

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., February 3, 2009, pursuant to adjournment on January 27, 2009. Commissioners present were: Pekas, Hajek, Barth, and Kelly. Commissioner Twedt was absent. Also present were Sandy Kinder, Deputy Auditor, and Gordy Swanson, Chief Civil Deputy State's Attorney.

Chairman Pekas called the meeting to order.

AGENDA

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

MINUTES

MOTION by Barth, seconded by Hajek to approve the Minutes for January 27, 2009. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Hajek to approve the following bills totaling \$346,917.29 and January salaries for payment. 4 ayes.

A & B Business Equip	Var. Depts	1,194.69	ABN Army Surplus	Em Mgmt	29.99
Anesthesia Physician	Jail	128.00	Anesthesiology Assoc	Jail	152.00
Appeara / Dudley Lau	Hwy Constr	36.12	Archaeology	Mus Ops	21.95
Architecture, Inc.	Cap Proj	6,552.43	Arena Motel	Human Svcs	210.00
Argus Leader	Var. Depts	7,297.23	Arnies Plbg & Handym	Jail	3,259.88
Avera Health Plans,	Human Svcs	467.16	Avera McKennan Hospi	Var. Depts	62,097.96
Avera McKennan Hospi	Human Svcs	400.00	Avera Medical Record	Public Adv	15.60
Barth, Jeff	Commission	14.80	Batteries Plus	JDC	138.00
Bethke, Delores A	Human Svcs	375.00	Bob Barker Company,	Jail	1,603.48
Border States Electr	Facilities	179.40	Brentwood Apartments	Human Svcs	555.00
Bureau of Informatio	Reg Deeds	42.00	Burggraaff, Lee DBA	Human Svcs	250.00
Burma, James J.	Human Svcs	573.00	Campbell Supply Co I	Facilities	49.72
Catco	Hwy Constr	47.29	CBI Cash Registers/P	24/7 Prog	99.99
CBM Food Service	Var. Depts	10,730.69	Chemco, Inc.	Facilities	538.50
Children's Inn	Dom Abuse	12,297.50	Cleveland Heights Ap	Human Svcs	570.00
Cliff Avenue Auto Pa	Hwy Constr	37.17	Climate Systems, Inc	Facilities	585.22
Cobraserve National	Human Svcs	416.95	Concrete Materials	Hwy Constr	29,703.02
Constellation New En	Var. Depts	9,862.95	Country View MHC	Human Svcs	1,597.00
Crescent Electric Su	Facilities	948.84	Curry, Aaron B.	Public Adv	97.00
Dakota Fluid Power,	Hwy Constr	301.76	Dakota Lettering Etc	Em Mgmt	212.25
Dakota Riggers & Too	Hwy Constr	150.56	Delacruz, Tilly	Courts	50.00
Dell Rapids Chevrole	Sheriff	54.20	Donahue, David J	Human Svcs	380.00
Ebert's Properties,	Human Svcs	390.00	Ecowater / Coy Burk	Human Svcs	500.00
Elite Business Syste	Human Svcs	2,880.00	Ergometrics, Inc.	Sheriff	1,968.79
Etek LLC DBA Garfiel	Human Svcs	380.00	Ford Signs, Inc	Cap Proj	5,652.62
Forward Sioux Falls	SF Develop	5,000.00	G & R Controls	Var. Depts	2,620.47
Glory House	Glory Hous	1,530.00	Graham Tire Co. - No	Hwy Constr	71.02
Grainger, Inc.	Jail	96.66	Graybar Electric Com	Facilities	141.74
Hammer, Ralph	Hwy Admin	90.00	Hanson Logowear	JDC	308.91
Harold's Photo Cente	Public Adv	31.96	Harris, Jon	Sheriff	26.00
Heartland Paper Comp	Jail	2,251.43	High Point Networks,	Em Mgmt	13,135.00
Hillyard, Inc.	Facilities	3,694.48	Hoekstra, Denise A.	Courts	44.20
Holiday Credit Offic	Hwy Constr	31.03	Horton, Dennis L.	Human Svcs	1,060.00
Hospitality Apts Ltd	Human Svcs	300.00	Howalt-McDowell Insu	St Atty	50.00
Hurtgen, Timothy T.	Human Svcs	400.00	Hy-Vee Pharmacy	Human Svcs	150.99
Instant Technologies	Jail	375.00	Int'l Personnel Mana	Human Res	145.00
Interstate Office Pr	Var. Depts	2,228.38	J & S Hospitality DB	Human Svcs	562.00
Jans, Raymond	Human Svcs	600.00	JCL Solutions-Janito	JDC	212.08
Jefferson Ptnrs LP	Human Svcs	1,483.84	Jensen, Jerrol	Human Svcs	500.00
Jim Hawk Truck Trail	Hwy Constr	41.21	John Morrell Benefit	Human Svcs	174.00
Johnson Feed, Inc.	Hwy Constr	2,111.15	Keller, Francis M DB	Human Svcs	600.00
Kennedy, Renee S.	Courts	64.60	KG2 Properties	Human Svcs	500.00

Kleen Solutions, Inc	Jail	112.90	Kmart	Human Svcs	17.97
Kmart Pharmacy	Human Svcs	25.00	Kohl's Department St	JDC	104.97
Kone, Inc.	Var. Depts	686.78	Kpradith, Kong	Human Svcs	500.00
Kreislers, Inc.	Jail	451.04	Lawn & Garden Show	Hwy Admin	60.00
Lewis Drug Stores	JDC	28.77	Lewis, Alaina	Human Svcs	575.00
Lindahl, Melissa	JDC	19.99	Luther, Jeff	Ambulance	2,395.83
Lutheran Social Serv	Courts	1,562.50	Marion Manor / Pine	Human Svcs	205.00
Maxim Promotions,	Facilities	637.90	Maxwell Food Equipme	Var. Depts	268.76
Mcfarland, Kenneth	Commission	261.98	Medical X-Ray Center	Jail	241.68
Menards - East	Var. Depts	134.92	Menards - West	Hwy Constr	17.99
Menge, Marvin	Human Svcs	400.00	Metro Communications	Public Adv	60.00
Midamerican Energy C	Var. Depts	3,368.00	Midcontinent Communi	Commission	96.00
Midwest Alarm Compan	Var. Depts	1,742.40	Miller Funeral Home,	Human Svcs	5,550.00
Minnehaha Cnty Sheri	Sheriff	155.00	Murray Construction	Human Svcs	1,000.00
NASW-SD	Human Svcs	150.00	Nat'l Trust for Hist	Mus Ops	15.00
Nelson, Adam D.	Mus Ops	260.19	Niedringhaus, Paul	Sheriff	94.97
Norment Security Gro	Facilities	1,998.37	Northern Safety Tech	Hwy Constr	211.24
Nyberg's Ace Hardwar	Facilities	30.46	Oakwood Estates/Inve	Human Svcs	392.00
Office Depot	Public Def	217.29	Officemax	JDC	479.96
Oliver Excavating In	Facilities	2,040.00	Orthopedic Institute	Human Svcs	416.49
Papa John's Pizza	Mus Entpr	18.50	Pastperfect Software	Mus Ops	396.00
PC Enterprises	Human Svcs	600.00	Person, Larry D	Human Svcs	110.00
Pfeifer Implement Co	Facilities	100.75	Pfeifer, Scott	Jail	341.91
Pheasantland Industr	Jail	49.00	Pierre Inn & Suites	Commission	93.00
Pride Neon, Inc	Hwy Constr	98.40	PSROC Enterprises, L	Human Svcs	425.00
Quality Efficiencies	Human Svcs	1,107.50	Quill Corp.	JDC	163.52
Randall, Brad	Coroner	6,000.00	RDO Equipment Co.	Hwy Constr	66.23
Redi Towing Inc	Var. Depts	204.50	Ridgeview Apts., Ltd	Human Svcs	975.00
River Run Apts / Sio	Human Svcs	380.00	Robertson, Megan	Mus Ops	40.00
Rochester Armored Ca	Treasurer	379.50	Rural Metro Ambulanc	Coroner	200.00
Sadat. Sayd Abdul Qa	Human Svcs	600.00	Sanford Hospital - R	Human Svcs	85.00
Scotty's Automotive	Commission	244.61	SD Achieve	SD Achieve	13,620.00
SD Continuing Legal	Var. Depts	200.00	SD Dept of Revenue	Var. Depts	26.00
SD Human Services Ce	Public Def	25.20	SD Risk Pool	Human Svcs	1,021.67
SD Secretary of Stat	St Atty	25.00	Seiner, Tracy	Mus Ops	40.00
Shopko Store	JDC	38.94	Sioux Empire Arts Co	Mus Ops	50.00
Sioux Equipment Co I	Hwy Constr	152.80	Sioux Falls Developm	SF Develop	2,500.00
Sioux Falls Humane S	Humane Soc	3,993.11	Sioux Falls Rubber S	Public Def	15.95
Sioux Falls Two Way	Em Mgmt	6,662.57	Sioux Falls Utilitie	Var. Depts	9,419.31
Sioux Valley Energy	Var. Depts	188.49	Southeastern Behavio	Var. Depts	43,061.25
Staples	Dir Of Eq	31.99	Starlite Estates Mob	Human Svcs	270.00
Supercircuits, Inc.	Em Mgmt	3,427.63	Swenson, Diane	Human Svcs	500.00
Taunton Direct/Fine	Mus Ops	34.95	Thorin, Deyanira T.	Var. Depts	712.50
Tires,Tires,Tires In	Var. Depts	2,025.23	Van's Auto Electric	Hwy Constr	125.00
VB Tower LP/Falls Vi	Human Svcs	400.00	Velvet Uniforms, Inc	Sheriff	159.00
V2 LLC DBA Valley Vi	Human Svcs	270.00	Walgreen Co.	Human Svcs	624.94
Weed and Pest Confer	Hwy Admin	195.00	West Pointe Townhous	Human Svcs	500.00
Williams, Michael G	Human Svcs	500.00	Xcel Energy, Inc.	Var. Depts	9,567.73
Yankton County Audit	Atty Fees	30.00	Zabel Steel Co.	Hwy Constr	111.40
Commission	Salaries	15,118.37	Auditor	Salaries	33,563.12
Treasurer	Salaries	59,146.96	IT	Salaries	54,596.70
States Atty	Salaries	152,758.96	Public Defender	Salaries	117,888.44
Public Advocate	Salaries	27,201.35	Facilities	Salaries	65,082.10
Equalization	Salaries	69,136.00	Register Of Deeds	Salaries	35,734.79
Human Resources	Salaries	11,373.67	Sheriff	Salaries	847,816.41
JDC	Salaries	159,781.77	Highway	Salaries	126,908.47
Human Services	Salaries	76,301.67	Museum	Salaries	59,658.46
Planning	Salaries	32,454.73	Extension	Salaries	7,745.18

PERSONNEL

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

1. To hire Maggie Heiliger as Human Resources Generalist (16/A) for Human Resources at \$19.0782 per hour effective 2-9-09.

2. To hire Gregg Kringen as temporary part-time Park Worker for the Planning/Parks Department at \$10.7500/hour effective from 2-3-09 to 12-15-09.
3. To accept the resignation of Walter Richardson as Correctional Officer for the Jail effective 1-25-09.
4. To correct the action on 1/6/09 promoting Troy Rempfer from STI Security Officer to Deputy Sheriff for the Sheriff's Office which should have reflected an hourly rate of \$19.5551/hour effective 12-27-08.

Step Increases Due:

1. Donald Heesch – Air Guard Security Officer II – Air Guard – 13/J to 13/K, 12-27-08, \$21.0587/hour
2. Angela Balfe – Deputy Sheriff – Jail – 16/M to 16/N, 1-27-09, \$26.2995/hour
3. John Homan – Correctional Officer – Jail – 13/I to 13/J, 1-27-09, \$20.5451/hour
4. Matthew Larson – Correctional Officer – Jail – 13/B to 13/C, 1-13-09, \$17.2839/hour
5. Patricia Hughes – Corrections System Operator – Jail – 9/H to 9/I, 1-12-09, \$16.4511/hour
6. William Paradeis – Juvenile Correctional Worker – JDC – 5/2 to 5/3, 12-20-08, \$12.773/hour

Special Commission Action Requests:

1. To recognize the following significant employee anniversaries for February: 5 years - Michael Joffer and Jason Toering, and 15 years – Robbin Ketcham
2. To record volunteers in County Departments for January 2009. The list is on file in Human Resources.

ABATEMENTS

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

MOTION by Hajek, seconded by Kelly to approve the following abatement: The Luke Society, ID 32895, 2008 property taxes, \$5,938.38. 4 ayes.

MOTION by Barth, seconded by Hajek to approve the following abatement: Amy Kadinger, ID 77090, 2008 property taxes, \$602.73. 4 ayes.

Mr. Whitney also recommended approval of applications for abatement or refund of 2008 taxes for two mobile homes. The first, ID 73988, is for an applicant who owned a mobile home placed on a lot in Minnehaha County. The owner moved the mobile home to Lincoln County in September 2007 and is requesting the abatement because his mobile home will be added to the tax roll in Lincoln County.

MOTION by Hajek, seconded by Barth to approve the abatement of 2008 property taxes for Todd Starz, ID 73988 in the amount of \$399.37. Commissioner Barth questioned whether the owner had obtained a permit to move the mobile home and if the taxes were paid at that time. Commissioner Hajek noted that there was no basis in the law to deny the request. Ken McFarland, Administrative Officer, explained the difficulties with the collection of mobile home taxes and how they differ from real estate taxes. He also noted that it is possible that the applicant paid the taxes when the mobile home was moved. MOTION by Kelly, seconded by Barth to defer consideration until more information could be provided. Treasurer Pam Nelson confirmed that a permit was obtained and taxes paid to date. Commissioner Kelly withdrew his

motion to defer. VOTE on the Motion to approve. 3 ayes, Barth – nay.

The second, ID 70418, is for a mobile home that was sold by a dealership and moved to Minnesota in September 2007. Commissioners discussed whether permit information should be forwarded to the receiving county where the mobile home will be moved to. MOTION by Hajek, seconded by Kelly to approve the abatement of 2008 property taxes for Paul Nelson/Nelson Homes, ID 70418, in the amount of \$331.73. 4 ayes.

NOTICE

MOTION by Hajek, seconded by Kelly to authorize the Auditor to publish Notice to Bidders for six new patrol cars with trade-in for the Sheriff's department. 4 ayes.

Notice was received of the East Dakota Water Development District Board Meeting on February 19, 2009.

PLANNING

Phil Kappen, Assistant Planning Director, gave the first reading of a proposed amendment to the 1990 Revised Zoning Ordinance for Minnehaha County which will rezone from the A-1 Agricultural District to the I-1 Industrial District, property legally described as that portion North and East of the Highway of the W1750' S800' (except the S485' W450' E1750') SE1/4 Section 35-T101N-R52W of the 5 P.M., Minnehaha County, South Dakota. The property is located 3 miles west of Wall Lake. Notice of the rezoning was sent to the Turner County Auditor. MOTION by Hajek, seconded by Kelly to authorize the Auditor to publish Notice of Hearing on 2/17/09. 4 ayes.

Mr. Kappen also gave the first reading of a proposed text amendment to the 1990 Revised Zoning Ordinance for Minnehaha County by adding agriculturally related uses in the RC Recreation-Conservation zoning district as a conditional use. MOTION by Hajek, seconded by Barth to authorize the Auditor to publish Notice of Hearing on 2/17/09. 4 ayes.

GRANT

Aaron Wimmer with the Family Visitation Center requested consideration of a resolution of sponsorship for the County to sponsor an application for a Safe Havens Supervised Visitation and Safe Exchange Grant through the US Department of Justice Office of Violence Against Women Grant Program on behalf of FVC. Mr. Wimmer gave a brief history of the FVC and their programming. He explained that the grant would provide for up to \$400,000 in funding over a 3-year term with the potential to continue funding up to \$350,000 for an additional 3 years. As sponsor, Minnehaha County would serve as the project applicant and receive a 5% administrative fee. Mr. Wimmer explained that FVC would assume most of the duties with the County serving in a support role. However, the first year requirements would be more extensive requiring a county employee serve as project coordinator to be the point of contact, attend meetings and training, coordinate visits and events, ensure the grant project is developed and implemented according to the requirements of the program, and provide financial oversight. Commissioners discussed whether the County could provide an employee to accommodate the number of hours that may be required as sponsor. MOTION by Hajek, seconded by Barth to authorize the submission of the non-binding letter of intent and revisit the grant application on 2/17/09. 4 ayes.

PERMIT

MOTION by Hajek, seconded by Barth to approve a request to consume/blend alcoholic beverages at the Renner American Legion, Post 307, on February 14, 2009, for the Renner Fire

Department appreciation dinner. 4 ayes.

POLICY

Pam Nelson, Treasurer, presented the annual review of the Minnehaha County Investment Policy and Investment Report. The County investment yield outperformed the benchmark 4 week Treasury Bill every month in 2008. She recommended no changes.

UPDATE

Ken McFarland, Administrative Officer, briefed the Commission on proposed legislation affecting county government. Commissioners discussed a bill that would set up a study group to examine the benefits and cost of establishing a state medical examiner system and seeks a \$15,000 appropriation for the study. Commissioner Hajek reported that the SD Attorney General believes the study could be funded at \$10,000 which could be split equally between the AG, SDACC, and Minnehaha County in order to move forward. Commissioners were in consensus to provide 1/3 of the funding. The AG will continue to monitor the bill status.

NEW BUSINESS

Commissioner Barth commented on a meeting he attended in Pierre with Commissioner Hajek and the SD Secretary of Transportation.

MOTION by Hajek, seconded by Kelly to adjourn into Executive Session for discussion on contracts and pending litigation. 4 ayes. Following the Executive Session, the Commission adjourned until 9:00 a.m. on Tuesday, February 10, 2009.

APPROVED BY THE COMMISSION:

John Pekas, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor