

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., May 12, 2009, pursuant to adjournment on May 5, 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 approve the Agenda. 5 ayes.

MINUTES

MOTION by Hajek, seconded by Kelly to approve the Minutes for May 5, 2009. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Twedt, seconded by Hajek to approve the following bills totaling \$804,861.68 for payment. 5 ayes.

A-Ox Welding Supp Co	Var. Depts	186.00	ABN Army Surplus	Em Mgmt	359.99
Action Electric Co.	Hwy Constr	123.37	American Institution	JDC	240.89
Anacon Leasing Inc	Public Def	262.00	Anderson, Elwood	Human Svcs	450.00
Anesthesiology Assoc	Human Svcs	96.00	Arena Motel	Human Svcs	315.00
Argus Leader	St Atty	88.60	Asheim, Erin	Dir of Eq	66.00
Avera Health Plans I	Human Svcs	467.16	Avera McKennan Hospi	Var. Depts	138,776.15
Al Svc Inc/Laceys Ch	Hwy Constr	185.00	Backhaus, Roger dba	Human Svcs	350.00
Bakken, Larry	Dir of Eq	66.00	Batteries Plus/Onesk	Hwy Constr	41.00
Benz, Vergil C	Human Svcs	1,200.00	Bierschbach Equipmen	Hwy Constr	189.30
Billion's	Var. Depts	461.28	Boeckholt, Angie	Dir of Eq	66.00
Border States Electr	Facilities	126.20	Boyer Trucks Sioux F	Hwy Constr	185.83
Bradfeldt, Becky	Human Svcs	58.20	Brentwood Apts/Domin	Human Svcs	595.00
Brevik Law Office Pr	Mental Ill	334.32	Brown & Saenger	St Atty	103.56
Builders Supply Comp	Hwy Constr	513.75	Burnette, Cleota Rae	Human Svcs	280.34
Campbell Supply Co I	Var. Depts	338.10	Canfield Business In	Commission	1,421.78
Catco	Hwy Constr	9.96	Cbcinnovis, Inc.	Sheriff	8.25
CBM Food Service	Var. Depts	18,487.97	Center for Family Me	Var. Depts	561.48
Century Business Pro	Var. Depts	3,943.00	Certified Folder Dis	Mus Ops	1,191.58
Chau Properties LLC	Human Svcs	747.00	Chemco, Inc.	Var. Depts	4,706.36
Cleveland Heights Ap	Human Svcs	2,200.00	Cliff Avenue Auto Pa	Hwy Constr	5.93
Climate Systems, Inc	Facilities	497.76	Cole, John R	Dir of Eq	66.00
Concrete Materials	Hwy Constr	252.84	Constellation New En	Pettigrew	882.94
Construction Product	Var. Depts	183.41	Country Meadows Apts	Human Svcs	695.00
Country View MHC	Human Svcs	785.00	Creative Prod Source	Sheriff	2,528.54
Crescent Electric Su	Facilities	912.27	Crestview Apts-Luv I	Human Svcs	153.00
CVS Systems, Inc	Mem Day	1,196.50	Cybercoach Inc	Em Mgmt	7,010.00
Cyntom Property Mana	Human Svcs	500.00	Dakota Alignment & F	Hwy Constr	487.47
Dakota Data Shred	Facilities	64.24	Dakota Fluid Power,	Hwy Constr	1,703.86
Davies, Boone T	Human Svcs	200.00	Davis, Kory	Human Svcs	294.00
Dell Rapids Chevrole	Sheriff	43.20	Dells True Value / O	Hwy Constr	27.98
Deluxe Business Form	Jail	1,094.40	Dethlevsay, Sanya	Public Def	25.00
Dialnet/Ahrens Telec	Sheriff	45.00	Dietrich, Donna K	Mental Ill	601.35
Dobberpuhl, Randy	Human Svcs	274.17	Dollar Tree Stores I	Human Svcs	327.80
Dosch, Korey	Dir Of Eq	66.00	Dullerud, Sharon	Human Svcs	225.00
East, Paul T	Human Svcs	500.00	Eastern Farmers Coop	Hwy Constr	7.50
Ebert's Properties,	Human Svcs	1,730.00	Empire Plastics	Mus Ops	10.00
Engbrecht, Roger	Human Svcs	400.00	Farrell, Lorae J	Courts	291.20
Federal Express Corp	Sheriff	7.97	Ferguson, William	Human Svcs	475.00
George Boom Funeral	Human Svcs	870.00	George, Aaron	Human Svcs	230.00
Gleason's Instant Tr	JDC	800.00	Golden West	Var. Depts	197.69
Governors Inn, Inc.	Auditor	150.00	Graham Tire Co. - No	Hwy Constr	235.10
Grainger, Inc.	Facilities	539.81	Graybar Electric Com	Facilities	882.34
Guzman, Sandra V.	Public Def	62.50	Handy Man, Inc.	Facilities	7.96

Hanson Logowear	JDC	411.62	Heirigs, Mary Ellen	Mental Ill	48.00
Helseth, Kyle	Dir of Eq	66.00	Helwig, Vicki R	Human Svcs	600.00
Heritage Funeral Hom	Human Svcs	3,075.00	Herman, Patricia	Planning	470.87
Hermanson Properties	Human Svcs	1,000.00	Hillyard, Inc.	Facilities	543.80
Hoekstra, Denise A.	Courts	50.40	Holiday Inn Express	Mental Ill	199.90
Holiday Mobile Home	Human Svcs	248.00	Home Federal Savings	Human Svcs	400.00
Hoskins, William J	Mus Ops	82.00	Howard, Cynthia A	Public Adv	312.34
Howie's Car Service	Hwy Constr	118.00	Hurtgen, Timothy T.	Human Svcs	400.00
Hy-Vee Accounts Rece	Var. Depts	322.88	Hybertson, Greg	Human Svcs	473.00
ICI Paints	Mus Ops	112.25	Interstate Office Pr	Var. Depts	769.43
Iosty, Alysia A	Dir of Eq	66.00	J & L Harley Davidso	Sheriff	121.15
J & S Hospitality db	Human Svcs	196.00	Jamar Technologies,	Hwy Constr	385.88
Jefferson Partners L	Human Svcs	1,459.90	Jim Hawk Truck Trail	Hwy Constr	28.52
Johnson Estates LLC	Human Svcs	199.00	Johnson, Allan R	Human Svcs	400.00
Kleen Solutions, Inc	Jail	152.85	Klein, Rose	Human Svcs	900.00
Knology	Human Svcs	97.78	Kohl's Department St	JDC	49.98
Kooistra, Nelva	Mental Ill	75.00	Kreislers, Inc.	Var. Depts	658.09
L.G. Everist, Inc.	Hwy Constr	1,923.17	Lang Properties LLC	Human Svcs	500.00
Larons II Power Equi	Var. Depts	77.98	Larson, Cliff/Marily	Human Svcs	400.00
Lassegaard, Samuel C	Human Svcs	500.00	LCM Pathologists PC	Coroner	28.00
Leesch, Carol	Human Svcs	400.00	Lincoln County Audit	Atty Fees	176.00
Linweld, Inc.	Hwy Constr	162.54	Ludoc Enterprises In	Var. Depts	148.00
Lyndale Partners	Human Svcs	500.00	Mac's, Inc.	Var. Depts	111.89
Malloy Electric Bear	Hwy Constr	8.16	Mannie, Corey	Human Svcs	500.00
Meadowbrook Apartmen	Human Svcs	400.00	Medical Waste Transp	Jail	332.59
Medical X-Ray Center	Jail	38.46	Menards - East	Var. Depts	72.81
Metro Communications	Var. Depts	661.00	Michaels Fence & Sup	Mem Day	1,570.50
Midamerican Energy C	Var. Depts	2,880.71	Midcontinent Communi	Var. Depts	183.00
Midwest Alarm Compan	Mus Maint	180.00	Midwest Oil Company,	Hwy Constr	219.62
Midwestern Mechanica	JDC	200.00	Miller Funeral Home,	Human Svcs	1,560.60
Minnehaha Cnty Human	Human Svcs	180.85	Minnehaha Cnty Priso	Jail	50.00
MOMCC	Mus Ops	25.00	Monument Mobile Home	Human Svcs	180.00
Moore Medical Corp.	JDC	40.66	Morrison, Raymond W	Human Svcs	300.00
Murray Const	Human Svcs	1,825.00	Nelson, Gene	Dir of Eq	66.00
Norberg Paints, Inc.	Mus Maint	195.38	Novak Sanitary Servi	Var. Depts	398.89
Nyberg's Ace Hardwar	Var. Depts	69.36	O'Dea, Steve C	Human Svcs	1,040.00
Office Depot	Public Def	111.61	Officemax	Extension	17.95
Omnicare of South Da	JDC	194.07	OPM Enterprises	Human Svcs	400.00
P & M Steel Company	Hwy Constr	1,224.00	Palmer, Barbara	Mental Ill	3,037.50
PBC Sioux Falls LLC	Human Svcs	1,584.70	Perspective Inc	Bldg Fund	1,330.00
PESI LLC	Human Svcs	184.00	Pollard, Jerry	Mental Ill	82.00
Prairie Wind Apts/In	Human Svcs	500.00	Preferred Management	Human Svcs	885.00
Primary Products Co	JDC	450.00	Qualified Presort Se	Var. Depts	5,173.94
Quality Efficiencies	Human Svcs	490.00	Quill Corp.	JDC	309.48
Radio Shack Corporat	Mus Ops	22.98	Randall-Stanley Arch	Bldg Fund	347.00
Record Keepers, Inc.	Public Def	163.84	Regal Plastic Supply	Mus Ops	264.07
Rehfuss, Cathy A	Mental Ill	75.00	Reim Partners, LLC	Human Svcs	400.00
Resurrection Apostol	Human Svcs	200.00	Richland Prop Mgmt L	Human Svcs	600.00
River Ridge Apartmen	Human Svcs	370.00	River Tower Apartmen	Human Svcs	343.00
Robson True Value	Em Mgmt	135.85	Ronning Commercial,	Human Svcs	400.00
Roust, Sue	Var. Depts	223.01	RSVP	Mus Entpr	500.00
Sanford Health Plan-	Human Svcs	281.32	Sanford Hospital	St Atty	20.00
Sanford Hospital - R	Human Svcs	250.00	Sanford Hospital Med	Public Def	27.50
Sanner, Melanie Jo	Dir of Eq	66.00	Schelling, Sheldon	Mental Ill	450.00
Schoeneman Bros. Co.	Mus Ops	40.00	SD Dept of Revenue	Var. Depts	262.25
SD Risk Pool	Human Svcs	458.02	SD State Bar	Public Def	300.00
SD State Treasurer	Sales Tax	554.73	SDAAO	Dir of Eq	1,200.00
Seed Solutions	Hwy Constr	4,640.00	Shopko Store	JDC	61.47
Sioux Empire Fair As	Fair	289,583.69	Sioux Empire FCU	Var. Depts	1,093.41
Sioux Empire FCU/480	Var. Depts	1,162.83	Sioux Equipment Co I	Hwy Constr	45.21
Sioux Falls City Fin	Library	208,750.00	Sioux Falls Paint &	Hwy Constr	46.20
Sioux Falls Rubber S	Var. Depts	24.45	Sioux Falls Transit/	Human Svcs	25.00
Sioux Falls Two Way	Var. Depts	3,956.88	Sioux Falls Utilitie	Human Svcs	795.65
Sioux Valley Energy	Var. Depts	215.95	Siouxland Oral & Max	Human Svcs	331.85
Southeastern Behavio	Jail	4,963.75	Springbrook Lloyd Pr	Human Svcs	400.00
Stan Houston Equipme	Parks	219.00	Stangeland, Lori	Dir of Eq	66.00
Sterling Properties	Human Svcs	400.00	Strum, Steve A	Human Svcs	770.00
Sturdevant's Auto Pa	Hwy Constr	16.56	Sunshine Foods	Human Svcs	81.53
TDC Group	Planning	1,750.00	Tendaire Ind Inc	Hwy Constr	491.00

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Thomas, Bradley	Dir of Eq	66.00	Thorin, Deyanira T	Public Def	25.00
Timberland Village A	Human Svcs	400.00	Tires,Tires,Tires In	Sheriff	586.40
Trygstad Financial G	Human Svcs	700.00	Twelve-Step Living C	Human Svcs	800.00
Unitech, Inc/United	Dir of Eq	162.00	United Rentals, Inc	JDC	72.68
Valley West Apartmen	Human Svcs	750.00	Velgersdyk, Dr. Scot	Human Svcs	108.00
Velvet Uniforms, Inc	Var. Depts	839.73	Verizon Wireless	Em Mgmt	2,016.78
Vision Care Associat	Human Svcs	259.05	Volunteers of Americ	JDC	2,721.25
Wal-Mart Pharmacy	Human Svcs	1,493.37	Wal-Mart Pharmacy	Human Svcs	579.84
Walgreens Pharmacy	Human Svcs	159.53	Wall Lake Sanitary D	Hwy Admin	70.00
Washington Heights A	Human Svcs	657.60	West Pointe Townhous	Human Svcs	500.00
Whitney, Dennis	Dir of Eq	66.00	Winne, Steve	Human Svcs	500.00
Woodlawn Cemetery As	Human Svcs	400.00	Xcel Energy, Inc.	Var. Depts	4,201.24
Yetbarak, Bisrat	Human Svcs	500.00	Yong, Voon	Human Svcs	500.00
Zandt, James R	Human Svcs	450.00	Zimmer, Bernie	Human Svcs	400.00
4-H LEEP	Extension	110.00			

REPORTS

The following reports were received and placed on file in the County Auditor's Office: General Fund Surplus Analysis as of March 31, 2009 - Undesignated Fund Balance \$1,764,621.02 (3.99% of the 2009 General Fund Budget), and the Minnehaha County Human Services and Regional Juvenile Detention Center Reports for April 2009.

PERSONNEL

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

1. To hire Meghann Rise as temporary, part-time Photography Assistant for Equalization at \$9.2500/hour effective 5-11-09.
2. To accept the resignation of Jeremy Mettling as Highway Maintenance Worker for Highway effective 5-14-09.
3. To hire Bill Shatter as temporary, part-time Spray Truck Operator for Highway at \$11.1000/hour effective 5-11-09.
4. To hire Jesse Jones and Trevor Mead as temporary, part-time Laborers for Highway at \$10.5000/hour effective 5-18-09.
5. To hire Ken Schafer as temporary, part-time Building Inspector for Planning at \$12.7500/hour effective 5-26-09 to 12-1-09.
6. To transfer Terry Persing from part-time Correctional Officer (13/G) for the 24/7 Program to a full-time Security Officer (13/G) for STI Security effective 5-18-09.
7. To promote Samantha Grace from Correctional Officer in Training (12/B) to Correctional Officer (13/B) for the Jail at \$16.8623/hour effective 5-14-09.
8. To record the EMT specialty pay for Steve Lutter, Deputy Sheriff for the Sheriff's Office, effective 5-5-09.

Step Increases Due:

1. Terrance Tomes – Deputy Sheriff Sergeant – Sheriff's Office – 20/J to 20/K, 4-7-09, \$29.7555/hour
2. John Olson – Certified Civil Process Server – Sheriff's Office – 13/I to 13/J, 4-7-09, \$20.5451/hour

Carey Deaver, Human Resources Director, requested approval of updates to the Family & Medical Leave Policy. The updates incorporate military leave provisions that have been finalized by the Department of Labor as part of the National Defense Authorization Act of 2008, and revise the use of paid and unpaid leave section. MOTION by Hajek, seconded by Barth to adopt the FMLA policy update. 5 ayes.

Colleen Moran, Senior Deputy State's Attorney, recognized Washington High School students Christina Christensen and Josh Bartscher who volunteered in the State's Attorney's office for the 2008-2009 school year.

ABATEMENTS

The following abatements were recommended by Kyle Helseth, Deputy Director of Equalization:

MOTION by Twedt, seconded by Hajek to approve the following abatement under the discretionary formula: Mid-Cayman LLC, ID 81239, 2008 property taxes, \$98,128.31. 5 ayes.

MOTION by Hajek, seconded by Twedt to approve the following abatement: Wallstreet Mission, ID 81370, \$7,583.25. 5 ayes.

MOTION by Twedt, seconded by Hajek to approve the following 2008 tax abatements as part of the Elderly Freeze Program: Edmund Liebsch, ID 46095, \$1,539.35 and Paula Cottingham, ID 45218, \$102.83. 5 ayes.

NOTICES

MOTION by Hajek, seconded by Barth to authorize the Auditor to publish Notice of Hearing on 6/2/09 to consider renewal applications for malt beverage licenses for 2009-2010. 5 ayes.

Notice was received that a disinterment permit was issued by the SD Department of Health for the remains of Jennifer Wipperling, Hills of Rest Memorial Park, Sioux Falls.

PUBLIC COMMENT

Robert Kolbe, county resident, provided tickets for the commissioners to attend an antique show sponsored by the Minnehaha County Historical Society at the W.H. Lyon Fairgrounds this weekend.

Mr. Kolbe was informed that consideration of the management agreement with the Fair is intended to be scheduled for 5/19/09.

REPORTS

Cindy Howard, Public Advocate, and Traci Smith, Public Defender, presented their 2008 annual reports. Both are seeing an increase in cases opened so far in 2009. Interpreter services were also discussed as well as the need for a certification process.

TWP BONDS

Sue Roust, Auditor, presented the list of 2009 township officer bonds filed in her office. She noted that her office will follow up with those townships that had receipts higher than their bond amount and that those townships may be asked to increase their bonding amount for 2010. MOTION by Kelly, seconded

by Hajek to approve the 2009 township officer bonds. 5 ayes.

PROPOSAL

Bill Hoskins, Museum Director, presented a proposal from Kriens Construction to remove the existing brick pavers from the plaza at the rear of the Old Courthouse Museum and replace them with concrete at an estimated cost of \$23,729.98. Commissioner Twedt asked if the concrete look could be enhanced, noting the estimate came in \$6,000 under budget. Mr. Hoskins explained that the project was looked at based on cost savings and product durability. Information he received suggested that the colored concrete would fade from exposure to the sun and that stamping was not functional when considering snow removal. Lloyd Olson, Facilities Director, reported that concrete at the Siouxland Health and Human Services Center is stamped and colored and has held up well, but is only 2 years old. He also reported that the stamping causes minor issues with snow removal. MOTION by Twedt, seconded by Hajek to defer action on this proposal to allow the Museum Director time to consult with the contractor on staining or stamping options. 4 ayes, Kelly – nay.

BID AWARD

Lynn DeYoung, Emergency Management Director, reported that bids for a Homeland Security Region VIII Improvised Explosive Device Vehicle were opened on 4/29/09 at 2 p.m. Two optional units were bid. The following bids were received [bidder/bid opt 1 (Ford F550)/bid opt 2/opt 2 make & model/fixed body window/heating/AC]: Boyer Trucks/\$128,861/no bid/\$755/\$1125/\$2750; Taylor Made Ambulance/\$149,875/\$155,388/GMC 5500/\$450/\$650/\$3295; Danko Emergency Equipment/\$154,018/\$162,878/Chevy CC5500/\$320/\$562/\$2966; Heiman Fire Equipment/\$142,622/\$150,937/GMC TC5500/\$335/\$760/\$2995; Maintainer Custom Bodies, Inc./\$157,254/no bid/\$225/\$3000 heat & air combined. Mr. DeYoung reported that after reviewing the optional chassis, it was recommended that option 2 be selected because it offered increased weight capacity, engine size, and future use potential. He recommended award to the low bidder in the option 2 category, Heiman Fire Equipment. Gordy Swanson, Deputy State's Attorney, reported that the project was bid as two alternates and that valid reasons were given to recommend option 2, and to recommend award to the lowest responsible bidder in that category. MOTION by Twedt, seconded by Kelly to award Bid 6-09, IED Response Vehicle option 2, to Heiman Fire Equipment in the amount of \$150,937 with options of interior body heating system at a cost of \$760 and chassis driven air conditioner for \$2,995 for a total cost of \$154,692.00. 5 ayes. The purchase will be fully funded through the 2008 Regional Homeland Security Grant program.

SUPPLEMENT

MOTION by Hajek, seconded by Barth to approve the following supplements from the Emergency Management Fund to the Emergency Management budget as part of the Homeland Security Grant and Public Safety Interoperable Communications Grant Programs: \$55,698.96 to ASN 16922 (\$20,560.76 07 Region 8 Equipment, \$498.20 LETPP, & \$34,640 Livescan Project); \$492,063.21 to ASN 16923 (\$124,568.65 Law Grant, \$24,449.29 IED Grant, \$311,799.84 Bomb Response Grant, & \$31,245.43 Equipment Grant); \$6,534.12 to ASN 16927 (Citizen Corp Grant); and \$205,102.57 to ASN 16992 (PSIC Grant). 5 ayes.

AGREEMENT

On May 5th, the Commission approved a request by the Sioux Empire Fair Association to advance their remaining 2009 budget allocation of \$83,333 and to loan them an additional \$216,667 to pay outstanding debts. Ken McFarland, Commission Administrative Officer, presented an amendment to the fair management agreement which incorporates terms of the cash loan including repayment by 10/1/2009,

assignment of insurance claims, settlements, or proceeds from the embezzlement case that is pending, and requires financial reporting and audits. The termination date of the extension will remain as 12/31/09. MOTION by Barth, seconded by Hajek to authorize the Chairman to sign the Amendment to the 2009 Extension of Management Agreement for W.H. Lyon Fairgrounds. 4 ayes, Pekas – nay.

HEARING

Scott Anderson, Planning Director, was present for the scheduled hearing to consider various text amendments to Ordinance MC21-93, Rural Addressing Ordinance for Minnehaha County related to building address numbers, signs, and delineator posts, and their purchase and placement. The amendments were sent to the Home Builder's Association for input. No negative comments were received. MOTION by Twedt, seconded by Barth to approve Ordinance MC21-11-09. 5 ayes. The full ordinance is on file in the County Auditor's Office.

OLD BUSINESS

Commissioner Kelly commented on a letter from Jeanne Fromm, county resident, opposing a drainage permit scheduled to be considered at the meeting on 5/19/09 and informing the commissioners that she was unable to attend the scheduled hearing. MOTION by Kelly, seconded by Hajek to defer the hearing 1 week. Ken McFarland, Commission Administrative Officer, reported that notice has already been published and recommended holding the hearing as scheduled and deciding whether to defer action at that time. The motion and second were withdrawn.

NEW BUSINESS

Sheriff Lieutenant Vicki Hicks introduced Sheriff's Office Administrative Coordinator Kristin Trana.

MOTION by Barth, seconded by Twedt to adjourn into Executive Session to discuss preparation for contract negotiations. 5 ayes. Following the Executive Session, the Commission adjourned until 5:00 p.m. on Monday, May 18, 2009.

APPROVED BY THE COMMISSION:

John Pekas, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor