

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., September 29, 2009, pursuant to adjournment on September 15, 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 add approval of the Commission Minutes for 9/14/09 and approve the Agenda. 5 ayes.

## MINUTES

MOTION by Hajek, seconded by Barth to approve the Minutes for September 14 & 15, 2009. 5 ayes.

## VOUCHERS TO BE PAID

MOTION by Barth, seconded by Kelly to approve the following bills totaling \$558,767.91 for payment and September salaries. 5 ayes.

A & B Business Equip	Var. Depts	1,276.64	A to Z World Languag	Courts	125.00
ABN Army Surplus	Var. Depts	1,084.63	Advance Auto Parts	Sheriff	27.52
Affordable Rent LLP	Human Svcs	500.00	American Institution	JDC	255.60
Anacon Leasing Inc	Public Def	329.00	Anderson-Crane Rubbe	Hwy Constr	36.30
Anderson, Dennis/Em	Em Mgmt	750.00	Anderson, Elwood	Human Svcs	850.00
Anesthesiology Assoc	Human Svcs	256.00	Appeara / Dudley Lau	Hwy Constr	36.12
Architectural Roofin	Bldg Fund	720.94	Arena Motel	EFSP Fund	1,195.00
Argus Leader	St Atty	176.22	Auto Body Specialtie	Hwy Admin	94.45
Automatic Building C	Mus Maint	476.34	Avera Health Informa	Var. Depts	118.50
Avera McKennan Hosp	Human Svcs	1,823.89	Avera McKennan Hospi	Var. Depts	67,802.00
Avera Pulmonary Asso	Mental Ill	35.77	Avera Women's Specia	Jail	75.92
Al Svc Inc/Laceys Ch	Hwy Constr	95.00	Batteries Plus/Onesk	JDC	74.37
Begeman, Mark DBA	Human Svcs	400.00	Benson, Charles	Human Svcs	400.00
Best Business Produc	Reg Deeds	262.46	Billion, James A.	Courts	656.00
Boeckholt, Angie	Dir of Eq	163.00	Border States Electr	Facilities	20.78
Bosch, Curt	Human Svcs	485.00	Boyer Trucks Sioux F	Hwy Constr	451.24
Brende,Schroeder,& M	Courts	1,868.00	Brentwood Apts/Domin	Human Svcs	900.00
Brown & Saenger	Var. Depts	90.56	Bureau Of Informatio	Info Tech	360.00
Bureau of Nat'l Affa	Public Def	1,360.00	Buskerud Constructio	Hwy Constr	200.00
C & R Supply, Inc.	Hwy Constr	31.76	Cambridge Partnershi	Human Svcs	400.00
Campbell Supply Co I	Var. Depts	48.97	Canfield Business In	Planning	98.52
Cartridge World	Info Tech	1,183.39	Catco	Hwy Constr	170.37
CBM Food Service	Jail	22,681.63	Center for Family Me	Var. Depts	2,736.07
Century Business Pro	Var. Depts	103.19	Charlies Drive-In	Em Mgmt	136.00
Chemco, Inc.	Var. Depts	4,830.12	Children's Care Hosp	Human Svcs	400.00
Childrens Home Socie	Pass-Thru	40,377.00	Clarke, James	Human Svcs	500.00
Classic Cleaners	Jail	29.00	Clayton, Thomas W	Courts	720.90
Cleveland Heights Ap	Human Svcs	695.00	CM Information Spec/	Public Def	95.37
Cobraserve National	Human Svcs	416.95	Cole Papers, Inc.	Jail	1,373.12
Columbus Washboard C	Mus Ops	31.16	Communication Svcs F	Human Svcs	63.00
Concrete Materials	Var. Depts	27,754.73	Conexis Benefit Admi	Human Svcs	172.92
Connecting Point	Info Tech	657.00	Constellation New En	Facilities	7,865.78
Country Meadows Apts	Human Svcs	500.00	Country View MHC	Human Svcs	679.94
Craftmaster Hardware	JDC	40.60	Crew & Crew	Courts	2,185.20
Culligan Water Condi	Var. Depts	72.54	Cunningham, Lloyd B	Human Svcs	350.00
Cyntom Property Mana	Human Svcs	900.00	Dakota Data Shred	Facilities	89.32
Dakota Forensic Cons	Coroner	6,000.00	Dakota Lettering Etc	JDC	134.80
Dakota Riggers & Too	Hwy Constr	25.00	Daniels-Olsen Bldg P	Var. Depts	920.01
Danko Emergency Equi	Em Mgmt	79.95	Daubys Sports Center	JDC	14.40
Davis Distributors,	JDC	143.72	Decisionone Corporat	Info Tech	395.47
Dell Rapids Chevrole	Sheriff	29.16	Delux Motel / Dakota	EFSP Fund	500.00

DeYoung, Lynn	Em Mgmt	73.00	Dhecjal, Achor	Courts	75.00
Dicks Vacuum East	JDC	21.95	Diesel Machinery, In	Hwy Constr	2,200.00
DLRS Properties, Inc	Human Svcs	160.00	Dobberpuhl, Randy	Human Svcs	79.55
Dockendorf Equipment	Facilities	2,001.45	Dollar Tree Stores I	Human Svcs	327.80
DTN Corporation	Hwy Constr	1,669.74	Dust Tex Service, In	Var. Depts	17.73
Ebert's Properties,	Var. Depts	740.00	Eirinberg, James A	Courts	1,016.80
Electric Constructio	Facilities	138.30	Electric Innovations	Facilities	1,880.00
Elite Business Syste	Human Svcs	77.50	Emdeon Business Serv	Human Svcs	39.95
Empire Plastics	Var. Depts	3,270.00	Estate of Raymond F.	Inher Tax	2,812.76
Express Copy & Print	Extension	132.23	Farland, Lawrence A	Human Svcs	500.00
Fastenal Company	Hwy Constr	279.45	First Administrators	Human Svcs	158.93
First Premier Bank	Sheriff	58.30	Fiskum, Paul	Mem Day	147.24
Flipper LLC	Human Svcs	400.00	Force America Inc.	Hwy Constr	41.25
Fred The Fixer Inc	Facilities	3.50	Fremont Industries,	Facilities	565.50
Frisbee, Inc.	JDC	52.40	G & R Controls Inc	Facilities	7,134.90
Gai, George T	Public Def	75.00	Genzlinger, Janeen	Courts	79.40
Gillund Enterprises	Hwy Constr	168.96	Glasco, Randy	Human Svcs	400.00
Glory House	Glory Hous	1,560.00	Godi, Mustafa	Human Svcs	460.00
Goebel Printing, Inc	Var. Depts	211.50	Graham Tire Co. - Do	Sheriff	104.99
Grainger, Inc.	Facilities	749.50	Graybar Electric Com	Facilities	165.09
Great Plains Psychol	Courts	16,780.00	Grogan, Hubert J	Human Svcs	85.47
Gudeta, Dereje	Courts	25.00	Gunner, Andrea	Courts	93.60
Guzman, Sandra V.	Var. Depts	439.16	H & R Roofing of SD,	JDC	870.00
HAJ Inc DBA	Human Svcs	185.00	Halbur/Mcguckin LLC	Human Svcs	495.00
Hammer, Ralph	Hwy Admin	84.31	Hancock Fabrics, Inc	Mus Ops	408.95
Hander, Inc.	Human Svcs	431.63	Harmelink, Janet	Facilities	15.00
Hauk, Joe	Human Svcs	500.00	Heartland Paper Comp	Jail	1,022.75
Henry Carlson Compan	Cap Proj	47,458.00	Heritage Funeral Hom	Human Svcs	2,775.00
Hillyard, Inc.	Facilities	1,925.20	Holiday Mobile Home	Human Svcs	424.00
Horton, Dennis L.	Human Svcs	300.00	Hoskins, William J	Mus Grants	596.15
Hurtgen, Timothy T.	Human Svcs	200.00	Husman, Larry/Vicki	Human Svcs	46.00
Hy-Vee & Affiliates	Human Svcs	162.88	Hy-Vee Accounts Rece	Var. Depts	678.53
Interpreter Services	Public Def	160.00	Interstate Office Pr	Var. Depts	1,190.98
Intoximeters, Inc.	24/7 Prog	2,000.00	IOD Inc	Public Adv	40.77
Iosty, Alysia A	Dir of Eq	106.57	J & S Hospitality DB	EFSP Fund	318.00
J.C. Penney Company,	Var. Depts	237.92	Jaros, Pete	Mental Ill	131.35
Jaydee Inc/Jaymar	Auditor	1,054.06	JCL Solutions-Janito	Var. Depts	780.94
Jefferson Partners L	Var. Depts	2,042.00	Johnson Estates LLC	Human Svcs	294.00
Johnson, Heidepriem,	Courts	1,655.25	Johnstone Supply	Facilities	605.43
Kappen, Philip	Planning	48.00	Kauffman, David W. P	Courts	2,847.50
Kelly, Roger	Human Svcs	440.00	Kleen Solutions, Inc	Jail	210.80
Klein, Rose	Human Svcs	500.00	Knights Inn	Var. Depts	2,457.50
Kohl's Department St	JDC	86.97	Kone, Inc.	Facilities	1,027.11
Koopman & Sons Gas C	Hwy Admin	256.57	Kpradith, Kyto	Courts	25.00
Kreislers, Inc.	Var. Depts	1,744.71	Landborg, Richard	Human Svcs	400.00
Language Line Servic	Courts	178.65	LCM Pathologists PC	Coroner	5,300.00
Leaf Inc.	Var. Depts	189.77	Lewis Drug Stores	Facilities	243.89
Lexis-Nexis / Reed E	Var. Depts	296.00	LexisNexis Matthew B	Sheriff	57.47
Linweld, Inc.	Facilities	33.77	Loo Con Inc	Hwy Constr	968.00
Lounsberry, Amber	Extension	591.14	Ludoc Enterprises In	Ambulance	2,395.83
Lutheran Social Serv	Var. Depts	3,218.75	M&T Fire and Safety,	Em Mgmt	150.00
Mac's, Inc.	Facilities	27.76	Majestic View Apartm	Human Svcs	900.00
Malloy Electric Bear	Facilities	68.52	Mambo, Jacques	Human Svcs	78.44
Maxwell Food Equipme	Var. Depts	153.73	Mayer, Michael P	Hwy Constr	62.00
Meadowland Apts/SF L	Human Svcs	718.00	Medical X-Ray Center	Var. Depts	832.16
Menards - East	Var. Depts	81.46	Menards - West	Facilities	146.64
Metro Communications	Var. Depts	240.00	Michael's Purple Pet	Em Mgmt	90.00
Michaels, Jerry	Human Svcs	345.00	Michaelson, Shirley	Human Svcs	186.00
Michels, Jeremy	Human Svcs	575.00	Mid-States Asbestos	Facilities	1,350.00
Midamerican Energy C	Var. Depts	814.13	Midcontinent Communi	Var. Depts	274.97
Midstates, Inc.	JDC	79.60	Midwest Oil Company,	Hwy Constr	901.48
Midwest Regional Ima	Human Svcs	85.88	Midwest Residential	Human Svcs	600.00
Millenium Recycling,	Jail	531.09	Miller Funeral Home,	Human Svcs	2,775.00
Minnehaha Cnty Human	Human Svcs	130.40	Minnehaha Cnty Priso	Jail	10.00
Mobile Electronic Se	Sheriff	255.00	Moore, Rasmussen, Ka	Courts	3,518.60
Morean, Barb	Musm Entpr	150.00	Munk, Steven	Extension	41.20
Murray Const	Human Svcs	1,055.00	Myers & Billion LLP	Mental Ill	348.50
Nat'l Student Housin	Human Svcs	400.00	Nebraska Transport C	Human Svcs	167.69
Nelson, Pam	Treasurer	3.75	Netos, Tony	Human Svcs	350.00

Newman Signs Inc	Hwy Constr	3,024.51	Nguyen, Lam	Courts	158.33
Norcraft Companies (	Human Svcs	138.95	North Central Heart	Jail	485.20
North Ridge Apartmen	Human Svcs	500.00	Nyberg's Ace Hardwar	Var. Depts	40.72
Oakwood Estates/Inve	Human Svcs	800.00	Office Depot, Inc.	Info Tech	71.35
Olson, Craig B	Sheriff	38.15	Orthopedic Institute	Human Svcs	444.52
Overhead Door Compan	Facilities	108.93	Oxbow Estates	Human Svcs	263.00
Painter, Steven L	Human Svcs	275.00	Panasonic Finance So	Extension	203.12
Pantoja, Jaime A	Human Svcs	400.00	Park Ridge Shoes & S	Mus Ops	12.00
Pennington County Ja	Jail	16,880.25	Penton Technology Me	Info Tech	149.00
Perrion, Andy	Mem Day	236.00	Peters Distributing,	Em Mgmt	9,979.75
Peters, Scott N PC	Mental Ill	5,992.28	Peterson, Tom	Hwy Constr	181.96
Pharmchem Inc	24/7 Prog	380.00	Pheasantland Industr	Jail	491.02
Poly Foam Inc	Mus Ops	665.00	Presto-X-Company	Var. Depts	500.00
Provo, Tom	Human Svcs	500.00	Pusch, Randy	Human Svcs	500.00
Qualified Presort Se	Var. Depts	4,784.80	Quality Efficiencies	Var. Depts	1,485.00
Quest Engineering, I	Hwy Constr	113.89	Qwest	Jail	47.06
R & L Supply, Ltd	Var. Depts	746.00	Redwood Biotech	Jail	387.50
Redwood Estates LLC	Human Svcs	495.00	Regal Plastic Supply	Mus Ops	726.00
Riedemann, Gayleen	Human Svcs	450.00	Risty, Julie	Reg Deeds	77.70
River Ridge Oral & M	Human Svcs	938.00	Rods Properties LLC	Human Svcs	500.00
Ronning Commercial,	Human Svcs	1,200.00	Roust, Sue	Auditor	83.75
Rural Metro Ambulanc	Jail	1,292.13	Sanford Health Plan-	Human Svcs	668.23
Sanford Hospital Med	St Atty	82.75	Sanford Laboratories	Coroner	2,233.30
Scheid, Pamela M.	Human Svcs	76.00	Schoenfelder, Shane	Human Svcs	500.00
Schumm, Marlene	Human Svcs	400.00	SD Dept of Correctio	Bldg Fund	329.29
SD Dept of Public Sa	Human Svcs	5.00	SD Human Services Ce	Var. Depts	530.60
SD Risk Pool	Human Svcs	2,073.58	SDSU Coop Extension	Extension	360.00
Servall Towel & Line	Var. Depts	133.29	Shipley's Laundry &	Mus Entpr	82.40
Shopko Store	JDC	11.96	Silver Glen MHC, LLC	Human Svcs	270.00
Silver Stone Group,	Expenses	2,200.00	Sioux Empire FCU/097	Var. Depts	4,120.65
Sioux Empire FCU/108	Sheriff	967.75	Sioux Empire FCU/109	Jail	2,094.46
Sioux Empire FCU/190	St Atty	268.55	Sioux Empire FCU/215	Sheriff	254.86
Sioux Empire FCU/675	24/7 Prog	73.88	Sioux Equipment Co I	Hwy Constr	382.52
Sioux Falls Chamber	Commission	40.00	Sioux Falls City Fin	Var. Depts	12,308.86
Sioux Falls Partners	Human Svcs	500.00	Sioux Falls Transit/	Human Svcs	50.00
Sioux Falls Two Way	Var. Depts	859.06	Sioux Falls Utilitie	Var. Depts	6,453.52
Sioux Valley Energy	Hwy Constr	123.87	Siouxland Oral & Max	Human Svcs	452.00
Skogen Company	Human Svcs	182.00	Smith, Thomas S	Human Svcs	600.00
Solomon, Ghirmay	Courts	308.33	Stangeland, Lori	Dir of Eq	163.00
State Steel of SD	Facilities	38.40	Streicher's	Sheriff	178.99
Superior Seal	JDC	3,811.74	Swenson, Diane	Human Svcs	260.00
Sycamore Court Apts/	Human Svcs	500.00	T&K Enterprises DBA	Sheriff	94.00
Taylor's Place LLC	Human Svcs	400.00	Teslow Twin Apartmen	Human Svcs	430.00
The Center for Activ	Mus Ops	81.00	The Keg	Courts	160.29
Thesenvitz,Mickelson	Courts	2,811.20	Thorin, Deyanira T	Var. Depts	720.83
Tires,Tires,Tires In	Var. Depts	884.78	Tomacelli's Pizza	Courts	186.87
Trainer's Warehouse	Treasurer	101.95	Tri-State Implement,	Hwy Constr	53.30
Triangle Properties	Human Svcs	500.00	Tschetter & Adams La	Courts	5,423.84
ULine	Jail	240.24	Ultramax	Em Mgmt	395.00
UMR-COBRA	Human Svcs	429.53	Umstead, Trae	Info Tech	123.88
Unitech, Inc/United	Info Tech	1,087.00	US Postal Service	Extension	44.58
US Postmaster	Em Mgmt	240.00	Velgersdyk, Dr. Scot	Human Svcs	93.00
Velvet Uniforms, Inc	Var. Depts	3,296.87	Vision Care Associat	Human Svcs	416.71
Volunteers of Americ	Jail	1,345.22	V2 LLC DBA Valley Vi	Human Svcs	270.00
West Group	Var. Depts	1,736.70	Westwick Motel, Inc.	EFSP Fund	650.00
Wheelco Brake & Supp	Hwy Constr	37.16	Whetstone Valley Pre	Mus Store	160.08
Wilson, Robert	Commission	131.54	Woodlake Apts Cl LLC	Human Svcs	400.00
Wynia, Keith	Air Guard	177.60	Xcel Energy, Inc.	Var. Depts	61,144.63
Yong, Voon	Human Svcs	500.00	Zabel Steel Co.	Parks	20.23
Zdorovtsov, Christin	Extension	324.46	Zep Manufacturing Co	Hwy Constr	465.40
112 Inc DBA Huey Ap	Human Svcs	198.00	Commission	Salaries	23,063.84
Auditor	Salaries	35,679.50	Treasurer	Salaries	57,922.50
IT	Salaries	54,109.42	States Attorney	Salaries	155,801.83
Public Defender	Salaries	110,525.32	Public Advocate	Salaries	27,625.28
Facilities	Salaries	66,924.82	Equalization	Salaries	68,592.88
Register of Deeds	Salaries	36,168.09	Human Resources	Salaries	14,487.34
Sheriff	Salaries	791,711.10	Juvenile Detn Ctr	Salaries	162,427.73
Highway	Salaries	108,235.70	Human Services	Salaries	78,040.98
Museum	Salaries	59,677.72	Planning	Salaries	39,288.64

9/29/09

11917

Extension                      Salaries                      7,883.50

## REPORT

The following report was received and placed on file in the County Auditor's Office: Register of Deeds Revenue Report for August, 2009.

## PERSONNEL

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

1. To accept the resignation of Emily Penry as Deputy Sheriff for the Sheriff's Office effective 9-18-09.
2. To hire Chris Chambers as Deputy Sheriff (16/B) for the Sheriff's Office at \$19.5551/hour effective 9-26-09.
3. To transfer Arnie Miller from Certified Civil Process Server for the Sheriff's Office to Correctional Officer for the Jail effective 8-25-09.
4. To transfer Michael Brenden from Correctional Officer for the Jail to Certified Civil Process Server for the Sheriff's Office effective 10-3-09.
5. To transfer Christopher Morgan and Richard Rahn from part-time Correctional Officer in Training for the Jail to part-time Correctional Officer in Training for the 24/7 Program effective 9-24-09.
6. To accept the resignation of Danny Thorson as part-time Correctional Officer in Training for the Jail effective 9-4-09.
7. To accept the resignation of Matthew Schooley as part-time Correctional Officer for the Jail effective 9-16-09.
8. To accept the resignation of Kristoffer Thoreson as Corrections System Operator for the Jail effective 9-17-09.
9. To discharge James Crisp as Highway Maintenance Worker for the Highway Department effective 9-14-09.

### Step Increases Due:

1. Lisa Berens – Juvenile Caseworker – JDC – 17/L to 17/M, 9-26-09, \$2,156.56/bi-weekly
2. Daniel Beacom – Juvenile Caseworker – JDC – 17/K to 17/L, 9-19-09, \$2,103.96/bi-weekly
3. Jeffrey Wilkes – Appraiser III – Equalization – 18/D to 18/E, 9-29-09, \$23.2449/hour
4. Mark Russell – Air Guard Security Officer II – Air Guard – 13/I to 13/J, 6-20-09, \$20.5451/hour
5. Jonathan Grieme – Air Guard Security Officer II – Air Guard – 13/H to 13/I, 8-28-09, \$20.0440/hour
6. Daniel Freemark – Air Guard Security Officer II – Air Guard – 13/D to 13/E, 6-17-09, \$18.1589/hour
7. Craig Wittrock – Air Guard Security Officer I – Air Guard – 12/D to 12/E, 5-12-09, \$17.2839/hour

8. Steven Oberle and Kurt Woodard – Army Guard Security Officer – Army Guard – 10/G to 10/H, 8-1-09, \$16.8623/hour
9. Carey Deaver – Human Resources Director – Human Resources – 24/E to 24/F, 9-15-09, \$2,972.84/bi-weekly
10. Ryan Sage – Senior Deputy State’s Attorney – State’s Attorney’s Office – 22/B to 22/C, 9-25-09, \$2,265.73/bi-weekly
11. Jill Weber – Legal Office Assistant – State’s Attorney – 10/Q to 10/R, 9-20-09, \$21.5852/hour
12. Colleen Albrecht – Legal Office Assistant – State’s Attorney – 10/D to 10/E, 9-23-09, \$15.6584/hour

#### NOTICES

MOTION by Twedt, seconded by Hajek to authorize the Auditor to publish Notice to Bidders for interior renovations at the Crooks Branch of Siouxland Libraries. 5 ayes.

MOTION by Hajek, seconded by Kelly to publish Notice of Hearing on 10/20/09 to consider an application to transfer an on-sale liquor license from Triple J, Inc/DJ’s Bar to Dale Robb/Red Rock Bar & Casino. 5 ayes.

#### LIENS

Commissioner Barth, County Aid Lien Liaison, briefed the Commission on the following lien compromise requests:

DPNO 36016 in the amount of \$380. The applicant was in the process of purchasing a home when the lien was noted by a title company. Prior to submitting the application, the applicant paid \$39 for attorney services that were listed on the account. The remaining balance is for human services provided to the applicant’s ex-wife after their divorce was final. MOTION by Barth, seconded by Twedt to approve Resolution MC09-38. 5 ayes.

#### RESOLUTION MC09-38

WHEREAS, a County Aid Lien in the amount of \$380.00 purports to exist in favor of Minnehaha County and against DPNO 36016 as Lienee, and

WHEREAS, said lienee has filed an application with the County Auditor stating such facts as provided for by Law,

NOW, THEREFORE, BE IT RESOLVED that after due consideration of the circumstances the Board of County Commissioners finds it advisable and proper to authorize the Chairman of the County Board and the County Auditor to execute the following:

Remove \$380 (receipt #729426 filed on 9/20/07) from DPNO 36016 and create a separate account, in the amount of \$380, under the name of the applicant’s ex-wife only.

Dated at Sioux Falls, South Dakota, this 29th day of September, 2009.

## APPROVED BY THE COMMISSION:

John Pekas, Chairman

## ATTEST:

Sandy Kinder, Deputy Auditor

DPNO 14040 in the amount of \$17,141.83. The applicant is currently serving a life sentence plus 7 years in the penitentiary. He was ordered to repay attorney fees, resulting in the Department of Corrections forwarding a portion of the inmate's earnings to put towards the bill. The applicant has paid \$3,095.02 and is requesting the lien be released with no further payment. MOTION by Barth, seconded by Twedt to deny the request. 5 ayes.

DPNO 68829 in the amount of \$236.00. Sue Roust explained that the lien is for attorney services. The judge in this case ordered an amount that was less than what was submitted by the Public Defender's office to be filed. A resolution, adopted in 2000, allows liens which are recorded at higher than the court-ordered amount to be corrected administratively. In this case, the Register of Deeds has made the correction. MOTION by Barth, seconded by Twedt for no action. 5 ayes.

DPNO 22055 in the amount of \$1,111.05. The applicant reported that the lien is for services provided to both himself and his ex-wife, and that he has made payments totaling \$2,525.00. He requested that a public defender service be removed from the account and placed on another account in the name of his ex-wife only. He also requested that two other charges, incurred during the time that the couple was married, be split between the two accounts, which Commissioner Barth did not recommend. MOTION by Barth, seconded by Kelly to approve Resolution MC09-39. 5 ayes.

## RESOLUTION MC09-39

WHEREAS, a County Aid Lien in the amount of \$1,111.05 purports to exist in favor of Minnehaha County and against DPNO 22055 as Lienee, and

WHEREAS, said lienee has filed an application with the County Auditor stating such facts as provided for by Law,

NOW, THEREFORE, BE IT RESOLVED that after due consideration of the circumstances the Board of County Commissioners finds it advisable and proper to authorize the Chairman of the County Board and the County Auditor to execute the following:

Remove \$576.60 (receipt #540939 filed on 12/14/05) from DPNO 22055 and place it on DPNO 34346, under the name of the applicant's ex-wife only.

Dated at Sioux Falls, South Dakota, this 29th day of September, 2009.

## APPROVED BY THE COMMISSION:

John Pekas, Chairman

## ATTEST:

Sandy Kinder, Deputy Auditor

## PROCLAMATION

Janet Kittens-Lalley with the Compass Center and Tara Camp with Children's Inn presented a

proclamation recognizing the month of October, 2009, as Domestic Violence Awareness Month. Both spoke about upcoming events for the month of October, as well as the need for clothing donations at both facilities. Commissioner Twedt asked for a 10 year statistical history. The information will be provided sometime in October. MOTION by Hajek, seconded by Kelly to issue the proclamation. 5 ayes.

#### REPORT

Tryg Fredrickson, Sioux Empire Fair CEO, gave a report on the 2009 annual fair. Revenue was up 6% from last year at \$1.331 million, expenses were up 2% at \$1.184 million, and net income was up 49% at \$147,000. He discussed the various areas of the fair's operation and goals for 2010, and presented a check in the amount of \$216,667, representing repayment of a loan from Minnehaha County. Commissioner Pekas congratulated the fair on their income increase and Commissioner Twedt recognized the Fair Board for their work and dedication as well. Commissioner Barth urged those who received gifts from the former office manager, to return them, as it is not too late.

#### SURCHARGE

At the request of Daren Ketcham, Metro Communications Agency Director, MOTION by Twedt, seconded by Kelly to approve Resolution MC09-40. 5 ayes.

#### RESOLUTION MC09-40

#### ESTABLISH 911 TELEPHONE SURCHARGE FOR 2010

WHEREAS, Minnehaha County has established a telephone surcharge of seventy-five cents per line per month pursuant to the provisions of SDCL Chapter 34-45 and County Ordinance 15-2-07, and

WHEREAS, the governing board, reviews the current charge and establishes a rate of charge for the upcoming year, now

THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners, that the telephone surcharge of seventy-five cents per line per month is continued and re-established for the 2010 calendar year, effective January 1, 2010.

Dated this 29th Day of September, 2009.

#### APPROVED BY THE COMMISSION:

John Pekas, Chairman

#### ATTEST:

Sandy Kinder, Deputy Auditor

#### AGREEMENT

At the request of Gordy Jensen, Air Guard Supervisor, MOTION by Hajek, seconded by Twedt to authorize the Chairman to sign the Joint Security Protection Agreement between Minnehaha County and the State of South Dakota Department of Military and Veterans Affairs. 5 ayes. The agreement is in the amount of \$845,456 for the period of 10/1/09 to 9/30/10.

#### HEARING

Kyle Niemann with SECOG was present for the scheduled Public Progress Hearing for the Children's Home Society Loving School project funded partially through a Community Development Block Grant in the amount of \$515,000 from the U.S. Department of Housing and Urban Development. He reported that \$126,005 has been drawn from the CDGB and that \$388,995 remains. Beth Guenther with Koch Hazard gave an update on the construction portion of the project.

## BID

Bob Meister, Highway Superintendent, reported that bids for Project MC140BM-09, asphalt resurfacing on County Highway 140, were opened at 10:30 a.m. on 9/24/09. The following bids were received: Black-Top Paving Company \$634,009.79, Myrl & Roy's Paving, Inc. \$639,785.00, Asphalt Surfacing Company \$668,799.30, and Krueger Excavating and Paving \$701,418.13. He recommended award to the low bidder, which was \$46,504.21 below the engineer's estimate. MOTION by Hajek, seconded by Barth to award Bid 9-09 to Black-Top Paving Company in the amount of \$634,009.79. 5 ayes.

## FUND

MOTION by Kelly, seconded by Twedt to authorize the Register of Deeds to establish a \$2,000 cash fund for change for vital records. 5 ayes.

## FACILITIES

Lloyd Olson, Facilities Director, presented a proposal from Associated Consulting Engineering, Inc. to provide an energy study to determine which project would prove to be the most beneficial use of funds from the Energy Efficiency Conservation Block Grant, and to develop plans and specifications for the desired option. The cost will be \$3,200 for the study portion and \$10,968 to prepare specs. MOTION by Barth, seconded by Hajek to authorize the Chairman to sign the proposal. 5 ayes.

Mr. Olson also presented a proposal for a water main project at the Public Safety Building. Schmitz, Kalda & Associates solicited proposals for the project. The following proposals were received: 1) Krueger Excavating in the amount of \$41,975.01 and 2) Oliver Excavating for \$43,862.40. Mr. Olson recommended accepting the proposal from Krueger Excavating. MOTION by Twedt, seconded by Barth to accept the proposal from Krueger Excavating in the amount of \$41,975.01. 5 ayes.

## PER-DIEM

Warden Tim Devlin presented a per-diem agreement with the U.S. Marshal Service to house federal inmates at the Minnehaha County Jail. The proposed rate is \$78.73, an increase over the previous rate of \$76.24. The rate will be effective from 9/9/09 and will be in effect for 36 months. MOTION by Hajek, seconded by Kelly to authorize Sheriff Milstead to sign the Detention Services Intergovernmental Agreement with the U.S. Department of Justice United States Marshals Service. 5 ayes.

## BRIEFING

Sue Roust, Auditor, briefed the Commission on a proposed grants policy to help standardize procedures for handling grants. The policy will also ensure that the Commission is informed of grant opportunities, inform department heads of their responsibilities, and assist the Auditor's office in preparing required reports. The policy has been reviewed by department heads for input. Ms. Roust explained that the information presented to the Commission will vary depending on the type of grant and that an administrative fee will be charged when possible. The Commission will consider adoption of the policy next week.

Ms. Roust also briefed the Commission on the benefits of moving to a purchasing card program. She explained that the purchasing cards would be similar to credit cards, but would allow streamlined payment processing by having one master account with multiple users, while providing flexibility on usage. Several area providers were contacted on whether they offered purchasing cards. Ms. Roust will present an RFP next week to move forward with this process.

## TAX DEEDS

Sue Roust, Auditor, reported that the tax deed auction, held on 9/24/09, proved to be a success. All (nine) parcels were sold for a total of \$119,150. Only two properties did not recover enough funds to cover back taxes and interest. She noted that Tax Deed #2514, in Dell Rapids, was offered at a minimum bid of \$10,000. During the auction, this amount was called for with no offers, so the auction moved to the next property. After the auction, a successful bidder on two other properties offered to pay the minimum bid on TD #2514. After consulting with Gordy Swanson, Deputy State's Attorney, it was his opinion that the bid could be accepted because there was no announcement that the auction was closed. She recommended accepting the \$10,000 for TD #2514. MOTION by Kelly, seconded by Barth to approve Resolution MC09-41. 5 ayes.

## RESOLUTION OF SALE MC09-41

WHEREAS, The County Auditor offered for sale on September 24, 2009, at public auction, the following described Tax Deed Properties pursuant to SDCL 6-13:

Tax Deed #2504, 2124 S Duluth Avenue, Sioux Falls; Lot 15 Block 27 University 2<sup>nd</sup> Addn to City of Sioux Falls, sold to Todd Curtis Boltjes, 2122 S Duluth Avenue, Sioux Falls, SD 57105, for \$8,000, and

Tax Deed #2505, 302 N Blauvelt Avenue, Sioux Falls; Lot 8 block 19 Emerson & Sherman's Addn to East Sioux Falls, sold to Courtesy Investments, LLC, 807 N Monroe Avenue, Pierre, SD 57501, for \$4,000, and

Tax Deed #2509, 305 S Jessica Avenue, Sioux Falls; Lot 3 Block 8 Dunning & Wagner's East Sioux Falls Addn, sold to Courtesy Investments, LLC, 807 N Monroe Avenue, Pierre, SD 57501, for \$8,250, and

Tax Deed #2510, 305 N French Avenue, Sioux Falls; Lot 9 Block 2 Greater Sioux Falls Addn to City of Sioux Falls, sold to Anthony and NoriLee Schmidt, 301 N French Avenue, Sioux Falls, SD 57103, for \$15,400, and

Tax Deed #2512, 2005 E 33<sup>rd</sup> Street North, Sioux Falls; S 171' N 229' of Tr 124 Norton Tracts Sub SE1/4 Section 3-101-49, sold to Craig L Hetland, PO Box 813, Sioux Falls, SD 57101, for \$6,000, and

Tax Deed #2513, 47299 250<sup>th</sup> Street, Baltic; E 760' S 680' & E 30' NE1/4 NE1/4 Section 6-103-49, sold to Michael and Jenifer Bemboom, 7401 W 61<sup>st</sup> Street, Sioux Falls, SD 57106, for \$57,500, and

Tax Deed #2514, 212 E 6<sup>th</sup> Street, Dell Rapids; Lot 12 Block 39 Dell Rapids City Original, sold to Courtesy Investments, LLC, 807 N Monroe Avenue, Pierre, SD 57501, for \$10,000, and

Tax Deed #2515, 1417 E 5<sup>th</sup> Street, Sioux Falls; E 8 1/2' of Lot 47 and all of Lot 48 and the W 8 1/2' of Lot 49 in Block 2 of Highland Addn to the City of Sioux Falls, sold to Michael W Hartman, 27441 477<sup>th</sup> Avenue, Harrisburg, SD 57032, for \$9,000, and

Tax Deed #2516, 1217 N Spring Avenue, Sioux Falls; Tracts 16, 17, 18, 19, 20, 21, and 22 in County Auditor's Subdivision of Macy's 1<sup>st</sup> Addn and Brookings Addn to City of Sioux Falls, sold to Arthur and Julie Slumskie, 3201 N Marion Road, Sioux Falls, SD 57107, for \$1,000

NOW, THEREFORE, BE IT RESOLVED by the Minnehaha County Commission that this sale be approved as set forth above and that the Minnehaha County Treasurer is hereby authorized to issue Quit Claim Deeds thereto and the Minnehaha County Auditor is authorized to abate all outstanding taxes, interest, and penalties levied against these properties.

Dated at Sioux Falls, South Dakota, this 29th day of September, 2009.

APPROVED BY THE COMMISSION:

John Pekas, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

APPOINTMENT

MOTION by Twedt, seconded by Hajek to reappoint the following Weed & Pest Board members: through 1/1/11 - Virginia Solheim, Rodney VanderVliet, and Donovan Carpenter; and through 1/1/12 – Leo Heggen, Charles Hemmer, and Ronald Johnson. 5 ayes.

At the request of Ralph Hammer, Weed Supervisor, MOTION by Hajek, seconded by Barth to purchase the following weed chemicals from Crop Production Services (UAP Distribution) off of a bid awarded by the State of South Dakota (contract #15638): Milestone, 100 gallons more or less @ \$279.00/gal.; Glyphosate for aquatic site, 40 gallons more or less @ \$32.20/gal.; 2,4-D labeled for aquatic use, 100 gallons more or less @ \$11.75/gal.; Prometon, 80 gallons more or less @ \$24.95/gal.; and Non ionic surfactant, 100 gallons more or less @ \$8.00/gal. 5 ayes.

SUPPLEMENT

MOTION by Hajek, seconded by Twedt to supplement \$12,386.50 from the EFSP Fund to the EFSP budget (ASN 21137) representing the second half of the 2009 EFSP allocation. 5 ayes. Commissioner Twedt congratulated Hugh Grogan, Human Services Director, on being nominated for the Human Relations Commission 2009 Humanitarian Award.

MOTION by Hajek, seconded by Kelly to adjourn until 9:00 a.m. on Tuesday, October 6, 2009. 5 ayes.

APPROVED BY THE COMMISSION:

John Pekas, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

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