

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., May 26, 2009, pursuant to adjournment on May 19, 2009. Commissioners present were: Hajek, Barth, Kelly, and Twedt. Commissioner Pekas was absent. Also present were Sandy Kinder, Deputy Auditor, and Gordy Swanson, Chief Civil Deputy State's Attorney.

Vice-Chairman Hajek called the meeting to order.

AGENDA

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

MINUTES

MOTION by Barth, seconded by Kelly to approve the Minutes for May 18 & 19, 2009. 4 ayes.

VOUCHERS TO BE PAID

MOTION by Twedt, seconded by Barth to approve the following bills totaling \$595,056.33 for payment. 4 ayes.

A & B Business Equip	Var. Depts	601.52	ABN Army Surplus	Sheriff	651.83
All About Travel Inc	Public Def	928.60	Alliance Entertainme	Mus Store	269.36
Amer Assn State/Loca	Mus Ops	100.00	American Institution	JDC	1,058.90
Anacon Leasing Inc	Public Def	329.00	Anderson, Elwood	Human Svcs	275.00
Anesthesia Physician	Human Svcs	144.00	Arena Motel	Human Svcs	875.00
Argus Leader	St Atty	130.94	Austad, Dean B	Human Svcs	1,400.00
Auto Body Specialtie	Hwy Constr	159.57	Avera Gutnik & Assoc	Mental Ill	170.03
Avera Health Plans I	Human Svcs	467.16	Avera McKennan Campu	Human Svcs	39.42
Avera McKennan Hospi	Var. Depts	10,159.65	Avera Medical Record	Public Adv	34.50
Baltic Fire Dept	Rural Fire	14,902.50	Bargain Barn Tire Ct	Dir of Eq	20.00
Bechtel, Dave	Human Svcs	1,000.00	Best Business Produc	Reg Deeds	42.90
Beynon, Silvie	Human Svcs	400.00	Billion's	Sheriff	40.55
Bob Barker Company,	Jail	3,630.73	Borman, Laura	Extension	16.30
Bourke, John DBA	Mus Entrpr	800.00	Braithwaite, Tacey E	Mental Ill	212.50
Brandon Fire Dept	Rural Fire	27,971.00	Brentwood Apts/Domin	Human Svcs	2,061.72
Brevik Law Office Pr	Mental Ill	192.06	Brown & Saenger	Var. Depts	1,090.59
Burnette, Sara L	Courts	300.00	Buskerud Constructio	Hwy Constr	195.00
Butler Machinery Com	Hwy Constr	12.58	C & R Supply, Inc.	Hwy Constr	376.00
Campbell Supply Co I	Var. Depts	593.09	Campbell, Vicki	Human Svcs	400.00
CBM Food Service	Jail	11,001.42	Century Business Pro	Var. Depts	456.99
Chapel Hill Funeral	Human Svcs	2,704.55	Chemco, Inc.	Var. Depts	7,571.48
City Centre Hotel Co	Courts	163.62	City of Brandon	Human Svcs	115.00
Claveau, Julie	Human Svcs	116.42	Cleveland Heights Ap	Human Svcs	1,500.00
Cliff Avenue Auto Pa	Hwy Constr	65.25	Cole Papers, Inc.	Jail	600.74
Cole's Petroleum Inc	Hwy Constr	15,871.58	Colton Fire Dept	Rural Fire	14,810.00
Computer Forensic Re	Public Def	1,827.50	Concrete Materials	Hwy Constr	58,767.12
Conexis Benefit Admi	Human Svcs	486.84	Constellation New En	Facilities	13,217.39
Construction Product	Hwy Constr	3,441.09	Country View MHC	Human Svcs	540.00
Craftmaster Hardware	JDC	1,102.29	Crawford(IA)County	Jail	896.35
Crescent Electric Su	Facilities	88.55	Crooks Fire Dept	Rural Fire	11,508.50
Crop Production Svcs	Hwy Constr	12,711.50	Dakota Fluid Power,	Hwy Constr	147.25
Dakota Security Syst	Em Mgmt	16,999.28	Dakota Supply Group,	Hwy Constr	5.15
Dakotaland Autoglass	Hwy Constr	280.00	Danko Emergency Equi	Sheriff	258.85
Dell Rapids Fire Dep	Rural Fire	19,527.50	Delux Motel / Dakota	Human Svcs	300.00
Denbow, Carol	Human Svcs	400.00	Dennis Supply Co. -	Facilities	53.48
Dietrich, Donna K	Mental Ill	740.84	Donovan's Hobby & Sc	Em Mgmt	649.80
Dressen Custom Trail	Em Mgmt	8,390.00	Ebert's Properties,	Human Svcs	685.00
Elhai, Jonathon D.,	Public Def	2,250.00	Esplin, Philip W PC	Public Def	3,612.50
Etek LLC DBA Garfiel	Human Svcs	500.00	Exide Technologies	Hwy Constr	63.68
Family Vac	Mus Maint	51.50	Faragher, Scott	Public Def	50.00
Farland, Lawrence A	Human Svcs	500.00	First Premier Bank	Sheriff	60.49
Fluth, Rodney P	Human Svcs	500.00	Fox, Youngberg & Lew	Mental Ill	563.08

G & R Controls	Facilities	184.45	Garber, Ron L	Human Svcs	500.00
Garretson Fire Dept	Rural Fire	17,611.50	Goebel Printing, Inc	Sheriff	40.00
Golden Rule Const Co	Bldg Fund	7,228.00	Graff, Richard	Human Svcs	200.00
Graham Tire Co. - Do	Mus Ops	326.48	Grainger, Inc.	Facilities	592.82
Graybar Electric Com	Facilities	20.14	Griffin, Janice	Human Svcs	500.00
Guzman, Sandra V.	Var. Depts	275.00	HAI Inc DBA	Human Svcs	49.00
Halcyon Prop	Human Svcs	700.00	Hannesson, Eric	Human Svcs	400.00
Harms Oil Company	Hwy Constr	11,646.12	Harold's Photo Cente	Jail	36.52
Harris, John W.	Human Svcs	700.00	Hartford Fire & Resc	Rural Fire	24,574.00
Heartland Paper Comp	Var. Depts	1,592.94	Heritage Apartments	Human Svcs	40.00
Hoekman, James	Sheriff	21.00	Hoffman, Dustin W	Human Svcs	600.00
House of Cans Inc	Hwy Constr	135.20	Howalt-McDowell Insu	Public Def	50.00
HSBC	Public Def	30.00	Hubbell Apt Living	Human Svcs	400.00
Humboldt Fire & Ambu	Rural Fire	13,597.00	Hurtgen, Timothy T.	Human Svcs	1,400.00
Hy-Vee Accounts Rece	Var. Depts	207.25	Hy-Vee Pharmacy	Human Svcs	79.90
Hy-Vee Pharmacy	Human Svcs	28.56	IBE, Inc.	Public Def	149.00
Indenticard Systems	Jail	1,316.30	Institutions Service	Facilities	49.40
Interstate Office Pr	Var. Depts	3,330.44	J & L Harley Davidso	Sheriff	686.03
J & S Hospitality DB	Human Svcs	742.00	Jaros, Pete	Mental Ill	334.65
Jebro, Inc.	Hwy Constr	9,034.99	Jim Hawk Truck Trail	Hwy Constr	274.41
Kappenman, Timothy D	Jail	414.00	Keller, Francis M DB	Human Svcs	600.00
KG2 Properties	Human Svcs	400.00	Klein, Rose	Human Svcs	500.00
Kooistra, Nelva	Mental Ill	99.00	Kraayenhof, Nancy	Human Svcs	600.00
Kuehl, Allen	Human Svcs	600.00	L.G. Everist, Inc.	Hwy Constr	296.43
Lassegaard, Samuel C	Human Svcs	825.00	Lawson Products, Inc	Hwy Constr	246.21
LCM Pathologists PC	Var. Depts	3,510.64	Leaf Inc.	Var. Depts	189.77
Lewis & Clark BHS	Mental Ill	1,988.00	Lewis Drug Stores	Var. Depts	20,641.24
Liebl, Shawn	Human Svcs	848.39	Liu, Yingheng	Courts	50.00
Lodermeier, Meryle E	Human Svcs	1,000.00	Lutheran Social Serv	Var. Depts	2,537.50
Lyons Fire Dept	Rural Fire	5,216.50	Mailway Printers	Var. Depts	660.90
Majestic View Apartm	Human Svcs	955.00	Maxwell Food Equipme	JDC	25.50
McGrath, Michael J,	Mental Ill	1,080.00	Medical X-Ray Center	Mental Ill	104.90
Menards - East	Var. Depts	155.47	Michael's Purple Pet	Em Mgmt	90.00
Microfilm Imaging Sy	Reg Deeds	75.00	Micu, Clarita	Human Svcs	35.00
Midamerican Energy C	Var. Depts	1,458.78	Midcontinent Communi	Var. Depts	298.97
Mikelson, Gary E	Mental Ill	106.60	Miller Funeral Home,	Human Svcs	1,560.60
Minnehaha Funeral Ho	Human Svcs	3,175.00	Moore Medical Corp.	JDC	76.31
Munce, Tash	Human Svcs	600.00	Munk, Steven	Extension	33.50
Murray Const	Human Svcs	1,200.00	Narem, Inc	Hwy Constr	33.60
Nat'l Student Housin	Human Svcs	500.00	Nebraska Dept. of Mo	St Atty	3.00
Nesson Law Office PC	Courts	2,213.42	Neurology Associates	Human Svcs	65.09
Newman, Scott G	Human Svcs	500.00	Niedringhaus, Paul	Sheriff	26.00
North Ridge Apartmen	Human Svcs	400.00	Nyberg's Ace Hardwar	Var. Depts	138.38
Ode, Gregg	Extension	24.55	Office Depot	Public Def	611.02
Old-House Journal	Mus Ops	27.00	Olinger,Lovald,McCah	Courts	1,000.00
Olson, Rhonda	Facilities	109.99	Palmer, Barbara	Mental Ill	3,465.00
Panasonic Finance So	Extension	203.12	Parkview, LLC	Human Svcs	279.00
PBC Sioux Falls LLC	Human Svcs	299.85	Peshlakai, Michael	Human Svcs	350.00
Petco Animal Supplie	Sheriff	89.98	Pfeifer Implement Co	Parks	16.20
Pharmchem Inc	24/7 Prog	1,265.00	Pheasantland Industr	Jail	704.00
Pierre Parkside Deve	Treasurer	237.00	Postas, Ryan	Musm Entpr	150.00
Presto-X-Company	JDC	76.00	Price, Richard	Human Svcs	400.00
Pro Pac	Em Mgmt	645.54	Psych Assoc of Yankt	Mental Ill	500.00
Quality Efficiencies	Human Svcs	820.00	Quill Corp.	JDC	150.70
Qwest	Var. Depts	86.62	RDO Equipment Co.	Hwy Constr	3.60
Redwood Biotech	Jail	702.50	Redwood Estates LLC	Human Svcs	745.00
Rehfuss, Cathy A	Mental Ill	99.00	Renner Fire Dept	Rural Fire	11,900.00
Ridgeview Apts Ltd P	Human Svcs	1,195.00	River Terrace Apts L	Human Svcs	230.00
River Tower Apartmen	Human Svcs	325.00	Ronning Commercial,	Human Svcs	900.00
Rural Metro Ambulanc	Jail	23.75	Sanford Health Plan-	Human Svcs	542.49
Sanford Hospital Med	Var. Depts	85.00	Sanford Laboratories	Human Svcs	52.62
Sanitation Products,	Hwy Constr	1,102.60	Scotty's Automotive	Commission	582.66
SD Dept of Human Svc	Public Def	28.55	SD Human Services Ce	Public Def	60.60
SD Risk Pool	Human Svcs	1,076.52	SD Specialty Produce	Extension	15.00
Sherman Fire Dept	Rural Fire	2,763.50	Sherwin Williams	JDC	34.99
Shipley's Laundry &	Mus Entpr	20.60	ShopKo Pharmacy	Human Svcs	31.38
Siemonsma, Sue	Extension	16.79	Sign A Rama	Mus Ops	544.59
Silver Glen MHC, LLC	Human Svcs	400.00	Silver Stone Group,	Auditor	6,000.00
Sioux Equipment Co I	Hwy Constr	220.99	Sioux Falls City Fin	Facilities	67.05

Sioux Falls Fire Dep	Rural Fire	8,985.00	Sioux Falls Ford, In	Sheriff	286.69
Sioux Falls Humane S	Humane Soc	3,905.23	Sioux Falls Rubber S	Jail	35.90
Sioux Falls Utilitie	Var. Depts	5,817.03	Sioux Valley Energy	Var. Depts	346.35
Solomon, Ghirmay	Courts	54.16	Splitrock Fire Dept	Rural Fire	17,008.50
Stan Houston Equipme	Hwy Constr	66.00	Stanga, Tim	Human Svcs	225.00
Steak-Out Sioux Fall	Courts	161.86	Sturdevant's Auto Pa	Hwy Constr	170.05
Super 8 Motel	Human Svcs	2,961.50	SV Home Medical Equi	Human Svcs	167.50
Taylor's Place LLC	Human Svcs	509.00	Thorin, Deyanira T	Var. Depts	189.16
Thoung, Tha	Courts	50.00	Timekeeping Systems,	Jail	95.00
Tires,Tires,Tires In	Sheriff	1,188.76	TK Enterprises	Human Svcs	30.00
Tractor Supply Co.	Hwy Constr	189.99	Tustin, James	Human Svcs	498.00
UMR-Cobra	Human Svcs	409.30	United Parcel Servic	Hwy Admin	32.45
Urology Institute, P	Human Svcs	1,642.69	Valley Springs Fire	Rural Fire	10,164.50
VB Falls Park Apts	Human Svcs	500.00	Velgersdyk, Dr. Scot	Human Svcs	292.00
Velvet Uniforms, Inc	Em Mgmt	86.25	Voigt, Debra	Courts	272.41
Wal-Mart Pharmacy	Human Svcs	738.36	Wal-Mart Pharmacy	Human Svcs	123.06
Walgreen Co.	Human Svcs	1,262.11	West Pointe Townhous	Human Svcs	550.00
Whittemore, Angi	Human Svcs	475.00	Williams, Bill	Human Svcs	400.00
Williams, Paul	Human Svcs	400.00	Woodlawn Cemetery As	Human Svcs	400.00
Wynia, Marc	Mental Ill	216.31	Xcel Energy, Inc.	Var. Depts	48,297.68
Yellow Cab, Inc.	Human Svcs	51.80	2701 Realty LLC	Human Svcs	500.00
Commission	Salaries	23,063.87	Auditor	Salaries	32,617.72
Treasurer	Salaries	59,259.02	IT	Salaries	53,630.00
States Atty	Salaries	154,428.96	Public Defender	Salaries	118,779.55
Public Advocate	Salaries	27,384.05	Facilities	Salaries	67,448.16
Equalization	Salaries	68,769.97	Register of Deeds	Salaries	35,678.47
Human Resources	Salaries	14,426.20	Sheriff	Salaries	748,368.74
Juvenile Detn Ctr	Salaries	163,622.61	Highway	Salaries	111,242.70
Human Services	Salaries	77,487.17	Museum	Salaries	60,201.12
Planning	Salaries	34,667.21	Extension	Salaries	7,745.22

PERSONNEL

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

1. To accept the retirement of Robert "Steve" Cowan as Senior Deputy Public Defender for the Public Defender's Office effective 6-1-09.
2. To hire Marcus Walton as Deputy Public Defender (21/A) for the Public Defender's Office at \$24.4217/hour effective 6-2-09.
3. To hire Ryan Streff as Planner I/Code Enforcement Officer (16/B) for the Planning Department at \$19.5551/hour effective June 1, 2009.
4. To hire Erin Anderson as temporary, full-time Summer Museum Intern for the Museum at \$7.5000 per hour effective 6-1-09 to 8-21-09.
5. To hire Amber King as temporary, part-time Summer Intern for the Extension Office at \$7.2500 per hour effective 5-26-09 to 8-7-09.
6. To hire Katie Johnson and Sara Thissen as temporary, part-time Summer Interns for the Extension Office at \$7.7500 per hour effective 6-1-09 to 8-18-09.
7. To place Derek Lauer, Correctional Officer for the Jail, on Military Leave without pay effective 5-30-09 to 6-13-09.

Step Increases Due:

1. Ryan Kolbeck – Senior Deputy Public Defender – Public Defender's Office – 22/B to 22/C, 5-31-09,

\$2,265.73/bi-weekly

2. Gabriel Isais – Correctional Officer – Jail – 13/D to 13/E, 5-31-09, \$18.1589/hour
3. Peggy Thompson – Legal Office Assistant – State’s Attorney’s Office – 10/B to 10/C, 5-22-09, \$14.9038/hour

ABATEMENTS

On the recommendation of Kyle Helseth, Deputy Director of Equalization, MOTION by Twedt, seconded by Barth to approve the following abatement: James Christensen, 2008 property tax, \$4,620.79, ID 80143. 4 ayes.

On the recommendation of Pam Nelson, Treasurer, MOTION by Barth, seconded by Kelly to approve the following abatement as part of the Elderly Freeze Program: Theodora Crisp, 2008 property tax, \$121.06, ID 59913. 4 ayes.

RESOLUTION

At the request of the Sioux Falls School District, MOTION by Barth, seconded by Twedt to approve Resolution MC09-13. 5 ayes.

RESOLUTION MC09-13 SCHOOL DISTRICT MINOR BOUNDARY CHANGE

WHEREAS, SDCL § 13-6-85 and § 13-6-86 allow for school district minor boundary changes when all statutory and factual requirements are met; and the Tea Area School District No. 41-5 and the Sioux Falls School District No. 49-5 received a petition for minor boundary change involving the property located in western Sioux Falls, Minnehaha County, South Dakota, originally assigned to the Tea Area School District and seeking to be changed to the Sioux Falls School District; and

WHEREAS, by Action 35366, adopted May 11, 2009, the Sioux Falls School District approved the Petition to Make a Minor Boundary Change to transfer the area to the Sioux Falls School District; and

WHEREAS, by Action 080509, adopted May 11, 2009, the Tea Area School District approved the Petition to Make a Minor Boundary Change to transfer the area to the Sioux Falls School District; and

WHEREAS, pursuant to SDCL § 13-6-86.1 and SDCL § 13-6-87, the county commissions of Minnehaha County and Lincoln County, the counties with property affected by the boundary change, are required to set the effective date of the boundary change for tax allocation purposes, as well as school district voting purposes; now

THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners that the minor boundary change approved by the Sioux Falls School District and Tea Area School District transferring the property in western Sioux Falls, Minnehaha County, South Dakota, legally described in the Petition of Voters for Minor Boundary Change of School Districts (Exhibit A1) attached hereto, from the Tea Area School District No. 41-5 to the Sioux Falls School District No. 49-5 shall be effective June 1, 2009.

Dated this 26th Day of May, 2009.

APPROVED BY THE COMMISSION:

Anne Hajek, Vice-Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

DEED

Gordy Swanson, Deputy State's Attorney, reported that in April 2008, the commission approved an action transferring Metro Communications' capital assets and inventory to Metro Communications Agency. A 1-acre tower site near Baltic was not included in that action. He presented a quitclaim deed to complete the transfer of this property, legally described as Tract 1 of Minnehaha County Tower Addition in the SE1/4, Section 35-T104N-R50W. Metro Communications Agency is insuring the property and improvements. Any maintenance to the site performed by County staff may be billed to the agency. Mr. Swanson will notify Metro Council of the transfer. MOTION by Twedt, seconded by Barth to authorize the Vice-Chairman to sign the Quitclaim Deed. 4 ayes.

PROPOSAL

Lloyd Olson, Facilities Director, reported that he had solicited 3 proposals for an energy audit. The audit is necessary to be eligible for a direct formula grant in the amount of \$129,300 from the Energy Efficiency Conservation Block Grant program. Mr. Olson received only one proposal in the amount of \$5,000 from Mckinstry. For the fee, Mckinstry will perform the energy audit and prepare the grant application on the County's behalf. Mr. Olson identified two potential projects. Mckinstry will help identify which project will be most beneficial. Ken McFarland, Commission Administrative Officer, explained the grant details and deadlines. MOTION by Kelly, seconded by Barth to accept the proposal from Mckinstry and authorize the Vice-Chairman to sign the Technical Energy Audit Report/Energy Efficiency and Conservation Block Grant Application. 4 ayes.

HEARING

Valerie Lietz with the Siouxland Renaissance Association was present for the scheduled hearing to consider an application for a Special On-sale Wine Retailers and Special Off-sale Package Wine Dealers License for the Renaissance Festival to be held at the W.H. Lyon Fairgrounds on June 6 & 7, 2009. Commissioners were informed that a change in alcohol laws in 2008 now makes the off-sale license available to civic, charitable, educational, fraternal organizations, and fair boards and is limited to SD farm winery wines. The fee for such license is to be set by the governing board, not to exceed \$50 per day. No one spoke in opposition to the license. Commissioner Twedt supported charging a lesser fee. MOTION by Kelly, seconded by Barth to set the off-sale special wine license rate at \$50 per day and approve the Special On-sale Wine Retailers and Off-sale Wine Dealers Licenses for the Siouxland Renaissance Association. 3 ayes, Twedt nay.

MOTION by Barth, seconded by Twedt to adjourn into Executive Session. 4 ayes. Following the Executive Session, the Commission adjourned until 9:00 a.m. on Tuesday, June 2, 2009.

APPROVED BY THE COMMISSION:

John Pekas, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor