

THE MINNEHAHA COUNTY COMMISSION CONVENEED AT 9:00 A.M., October 6, 2009, pursuant to adjournment on September 29, 2009. Commissioners present were: Pekas, Hajek, Barth, Kelly, and Twedt. Also present were Sandy Kinder, Deputy Auditor, and Dustin DeBoer, Senior Deputy State's Attorney.

Chairman Pekas called the meeting to order and recognized the following employees honored at the SD Counties Annual Convention: 25 years of service – Lisa Berens, Kim Morstad, and Kent Vettrus, JDC; Martha Davidsohn, Museum; Tim Devlin, Debbie Hein, Douglas Arntz, and Mary Lipelt, Sheriff; and Gordon Jensen, Air Guard; 30 years of service – William Booker, Museum; Daniel Grapevine, Highway; Susan Hopkins, Register of Deeds; and Ken McFarland, Commission; and 35 years of service – Mona Helseth, State's Attorney's office. Doug Blomker, Safety Committee Chair, accepted the Gold Level Loss Control/Safety Achievement Award and the Platinum Award recognizing outstanding loss control ratios in Worker's Comp and general liability claims on behalf of the Safety Committee and county employees.

AGENDA

MOTION by Hajek, seconded by Barth to approve the Agenda. 5 ayes.

MINUTES

MOTION by Twedt, seconded by Barth to approve the Minutes for September 29, 2009. 5 ayes.

VOUCHERS TO BE PAID

MOTION by Hajek, seconded by Barth to approve the following bills totaling \$451,963.59 for payment. 5 ayes. Commissioner Barth commented on the number of transport bills for the coroner's office. He suggested billing on a monthly, rather than quarterly, basis.

A & B Business Equip	Var. Depts	461.45	ABN Army Surplus	Sheriff	623.15
Allied Oil & Supply	Hwy Constr	18.50	Anacon Leasing Inc	Public Def	262.00
Appeara / Dudley Lau	Hwy Constr	42.71	Arena Motel	EFSP Fund	2,420.00
Argus Leader	Var. Depts	224.51	Avera Endocrinology	Human Svcs	135.73
Avera McKennan Hosp	Human Svcs	233.02	Avera McKennan Hospi	Var. Depts	75,503.83
Al Svc Inc/Laceys Ch	Hwy Admin	90.00	Backster School of L	Jail	500.00
Barth, Jeff	Commission	114.24	Beck, Pat Court Repo	Human Svcs	297.00
Belfer, Robert MD	Public Adv	1,500.00	Best Business Produc	St Atty	204.00
Best Western Ramkota	Var. Depts	867.00	Binger Law Office	Courts	1,160.67
Boulevard Investment	Human Svcs	400.00	Brock White Co LLC	Hwy Constr	753.30
Brown & Saenger	Var. Depts	673.37	Bureau of Informatio	Var. Depts	1,305.38
Butler Machinery Com	Hwy Constr	2,075.75	C & J Sayles, Inc.	Mus Store	427.37
C & R Supply, Inc.	Hwy Constr	37.52	Campbell Supply Co I	Var. Depts	31.13
Catco	Hwy Constr	22.86	CBM Food Service	Jail	11,551.45
Center for Family Me	Jail	154.57	Century Business Pro	Var. Depts	181.98
Chemco, Inc.	Var. Depts	3,279.90	Cliff Avenue Auto Pa	Hwy Constr	50.37
Coffee King, Inc.	Mus Entrpr	61.50	Colton Lumber Co Inc	Parks	182.40
Communication Svcs F	Courts	1,023.50	Concrete Materials	Hwy Constr	78,256.66
Constellation New En	Pettigrew	23.52	Country View MHC	Human Svcs	300.00
Crescent Electric Su	Var. Depts	306.92	Crop Production Svcs	Hwy Constr	20,201.00
Dakota Fluid Power,	Hwy Constr	55.46	Dakota Riggers & Too	Hwy Constr	126.94
Daniels-Olsen Bldg P	Mus Entrpr	1,398.48	Dearborn, Lori	Human Svcs	110.26
Dennis Supply Co. -	Facilities	254.98	Dhecjal, Achor	Courts	100.00
Donahue, David J	Human Svcs	500.00	Doolittle, Debilyn	Human Svcs	500.00
Dust Tex Service, In	Var. Depts	17.73	Engbrecht, Roger	Human Svcs	400.00
Exide Technologies	Hwy Constr	60.65	Fayette County(IA) S	St Atty	25.50
First Bank & Trust	Human Svcs	379.00	G & R Controls Inc	Facilities	127.55
G&W, Inc DBA Gary Co	Human Svcs	235.78	Gary's Gun Shop, Inc	Em Mgmt	133.96
Gaylord Bros.	Mus Ops	407.38	George Boom Funeral	Human Svcs	2,650.00
Goebel Printing, Inc	Sheriff	105.47	Golden West	Hwy Admin	74.46
Graham Tire Co. - No	Hwy Constr	160.60	Grapevine, Dan	Hwy Constr	118.98
Great Plains Psychol	Courts	1,695.00	Guzman, Sandra V.	Var. Depts	339.16

H&J Inc DBA	EFSP Fund	650.00	Hajek, Anne C.	Commission	110.24
Hander, Inc.	Facilities	16,125.08	Helseth, Kyle	Dir of Eq	98.00
Holiday Credit Offic	Hwy Constr	63.53	Honkamp, Jim	Human Svcs	400.00
Hurtgen, Timothy T.	Human Svcs	500.00	Hy-Vee & Affiliates	Human Svcs	495.70
Hy-Vee Accounts Rece	Var. Depts	539.11	Interstate Office Pr	Var. Depts	592.88
J.C. Penney Company,	Var. Depts	142.96	Jaydee Inc/Jaymar	Auditor	537.46
Johnson Estates LLC	Human Svcs	194.00	Johnson Feed, Inc.	Hwy Constr	3,843.24
Johnson, Ron P	Human Svcs	400.00	Justice Fire & Safet	Var. Depts	642.90
Kings Kourt Apts LLC	Human Svcs	200.00	Kmart Pharmacy	Human Svcs	66.50
Knights Inn	Var. Depts	1,010.00	Krier & Blain, Inc.	Em Mgmt	1,030.00
Lewis Drug Stores	Var. Depts	35,686.85	Majestic View Apartm	Human Svcs	500.00
Marco NW7128	Extension	158.00	Mathison Company	Facilities	36.06
Mattson, Monica	Courts	1,540.00	McCook County Sherif	St Atty	27.15
Medical X-Ray Center	Jail	343.32	Menards - East	Human Svcs	174.36
Midamerican Energy C	Var. Depts	681.62	Midwest Welding Co.	Mus Ops	540.00
Miller Funeral Home,	Human Svcs	6,952.50	Minnehaha Community	Hwy Admin	25.00
Mobile Electronic Se	Var. Depts	9,607.60	Monick Pipe & Supply	Facilities	190.00
Moore, Rasmussen, Ka	Courts	680.60	Museum Petty Cash	Var. Depts	42.84
Myrl & Roy's Paving,	Var. Depts	2,049.80	Narem, Inc	Hwy Constr	68.75
Nelsen, Russ	Human Svcs	400.00	Nordstrom's Auto Rec	Sheriff	150.00
Nyberg's Ace Hardwar	Var. Depts	61.39	Office Depot	Public Def	1,156.96
P & L Investments LL	Human Svcs	500.00	Penry, Emily	Sheriff	499.50
Pfeifer Implement Co	Hwy Constr	1,038.60	Phalen, Beth	Musm Entpr	100.00
Portable Computer Sy	Em Mgmt	501.00	PSROC Enterprises LL	Human Svcs	500.00
Quality Efficiencies	Var. Depts	615.00	Quill Corp.	Public Def	367.32
Qwest	Jail	102.44	R & L Supply, Ltd	Facilities	1,004.27
Reardon, Thomas J DB	Var. Depts	1,740.00	Redwood Estates LLC	Human Svcs	500.00
Reitz, Robert DDS PC	Human Svcs	1,877.00	Rick Plbg & Htg Inc	Hwy Admin	670.00
Riverview Park LTD	Human Svcs	475.00	Rochester Armored Ca	Treasurer	379.50
Ronning Commercial,	Human Svcs	500.00	Rosenberg, Craig	Extension	1,053.21
Rural Metro Ambulanc	Var. Depts	8,818.63	Sanford Clinic	Human Svcs	95.60
Sanford Hospital - R	Human Svcs	500.00	Schelling, Sheldon	Mental Ill	3,555.00
Schoeneman Bros. Co.	Var. Depts	857.53	Schotzko, Dennis	Hwy Constr	146.26
Schultz, Richard	Human Svcs	660.00	SD Assn of County Of	Var. Depts	20.00
SD Dept of Public Sa	Human Svcs	140.00	SD Dept of Revenue	Parks	26.00
SD Dept of Transport	Hwy Constr	45,971.31	SD Risk Pool	Human Svcs	1,270.06
Seed Solutions	Hwy Constr	377.50	Sheehan Mack Sales &	Hwy Constr	197.40
Shepherd Reporting L	Courts	112.50	Sig Sauer Inc	Sheriff	122.45
Sigler Fire Equipmen	Hwy Constr	898.00	Sioux Falls City Fin	Sheriff	11,244.85
Sioux Falls Rubber S	Reg Deeds	12.60	Sioux Falls Two Way	Var. Depts	120.00
Sioux Falls Utilitie	Var. Depts	12,938.05	Sioux Valley Energy	Var. Depts	219.80
SMG Sioux Falls	Human Res	150.00	Solomon, Ghirmay	Var. Depts	375.00
Southeastern Behavio	Jail	6,559.75	T Dist, Inc / TC Mou	Mus Ops	208.14
Technical Associates	Public Adv	575.00	Thesenvitz, Mickelson	Courts	15,052.89
Thorin, Deyanira T	Var. Depts	400.00	Tires,Tires,Tires In	Sheriff	605.77
TK Enterprises	Human Svcs	500.00	Twedt, Carol	Commission	93.24
Urology Institute, P	Human Svcs	1,039.64	US Bank-Corporate Tr	Bldg Fund	145.00
Valley West Apartmen	Human Svcs	300.00	Van Liere, Roy	Hwy Constr	135.96
Velvet Uniforms, Inc	Var. Depts	1,984.32	Verizon Wireless	Var. Depts	6,477.03
Wal-Mart Pharmacy	Human Svcs	27.78	Wal-Mart Pharmacy	Human Svcs	282.58
Walgreen Co.	Human Svcs	1,635.68	Walgreens Pharmacy	Human Svcs	5.99
Walgreens Pharmacy	Human Svcs	65.49	Wassink, Owen L	Human Svcs	660.00
Weelborg Bros Inc	Hwy Constr	1,950.00	Whittemore, Angi	Human Svcs	475.00
Williamsburg Townhom	Human Svcs	186.00	Willow Wood Apartmen	Human Svcs	350.00
Xcel Energy, Inc.	Var. Depts	5,839.11	Yankton County Sheri	Mental Ill	150.00
Zabel Steel Co.	Hwy Constr	20.75	21st Mortgage Corp	Human Svcs	337.09

REPORT

The following report was received and placed on file in the County Auditor's Office: Minnehaha County Human Service Report for September, 2009.

PERSONNEL

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

1. To promote Michael Smith from Correctional Officer in Training (12/E) to Correctional Officer (13/E) for the Jail at \$18.1589/hour effective 6-4-09.
2. To promote Craig Wittrock from Air Guard Security Officer I (12/E) to Air Guard Security Officer II (13/E) for the Air Guard at \$18.1589/hour effective 7-31-09.
3. To hire Michelle Shelton and Michael Markstrom as a full-time Corrections System Operator (9/A) for the Jail at \$13.5021/hour effective 10-10-09.
4. To accept the resignation of Brandon Schultz as part-time Juvenile Correctional Worker for JDC effective 10-5-09.
5. To accept the retirement of Bernie Schwans as Legal Office Assistant for the State's Attorney's Office effective 11-13-09.
6. To record the end of employment for Ronnette Locke, Tax & License Technician with the Treasurer's Office, effective 9-30-09.

Step Increases Due:

1. Michael Hanlon – Caseworker II – Human Services – 17/F to 17/G, 9-29-09, \$23.2449/hour
2. Rebecca Bradfeldt – Caseworker I – Human Services – 16/B to 16/C, 9-25-09, \$20.0440/hour
3. Jeffrey LeMair – Juvenile Caseworker – JDC – 17/L to 17/M, 9-26-09, \$2,156.56/bi-weekly
4. Robert Irvine – Air Guard Security Officer II – Air Guard – 13/F to 13/G, 2-4-09, \$19.0782/hour

Special Commission Action Requests:

1. To recognize the following significant employee anniversaries for October: 25 Years – Donald Hanson, and William Hoskins; 5 Years - Krista Miersma, Rebecca Carpenter, and Russell Ebdrup
2. To record volunteers in County Departments for September 2009. The list is on file in Human Resources.

NOTICES

MOTION by Hajek, seconded by Barth to authorize the Auditor to publish a Request for Proposals for a purchasing card program for Minnehaha County. 5 ayes.

LIEN

Commissioner Barth, County Aid Lien Liaison, briefed the Commission on a request to compromise DPNO 47467. He explained that the applicant reported that the majority of the lien balance was for services provided to his ex-wife during a period when the couple was separated prior to their divorce in 2003. One charge, filed in 2008, is also for services provided to the applicant's ex-wife after their divorce. The applicant is requesting that the balance, during the time of separation, be split equally between him and his ex-wife and that the 2008 services and her half be moved to her account. MOTION by Barth, seconded by Hajek to remove \$93.43 from DPNO 47467 and place it under DPNO 1978. SUBSTITUTE MOTION by Kelly, seconded by Twedt to release the applicant upon payment of \$622.85 (half of the

balance prior to the divorce) and move \$716.27 to DPNO 1978. Commissioner Twedt noted that the applicant may not have had any prior knowledge of the services provided to his ex-wife until now. Commissioner Pekas noted that a copy of the divorce decree and stipulation were not included with the application and that it is unknown if either party agreed to pay the lien as part of the divorce. VOTE on the Substitute Motion. 2 ayes, Barth, Hajek, and Pekas nay. Motion fails. VOTE on the Main Motion. 2 ayes, Barth, Hajek, and Pekas nay. Motion fails. MOTION by Barth, seconded by Kelly to approve Resolution MC09-42. 4 ayes, Pekas nay.

RESOLUTION MC09-42

WHEREAS, a County Aid Lien in the amount of \$1,339.12 purports to exist in favor of Minnehaha County and against DPNO 47467 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 \$93.43 (receipt #829756 filed on 10/15/08) from DPNO 47467 and place it on DPNO 1978, under the name of the applicant's ex-wife only.

Dated at Sioux Falls, South Dakota, this 6th day of October, 2009.

APPROVED BY THE COMMISSION:

John Pekas, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

PUBLIC COMMENT

Bob Kolbe, former commissioner, commented on an interview Commissioner Barth gave to local media regarding the Sioux Empire Fair.

POLICY

On 9/29/09, Sue Roust, Auditor, briefed the Commission on a proposed grants policy to help standardize procedures for handling grants, ensure that the Commission is informed of grant opportunities and their outcome, and assist with required reporting. One change was suggested at last week's meeting and incorporated into the policy requiring department heads and outside agencies to notify the Commission when they intend to apply or receive notification of a grant. Ms. Roust noted that the policy may need to be amended later because of the diversity in grant opportunities. MOTION by Twedt, seconded by Barth to approve the Grants Policy. 5 ayes. Ms. Roust also reported that on 2/17/09, the Commission entered into an agreement to sponsor an application for the Safe Havens Supervised Visitation and Safe Exchange Grant on behalf of the Family Visitation Center. Notice has been received that the grant application was not approved.

HAVA

Sue Roust, Auditor, reported that the County has been receiving funds from the state as part of the Help

America Vote Act of 2002. Counties are required to provide a 5% match. In July, the Commission voted to create a fund balance reserve for use only for HAVA expenses. A recent audit on the use of HAVA funds found that recipients should be tracking and reporting interest on the match money. Because of the minimal amount, an agreement was made to allow each county to set aside an additional \$10 for any interest earned in 2008 and 2009. MOTION by Hajek, seconded by Kelly to increase the General Fund Reserve for Election Expenses (HAVA) from \$398.73 to \$408.73. 5 ayes.

SUPPLEMENT

MOTION by Hajek, seconded by Barth to supplement \$216,667 from the General Fund to the Sioux Empire Fair budget (ASN 22000) representing reimbursement for an unanticipated expenditure (5/09 loan to the Fair Association). 5 ayes.

EM MGMT

At the request of Lynn DeYoung, Emergency Management Director, MOTION by Kelly, seconded by Twedt to declare the following as surplus for trade-in (total trade-in value \$6,200): asset #13585, SN 17428, Hurst tool; asset #53860, SN E002564, Hurst power unit; asset #72860, Hurst hydraulic power unit, and several Hurst tools from inventory. 5 ayes.

Mr. DeYoung also presented the 2010 State and Local Agreement. The agreement provides a 50/50 grant amount to be used to support salary and administrative expenses of Emergency Management. The exact dollar amount will be determined upon passage of the federal fiscal budget. The 2009 agreement allocated up to \$174,610.06 for Minnehaha County. MOTION by Twedt, seconded by Kelly to authorize the Chairman to sign the Emergency Management FFY2010 State and Local Agreement between the State of South Dakota and Minnehaha County. 5 ayes.

SHERIFF

Deputy Sheriff Captain Jim Hoekman gave a briefing on the use of the Nixle Community Information System. The system will be used to provide a wide variety of information to the public via text message or e-mail. Subscribers choose which agencies they would like to receive information from, as well as the level of alerts they wish to receive. To register, go to www.nixle.com.

Deputy Sheriff Captain Paul Niedringhaus gave a briefing on the gotwarrants website, which was set up to allow the public to view active warrants, submit tips, and allow individuals to take care of their own outstanding warrants. Capt. Niedringhaus reported that the program has brought in several tips and is proving to be a success. The number of warrants served between 9/14/09 and 9/30/09 is up from the same period last year. Commissioner Twedt asked if a quarterly update could be provided on this program.

MOTION by Kelly, seconded by Barth to approve the following supplements from the General Fund to the Sheriff's budget: \$664.01 (ASN 16577) Domestic Violence Grant reimbursement, \$24,296.54 (ASN 16575) HIDTA Grant reimbursement, \$2,015.00 (ASN 16576) DARE donations, and \$375.54 (ASN 16580) JTTF reimbursement; and from the JAG Fund to the JAG budget \$286,819.00 (ASN 20456) JAG Stimulus reimbursement and \$57,995.00 2009 JAG Program. 5 ayes.

MOTION by Kelly, seconded by Barth to approve Resolution MC09-43. 5 ayes.

RESOLUTION MC09-43 SURPLUS PROPERTY DECLARATION AND DONATION

WHEREAS, Minnehaha County, pursuant to SDCL 7-18-30, has the authority by resolution to lease, sell,

give, or convey any personal property, real property, or money to perform any work or render any service to the state or any public corporation, and

WHEREAS, the Minnehaha County Sheriff's Department has five Panasonic Toughbook Mobile Data Computers in its property inventory that no longer serves the needs of the department, and

WHEREAS, the Brandon Police Department has formally requested that these computers be donated to their department, now

THEREFORE BE IT RESOLVED, by the Minnehaha County Board of Commissioners that five Panasonic Toughbook CF-29 Mobile Data Computers, serial numbers 6EKSA34488, 6EKSA33115, 6EKSA34018, 6EKSA33966, and 6EKSA33925, are hereby declared as surplus property for the purposes of donating, at no charge, to the Brandon Police Department.

Dated this 6th day of October, 2009.

APPROVED BY THE COMMISSION:

John Pekas, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

OLD BUSINESS

Commissioner Kelly commented on a letter from Bruce Blake and clarified some allegations that were made of staff related to a request, which was denied by the Arboretum Board, to place a historical marker at the site of the Mary Jo Wegner Arboretum.

Commissioner Twedt recognized Pat Herman, Planner, for her work in creating the Minnehaha County Planning and Zoning Newsletter.

NEW BUSINESS

Ken McFarland, Commission Administrative Officer, presented a proclamation at the request of a delegation from Sioux Falls traveling to Ireland as part of the Sister City Program. The proclamation reaffirms Minnehaha County's ties with Limerick County as its sister Irish county. The delegation plans to deliver the Proclamation to Limerick County as part of their visit. MOTION by Kelly, seconded by Hajek to issue the Proclamation. 5 ayes.

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

APPROVED BY THE COMMISSION:

John Pekas, Chairman

ATTEST:

Sandy Kinder, Deputy Auditor

Published once at the total approximate cost of \$_____