

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., March 10, 2009, pursuant to adjournment on March 3, 2009. Commissioners present were: Pekas, Hajek, Kelly, and Twedt. Commissioner Barth was absent. Also present were Sandy Kinder, Deputy Auditor, and Dustin DeBoer, Senior Deputy State's Attorney.

Chairman Pekas called the meeting to order.

#### AGENDA

MOTION by Hajek, seconded by Kelly to approve the Agenda. 4 ayes.

#### MINUTES

MOTION by Twedt, seconded by Hajek to approve the Minutes for March 3, 2009. 4 ayes.

#### VOUCHERS TO BE PAID

MOTION by Hajek, seconded by Twedt to approve the following bills totaling \$362,584.65 for payment. 4 ayes.

A & B Business Equip	Var. Depts	607.24	A-Ox Welding Supp Co	Sheriff	186.00
ABN Army Surplus	Var. Depts	612.45	Advance Auto Parts	Sheriff	110.91
Anacon Leasing Inc	Public Def	262.00	Andersen, Norma	Mental Ill	60.00
Anderson, Carol	Human Svcs	415.00	Anderson, Elwood	Human Svcs	975.00
Anesthesiology Assoc	Human Svcs	160.00	Anhalt, Josh	Info Tech	29.58
Appeara / Dudley Lau	Hwy Constr	36.12	Arena Motel	Human Svcs	440.00
Argus Leader	St Atty	27.15	Ashbury Apts, Ltd Pa	Human Svcs	600.00
Atwood, Brian	Human Svcs	459.18	Audrain County Sheri	St Atty	65.20
Austad, Dean B	Human Svcs	1,025.00	Auto Body Specialtie	Var. Depts	111.95
Avera Heart Hosp of	Human Svcs	30,272.53	Avera McKennan Campu	Human Svcs	48.32
Avera McKennan Hosp	Human Svcs	558.67	Avera Mckennan Hospi	Var. Depts	91,423.16
Avera St Lukes Hospi	Human Svcs	2,505.37	Al Svc Inc/Laceys Ch	Hwy Constr	95.00
Baumgartner's Electr	JDC	227.32	Billion	Sheriff	59.77
Bob Barker Company,	JDC	126.03	Brentwood Apts/Domin	Human Svcs	485.00
Brevik Law Office Pr	Mental Ill	502.12	Brown & Saenger	Var. Depts	81.21
Buena Vista County(I	St Atty	17.00	Buffington, Michael	Courts	777.60
Bureau of Informatio	Jail	91.69	Burnette, Sara L	Courts	360.00
Butler Machinery Com	Hwy Constr	87.24	C & R Supply, Inc.	Hwy Constr	920.80
Carper, Nichole A	Courts	14,074.19	Catco	Hwy Constr	103.92
CBM Food Service	JDC	7,291.47	Chemco, Inc.	Facilities	418.81
Classic Cleaners	Jail	32.58	Claveau, Julie	Human Svcs	150.35
Cliff Avenue Auto Pa	Hwy Constr	91.13	Cody, Denise	Mental Ill	60.00
Communication Svcs F	Courts	187.00	Concrete Materials	Hwy Constr	111.55
Constellation New En	Pettigrew	1,640.19	Construction Product	Hwy Admin	109.82
Crescent Electric Su	Facilities	11.90	Crisantos, Pedro/Tor	Welf Recov	20.00
Current Solutions, I	Jail	238.21	Curry, Aaron B.	Public Adv	97.00
Cyntom Property Mana	Human Svcs	400.00	Dakota Data Shred	Auditor	40.00
Dakota Fluid Power,	Hwy Constr	1,022.02	Dakota Lettering Etc	Em Mgmt	31.46
Dakota Riggers & Too	Hwy Constr	27.96	Datamaxx Applied Tec	Em Mgmt	881.79
Decisionone Corporat	Info Tech	395.47	Dell Rapids Chevrole	Sheriff	27.10
Delux Motel / Dakota	Human Svcs	136.25	Dialnet/Ahrens Telec	JDC	60.00
Dietrich, Donna K	Mental Ill	1,095.46	Dollar Genl Stores M	JDC	24.50
Donahue, David J	Human Svcs	500.00	Doop, Michael	Human Svcs	325.00
Duchene, Justin R	Jail	29.65	Dust Tex Service, In	Var. Depts	17.32
Earsay	Public Def	358.00	Eastgate Towing	Sheriff	50.00
Ebert's Properties,	Human Svcs	195.00	Ecowater / Coy Burk	Facilities	106.60
EJW LLC	Human Svcs	400.00	Erpenbach, John E	Sheriff	1,125.00
First Dakota Title	Treasurer	1,250.00	Fluth, Rodney P	Human Svcs	495.00
Fox, Youngberg & Lew	Mental Ill	513.88	Fred The Fixer, Inc.	Var. Depts	88.00
G&W, Inc DBA Gary Co	Human Svcs	98.30	Galland Legal Clinic	Courts	713.40
Gas Lite Manor Ltd P	Human Svcs	480.00	Genzlinger, Janeen	Courts	18.40
George, Aaron	Human Svcs	385.00	Goebel Printing, Inc	Var. Depts	1,042.01

Golden West	Var. Depts	209.82	Graham Tire Co. - No	Hwy Constr	102.29
Graybar Electric Com	Facilities	182.35	Great Plains Int'l T	Hwy Constr	56.10
Grieme, Jonathan	Air Guard	89.99	Guzman, Sandra V.	Var. Depts	649.98
H&H Mobile Home Svc	Human Svcs	300.00	HAJ Inc DBA	Human Svcs	40.00
Handy Man, Inc.	Facilities	28.61	Hansen, Christine	Human Svcs	400.00
Harold's Photo Cente	Mus Entpr	27.96	Heartland Paper Comp	Facilities	44.05
Hembree, Bill	Human Svcs	158.10	Heritage Funeral Hom	Human Svcs	5,230.00
Hewlett-Packard Comp	Var. Depts	1,072.00	Hofer, Charlotte DB	Human Svcs	174.00
Holiday Mobile Home	Human Svcs	992.00	Home Federal Savings	Human Svcs	435.00
Hosmer, David M. Law	Mental Ill	111.63	Howard, Cynthia A	Public Adv	842.44
Howie's Car Service	Hwy Constr	171.15	Huntington, Darcy	Human Svcs	400.00
Hurtgen, Timothy T.	Human Svcs	350.00	Hy-Vee Accounts Rece	JDC	83.03
Hy-Vee Pharmacy	Human Svcs	212.04	Hy-Vee Pharmacy	Human Svcs	27.99
Interstate Office Pr	Var. Depts	486.34	J & S Hospitality DB	Human Svcs	1,925.00
J.C. Penney Company,	Var. Depts	149.94	Jam Properties	Human Svcs	400.00
James Publishing, In	Public Def	127.98	JCL Solutions-Janito	Hwy Admin	204.08
Jim Hawk Truck Trail	Hwy Constr	77.04	Johnson Controls, In	Var. Depts	17,120.45
Johnson Feed, Inc.	Hwy Constr	5,072.79	Johnson, Heidepriem,	Courts	916.62
Johnson, Miner, Marlow	Mental Ill	314.70	Johnstone Supply	Facilities	4.40
Kappenman, Timothy D	Jail	316.00	Kleen Solutions, Inc	Jail	140.85
Knology	Human Svcs	97.23	Kooistra, Nelva	Mental Ill	60.00
Kreislers, Inc.	Jail	224.60	Lamb Motor Company I	Hwy Constr	24,563.00
Lassegaard, Samuel C	Human Svcs	462.40	Leichtman, Phyllis	Human Svcs	350.00
Lewis Drug Stores	Var. Depts	93.88	Linweld, Inc.	Hwy Constr	201.43
Lyndale Partners	Human Svcs	600.00	Mailway Printers	Var. Depts	1,388.00
Malloy Electric Bear	Facilities	1,273.20	Maras, Matt	Human Svcs	500.00
Maschino, Jeffrey B	Mus Maint	2,019.00	Maxwell Food Equipme	JDC	155.00
Medical X-Ray Center	Jail	135.25	Menards - East	Var. Depts	780.61
Menards - West	Mus Maint	218.78	Midamerican Energy C	Var. Depts	5,844.35
Midwest Oil Company,	Hwy Constr	472.96	Midwestern Mechanica	Mus Maint	322.00
Mikelson, Gary E	Mental Ill	272.63	Minnehaha Community	Hwy Admin	28.00
Monte's Woodshop	Mus Ops	50.00	Movin On Out Inc	Courts	1,350.00
Myers & Billion LLP	Courts	1,200.00	NASDN	Em Mgmt	345.00
Nebraska Dept. of Mo	St Atty	3.00	New World Systems	Var. Depts	1,890.00
Norcraft Companies (	Human Svcs	397.00	Nyberg's Ace Hardwar	Mus Maint	21.77
Office Depot, Inc.	Info Tech	532.64	Officemax	Courts	306.00
Orange County(CA)She	St Atty	45.00	Palmer, Barbara	Mental Ill	3,330.00
Parkview, LLC	Human Svcs	500.00	Precision Industries	Hwy Constr	151.26
Progressive Property	Human Svcs	560.00	Push-Pedal-Pull	Sheriff	408.97
Qualified Presort Se	Var. Depts	4,841.50	Quality Efficiencies	Human Svcs	610.00
Qwest	Info Tech	103.20	Record Keepers, Inc.	Public Def	174.99
Rehfuss, Cathy A	Mental Ill	60.00	Retail Data Systems	Treasurer	100.00
Ridgeview Apts Ltd P	Human Svcs	500.00	River Glen Place Apt	Human Svcs	400.00
Roelofs, Leigh	Human Svcs	1,500.00	Ronning Commercial,	Human Svcs	625.00
Sacred Heart Hospita	Human Svcs	10,660.96	Sanford Health Plan-	Human Svcs	1,640.16
Sanford Hospital	Jail	878.03	Sanford Hospital - R	Human Svcs	350.00
Schelling, Sheldon	Mental Ill	787.50	Schoeneman Bros. Co.	Mus Ops	575.45
SD Assn of County Co	Var. Depts	600.00	SD Dept of Revenue	Var. Depts	84.46
SD Human Services Ce	Public Def	68.60	SD Safety Council	Human Res	125.00
SD State Treasurer	Sales Tax	699.82	Shepherd Reporting L	Courts	75.00
Silchuk, Lyubon (Lub	Courts	50.00	Simmons, Mike/Jessic	Human Svcs	200.00
Sioux Empire FCU	Var. Depts	325.45	Sioux Empire FCU/	Var. Depts	518.75
Sioux Empire FCU/	Dir of Eq	165.00	Sioux Falls Ford, In	Var. Depts	923.92
Sioux Falls Paint &	Parks	91.94	Sioux Falls Primary	Human Svcs	54.40
Sioux Falls Two Way	Hwy Constr	100.00	Sioux Falls Utilitie	Var. Depts	5,573.30
Sioux Valley Energy	Var. Depts	159.14	Skorczewski, Jena	Courts	105.40
Software House Inter	Jail	233.15	Solomon, Ghirmay	Courts	208.33
Southeastern Behavio	Jail	5,527.50	St Louis County(MO)S	St Atty	38.00
Starlite Estates Mob	Human Svcs	270.00	Stotz, Heidi	JDC	61.97
Sturdevant's Auto Pa	Hwy Constr	56.21	Surgical Institute o	Public Adv	21.50
Target Pharmacy	Human Svcs	235.92	Tessier's, Inc.	Facilities	131.89
The Keg	Courts	156.06	The Printers, Inc.	Human Res	209.10
The Training Consort	Info Tech	3,185.00	Thesenvitz, Mickelson	Courts	1,926.70
Thompson Electric Co	Courts	315.97	Thorin, Deyanira T	Var. Depts	999.96
Thurman, Creighton A	Mental Ill	400.32	Tires,Tires,Tires In	Var. Depts	1,942.31
Trane Comp	Facilities	191.82	Trusov, Aleksander	Human Svcs	400.00
Trygstad Financial G	Human Svcs	650.00	Tschetter & Adams La	Courts	213.29
Unitech, Inc/United	Public Def	54.18	US Bank-Corporate Tr	Bldg Fund	500.00
Velgersdyk, Dr. Scot	Human Svcs	70.00	Velvet Uniforms, Inc	Var. Depts	778.54

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Verizon Wireless	Em Mgmt	775.08	Vision Care Associat	Human Svcs	227.01
VPL LLC	Human Svcs	567.00	Wal-Mart Pharmacy	Human Svcs	452.49
Walden Carpets, Inc.	Mus Maint	7,278.78	Wells Fargo Home Mor	Human Svcs	600.00
West Twelfth Propert	Human Svcs	212.50	Western Comfort Apts	Human Svcs	400.00
Westport Apts/Westpo	Human Svcs	425.00	Westwick Motel, Inc.	Human Svcs	350.00
Wiblemo, Gene E	Human Svcs	400.00	Williamsburg Townhom	Human Svcs	400.00
Xcel Energy, Inc.	Var. Depts	35,325.12	Yankton County Sheri	Mental Ill	75.00

## REPORTS

The following reports were received and placed on file in the County Auditor's Office: Minnehaha County Human Services Report and the Minnehaha County Sheriff's Department Report for February 2009.

## PERSONNEL

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

1. To hire Robert Wilson as Assistant Commission Administrative Officer (21/A) for the Commission Office at \$24.4217 per hour effective 3-16-09.
2. To accept the voluntary demotion of Orlando Nelson from Deputy Sheriff (16/E) for the Sheriff's Office to Correctional Officer (13/I) for the Jail at \$20.0440 effective 3-7-09.

### Step Increases Due:

1. Derek Lauer – Correctional Officer – Jail – 13/H to 13/I, 3-6-09, \$20.0440/hour
2. Elliott Milk – Correctional Officer – Jail – 13/F to 13/G, 3-10-09, \$19.0782/hour
3. Terry Persing – Correctional Officer – 24/7 Program – 13/F to 13/G, 2-1-09, \$19.0782/hour
4. Kathryn Zwak – Correctional Officer – 24/7 Program – 13/D to 13/E, 2-26-09, \$18.1589/hour
5. Jon Harris – Deputy Sheriff Sergeant – Sheriff – 20/K to 20/L, 2-12-09, \$2,439.94/bi-weekly
6. Preston Evans – Deputy Sheriff Sergeant – Sheriff – 20/J to 20/K, 2-12-09, \$2,380.44/bi-weekly

## ABATEMENTS

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

MOTION by Hajek, seconded by Twedt to approve the following abatement: City of Crooks, ID 79826, property taxes, 2007 - \$344.21 & 2008 - \$501.96. 4 ayes.

MOTION by Hajek, seconded by Kelly to approve the following abatement: William Koch, ID 24175, 2008 property taxes, \$393.67. 4 ayes.

MOTION by Hajek, seconded by Twedt to approve the following abatement: Lee Burggraff, ID 66439, 2008 property taxes, \$2,264.74. 4 ayes.

MOTION by Twedt, seconded by Hajek to approve the following 2008 property tax abatements as part of the Elderly Freeze Program: Gerald Hallem, ID 22580, \$85.19 and Kathrina Waldner, ID 71598, \$35.76.

4 ayes.

#### NOTICES

MOTION by Hajek, seconded by Twedt to authorize the Auditor to publish Notice to Bidders for 2009-2010 Highway materials. 4 ayes.

#### PUBLIC COMMENT

Former commissioner Robert Kolbe spoke in opposition to the State's Attorney's office practice of not prosecuting cases involving "bad" checks from out-of-state accounts.

Jerry Feldman, county resident, requested information on delegation of services of Wayne Township due to reports of the resignation of its board members. Dustin DeBoer, Deputy State's Attorney, explained the process for re-organization if there are in fact vacated township official positions. Chairman Pekas asked that the township's records be audited if they are turned in to the Auditor's office. Highway Superintendent Bob Meister reported that his department could conduct emergency maintenance services in Wayne Township until a new township board could be formed. Expenses for any services would be recorded and charged back to the township.

#### PROCLAMATION

Hugh O'Grogan, Human Services Director, read the St. Patrick's Day Proclamation of O'Minnehaha County. MOTION by Kelly, seconded by Hajek to approve the proclamation. 4 ayes.

#### REPORT

Jeff Eckhoff, MCEDA Executive Director, presented the 2008 Joint Annual Report for the Lincoln & Minnehaha County Economic Development Associations. He gave a brief history of MCEDA and reported that even though the economy is in a downturn, the area experienced growth in building permits, sales tax revenues, and population for the fiscal year ending in September 2008.

#### AGREEMENT

Ken McFarland, Commission Administrative Officer, presented a renewal Agreement for Chemist's Services between the City of Sioux Falls and Minnehaha County for 2009. The annual amount will remain at \$18,000 and run from January 1, 2009 through December 31, 2009. The chemist's services will involve analyzing blood, breath, drugs, and substances, conducting chemical tests, and providing testimony on behalf of the County when requested. MOTION by Hajek, seconded by Twedt to authorize the Chairman to sign the Agreement for Chemist's Services. 4 ayes.

#### EXPENDITURE

At the request of Michelle Boyd, Assistant Sheriff, MOTION by Hajek, seconded by Kelly to authorize the following expenditures with State Criminal Alien Assistance Program funds: download station for a Digital Information Management System, \$3,550, 1-year warranty/maintenance agreement for digital network video/data management system \$4,100, network switches \$9,000, digital recording system for the Grand Jury room \$3,600, activity sensor seat pad for computerized polygraph \$495, and a finger cuff for the polygraph system \$70. 4 ayes. The approved purchases total \$20,815 and will close out the 2006 SCAAP grant which has a current balance of \$20,817.01.

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UPDATE

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

MOTION by Hajek, seconded by Twedt to adjourn into Executive Session for personnel discussion. 4 ayes. Following the Executive Session, the Commission adjourned until 9:00 a.m. on Tuesday, March 17, 2009.

APPROVED BY THE COMMISSION:

John Pekas, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor