

THE MINNEHAHA COUNTY COMMISSION CONVENE AT 9:00 A.M., March 3, 2009, pursuant to adjournment on February 24, 2009. Commissioners present were: Hajek, Barth, Kelly, and Twedt. Commissioner Pekas was absent. Also present were Sandy Kinder, Deputy Auditor, and Dustin DeBoer, Senior Deputy State's Attorney.

Vice-Chairman Hajek called the meeting to order.

#### AGENDA

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

Commissioner Twedt introduced Robert Wilson as the new Assistant Commission Administrative Officer.

#### MINUTES

MOTION by Barth, seconded by Kelly to approve the Minutes for February 24, 2009. 4 ayes.

#### VOUCHERS TO BE PAID

MOTION by Twedt, seconded by Barth to approve the following bills totaling \$626,104.53 and February salaries for payment. 4 ayes.

A & B Business Equip	Var. Depts	1,530.22	ABN Army Surplus	Em Mgmt	1,434.00
Alltel Communication	Em Mgmt	1,863.52	American Institution	JDC	614.33
American Legion Post	Extension	50.00	Anderson, Carol	Human Svcs	700.00
Arena Motel	Human Svcs	1,185.00	Argus Leader	St Atty	390.48
Automatic Security C	Pettigrew	900.00	Avera Gutnik & Assoc	Mental Ill	230.27
Avera Health Plans,	Human Svcs	934.32	Avera McKennan Hosp	Human Svcs	226.89
Avera McKennan Hospi	Var. Depts	71,399.73	Avera Medical Record	Public Def	75.60
Avera Pulmonary Asso	Human Svcs	33.59	Batteries Plus	Var. Depts	53.50
Beck, Pat Court Repo	Human Svcs	117.70	Belitz, Clarence H /	Human Svcs	505.00
Benning, Darin/Sara	Human Svcs	350.00	Berg, Danny D.	Facilities	98.97
Billion	Hwy Constr	38.77	Binger Law Office	Courts	2,637.50
Bob Barker Company,	Jail	719.70	Boyer Trucks Sioux F	Hwy Constr	395.59
Brentwood Apartments	Human Svcs	650.00	Brown & Saenger	Sheriff	1,000.00
Building Sprinkler,	Facilities	174.06	Bureau of Informatio	Info Tech	360.00
Buskerud Constructio	Hwy Constr	858.00	C & R Supply, Inc.	Hwy Constr	170.00
Campbell Supply Co I	Var. Depts	105.57	CBM Food Service	Jail	10,168.48
Center for Family Me	Var. Depts	3,226.00	Century Business Pro	Var. Depts	276.06
Chemco, Inc.	Var. Depts	1,570.36	Cleveland Heights Ap	Human Svcs	200.00
Cliff Avenue Auto Pa	Hwy Constr	18.10	Cobraserve National	Human Svcs	416.95
Cole Papers, Inc.	Var. Depts	783.30	Concrete Materials	Hwy Constr	198.95
Connecting Point	Info Tech	1,125.00	Connelly, Jill DBA	Human Svcs	171.25
Constellation New En	Facilities	15,496.73	Country View MHC	Human Svcs	288.00
Crescent Electric Su	Facilities	66.16	Current Solutions, I	Auditor	115.46
Dakota Fluid Power,	Hwy Constr	70.61	Dakota Lettering Etc	Em Mgmt	2,463.82
Dakota Riggers & Too	Hwy Constr	81.39	Dakota Security Syst	JDC	81.63
Datamaxx Applied Tec	Em Mgmt	1,838.00	Decastro Law Office,	Courts	1,483.30
Dell Rapids Ambulanc	Mental Ill	230.87	Dells Farm & Tire LL	Sheriff	15.00
Dennis Supply Co. -	Facilities	198.78	Director of Equaliza	Dir of Eq	38.04
Donahue, David J	Human Svcs	500.00	Ebert's Properties,	Human Svcs	410.00
Electric Constructio	Mus Maint	367.39	ES Properties	Human Svcs	700.00
Fastenal Company	Hwy Constr	56.70	First National Pawn	Sheriff	300.00
Fred the Fixer, Inc.	Var. Depts	35.11	G & R Controls	Var. Depts	752.19
Galland Legal Clinic	Courts	573.60	Gearman, Jason	Mental Ill	188.18
Genzlinger, Janeen	Courts	330.60	George Boom Funeral	Human Svcs	4,585.00
Glazier, David Alan	Human Svcs	425.00	Grant Writing USA	Public Def	425.00
Graybar Electric Com	Facilities	5.01	Great Plains Int'l T	Hwy Constr	130.89
Guzman, Sandra V.	Var. Depts	100.00	HAJ Inc DBA	Human Svcs	590.00
Hansen, Christine	Human Svcs	650.00	Haugo, Rodger	Human Svcs	150.00
Heartland Paper Comp	Jail	1,098.35	Help!Line Center, In	Sheriff	55.00

Helseth, Ramona G.	St Atty	9.00	Hewlett-Packard Comp	Var. Depts	1,631.44
Highway Improvement,	Hwy Constr	103,281.00	Home Federal Savings	Human Svcs	600.00
Horton, Barbara	Human Svcs	600.00	Hurtgen, Timothy T.	Human Svcs	500.00
Hy-Vee & Affiliates	Human Svcs	991.40	Hy-Vee Accounts Rece	Var. Depts	119.42
Hy-Vee Pharmacy	Human Svcs	172.99	IBE, Inc.	Reg Deeds	264.00
Interstate Office Pr	Var. Depts	1,033.16	Intoximeters, Inc.	24/7 Prog	2,000.00
J & K Properties / T	Human Svcs	666.00	J & S Hospitality DB	Human Svcs	981.00
J. Worth Baker Compa	Treasurer	65.34	J.C. Penney Company,	JDC	159.95
JCL Solutions-Janito	Var. Depts	734.04	Jefferson Partners L	Human Svcs	2,590.58
Jim Bork Enterprises	Reg Deeds	525.00	Jim Hawk Truck Trail	Hwy Constr	52.00
Johnson Controls, In	Facilities	17,095.00	Johnson Estates LLC	Human Svcs	294.00
Johnson Feed, Inc.	Hwy Constr	4,060.21	Kelly, Dick	Commission	43.29
Koopman & Sons Gas C	Hwy Admin	174.38	Landborg Prop Mgmt L	Human Svcs	345.00
Lenco Armored Vehicl	Em Mgmt	18,048.00	Linweld, Inc.	Hwy Constr	35.56
Lockwood Law Office	Courts	587.19	Luther, Jeff	Ambulance	2,395.83
Mailway Printers	Mus Ops	602.00	Maxwell Food Equipme	JDC	67.96
Meadowland Apts/SF L	Human Svcs	882.00	Medical X-Ray Center	Var. Depts	28.96
Menards - East	Parks	36.83	Metro Communications	Var. Depts	330.00
Midamerican Energy C	Human Svcs	400.00	Midcontinent Communi	Human Svcs	198.97
Midwest Oil Company,	Hwy Constr	172.16	Mielenz, Terri	Public Def	48.00
Miller, Steve	Courts	1,441.91	Mobile Electronic Se	Sheriff	290.00
Murray Const	Human Svcs	1,036.00	Museum Petty Cash	Mus Entpr	150.00
Narem, Inc	Hwy Constr	126.79	Nebraska Transport C	Human Svcs	908.69
North Cleveland Apts	Human Svcs	490.00	North Ridge Apartmen	Human Svcs	900.00
Northern Truck Equip	Hwy Constr	8,100.00	Nyberg's Ace Hardwar	Jail	594.34
Office Depot	Public Def	98.59	Office Depot, Inc.	Info Tech	1,271.40
Orthopedic Institute	Human Svcs	2,318.39	Overhead Door Compan	Hwy Constr	100.00
Parker Volunteer Fir	Em Mgmt	2,006.89	Pawn America	Sheriff	88.00
Payflex Systems USA,	Human Svcs	806.72	PBC Sioux Falls LLC	Human Svcs	1,600.90
Pechous, Corey	Hwy Constr	129.99	Perspective Inc	Bldg Fund	7,128.00
Petco Animal Supplie	Sheriff	89.98	Peterson, Bill	Mus Ops	400.00
Pheasantland Industr	Sheriff	107.22	Pietruszkiewicz, Les	Human Svcs	340.00
Progressive Property	Human Svcs	400.00	Psroc Enterprises LL	Human Svcs	1,450.00
Quail Hollow Townhou	Human Svcs	489.00	Quality Efficiencies	Human Svcs	165.00
Quill Corp.	Public Def	45.25	Randall, Brad	Coroner	6,000.00
RDO Equipment Co.	Hwy Constr	9,807.99	Redwood Biotech	Jail	460.00
Reitz, Robert DDS PC	Human Svcs	374.00	Ridgeview Apts Ltd P	Human Svcs	975.00
River Tower Apartmen	Human Svcs	218.00	Rochester Armored Ca	Treasurer	379.50
Rohwer, Dean	JDC	106.20	Samis, Sally	Welf Recov	25.00
Sanford Hosp USD Med	Em Mgmt	210.00	Sanford Hospital - R	Human Svcs	500.00
SD Assn of County Co	Var. Depts	70.00	SD Risk Pool	Human Svcs	458.02
Sears	Pettigrew	21.98	SF Seminary	Human Svcs	400.00
Sigler Fire Equipmen	Sheriff	36.50	Simmons, Mike/Jessic	Human Svcs	400.00
Sioux Empire Fair As	Fair	10,416.67	Sioux Equipment Co I	Hwy Admin	150.00
Sioux Falls City Fin	Library	208,750.00	Sioux Falls City Fin	Var. Depts	7,944.42
Sioux Falls Humane S	Humane Soc	3,680.33	Sioux Falls Rubber S	Human Res	8.50
Sioux Falls Utilitie	Var. Depts	9,359.67	Sioux Valley Energy	Var. Depts	343.40
Siouxland Oral & Max	Human Svcs	236.00	Software House Inter	Commission	233.15
Springbrook Lloyd Pr	Human Svcs	223.33	Sturdevant's Auto Pa	Hwy Constr	36.90
The Crackleberry Gro	Public Def	4,000.00	Thesenvitz, Mickelson	Courts	3,410.83
Thorin, Deyanira T	Var. Depts	187.50	Tires, Tires, Tires In	Jail	22.99
Town Park I Apts	Human Svcs	1,000.00	Trane Comp	Facilities	389.16
Tschetter & Adams La	Courts	1,227.43	Uline	Jail	843.08
Unitech, Inc/United	Auditor	360.00	United Parcel Servic	Jail	3.87
US Bank-Corporate Tr	Bldg Fund	2,379.78	USD-DHSF (Dental Hyg	Human Svcs	181.00
Valley View Apts	Human Svcs	825.00	Vander Haag's, Inc.	Hwy Constr	2,603.60
VB Falls Park Apts	Human Svcs	500.00	Wal-Mart Pharmacy	Human Svcs	638.10
Wal-Mart Pharmacy	Human Svcs	405.98	Walgreen Co.	Human Svcs	1,181.89
Westergard, Rod	Hwy Admin	168.78	Western Comfort Apts	Human Svcs	300.00
Western Trial Advoca	Public Def	975.00	Wheelco Brake & Supp	Hwy Constr	729.53
Wilson, Shirley Ann	Human Svcs	400.00	Woodlake Apts Cl LLC	Human Svcs	400.00
Woods, Fuller, Shultz	Courts	265.00	Xcel Energy, Inc.	Human Svcs	1,956.74
Zabel Steel Co.	Hwy Constr	105.97	Zee Medical Service	Hwy Admin	71.45
Commission	Salaries	19,156.38	Auditor	Salaries	33,565.82
Treasurer	Salaries	59,110.67	Information Tech	Salaries	53,373.91
States Atty	Salaries	152,657.97	Public Defender	Salaries	115,906.96
Public Advocate	Salaries	27,303.89	Facilities	Salaries	67,590.05
Equalization	Salaries	69,087.57	Register Of Deeds	Salaries	35,796.57
Human Resources	Salaries	12,899.93	Sheriff	Salaries	729,123.67

3/3/09

11722

Juvenile Detn Ctr	Salaries	162,609.19	Highway	Salaries	106,580.69
Human Services	Salaries	77,896.82	Museum	Salaries	59,444.92
Planning	Salaries	32,391.19	Extension	Salaries	7,745.22

REPORT

The following report was received and placed on file in the County Auditor’s Office: Auditor’s Account with the Minnehaha County Treasurer as of January 31, 2009.

On Deposit in Banks	
Interest-bearing open accounts	3,649,572.34
CD’s and savings	19,000,000.00
Cash	18,221.44
Checks/drafts in Treasurer’s possession for more than 3 days	6,258.56
Total Cash on Hand	22,674,052.34
Total AS/400 Cash Balance	22,674,052.34

PERSONNEL

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

1. To end the temporary part-time employment of Julie Irvine as Deputy Public Defender for the Public Defender’s Office effective 2-20-09.
2. To restructure Al Penning’s position from a Correctional Officer (13/P) at \$23.8260/hour to a Medical Corrections Technician (17/H) for the Jail at \$23.8260/hour effective 1-25-09.
3. To transfer Samuel Hemenway from Correctional Officer (13/D) for the Jail to Air Guard Security Officer I (12/F) for the Air Guard at \$17.7160/hour effective 1-24-09.
4. To place Jonathan Grieme, Air Guard Security Officer II for the Air Guard, on Military Leave without pay effective 2-19-09 to 3-5-09.

Step Increases Due:

1. Gordon Jensen – Air Guard Supervisor – Air Guard – 16/K to 16/L, 2-21-09, \$25.0322/hour
2. James Metzger – Army Security Officer – Army Guard – 10/H to 10/I, 1-13-09, \$17.2839/hour
3. Corey Stanley – Deputy Sheriff – Sheriff’s Office – 16/F to 16/G, 1-15-09, \$22.1248/hour
4. Craig Olson – Deputy Sheriff – Sheriff’s Office – 16/F to 16/G, 1-27-09, \$22.1248/hour
5. Scott Hacking – Correctional Officer – Jail – 13/K to 13/L, 1-8-09, \$21.5852/hour
6. Tracie Lohrman – Correctional Officer – Jail – 13/D to 13/E, 1-12-09, \$18.1589/hour
7. Margaret Kuipers and Neville Smith – Correctional Officer – Jail – 13/C to 13/D, 1-30-09, \$17.7160/hour

Motion by Kelly, seconded by Barth to approve the following Special Action Requests:

1. To convert one vacant Sergeant position (pay grade 20) in the Sheriff's Administration to an Administrative Coordinator (pay grade 18) in the Sheriff's Administration.
2. To recognize the following significant employee anniversaries for February: 5 years – Anny Libengood, Rae Burnette, and Joshua Phillips
3. To record volunteers in County Departments for February 2009. The list is on file in Human Resources.

## NOTICES

MOTION by Barth, seconded by Kelly to authorize the Auditor to post Notice of Hearing on March 17<sup>th</sup> to consider various adjustments to the 2009 budget. 4 ayes.

Notice of intent to conduct a fund raising raffle as part of Quarry Days, on June 28, 2009, was received from the Dell Rapids Community Fund.

Notice was received that a disinterment and reinterment permit was issued by the SD Department of Health for the remains of Jeane Brewer, St Michael Cemetery, Sioux Falls.

## TRANSFER

MOTION by Barth, seconded by Kelly to authorize interfund transfers from the General Fund to the Emergency Management Fund (\$194,437) and the Building Fund (\$625,400) in accordance with the 2009 annual budget. 4 ayes.

## BID AWARD

Deputy Sheriff Lieutenant Vicki Hicks reported that bids for six patrol cars with trade-in were opened at 2:00 p.m. on February 26, 2009. The following bids for 2009 Ford Crown Victorias were received (bidder /total for six cars/trade-in value of four cars/total less trade-in): Sioux Falls Ford/\$142,306/\$3,960/\$138,346; and Mitchell Ford/\$139,754/\$7,500/\$132,254. Lt. Hicks explained that the Sheriff's office has budgeted for the six vehicles and an additional detective car which will be purchased later in the year.

MOTION by Twedt, seconded by Barth to award Bid 1-09, six patrol cars with trade-in, to the low bidder, Mitchell Ford, in the amount of \$132,254 after trade allowance and to declare the following vehicles as surplus for trade-in: Car 17 - 2005 Ford Crown Victoria Serial # 2FAFP71W25X150529, asset #72630; Car 18 - 2004 Ford Crown Victoria Serial # 2FAFP71W84X138237, asset # 72330; Car 23 - 2005 Ford Crown Victoria Serial # 2FAFP71W75X150526, asset #72600; and Car 25 - 2002 Ford Crown Victoria Serial # 2FAFP71W82X157187, asset #70010. 4 ayes.

## REQUESTS

Pursuant to SDCL 35-1-5.3, MOTION by Kelly, seconded by Barth to approve a request to consume/blend alcoholic beverages at the Renner American Legion, Post 307, 47410 258<sup>th</sup> Street. Renner, on March 7, 2009, for a wedding reception. 4 ayes.

MOTION by Twedt, seconded by Barth to approve a request to consume/blend alcoholic beverages at the Fraternal Order of Police Lodge, 9700 E Hwy 42, Sioux Falls, on March 28, 2009, for a wedding reception. 4 ayes.

## REPORT

Jason Olson with Eide Bailly Forensic Accounting & Investigative Services presented the Forensic Accounting Report of the Sioux Empire Fair Association. He explained the procedures performed by FAIS to conduct the forensic audit, methodology used in forensic audit compared to financial audit, discrepancies discovered in the Fair's accounts payable balances over \$1,000, and results of a review of ticket sales for the 2008 Dakota Rock Fest event. FAIS noted potential financial reporting issues and identified a cash shortage in the Fair's deposits over an 11 day period. This information was turned over to the Minnehaha County State's Attorney's office. State's Attorney Aaron McGowan reported that a charge for grant theft by embezzlement was filed against the former office manager of the Sioux Empire Fair. He asked that commissioners reserve their comments due to the ongoing investigation. Ron Wieman, Fair Board Chairman, expressed shock and disappointment in the findings and stated that the Board is moving forward with organizing the 2009 annual fair and will look at the accounting process. Florence Holton, County Resident, offered words of support and encouraged the Board and Commission to move forward.

#### UPDATE

No legislative update was given due to the absence of Ken McFarland, Commission Administrative Officer.

#### NEW BUSINESS

Commissioner Barth commented on requests received from the cities of Crooks and Garretson for stimulus funding of infrastructure projects.

MOTION by Twedt, seconded by Barth to adjourn into Executive Session for contract discussion. 4 ayes. Following the Executive Session, the Commission adjourned until 9:00 a.m. on Tuesday, March 10, 2009.

#### APPROVED BY THE COMMISSION:

John Pekas, Chairman

#### ATTEST:

Sandy Kinder, Deputy Auditor