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THE MINNEHAHA COUNTY COMMISSION CONVENED AT 9:00 A.M., January 31, 2012 pursuant to adjournment on January 24, 2012. Commissioners present were: Barth, Pekas, Kelly, Heiberger, and Beninga. Also present were Cindy Jepsen, Commission Recorder, and Gordy Swanson, Chief Civil Deputy State's Attorney.

Chairman Kelly called the meeting to order.

MOTION by Heiberger, seconded by Barth to approve the agenda. 5 ayes.

MOTION by Beninga, seconded by Barth to approve the January 24<sup>th</sup>, 2012 minutes. 5 ayes.

#### VOUCHERS TO BE PAID

MOTION by Barth, seconded by Pekas to approve the following bills totaling \$782,732.59 and January Salaries. 5 ayes.

A & B Business Equip	Var. Depts	309.30	A-1 Septic Tank & Ex	Hwy Constr	172.50
Allied Oil & Tire Co	Hwy Constr	52.00	Amiotte Law Pc	Courts	90.63
Anesthesia Physician	Human Svcs	555.80	APWA	Var. Depts	2,125.00
Arena Motel	Var. Depts	1,550.00	Argus Leader	St Atty	422.90
Around The Clock/Dra	JDC	79.95	Arrow Ridge Townhome	Human Svcs	500.00
At & T	Sheriff	44.97	Automatic Building C	Mus Maint	150.96
Avera Health Informa	Public Def	77.70	Avera McKennan Hospi	Var. Depts	28,344.45
Avera Medical Group	Mental Ill	273.08	Avi Systems, Inc	Human Svcs	2,078.00
Babinski Properties	Human Svcs	490.00	Benefit Concepts Cob	Human Svcs	356.42
Billion's	Jail	718.39	Binger Law Office	Courts	298.59
BK Holdings, Llc.	Human Svcs	350.00	Blickman, Dr Johan G	Courts	4,807.00
Boulevard Investment	Human Svcs	567.00	Braithwaite, Tacey E	Mental Ill	127.50
Brennan Hill Townhou	Human Svcs	500.00	Brown & Saenger	Var. Depts	13,070.49
Bureau Of Informatio	Var. Depts	865.73	Burnette, Cleota Rae	Human Svcs	321.16
Butler Machinery Com	Hwy Constr	419.06	Campbell Supply Co I	Hwy Constr	41.99
Carlson, Lisa	Courts	4,187.60	CBM Managed Services	Jail	9,258.80
Center For Family Me	Courts	192.00	Century Business Pro	Var. Depts	424.79
Chapelwood Apts	Human Svcs	500.00	City Glass & Glazing	Facilities	1,365.00
City Of Humboldt	Human Svcs	61.17	Cleveland Heights Ap	Human Svcs	235.00
Cobra Today Total Ad	Human Svcs	342.98	Coffee King, Inc.	Mus Entpr	61.50
Correct Care Solutio	Sheriff	58,023.67	County Comm Inc	Em Mgmt	256.00
Culligan Water Condi	Facilities	95.00	Cutler & Donahoe Llp	Courts	4,425.50
Dakota Data Shred	Facilities	66.00	Dakota Diesel Servic	Hwy Constr	53.88
Dakota Police & Spor	Em Mgmt	60.00	Davies, Boone T	Human Svcs	410.00
DirecTV	Hwy Admin	92.99	Dobberpuhl, Randy	Human Svcs	77.70
Dust Tex Service Inc	Mus Maint	10.53	Ebert's Properties,	Var. Depts	2,260.00
Elite Business Syste	Human Svcs	3,285.62	Emdeon Business Serv	Human Svcs	39.95
Engbrecht, Roger	Human Svcs	340.00	Epema, David	Human Svcs	106.00
Family Vac	Mus Maint	92.00	Federal Risk Pool	Human Svcs	1,431.00
First Administrators	Human Svcs	521.11	Furniture Outlets Us	Safe Home	17,272.90
Goebel Printing, Inc	Treasurer	1,615.50	Great Plains Psychol	Courts	2,035.00
Guzman, Sandra V.	Var. Depts	230.83	Haj Inc Db	Human Svcs	169.00
Harmon, Karla	Mental Ill	292.50	Heimdal, Marie Ann	Courts	15.20
Hewlett-Packard Comp	Var. Depts	4,887.42	HMN Hardware Inc	Hwy Constr	28.62
Hoekstra, Denise A.	Courts	49.40	Horizon Agency Inc	Expenses	4,491.96
Hy-Vee Accounts Rece	Human Svcs	866.46	Infinisource	Human Svcs	485.54
Interpreter Services	Courts	100.00	Interstate Office Pr	Var. Depts	5,546.59
Iret Properties	Human Svcs	410.00	ISG Infrasys	Em Mgmt	4,223.00
J & S Hospitality Db	Human Svcs	170.00	James E Aiken & Asso	Public Def	4,875.00
Jcl Solutions-Janito	Var. Depts	137.60	John Morrell & Co-Co	Human Svcs	805.79
Johnson Controls, In	Facilities	546.50	Johnson, Allan R	Human Svcs	295.00
Johnson, Darlene	Auditor	29.63	Johnstone Supply	Facilities	82.80
Kansas Dept Of Reven	St Atty	6.00	Kennedy, Renee S	Courts	102.60
Kone, Inc.	Facilities	8,896.74	Koopman & Sons Gas C	Hwy Admin	423.00

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Kraft, Andrew	Public Def	235.16	Larson, Jeff	Courts	418.20
Lcm Pathologists Pc	Var. Depts	22,256.94	Leaf Inc.	Var. Depts	189.77
Lewis Drug Stores	Var. Depts	5,552.37	Litz, Bob	Elections	35.00
Ludoc Enterprises In	Var. Depts	2,703.33	Mac's, Inc.	Hwy Constr	115.00
Madison County (NE)S	Public Def	41.75	MCFVC-Minn Cnty Fami	St Atty	10.00
Medical X-Ray Center	Human Svcs	21.72	Menards - East	Var. Depts	310.62
Meridian Grain Llc	Hwy Constr	1,477.71	Metro Communications	Var. Depts	452.00
MidAmerican Energy C	Em Mgmt	623.50	Midwest Alarm Compan	Facilities	187.20
Midwest Boiler Repai	Facilities	72.22	Minn Cnty Human Svcs	Human Svcs	132.06
Minn Cnty Museum Pet	Var. Depts	61.87	Motorola Solutions	Hwy Constr	4,957.50
Nasppg Insurance Ser	Public Def	4,827.75	Nguyen, Lam	Courts	25.00
Oconnor Company	Facilities	1,050.00	Osborn, Roxane R	St Atty	60.00
Overhead Door Compan	Facilities	1,081.64	Pennington County Ja	Jail	100.35
Peters Distributing	Sheriff	958.00	Pfeifer Implement Co	Hwy Constr	105.24
Presto-X-Company	Facilities	180.00	Quality Efficiencies	Var. Depts	820.00
Quest Engineering, I	Hwy Constr	44.97	Risty, Maxine J	Human Svcs	454.50
Roberts County Sheri	St Atty	25.43	Rochester Armored Ca	Treasurer	387.09
Rods Properties Llc	Human Svcs	800.00	Rypkema, Diane	Dir Of Eq	157.55
Saathoff, Eric	Extension	23.68	Sanford Clinic	Human Svcs	454.93
Sanford Health Plan-	Human Svcs	1,274.48	Sanford Hospital	Var. Depts	36,797.71
Satisfaction Plus In	EFSP Fund	139.00	Schrader, Alvan L Db	Human Svcs	500.00
SD Bd. Of Social Wor	Human Svcs	65.00	SD Dept Of Public Sa	Human Svcs	70.00
SD Dept Of Revenue	St Atty	513.00	SD Div Of Criminal I	Human Res	43.25
SD Human Services Ce	Public Def	59.00	Sigler Fire Equipmen	Var. Depts	104.50
Sioux Empire Fair As	Fair	8,333.33	Sioux Falls Chamber	Human Svcs	20.00
Sioux Falls City Fin	Var. Depts	15,182.50	Sioux Falls Rubber S	Reg Deeds	118.60
Sioux Falls Two Way	Sheriff	58.49	Sioux Falls Utilitie	Var. Depts	8,193.53
Sioux Valley Energy	Hwy Admin	101.98	Solomon, Ghirmay	Courts	260.83
Southeastern Behavio	Var. Depts	46,261.68	Szameit, Alexandra	Courts	335.00
Tazewell County (IL)	St Atty	20.50	Thorin, Deyanira T	Courts	75.00
Thornton Carpets/Flo	Human Res	2,762.92	Tires,Tires,Tires In	Var. Depts	555.89
Tomacelli's Pizza	Courts	82.18	Ultramax	Jail	1,352.00
Verizon Wireless	Var. Depts	6,252.50	Vogel Traffic Svcs I	Facilities	260.32
Volunteers Of Americ	Var. Depts	3,094.40	Wal-Mart Pharmacy #3	Human Svcs	9.88
Waterbury Plbg Llc	Human Svcs	88.78	Weerheim, Tom	Courts	910.00
Westwick Motel, Inc.	EFSP Fund	650.00	Wiebesiek, Stacy L	Human Svcs	24.50
Williams, Steve	Hwy Constr	116.99	Wolf, John	Human Svcs	300.00
Xcel Energy, Inc.	Var. Depts	932.48	Commission	Salaries	26,139.32
Auditor	Salaries	34,106.12	Treasurer	Salaries	57,094.56
Information Tech	Salaries	83,015.60	States Attorney	Salaries	159,847.52
Public Defender	Salaries	127,746.72	Public Advocate	Salaries	28,302.56
Facilities	Salaries	54,413.62	Equalization	Salaries	91,348.21
Register Of Deeds	Salaries	36,776.55	Human Resources	Salaries	12,430.36
Sheriff	Salaries	867,576.92	Juvenile Detention	Salaries	144,830.93
Highway	Salaries	103,610.59	Human Services	Salaries	77,218.67
Museum	Salaries	51,926.49	Planning	Salaries	31,427.19
Extension	Salaries	3,688.37			

## REPORTS

The Minnehaha and Lincoln County Economic Development Association 2011 Joint Annual Report was received and placed on file in the Auditor's Office.

## PERSONNEL

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

1. To hire Allan Phillips as a STI Security Officer (13/2) for STI Security at \$16.308/hour effective 2/6/12.
2. To hire Gwen Mortinsen as a part-time Safe Home Program Worker (9/1) for Safe Home at \$13.058/hour effective 1/27/12.

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3. To hire Joy West as a part-time Safe Home Program Worker (9/3) for Safe Home at \$13.719/hour effective 1/23/12.
4. To hire Lynn Haagenon as a part-time Safe Home Program Worker (9/4) for Safe Home at \$14.062/hour effective 1/29/12.
5. To move Craig Olson from Deputy Sheriff for the Sheriff's Office to Deputy Sheriff (16/9) for the Jail at \$23.663/hour effective 2/4/12.
6. To record the removal of EMT specialty pay for Craig Olson, Deputy Sheriff for the Jail, effective 2/4/12.
7. To rescind the step increase of Jason Ingemansen, Air Guard Security Officer II for the Air Guard, from 13/12 to 13/13 effective 12/27/11.

#### Step Increases Due:

1. Kedra Ali – Custodian – Facilities – 6/3 to 6/4 – 1/12/12 – \$12.126/hour
2. Jemal Dufo – Custodian – Facilities – 6/3 to 6/4 – 1/13/12 – \$12.126/hour
3. Mason Braun – Deputy Sheriff – Sheriff's Office – 16/11 to 16/12 – 10/12/11 – \$25.483/hour
4. Rodney Axsom – Deputy Sheriff Sergeant – Jail – 20/4 to 20/5 – 12/27/11 – \$26.120/hour

#### PLANING & ZONING NOTICES

Pat Herman, Assistant Planning Director, was present for the first reading and requested authorization for the Auditor to publish Notice of Hearing to consider an amendment to the 1990 Revised Zoning Ordinance for Minnehaha County to rezone property legally described as that portion north and east of the Highway of the W1750' S800' (Ex the S485' W450' E1750') SE ¼ in Section 35-T101N-R52W, from the I-2 Industrial District to the A-1 Agricultural District. The property is located 9 miles southeast of Humboldt at the intersection of Co. Highway 159 and the Turner County Line. The property was zoned to PD Planned Development District Lake Shore Estates on May 18, 2007. Development on the site was never started and the property has since been repossessed and is now owned by Quoin Financial Bank. The petitioner is requesting that the property be down zoned to the original zoning of A-1 Agricultural. MOTION by Barth, seconded by Beninga, to authorize the Auditor to publish notice of a public hearing on February 21, 2012 at 9:00 a.m. at the Minnehaha County Administration Building. 5 ayes.

Pat Herman, Assistant Planning Director, was present for the first reading and requested authorization for the Auditor to publish Notice of Hearing to consider an amendment to the 1990 Revised Zoning Ordinance for Minnehaha County to rezone property legally described as Tract 1 Lake Shore Luxury Estates Addition SW ¼ of Section 21-T101NR51 W from the PD Planned Development District to the A-1 Agricultural District. The property is located on the south edge of Wall Lake, west of the state boat ramp. On February 20, 2009, this property was rezoned from A-1 Agricultural to I-2 General Industrial to allow an ethanol plant on the property. The petitioner, Walt Bones, has decided against an ethanol plant and is requesting to downzone the property to A-1 Agricultural. MOTION by Heiberger, seconded by Beninga, to authorize the Auditor to publish notice of a public hearing on February 21, 2012 at 9:00 a.m. at the Minnehaha County Administration Building. 4 ayes. Barth voted nay.

Dustin Powers, Planner, was present for the first reading and requested authorization for the Auditor to publish Notice of Hearing to consider an amendment to the 2002 Revised Joint Zoning Ordinance for Minnehaha County

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to rezone property legally described as the NE ¼ NW ¼ Section 11-T101N-R50W from the A-1 Agricultural to the RS-1 Residential District. The property is located on the south side of W. Maple Street between Marion Road and Lamesa drive. The request is to rezone from A-1 Agricultural to RS-1 Residential for the future development of a middle school with an elementary school, park, and fire station coming to this location in the future. Since the property is in the joint jurisdiction area of Minnehaha County and the City of Sioux Falls, a public hearing is required at a joint city/county meeting. MOTION by Beninga, seconded by Pekas, to authorize the Auditor to publish notice of a public hearing on Tuesday, February 21, 2012, in the Carnegie Town Hall. 5 ayes.

#### COMMISSION MEETING START TIME

Ken McFarland, Commission Administrative Officer, presented information on the pros and cons of changing the start time of the County Commission Meetings. Commissioners discussed the option of holding at least one meeting per month in the evening as well as changing the starting time to 8:30 a.m. MOTION by Pekas, seconded by Beninga to move the commission meeting start time to 8:30 a.m. 3 ayes. Barth and Kelly voted nay. Ken McFarland stated a notice will be sent out of the meeting time change beginning with the February 28th meeting.

#### LEGISLATIVE BRIEFING

Robert Wilson, Assistant Commission Administrative Officer, gave a briefing on pending legislation that has a potential impact on county government.

Daren Ketcham from Metro Communications spoke on Senate Bill 174 that would increase the 911 emergency surcharge, revise the collection and distribution of the surcharge revenue, provide for point of sale collection of the prepaid wireless 911 emergency surcharge, and provide funding for the upgrade of 911 emergency services. MOTION by Barth, seconded by Pekas to authorize the Chairman to sign a joint letter of support for Senate Bill 174 from Minnehaha County, the City of Sioux Falls, and Metro Communications. 5 ayes.

Ken McFarland, Commission Administrative Officer, spoke on Senate bill 116 that would revise certain provisions relating to the township road system. Mr. McFarland was directed to send an email to the senate committee members and association lobbyists reminding them of the previous court ruling on this issue and urging their support of that ruling.

#### NEW BUSINESS

Commissioner Barth reported that on average 36 people per night are staying in the Salvation Army warming house and that the Homeless Advisory Board had made it a priority to provide a warming house next year.

#### OLD BUSINESS

Ken McFarland, Commission Administrative Officer, was directed to set the time and date for a short/long range planning session following the commission meeting on February 21<sup>st</sup> or 28<sup>th</sup>.

MOTION by Pekas, seconded by Barth to adjourn into Executive session for personnel discussions. 5 ayes.

The Commission adjourned until 9:00 a.m. on Tuesday, February 7, 2012.

APPROVED BY THE COMMISSION:

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Chairman

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ATTEST:

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Deputy Auditor