

SOLDIERS & SAILORS
Maurice Roady \$700.00,

DAKOTA COUNTY AGRICULTURAL SOCIETY
Dakota County Agricautural Society \$2000.00

ROAD AND BRIDGE FUND

Social Security \$808.86, Blue Cross \$487.83, Blue Cross \$61.90, Lone Star \$3.75, Leland Armbricht \$1,249.50, George Anderson \$846.37, Donald Belt \$913.78, Caleb Chapman \$846.37, Beverly Gradert \$825.50, Walter Heinemann \$913.78, Robert Jacobsen \$880.61, Lawrence Jepsen \$1,070.00, Kurt Johnson \$846.37, Walter Johnson \$982.26, Thomas James Mahaney \$170.00, Arnold Mellick \$946.95, Marlan Millard \$846.37, Earl Stading \$846.37, Willis Roeber \$1,011.50, Floyd Bates \$75.00, Northwestern Bell \$68.95, Nebraska Public Power District \$8.84, Frank Francisco \$300.00, Village of Emerson \$14.32, City of Dakota City \$20.00, Anderson Equipment Co. \$248.76, Wilson Concrete Co. \$936.00, Team Electronics \$39.15, Rockfort Industries \$107.44, Curtis Industries \$253.08, Ben Fish Tire \$184.25, Automotive Electric Inc. \$11.37, Condon Motor Co. \$52.26, Standard Bearings of Sioux City \$8.97, Tagatz Hardware \$4.36, Mike's Auto Parts \$24.65, Northern Auto Parts Warehouse \$52.22, Paul Electric \$39.75, Joe's Surplus \$109.88, Dakota Auto Parts \$14.20, Filter Care \$63.47, Graham Brake \$200.97, Carl A. Anderson Co. \$23.89, Hansen Machine Shop \$8.70, Motor Parts Central \$47.49, Auto Parts and Exchange \$125.77, Westside Radiator \$28.00, Johnson Hardware \$94.86, Minear Lock and Key \$6.29, Mid-American Research Corp. \$205.90, Stephan's Welding Shop \$37.15, Premier Fastener Co. \$93.75, Monroe Welding \$27.00, Snap-on Tools Corp. \$112.65, Firestone Stores \$1,477.74, Stalp Gravel Co. \$787.36, Higman Sand And Gravel \$3,496.12, Wilson Concrete Co. \$228.75, Farmers Co-op Assn. \$1,264.30, Engel's Mobil Service \$506.10, Crystal Oil Co. \$715.44, Warren Oil Co. \$1,816.80, South Soo Oil Co. \$851.83, D & L Repair \$6.00, D.C. Implement \$22.45, Soo Rent All Inc. \$37.80, Frank J. Bohac \$1,895.00, SIMPCO \$1,295.96

WEED PAY ROLL

Social Security \$62.83, Blue Cross \$34.51, Paul M. Foreshoe \$850.00, Ruth B. Foreshoe \$50.00, Maurice Crofoot \$25.00, Paul Culbertson \$25.00, Elmer Nelson \$25.00, John Ryan \$25.00, George W. Shrader \$25.00

WEED FUND

Paul Culbertson \$1.36, Elmer Nelson \$2.38, John Ryan \$4.25, George W. Shrader \$1.70, Paul Foreshoe \$143.13, So. Soo Oil Co. \$338.98, Farmers Coop Assn. \$20.71, Eleanor Lischke \$30.00, Dakota County ASCS Office \$26.00, Emerson Fertilizer \$170.40

CHILD SUPPORT FUND

Social Security \$66.39, Blue Cross \$38.43, Raymond Speer \$1,083.00

HIGHWAY SAFETY PROGRAM

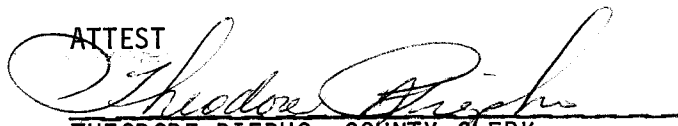
Social Security \$65.59, Blue Cross \$38.43, Danny Potts \$1,070.00, Danny Potts \$10.00


Unanimous motion carried.

With no further business, Chairman Morgan called for a motion to adjourn.

Garvey moved, seconded by DeGraff to adjourn. Unanimous motion carried 12:15 p.m.

ATTEST


THEODORE PIEPHO, COUNTY CLERK


LARRY MORGAN, CHAIRMAN

COMMISSIONERS MEETING
December 22, 1980 Proceedings
Basement Meeting Room

Chairman Morgan called their regular scheduled meeting to order at 9:05 a.m. Present were: Henry DeGraff, Daniel Rohde, Rodney Smith, Larry Morgan, Robert Garvey and Bev Gradert, secretary. Absent: Ted Piepho
Garvey moved, seconded by DeGraff to approve the minutes of December 15 as typed. Unanimous motion carried.

Robert Giese (County Treasurer) appeared before the board with the monthly report from his office.

The board reviewed and signed the 1980 inventories of the following county offices: Clerk of District Court, County Clerk, Weed Board, Board of Commissioners, Superintendent of Schools, Highway Superintendent, Welfare Director, Health Department, County Building Inspector, Probation Office, County Veterans Service Office, and the courthouse janitor.


Rohde moved, seconded by DeGraff to convene as the Board of Equalization to review the valuation protest of Roy Black. Unanimous motion carried 9:40 a.m.

Smith moved, seconded by DeGraff to reconvene as the Board of Commissioners. Unanimous motion carried 9:53 a.m.

With no further business, Chairman Morgan called for a motion to adjourn.

Smith moved, seconded by Garvey to adjourn. Unanimous motion carried 9:55 a.m.

ATTEST:


THEODORE PIEPHO, COUNTY CLERK


LARRY MORGAN, CHAIRMAN

COMMISSIONERS MEETING
January 5, 1981 Proceedings
Basement Meeting Room

Chairman Morgan called their regular scheduled meeting to order at 9:02 a.m. Present were: Daniel Rohde, Robert Garvey, Henry DeGraaff, Rodney Smith, Larry Morgan, and Ted Piepho secretary.

DeGraaff moved, seconded by Rohde to approve the minutes of December 22 as typed. Unanimous motion carried

Smith moved, seconded by Rohde to convene as the Board of Equalization. Unanimous motion carried 9:10 a.m.

DeGraaff moved, seconded by Smith to reconvene as the Board of Commissioners. Unanimous motion carried 10:20 a.m.

Chairman Morgan read a letter from Kurt Hohenstein regarding a claim from Willard Criss for back wages of \$125.00 per month for services as County Weed Superintendent as approved by the County Weed Board on April 9, 1979 and October 8, 1979, totaling \$500.00

Mr. DeGraaff said he feels the Weed Board should see the claim and vote on it.

Paul Culbertson appeared before the board stating the claim was revoted on, 3-2 in favor, at the Weed Boards last meeting.

Smith moved, seconded by Rohde to allow the claim of Willard Criss on the basis of the Weed Board voting in favor of it.

Roll Call Vote: Rohde Yes
Garvey Yes
Morgan No
DeGraaff Yes
Smith Yes

Motion carried

Chairman Morgan read a letter from Raymond Messerschmidt asking the boards approval of his resignation from the Planning And Zoning Committee as of January 1, 1981 due to too many conflicts.

Smith moved, seconded by Rohde to accept the resignation of Raymond Messerschmidt. Unanimous motion carried

Chairman Morgan read a letter from the Department of Environmental Control notifying the board of the Land-fill Hearing on the Leonard Gill site, January 19, 1981. The board acknowledged receipt of this notification.

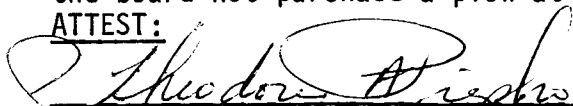
The board discussed the problem being presented by a garage on 9th Street road in South Sioux City which is located on the street.

Chairman Morgan said the garage owner has previously been asked to move the garage and has refused. Mr. Morgan said the road needs maintainance work and if it is necessary to have the garage moved, we will ask the owner to move it. If he refuses, we will have to take some sort of action. Chairman Morgan said we will look at the area before we make a decision.

With no further business, Chairman Morgan called for a motion to adjourn. Rohde moved, seconded by Smith to adjourn. Unanimous motion carried 10:45 a.m.

Chairman Morgan read a letter from Bruce Hovey (Highway Supt.) stating he had received 2 bids on a one-way snow plow, the low bid being from Midcon Equipment Co. of Sioux City, IA. for \$2,943.00. Mr. Hovey recommended the board not purchase a plow at this time. Fehrs Tractor & Equip. Co., Omaha, Ne. submitted a bid for \$3,648.00.

ATTEST:


THEODORE PIEPHO, COUNTY CLERK

LARRY MORGAN, CHAIRMAN

COMMISSIONERS MEETING
January 13, 1981 Proceedings
Basement Meeting Room

Chairman Morgan called their reorganizational meeting to order at 9:02 a.m. Present were: Robert Garvey, Paul Culbertson, Daniel Rohde, Gretchen Hirschbach, Larry Morgan and Ted Piepho, secretary.

Garvey moved, seconded by Culbertson to approve the minutes of January 5 as typed. Unanimous motion carried

Chairman Morgan asked if there was any old business. Being there wasn't, Chairman Morgan opened nominations for Chairman. Garvey nominated Hirschbach for Chairman. Morgan seconded the nomination. Unanimous motion carried. Rohde moved, seconded by Morgan for nominations to cease. Unanimous motion carried. Chairman Morgan moved, seconded by Rohde, the secretary cast unanimous vote for Hirschbach as Chairman. Unanimous motion carried.

Chairman Morgan opened nominations for Vice Chairman. Hirschbach nominated Garvey for Vice Chairman. Morgan seconded the nomination. Unanimous motion carried. Hirschbach moved, seconded by Culbertson for nominations to cease. Unanimous motion carried. Chairman Morgan moved, seconded by Rohde, the secretary cast unanimous vote for Garvey as Vice Chairman. Unanimous motion carried.

Morgan moved, seconded by Rohde to approve the following depositories for Dakota County with the limit as follows:

| Sk Receipt | Amount | Listing | Maturity |
|------------|---------|---|----------|
| 18157 | 50,000 | Home Loan | 5-26-88 |
| 18164 | 50,000 | Federal Nat'l Mort. Assn. | 6-10-82 |
| 18181 | 50,000 | Federal Land Bank Bonds | 1-20-82 |
| 18182 | 50,000 | Federal Land Bank Bonds | 7-20-87 |
| 18198 | 100,000 | Federal Land Bank Bonds | 8-25-81 |
| 19380 | 100,000 | Federal Nat'l Mortgage Assn. | 6-10-81 |
| 18208 | 100,000 | Federal Nat'l Mortgage Assn. | 9-10-85 |
| 18176 | 50,000 | Federal Nat'l Mortgage Assn. | 7-10-85 |
| 17719 | 100,000 | Federal Home Loan Bank | 5-25-84 |
| 17896 | 100,000 | International Bank for Reconstruction & Development | 7-01-86 |

Nebraska State Bank \$1,200,000.00 Securities listed below

| Name | Amount | Maturity |
|-----------------------|---------------------|----------|
| FNMA J7366 | \$100,000.00 | 6-10-85 |
| FICB J6539 | 100,000.00 | 4-01-82 |
| FNMA J06270 | 200,000.00 | 6-10-83 |
| FNMA J6980 | 200,000.00 | 7-11-83 |
| FNMA J05802 | 200,000.00 | 3-10-82 |
| Fed. Home Loans J7364 | 300,000.00 | 10-26-81 |
| Fed. Home Loans J7365 | 100,000.00 | 3-25-85 |
| | <u>1,200,000.00</u> | |

American State Bank \$100,000.00
 Siouxland National Bank \$1,000,000.00
 Unanimous motion carried

Garvey moved, seconded by Morgan to comply with the State law to have monthly bank statements sent to each of the County Commissioners. Unanimous motion carried

Rohde moved, seconded by Garvey the County Commissioners continue meeting on the first four (4) Mondays of each month. Unanimous motion carried.

Regarding the court house hours, Ted Piepho (Co. Clerk) said he had been approached by one of the commissioners who thought the hours of 9:00 a.m. to 5:00 p.m. might be better suited for the public. However, Mr. Piepho said after giving much thought to the issue, he felt the change would be a detriment to as many people as it would benefit and unless a major change such as a 9 or 10 hour day, it probably wouldn't benefit many people.

Mr. Morgan commented the court house had been open Saturday mornings and some evening hours in the past. He said possibly these hours were not put into effect long enough to determine if it were an advantage to the public.

Chairwoman Hirschbach said she felt it best to reinstate the current hours, but to set up a committee consisting of one commissioner and the officials whom this issue would concern to study the possibility of changing the court house hours.

Rohde moved, seconded by Garvey the court house hours remain the same 8:30 a.m. to 4:30 p.m. and to set up a committee to study the said issue. Unanimous motion carried.

Morgan moved, seconded by Garvey the court house close at 2:00 p.m. on December 24, 1981 and December 31, 1981. Unanimous motion carried.

Rohde moved, seconded by Morgan the holidays listed by statute be observed by County Employees, those being:

- President's Day Monday, February 16, 1981
- Arbor Day Wednesday, April 22, 1981
- Memorial Day Monday, May 25, 1981
- Independence Day Friday, July 3, 1981
- Labor Day Monday, Sept. 7, 1981
- Columbus Day Monday, October 12, 1981
- Vetern's Day Wednesday, November 11, 1981
- Thanksgiving Day Thursday, November 26, 1981 & Friday, November 27, 1981
- Christmas Day Friday, December 25, 1981
- New Years Day Friday, January 1, 1982

Unanimous motion carried

Morgan moved, seconded by Garvey the South Sioux City Star be designated legal newspaper of the County. Unanimous motion carried.

Morgan moved, seconded by Rohde the maximum on opening and closing of graves remain at \$550.00. Unanimous motion carried.

Mr. Culbertson asked about considering cremation.

Chairwoman Hirschbach appointed Mr. Morgan and Mr. Culbertson to check the legality of the situation and comparable costs.

Rohde moved, seconded by Garvey to reappoint the following officers:

- Maurice Rody-Dakota County Veterns Service Officer
- Mildred Jorgensen-Dakota County Welfare Director
- Bruce Hovey-Dakota County Highway Superintendent

Unanimous motion carried

Chairwoman Hirschbach asked for volunteers to serve as advisors to the board for the following organizations:

- County Health Board - Daniel Rohde
- Advisory Board of Retardation - Daniel Rohde
- Governing Board of Region IV - Daniel Rohde
- Iowa Health Systems - Paul Culbertson
- County Weed Board - Paul Clubertson
- SIMPCO - Robert Garvey
- Mental Health Board - Robert Garvey
- Goldenrod Hills Agency - Larry Morgan
- Area for the Aged - George Shrader
- Middle Missouri NRD - Larry Morgan
- Joint Planning Commission - Gretchen Hirschbach

Mr. Morgan and Mr. Garvey will continue to serve on the Landfill Committee.

Mr. Morgan and Mr. Rohde will continue with Labor negotiations. Mr. Morgan recommended a third person be appointed to Labor negotiations. Mr. Garvey recommended Chairwoman Hirschbach. Chairwoman Hirschbach accepted.

Chairwoman Hirschbach said board members should try to attend the meetings of the organizations on which they

serve. She said if a commissioner could not attend a meeting, she would try to attend for them.

Mr. Culbertson asked if it would be possible to have an agenda in advance of an organizations meeting, so any commissioner could attend.

Chairwoman Hirschbach said we will request that an agenda be sent to Ted Piepho, County Clerk, in advance of a meeting.

Ted Piepho (County Clerk) read a letter of recommendation from the Weed Board recommending J. Colin Green to the County Weed Board to fill the vacancy vacated by Paul Foreshoe.

Morgan moved, seconded by Rohde to appoint J. Colin Green to the County Weed Board for a term of 4 years. Unanimous motion carried

Morgan moved, seconded by Culbertson to appoint Paul Foreshoe as County Weed Board Superintendent at a salary of \$850.00 per month and Ruth Foreshoe as Weed Board Secretary at a salary of \$50.00 per month. Unanimous motion carried.

The board acknowledged receipt of the resignation of Raymond Messerschmidt from the Joint Planning Commission. The term of Melvin Kibik, Emerson, has expired. The term of Dave Lange, rural Emerson, has expired, but he would accept a 3 year appointment. Chairwoman Hirschbach said she would ask the Joint Planning Commission for recommendations to their board, at their January 20 meeting.

Rohde moved, seconded by Garvey to reappoint Dave Lange for a 3 year term to the Joint Planning Commission. Unanimous motion carried

Ted Piepho (County Clerk) presented the contract of Christensen Bros. for Project BRS 3564(1). The board acknowledged receipt of the contract and Chairwoman Hirschbach signed the same.

Ted Piepho presented the contract from Abbott Construction for the replacement of some windows in the court house. An additional \$600.00 was added to the original bid for anti freeze needed if the project were to be completed this winter. In addition, when the bid was let, 2 windows were missed. The original bid for 12 windows was \$8,885.00. The revised bid for 14 windows is \$10,385. Chairwoman Hirschbach said we will have this issue put on the agenda before we act on it.

Chairwoman Hirschbach presented an Agreement Estimate upon which project agreement is to be based for Nebraska Federal Aid Secondary Project No. BRS-3564(1). The board acknowledged receipt of the agreement estimate.

Gene Sturm (SIMPCO) appeared before the board regarding the Landfill hearing scheduled for 1:00 p.m., January 19. Mr. Sturm confirmed the date, time, place, format, ect. of the Landfill hearing.

Chairwoman Hirschbach confirmed Daniel Rohde as Chairman of the Welfare Committee.


The board acknowledged receipt of inventories for 1980 from the following County offices: County Assessor, County Judge, Civil Defense, County Attorney, and the County Treasurer.

Maurice Redmond (County Attorney) appeared before the board to answer the boards question whether the Landfill hearing could be opened Monday and continue Tuesday since it was scheduled the same day as Joe Twohig's Farm Sale. The board considered changing the hearing date, but felt that it should be left as is being the time was so limited for the Dakota County Solid Waste Disposal Agency to act on a particular site.

With no further business, Chairwoman Hirschbach called for a motion to adjourn.

Rohde moved, seconded by Garvey to adjourn. Unanimous motion carried 11:50 a.m.

ATTEST:


THEODORE PIEPHO, COUNTY CLERK


GRETCHEN HIRSCHBACH, CHAIRWOMAN

COMMISSIONERS MEETING
January 19, 1981 Proceedings
Basement Meeting Room

Chairwoman Hirschbach called their regular scheduled meeting to order at 9:03 a.m. Present: Daniel Rohde, Robert Garvey, Gretchen Hirschbach, Paul Culbertson, Larry Morgan, and Ted Piepho, secretary.

Morgan moved, seconded by Rohde to approve the minutes of January 13 as typed. Unanimous motion carried.

Mildred Jorgensen (County Welfare Director) appeared before the Board with the monthly report from her office.

Robert Giese (County Treasurer) appeared before the Board with the monthly report from his office. Mr. Giese reported the interest from C.D.'s in December being \$15,681.75. The interest collected for the first half of the fiscal year, July-December 1980 was \$79,171.97. Mr. Giese said the Federal Law regarding municipal bonds has changed. Banks can no longer use municipal bonds as pledge securities. Mr. Giese also said we were able to catch up on the payments of the high school tuition fund being December was such a good month.

Joy Nixon (County Assessor) appeared before the board regarding the contract to appraise commercial property. She presented copies of the two bids to the Board, those being Midwest Appraisal \$13,200.00 and Le Grand \$15,500.00. The bid submitted by LeGrand does not include Northern Natural.

Chairwoman Hirschbach said we will make a decision next week on this matter.

Morgan moved, seconded by Rohde to convene in executive session to discuss possible future litigation. Unanimous motion carried 9:34 a.m.

Rohde moved, seconded by Garvey to reconvene in regular session. Unanimous motion carried 9:40 a.m.

Joy Nixon read a letter from the Department of Revenue stating all improvements will have to be reappraised

according to the Marshall-Swift manual.

Mr. Morgan asked what the difference between the Nebraska manual and Marshall-Swift manual is.

Ms. Nixon said the Marshall-Swift Manual is more detailed and the improvements are up-to-date.

Mr. Culbertson asked how often revaluations are made.

Chairwoman Hirschbach said effective January 1, 1981, revaluations must be made every 2 years.

Chairwoman Hirschbach said we will make this an agenda item, so we can discuss it further.

Bruce Hovey (Highway Superintendent) appeared before the Board regarding items of discussion in the road department. He said he had informed each of the road dept. employees that they are not to buy fuel at the Crystal Oil Corp. in South Sioux City due to the fact the county is given Green Stamps instead of a discount on the fuel they purchase.

Chairwoman Hirschbach said we will let Mr. Hovey handle the problem in this manner unless he has additional problems.

Mr. Hovey said equipment is being moved into the new gravel pit site near Homer and everything should be ready to go by Spring.

Mr. Hovey told the Board repairs on the snow plow are almost finished. He said this is a good, heavy plow and would recommend the Board not purchase a new plow now, but to maybe include it in the budget in June.

Chairwoman Hirschbach appointed Daniel Rohde and Larry Morgan to work with Mr. Hovey on formulating policies for the road department, with a March 1, 1981 deadline.

Mr. Hovey said the road southwest of Hubbard is closed, but people are still using it.

Mr. Morgan said the road should be closed permanently.

Chairwoman Hirschbach said we will ask Maurice Redmond (County Attorney) if we can close the road and what the legal procedures are.

Mr. Hovey said we are having problems with right of way fences. The fences are right next to the road, making it difficult to clean out the ditches.

Mr. Morgan said we should send a notice to the land owners asking them to move their fences back.

Chairwoman Hirschbach said if further action is required, we will send letters to the landowners.

Mr. Hovey said the road department has begun a sign inventory.

Mr. Morgan said Northwestern Bell has suggested the county set up a road designation system making it easier to locate certain roads when necessary.

Mr. Culbertson said he would like to be involved in a road designation committee.

Morgan moved, seconded by Culbertson to rescind the acceptance of the original bid from Abbott Construction for the replacement of some windows in the court house.

Rohde moved, seconded by Garvey to accept the revised bid from Abbott Construction for \$10,385.00 with a spring installation date, as stated in Option #3 of Abbott's contract and the replacement of 14 windows.

Chairwoman Hirschbach appointed Ted Piepho (County Clerk) as chairman of the committee to discuss court house hours. She asked Mr. Piepho to work with the Board on a decision to be made by March 1.

Chairwoman Hirschbach read a letter from Goldenrod Hills Agency asking the Board to consider the appointment of George Shrader as an alternate delegate to their agency in Mr. Morgan's absence.

Mr. Morgan said he recommended that a member of the Board be an alternate.

Paul Culbertson was authorized as the Board's representative in Mr. Morgan's absence.

Chairwoman Hirschbach read a letter and an opinion from Maurice Redmond, County Attorney, regarding the ruling on tax exemption applications. The Board acted earlier this month on the applications. Mr. Redmond stated in his letter that the Board's decision is void because it has no authority to act as Board of Equalization except between February 1 and June 1 for the purpose of approving or disapproving applications for tax exemptions.

Mr. Morgan said we have made an error and it should be corrected.

Morgan moved, seconded by Rohde to convene as the Board of Equalization. Unanimous motion carried. 10:44 a.m.

Garvey moved, seconded by Rohde to reconvene as the Board of Commissioners. Unanimous motion carried 10:47 am

Bruce Smith appeared before the Board and presented a bill from Rodney Smith for \$8,395.73 for unpaid Commissioner's wages between May 1, 1979 and August 15, 1980. In an attached letter to the Board, Rodney Smith said the bill represents unpaid wages which were denied him by virtue of an illegal court order entered in State ex rel Redmond vs. Smith and Garvey Case No. 10321, District Court of Dakota County, Nebraska. Before approving or rejecting this bill, Rodney Smith suggested the Board procure a legal opinion from either the Attorney General's office or independent legal counsel.

Mr. Rohde said we should deny this claim because this is a 5 member board; we shouldn't have to pay 7 commissioners.

Mr. Morgan said we cannot resolve this matter ourselves; we need a legal opinion.

Morgan moved, seconded by Culbertson the request of the Attorney General's opinion be submitted through Maurice Redmond's (County Attorney) office and the voting responsibility of the two current Board members involved in the litigation be determined. Unanimous motion carried.

Morgan moved, seconded by Rohde to adjourn for lunch. Unanimous motion carried 11:40 a.m.

PUBLIC HEARING
Solid Waste Disposal Area
January 19, 1981

Chairwoman Hirschbach opened the hearing on the application of L.P. Gill, Inc. to operate a solid waste disposal area at 1:07 p.m.

LEGAL DESCRIPTION: A tract of land in the northwest quarter of Section 28, Township 29 North, Range 7 east of the Sixth Principal Meridian, Dakota County, Nebraska, and more particularly described as follows:

Beginning at the N.E. corner of the N.W.¼ of the N.W.¼ of said Section 28; thence south along the one-sixteenth section line for 252.81 feet; thence east for 258.58 feet; thence in a southwesterly direction on a bearing of S 01 degree 26'20"W for 836.20 feet; thence in a northwesterly direction on a bearing of N 78 degrees 29'50"W for 263.71 feet; thence south along the one-sixteenth section line 1250.00 feet; thence west for 625.00 feet; thence north for 1527.84 feet; thence in a northeasterly direction on a bearing of N18 degrees 51' E for 347.51 feet; thence in a northwesterly direction on a bearing of N 05 degrees 07' 20" W for 207.00 feet; thence in a northeasterly direction on a bearing of N 08 degrees 05' 20"E for 250.44 feet to a point on the north line of the NW¼ of the NW¼ of Section 28; thence easterly along the north line of said NW¼ of the NW¼ of Section 28 for 542.00 feet to the point of beginning, containing 38.22 acres more or less.

Chairwoman Hirschbach said the Board is in a unique position during this Landfill hearing because another site has already been approved by the Board. If this site is approved by the Board, it would be 1 of 2 sites to be considered by the Landfill Association which will make the ultimate decision on which site would actually be used. Ms. Hirschbach said the criteria for the Boards approval generally are the zoning regulations set up by the Dakota County Planning and Zoning Commission.

Gene Sturm (SIMPCO) explained the location of the site being 11 miles from South Sioux City, 2 miles northwest of Jackson, 3000 feet off Highway 20. The last 3000 feet will have to be constructed. Mr. Sturm said the major cost would be the construction of this last 3000 feet, approximately \$75,000.00 - \$80,000.00. The operation of the landfill would be by a private corporation and the cost will be negotiated between the Dakota County Solid Waste Agency and the private corporation. The cost, estimated between \$85,000.00 and \$90,000.00, would not be a part of Dakota County's ongoing budget. The operating cost will be finalized after the site is approved. Mr. Sturm said the site has a life expectancy of 20 years if fully utilized. Mr. Sturm said the site will be accesible to licensed haulers using covered trucks, but generally not to people in private cars carrying garbage. Mr. Sturm listed the following pros of the proposed site:

1. It is a remote site. After leaving Highway 20, the trucks will not pass in front of anyone's house.
2. Access to the road is very good. With the exception of the last 3000 feet of road which has to be built, the route to the site is paved. Other sites have not had this advantage.
3. Based on cost, it is financially feasible for the 3 communities who currently compose the Dakota County Solid Waste Disposal Agency.
4. In regard to weather, there is only one small drainage to be controlled on the site.

Mr. Sturm listed the following as cons to the proposed site:

1. There will be additional road construction.
2. The distance from South Sioux is 11 miles.
3. There is always the possibility of litigation.

Mr. Sturm said because of a conflict in Lincoln today, a representative from the Department of Environmental Control could not be here to make a presentation. Therefore, Mr. Sturm read the following letter from Fred Sebesta, P.E., Department of Environmental Control regarding the general stability of the proposed site.

January 15, 1981

WWM-P/E

Ms. Gretchen Hirschbach
Dakota County Board of Commissioners
Dakota County Courthouse
Dakota City, Ne. 68731

Dear Ms. Hirschbach:

Gene Sturm of the Siouxland Interstate Metropolitan Planning Council requested by telephone that we send a statement to be entered into testimony at the public hearing on Monday, January 19, 1981 concerning the landfill site proposed by L.P. Gill, Inc.

On November 25, 1980, a representative of the Nebraska Department of Environmental Control visually inspected the proposed disposal area. We have also reviewed the license application and partial operational plan and feel that the site can be developed and operated in an environmentally acceptable manner. Subsequently, in the letter to Dakota County requesting this hearing, the Department recommended that the Dakota County Commissioners approve this application, especially in light of the need for a facility of this type in the area.

This Department will not, however, issue a license to operate the disposal area until a completed operational plan and soil tests, indicating further that the site is environmentally acceptable, have been received and approved.

Sincerely,

Fred Sebesta, P.E.
Environmental Engineer
Head, Waste Management Section
Water and Waste Management Division

man
cc: Gene Sturm

Dick Leitschuck from the ASCS office explained the soil type of the proposed site. Mr. Leitschuck said as indicated in prior hearings, the soil is an important criteria in the evaluation of the site for purposes of a landfill. Mr. Leitschuck said the basis of his information is from the soil survey of Dakota County published in January, 1976. The information is about soil to a depth of 5 feet, normally used for agricultural purposes. Mr. Leitschuck said the D.E.C. will require that soil tests be very similar to the soil in sites considered before. He said landfill soil should be deep soil, easy to excavate, able to stand traffic, have moderately slow permeability and considerable depth to ground water. As far as conservation aspects, Mr. Leitschuck said the problems were very similar to the other sites.

Mr. Sturm made the following statement to the Board.

Statement presented to the Dakota County Board of Commissioners regarding the landfill site proposed by L.P. Gill, Inc., located 2 miles northwest of Jackson, Ne.

To supplement my oral presentation and to insure that items identified in Section 505.5 of the Dakota County Zoning Regulation are addressed, I am submitting this statement and request it be included in the record and considered by the County Board in making their determination.

I am specifically addressing items listed as minimum consideration to be made by the County Board and minimum distance requirement identified in the County Zoning regulation. As a professional Land Use Planner, I feel qualified to comment on these items. My comments are as follows:

Section 505.5 Dakota County Zoning Regulation minimum items to be considered by the County Board prior to approving or denying a sanitary landfill under this section.

Item 1. Need for a Sanitary Landfill.

The need for a sanitary landfill in Dakota County is well documented. Currently none of the three units of governments composing the Dakota County Solid Waste Disposal Agency have adequate landfill facilities. Dakota County does not have a landfill, South Sioux City has only a temporary landfill, and Dakota City has a questionable site which is only allowed to operate because of the small size of the city. Additionally, other small communities in the county will be required to close their landfills in the event more stringent state regulations are adopted.

Item 2. Use of Surrounding Property.

The land use around the proposed site is agricultural. This use is compatible with the operation of a sanitary landfill.

Item 3. Cost of Public Improvements.

The cost of public improvements appears to be comparable to other sites considered in the past. These costs are lower than those for other sites which were located in remote areas.

Item 4. Long Term Effects on County Development.

Land use in this area is expected to remain agricultural in nature. The operation of a properly run sanitary landfill at this site should not detract from future development in the county.

Item 5. Adverse Effect on Groundwater.

Department of Environmental Control guidelines require that ground water not be contaminated. That agency has submitted a written statement indicating that this site will probably pass their strict soil percolation rate criteria. Final analysis will be made after soil tests are evaluated. No ground water contamination should occur since the Department of Environmental Control will not license the site if that were the case.

Item 6. Drainage Problem.

No comment. (I have requested that a representative of the U.S. Soil Conservation address this).

Item 7. Specific Conditions Deemed Necessary for Approval.

I did not identify any additional considerations necessary for approving this site.

Section 5. Dakota County Zoning Regulation Minimum Distance Requirements.

Item 1. Distance from Residential Structure.

There are no residential structures within 1000 feet of this site.

Item 2. Distance from Primary or Secondary Highway.

There are no highways classified in this manner within 1000 feet of the site.

Item 3. Distance from Residential Area.

The site is located in the Agricultural zone and is not within 1000 feet of a residential or recreational zone as identified in the County Zoning Regulation.

Item 4. Distance from Runway Used by Piston Type Aircraft.

The site is over 5000 feet from any runway used by piston-type aircraft.

Item 5. Distance from Runway Used by Turbo-Jet Aircraft.

The site is over 10,000 feet from any runway used by turbo-jet aircraft.

Item 6. Location Within the Conical Surface of an Existing Airport.

The site is not located within the conical surface of an existing airport.

Item 7.. Area not Approved by the Department of Environmental Control.

This must be determined by that agency.

The Dakota County Zoning Resolution allows sanitary landfills only in the Agricultural Zone (AG). The official Dakota County Zoning Map, adopted March 13, 1978 by the County Board of Commissioners, clearly shows this site to be in the AG zone.

Respectfully submitted for your consideration.

Gene Sturm
Chief of Comprehensive Planning Section
Siouxland Interstate Metropolitan
Planning Council

Chairwoman Hirschbach asked if there were any testimonies.

Harvey Wenther appeared before the board. Mr. Wenther said, "I do not have much to testify. I think most of the people here are not against it; they're in favor of it (landfill site).

Being there were no further testimony, Chairwoman Hirschbach asked the Board members if they had any questions.

Mr. Culbertson asked why the landfill is limited to private contractors if it is a county project?

Mr. Morgan said it hasn't been limited to private contractors at all. He said we do have a private contractor who has made application for a license to operate the landfill. At this time, Mr. Morgan said, we are considering whether to approve this site as a site to be operated.

Mr. Culbertson asked if this private operator has a perogative to determine who goes in and out of the site.

Mr. Morgan said the rules of operation will be set by the Dakota County Landfill Commission.

Mr. Culbertson asked if the fact that only licensed operators with covered vehicles use the site, could be changed?

Mr. Morgan said those are the basic principles on which the Landfill Commission will draw up the rules and regulations.

However, Mr. Morgan said he did not see any reason why the Landfill Agency could not revise the rules from time to time.

Chairwoman Hirschbach asked Mr. Morgan for a brief background on the agency which will be running the landfill and setting up the rules.

Mr. Morgan said the agency is responsible for supervision of this project. The agency is comprised of two members of the Board of Commissioners, 2 representatives from South Sioux City, and 1 representative from Dakota City.

Mr. Culbertson asked if individuals could appeal to the agency if they felt they were entitled to use the site.

Mr. Morgan said, "Definitely".

Chairwoman Hirschbach said the Landfill Agency will be holding regular scheduled hearings which will be open to the public,

Mr. Morgan added the Landfill Agency holds monthly meetings which are open to the public.

Chairwoman Hirschbach asked Mr. Gill if oral agreements on the easements required for access to the site and agreement on the contract with the other land owner had been reached.

Mr. Gill said "yes".

Chairwoman Hirschbach pointed out that even if the Board does approve this site, it does not automatically mean this is the site which will be used. She said it is up to the Dakota County Landfill Agency to select a suitable site and to prepare the operational plans for submittal to the State. She said there are several other steps which any prospective Landfill must go through before it will be approved. Ms. Hirschbach asked the Board if they wish to take any action at this time.

Morgan moved, seconded by Rohde to approve the Landfill application of L.P. Gill, Inc.

RESOLUTION

WHEREAS: There is no sanitary landfill available for use by Dakota County residents and the need for such a facility does exist.

WHEREAS: The site would be compatible with the use being made of surrounding property which is agricultural.

WHEREAS: The cost of public improvements to the site is reasonable.

WHEREAS: The landfill will not hinder or alter the long range development in the County.

WHEREAS: The Nebraska State Department of Environmental Control will regulate the site in such a manner as to preclude any short run or long term effects on ground water.

WHEREAS: The site can be suitably operated to avoid soil erosion and the drainage controlled.

WHEREAS: The site meets the specific criteria for locating a sanitary landfill as identified in Section 505.5 of the Dakota County Zoning resolution, with amendments.

WHEREAS: This site used for a land fill shall be no less than 1000 feet from a residential structure.

AND

WHEREAS: The site will not unduly hinder the enjoyment and use of nearby properties and will not disrupt the appropriate use of land and other resources in the county.

BE IT RESOLVED: That the County Board of Commissioners of Dakota County approve the application of L.P. Gill Inc. for a license to operate a solid waste disposal area upon the real estate hereafter described.

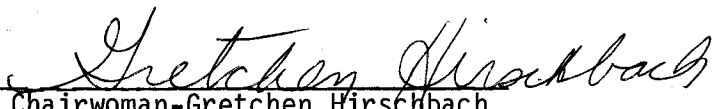
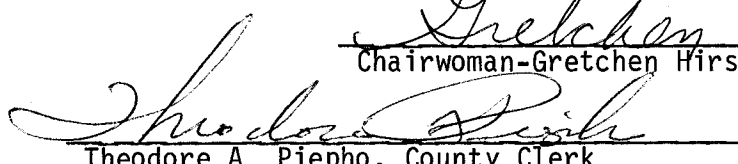
A tract of land in the northwest quarter of Section 28, Township 29 North, Range 7 east of the Sixth Principal Meridian, Dakota County, Nebraska, and more particularly described as follows:

Beginning at the N.E. corner of the N.W.¼ of the N.W.¼ of said Section 28; thence south along the one-sixteenth section line for 252.81 feet; thence east for 258.58 feet; thence in a southwesterly direction on a bearing of S 01 degree 26'20" W. for 836.20 feet; thence in northwesterly direction on a bearing of N 78 degrees 29'50" W for 263.71 feet; thence south along the one-sixteenth section line for 1250.00 feet; thence west for 625.00 feet; thence north for 1527.84 feet; thence in a northeasterly direction on a bearing of N 18 degrees 51' E for 347.51 feet; thence in a northwesterly direction on a bearing of N 05 degrees 07' 20" W for 207.00 feet; thence in a northeasterly direction on a bearing of N 08 degrees 05' 20" E for 250.44 feet to a point on the north line of the NW¼ of the NW¼ of Section 28; thence easterly along the north line of said NW¼ of the NW¼ of Section 28 for 542.00 feet to the point of beginning, containing 38.22 acres more or less.

Board member Morgan moved to adopt said resolution this 19th day of January, 1981.

Roll Call:

Hirschbach: Yes
 Garvey: Yes
 Rohde: Yes
 Culbertson: Yes
 Morgan: Yes


 Chairwoman-Gretchen Hirschbach

 Theodore A. Piepho, County Clerk

Unanimous motion carried

Garvey moved, Seconded by Rohde to reconvene the Commissioners meeting. Unanimous motion carried 1:45 p.m.

Rohde moved, seconded by Garvey to approve the following claims:

ASSISTANCE PAYROLL:

Blue Cross \$245.98, Social Security \$494.89, Mildred Jorgensen \$1508.39, Jeanine Bliven \$781.17, Margaret Boeshart \$1166.71, Pauline Jensen \$1183.38, Patricia Lane \$1045.09, Mary O'Dell \$711.85, Charlene Weber \$1045.29.

ASSISTANCE:

Mildred Jorgensen \$3.36, Margaret Boeshart \$56.70, Patricia Lane \$13.44, Pauline Jensen \$5.04, Charlene Weber \$35.28, Dakota County Treasurer \$628.13, Northwestern Bell \$203.81, Sioux City Stationery Co. \$45.69, Mildred Jorgensen \$41.20.

POOR RELIEF:

Nebraska State Department of Public Welfare \$10,233.07

COUNTY ROAD:

Social Security \$796.92, Blue Cross \$453.32, Blue Cross \$61.90, Lone Star \$3.75, George Anderson \$846.37, Leland Armbricht \$739.50, Donald Belt \$913.78, Caleb Chapman \$846.37, Beverly Gradert \$565.50, Walter Heinemann \$913.78, Robert Jacobsen \$880.61, Lawrence Jepsen \$1070.00, Kurt Johnson \$846.37, Walter Johnson \$982.26, Arnold Mellick \$946.95, Marlan Millard \$846.37, Willis Roeber \$739.50, Earl Stading \$846.37, State of Nebraska-Dept. of Roads \$12,982.16, Northwestern Bell \$72.21, Village of Emerson \$24.33, Nebraska Public Power Dist. \$17.30, Iowa Public Service \$169.90, Marlan Millard \$36.59, City of South Sioux City \$164.82, City of Dakota City \$37.23, Great Plains Supply \$14.55, Auto Parts & Exchange \$324.06, Northern Auto Parts \$36.75, Tucker's Glass Shop \$40.12, Westside Radiator \$484.00, Nebraska Tractor & Equipment Co. \$244.79, Condon Motor Co. \$7.45, Independent Radiator Works \$40.00, Graham Brake \$60.35, Carl A. Anderson \$286.02, Hansen Machine Shop \$8.24, Novelty Machine & Supply \$90.48, Mike's Auto Parts \$251.70, Tri-County Hardware \$49.38, Hydraulic Sales And Service \$113.92, Joes Surplus \$69.41, Missouri Valley Machinery Co. \$1205.96, Means Services, Inc. \$83.79, Dakota Auto Parts \$46.18, Minear Lock and Key Service \$1.50, Monroe Welding Supply Co. \$77.78, Tagatz Hardware \$31.04, Stephen's Welding Shop \$68.10, Walthill Farm Equipment \$6.50, Firestone Stores \$2016.95, St. Regis Paper Co. \$1617.21, Engel's Mobil Service \$253.30, Homer Service Station \$124.54, Farmer's Co-op Assn. \$150.97, Warren Oil Co. \$249.91, So Soo Oil Co. \$1158.25, Newman Signs \$167.50, SIMPCO \$455.34.

CHILD SUPPORT:

Social Security \$72.02, Blue Cross \$38.43, Raymond E. Speer \$1083.00.

FEDERAL GRANT-HIGHWAY SAFETY PROGRAM:

Social Security \$71.16, Blue Cross \$38.43, Danny Potts \$1070.00, Danny Potts \$10.00

WEED PAYROLL:

Social Security \$99.76, Blue Cross \$34.51, Willard Criss \$500.00, Paul M. Foreshoe \$850.00, Ruth foreshoe \$50.00, Maurice Crofoot \$25.00, Elmer Nelson \$25.00, John Ryan \$25.00, George Shrader \$25.00

WEED FUND:

Maurice Crofoot \$1.53, Elmer Nelson \$2.38, John Ryan \$4.25, George Shrader \$1.70, Paul Foreshoe \$65.85, Torticill Service \$7.50, Joe Morten & Son Inc. \$50.00

GENERAL FUND:


Social Security \$2875.97, Blue Cross \$1626.04, Blue Cross \$24.34, Paul Culbertson \$419.35, Henry DeGraaff \$122.31, Gretchen Hirschbach \$419.35, Robert Garvey \$541.66, Larry Morgan \$541.66, Daniel Rohde \$541.66, Rodney Smith \$122.31, Theodore Piepho \$1208.33, Mary Hinkle \$840.39, Eloise Gormally \$615.25, Margaret Rahn \$615.25, Myra Smith \$599.20, Robert Giese \$1208.33, Irene Van Lent \$840.39, Charlotte J. Doenhoefer \$615.25, Ruth Jensen \$615.25, Nadine Johanson \$615.25, Mardell Sorensen \$615.30, Ruth Warnock \$615.25, Virginia Piper \$1208.33, Betty Garwood \$840.39, Sharon Shannon \$615.25, William F. Whear \$1208.33, Harvey Bates \$1087.87, Jarold Gilson \$1070.00, Mike McManigal \$950.00, Linda Wilson \$791.75, Armon Todd \$963.00, Darlene Arneson \$686.80, Norma Barajas \$440.30, Sally Deal \$190.40, Michael Koettters \$163.20, Cheryl Lundberg \$355.30, Earlean McClain \$680.00, Neva Neal \$343.47, Pat Parkins \$424.15, Maurice Redmond \$1208.33, Dennis J. Mahr \$1337.50, Gloria Engelbrecht \$900.00, Cindy Harris \$700.00, Julie Engel \$224.00, Joy K. Nixon \$1208.33, Thelma Baugous \$840.46, Nellis June Beardshear \$636.75, Shirley Ann Bentz \$615.25, Dorothy Lundberg \$615.25, Lillian Rager \$640.25, Jeanette Ramirez \$636.75, Madelyn Thorsland \$615.25, Nondas Vitols \$644.75, Klemett Dean \$1259.39, Nancy Dean \$258.03, Harold Nelson \$350.00, Patricia Stingley \$668.75, Bruce Hovey \$2000.00, Jon C. Norris \$624.17, Maurice A. Roady \$713.33, Lorraine Tillman \$1123.50, Bonibel Chapman \$615.25, Dr. J. H. Walston \$230.00, Maxine Titler \$666.67, Lyle Todd \$186.00, City of South Sioux City \$3100.00, Shull, Marshall, and Marks \$2100.00, South Sioux City Star \$310.24, Joe Morten & Son \$40.00, Sooland Business Forms \$4.50, Sooland Office Supply \$13.01, Mid West Business Products \$54.26, Northwestern Bell \$118.80, Sioux City Stationery \$10.80, Precision Typewriter Works \$190.00, Rinder Printing Co. \$96.65, Redfield & Co. \$102.52, Ted Piepho \$28.94, Dakota County Clerk \$30.00, Robert Giese \$50.61, Dakota County Treasurer \$2.13, Northwestern Bell \$105.31, Sooland Office Supply \$33.30, Joe Morten & Son \$617.00, Bear Graphics, Inc. \$1572.50, Burroughs Corp. \$187.50, Bear Graphics, Inc. \$221.00, Northwestern National Bank \$200.25, Northwestern Bell \$73.94, Sooland Office Supply \$4.37, Western Paper & Supply \$10.95, Redfield & Co., Inc. \$190.68, Omaha World-Herald \$41.60, West Publishing Co. \$71.50, Sioux City Stationery \$84.39, Bancroft-Whitney \$96.85, General Business \$13.86, I.B.M. Office Products Division \$85.34, Northwestern Bell \$213.75, Norfolk Printing Co. \$87.25, Precision Typewriter Works \$190.00, Redfield & Co. \$382.50, Sioux City Stationery \$10.35, Sooland Office Supply \$66.43, Northwestern Bell \$302.69, Western Union \$230.76, Executive Copy Systems \$67.50, William F. Whear \$516.40, Harvey Bates \$781.12, Jarold Gilson \$493.12, Mike McManigal \$753.28, Armon Todd \$107.28, Sioux City Stationery \$35.69, Sheriff Department \$8.36, MPH Industries \$24.85, Leo's Pro Service \$312.38, Security National Bank \$135.52, Charlie Zook Dodge \$23.77, Nebraska Correctional Industries \$325.00, William F. Whear \$310.00, Dakota County Sheriff Dept. \$791.00, The Paper Co. \$85.95, Standard Office Equipment \$12.58, Nebraska County Attorneys Assn. \$210.00, Sioux City Stationery \$36.62, Executive Leasing \$151.31, Des Moines Stamp Mfg. Co. \$14.90, Warren, Gorham and Lamont, Inc. \$34.55, Matthew Bender & Co. \$81.89, Bancroft-Whitney \$49.15, Harvard Law Review \$24.50, National Assn. of Chiefs of Police \$20.00, West Publishing Co. \$69.00, Mid West Business Products \$45.79, Northwestern Bell Telephone \$448.96, Joy K. Nixon \$193.45, Thelma Baugous \$55.44, Northwestern Bell \$91.18, Joe Morten & Son \$160.00, General Business Equip. \$4.08, Norfolk Printing Co. \$579.75, Redfield & Co. \$480.59, South Sioux City Star \$43.68, Precision Typewriter Works \$8.24, Sioux City Stationery \$16.20, Klemett Dean \$35.00, Bill Hedrick \$191.40, Clausen Electric \$186.65, Tuffy Lighting Supply Co. \$143.52, Tucker's Glass \$5.00, Tagatz Hardware \$15.96, American Linen \$15.20, I.P.S. \$1275.00, City of Dakota City \$1069.66, T & D Service \$20.00, Mid-American Research \$205.90, Torticills Station \$5.60, Minear Lock and Key \$3.75, Walensky Lumber \$72.10, Bahr Plumbing \$42.85, Western Paper & Supply \$18.44, Dakota County Extension Service \$1300.00, Bruce Hovey \$314.13, Sioux City Stationery \$10.87, South Sioux City Star \$73.85, Northwestern Bell \$22.94, Northwestern Bell \$39.35, Maurice Roady \$53.09, Northwestern Bell \$21.41, Lorraine Tillman \$102.06, General Business Equipment \$13.90, Wayne W. Wheeler \$960.00, Northwestern Bell \$61.90, State of Nebr. Dept. of Administrative Serv. \$19.15, Sooland Office Supply \$4.68, South Sioux City Star \$8.13, Maxine Titler \$20.00, Hammond & Stephens Co. \$31.92, Northwestern Bell \$26.44, Maxine Titler \$6.00, Lyle Todd \$19.53, Northwestern Bell \$6.90, William Binkard \$70.00, Curtis J. Boatman \$20.64, Mari Boatman \$20.64, Barry Fickbohm \$20.64, Leon Krueger \$41.28, Tom Mullinix \$24.00, South Sioux City Star \$118.30, Dakota County Treasurer \$1372.50, United States Leasing Co. \$43.56, Nebraska Assoc. of County Officials \$413.00, Northwestern Bell \$9.45, Dakota County Treasurer \$1000.00, Dakota County Treasurer \$1000.00, Pitney Bowes \$85.50, US Leasing \$43.56, Dakota County Treasurer \$79.50, City Of South Sioux City \$17.74, Clerk of District Court \$348.00, Clerk of District Court \$184.78, Wm. L. Binkard \$680.69, Robert A. Wichser \$790.19, Kurt Hohenstein \$416.21, Kurt Hohenstein \$207.50, Richard L. McCoy \$245.00, William Binkard \$489.47, Nebraska Commission of Industrial Relations \$39.30

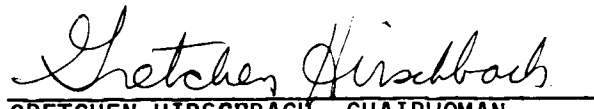
Unanimous motion carried

With no further business, Chairwoman Hirschbach called for a motion to adjourn.

Garvey moved, seconded by Rohde to adjourn. Unanimous motion carried 2:05 p.m.

ATTEST:


THEODORE PIEPHO, COUNTY CLERK


GRETCHEN HIRSCHBACH, CHAIRWOMAN

COMMISSIONERS MEETING
January 26, 1981 Proceedings
Basement Meeting Room

Chairwoman Hirschbach called their regular scheduled meeting to order at 9:03 a.m. Present: Larry Morgan, Robert Garvey, Gretchen Hirschbach, Paul Culbertson, Daniel Rohde and Ted Piepho, secretary.

Rohde moved, seconded by Garvey to approve the minutes of January 19 as corrected. Unanimous motion carried.

George Shrader (Area for the Aged) appeared before the Board. He explained his position as delegate to the agency and the functional structure of the agency.

Chairwoman Hirschbach asked Mr. Shrader how often the Senior Citizen's Center is open in South Sioux

City and the average number of meals served at the center.

Mr. Shrader said the center is open at least 4 days a week and an average of 60-65 people are served meals daily.

Mr. Morgan asked what the average donation per meal is.

Mr. Shrader said the average donation is \$1.26.

Mr. Morgan said the cost of each meal to the taxpayer is much higher than \$1.26 and over \$10.00 a plate by the time you figure from the time it gets to the local government from the Federal Government.

Chairwoman Hirschbach commented that this kind of program is an alternative to putting someone in a nursing home, which is very costly to the county. She asked Mr. Culbertson and Mr. Morgan to attend a meeting of the Area for the Aged to see how their funding is done.

Ted Piepho (County Clerk) appeared before the Board with the monthly report for December from his office.

Eva Krogh Davis appeared before the Board regarding the valuation of her property.

Morgan moved, seconded by Rohde to convene as the Board of Equalization. Unanimous motion carried 9:40 a.m.

Garvey moved, seconded by Rohde to reconvene as the Board of Commissioners. Unanimous motion carried 9:52 a.m.

Joy Nixon presented the Board two bids for appraisal of commercial property in the county; those bids being from Midwest Appraisal Co. and Le Grand.

Chairwoman Hirschbach asked Ms. Nixon if she had any recommendations.

Ms. Nixon replied that Midwest Appraisal Co. is experienced in working with counties. She added that an outside source would be valuable in court, where an assessor's word is seldom taken.

Mr. Morgan said he would like to see a proposal from Midwest Appraisal Co. on I.B.P. and the Sioux City Foundry only.

Ms. Nixon said the cost to assess personal property at I.B.P. would be \$6000.00 and to assess real estate would be \$7000.00. The cost to assess the real estate of the Sioux City Foundry would be \$1350.00, for a total of \$14,350.00 per the bid from Midwest Appraisal to assess I.B.P. and the Sioux City Foundry.

Chairwoman Hirschbach said we will delay taking any action until I.B.P. has come before us regarding their protest of added valuation.

Morgan moved, seconded by Rohde to recess. Unanimous motion carried 10:09 a.m.

Rohde moved, seconded by Garvey to reconvene. Unanimous motion carried 10:22 a.m.

Chairwoman Hirschbach said a letter has been sent to Maurice Redmond (County Attorney) asking for the procedures to close existing county roads. The salary claim of Rodney Smith has been referred to the County Attorney's office for submittal to the Attorney General. An opinion from the County Attorney's office will be requested regarding the procedures to be taken when a budget within the General Budget goes in the red.

Garvey moved, seconded by Morgan to convene as the Board of Equalization. Unanimous motion carried 10:47 a.m.

Culbertson moved, seconded by Garvey to reconvene as the Board of Commissioners. Unanimous motion carried 11:46 a.m.

Regarding the two proposals to appraise commercial property in Dakota County, Chairwoman Hirschbach said we don't have sufficient information to deal with the appraisal of I.B.P. She added that the bid from Le Grand is higher than that of Midwest Appraisal.

Mr. Morgan said we need something to base our decisions on in court. We have to look at the earning capacity and the impact of I.B.P. on the community.

Chairwoman Hirschbach asked if Midwest Appraisal would be more detailed than J.M. Clemshaw.

Ms. Nixon said Midwest would use the Marshall-Swift Manual which is more detailed. In addition, they would use a different format and different worksheets.

Mr. Morgan asked if the valuation of the personal property of I.B.P. is accurate.

Ms. Nixon said we have no other updating other than what is on file.

Morgan moved, seconded by Garvey to engage Midwest Appraisal Company in a contract for \$13,000.00 to appraise the personal property and real estate of Iowa Beef Processors, Inc. of Dakota City, Nebraska.

Roll Call Vote


| | |
|------------|-----|
| Garvey | yes |
| Rohde | yes |
| Hirschbach | yes |
| Culbertson | no |
| Morgan | yes |

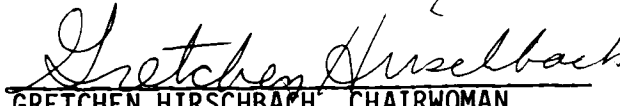
motion carried

With no further business, Chairwoman Hirschbach called for a motion to adjourn.

Garvey moved, seconded by Rohde to adjourn. Unanimous motion carried 12:40 p.m.

ATTEST:


 THEODORE PIEPHO, COUNTY CLERK


 GRETCHEN HIRSCHBACH, CHAIRWOMAN

COMMISSIONERS MEETING
 February 2, 1981 Proceedings
 Basement Meeting Room

Chairwoman Hirschbach called their regular scheduled meeting to order at 9:05 a.m. Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary.

Culbertson moved, seconded by Morgan to approve the minutes of January 26 as corrected. Unanimous motion carried.

Joy Nixon (County Assessor) appeared before the Board regarding affidavits of Continued Tax Exemption Applications. Ms. Nixon recommended a hearing be held to show cause for real estate of St. Michael's Catholic Church, 1405 First Avenue, South Sioux City, Ne. LEGAL DESCRIPTION: Lot 8, and West 40' of Lots 9-10-11-12 Block 37 Joy Place Addition, Dakota County, South Sioux City, Ne. to be tax exempt. Ms. Nixon said if she approves an affidavit of continued tax exemption, a hearing is not necessary. However, if she or the Board denies any application, a hearing shall be held before making a decision.

Morgan moved, seconded by Garvey to convene as the Board of Equalization. Unanimous motion carried 9:20 a.m.

Garvey moved, seconded by Rohde to reconvene as the Board of Commissioners. Unanimous motion carried 9:32 a.m.

Rohde moved, seconded by Garvey to recess. Unanimous motion carried 9:37 a.m.

Garvey moved, seconded by Morgan to reconvene. Unanimous motion carried 9:52 a.m.

Robert Post from Joe Morten & Son, Inc. appeared before the Board to explain the insurance policies of the county.

Clark Sorensen (Northwestern Bell) appeared before the Board to offer ideas for a road designation system. Mr. Sorensen said he would recommend a numbering system be used to designate the roads in the county. He suggested the north and south roads be given even numbers and the east and west roads be given odd numbers. He explained the type of sign used in other areas.

Chairwoman Hirschbach asked Mr. Culbertson to get information on cost, procedures, amount of time to implement this system and to report back to the Board.

Ed Wilburn (Northwestern Bell) appeared before the Board to explain telephone systems available through N.W. Bell. Mr. Wilburn said we have systems that could better unite Dakota City as a whole. We could alleviate 7 digit dialing with a 4 digit number, which would save time. He said the system would require one answering point in the courthouse. Mr. Wilburn said N.W. Bell would like to do a customer service study in the Courthouse. N.W. Bell would talk to individuals in each office and then present a proposal to the Board.

Chairwoman Hirschbach asked if the study would be done at no cost to the count

Mr. Wilburn said there would be no cost to the county.

Garvey moved, seconded by Rohde to authorize a customer service study by Northwestern Bell. Unanimous motion carried.

Morgan moved, seconded by Culbertson the Chairman of the Board be authorized to sign the following Amendment to Lease and Agreement with New Pamida, Inc.

AMENDMENT TO LEASE AND AGREEMENT

THIS AMENDMENT TO LEASE AND AGREEMENT, made and entered into as of the 15th day of January, 1981, by and between THE COUNTY OF DAKOTA, NEBRASKA, a county of the State of Nebraska (therein and herein the "Lessor"), GORDON P. BAKKEN, a resident of Fergus Falls, Minnesota (therein the "Lessee"), PAMIDA, INC., a Nebraska corporation (therein the "Sub-lessee") and herein collectively with Gordon P. Bakken the "Lessee") and NEW PAMIDA, INC., a Delaware corporation qualifies to do business in Nebraska("New Pamida").

WITNESSETH:

WHEREAS, Lessor and Gordon P. Bakken entered into that certain Lease and Agreement dated the 15th day of December, 1975 wherein Lessor leased and demised unto Gordon P. Bakken certain real property situated in South Sioux City, Dakota County, Nebraska, more particularly described as follows:

Lots 1, 2, 3, 4, 5, and 6 of Block 45, Stanton Addition to the City of South Sioux City, Dakota County, Nebraska and that part of the vacated East-West alley in said Block 45 which abuts upon and runs between Lots 3 and 4 of said Block 45;

WHEREAS, Gordon P. Bakken and Pamida, Inc., entered into that certain Sublease Agreement sated the 15th day of December, 1975 wherein Gordon P. Bakken subleased unto Pamida, Inc. that certain real property herein above described;

WHEREAS, pursuant to the provisions of Section 2 of Article XIII of the Nebraska Constitution and Sections 18-1614 to 18-1623, Reissue Revised Statutes of Nebraska, 1943, as amended, Lessor issued its Series A Bonds under such authority;

WHEREAS, First National Bank in Sioux City was appointed Trustee for the bondholders

AMENDMENT TO LEASE AND AGREEMENT

THIS AMENDMENT TO LEASE AND AGREEMENT, made and entered into as of the 15th day of January, 1981, by and between THE COUNTY OF DAKOTA, NEBRASKA, a county of the State of Nebraska (therein and herein the "Lessor"), GORDON P. BAKKEN, a resident of Fergus Falls, Minnesota (therein the "Lessee"), PAMIDA, INC., a Nebraska corporation (therein the "Sublessee" and herein collectively with Gordon P. Bakken the "Lessee") and NEW PAMIDA, INC., a Delaware corporation qualified to do business in Nebraska ("New Pamida").

WITNESSETH:

WHEREAS, Lessor and Gordon P. Bakken entered into that certain Lease and Agreement dated the 15th day of December, 1975 wherein Lessor leased and demised unto Gordon P. Bakken certain real property situated in South Sioux City, Dakota County, Nebraska, more particularly described as follows:

Lots 1, 2, 3, 4, 5, and 6 of Block 45, Stanton Addition to the City of South Sioux City, Dakota County, Nebraska and that part of the vacated East-West alley in said Block 45 which abuts upon and runs between Lots 3 and 4 of said Block 45;

WHEREAS, Gordon P. Bakken and Pamida, Inc., entered into that certain Sublease Agreement dated the 15th day of December, 1975 wherein Gordon P. Bakken subleased unto Pamida, Inc. that certain real property hereinabove described;

WHEREAS, pursuant to the provisions of Section 2 of Article XIII of the Nebraska Constitution and Sections 18-1614 to 18-1623, Reissue Revised Statutes of Nebraska, 1943, as amended, Lessor issued its Series A Bonds under such authority;

WHEREAS, First National Bank in Sioux City was appointed Trustee for the bondholders and has continued to serve in such capacity thereafter and in its capacity as Trustee is the mortgagee of that certain Mortgage and Indenture of Trust dated the 15th day of December, 1975;

WHEREAS, Lessee has requested of the bondholders their consent to a certain transaction which Lessee intends to enter into and to the modification of the Lease and Agreement eliminating certain financial covenants contained therein;

WHEREAS, the requisite number of bondholders have so consented and have directed the Trustee to execute on behalf of said bondholders this instrument;

WHEREAS, the Lessor is willing to so amend the Lease and Agreement; and

WHEREAS, New Pamida, Inc., is willing to execute this Amendment to Lease and Agreement thereby indicating its agreement to be bound by the remaining terms thereof and evidencing its obligation to pay rent thereunder upon assignment of Lessee's rights thereunder to it;

NOW, THEREFORE, the Lease and Agreement is amended in the following particulars:

1. Elimination of Financial Covenants. Except for the provisions of Section 5.1 and 5.2 which shall remain in full force and effect, Article V and Article XVI of the Lease and Agreement are hereby deleted in their entirety; it being intended that all financial covenants required to be maintained by the Lessee or any assignee of Lessee shall be eliminated. References to such financial covenants contained in the Mortgage and Trust Agreement and the Bond Indentures or any other documents forming a part of the transaction giving rise to the issuance of the Series A Bonds shall be similarly amended to eliminate any independent reference to financial covenants required to be maintained by the Lessee or any assignee of Lessee.

2. Assumption of Obligations by New Pamida, Inc. New Pamida, Inc., hereby agrees to keep and perform each and every duty and act which Pamida, as Lessee, was required to keep and perform under the provisions of the Lease and Agreement, including payment of any additional rent necessary to reflect the increase in the bond interest rate as provided in the Escrow Agreement bearing even date herewith, except financial covenants contained in Articles V and XVI all of which have, pursuant to Paragraph 1 of this Amendment to the Lease and Agreement, been eliminated. New Pamida, Inc., further agrees to accept any assignment of Pamida's interests in such leasehold and upon such assignment to be bound unto the Lessor, Trustee, and bondholders as fully as though it had been a party to the documents forming a part of the Series A Bonds.

3. Assignment. Lessee hereby agrees to assign all its right, title and interest in and to the leasehold property to New Pamida, Inc., upon the happening of the Conditions Precedent hereafter enumerated. In the event that Lessee shall hereafter fail to so assign its interests, this Amendment to Lease and Agreement shall so serve as such assignment.

4. Escrow Fund Agreement. Pamida hereby agrees to create a fund with the Trustee by execution of the Escrow Agreement bearing even date herewith, consisting of marketable, tax-exempt securities which may be used to pay bondholders in the event of default.

5. Conditions Precedent. No party hereto shall be bound by the provisions of this Amendment to Lease and Agreement nor shall the provisions hereof become effective with respect to any other party hereto unless and until the following conditions precedent have been fulfilled:

(a) The shareholders of Pamida shall approve a proposed transaction whereby Pamida will sell substantially all of its assets (except certain retained assets) to New Pamida, Inc. for cash and the assumption of liabilities, and such transaction, if approved, shall actually be closed. Among the assets to be transferred by Pamida to New Pamida if such approval is obtained, is Pamida's interest under the Lease and Agreement to which this Amendment applies.

(b) This document shall have been executed by each party named herein.

(c) The Escrow Agreement, bearing even date herewith, shall have been executed by each party named thereto.

(d) Pamida shall have deposited in escrow the securities as required by the Escrow Agreement bearing even date herewith.

6. No Further Changes Intended. Except as provided for in this Amendment to Lease and Agreement, all other provisions of the Lease and Agreement, the Mortgage and Trust Agreement, and the Bond Indentures, shall remain in full force and effect and no provision of this Amendment shall be interpreted as eliminating or diminishing the independent guarantee of Pamida nor the underlying real estate as security for payment of the bonds. All other covenants, duties, and obligations, which Pamida, as Lessee, and New Pamida, as assignee, were or will be required to perform, keep, or honor, except as amended herein, shall remain in full force and effect.

7. Notices. When any party shall desire to give notice to any other party with respect to any event reasonably anticipated hereunder including, but not limited to, default in payment under the Lease, default in payment of any amount due bondholders, or any other event for which notice may be given, the same shall be given to such other party or parties in writing, by registered or certified mail, return receipt requested, to such other party or parties at the addresses set forth hereafter:

If intended for Lessee:

Gordon P. Bakken
1234 No. Broadway
Fergus Falls, Minnesota 56537

and

President
Pamida, Inc.
8800 F Street
Omaha, Nebraska 68127

or, if intended for the Lessor:

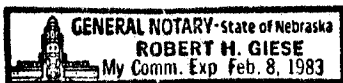
Chairman and Board of Commissioners
Dakota County Courthouse
Dakota City, Nebraska 68731

or, if intended for the Assignee:

President
New Pamida, Inc.
8800 F Street
Omaha, Nebraska 68127.

STATE OF NEBRASKA)
) SS.
COUNTY OF DAKOTA)

The foregoing instrument was acknowledged before me this 2nd day of February, 1981 by Gretchen Hirschbach as Chairman of the Board of Commissioners of Dakota County, Nebraska, and Theodore A. Piepho County Clerk of Dakota County, Nebraska.



Robert H. Giese
Notary Public

My Commission Expires:

February 8, 1983

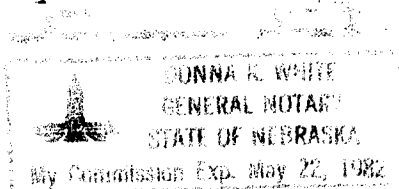
STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 15th day of January, 1981 by C. Clayton Buehler as president and Ronald W. Curtis as secretary of New Pamida, Inc., a Delaware corporation, on behalf of the corporation.

Donna K. White
Notary Public

My Commission Expires:

May 22, 1982



and has continued to serve in such capacity thereafter and in its capacity as Trustee is the mortgagee of that certain Mortgage and Indenture of Trust dated the 15th day of December, 1975;

WHEREAS, Lessee has requested of the bondholders their consent to a certain transaction which Lessee intends to enter into and to the modification of the Lease and Agreement eliminating certain financial covenants contained therein;

WHEREAS, the requisite number of bondholders have so consented and have directed the Trustee to execute on behalf of said bondholders this instrument;

WHEREAS, the Lessor is willing to so amend the Lease and Agreement; and

WHEREAS, New Pamida, Inc., is willing to execute this Amendment to Lease and Agreement thereby indicating its agreement to be bound by the remaining terms thereof and evidencing its obligation to pay rent thereunder upon assignment of Lessee's rights thereunder to it;

NOW, THEREFORE, the Lease and Agreement is amended in the following particulars;

1. Elimination of Financial Covenants. Except for the provisions of Section 5.1 and 5.2 which shall remain in full force and effect, Article V and Article XVI of the Lease and Agreement are hereby deleted in their entirety; it being intended that all financial covenants required to be maintained by the Lessee or any assignee of Lessee shall be eliminated. References to such financial covenants contained in the Mortgage and Trust Agreement and the Bond Indentures or any other documents forming a part of the transaction giving rise to the issuance of the Series A Bonds shall be similarly amended to eliminate any independent reference to financial covenants required to be maintained by the Lessee or any assignee of Lessee.

2. Assumption of Obligations by New Pamida, Inc. New Pamida, Inc., hereby agrees to keep and perform each and every duty and act which Pamida, as Lessee, was required to keep and perform under the provisions of the Lease and Agreement, including payment of any additional rent necessary to reflect the increase in the bond interest rate as provided in the Escrow Agreement bearing even date herewith, except financial covenants contained in Articles V and XVI all of which have, pursuant to Paragraph 1 of this Amendment to the Lease and Agreement, have been eliminated. New Pamida, Inc., further agrees to accept any assignment of Pamida's interests in such leasehold and upon such assignment to be bound unto the Lessor, Trustee, and bondholders as fully as though it had been a party to the documents forming a part of the Series A Bonds.

3. Assignment. Lessee hereby agrees to assign all its right, title and interest in and to the leasehold property to New Pamida, Inc., upon the happening of the Conditions Precedent hereafter enumerated. In the event that Lessee shall hereafter fail to so assign its interest, this Amendment to Lease and Agreement shall so serve as such assignment.

4. Escrow Fund Agreement. Pamida hereby agrees to create a fund with Trustee by execution of the Escrow Agreement bearing even date herewith, consisting of marketable, tax-exempt securities which may be used to pay bondholders in the event of default.

5. Conditions Precedent. No party hereto shall be bound by the provisions of this Amendment to Lease and Agreement nor shall the provisions hereof become effective with respect to any other party hereto unless and until the following conditions precedent have been fulfilled:

(a) The shareholders of Pamida shall approve a proposed transaction whereby Pamida will sell substantially all of its assets (except certain retained assets) to New Pamida, Inc. for cash and the assumption of liabilities, and such transaction, if approved, shall actually be closed. Among the assets to be transferred by Pamida to New Pamida if such approval is obtained, is Pamida's interest under the Lease and Agreement to which this Amendment applies.

(b) This document shall have been executed by each party named herein.

(c) The Escrow Agreement, bearing even date herewith, shall have been executed by each party named thereto.

(d) Pamida shall have deposited in escrow the securities as required by the Escrow Agreement bearing even date herewith.

6. No Further Changes Intended. Except as provided for in this Amendment to Lease and Agreement, all other provisions of the Lease and Agreement, the Mortgage and Trust Agreement, and the Bond Indenture, shall remain in full force and effect and no provision of this Amendment shall be interpreted as eliminating or diminishing the independent guarantee of Pamida nor the underlying real estate as security for payment of the bonds. All other covenants, duties, and obligations, which Pamida, as Lessee, and New Pamida, as assignee, were or will be required to perform, keep, or honor, except as amended herein, shall remain in full force and effect.

7. Notices. When any party shall desire to give notice to any other party with respect to any event reasonable anticipated hereunder including, but not limited to, default in payment under the Lease, default in payment of any amount due bondholders, or any other event for which notice may be given, the same shall be given to such other party or parties in writing, by registered or certified mail, return receipt requested, to such other party or parties at the addresses set forth hereafter:

If intended for Lessee:

Gordon P. Bakken
1234 No. Broadway
Fergus Falls, Minnesota 56537

and

President
Pamida, Inc.
8800 F Street
Omaha, Nebraska 68127

or, if intended for the Lessor:

Chairman and Board of Commissioners
Dakota County Courthouse
Dakota City, Nebraska 68731

or, if intended for the Assignee:

President
New Pamida, Inc.
8800 F Street
Omaha, Nebraska 68127

IN WITNESS WHEREOF, the parties have executed this Amendment to Lease and Agreement on the day and year first above written.

(Seal) LESSEE

Gordon P. Bakken

(Seal) PAMIDA, INC., Sublessee

ATTEST:

Secretary

By: _____
President

(Seal)

THE COUNTY OF DAKOTA, NEBRASKA,
Lessor

ATTEST:

County Clerk

By: _____
Chairman of the Board of
Commissioners

(Seal)

NEW PAMIDA, INC., Assignee

ATTEST:

Secretary

By: _____
President

STATE OF MINNESOTA)
) SS.
COUNTY OF OTTER TAIL)

The foregoing instrument was acknowledged before me this ____ day of _____, _____ by Gordon P. Bakken.

My Commission Expires:

Notary Public

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 15th day of January, 1981 by C. Clayton Burkstrand as president and John J. Wiesner as secretary of Pamida, Inc., a Nebraska corporation, on behalf of the corporation.

My Commission Expires:

Notary Public

STATE OF NEBRASKA)
) SS.
COUNTY OF DAKOTA)

The foregoing instrument was acknowledged before me this 2nd day of February, 1981 by Gretchen Hirschbach as Chariman of the Board of Commissioners of Dakota County, Nebraska, and Theodore A. Piepho as County Clerk of Dakota County, Nebraska.

Notary Public

My Commission Expires:

STATE OF NEBRASKA)
) SS.
COUNTY OF DOUGLAS)

The foregoing instrument was acknowledged before me this 15th day of January, 1981
by C. Clayton Burkstrand as president and Ronald W. Curtis
as secretary of New Pamida, Inc., a Delaware corporation, on behalf of the corporation.

Notary Public

My Commission Expires:

Unanimous motion carried

Bruce Hovey (Highway Superintendent) appeared before the Board per the Board's request.

Mr. Hovey said we should schedule a hearing for the one and six-year road construction plan.

The Board scheduled the hearing for 11:00 a.m. on February 23.

In a letter from Maurice Redmond (County Attorney) regarding the closing of existing roads, Mr. Redmond said a resolution must be made, and there is a 90 day limit.

Morgan moved, seconded by Culbertson a 66' road beginning at the Northeast Corner of the South-east ¼ of Section 36, Township 28 N, Range 7E, thence West 4000' be closed temporarily for 90 days and the Highway Superintendent present the Board a written study of the use and feasibility of the road. Unanimous motion carried.

Morgan moved, seconded by Garvey to approve the motor grader specifications submitted by Bruce Hovey, and to authorize the Highway Superintendent to advertise for bids on a new motor grader. Unanimous motion carried.

Morgan moved, seconded by Rohde to convene in executive session to discuss possible future litigation. Unanimous motion carried. 12:15 p.m.

Garvey moved, seconded by Rohde to reconvene in regular session. Unanimous motion carried 12:39 p.m.

Morgan moved, seconded by Garvey the Chairman of the Board be authorized to negotiate with Midwest Appraisal Company to eliminate the assessment of personal property of Iowa Beef Processors, Inc. from the contract, to retain the service of assessing Iowa Beef Processor's real estate and call for approval of the State Tax Commissioner. Unanimous motion carried.

Chairwoman Hirschbach asked Maurice Redmond (County Attorney) to give a brief synopsis why the Board has changed the contract.

Mr. Redmond said because of the self assessment law pertaining to personal property, I.B.P. should not be treated differently just because their real estate is going to be reappraised.

Morgan moved, seconded by Culbertson to adopt the following resolution to oppose LB281 and LB282 and to so notify our State Senator.

RESOLUTION

WHEREAS, Local county boards have traditionally had authority and responsibility for establishing salaries of county elected officials;

WHEREAS, such control establishes accountability and responsiveness to the taxpayers who foot the bill for local government;

AND WHEREAS, LB281 and LB282 would remove that control, transfer it to the State, and set up inflexible standards which do not take into account any special circumstances;


BE IT RESOLVED, that the County Board of Commissioners of Dakota County oppose the passage of LB281 and LB282 by the Nebraska Legislature.


Board member Morgan moved to adopt said resolution this 2nd day of February, 1981.

Roll Call Vote: Rohde Yes
 Garvey Yes
 Culbertson Yes
 Hirschbach Yes
 Morgan Yes

Unanimous motion carried.

ATTEST:


THEODORE A. PIEPHO, COUNTY CLERK


GRETCHEN HIRSBACH, CHAIRWOMAN

Rohde moved, seconded by Garvey to adopt the following resolution to support LB39 and to so notify our State Senator:

RESOLUTION

WHEREAS; local county boards have no administrative authority for medicaid programs or any local control;

WHEREAS; assumption of obligation with no commensurate authority represents an unfair burden on local government;

AND WHEREAS; the growth of spending in this area represents real problems for agencies under the 7% spending lid bill;


BE IT RESOLVED; that the County Board of Commissioners of Dakota County supports passage of LB39 by the Nebraska Legislature.


Board member Rohde moved to adopt this said resolution this 2nd day of February, 1981.

| | | |
|-----------------|------------|-----|
| Roll Call Vote: | Rohde | Yes |
| | Garvey | Yes |
| | Hirschbach | Yes |
| | Culbertson | No |
| | Morgan | Yes |

Motion carried.

ATTEST:


THEODORE A. PIEPHO, COUNTY CLERK


GRETCHEN HIRSCHBACH, CHAIRWOMAN

With no further business, Chairwoman Hirschbach called for a motion to adjourn.

Garvey moved, seconded by Rohde to adjourn. Unanimous motion carried 1:05 p.m.

COMMISSIONERS MEETING
February 9, 1981 Proceedings
Basement Meeting Room

Chairwoman Hirschbach called their regular scheduled meeting to order at 9:00 a.m.

Present: Daniel Rohde, Larry Morgan, Robert Garvey, Gretchen Hirschbach, Paul Culbertson, and Ted Piepho, secretary.

Morgan moved, seconded by Rohde to approve the minutes of February 2 as typed. Unanimous motion carried.

The County Officials and their deputies appeared before the Board per the Board's request to discuss problems within the offices. Meetings between the County Officials and the Commissioners will be scheduled for each quarter of the year; the first being the 2nd Monday in April.

Bruce Smith appeared before the Board regarding the claim submitted by Rodney Smith. Bruce Smith presented a letter to the Board in response to the County Attorney's response to the Board per their request of the Attorney General's opinion.

Morgan moved, seconded by Rohde to include the following letter in the minutes:

February 9, 1981

Dakota County Board of Commissioners
County Courthouse
Dakota City, Nebraska 68731

RE: Unpaid County Commissioner Wages of Rodney R. Smith

Dear Board Members:

In the past few weeks, this County Board has requested the County Attorney's office to seek an attorney general's opinion on the liability of the County to pay the bill submitted previously by Rodney Smith for unpaid county commissioner wages. On behalf of Mr. Smith, we have been provided with a copy of the County Attorney's response to this Board's request. In all fairness, we believe the County Attorney's action in this regard to be unresponsive to the needs of this Board for an unbiased opinion.

As you may recall, we asked that this Board defer any decision, pending an opinion either from the attorney general or independent legal counsel. The purpose for the request was based upon our observation that an unbiased objective opinion on the legal issues involved was clearly necessary. Under more usual circumstances, the opinion of your County Attorney would be proper. However, it is plain to see that the County Attorney is cloaked with a shroud of biasness do to his public and private involvement in removing Mr. Smith from public office. By this statement, we do not necessarily mean the County Attorney is deliberately taking sides on the issue, however, we do question the refusal of the County Attorney's office to honor this Board's request for an attorney general's opinion. The County Attorney was not only responsible in removing Mr. Smith from public office, but also in helping to appoint his replacement. Clearly everyone's interests would be best served in obtaining such an opinion.

At this time, we do not believe it would serve a responsible purpose in responding to the County Attorney. Countering that office's position with legal opinions and case law in Mr. Smith's favor would merely lead to confusion and opinions on both sides of the question.

It is our recommendation that this Board again make formal request to the County Attorney's office for an attorney general's opinion. We believe the Board is entitled to such an opinion, and should make every effort to obtain the same. If the County Attorney's office once again refuse to cooperate, then we propose that this Board seek an independent legal opinion from another unbiased source.

Your continued cooperation is much appreciated.

Very truly yours,
SMITH, SMITH & BOYD

Bruce M. Smith
For the Firm

BMS/sms

Unanimous motion carried.

Morgan moved, seconded by Rohde to request the County Attorney to request the Attorney General's opinion regarding the bill. Hirschbach abstained. Motion carried.

Mildred Jorgensen (County Welfare Director) appeared before the Board regarding the disposition of bodies. Ms. Jorgensen presented the following letter and statute to the Board from the Nebraska Anatomical Board.

January 13, 1981

Mildred Jorgensen
Dakota Co. Welfare
Dakota City, NE. 68731

Dear Ms. Jorgensen

The following is the information you requested.

Under the Uniform Anatomical Gift Act the person who resumes responsibility for final disposition of a human remains has the authority to bequeath the remains to the Nebraska Anatomical Board.

The Nebraska Anatomical Board will help defer the expenses by allowing \$110 for embalming and the securing of the necessary papers. We also allow 42¢ per loaded mile up to 200 miles from Omaha for transportation. The most we can ever pay is \$194.

Enclosed you will find a information brochure along with a consent form.

Please feel free to call if you need further assistance.

Cordially

Michael T. Copple
Director, State Anatomical Facility

Statute

71-1002. State Anatomical Board; dead human bodies subject to burial at public expense; delivery to board; claimant of body; requirements. All public officers, agents, and servants of this state, and of every county, city, township, district, and other municipal subdivision thereof, and of every almshouse, prison, morgue, hospital, or other institution having charge, control or possession of any dead human body, which is not claimed within the time and in the manner provided by this section, are required to immediately notify the chairman of the State Anatomical Board, or such agent, school, college or person as may, from time to time, be designated by the board. Such institution shall, without fee or reward, surrender and deliver such dead body or bodies to the board, or to such agent, schools, colleges, physicians and surgeons, as may, from time to time be designated by it for anatomical use and study. No such notice need be given, and no such body shall be delivered to the board, if any person shall claim the body for burial within ten days after death nor shall any such body be delivered to the board if the deceased was honorably discharged from the military or naval service of the United States. Any person may claim and receive such body from the State Anatomical Board if (1) application in writing is made to the Board for such body for the purpose of burial or cremation within thirty days after delivery to the board, (2) such claimant agrees in writing to assume the expense of burial or cremation, and (3) the State Anatomical Board determines that such claim has been made in good faith and not for the purpose of claiming social security or other burial benefits payable for burial of the deceased or of obtaining payment for the expense of embalming and burying the deceased. If the duly authorized officer or agent of the board deems any such body unfit for anatomical purposes, he shall notify the county commissioners of the county in which the death occurred, and the county commissioners shall then direct some person to take charge of such body and cause it to be buried, the expense of such burial to be fixed and paid by order of the county commissioners from any funds available for such purpose.

Morgan moved, seconded by Culbertson to adopt a policy regarding the disposition of unclaimed bodies in accordance with statute 71-1002.

Unanimous motion carried.

Rohde moved, seconded by Garvey to recess. Unanimous motion carried 9:55 A.M.
Garvey moved, seconded by Rohde to reconvene. Unanimous motion carried 10:05 A.M.

Morgan moved, seconded by Rohde to authorize the Chairman of the Board to solicit opinions from the Nebraska Association of County Officials in regard to the bill submitted by Smith and the budget and to solicit the attorney general's opinion from the Secretary of State. Hirschbach abstained. Motion carried.

John Corcoran and Craig Tiedtke (Region IV) appeared before the Board per the Board's request to explain the role of Region IV and the process of assessing each county. The amount assessed per county is based on the number of clients in the county. Mr. Corcoran said Region IV represents 20 counties in the state.

Mr. Tiedtke presented a handout on a new proposed assessment process. Counties would be assessed 30% by population, 30% by evaluation and 40% by the number of clients in the county. He said they are proposing a 7% increase per year.

Mr. Morgan said he felt the only fair way to assess the counties would be to base it on population.

The Board asked Mr. Tiedtke and Mr. Corcoran to determine the amount spent within the Region IV program and report back to the Board.

Dennis Donner (Department of Revenue) and Joy Nixon (County Assessor) appeared before the Board to explain the CAPS program. (County Administered Property System)

Mr. Donner explained that a computer could be put in the courthouse which would be connected with the office in Lincoln. Mr. Donner listed the following as some of the advantages of the CAPS program. It provides the assessor's office with the ability to analyze files. It provides outputs for taxpayers to help show them how their property is valued. Mr. Donner estimated the cost to the county being \$15,000, based on the number of parcels in the county. The cost for the first terminal would be \$239.00 per month, each additional terminal \$94.00 per month and \$300.00 for telephone lines.

Ms. Nixon said the program would not reduce the staff of her office, but it would reduce the jobs performed in the office.

Mr. Donner said the program has many edits built into it, enabling it to catch errors. He said employees are trained to operate the terminal at no cost to the county. However, Mr. Donner said they are considering charging for 1 full time equivalent. The program is purchased on a 30 day lease agreement.

Rohde moved, seconded by Garvey to convene in executive session to discuss possible future litigation, and personnel. Unanimous motion carried 12:09 p.m.

Garvey moved, seconded by Culbertson to reconvene in regular session. Unanimous motion carried 1:04 p.m.

Being there is no sick leave policy for the County road department, the Board discussed a policy for the said department.

Morgan moved, seconded by Culbertson to allow the county road employees to earn 5 days sick leave per year of employment up to a maximum of 30 days; the Highway Superintendent or Board of Commissioners has authority to request a doctor's report from an employee absent more than 2 days.

| | | |
|----------------|------------|-----------|
| Roll Call Vote | Rohde | Yes |
| | Garvey | Yes |
| | Hirschbach | Yes |
| | Culbertson | Abstained |
| | Morgan | Yes |

Motion carried.


Rohde moved, seconded by Culbertson to convene in executive session requested by Maurice Redmond to discuss possible litigation. Unanimous motion carried. 1:25 p.m.

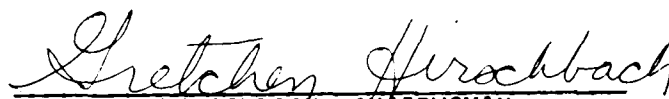
Rohde moved, seconded by Garvey to reconvene in regular session. Unanimous motion carried. 1:44 p.m.

The Board referred the Revenue Sharing Payment information, which is based on a per capita basis, to SIMPCO to see if the population, as given, was accurate.

Morgan moved, seconded by Rohde to adjourn. Unanimous motion carried 1:47 p.m.

ATTEST:


THEODORE A. PIEPRO, COUNTY CLERK


GRETCHEN HIRSCHBACH, CHAIRWOMAN

COMMISSIONERS MEETING
February 17, 1981 Proceedings
Basement Meeting Room

Chairwoman Hirschbach called their regular scheduled meeting to order at 9:00 a.m.
Present: Paul Culbertson, Larry Morgan, Daniel Rohde, Robert Garvey, Gretchen Hirschbach, and Ted Piepho, secretary.

Morgan moved, seconded by Rohde to approve the minutes of February 9 as corrected. Unanimous motion carried.

Mildred Jorgensen (County Welfare Director) appeared before the Board with the monthly report from her office. Ms. Jorgensen said 274 applications have been received regarding the energy assistance program.

Robert Giese (County Treasurer) appeared before the Board with the monthly report from his office. Mr. Giese reported a total of \$15,221.29 interest earned in January and \$94,393.26 earned the first seven months of this fiscal year.

Ted Piepho (County Clerk) appeared before the Board with the monthly report from his office.

The board discussed the County Surveyor's budget because there are not enough funds to cover a claim submitted by the County Surveyor.

Culbertson moved, seconded by Garvey to deny the claim submitted by the County Surveyor and that a public hearing be held for the possibility of amending the County Surveyor's budget.

Yea: Culbertson, Garvey, Morgan, Rohde

Nay: Hirschbach

Motion carried

Rohde moved, seconded by Culbertson to recess. Unanimous motion carried 10:15 a.m.

Garvey moved, seconded by Rohde to reconvene. Unanimous motion carried 10:27 a.m.

Morgan moved, seconded by Rohde to deny the claim for membership submitted by the National Association of County Officials. Unanimous motion carried.

Morgan moved, seconded by Garvey to deny the child support claim of Ray Spears for \$1,083.00 plus any associated salary claims within the child support claim because of lack of monies in that fund. Unanimous motion carried.

Culbertson asked for an explanation of the Child Support Fund.

Morgan explained when the original budget for Child Support was submitted, very little monies were available. He said it was understood that an assistant would be employed and be paid by funds from the State. However, when the funds run out, the assistant would no longer be employed.

Mr. Piepho read a letter of recommendation from the Planning and Zoning Board recommending Don Binkley be appointed to fill the vacancy created by the resignation of Raymond Messerschmidt.

Rohde moved, seconded by Culbertson to approve the recommendation to appoint Don Binkley to the Planning and Zoning Board. Unanimous motion carried.

Garvey moved, seconded by Rohde to accept the report from the Department of the Treasury for the 12th entitlement period (10/01/80-9/30/81).

Morgan moved, seconded by Rohde to approve the Bottle Club liquor license application of J. Morry Eckman with the Atokad Agriculture and Racing Association as licensee. Unanimous motion carried.

Morgan moved, seconded by Garvey to deny the claim for \$4,000 submitted by the Dakota County Agricultural Society until such funds are available in that fund.

Maurice Redmond (County Attorney) appeared before the Board per the Board's request regarding the denial of the claim of Raymond Spears.

Redmond said the State is behind in their incentive payments to the County, and therefore there are not sufficient funds in the Child Support function.

Morgan said there were no adoptions made in the budget for the Child Support fund to receive transfers from the County Attorney or the Clerk of District Court.

Redmond said the statutes state that monies can be taken from the County Attorney or the Clerk of District Court budgets and be put into the Child Support function.

Chairwoman Hirschbach said the Board has already taken action on the claim. She said she would like to call the State Auditor regarding the legality of the CETA program, State Safety Highway Program, R-Step, and the matter concerning the transfer of funds to the Child Support fund and to clarify an administrative procedure that is correct.

Garvey moved, seconded by Morgan to authorize the Chairman of the Board and the County Clerk to contact the State Auditor regarding the administration of the CETA program, R-Step and the Child Support funds. Unanimous motion carried.

Morgan moved, seconded by Rohde to deny the claim submitted by the Dakota County Historical Society until funds are available in that fund. Unanimous motion carried.

Garvey moved, seconded by Rohde to deny the CETA Claim pending conference with the State Auditor as to the proper procedure authorizing expenditures for that purpose. Unanimous motion carried.

Morgan moved, seconded by Garvey to approve the following claims:

FEDERAL GRANT-HIGHWAY SAFETY PROGRAM:

Social Security \$71.16, Blue Cross \$38.43, Danny Potts \$1,070.00, Danny Potts \$10.00

ASSISTANCE-PAYROLL:

Blue Cross \$245.98, Social Security \$494.89, Mildred Jorgensen \$1,508.39, Jeanine Bliven \$781.17, Margaret Boeshart \$1,166.71, Pauline Jensen \$1,183.38, Patricia Lane \$1,045.09, Mary O'Dell \$711.85,

Charlene Weber \$1,045.29, Margaret Boeshart \$29.40, Pauline Jensen \$10.92, Mildred Jorgensen \$3.36, Patricia Lane \$20.79, Charlene Weber \$53.34, Mildred Jorgensen \$69.00, Northwestern Bell \$200.53, AB Dick Products \$10.50, IBM \$365.50, Star Printing & Publishing \$89.95, Star Printing & Publishing \$383.50,

POOR RELIEF:

Nebraska State Dept. of Public Welfare \$22,616.57,

INSTITUTIONAL:

Hastings Regional Center \$974.00, Norfolk Regional Center \$1,368.00, Beatrice State Develop Center \$2,142.00, Lincoln Regional Center \$366.00

SOLDIERS AND SAILORS:

Maurice Roady \$800.00

AFRICULTURAL SOCIETY:

Dakota County Agricultural Society \$4,000.00

WEED PAYROLL:

Social Security \$68.17, Blue Cross \$34.51, Paul Foreshoe \$850.00, Ruth Foreshoe \$50.00, Maurice Crofoot \$25.00, J. Colin Green \$25.00, Elmer Nelson \$25.00, John Ryan \$25.00, George W. Shrader \$25.00

WEED BOARD:

Maurice Crofoot \$1.53, J. Colin Green \$4.08, Elmer Nelson \$2.38, John Ryan \$4.25, Paul Foreshoe \$2.43, Torticill Service Center \$5.25, So. Soo Oil Co. \$362.01, Bliven Welding Co. \$15.20

ROAD/BRIDGE PAYROLL:

Blue Cross \$61.90, Lone Star \$3.75, Social Security \$803.66, Blue Cross \$530.18, George Anderson \$846.37, Leland Armbricht \$739.50, Donald Belt \$913.78, Caleb Chapman \$860.96, Beverly Gradert \$565.50, Walt Heinemann \$913.78, Robert Jacobsen \$952.73, Lawrence Jepsen \$1,070.00, Kurt Johnson \$846.37, Walter Johnson \$982.26, Arnold Mellick \$946.95, Marlan Millard \$846.37, Willis Roeber \$739.50, Earl Stading \$860.96

ROAD/BRIDGE:

Nebraska Public Power District \$30.39, State of Nebraska Dept. of Labor \$1,316.00, Northwestern Bell \$37.15, Nebraska Public Power District \$20.93, Iowa Public Service \$459.46, Village of Emerson \$7.83, City of South Sioux City \$329.74, City of Dakota City \$106.72, Nebraska Tractor & Equipment \$385.78, Herman M. Brown \$371.04, Tucker's Glass Shop \$36.42, Hydraulic Sales and Service \$432.28, Stephan's Welding Shop \$167.92, Auto Parts and Exchange \$108.43, Missouri Valley Machinery Co. \$2,928.75, Northwest Truck & Trailer Service \$2.00, C.W. Suter & Son \$2.23, United Wholesalers \$94.51, Northern Auto Parts Warehouse \$319.47, Mike's Auto Parts \$190.80, Midcon Equipment Co. \$33.68, Kidder-Knoepfler Co. \$85.29, Joe's Surplus \$210.65, Graham Brake \$550.64, Filter Care \$36.52, Doug's Mo-Parts Shop \$13.06, Dakota Auto Parts \$177.41, Curtis Industries \$108.27, Condon Motor Co. \$127.06, Carlson Machines Co. \$10.19, Carl A. Anderson \$66.80, Anderson Drive-In Radio \$20.35, Adam Paint Products \$74.20, Johnson Hardware \$20.15, Hirsch Awning Co. \$10.50, Tri-County Hardware \$34.46, Region IV Services \$235.50, Premier Fastener Co. \$595.63, Premier Fastener Co. \$86.10, Monroe Welding Co. \$131.37, Means Services, Inc. \$58.34, Snap-On Tools Corp. \$54.95, Walthill Farm Equipment, Inc. \$22.75, Walt Johnson \$70.00, The Sioux City Iron Co. \$25.80, Ben Fish & Son \$546.62, Wheeler Iron & Metal Co. \$108.00, Warren Oil Co. \$168.72, Engel's Mobil Service \$405.65, Torticill's S/C Inc. \$22.09, So. Soo Oil Co. \$756.09, Crystal Oil Co. \$226.24, Adam's Service \$369.20, Firestone Stores \$15.00, Newman Signs \$155.80, Schulte Construction, Inc. \$1,040.00

GENERAL-PAYROLL:

Social Security \$2,868.82, Blue Cross \$1,702.90, Gretchen Hirschbach \$541.66, Paul Culbertson \$541.66, Robert Garvey \$541.66, Larry Morgan \$541.66, Daniel Rohde \$541.66, Theodore Piepho \$1,208.33, Mary Hinkle \$840.39, Margaret Rahn \$615.25, Eloise Gormally \$586.39, Myra Smith \$571.55, Robert Giese \$1,208.33, Irene M. Van Lent \$840.39, Charlotte J. Doenhoefer \$615.25, Ruth Jensen \$615.25, Nadine Johanson \$615.25, Mardell Sorensen \$468.80, Ruth Warnock \$615.25, Virginia A. Piper \$1,208.33, Betty J. Garwood \$840.39, Sharon Shannon \$615.25, William F. Whear \$1,208.47, Harvey Bates \$1,087.87, Jarold Gilson \$1,070.00, Mike McManigal \$950.00, Linda Wilson \$791.75, Armon Todd \$963.00, Darlene Arneson \$603.50, Norma Barajas \$222.70, Sally Deal \$192.10, Michael Koettters \$464.10, Cheryl Lundberg \$280.50, Earlean McClain \$544.00, Neva Neal \$343.47, Patricia Parkins \$231.20, Maurice Redmond \$1,208.33, Dennis J. Mahr \$1,337.50, Gloria Engelbrecht \$900.00, Cindy Harris \$700.00, Joy K. Nixon \$1,208.33, Thelma E. Baugous \$840.46, Nellie June Beardshear \$615.25, Shirley Ann Bentz \$615.25, Dorothy J. Lundberg \$615.25, Lillian Rager \$615.25, Jeanette Rameriz \$615.25, Madelyn Thorsland \$615.25, Nondas Vitols \$615.25, Klemett Dean \$1,259.39, Nancy Dean \$368.50, Harold Nelson \$308.00, Patricia Stingley \$668.75, Bruce Hovey \$2,000.00, Jon C. Norris \$624.17, Maurice Roady \$713.33, Lorraine Tillman \$1,123.50, Bonnibel Chapman \$615.25, Dr. J.H. Walston \$230.00, Maxine Titler \$666.67, Lyle Todd \$222.00

GENERAL FUND:


