

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., January 27, 2009, pursuant to adjournment on January 20, 2009. Commissioners present were: Pekas, Hajek, Barth, and Kelly. Commissioner Twedt was absent. 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 Kelly to approve the Agenda. 4 ayes.

MINUTES

MOTION by Hajek, seconded by Barth to approve the Minutes for January 20, 2009. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Barth, seconded by Hajek to approve the following bills totaling \$353,030.41 for payment. 4 ayes.

A Bar K Inc	Var. Depts	40.00	ABN Army Surplus	Air Guard	153.65
Allied Oil & Supply	Hwy Constr	99.00	Anesthesiology Assoc	Human Svcs	144.00
Arena Motel	Human Svcs	775.00	Argus Leader	St Atty	141.92
Auto Glass Center	Hwy Constr	196.42	Automatic Building C	Jail	323.34
Avera McKennan Hospi	Var. Depts	53,199.41	Al Svc Inc/Laceys Ch	Hwy Constr	90.00
Bechtel, Dave	Human Svcs	425.00	Bill's Snow	Human Svcs	165.00
Bob Barker Company,	Var. Depts	1,745.18	Brevik Law Office, P	Mental Ill	378.32
Brown & Saenger	Sheriff	69.00	Campbell Supply Co I	Var. Depts	132.13
Carex Health Brands	Human Svcs	134.82	Catco	Hwy Constr	56.62
Center For Family Me	Jail	234.65	Century Business Pro	Var. Depts	12,779.76
Chemco, Inc.	Facilities	1,777.77	Church of God (7th D	Courts	1,200.00
City of Colton	Human Svcs	44.86	Cleveland Heights Ap	Human Svcs	1,475.00
Cliff Avenue Auto Pa	Hwy Constr	121.03	Connecting Point	Info Tech	1,100.00
Constellation New En	Facilities	36,979.06	Culligan Water Condi	Info Tech	35.00
Dakota Alignment & F	Hwy Constr	216.87	Dakota News, Inc.	Mus Store	175.34
Danko Emergency Equi	Var. Depts	486.37	Davis, James R	Human Svcs	500.00
Decisionone Corporat	Info Tech	395.47	Delacruz, Tilly	Courts	137.50
Devaney, Tom	Hwy Constr	24.99	Dialnet/Ahrens Telec	Var. Depts	106.22
Dietrich, Donna K	Mental Ill	587.18	Donahue, David J	Human Svcs	1,390.00
Ebert's Properties,	Human Svcs	1,310.00	Elite Business Syste	Human Svcs	1,261.58
Emdeon Business Serv	Human Svcs	40.60	Exide Technologies	Hwy Constr	60.65
Farland, Lawrence A	Human Svcs	400.00	Fastenal Company	Hwy Constr	115.76
Fluth, Rodney P	Human Svcs	250.00	Fox, Youngberg & Lew	Mental Ill	144.56
Fred the Fixer, Inc.	Facilities	22.00	Fremont Industries,	Var. Depts	5,653.20
G & R Controls	JDC	386.43	Goebel Printing, Inc	Var. Depts	314.52
Graham Tire Co. - No	Hwy Constr	12.19	Grainger, Inc.	Facilities	22.95
Graybar Electric Com	Facilities	77.85	Great Plains Psychol	Courts	3,660.00
Griffin, Janice	Human Svcs	350.00	Gritware, LLC	Info Tech	1,174.69
Hander, Inc.	Human Svcs	69.39	Harrisburg School Di	Em Mgmt	8,000.00
Help/Systems-IL Inc	Info Tech	1,285.00	High Point Networks,	Var. Depts	1,217.42
Hoekman, James	Sheriff	438.14	Horn, Garrett	Mental Ill	237.60
Howalt-McDowell Insu	Public Def	50.00	Howe Electric, Inc.	Hwy Constr	1,558.69
Hughes County Sherif	St Atty	14.30	Hurtgen, Timothy T.	Human Svcs	250.00
Husman, Larry/Vicki	Human Svcs	420.00	Hy-Vee & Affiliates	Human Svcs	495.70
Hy-Vee Accounts Rece	Var. Depts	61.81	Hy-Vee Pharmacy	Human Svcs	620.28
Hydraulic World, Inc	Hwy Constr	265.64	Interstate Office Pr	Var. Depts	973.15
J & S Hospitality DB	Human Svcs	1,346.00	J.C. Penney Company,	Facilities	254.13
JCL Solutions-Janito	Jail	94.70	Jim Hawk Truck Trail	Hwy Constr	129.70
Johnson Estates LLC	Human Svcs	288.00	Johnson, Ron P	Human Svcs	575.00
Kauffman, David W. P	Courts	2,782.50	Kennedy, Renee S.	Courts	1,713.60
Kleen Solutions, Inc	Jail	127.90	Knobloch, Kathy	Human Svcs	1,150.00
Kooistra, Nelva	Mental Ill	75.00	Koopman & Sons Gas C	Hwy Admin	720.18

Kreisers, Inc.	JDC	77.90	Krueger Excavating,	Facilities	1,740.00
Language Line Servic	Courts	267.33	Larson, Nickolee A.	Human Svcs	500.00
Lawson Products, Inc	Hwy Constr	75.47	LCM Pathologists, P.	Var. Depts	6,875.48
Lewis & Clark BHS	Mental Ill	1,846.00	Lewis Drug Stores	Var. Depts	18,714.63
Linweld, Inc.	Hwy Constr	28.80	Lutheran Social Serv	Var. Depts	700.00
Malloy Electric Bear	Facilities	127.98	Maxwell Food Equipme	JDC	41.62
McLaughlin, David	Human Svcs	325.00	Medical X-Ray Center	Jail	12.82
Michael's Purple Pet	Em Mgmt	90.00	Microfilm Imaging Sy	Reg Deeds	75.00
Midamerican Energy C	Var. Depts	3,370.57	Midcontinent Communi	Human Svcs	55.00
Midwest Alarm Compan	Var. Depts	8,074.21	Midwest Oil Company,	Hwy Constr	1,513.00
Miller Funeral Home,	Human Svcs	2,775.00	Minnor Industries	JDC	207.00
Minnehaha Cnty Fire	Em Mgmt	150.00	Minnehaha Cnty Human	Human Svcs	105.50
Monick Pipe & Supply	Facilities	10.86	Murray Construction	Human Svcs	896.50
Nat'l Assn School Re	Sheriff	40.00	Neurology Associates	Jail	75.86
Nextel Partners, Inc	Sheriff	39.66	Niedringhaus, Paul	Sheriff	445.35
Nomis Publ Inc	Reg Deeds	93.00	North Central Heart	Jail	58.64
Nyberg's Ace Hardwar	Human Svcs	21.95	Office Depot, Inc.	Info Tech	4,816.89
Officemax	Var. Depts	295.14	Ophthalmology, Ltd	Human Svcs	15.00
Palmer, Barbara	Mental Ill	3,892.50	Panasonic Finance So	Extension	228.77
Parish of Livingston	St Atty	76.40	Pharmchem Inc	24/7 Prog	140.00
Pheasantland Industr	Jail	233.64	Presto-X-Company	Facilities	218.00
Printrak Internation	Sheriff	2,481.00	Prodata Computer Ser	Info Tech	375.00
Qualified Presort Se	Var. Depts	5,820.44	Quality Efficiencies	Human Svcs	445.00
Quest Engineering, I	Hwy Constr	7.15	Quill Corp.	Var. Depts	434.35
Qwest	Var. Depts	1,331.10	R & L Supply, Ltd	Facilities	60.30
RDO Equipment Co.	Hwy Constr	64.96	Reh fuss, Cathy A	Mental Ill	75.00
Richard-Ewing Equipm	Jail	10,283.00	River Ridge Apartmen	Human Svcs	400.00
River Run Apts / Sio	Human Svcs	400.00	Rods Properties LLC	Human Svcs	265.00
Ronning Commercial,	Human Svcs	35.00	Rural Metro Ambulanc	Coroner	1,000.00
Sanford Clinic	Human Svcs	212.12	Sanford Hospital	Var. Depts	946.99
Sanford Hospital Med	St Atty	16.75	SD Dept of Labor	Insurance	7.52
SD Secretary of Stat	Public Def	25.00	SD Unified Judicial	Public Adv	10.00
SDN Communications	Var. Depts	22,674.03	Sears	Facilities	59.98
Security Labs, Ltd	Info Tech	100.00	Shepherd Reporting,	Courts	75.00
Short Elliott Hendri	Hwy Constr	10,252.31	Sioux Falls City Fin	Var. Depts	8,090.15
Sioux Falls Primary	Jail	125.18	Sioux Falls Transit/	Human Svcs	25.00
Sioux Falls Two Way	Hwy Admin	161.98	Sioux Falls Utilitie	Var. Depts	4,430.75
Sioux Valley Energy	Var. Depts	277.37	Solomon, Ghirmay	Courts	50.00
Stan Houston Equipme	Hwy Constr	38.10	Streicher's	Sheriff	734.99
Sturdevant's Auto Pa	Hwy Constr	149.56	Sungard Hte Inc.	Info Tech	6,838.80
Tenth Street Lodging	Human Svcs	400.00	Thorin, Deyanira T.	Var. Depts	495.81
Thurman, Creighton A	Mental Ill	179.13	Tires,Tires,Tires In	Var. Depts	835.32
Town Park II Apts	Human Svcs	1,020.00	Trigeo Network Secur	Info Tech	10,129.00
Triple R Industries,	Human Svcs	370.00	Unitech, Inc/United	Info Tech	1,950.00
Van's Auto Electric	Hwy Constr	68.00	Volunteers of Americ	Var. Depts	2,841.25
Wal-Mart Pharmacy	Human Svcs	110.88	Walden Carpets, Inc.	Pettigrew	3,710.00
Walker, Don	Human Svcs	380.00	West Group	St Atty	181.45
Wynia, Marc	Mental Ill	114.95	Xcel Energy, Inc.	Var. Depts	32,841.79
Yankton Surgical Asso	Human Svcs	721.34	Zabel Steel Co.	Hwy Constr	33.50
Zee Medical Service	Hwy Admin	15.95			

REPORT

The following report was received and placed on file in the County Auditor's Office: Auditor's Account with the Minnehaha County Treasurer as of December 31, 2008.

On Deposit in Banks	
Interest-bearing open accounts	6,483,304.91
CD's and savings	19,000,000.00
Cash	17,926.66
Checks/drafts in Treasurer's possession for more than 3 days	6,553.34
Total Cash on Hand	25,507,784.91
Total AS/400 Cash Balance	25,507,784.91

PERSONNEL

MOTION by Barth, seconded by Kelly to approve the following personnel changes. 4 ayes.

1. To transfer Michael DiGiulio from Air Guard Security Officer II (13/F) for the Air Guard to Correctional Officer (13/F) for STI Security effective 1-27-09.
2. To promote Jacob Stade from Correctional Officer I (9/2) to Correctional Officer II (10/2) for the Jail at \$17.136/hour effective 11-20-08.

Step Increases Due:

1. Jeffrey Gromer – Deputy Sheriff Sergeant – Sheriff – 20/H to 20/I, 1-18-09, \$2,265.73/bi-weekly
2. Julie Tighe – Correctional Officer – Jail – 13/I to 13/J, 1-03-09, \$20.5451/hour
3. Kurt Schaunaman – Correctional Officer – Jail – 13/B to 13/C, 1-13-09, \$17.2839/hour
4. Jodi Myhre – Juvenile Correctional Officer II – JDC – 14/I to 14/J, 1-17-09, \$21.5852/hour
5. Michael Newkirk – Juvenile Correctional Officer I – JDC – 12/F to 12/G, 1-17-09, \$18.1589/hour
6. Melissa Lindahl – Juvenile Correctional Officer I – JDC – 12/F to 12/G, 1-29-09, \$18.1589/hour
7. Janet Eden – Legal Office Assistant – State’s Attorney’s Office – 10/D to 10/E, 1-20-09, \$15.6584/hour
8. Gerald Lang – Building Facilities Maintenance Technician – Facilities – 14/P to 14/Q, 1-24-09, \$25.6580/hour

Carey Deaver, Human Resources Director, requested authorization to purchase an online recruitment program from Neogov at a cost of \$7,500, with a \$5,000 annual licensing fee to begin in 2010. Ms. Deaver explained that she has been discussing the need for online recruitment with Trae Umstead, Information Technology Director, and expected to develop an in-house program. After a demonstration of the Neogov product, Mr. Umstead and Ms. Deaver agreed that the product would be more beneficial than an in-house model. Mr. Umstead noted that the overall cost to develop an in-house program would run about \$100,000. The Neogov program has been in use by several agencies and will aid Human Resources in the employment reporting process. MOTION by Hajek, seconded by Barth to approve the purchase from Neogov. 4 ayes.

ABATEMENTS

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

MOTION by Hajek, seconded by Barth to approve the following abatement: Minnehaha County, ID 42924, 2008 property taxes, \$797.21. 4 ayes.

MOTION by Barth, seconded by Kelly to approve the following abatement: Sioux Falls School District, ID 80167, 2008 property taxes, \$172.42. 4 ayes.

MOTION by Hajek, seconded by Barth to approve the following abatement: Ali Selim, ID 56526, 2008 property taxes, \$401.73. 4 ayes.

MOTION by Hajek, seconded by Barth to approve the following abatements as part of the Elderly Freeze Program: 2007 taxes - Aloha Burnham, ID 27514, \$396.25; 2008 taxes - Irene Olstad, ID 30775, \$837.92; Darin Rislov, ID 31683, \$514.94; Gary Skinlo, ID 46488, \$15.91; Guenter Neumann, ID 40619, \$638.21; Eileen Wullstein, ID 35178, \$306.30; Edwin Sorensen, ID 40768, \$93.92; Alta Lemar, ID 28869, \$823.11; Lucille Wirt, ID 61663, \$347.22; Lois Lundberg, ID 41830, \$524.13; Donald Pearson, ID 34470, \$814.07; Lawrence Huse, ID 26128, \$130.86; and Dorothy Dempsey, ID 30425, \$783.05. 4 ayes.

Joseph Hanisch, county resident, presented an application for abatement of taxes for property ID 79908 and 79947 for 2008. He explained that he had platted 3 lots on his property and sold 1. The remaining 2 lots remained under his ownership and were taxed at a higher rate because each had a building eligibility. Mr. Hanisch then vacated the plat and returned the 2 lots to his farmland. Commissioner Hajek noted the comment on the request form from Gordy Swanson, Deputy State's Attorney, stating that there was no basis in the law to grant the request and that the properties were correctly valued as separate buildable lots. The property was not assessed at a higher value until they were platted and has been changed for 2009. MOTION by Kelly, seconded by Barth to deny the request. 4 ayes.

NOTICES

Notice of intent to conduct a fund raising raffle on 2/28/09 was received from the Big Sioux Chapter of Ducks Unlimited.

Ken McFarland, Administrative Officer, gave the first reading of a proposed amendment to Ordinance MC31-02, An Ordinance for Licensing Surface Ambulance Service In Minnehaha County. The proposed changes were recommended by the Rural Ambulance Task Force and by Gordy Swanson, Deputy State's Attorney. MOTION by Barth, seconded by Hajek to authorize the Auditor to publish Notice of Hearing on February 24, 2009. Jay Masur with MedStar Paramedic Ambulance asked the commission to consider redistricting as well as the text amendments and supported the proposed removal of language related to direct medical control standards. Commissioner Pekas stated that the Task Force did not recommend redistricting. Sue Roust, Auditor, responded to a concern voiced by Commissioner Barth related to the need to identify which services will be in operation for funding purposes. She explained that the funding amount is set during budget hearings and paid out based on the level of funding approved no matter who the provider. MOTION by Hajek, seconded by Barth to amend section 1-9 by removing the word "before" in the sentence related to the license application deadline. 4 ayes. VOTE on the Motion to publish. 4 ayes.

PLANNING

Pat Herman, Planner, gave the first reading of a proposed amendment to the 1990 Revised Zoning Ordinance for Minnehaha County which will rezone from the C Commercial District to the I-1 Industrial District, property legally described as McBeth Tr 1A NE ¼ & SE ¼ of Section 27-T101N-R48W, West of the 5 P.M., Minnehaha County, South Dakota. The property is located at 48185 Hwy 42, ½ mile west of Rowena. MOTION by Kelly, seconded by Barth to authorize the Auditor to publish Notice of Hearing on February 17th. 4 ayes.

COURTHOUSE

Meredith Larson and Jerry Fromm with Henry Carlson Company gave the monthly briefing and progress report on the Minnehaha County Courthouse Addition Project. They reported that most areas have been turned over to the County this week with substantial completion by the end of February. Cracks discovered in the drywall in the soffit above the atrium were determined to be cosmetic only and will be

repaired.

Mr. Larson and Mr. Fromm also presented Change Order 6 to the Construction Manager at Risk contract in the amount of \$98,845. The change order increases the Guaranteed Maximum Price to \$10,960,085 and leaves a zero balance in the Construction Manager's Contingency. The remaining balance in the Owner's Contingency is \$28,354. MOTION by Hajek, seconded by Barth to authorize the Chairman to sign Change Order 6 to the CM@R Contact with HCC. 4 ayes.

AGREEMENT

Michelle Boyd, Assistant Sheriff, presented an agreement to participate in the Federal Equitable Sharing Program. The program allows for participants to receive a share of federally forfeited proceeds that may be used for law enforcement purposes. MOTION by Hajek, seconded by Barth to authorize the Chairman to sign the Federal Equitable Sharing Agreement and Certification. 4 ayes

EXPENDITURE

At the request of Warden Tim Devlin, MOTION by Hajek, seconded by Kelly to approve the following expenditure of 2008 State Criminal Alien Assistance Program funds totaling \$27,563.75: policy updating software from Policy Technologies \$20,785, radio repeater in the jail \$4,216, and new radio batteries \$2,562.75. 4 ayes.

BRIEFING

Lynn DeYoung, Emergency Management Director, briefed the Commission on the 2009 Regional Homeland Security Grant process. As lead county, Minnehaha County will manage the grant for our region. He discussed past years' objectives, the 2009 timeline, and a request from the state to help fund upgrades to the state radio system.

UPDATE

Ken McFarland, Administrative Officer, briefed the Commission on proposed legislation affecting county government.

OLD BUSINESS

At the request of Commissioner Barth, Ken McFarland, Administrative Officer, reported that representatives of Eide Bailly have collected data for the Sioux Empire Fair forensic audit and are in the process of reviewing those materials.

MOTION by Hajek, seconded by Barth to adjourn into Executive Session for personnel discussion. 4 ayes. Following the Executive Session, the Commission adjourned until 9:00 a.m. on Tuesday, February 3, 2009.

APPROVED BY THE COMMISSION:

John Pekas, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor