

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., January 6, 2009, pursuant to adjournment on December 30, 2008. 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.

Judge William Srstka administered the Oath of Office to Commissioner Pekas and Judge Peter Lieberman administered the Oath of Office to newly elected Commissioner Dick Kelly and Treasurer Pam Nelson. Aaron McGowan, State's Attorney, took his oath previously.

Sue Roust, Auditor, opened the meeting and called for nominations for Commission Chairman. MOTION by Hajek to nominate Commissioner Pekas as Commission Chairman for 2009. 5 ayes.

Ms. Roust relinquished the gavel to Chairman Pekas.

Chairman Pekas called for nominations for Commission Vice-Chairman. MOTION by Twedt to nominate Commissioner Hajek as Commission Vice-Chairman for 2009. 5 ayes.

DESIGNATION OF OFFICIAL NEWSPAPERS

Ken McFarland, Administrative Assistant, reported that the Argus Leader had submitted a letter proposing designation of the Argus Leader, Dell Rapids Tribune, and Brandon Valley Challenger as the County's legal newspapers for 2009. The proposal keeps the same rates as 2008 at \$5.39 per inch in the Argus Leader, and \$0.311 per line, with a 10% discount for minutes, in the Dell Rapids Tribune and the Brandon Valley Challenger. As a courtesy, the County's legal notices were also included in the Baltic Beacon and Humboldt Journal at no extra charge. Greg Robinson with the Argus Leader explained that the recommended publications reach more readers. They will also continue the courtesy publication, when space is available, in the Baltic Beacon and Garretson Weekly, and will continue to work with Anderson Publications on printing in the Humboldt Journal. MOTION by Hajek, seconded by Twedt to designate the Sioux Falls Argus Leader, Dell Rapids Tribune, and Brandon Valley Challenger as Minnehaha County's official newspapers for 2009. 5 ayes. Commissioner Twedt thanked the Argus Leader for continuing with the same rate since 2003.

RECORD OF NON-ELECTED DEPARTMENT HEADS

MOTION by Hajek, seconded by Barth to record the following individuals as non-elected Department Heads, as of January 1, 2009. 5 ayes.

Ken McFarland	Commission Office
Trae Umstead	Information Technology
Sandra Aamlid	Extension
Bob Meister	Highway
Todd Cheever	Juvenile Detention Center
Lloyd Olson	Facilities
Bill Hoskins	Museum
Carey Jo Deaver	Human Resources
Scott Anderson	Planning/Parks
Cynthia Howard	Public Advocate
Traci Smith	Public Defender
Hugh Grogan	Human Services
Dennis "Eli" Whitney	Equalization
Lynn DeYoung	Emergency Management

The following are listed as positions of public interest and are not department head positions:

*Daren Ketcham	Metro Communications
*Ralph Hammer	Weed & Pest
*Patricia Kroupa	Veteran Service Officer

APPOINTMENTS

MOTION by Barth, seconded by Hajek to re-appoint Dr. Brad Randall as Coroner for a 1 year term of January 1, 2009 to December 31, 2009. 5 ayes.

COMMISSION SALARY

MOTION by Twedt, seconded by Hajek to set the salary of the Minnehaha County Board of Commissioners at \$25,000.04 for 2009. 4 ayes, Barth - nay.

ELECTION PAY

Sue Roust, Auditor, presented a resolution to set the pay schedule for election workers for 2009. She recommended the same rates as in 2008. MOTION by Hajek, seconded by Barth to approve Resolution MC09-01. 5 ayes.

RESOLUTION MC09-01

WHEREAS, it will be necessary to appoint election officials in 2009, and

WHEREAS, pursuant to SDCL 12-15-11, the fee paid to election officials shall be established annually by the board of county commissioners at its first regular meeting of the year; now, therefore, be it

Resolved by the Minnehaha County Board of Commissioners that for the year 2009, election officials shall be paid as follows:

Precinct Superintendent	\$110.00	per day
Precinct Deputy	100.00	per day
General election added fee	5.00	per day
Precinct – partial day	10.00	per hour
Absentee Precinct, Counting Center, and Precinct Assistants	7.50	per hour
Election school attendance	10.00	per hour

Dated this 6th day of January, 2009.

APPROVED BY THE COMMISSION:
John Pekas, Chairman

ATTEST:
Sandy Kinder, Deputy Auditor

MINUTES

MOTION by Twedt, seconded by Hajek to approve the Minutes for December 30, 2008. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Hajek, seconded by Barth to approve the following bills totaling \$840,849.23 and December salaries. 5 ayes.

