

THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M., July 27, 2010, pursuant to adjournment on July 20, 2010. Commissioners present were: Hajek, Twedt, Barth, and Pekas. Commissioner Kelly was absent. Also present were Darlene Johnson, Deputy Auditor, and Dustin DeBoer, Senior Deputy State's Attorney.

Chairman Hajek called the meeting to order.

MOTION by Twedt, seconded by Barth to approve the agenda. 4 ayes.

MINUTES

MOTION by Pekas, seconded by Twedt to approve the July 19 and 20, 2010 Minutes. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Pekas, seconded by Twedt to approve the following bills totaling \$547,246.79 for payment. 4 ayes.

A & B Business Equip	Var. Depts	618.80	Allied Oil & Supply	Hwy Constr	18.50
Anacon Leasing Inc	Public Def	329.00	Anesthesia Physician	Human Svcs	144.00
Anesthesiology Assoc	Human Svcs	928.00	Appera / Dudley Lau	Hwy Constr	32.75
Arena Motel	Var. Depts	432.00	Argus Leader	Var. Depts	4,660.34
Automatic Building C	Var. Depts	668.14	Avera Gutnik & Assoc	Mental Ill	261.70
Avera Health Informa	Public Def	159.90	Avera Health Plans I	Human Svcs	304.42
Avera Mckennan Hosp	Mental Ill	520.80	Avera Mckennan Hospi	Var. Depts	17,042.68
Avera Sacred Heart H	Human Svcs	2,969.82	Awate, Elasse	Public Def	18.00
B&F Fastener Supply	Hwy Constr	47.00	Ban-Koe Systems, Inc	Facilities	180.00
Beck, Pat Court Repo	Human Svcs	327.60	Benco Products Inc	Hwy Constr	66.00
Beynon, Silvie	ARRA-HPRP	395.00	Boyer Trucks Sioux F	Hwy Constr	27.50
Brandhagen, Douglas	Human Svcs	400.00	Brown & Saenger	Sheriff	45.50
Bureau Of Informatio	Var. Depts	417.00	Carpenter, Donovan	Hwy Admin	34.62
Carroll Institute	Courts	125.00	Cartridge World	Var. Depts	1,122.88
CATCO	Hwy Constr	158.36	CBM Food Service	Jail	8,503.78
Center For Family Me	Var. Depts	276.83	Century Business Pro	Var. Depts	111.61
Chemco, Inc.	Facilities	1,801.38	City Centre Hotel Co	Courts	155.48
City Of Garretson	Human Svcs	420.00	Clausen Enterprises	Human Svcs	400.00
Cliff Avenue Auto Pa	Hwy Constr	52.08	Cody, Denise	Mental Ill	30.00
Com-Tec Security, Ll	Jail	129.00	Communication Svcs F	Courts	248.00
Correct Care Solutio	Jail	160,747.50	Correctional Technol	Jail	469.45
Crisp, Mark	Human Svcs	500.00	Criterion Prop Mgmt	Human Svcs	400.00
Crop Production Svcs	Hwy Constr	10,900.00	Dakota Fluid Power,	Hwy Constr	43.50
Decastro Law Office,	Courts	3,356.80	Decisionone Corporat	Info Tech	395.47
Dialnet/Ahrens Telec	Var. Depts	355.73	Diamond Mowers Inc	Hwy Constr	105.42
Dietrich, Donna K	Mental Ill	275.28	Donovan's Hobby & Sc	Em Mgmt	192.67
Dougherty, Rose	Human Svcs	500.00	Duncan, Carrie	Refund	150.00
Dust Tex Service Inc	Mus Maint	10.12	Elhai, Jonathon D.,	Courts	550.00
Elite Business Syste	Human Svcs	77.50	Emdeon Business Serv	Human Svcs	39.95
Empire Plastics	Mus Entpr	605.00	First Administrators	Human Svcs	454.08
First Premier Bank	Human Svcs	500.00	Fonder, Roger M Db	Planning	310.15
Fox, Youngberg & Lew	Mental Ill	542.18	Gas Lite Manor Ltd P	Human Svcs	315.00
Genzlinger, Janeen	Courts	225.00	George Boom Funeral	Human Svcs	4,332.40
Glazier, Barbara	Human Svcs	400.00	Goebel Printing, Inc	Var. Depts	1,404.74
Graham Tire Co. - No	Hwy Constr	15.90	Gubbrud,Haugland & G	Courts	112.57
Guzman, Sandra V.	Var. Depts	125.00	Heggen, Leo	Hwy Admin	34.99
Hembree, Bill	Human Svcs	51.00	Hemmer, Charles	Hwy Admin	26.85
Home Federal Savings	Human Svcs	660.00	Hy-Vee Accounts Rece	Var. Depts	432.36
Hy-Vee Food Store #1	Commission	104.80	I & P Inc/Brandon Ap	Human Svcs	480.00
Infinisource	Human Svcs	114.80	Interstate Office Pr	Var. Depts	857.21
Intoximeters, Inc.	24/7 Prog	4,000.00	IOD Inc	Public Def	41.47
JCL Solutions-Janito	Jail	149.80	JE LLC	Human Svcs	300.00

Johnson Controls, In	Facilities	3,568.98	Johnson, Ronald L	Hwy Admin	37.58
Jule-Art Inc	Mus Ops	155.33	Kabeiseman & Pollard	Mental Ill	25.00
Keystone Treatment C	Courts	500.00	Kjelden, Mike	Bldg Fund	1,790.10
Lake County Sheriffs	Em Mgmt	1,099.96	Lawson Products, Inc	Hwy Constr	307.76
Leaf Inc.	Var. Depts	189.77	Lewis & Clark Bhs	Mental Ill	2,982.00
Lewis Drug Stores	Human Svcs	7,660.98	Linweld, Inc.	Hwy Constr	592.83
Lounsberry, Amber	Extension	110.63	Lutheran Social Svce	Var. Depts	825.00
Lyndale Partners	Human Svcs	400.00	Marco	Extension	173.30
Matchan, Hope	Courts	820.00	Menards - East	Human Svcs	14.99
Microfilm Imaging Sy	Reg Deeds	46.23	Midcontinent Communi	Human Svcs	164.12
Midcontinent Media I	Human Svcs	163.67	Midstates Utility Tr	Hwy Constr	34.50
Mikelson, Gary E	Mental Ill	146.21	Miller, Michael	Public Def	80.66
Morphotrak	Jail	4,198.00	Murray Properties, L	Human Svcs	475.00
Myers & Billion Llp	Courts	1,191.92	Myrl & Roys Paving I	Hwy Constr	77,585.60
Narem, Inc	Hwy Constr	16.74	Newman, Scott G	Human Svcs	500.00
O & P Specialties In	Human Svcs	9,819.47	Office Depot, Inc.	Info Tech	218.59
Office Elements/Ia O	Human Svcs	90.18	Olson's Pest Technic	Jail	57.75
PBC Sioux Falls Llc	EFSP Fund	174.99	PCCS Inc	Jail	8,436.48
Pennington County Ja	Jail	6,819.10	Pharmchem Inc	24/7 Prog	128.00
Physicians Laborator	Human Svcs	49.55	Pirrung, Sheila M	Human Svcs	400.00
Qualified Presort Se	Var. Depts	4,187.49	Quest Engineering, I	Hwy Constr	686.87
Quill Corp.	Public Def	39.72	Qwest	Jail	48.10
R & L Supply, Ltd	Hwy Constr	139.17	Rasanen, Robert	Human Svcs	500.00
Redwood Biotech	24/7 Prog	930.00	Rehfuss, Cathy A	Mental Ill	30.00
River Tower Apartmen	Human Svcs	200.00	Ronning Commercial,	Human Svcs	400.00
Rural Metro Ambulanc	Coroner	800.00	Sanford Clinic	Human Svcs	1,034.21
Sanford Health Plan-	Human Svcs	2,021.57	Sanford Hospital	Var. Depts	13,186.82
Sanford Hospital Med	Public Def	69.50	Schrader, Alvan L Db	Human Svcs	275.00
SD Dept Of Public Sa	Human Svcs	60.00	SD Div Of Criminal I	Human Res	43.25
SD Risk Pool	Human Svcs	1,170.23	Sheehan Mack Sales &	Hwy Constr	27.20
Shippernet	Human Svcs	195.70	Simmons, Mike/Jessic	Human Svcs	200.00
Simon, Anthony	Commission	95.00	Sioux Falls City Fin	Var. Depts	17,794.54
Sioux Falls Fire Dep	Em Mgmt	2,326.49	Sioux Falls Ford, In	Hwy Constr	245.54
Sioux Falls Humane S	Humane Soc	4,462.78	Sioux Falls Rubber S	Commission	9.50
Sioux Falls Two Way	Var. Depts	842.40	Sioux Falls Utilitie	Var. Depts	8,423.28
Sioux Valley Energy	Hwy Constr	129.30	Snoozy, Scott	Human Svcs	200.00
Stronghold Counselin	Courts	380.00	Teslow, Sandra Livin	Human Svcs	350.00
The Crackleberry Gro	Courts	4,285.30	Thorin, Deyanira T	Var. Depts	187.50
Thurman, Creighton A	Mental Ill	539.58	Tims, Steven	Refund	150.00
Tires,Tires,Tires In	Var. Depts	1,863.55	Triangle Properties	Human Svcs	392.00
TWL Supplies Inc	Jail	174.86	Underberg, Phil A	Human Svcs	500.00
Vandeberg, Darin	Planning	1,868.88	Vandervliet, Rodney	Hwy Admin	48.68
Velvet Uniforms, Inc	Facilities	150.00	Wal-Mart Pharmacy #1	Human Svcs	111.46
Wal-Mart Pharmacy #3	Human Svcs	633.88	Walgreen Co.	Human Svcs	1,335.47
Walsh, Mike	Sheriff	243.00	Weerheim, Tom	Courts	1,500.60
Welker, Donald J	Human Svcs	325.00	West Group	Var. Depts	9,497.97
Wiebesiek, Stacy L	Human Svcs	25.50	Williamsburg Townhom	Human Svcs	600.00
Willow Wood Apartmen	Human Svcs	500.00	Wood, Jan	ARRA-HPRP	360.00
Woodlake Apts Cl Llc	Human Svcs	330.00	Xcel Energy, Inc.	Var. Depts	59,469.61
Yankton County Sheri	Mental Ill	375.00	Yellow Cab Inc	Human Svcs	134.01
Zee Medical Service	Hwy Admin	110.15	Zuercher Technologie	Em Mgmt	27,307.00
Zutz, Jerald	ARRA-HPRP	425.00			

REPORTS

The following report was received and placed on file in the County Auditor's office: Auditor's Account with the County Treasurer as of 6/30/2010.

On Deposit in Banks	
Interest-bearing open accounts	2,267,469.92
CD's and savings	24,000,000.00

7/27/10

12193

Cash	21,605.68
Checks/drafts in Treasurer's possession for more than 3 days	4,874.32
Total Cash on Hand	26,293,949.92
Total Reconciled AS/400 Cash Balance	26,293,949.92

PERSONNEL

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

1. To place Heidi Jerke, GIS Coordinator (19/6) for Planning, on leave without pay effective 8/2/10 to 10/18/10.
2. To place Diane Johnson, Corrections System Operator (9/14) for the Air Guard, on leave without pay effective 7/10/10.
3. To end the temporary part-time employment of David Myers as Laborer (NOM) for the Highway Department effective 7/29/10.
4. To discharge Chera Namera as Custodian (6/1) for Facilities effective 7/19/10.
5. To rescind the action, dated 7/20/10, to hire Cynthia Stoick as Commission Recorder (14/3) for the Auditor's Office.
6. To hire Cynthia Jepsen as Commission Recorder (14/3) for the Auditor's Office at \$18.486/ hour effective 8/9/10.

Step Increases Due:

1. Marc Wynia – Deputy Sheriff – Sheriff's Office – 16/7 to 16/8 – 7/5/10 – \$23.086/hour
2. Joni Brunkow – Deputy Sheriff – Sheriff's Office – 16/5 to 16/6 – 6/8/10 – \$21.974/hour
3. Aaron Walton – Deputy Sheriff – Sheriff's Office – 16/5 to 16/6 – 6/8/10 – \$21.974/hour
4. Michael DiGiulio – Correctional Officer – Jail – 13/7 to 13/8 – 6/27/10 – \$19.907/hour
5. Jennifer Harstad – Correctional Officer – Jail – 13/4 to 13/5 – 5/8/10 – \$18.486/hour
6. Matthew Tarbox – Correctional Officer – Jail – 13/4 to 13/5 – 5/8/10 – \$18.486/hour
7. Kim Morstad – Administrative Assistant – Juvenile Detention Center – 12/14 to 12/15 – 7/16/10 – \$22.523/hour

Carey Deaver, Human Resources Director, gave a progress briefing on the development of a Paid Time Off (PTO) program.

NOTICES

Notice was received from the SD State Historical Society of the placement of the Hans J. Hilmoe Barn, 47170 Homestead Street, Baltic, SD on the National Register of Historic Places.

LEGISLATION

Ken McFarland, Commission Administrative Officer, presented proposed resolutions to be submitted for the SD Assn of County Commissioners convention. Motion by Twedt, seconded by Barth to approve Resolution MC 10-30 and Resolution MC 10-31. 4 ayes.

RESOLUTION MC10-30
CONCERNING THE PLACEMENT OF LIENS IN
AN INVOLUNTARY DRUG/ALCOHOL COMMITMENT PROCEEDING

WHEREAS, current state law requires the county to pay for the compensation of the attorney appointed to represent the petitioner and to be reimbursed for such expense by the petitioner, if the petitioner is a family member and is financially able to do so, and

WHEREAS, a decision by a family member to petition the court for an involuntary drug and alcohol commitment involving a spouse or child is one of the most difficult decisions that person has to make and one that usually involves an immediate and dangerous situation to the health and welfare of the person being committed, and

WHEREAS, it is the first priority of the petitioner in such an involuntary commitment proceedings to get immediate help and intervention to protect the safety of the family member being committed with such situations being very stressful and emotional, now

THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners that the South Dakota Association of County Commissioners be urged to support legislation that would amend SDCL 34-20A-70.1 by striking "The county shall be reimbursed for such expense by the petitioner, if the petitioner is a family member and is financially able to do so."

Dated this 27th Day of July 2010.

APPROVED BY MINNEHAHA COUNTY COMMISSION

Anne Hajek, Chairman

ATTEST:

Darlene Johnson, Deputy Auditor

RESOLUTION MC10-31
TO PROVIDE FOR AN INCREASE IN THE SALES TAX ON AND THE
ALCOHOLIC BEVERAGES FOR A DISTRIBUTION TO COUNTIES

WHEREAS, county government, by statute must provide law enforcement, prosecution and defense, courts, jails, detoxification programs and other related services, and

WHEREAS, various surveys conducted by Sheriffs throughout the state of South Dakota indicate that up to 80% of the inmates in county jails and in the court system are there because of alcohol and drug related abuse problems, and

WHEREAS, under the current distribution formula for liquor taxes, the counties receive no revenue from the taxing of liquor but bear an un-proportionate share of the expenses associated with the abuse of alcohol, now

THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners that the South Dakota Association of County Commissioners be urged to support legislation that would increase the sales tax on the sale of alcoholic beverages, to be collected at the retail level, with a portion to be remitted based on valuation and population to counties, to provide added funding for county law enforcement needs.

Dated this 27th Day of July 2010.

APPROVED BY MINNEHAHA COUNTY COMMISSION
Anne Hajek, Chairman

ATTEST:
Darlene Johnson, Deputy Auditor

BUDGET

Ken McFarland, Commission Administrative Officer, presented the FY2011 Provisional Budget in the amount of \$64,639,170, an increase of \$530,576 from FY2010. The increase is supported by new revenues that include 1.9% growth in property taxes due to new construction, but there is no CPI adjustment. It includes no new positions and no cost of living increase for county employees. It does include the normal step increase based on the current County pay matrix. The numbers are not the same as those from the last budget hearing. When the final provisional budget was checked, it was discovered that some expenses for a grant were not being accounted for but that the revenue was included. Additional revenues were reviewed based on seven months of history and several adjustments were made. The owner of a \$100,000 property will see an increase of \$.77 in county taxes in 2011. A public hearing on the budget will be held on September 7th so people can review and make comments on the provisional budget but additional budget hearings can be conducted to make further adjustments to the provisional budget before the Commission needs to consider final adoption scheduled for September 28.

Commissioner Pekas asked if any other glitches have been worked out of the system and Mr. McFarland said that they have been. Commissioner Pekas stated that at the last budget hearing a change in personnel activities related to over-time could have a six-figure impact. He asked if that has been taken into consideration. Mr. McFarland stated that it has not because no adjustment to policy has been made and if that change is made it could be incorporated into the final budget numbers.

Commissioner Barth said at the last budget hearing he expressed some disappointment that they hadn't been more aggressive in going after things in the budget. This is a provisional budget and there is time to continue to look at things.

Commissioner Twedt said that mistakes happen but this is a big mistake. Throughout the budget process, they tried to keep the budget as flat as possible. She stated that commissioners are now being asked to consider a provisional budget that looks entirely different from what they agreed upon at the last budget hearing. The provisional budget presented is presented by the Auditor's office and not a budget the Commission spent time trying to craft. Commissioner Twedt asked for additional hearings to re-visit the budget.

Commissioner Hajek stated they were informed last Friday of the error. As the budget process proceeds, they rely upon numbers from the Auditor's Office as being good. They rely on information from all sources but the bottom line is with the Commission. She is concerned about having Departments make additional budget cuts and is wondering if other revenue has been missed.

Commissioner Twedt hopes the office starts scheduling budget hearings for September.

MOTION by Barth, seconded by Pekas to approve the FY2011 Provisional Budget. 4 ayes. (The Provisional Budget and Adoption Resolution MC10-32 will be published in the County's legal newspapers with these minutes).

PLANNING

Pat Herman, Planner, was present for the public hearing to consider a request to rezone from A-1 Agricultural to RR Rural Residential the W143' W $\frac{1}{2}$ E $\frac{2}{3}$ of Hulda Acres SW $\frac{1}{4}$ of Section 25-T101N-R51W (46518 267th Street). The applicant was present to address the commission. No other person spoke on the issue.

Motion by Twedt, second by Barth to uphold the Planning Commission's decision to deny the rezoning request. 4 ayes.

OLD BUSINESS

Commissioner Barth reminded everyone that the Drainage Task Force meeting will be held Wednesday, 7:00 p.m. in the Commission Room. They are no longer taking public testimony but crafting proposed changes to the drainage ordinance.

NEW BUSINESS

Ken McFarland reported that current licenses for ambulance service expire at the end of this year. A new application and copy of the revised ordinance have been sent to all ambulance services in Minnehaha County and are due September 1.

The Housing First project will be on the agenda next week.

Commissioner Barth and Commissioner Pekas commented on an action deferred at the Planning and Zoning Committee meeting last night.

MOTION by Barth, seconded by Pekas to adjourn into Executive Session for personnel discussion. 4 ayes. Following the Executive Session, the Commission adjourned until 9:00 a.m. on Tuesday, August 3, 2010.

APPROVED BY THE COMMISSION:

Anne Hajek, Chairman

ATTEST:

Darlene Johnson, Deputy Auditor

Published once at the total approximate cost of \$