

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., May 19, 2009, pursuant to adjournment on May 18, 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 Barth, seconded by Hajek to approve the Agenda. 5 ayes.

MINUTES

MOTION by Twedt, seconded by Hajek to approve the Minutes for May 12, 2009. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Hajek, seconded by Barth to approve the following bills totaling \$501,369.43 for payment. 5 ayes.

A & B Business Equip	Var. Depts	1,277.73	A to Z World Languag	Var. Depts	212.50
Adamson Industries C	Em Mgmt	469.95	Advance Auto Parts	Sheriff	87.29
All About Travel Inc	Public Def	339.70	Allied Oil & Supply	Hwy Constr	3,068.00
Amberleaf Apts LLC	Human Svcs	400.00	American Correctiona	Jail	146.75
Anderson, Elwood	Human Svcs	400.00	Appeara / Dudley Lau	Hwy Constr	36.12
Appearance Plus Towi	Sheriff	98.00	Arena Motel	Human Svcs	1,550.00
Argus Leader	Var. Depts	3,911.10	Auto Body Specialtie	Hwy Constr	61.79
Automatic Building C	Jail	90.00	Avera Gutnik & Assoc	Mental Ill	208.25
Avera McKennan Hosp	Mental Ill	294.21	Avera McKennan Hospi	Var. Depts	5,571.83
Avera Medical Record	Var. Depts	35.10	Avera Queen of Peace	Hwy Admin	175.50
Babinski Properties	Human Svcs	400.00	Bechtel, Dave	Human Svcs	450.00
Belfer, Robert MD	Public Adv	1,800.00	Best Business Produc	Var. Depts	251.62
Beynon, Silvie	Human Svcs	1,000.00	Bierschbach Equipmen	Hwy Constr	73.80
Bob Barker Company,	Jail	292.59	Boldt, Bradley D	Human Svcs	600.00
Brandon True Value H	Em Mgmt	378.11	Brende & Schroeder L	Courts	800.00
Brentwood Apts/Domin	Human Svcs	500.00	Brown & Saenger	Jail	137.98
Building Sprinkler,	Facilities	193.34	Bullberry Systems In	Em Mgmt	12,700.00
Bureau of Informatio	Var. Depts	1,365.90	Burkard, Michael/Inv	Human Svcs	400.00
Burnette, Sara L	Courts	307.50	Butler Machinery Com	Hwy Constr	360.00
Campbell Supply Co I	Hwy Constr	26.97	Carlson, Lisa	Courts	61.20
Carper, Nichole A	Courts	401.30	CBM Food Service	Var. Depts	12,900.53
CDW Government, Inc.	Em Mgmt	152,413.12	Chemco, Inc.	Var. Depts	2,470.12
City Centre Hotel Co	Var. Depts	485.84	Classic Cleaners	Jail	22.50
Clausen Enterprises	Human Svcs	1,000.00	Cleveland Heights Ap	Human Svcs	1,000.00
Cliff Avenue Auto Pa	Em Mgmt	52.38	Cody, Denise	Mental Ill	60.00
Cole Papers, Inc.	Var. Depts	735.04	Communication Svcs F	Var. Depts	637.25
Conexis Benefit Admi	Human Svcs	518.76	Connecting Point	Var. Depts	2,967.00
Country View MHC	Human Svcs	1,465.04	Covell Properties	Human Svcs	205.00
Crescent Electric Su	Mus Ops	35.48	Culligan Water Condi	Human Svcs	36.00
Dataline Assoc./Fior	Info Tech	1,632.40	Dell Rapids Chevrole	Sheriff	58.32
Diamond Mowers, Inc.	Hwy Constr	86.34	Dietrich, Donna K	Mental Ill	816.72
Dust Tex Service, In	Var. Depts	17.32	Ebert's Properties,	Human Svcs	770.00
ELGSS - Creative Ben	Human Svcs	458.00	Emdeon Business Serv	Human Svcs	39.95
Erickson, Brett/Kare	Human Svcs	600.00	Exide Technologies	Hwy Constr	226.53
Family Service Inc	Human Res	325.00	Fastenal Company	Hwy Constr	15.45
Fastsigns	Facilities	158.50	Finke, Dennis G	Human Svcs	480.00
First Administrators	Human Svcs	131.17	Fluth, Rodney P	Human Svcs	800.00
Fonder, Roger M DBA	Planning	132.70	Fred The Fixer, Inc.	Facilities	10.50
Fretty, Jake	Human Svcs	900.00	Galls, Inc.	Sheriff	298.97
Genzlinger, Janeen	Courts	142.40	Glader, David	Human Svcs	400.00
Goede, Daniel J, DDS	Human Svcs	396.00	Graff, Richard	Human Svcs	425.00
Graham Tire Co. - No	Hwy Constr	29.68	Graybar Electric Com	Var. Depts	920.51

Guzman, Sandra V.	Var. Depts	724.98	Harmelink, Fox & Ravn	Mental Ill	733.50
Harris Properties, L	Human Svcs	500.00	Hartford Pharmacy	Human Svcs	309.91
Heartland Paper Comp	Jail	3,538.89	Hembree, Bill	Human Svcs	168.30
Hewlett-Packard Comp	Var. Depts	2,060.00	Hobby Lobby Stores I	Mus Ops	69.98
Hoekstra, Denise A.	Courts	47.60	Horn, Garrett	Mental Ill	192.00
Hospitality Apts Ltd	Human Svcs	320.00	Howe Heating & Plumb	Facilities	2,061.11
Husman, Larry/Vicki	Human Svcs	600.00	Hy-Vee & Affiliates	Human Svcs	1,147.22
Hy-Vee Accounts Rece	Extension	19.24	Hy-Vee Pharmacy	Human Svcs	20.96
IBE, Inc.	Public Def	98.00	Impact Homes Inc	Human Svcs	500.00
Interstate Office Pr	Var. Depts	1,747.40	J & S Hospitality DB	Human Svcs	938.00
J D Evans, Inc.	Hwy Constr	37.93	J.C. Penney Company,	Facilities	49.99
James, Carole	St Atty	373.45	Jarman Properties	Human Svcs	1,000.00
JC Self Storage	Human Svcs	400.00	JCL Solutions-Janito	Jail	1,128.76
Johnson Feed, Inc.	Hwy Constr	1,234.08	Johnstone Supply	Facilities	148.27
Kabeiseman & Pollard	Mental Ill	360.50	Kappenman, Thomas L	Human Svcs	500.00
Kappenman, Timothy D	Jail	2,166.00	Kleen Solutions, Inc	Jail	109.90
Kone, Inc.	Var. Depts	2,963.17	Kooistra, Nelva	Mental Ill	30.00
Kreisers, Inc.	Jail	205.50	Landborg, Richard	Human Svcs	355.00
Language Line Servic	Courts	75.88	Lason Systems, Inc.	Reg Deeds	387.45
Lassegaard, Samuel C	Human Svcs	400.00	LCM Pathologists PC	Coroner	28.00
Leshner, Gary	Human Svcs	500.00	Lexis-Nexis / Reed E	Var. Depts	296.00
Lietz, Rich	Auditor	6.94	Linweld, Inc.	Var. Depts	85.21
Lodermeier Family Pa	Human Svcs	1,000.00	Lutheran Social Serv	Var. Depts	14,971.52
Lyle Signs, Inc.	Hwy Constr	4,900.45	Lyon County Engineer	Hwy Constr	170.00
Mac's, Inc.	Var. Depts	57.29	Malloy Electric Bear	Facilities	114.78
Mannie, Corey	Human Svcs	1,025.00	Mathison Company	Dir of Eq	38.93
Maximum Promotions,	Facilities	243.63	McFarland Supply Co.	Facilities	82.28
Medical X-Ray Center	Mental Ill	173.24	Menards - East	Var. Depts	575.34
Metro Communications	Var. Depts	31,257.00	Michaelson, Shirley	Human Svcs	1,312.00
Mid-States Asbestos	Hwy Admin	6,800.00	Midamerican Energy C	Var. Depts	4,060.30
Midwest Alarm Compan	Var. Depts	245.00	Mikelson, Gary E	Mental Ill	188.82
Miller Funeral Home,	Human Svcs	8,325.00	Minnehaha Cnty Plann	Planning	36.59
Minnehaha Cnty Priso	Jail	60.00	Morefield Properties	Human Svcs	400.00
Motorola, Inc.	Em Mgmt	112.80	MPI Technologies Inc	Info Tech	703.25
Mt. Pleasant Cemeter	Human Svcs	400.00	Myers & Billion LLP	Mental Ill	595.00
NACDL	Public Adv	125.00	NAREM, Inc	Hwy Constr	946.66
Nat'l Student Housin	Human Svcs	500.00	NCDC	Public Def	2,025.00
Nextel Partners, Inc	Sheriff	39.68	Nguyen, Lam	Courts	25.00
Nicholson Law Office	Courts	373.00	Norment Security Gro	Facilities	755.93
Northern Heights Dev	Human Svcs	400.00	Novak Sanitary Servi	Var. Depts	1,866.90
O'Dea, Steve C	Human Svcs	390.00	Oballa, Ojulu A	Courts	25.00
Office Depot, Inc.	Var. Depts	151.91	Officemax	Dir of Eq	57.97
Olson's Pest Technic	Jail	57.75	Orthopedic Institute	Human Svcs	765.25
Palmer, Barbara	Mental Ill	180.00	PBC Sioux Falls LLC	Human Svcs	179.95
Pennington County Ja	Jail	5,780.20	Peters, Scott N PC	Mental Ill	6,670.28
Peterson, Tom	Hwy Admin	39.00	Pfeifer Implement Co	Hwy Constr	305.55
Pietruszkiewicz, Les	Human Svcs	285.00	Pine Knoll, Inc.	Human Svcs	205.00
Pine Meadows/Univers	Human Svcs	600.00	Property Records Ind	Reg Deeds	300.00
Provo, Tom	Human Svcs	500.00	Quail Hollow Townhou	Human Svcs	400.00
Qualified Presort Se	Var. Depts	3,277.01	Quality Efficiencies	Human Svcs	810.00
Quam, Jerry	Hwy Constr	28.50	Quest Engineering, I	Hwy Constr	95.30
Quill Corp.	Public Def	154.50	Qwest	Var. Depts	5,340.54
R & L Supply, Ltd	Facilities	30.00	Record Keepers, Inc.	Courts	3,950.00
Redwood Court Ltd Pt	Human Svcs	500.00	Rehfuss, Cathy A	Mental Ill	90.00
Research in Motion C	Info Tech	429.00	Richard-Ewing Equipm	Facilities	200.86
Richmond Apartments	Human Svcs	400.00	Risty, Julie	Reg Deeds	165.76
Riverview Park Ltd	Human Svcs	336.00	Roberts, Buddy	Human Svcs	200.00
Robinson Textiles	Jail	671.08	Robson True Value	Facilities	426.41
Rods Properties LLC	Human Svcs	465.00	Ronning Commercial,	Human Svcs	450.00
Rush, Brian	Human Svcs	500.00	Safelite Glass Corp.	Sheriff	214.65
Sanford Hospital	Var. Depts	4,906.00	Sanford Hospital Med	Public Adv	49.25
Sanford Laboratories	Coroner	2,583.71	Scheels All Sports	Em Mgmt	1,491.67
Schrader, Lloyd	Human Svcs	1,500.00	SD Dept of Labor	Insurance	6,483.51
SD Risk Pool	Human Svcs	759.84	SD Unified Judicial	Public Def	15.00
SDN Communications	Info Tech	625.26	Security Labs, Ltd	Info Tech	100.00
Servall Towel & Line	Var. Depts	200.06	Sig Sauer Inc	Sheriff	1,977.00
Sigler Fire Equipmen	JDC	141.00	Silver Glen MHC, LLC	Human Svcs	890.00
Sioux Building Produ	Facilities	17.00	Sioux Council Boy Sc	Sheriff	150.00
Sioux County Sheriff	St Atty	34.89	Sioux Empire FCU/097	Sheriff	2,182.75

Sioux Empire FCU/108 Sheriff	149.99	Sioux Empire FCU/109 Jail	683.13
Sioux Empire FCU/165 Var. Depts	1,042.68	Sioux Empire FCU/190 Var. Depts	706.84
Sioux Empire FCU/215 Sheriff	120.19	Sioux Empire FCU/260 Em Mgmt	2,604.06
Sioux Empire FCU/655 Var. Depts	810.13	Sioux Falls City Fin Var. Depts	650.32
Sioux Falls Rubber S Jail	81.30	Sioux Falls Transit/ Human Svcs	150.00
Sioux Falls Two Way Var. Depts	4,623.88	Sioux Falls Utilitie Var. Depts	272.33
Sioux Valley Energy Human Svcs	551.00	Skorczewski, Jena Courts	45.60
Solomon, Ghirmay Courts	166.66	Springbrook Lloyd Pr Human Svcs	200.00
Stan Houston Equipme Em Mgmt	51,130.00	Stevenson Services, Mus Maint	1,880.00
Stronghold Counselin Courts	1,115.00	Sunshine Foods Human Svcs	876.98
Sunshine Foods Human Svcs	141.21	T Dist, Inc / TC Mou Var. Depts	449.13
Taylor, Robert H Human Svcs	791.60	Thorin, Deyanira T Var. Depts	716.65
Thurman, Creighton A Mental Ill	179.78	Tipton, John Human Svcs	400.00
Tires,Tires,Tires In Var. Depts	2,407.83	Tomacelli's Pizza Courts	84.05
Town Park I Apts Human Svcs	529.00	Town Park II Apts Human Svcs	477.00
Tractor Supply Co. Hwy Constr	35.97	Travelhost of Sioux Mus Ops	153.00
Trial Lawyers Colleg Public Def	2,500.00	Triangle Properties Human Svcs	325.00
Twelve-Step Living C Human Svcs	300.00	Urology Specialists Mental Ill	99.86
US Postal Service Extension	44.02	Valley West Apartmen Human Svcs	1,180.00
VB Falls Park Apts Human Svcs	600.00	Velgersdyk, Dr. Scot Human Svcs	56.00
Velvet Uniforms, Inc Air Guard	134.85	Verizon Wireless Var. Depts	5,591.21
Vision Care Associat Human Svcs	248.44	Voigt, Debra Courts	791.75
Volunteers of Americ Jail	1,345.22	Wal-Mart Pharmacy Human Svcs	32.88
Wal-Mart Pharmacy Human Svcs	348.78	Walgreens Pharmacy Human Svcs	19.98
Walter, Delmar J Courts	720.00	Waste Management of Var. Depts	1,250.31
Wellmark Blue Cross Human Svcs	274.22	West Group Var. Depts	3,262.20
Western Trial Advoca Public Def	1,123.00	Wheelco Brake & Supp Hwy Constr	430.00
Wild Flour Bakery & Mus Entpr	27.50	Wilsey, Thomas M Hwy Admin	39.00
Worldscout Corp Sheriff	1,263.00	Xcel Energy, Inc. Var. Depts	3,534.13
Yankton County Sheri Mental Ill	25.00	Yellow Cab, Inc. Human Svcs	18.60
Zabel Steel Co. Hwy Constr	70.60		

REPORTS

The following reports were received and placed on file in the County Auditor’s Office: Minnehaha County Sheriff’s Department Monthly Report and Minnehaha County Register of Deeds Official Statements of Recording, Transfer, Marriage and Express Fees, and Overages for April 2009, and the Auditor’s Account with the Minnehaha County Treasurer as of April 30, 2009.

On Deposit in Banks	
Interest-bearing open accounts	45,031,276.22
CD’s and savings	29,000,000.00
Cash	14,363.24
Checks/drafts in Treasurer’s possession for more than 3 days	10,116.76
Total Cash on Hand	74,055,756.22
Total AS/400 Cash Balance	74,055,756.22

PERSONNEL

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

1. To hire David Myers as temporary, part-time Laborer for Highway at \$10.7500/hour effective 5-19-09.
2. To place Jeremy Hartman, Mechanic for Highway, on Military Leave without pay effective 5-18-09 to 6-16-09.
3. To accept the resignation of Pamela Coffey as Legal Office Assistant for the Public Defender’s Office effective 5-14-09.

4. To accept the resignation of Laurissa Lakatos as Tax & License Technician for the Treasurer's Office effective 5-26-09.
5. To accept the resignation of Bennett Lathrop as Correctional Officer for the Jail effective 5-26-09.

Step Increases Due:

1. Krista Bast – Correctional Officer – Jail – 13/F to 13/G, 5-19-09, \$19.0782/hour
2. Kenneth Headrick – Certified Civil Process Server – Sheriff's Office – 12/I to 12/J, 4-11-09, \$19.5551/hour
3. Danny Koska – Juvenile Correctional Officer I – JDC – 12/K to 12/L, 5-25-09, \$20.5451/hour
4. Karen Wajer – Senior Property Technician – Equalization – 12/D to 12/E, 5-24-09, \$17.2839/hour
5. Daniel Grapevine – Highway Crew Chief – Highway – 16/H to 16/I, 5-21-09, \$23.2449/hour
6. Randy Sample – Senior Deputy State's Attorney – State's Attorney's Office – 22/I to 22/J, 5-17-09, \$2,693.24/bi-weekly

PLANNING

Pat Herman, Planner, gave the first reading of a proposed amendment to the 1990 Revised Zoning Ordinance for Minnehaha County to add a section in Article 12.00 entitled Agricultural Tourism, and add supporting text to the A-1, RC, and definitions articles of the ordinance. MOTION by Twedt, seconded by Barth to authorize the Auditor to publish Notice of Hearing on 6/16/09. 5 ayes.

SUPPLEMENT

MOTION by Barth, seconded by Hajek to supplement the \$2,100 from the Pass-through Grants Fund to the Pass-through Grants Budget representing a grant from the Sioux Falls Community Foundation for the Infant Mortality Review Committee. 5 ayes.

CHANGE ORDER

Lloyd Olson, Facilities Director, presented a change order for the JDC shower remodeling project. The change order reduces the final contract cost by \$5,509.78 by crediting the project contingency allowance, using epoxy grout on the floors, removing cement board, and changing floor drains. The change order also includes a change from fixed to movable shower heads. Commissioners recognized Jim Hawkins, JDC Maintenance Supervisor, for his cost saving efforts. MOTION by Hajek, seconded by Barth to authorize the Chairman to sign Change Order 1 in the amount of (\$5,509.78) to the contract with Golden Rule Construction. 5 ayes. The new contact sum, with change order 1, is \$77,579.22.

PROPOSAL

Lloyd Olson, Facilities Director, presented a proposal for engineering services from Schmitz, Kalda & Associates, Inc. for a project to replace the water main to the Public Safety Building. Those services include project design, preparing plans and specifications, construction estimate, distribution of plans/specs to prospective bidders, bid opening, review, and recommendation of award for a fixed fee of \$6,000. MOTION by Twedt, seconded by Barth to accept the engineering proposal from Schmitz, Kalda

& Associates, Inc. in the amount of \$6,000. 5 ayes.

CONTRACT

Lloyd Olson, Facilities Director, presented a contract for architectural services for the Crooks Branch Library remodel project from Miller Sellers Heroux Architects, Inc. in the amount of \$19,000. The architects will provide a pre-bid construction estimate which includes furniture. Sally Felix, Library Director, was present in support of the project. MOTION by Hajek, seconded by Twedt to authorize the Chairman to sign the Architect Agreement with Miller Sellers Heroux Architects, Inc. 5 ayes.

PROPOSAL

Pursuant to deferral on May 12th, Bill Hoskins, Museum Director, presented options to replace the brick pavers in the plaza at the rear of the Old Courthouse Museum. The original proposal from Kriens Construction was for a reinforced poured concrete patio at a cost of \$23,729.98. The item was deferred to allow staff to get options to enhance the look of the concrete. Mr. Hoskins presented the following additional options: 1) integral colored concrete, 2) integral colored concrete with a stamped pattern, and 3) surface stain. The third option was not recommended for high traffic areas. Commissioners discussed the uses of the plaza and were in consensus that a more decorative look would best fit the area. The budget for the patio replacement is \$30,000. Commissioners discussed the savings from the JDC project change order approved earlier. MOTION by Hajek, seconded by Kelly to select the stained and stamped concrete option and authorize the Chairman to sign the proposal with Kriens Construction in the amount of \$34,828.78. 5 ayes.

APPLICATION

Ken McFarland, Commission Administrative Officer, presented a Minnehaha County Ground Ambulance License Application Form submitted by Med-Star Ambulance Service. Med-Star is applying for a license to provide ambulance service within Minnehaha County and to serve as a mutual aid partner with other licensed services and/or to provide service in a specific geographical service area. By ordinance, the commission must approve or deny an ambulance license application. The ordinance also sets the period to apply as September 1st of the year the existing licenses expire. Current licenses are valid through 2010. Mr. McFarland explained that in order to consider approval of this application, the commission would have to amend the existing ordinance. Jay Masur with Med-Star explained that he had not previously applied for a license due to his inability to meet the direct medical control requirement. Because of recent amendments to the Ordinance for Licensing Surface Ambulance Service in Minnehaha County removing this requirement, he now believes he is eligible for licensure. He also thought that the current licenses would be rejected and applications recalled after the ordinance was last amended. Commissioners were in consensus that this was not the time to consider further amendments to the ordinance, but may review it again for potential changes prior to the renewal period in 2010. Gordy Swanson, Deputy State's Attorney, noted that Med-Star is eligible to contract with county licensed providers for mutual aid. Paul VanVooren, former towing company owner, discussed how his towing service often times arrived at accident scenes before an ambulance due to geographical constraints. He did not support the current ordinance districting and felt that public care was being put aside. MOTION by Barth, seconded by Twedt to deny the license application because it is out of order. 5 ayes.

AGREEMENT

Ken McFarland, Commission Administrative Officer, presented the 2010 Management Agreement with the Sioux Empire Fair Association. The agreement is for a one year term, 1/1/10 to 12/31/10, and requires that the County notify the Association by 6/1/10 if they chose not to renew the agreement for 2011.

Changes in language were made to show that the County may appropriate funds in an amount to be determined during the budgeting process. The Association presented a separate addendum with three terms. Mr. McFarland recommended incorporating one of their requests into the agreement. MOTION by Twedt, seconded by Kelly to incorporate "If the Association wishes to enter into any agreements or commitments for exhibitions or shows scheduled to occur after December 31, 2010, it shall first obtain consent from the County, which shall not be unreasonably withheld." as the last sentence in paragraph 2, and authorize the Chairman to sign the agreement. Commissioners Hajek and Barth supported a longer term. MOTION to amend by Hajek, seconded by Barth to include a two year term in the agreement. VOTE on the amendment. 2 ayes, Kelly, Twedt, and Pekas – nay. Amendment fails. VOTE on the main motion. 5 ayes.

DRAINAGE

Phil Kappen, Assistant Planning Director, presented a drainage permit application from Clarice Tebbe to install drain tile in the SW1/4 of Section 3 in Taopi Township. The tile project is small in size and will connect to an existing tiling system. A signed waiver from the downstream property owner, Roger Wolles, was submitted. Because the tile system continues into Lake County, commission approval is required. Staff has contacted Lake County on this request and sent letters to downstream property owners in that county notifying them of the request. Staff recommended approval. Merlin Tebbe, applicant, was present to answer questions. No one spoke in opposition. MOTION by Twedt, seconded by Barth to approve Drainage Permit 09-37. 5 ayes.

At the request of Jeanne Fromm, county resident, MOTION by Kelly to defer consideration of drainage permit 09-40 for 1 week. Motion dies for lack of a second. Mr. Kappen presented a second drainage permit application from John DeSchepper to install drain tile in the SW1/4 of Section 5 in Brandon Township, approximately 4 miles NW of Brandon. In February 2009, staff approved a drainage permit to install two lines of drain tile. The permit was approved because a waiver was received from the downstream property owner and the Natural Resource Conservation Service determined that there were no wetlands in the area to be drained. Staff received notice later from Jeanne Fromm, county resident, stating that she was also a downstream property owner. The applicant did not obtain a waiver from Ms. Fromm because he believed the drainage flowed on the west side of the property line and did not cross onto her property. His permit was suspended until a modified plan could be developed. Ms. Fromm was not available for today's discussion, but did express concerns that wetland on her property would be drained with this project. A modified plan was then submitted and approved by staff to bypass the Fromm property. The applicant installed solid pipe along what Ms. Fromm considered wetland so that water would not be drained from that area and extended the tile under 257th street to move water south into a stream. Leo Heggen, Brandon Township Chairman, stated the drainage improved the township road conditions on 257th Street. After that work was completed, staff was notified that the tile work exceeded that shown on the revised plan. The applicant was again contacted and has applied for the additional lines and paid the necessary penalty. Although the work done exceeded that allowed by the permit, staff recommended approval. MOTION by Hajek, seconded by Twedt to approve Drainage Permit 09-40. 4 ayes, Kelly - nay.

OLD BUSINESS

Commissioner Twedt commented briefly on the Housing First Project discussion from the Joint Meeting and announced that Tim and Nancy Nicolai, owners of the Arena Motel, will be featured today on the Oprah Winfrey Show.

NEW BUSINESS

5/19/09

11804

Ken McFarland, Commission Administrative Officer, requested that commissioners check their schedules for potential dates for 2010 budget hearing sessions.

MOTION by Barth, seconded by Kelly to adjourn until 9:00 a.m. on Tuesday, May 26, 2009. 5 ayes.

APPROVED BY THE COMMISSION:

Anne Hajek, Vice-Chairman

ATTEST:

Sandy Kinder, Deputy Auditor