A & B Business Equip	Var. Depts	1,007.76	A to Z World Languag	Human Svcs	50.00
American Institution	JDC	289.38	Architecture, Inc.	Cap Proj	8,716.01
Arena Motel	Human Svcs	320.00	Argus Leader	Var. Depts	56.27
Automatic Building C	JDC	240.00	Avera Gutnik & Assoc	Mental Ill	427.50
Avera Health Plans,	Human Svcs	921.06	Avera McKennan Hospi	Var. Depts	7,751.08
Avera Medical Record	Var. Depts	37.80	Barnes & Noble, Inc.	JDC	479.30
Batteries Plus	Jail	189.99	Benz, Vergil C	Human Svcs	380.00
Bethany Lutheran Hom	Human Svcs	500.00	Billion Olds Toyota	Sheriff	1,800.00
Brende & Schroeder L	Courts	6,059.25	Brentwood Apartments	Human Svcs	675.00
Brown & Saenger	Extension	816.73	Buck's Muffler Shop	Dir of Eq	54.00
Bureau of Informatio	Jail	67.84	Canfield Business In	Planning	476.34
Carrot-Top Enterp	Extension	77.85	Catco	Hwy Constr	4.00
Center for Family Me	Jail	341.08	Certified Auto Glass	Hwy Constr	165.00
Charm-Tex Inc	JDC	577.22	Chemco, Inc.	JDC	57.50
City of Dell Rapids	Sheriff	10,679.30	Cleveland Heights Ap	Human Svcs	955.00
Cliff Avenue Auto Pa	Hwy Constr	49.97	Cobraserve National	Human Svcs	856.40
Connecting Point	Info Tech	5,040.00	Constellation New En	Facilities	4,473.43
Cooley, Carla F	Courts	1,080.60	Danko Emergency Equi	Em Mgmt	864.41
Dejong, John/Judi	Human Svcs	300.00	Delacruz, Tilly	Courts	75.00
DLRS Properties, Inc	Human Svcs	365.00	Election Systems & S	Elections	1,289.92
Evans, Henry K.	Courts	3,290.90	Farnsworth, Michael	Public Def	3,800.00
Farrell, Lorae J	Courts	231.00	Fogelman, Debra	Welf Recov	15.00
Fred the Fixer, Inc.	Human Svcs	94.50	Goebel Printing, Inc	Var. Depts	134.93
Graham Tire Co. - No	Hwy Constr	37.10	Great Plains Int'l T	Hwy Constr	76.59
Great Plains Psychol	Courts	12,250.00	HAJ Inc DBA	Human Svcs	40.00
Hander, Inc.	Human Svcs	173.47	Haugan, Raymond C	Human Svcs	480.00
HC Birk Inc	Human Svcs	2,409.00	Help!Line Center, In	Human Svcs	638.08
Hewlett-Packard Comp	Info Tech	7,685.00	High Point Networks,	Info Tech	18,457.48
Howalt-McDowell Insu	Insurance	1,202.50	Hy-Vee & Affiliates	Human Svcs	495.70
Hy-Vee Accounts Rece	Var. Depts	491.02	Hy-Vee Pharmacy	Human Svcs	575.90
Innovation Property	Human Svcs	380.00	Interstate Office Pr	Var. Depts	7,325.79
J & S Hospitality DB	Human Svcs	626.00	J.D.'S House of Trop	Commission	135.20
Jaqua, Curtis Wayne	Human Svcs	380.00	Jaros, Pete	Mental Ill	295.86
Jaymar Business Form	Dir of Eq	371.25	Jefferson Partners,	Var. Depts	315.52
Jim Hawk Truck Trail	Hwy Constr	46.85	Johnson Feed, Inc.	Hwy Constr	3,515.11
Keystone Treatment C	Courts	100.00	Kleen Solutions, Inc	Jail	69.95
Kolbe, Robert	Commission	43.29	Kruger, Carol	Human Svcs	190.00
Lassegaard, Samuel C	Human Svcs	380.00	Lawson Products, Inc	Hwy Constr	208.39
Live Well Properties	Human Svcs	480.00	Lyle Signs, Inc.	Hwy Constr	2,287.88
Majestic View Apartm	Human Svcs	575.00	Maxwell Food Equipme	Extension	12.95
McGrath, Michael J,	Mental Ill	2,534.00	Medical X-Ray Center	Var. Depts	1,743.08
Menards - West	Parks	53.09	Metro Communications	Var. Depts	320.00
MGE UPS Systems, Inc	Jail	1,710.00	Microfilm Imaging Sy	Reg Deeds	191.60
Midamerican Energy C	Var. Depts	9,078.31	Midcontinent Communi	Human Svcs	55.00
Midwest Oil Company,	Hwy Constr	218.12	Miller, Steve	Courts	3,136.94
Minnehaha Cnty Highw	Commission	283.82	Minnehaha Cnty Sheri	Sheriff	5.32
Munk, Steven	Extension	1,571.16	Murphy, Patrick M	Sheriff	103.79
NACHSA	Human Svcs	315.00	Newman, Scott G.	Human Svcs	650.00
Nextel Partners, Inc	Sheriff	59.55	Nobles County Sherif	St Atty	45.00
North Central Heart	Jail	411.05	Nyberg's Ace Hardwar	Var. Depts	88.92
Oakwood Estates/Inve	Human Svcs	480.00	Office Depot, Inc.	Info Tech	630.73
Officemax	Hwy Admin	43.07	Orthopaedic Consulta	Jail	338.85
Orthopedic Institute	Jail	942.73	PBC Sioux Falls, LLC	Human Svcs	59.95
Pecaut, Jon DBA Pec	Human Svcs	480.00	Pennington County Ja	Jail	4,283.70
Pheasantland Industr	Jail	808.98	Physicians Laborator	Var. Depts	27.95
Quality Efficiencies	Human Svcs	850.00	Quill Corp.	Var. Depts	278.34

Qwest	Info Tech	102.04	Revier Pressure Wash	Jail	340.00
Ridgeview Apts., Ltd	Human Svcs	575.00	River Ridge Apartmen	Human Svcs	350.00
Rods Properties LLC	Human Svcs	265.00	Ronning Commercial,	Human Svcs	1,285.00
Rons, Norm	Human Svcs	380.00	Rural Metro Ambulanc	Var. Depts	330.15
Sacred Heart Hospita	Human Svcs	980.44	Sanford Hospital	Human Svcs	10,213.15
Sanford Laboratories	Jail	51.74	Schoeneman, Inc.	Human Svcs	520.00
Scotty's Automotive	Commission	343.35	Scull Studios Inc	Extension	26.70
SD Assn of County Of	Var. Depts	10,904.67	SD Dept of Revenue	St Atty	188.00
SD Dept of Social Se	Public Def	465.75	SD Public Assurance	Var. Depts	179,550.60
SD Secretary of Stat	Treasurer	100.00	SD Sheriff's Assn.	Sheriff	4,798.43
SDML Workers' Compen	Var. Depts	329,857.00	Sheehan Mack Sales &	Hwy Constr	87,358.00
Sherwin Williams	Jail	470.20	Sioux Empire Christi	Courts	3,000.00
Sioux Falls Business	Human Svcs	78.00	Sioux Falls Rubber S	Reg Deeds	104.00
Sioux Falls Utilitie	Var. Depts	8,396.72	Sioux Valley Energy	Var. Depts	313.41
Software House Inter	Info Tech	9,535.88	Solomon, Ghirmay	Courts	50.00
Spielmann, Ronald	Human Svcs	480.00	Streicher's	Sheriff	319.08
Sunshine Foods	Human Svcs	203.58	Surgical Institute o	Human Svcs	938.73
SV Home Medical Equi	Human Svcs	394.50	Tally Ho Apaprtments	Human Svcs	430.00
TCP Properties, Inc.	Human Svcs	960.00	Tetra Tech MFI/Maxim	Hwy Admin	100.00
Thorin, Deyanira T.	Var. Depts	325.00	Thurman, Creighton A	Mental Ill	174.93
Tinklenberg, Douglas	Human Svcs	300.00	Tires,Tires,Tires In	Var. Depts	447.77
Tri-State Emergency	Em Mgmt	20.00	Tri-Tech, Inc.	St Atty	3,761.88
Tschetter & Adams La	Courts	642.03	Underberg, Dona	Welf Recov	9.50
Valley Rental Servic	Human Svcs	1,151.61	VB Falls Park Apts	Human Svcs	480.00
Velvet Uniforms, Inc	Jail	87.20	Verizon Wireless	Em Mgmt	725.07
Vision Care Associat	Human Svcs	122.23	W E Upjohn Institute	Human Svcs	24.00
Wal-Mart Pharmacy	Human Svcs	814.30	Wal-Mart Pharmacy	Human Svcs	55.46
Walgreen Co.	Human Svcs	507.21	Wali, Khadija M.	Courts	25.00
Walsh, Mike	Sheriff	108.00	Washington Pavilion	Commission	178.19
Westwick Motel, Inc.	Human Svcs	500.00	Whitney, Dennis	Dir of Eq	172.42
Wilson, Shirley Ann	Human Svcs	159.00	Xcel Energy, Inc.	Var. Depts	8,834.70
Yankton Anesthesiolo	Human Svcs	768.00	Yankton Medical Clin	Human Svcs	667.80
Commission	Salaries	26,365.64	Auditor	Salaries	47,376.45
Treasurer	Salaries	74,525.87	IT	Salaries	76,830.21
States Atty	Salaries	215,215.14	Public Defender	Salaries	165,022.80
Public Advocate	Salaries	39,063.88	Facilities	Salaries	88,463.58
Equalization	Salaries	97,700.00	Register of Deeds	Salaries	49,632.81
Human Resources	Salaries	20,196.95	Sheriff	Salaries	1,140,383.99
JDC	Salaries	234,294.83	Highway	Salaries	170,130.62
Human Services	Salaries	101,042.93	Museum	Salaries	84,146.86
Planning	Salaries	47,687.94	Extension	Salaries	10,820.18

PERSONNEL

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

1. To correct the step increase action for Benjamin Cook, Correctional Officer for the Jail, which should have reflected an increase from 13/D to 13/E effective 12-29-08.
2. To promote Samuel Hemenway from Correctional Officer I (9/2) to Correctional Officer II (10/2) for the Jail at \$17.136/hour effective 11-20-08.
3. To place Walter Richardson, Correctional Officer for the Jail, on leave without pay effective 1-5-09 to 1-19-09.
4. To transfer Mary Lipelt from Deputy Sheriff for the Sheriff's Office to Deputy Sheriff for the Jail effective 1-12-09.
5. To promote Troy Rempfer from STI Security Officer (13/D) to Deputy Sheriff (16/A) for the Sheriff's Office at \$19.078/hour effective 12-27-08.

6. To increase the hourly wages of Dale Holter and William Wasserman, Parking Attendants for the Sheriff's Office to \$10.180 per hour effective 12-27-08.
7. To increase the hourly wage of Dennis Sievers, Protective Services Worker for the Sheriff's Office to \$11.780 per hour effective 12-27-08.
8. To record the removal of EMT specialty pay for Derek Kuchenreuther, Deputy Sheriff for the Sheriff's Office, effective 1-10-09.
9. To promote Carole James from Deputy State's Attorney (21/B) to Senior Deputy State's Attorney (22/A) for the State's Attorney's Office at \$2,156.56/bi-weekly effective 1-2-09.
10. To hire Kedra Ali as Custodian (6/A) for Facilities at \$11.643 per hour effective 1-12-09.
11. To hire Jemal Dufo as Custodian (6/A) for Facilities at \$11.643 per hour effective 1-13-09.

Step Increases Due:

1. Crystal Johnson and Carrie Mees-Thompson – Senior Deputy State's Attorney – State's Attorney's Office – 22/D to 22/E, 1-3-09, \$2,380.44/bi-weekly
2. Sue Broveak – Real Estate Specialist – Register of Deeds – 14/C to 14/D, 1-8-09, \$18.613/hour
3. Emily Osthus – Juvenile Correctional Worker – JDC – 5/2 to 5/3, 12-19-08, \$12.773/hour
4. Ryan Mickelson – Juvenile Correctional Officer I – JDC – 12/I to 12/J, 1-5-09, \$19.555/hour
5. Carmen Kasin – Juvenile Correctional Officer I – JDC – 12/J to 12/K, 1-5-09, \$20.044/hour
6. Wade Hanson – Air Guard Security Officer II – Air Guard – 10/8 to 10/9, 12-21-08, \$20.071/hour

Special Commission Action Requests

MOTION by Twedt, seconded by Hajek to increase the 2009 annual compensation for Auditor from \$80,000 to \$85,000. 5 ayes.

To recognize the following significant employee anniversaries: 5 years - Michelle Thomas, Ryan Mickelson, Carmen Kasin, Patricia Hughes, James Metzger, Mark Kadi, Janet Eden, Maria Buehre, and Kelli Nyhof; 10 years - Patricia Herman and Alvina Weeda; 15 years - Gerald Lang; 20 years - Robert Kolbe; and 25 years Debbie Hein.

To record volunteers in County Departments for December 2008. The list is on file at Human Resources.

Carey Deaver, Human Resources Director, presented the 2009 health plan fee schedule renewal and amendment to administrative services agreement. There was only a slight rate increase for administrative services and access fees and no change for pharmacy services. MOTION by Hajek, seconded by Twedt to authorize the Chairman to sign the Amendment to Administrative Services Agreement and Fee Schedule Renewal between Minnehaha County and UMR, Inc. 5 ayes.

ABATEMENTS

The following abatements were recommended by Eli Whitney, Director of Equalization:

MOTION by Hajek, seconded by Kelly to approve the following 2008 property tax abatements as part of the Elderly Freeze Program: Evelyn Weinacht, ID 22705, \$1,378.95, Leland Johnson, ID 21669, \$95.52; Garlin Meyer, ID 24136, \$1,667.63; and Jack Mailey, ID 19002, \$810.18. 5 ayes.

MOTION by Hajek, seconded by Twedt to approve the following abatement: Lyle Rollag, 2008 property taxes, ID 80906 - \$790.44, and ID 80907 - \$691.58. 5 ayes.

MOTION by Hajek, seconded by Twedt to approve the following abatement: Dells Investment Group Inc., 2008 property taxes, ID 22901 - \$536.61, and ID 22906 - \$421.88. 5 ayes.

MOTION by Hajek, seconded by Twedt to approve the following abatement: Minnehaha County, ID 14598, 2008 property taxes, \$31.26. 5 ayes.

PUBLIC COMMENT

Chairman Pekas recognized his family members in attendance for his swearing in.

Gordy Swanson, Deputy State's Attorney, introduced Dustin DeBoer, Deputy State's Attorney, who will now be assisting Mr. Swanson with civil matters.

New State's Attorney Aaron McGowan commented on taking office.

DRAINAGE

Ron Johnson, Benton Township Supervisor, requested a refund of a \$500 drainage permit penalty fee. He explained that he was unaware that a permit was needed and obtained one after the drainage work, in the SW1/4 of Section 12 in Benton Township, was completed. Pooling of water along the road created soft spots. Mr. Johnson did not feel that the township should be penalized for the work because they were maintaining public safety. MOTION by Hajek, seconded by Barth to refund the \$500 penalty fee to Benton Township. Phil Kappen, Assistant, Planning Director, explained that in 2002, the Commission requested that the drainage ordinance be reviewed and a penalty added to address those occasions where application was made after the drainage work was done. The amendment was adopted in 2002. Staff received a complaint on the work being done by Benton Township and spoke with both the township and the contractor. Commissioner Twedt expressed empathy with the Planning staff and cautioned about the after effect if the refund is granted. Commissioner Barth asked Mr. Johnson to inform other townships of the need to follow ordinance and obtain proper permits. Gordy Swanson, Deputy State's Attorney, stated that there is no legal authority to grant the refund request. VOTE on the motion: 3 ayes, Twedt and Pekas nay.

REVIEW

Pursuant to the Commission's request on 12/30/08, Matt Adamski, Fair General Manager, gave a briefing on outstanding debts of the Sioux Empire Fair Association. He introduced the Fair Board members who were in attendance. In response to a question from Commissioner Barth on whether the association is making money on events other than the annual Fair, Mr. Adamski explained that they do receive rents from other events throughout the year, but not enough to fund daily expenses. Commissioners discussed the condition of the facilities on the fairgrounds and the need to work with the Fair Board to find a solution to the improvement issues faced. Ron Wieman, board chair, explained that the Board has been working with private businesses and the W.H. Lyon heirs on a way to bring in public funding for site upgrades.

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Commissioner Hajek recommended that the Fair Board conduct a full financial audit.

OLD BUSINESS

Hugh Grogan, Human Services Director, reported that due to the current economic conditions, his staff has seen an increase in the number of people needing assistance. Commissioner Twedt noted that there may be a potential need to hire temporary staff in the future.

MOTION by Hajek, seconded by Barth to adjourn into Executive Session for a legal briefing and contract discussion. 5 ayes. Following the Executive Session, the Commission adjourned until 9:00 a.m. on Tuesday, January 13, 2009.

APPROVED BY THE COMMISSION:

John Pekas, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor