

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., May 5, 2009, pursuant to adjournment on April 28, 2009. Commissioners present were: Pekas, Hajek, Barth, Kelly, and Twedt. 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 Twedt to move the contract negotiations slated for Executive Session to New Business and approve the Agenda. 5 ayes.

MINUTES

MOTION by Hajek, seconded by Barth to approve the Minutes for April 28, 2009. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Hajek to approve the following bills totaling \$753,257.92 for payment. 5 ayes.

A & B Business Equip	Var. Depts	612.94	ABN Army Surplus	Var. Depts	3,633.43
Adam, Gamachu	Courts	337.48	Advance Imaging Supp	Info Tech	398.00
Albers, Tyrone	Sheriff	216.00	American Polygraph A	Sheriff	25.00
Americinn (Laramie W	Public Def	620.40	Anderson, Elwood	Human Svcs	200.00
Anderson, Scott A.	Planning	1,162.85	Appeara / Dudley Lau	Hwy Constr	39.46
Architecture, Inc.	Cap Proj	20,776.87	Arena Motel	Human Svcs	4,440.00
Argus Leader	St Atty	141.52	Austad, Dean B	Human Svcs	300.00
Auto Trim Design LLC	Jail	1,693.20	Avera McKennan Hospi	Var. Depts	33,648.60
Bechtel, Dave	Human Svcs	1,100.00	Benefit Planning Con	Human Svcs	335.22
Betz Blinds, Inc.	Courts	125.70	Bierschbach Equipmen	Hwy Constr	577.20
Billion's	Sheriff	1,800.00	Blakes Welding	Mus Ops	300.00
Bob Barker Company,	JDC	150.00	Boulevard Investment	Human Svcs	1,125.00
Boyd, Michelle	Sheriff	44.00	Boyer Trucks Sioux F	Hwy Constr	249.81
Brennan Hill Townhou	Human Svcs	400.00	Brock White Co LLC	Hwy Constr	251.10
Bumblebee-Gibson, In	Facilities	880.00	Bureau of Informatio	Var. Depts	459.64
C & R Supply, Inc.	Hwy Constr	14.88	Cameron, Terry	Human Svcs	400.00
CBM Food Service	Jail	11,083.80	Cedar Shore	Sheriff	88.35
City Centre Hotel Co	Courts	307.28	City of Dell Rapids	Sheriff	978.48
Classic Cleaners	Jail	20.00	Cleveland Heights Ap	Human Svcs	1,600.00
Coburn, Jay	Human Svcs	360.00	Constellation New En	Facilities	7,635.64
Cooley, Carla F	Courts	27.20	Country Meadows Apts	Human Svcs	637.20
Country View MHC	Human Svcs	441.00	Crestview Apts-Luv I	Human Svcs	435.00
Cyntom Property Mana	Human Svcs	425.00	Dakota Auto Parts	Hwy Constr	173.03
Dakota String Quarte	Mus Entpr	300.00	Dayton Marriott Hote	Public Def	1,491.60
Decisionone Corporat	Info Tech	395.47	Dialnet/Ahrens Telec	Var. Depts	131.73
Dressen Custom Trail	Hwy Constr	8.08	Dust Tex Service, In	Var. Depts	17.32
Ebert's Properties,	Human Svcs	185.00	Edwards, Nikki	Public Adv	31.84
Electric Supply Co.,	Var. Depts	1,403.68	ELGSS - Creative Ben	Human Svcs	961.20
Exide Technologies	Hwy Constr	64.76	Family Drug	Human Svcs	1,331.30
First Administrators	Human Svcs	262.34	Fluth, Rodney P	Human Svcs	500.00
Fred the Fixer, Inc.	Var. Depts	54.75	G&W, Inc dba Gary Co	Human Svcs	178.92
Galland Legal Clinic	Courts	1,107.00	George, Aaron	Human Svcs	215.00
Glasco, Randy	Human Svcs	950.00	Glazier, David Alan	Human Svcs	990.00
Glory House	Sheriff	5,681.77	Goebel Printing, Inc	Var. Depts	111.46
Goede, Daniel J, DDS	Human Svcs	585.00	Gorter, Clarence	Human Svcs	500.00
Great Plains Psychol	Courts	2,545.00	Gunder Church Furnit	Cap Proj	10,779.00
Guzman, Sandra V.	Courts	216.66	HAI Inc dba	Human Svcs	160.00
Hall, Claude	Human Svcs	400.00	Hanson Logowear	JDC	2,502.83
Hanson, Michael W.	Courts	139.40	Harmelink, Fox & Ravn	Mental Ill	356.50
Harris Properties, L	Human Svcs	399.00	Harris, John W.	Human Svcs	700.00
Helseth, Ramona G.	St Atty	12.98	Heritage Apartments	Human Svcs	183.00

Heritage Place Apts	Human Svcs	495.00	Hewlett-Packard Comp	Var. Depts	1,986.00
Howalt-McDowell Insu	Public Def	50.00	Hurtgen, Timothy T.	Human Svcs	400.00
Hy-Vee & Affiliates	Human Svcs	495.70	Hy-Vee Pharmacy	Human Svcs	177.98
Hybertson, Greg	Human Svcs	625.00	Interstate Office Pr	Var. Depts	1,037.49
Intoximeters, Inc.	24/7 Prog	2,475.00	J & K Properties / T	Human Svcs	970.00
J & S Hospitality db	Human Svcs	1,134.00	J.C. Penney Company,	JDC	73.97
Jefferson Partners L	Var. Depts	1,279.84	Johnson Feed, Inc.	Hwy Constr	1,773.15
Kar Parts, Inc.	Em Mgmt	89.71	Keller, Francis M db	Human Svcs	626.00
Kennedy, Pier & Knof	Mental Ill	222.00	Kleen Solutions, Inc	Jail	74.95
Kmart	Human Svcs	30.36	Kuchenreuther, Derek	Sheriff	127.00
Lewis Drug Stores	Jail	12,849.19	Live Well Properties	Human Svcs	400.00
Lockup USA Productio	Jail	106.50	Mailway Printers	Mus Ops	1,101.00
Mannie, Corey	Human Svcs	500.00	Maximum Promotions,	Facilities	83.00
Medical X-Ray Center	Jail	366.04	Meister, Bob	Hwy Admin	116.00
Merck & Co Inc	Jail	292.50	Merrow, Danielle L	Human Svcs	497.50
Metabank	St Atty	488.97	Metro Communications	Var. Depts	474,105.80
Midamerican Energy C	Var. Depts	3,870.84	Midwest Alarm Compan	Var. Depts	5,292.54
Miller Funeral Home,	Human Svcs	2,775.00	Miller, Steve	Courts	392.29
Minncor Industries	JDC	82.80	Minnehaha Cnty Histo	Mus Store	1,512.00
Minnehaha Cnty Juv D	JDC	92.87	Minnehaha Cnty Priso	Jail	10.00
Minnehaha Cnty Sheri	Sheriff	68.73	Minnehaha Community	Hwy Admin	25.00
Monick Pipe & Supply	Facilities	361.96	Motorola, Inc.	Em Mgmt	707.81
Murray Const	Human Svcs	1,300.00	Muth Electric, Inc.	Bldg Fund	2,720.00
Myers & Billion LLP	Courts	570.67	Myrl & Roy's Paving,	Hwy Constr	2,449.44
Nelson, Carlyann	Human Svcs	400.00	Netsys+	Em Mgmt	1,099.99
New World Systems	Info Tech	945.00	Nguyen, Lam	Courts	50.00
North Central Heart	Jail	146.80	Nyberg's Ace Hardwar	JDC	6.97
O'Reilly Auto Parts	Hwy Admin	19.98	Office Depot, Inc.	Var. Depts	2,537.54
Officemax	Treasurer	401.22	Orthopedic Institute	Jail	104.52
Orthopedic Institute	Human Svcs	357.44	Osborn, Roxane R	St Atty	64.00
Pankratz & Assoc	Public Def	400.00	Parkview, LLC	Human Svcs	250.00
PBC Sioux Falls LLC	Human Svcs	1,011.45	Pennington County Ja	Var. Depts	7,825.10
Physicians Laborator	Jail	473.76	Presto-X-Company	Var. Depts	500.00
PSROC Enterprises LL	Human Svcs	525.00	Quality Efficiencies	Human Svcs	954.16
Qualseth, Ryan	Sheriff	242.00	Qwest	Jail	102.08
R & L Supply, Ltd	Var. Depts	52.14	Raak Properties LLC	Human Svcs	600.00
Rapiscan Systems, In	Jail	4,840.00	Red Wing Shoe Store	Facilities	129.20
Refinish Supply Cent	Hwy Constr	179.78	Reitz, Robert DDS PC	Human Svcs	24.00
Resurrection Apostol	Human Svcs	425.00	Retail Data Systems	Treasurer	109.00
Ridgeview Apts Ltd P	Human Svcs	954.00	Robson True Value	Facilities	9.56
Rochester Armored Ca	Treasurer	379.50	Rocky Mount Instrume	Public Adv	50.00
Sadat, Sayd Abdul Qa	Human Svcs	1,000.00	Sanford Hospital	St Atty	20.00
Sanford Hospital - R	Human Svcs	1,150.00	Sanford Hospital Med	Var. Depts	77.25
Scheels All Sports	Sheriff	449.98	SD Dept of Transport	Hwy Constr	2,942.58
SD Public Assurance	Var. Depts	986.86	SD Risk Pool	Human Svcs	618.50
SD Secretary of Stat	Public Def	25.00	SD State Historical	Mus Ops	10.00
Seiner, Tracy	Mus Ops	482.89	Sheehan Mack Sales &	Hwy Constr	402.00
Shopko Store	JDC	129.11	Sierra Dakota Proper	Human Svcs	400.00
Sigler Fire Equipmen	Sheriff	38.50	Silver Glen MHC, LLC	Human Svcs	681.00
Sioux Empire Fair As	Fair	10,416.67	Sioux Falls City Fin	Sheriff	11,183.48
Sioux Falls Rubber S	JDC	19.00	Sioux Falls Two Way	Em Mgmt	125.00
Sioux Falls Utilitie	Var. Depts	6,318.72	Sioux Valley Energy	Var. Depts	165.02
Siouxland Oral & Max	Human Svcs	438.00	Software House Inter	Var. Depts	558.61
Solomon, Ghirmay	Courts	100.00	Soward, Carol	Human Svcs	250.00
Stanley, Corey G	Sheriff	216.00	Streicher's	Em Mgmt	80.97
Sullenger, Josh	Human Svcs	300.00	Sunshine Foods	Human Svcs	17.99
Sunshine Foods	Human Svcs	14.86	Tally Ho Apartments	Human Svcs	448.50
Tenth Street Lodging	Human Svcs	380.00	The Eye Doctors PC	Jail	2,660.00
Thesenvitz,Mickelson	Courts	1,299.00	Thompson Electric Co	Parks	326.48
Thoreson, Jeff	Sheriff	216.00	Thorin, Deyanira T	Courts	76.66
Thurman, Creighton A	Mental Ill	179.78	Tires,Tires,Tires In	Var. Depts	906.26
Tomacelli's Pizza	Courts	86.00	Ultramax	Sheriff	968.00
USD-DHSF (Dental Hyg	Human Svcs	822.00	VB Falls Park Apts	Human Svcs	1,100.00
Velgersdyk, Dr. Scot	Human Svcs	197.00	Velvet Uniforms, Inc	Var. Depts	126.00
Vision Care Associat	Human Svcs	227.01	Wal-Mart Pharmacy	Human Svcs	529.45
Wal-Mart Pharmacy	Human Svcs	93.10	Wassink, Owen L	Human Svcs	1,320.00
West Pointe Townhous	Human Svcs	500.00	West Sioux Exhaust &	JDC	784.36
Westwick Motel, Inc.	Human Svcs	835.00	Wheelco Brake & Supp	Hwy Constr	285.96
Xcel Energy, Inc.	Var. Depts	8,895.85	Yankton County Sheri	Mental Ill	100.00

REPORTS

The following report was received and placed on file in the County Auditor's Office: Regional Infant and Child Mortality Review Committee 2008 Annual Report and the Minnehaha County Public Defender 2008 Annual Report.

PERSONNEL

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

1. To return Brian Crosby, Deputy Sheriff for the Sheriff's Office, from military leave effective 5-4-09.
2. To promote Elaine Muller from Correctional Officer in Training (12/B) to Correctional Officer (13/B) for the Jail at \$16.8623/hour effective 3-8-09.
3. To discharge Rhonda Olson as Custodial Supervisor for Facilities effective 4-27-09.
4. To increase the hourly wage of Gregg Kringen, temporary, part-time Park Worker for Planning/Parks to \$11.0000/hour effective 5-4-09.
5. To hire Elliot Aanenson as temporary, part-time Laborer for the Highway Department at \$10.7500/hour effective 5-18-09.
6. To hire Isaac Aanenson, Kevin Calsbeek, Kole Nordmann, Tyler Olson, York Thomas, and Seth Tripp as temporary, part-time Laborers for the Highway Department at \$10.7500/hour effective 5-11-09.

Step Increases Due:

1. Darren Magee – Senior Deputy Public Defender – PDO – 22/G to 22/H, 5-9-09, \$2,563.47/bi-weekly
2. Michael Miller – Senior Deputy Public Defender – PDO – 22/E to 22/F, 5-10-09, \$2,439.94/bi-weekly
3. Michelle Boyd – Assistant Sheriff – Sheriff's Office – 25/E to 25/F, 4-12-09, \$3,281.45/bi-weekly
4. Timothy Devlin – Warden – Jail – 24/H to 24/I, 5-7-09, \$3,201.42/bi-weekly
5. Richard Tupper – Correctional Officer – 24/7 Program – 13/D to 13/E, 4-10-09, \$18.1589/hour
6. Jennifer Brenden – Juvenile Correctional Officer II – JDC – 14/I to 14/J, 4-22-09, \$21.5852/hour

Special Commission Action Requests:

1. To recognize the following significant employee anniversaries for May: 5 years - Michael Miller, James Crisp, & Michael Brenden; 10 years - Randy Sample & Traci Smith; 25 years - Martha Davidsohn & Douglas Arntz; and 30 years - William Booker
2. To record volunteers in County Departments for April, 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 Twedt to approve the following 2008 property tax abatements pursuant to SDCL 10-4-40: Vic Wiebe, ID 10709, \$1,320.63 and Leonard Maxwell, ID 76747, \$1,302.11. 5 ayes.

MOTION by Kelly, seconded by Barth to approve the following 2008 property tax abatement: Dakota District of the Wesleyan Church, ID 57379, \$4,636.40. 5 ayes.

AGREEMENTS

Sheriff Sergeant Vicki Hicks presented the 2009 Police Services Agreements for municipalities in Minnehaha County. The hourly rate for services increased from \$24.50 (2008) to \$25.75 per hour (2009). The service hours for each community remained the same as in 2008. MOTION by Hajek, seconded by Twedt to authorize the Chairman to sign the 2009 Agreement for Furnishing Police Service between Minnehaha County and the cities of Baltic, Colton, Crooks, Dell Rapids, Garretson, Hartford, Humboldt, and Valley Springs. 5 ayes.

FAIR

Dr. Tryg Fredrickson, Sioux Empire Fair Interim CXO, requested an advance on the remaining 2009 County funding allocation and requested a loan for an additional \$216,667 to pay down debts and support the 2009 fair. The repayment plan would utilize projected revenues from the annual fair along with a potential insurance settlement and restitution from a recent employee embezzlement case. The Fair Association would still have outstanding debts owed for the Expo Ice (to the County), line of credit, payroll taxes/insurance, vacation, salaries, and deferred vendor revenues to pay down. Commissioner Pekas requested documentation from the bank releasing their UCC filing and placing the County in a priority position for repayment. Mr. Fredrickson reported that records show that past fair events have been successful and explained that they would not be in this position if not for the theft. He also gave his opinion of the lack of cohesive vision for the fairgrounds. Commissioner Twedt noted the need for the community to support the vision of the fairgrounds. Commissioner Kelly discussed the potential inability to repay the county and questioned the projected revenues presented. Commissioners discussed whether a new venue was needed and discussed if the Fair Board has done all they can to generate revenues through business partners and subsidies from citizens. Commissioner Pekas reviewed the funding history from the County and encouraged the Fair Board to branch out. Several citizens, vendors, and patrons spoke in support of what the fairgrounds has to offer and how the community benefits from events at the fairgrounds. Many were willing to participate in fundraising events. Dean Axtell, heir, reported that the late Winona Lyon had a vision for the fairgrounds and asked that the family be included in future discussions. MOTION by Hajek, seconded by Barth to advance the remaining \$83,333 in 2009 county funding and loan \$216,667 to the Sioux Empire Fair Association with repayment to be determined as other resources become available. Commissioner Kelly supported loaning enough to pay all current debts, not including the ice, so the Fair could start over today. Commissioner Twedt did not support the indefinite terms of repayment in the motion. SUBSTITUTE MOTION by Hajek, seconded by Twedt to advance the remaining \$83,333 in 2009 county funding and loan \$216,667 to the Sioux Empire Fair Association with repayment of the balance of the loan to be made through available funds by 10/1/09. 3 ayes, Kelly & Pekas – nay.

Ken McFarland, Commission Administrative Officer, presented a proposal from Cadwell, Sanford, Deibert & Garry, LLP, to perform legal research related to the W.H. Lyon Fairgrounds at an estimated cost range of \$15,000 to \$25,000. The estimate does not include the cost of a property appraisal. MOTION by Barth, seconded by Kelly to authorize the Chairman to sign the Letter of Engagement with Cadwell, Sanford, Deibert & Garry. 5 ayes.

OLD BUSINESS

Robert Kolbe, county resident, asked for a timeframe on the previous report. Commissioners reported that the time is undetermined.

NEW BUSINESS

Trae Umstead, IT Director, briefed the Commission on an opportunity to apply for a federal stimulus grant to provide funding to bring broadband internet connectivity to underserved areas of the county. He detailed three options that could be used if the grant were pursued. Commissioners discussed whether this type of improvement would be better provided by the private sector. MOTION by Barth to authorize IT to look into the grant further and to continue discussion with other entities that may benefit from the service. Motion dies for lack of a second.

MOTION by Barth, seconded by Twedt to adjourn until 9:00 a.m. on Tuesday, May 12, 2009. 5 ayes.

APPROVED BY THE COMMISSION:

John Pekas, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor