, seconded by Barth to approve the following 2009 property tax abatements: Terry Dossett, ID 44945, 2009 property taxes, \$1,424.37, and Joe Hooker, ID 55127, \$1,424.37. 5 ayes

MOTION by Twedt, seconded by Pekas to approve the following abatement: North American Baptist Seminary, ID 50648, 2009 property taxes, \$15,081.68. 5 ayes.

5/11/10

12129

MOTION by Pekas, seconded by Barth to approve the following abatement: City of Sioux Falls, ID 76749, 2009 property taxes, \$23,479.83. 5 ayes.

NOTICES

MOTION by Pekas, seconded by Twedt to authorize the Auditor to publish Notice of Hearing on 6/1/10 to consider renewal applications for malt beverage licenses for the 2010-2011 licensing year. 5 ayes.

MOTION by Barth, seconded by Kelly to authorize the Auditor to publish Notice to Bidders for Highway Project MC 50-160-171, installation of precast box culvert. 5 ayes.

Notice was received of the East Dakota Water Development District Board Meeting on 5/20/10.

LIEN

Commissioner Pekas, County Aid Lien Liaison, briefed the Commission on two lien compromise requests. The first, DPNO 62388, is in the amount of \$633.50 and is for attorney services provided to the applicant's minor child. The applicant was in the process of selling her home when the lien was noted. She expressed the need to move due to a reduction in her annual income and to provide a better environment for her son. The applicant and her realtor reported that the proceeds from the sale will not be enough to pay the lien in full. MOTION by Pekas, seconded by Kelly to approve Resolution MC10-25. 5 ayes.

RESOLUTION MC10-25

WHEREAS, County Aid Lien in the amount of \$633.50 purports to exist in favor of Minnehaha County and against DPNO 62388 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 the lien in full with no payment.

Dated at Sioux Falls, South Dakota, this 11th day of May, 2010.

APPROVED BY THE COMMISSION:

Anne Hajek, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

The second request is for DPNO 21409 in the amount of \$1,205.72. The lien is for attorney services related to an involuntary committal where the lienee was the petitioner. The applicant has no income other than Social Security benefits. She is attempting to qualify for low income housing and is unable to make payments on the lien. Commissioners discussed the law which places the lien on the petitioner in these cases. Gordy Swanson, Deputy State's Attorney, noted that the law requires the lien to be placed, but also gives the commission the discretion to approve a compromise. MOTION by Pekas, seconded by Barth to approve Resolution MC10-26. 5 ayes.

RESOLUTION MC10-26

WHEREAS, County Aid Lien in the amount of \$1,205.72 purports to exist in favor of Minnehaha County and against DPNO 21409 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:

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PUBLIC COMMENT

Commissioner Twedt announced that the Minnehaha County Coliseum Exterior Restoration Committee received an award from Sioux Falls Mayor Dave Munson for their work in the historic preservation of the Coliseum. She gave a brief history of the Coliseum and reported that Mary Dean Janklow with the Committee accepted the award and praised the support of the Minnehaha County Commission. Ken McFarland, Commission Administrative Officer, recognized Darrell Drew and staff with Architectural Roofing & Sheetmetal for their work on the building façade details. Funding for the restoration was provided by the County, City of Sioux Falls, Citibank, and from the Mary Chilton Daughters of the American Revolution and Deadwood Grant programs.

HIGHWAY

At the request of Bob Meister, Highway Superintendent, MOTION by Barth, seconded by Twedt to authorize the Chairman to sign the Utilities Certificate, Letting Authorization, and Right-of-Way Certificate for Project P 6364(05) PCN 02D2. 5 ayes. The project is for two bridge deck overlays on Minnehaha County Highway 130 for bridge 50-278-140 north of Corson and 50-189-140 near Renberg School. The project is estimated at \$636,000 which will be funded 81.95% federal participation and 18.05% in matching funds from the state.

BRIEFING

Steve Munk with the Sioux Empire Fair Association gave a briefing on the status and progress of activities for the annual fair. He detailed facility improvements, the working mission, leadership changes, and financial progress. Tryg Fredrickson, Fair CEO, discussed a program utilizing students from Augustana College to assist with strategic planning. Commissioners were invited to the next Fair Board meeting on 5/19/10 for the presentation. Mr. Munk introduced Board Members who were present and reported on new members.

SUPPLEMENT

MOTION by Pekas, seconded by Twedt to supplement \$12,312.50 from the EFSP Fund to the EFSP budget (ASN 21137) representing the first half of the 2010 EFSP allocation. 5 ayes.

BONDS

MOTION by Pekas, seconded by Kelly to approve the 2010 township officer bonds. 5 ayes. Ken McFarland, Commission Administration Officer, read the list of townships and 2009 receipts.

CHANGE ORDER

Ken McFarland, Commission Administrative Officer, presented Change Orders 1 through 3 to the contract with Architectural Roofing & Sheetmetal, sole source provider, for the Coliseum east gable restoration. The change orders were: #1) fabricate & install north wind face - \$16,300, #2) paint 3 windows above the canopy - \$875, and #3) paint attic ductwork behind the gable - \$3,600, for a total of \$20,775. These items will complete the gable restoration project. The Coliseum Exterior Restoration Committee recommended approval. MOTION by Barth, seconded by Pekas to authorize the Chairman to sign Change Order 1 through 3 with ARS for a total of \$20,775. 5 ayes. Approval of the change orders increases the total contract price to \$569,570.

AGREEMENT

Ken McFarland, Commission Administrative Officer, presented a 3-year lease renewal agreement with Sod Busters Radio Control Model Airplane Club. The lease is for the use of County owned land located in Section 6 of Wayne Township. Under the terms of the agreement, the Club uses the property free of charge, but must provide liability insurance and comply with the conditions of the original agreement approved in 1999. Bob Meister, Highway Superintendent, reported that there have been no issues with the Club using the property. MOTION by Kelly, seconded Barth to authorize the Chairman to sign the Use Agreement for the County Gravel Pit Farm with Sod Busters Radio Control Model Airplane Club. 5 ayes.

MOTION by Barth, seconded by Pekas to adjourn into Executive Session for contract negotiations and a contract legal briefing. 5 ayes. Following the Executive Session, the Commission adjourned until 9:00 a.m. on Tuesday, May 18, 2010.

APPROVED BY THE COMMISSION:

Anne Hajek, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

Published once at the total approximate cost of \$_____