South Sioux City Star \$142.94, Joe Morten & Son \$30.00, Hollar Stamp Co. \$8.00, Sooland Office Supply \$3.00, Northwestern Bell \$99.44, Redfield & Co. \$66.20, AB Dick Products \$10.50, So. Sioux City Star \$174.72, Robert Giese \$49.14, Precision Typewriter Works \$8.00, Northwestern Bell \$128.85, Sooland Office Supply \$441.77, Northwestern National Bank \$200.25, Northwestern Bell \$72.43, Redfield & Co., Inc. \$56.16, West Publishing Co. \$96.50, Executive Copy Systems \$27.14, West Publishing Co. \$23.00, Redfield & Co. \$459.09, General Business Equipment \$7.57, Nebraska Law Review \$20.00, Norfolk Printing Co. \$96.50, Northwestern Bell \$116.79, Sioux Valley Radio \$51.50, Northwestern Bell \$290.91, Western Union \$248.27, Jerry Gilson \$5.46, William F. Whear \$420.88, Jerold Gilson \$532.24, Harvey Bates \$569.20, Mike McManigal \$593.68, Armon Todd \$163.68, Rinder Printing Co. \$66.14, Precision Typewriter Works \$36.00, K-Mart \$35.50, Dakota County Sheriff Office \$3.74, Leo's Service \$26.30, Security National Bank \$135.52, William F. Whear \$280.00, Dakota County Sheriff Dept. \$721.00, County Sheriff \$4.98, South Sioux Animal Hospital \$4.00, Redler's Professional Pharmacy \$15.40, Dakota County Sheriff Dept. \$286.58, Northwestern Bell \$218.67, Pathology Medical Services \$23.80, Redfield & Co. \$6.67, Day-Timers \$41.71, Sooland Office Supply \$54.40, Executive Leasing, Inc. \$162.30, West Publishing Co. \$23.00, Bancroft-Whitney Co. \$103.30, Joy K. Nixon \$97.12, South Sioux City Star \$180.18, TRW Customer Service Division \$46.34, General Business Eqt. \$12.50, True Value Hardware \$17.99, Northwestern Bell \$93.32, Hollar Stamp Co. \$8.55, American Linen Supply \$16.40, Mid-American Research Chemical Corp. \$154.20, Tagatz Hardware \$34.49, T & D Service \$20.00, Torticill's Service \$5.00, Clausen Electric \$149.94, E.L. Black & Sons \$175.20, Western Paper Co. \$22.95, Kroghs \$2.67, Brown & Even Control \$745.71, Claassen Electric \$7.50, I.P.S. \$1,275.00, Ken Jones \$93.00, Minear Key \$55.40, Klemett Dean \$35.00, Klemett Dean \$75.19, City of Dakota City \$995.63, Dakota County Extension Service \$1,300.00, Bruce Hovey \$77.70, Bruce Hovey \$60.00, Joe Morten & Son \$31.00, Precision Typewriter Works \$47.50, Sioux City Stationery \$26.92, Northwestern Bell \$40.86, Northwestern Bell \$22.52, Maurice Roady \$44.97, Northwestern Bell \$32.17, AJ Phillips Publishing Co. \$169.09, Northwestern Bell \$20.16, Lorraine Tillman \$161.07, Lorraine Tillman \$7.00, Lorraine Tillman \$36.08, Northwestern Bell \$61.40, State of Nebraska, Dept. of Admin. Serc. Div. of Communications \$50.00, South Sioux City Star \$8.13, Northwestern Bell \$19.82, Joe Morten & Son \$30.00, Lyle Todd \$34.23, N.W. Bell \$9.45, Pamela Etchison \$20.64, Jerry Etchison \$20.64, William Homeber \$385.00, Clerk of District Court \$28.56, Clerk of District Court \$236.02, Clerk of District Court \$222.00,

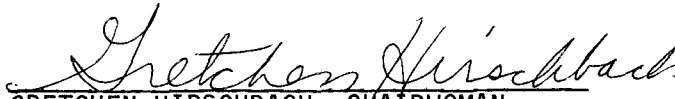
William L. Binkard \$400.05, Northeast Nebr. Assoc. of County Officials \$135.00, So. Sioux City Star \$40.93, Cockle Printing Co. \$143.95, Pitney Bowes \$13.50, City of South Sioux City \$64.88, Dakota County Treasurer \$30.00, Sooland Business Forms \$46.39. A clerical error was made in the bookkeeping of the Agricultural Society. There were sufficient funds in the account; therefore the claim was approved and paid.
 Unanimous motion carried

The Board acknowledged receipt of the State of Nebraska Highway Safety Project Monthly Reimbursement Voucher No. 4 and Chairman Hirschbach signed same.

Garvey moved, seconded by Rohde to adjourn. Unanimous motion carried 12:44 p.m.

ATTEST:


 THEODORE A. PIEPHO, COUNTY CLERK


 GRETCHEN HIRSCHBACH, CHAIRWOMAN

COMMISSIONERS MEETING
 February 23, 1981 Proceedings
 Basement Meeting Room

Chairwoman Hirschbach called their regular scheduled meeting to order at 9:00 a.m.
 Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary.

Morgan moved, seconded by Rohde to approve the minutes of February 17 as typed. Unanimous motion carried.

Morgan moved, seconded by Culbertson to convene in executive session to discuss possible future litigation. Unanimous motion carried. 9:03 a.m.

Garvey moved, seconded by Morgan to reconvene in regular session. Unanimous motion carried 9:47 a.m.

The Board discussed the resubmitted claims of the CETA employee and of Ray Speer (Child Support Attorney)

Garvey moved, seconded by Culbertson to include the following statement and letter in the minutes:

STATEMENT

On February 17, 1981, this Board withheld approval on the pay claim of Veronica Grijalba, a CETA worker in the District Judge's office. The 1980-81 fiscal year budget of Dakota County does not allocate any monies for the payment of this particular position. Despite the fact the Board contracted to hire this person under the CETA program in December of last year, serious questions existed about the County's authority to spend monies which have not been earmarked in the budget. Because of these concerns, this Board withheld further approval of the CETA claim, sought advice from the Nebraska State Auditor's office, and continues the matter until the Board was advised as to how to proceed in correcting this problem one way or the other. The State auditor's office was contacted that same day and informed Gretchen Hirschbach, Board Chairman, of the legal alternatives which the Board could consider in resolving the problem.

As I am sure everyone on this Board is aware of, Dan Rohde, Gretchen Hirschbach and I personally appeared before the District Judge, Francis Kneifl, later that same day at about 4:30 o'clock P.M. In what I believe to be a courtroom proceeding, the District Judge addressed the three of us in open court and expressed his displeasure with the Board's action taken previously that same day. I am informed that efforts were made to obtain the attendance of all five county board members before the District Judge. At this point, I wish to make it perfectly understood that my attendance before the District Judge in a courtroom atmosphere was not without reservations and concern over the nature of such a proceeding. In being contacted that late afternoon, I was not told the exact reason why I had to be at the courthouse, except that there was an emergency meeting. Upon arrival, I was informed that the District Judge wished to see me along with the other Commissioners. I then went to the upstairs hallway outside the county attorney's office and after several minutes was contacted by the county Attorney.

In Mr. Redmond's office, we were told that the District Judge was concerned over the Boards actions and wanted to see the Board members in chambers. No one other than the County Attorney and the three commissioners were present at that time. After approximately ten minutes, we were told to proceed immediately into the District Courtroom. Gretchen, Dan and I were seated behind one of the two attorney's tables in front of the Judge's bench. The county attorney sat at the other table. The general details of this Court proceeding were reported in our local newspaper as everyone is aware of.

It is important for Board members Culbertson and Garvey to be aware of these events which occurred, since they were absent. My concern over this entire episode is not without justification. I believe the meetings with the county attorney and the public courtroom appearance by a majority of the county board members before the District Judge raises some serious questions in my own mind as to how to proceed at this point. Attendance by county commissioners to discuss county business should be done so in accordance with the laws of this state on public meetings. My experience in public office is that this Board cannot conduct official county business unless the meeting has been properly posted before hand and the subject to be considered has been placed on the agenda. Therefore, I am of the opinion that this Board should not and cannot take any further action on the CETA claim in response to the District Judge's actions of February 17, 1981.

If the Judge wishes to address this Board, then he may do so in the proper public forum, which is before the Board at regularly scheduled meeting. He has the right and opportunity to place himself on the meeting agenda. Since the District Judge apparently has some concerns over our decision regarding his CETA worker, we should provide him with the opportunity to address the Board. Any action this Board might take now on the CETA claim would be tainted with the courtroom proceeding of February 17th, thus making any final decision questionable.

I would also like to inform the Board that I have submitted a written request to the District Judge and court reporter for a written record of the February 17th court proceeding. Attached to this statement you will find a copy of my written request. I feel it is important for those absent Board members to be given an opportunity to review what was said and done at that time. This is especially important since county business was the subject of that proceeding.

At this time I would move that my written statement be made a part of the minutes of this meeting.

Larry Morgan

February 20, 1981

Hon. Francis J. Kneifl
District Judge
County Courthouse
Dakota City, Nebraska 68731

Judith Wolf
District Court Report
County Courthouse
Dakota City, Nebraska 68731

I am writing to you as it regards the court proceedings held in the District Courtroom on February 17, 1981, at approximately 4:30 o'clock P.M. involving Dakota County Commissioners, Dan Rohde, Gretchen Hirschbach, and myself. I would like to order a transcript and complete record of all the statements, comments and proceedings had at that time before the Court.

I will personally see that payment is promptly made for the cost of this written record. If you need payment in advance, please inform me of the amount and I will see you are paid immediately. If there are any questions in this regard, I would appreciate if you could contact me as soon as possible.

Larry Morgan

Unanimous motion carried

Chairwoman Hirschbach said Judge Kneifl called a special meeting on February 17 because the Board failed to contact him at the time they denied the CETA claim, and due to a number of court proceedings this week, he felt he would not be able to meet with the Board this morning at their regular meeting. She checked with the CETA office in Fremont regarding the funding of the CETA program. After the first 3 months, the employer pays the employee and is then reimbursed by CETA. In this case, Dakota County is the employer.

Rohde moved, seconded by Garvey to schedule a public hearing to amend the budget in order to pay the CETA claim.

ROLL CALL VOTE: Garvey, Rohde, Culbertson, Morgan Yea
Hirschbach Nay

Motion carried.

Ms. Hirschbach said funds for CETA are guaranteed by the State. There is no question about funds being available in the General Fund; nor in regard to the claim of Ray Speer, is there any question as to whether funds are available in either the General Fund or the County Attorney's Fund to pay this claim. She said employees should not have to pay for errors made by the board. Ms. Hirschbach said being no separate fund was established for Child Support, the responsibility is put on the General Fund or the County Attorney's budget.

Morgan moved, seconded by Culbertson to establish a public hearing date for the County Attorney's office to show established receipts and expenditures for the County Attorney Child Support program. Unanimous motion carried.

Ms. Hirschbach said according to Keith Larsen, Budget Director, Child Support funds go directly into the General Fund. The Board erred when setting up the budget because they did not set up a separate fund for Child Support. Ms. Hirschbach said funds are available in the General Fund or in the County Attorney's Fund to pay the claim. She said neither of the employees are responsible for the errors made by the Board; they shouldn't have to be without support for the next 2 weeks.

Mr. Redmond said approximately \$7,000.00 in reimbursement money should be on its way to the county.

Ms. Hirschbach said she feels the claim should be paid; then the Board should attempt to clear its error by a public hearing.

Mr. Rohde said when he made the motion to set up a hearing to amend the budget in order to pay the CETA claim, he didn't think the claim should be denied. He said the public hearing is to clear up the budget.

Mr. Morgan said CETA is a contributing item. I have expressed my reservations in the statement I presented. We do have an obligation to pay the CETA claim.

Morgan moved, seconded by Rohde to pay the salary of the CETA worker utilizing a transfer from the General Fund to pay the claim.

ROLL CALL VOTE: Rohde, Garvey, Hirschbach, Culbertson, Morgan Yes
Unanimous motion carried

Mr. Morgan said he feels there was an agreement entered into concerning the Child Support Funds. Before making any effort on this claim, Mr. Morgan said he would like to see some indication that there is money coming.

Rohde moved, seconded by Hirschbach to pay the salary claim of Ray Speer as per recommendation of Ray A.C. Johnson, State Auditor, in a memorandum to the Board dated August 28, 1980.

ROLL CALL VOTE: Garvey, Morgan, Culbertson No
Hirschbach, Rohde Yes

Motion denied

The Board established a public hearing to be held on March 9 to establish the budget.

Maurice Redmond (County Attorney) said, "I am advising the Board that what they are doing, is illegal."

Gene Sturm (SIMPCO) appeared before the Board regarding a personnel study for the county. Mr. Sturm said SIMPCO has sufficient funds to prepare a manual for Dakota County, if the Board is interested in such a study. The study would not be of any expense to the County, nor would there be any obligation for the County to accept the personnel study.

Ms. Hirschbach said the study would be a good guideline.

Morgan moved, seconded by Garvey to ask SIMPCO to include us in their Intergovernmental Personnel Act Application. Unanimous motion carried.

Robert Post (Joe Morten Insurance) appeared before the Board with a follow-up from the February 9 meeting regarding insurance coverage for the county. Mr. Post asked for a physical inventory of licensed vehicles. He asked for the help of the County Attorney to clarify which offices require bonds on employees.

Ms. Hirschbach said the Highway Superintendent should be responsible for keeping the inventory up-to-date. She asked Mr. Culbertson to work with Mr. Rohde and Mr. Morgan on the inventory.

Rohde moved, seconded by Garvey to recess. Unanimous motion carried 10:35 a.m.
Garvey moved, seconded by Morgan to reconvene. Unanimous motion carried 10:43 a.m.

Rohde moved, seconded by Garvey to convene as the Board of Equalization. Unanimous motion carried 10:44 a.m.

Morgan moved, seconded by Garvey to reconvene at the Board of Commissioners. Unanimous motion carried 11:32

Bruce Hovey, County Highway Superintendent, appeared before the Board and presented the One- and Six-Year Road Construction Plan.

Mr. Larry Albrecht appeared before the Board regarding the road construction. Mr. Albrecht said he and many of the residents in Dakota County, affected by roads in need of construction, would like to see the roads repaired so they are at least safe. Then, when State funds are available, the roads can further be improved.

The Board terminated the One- and Six-Year Road Plan hearing at 12:06 p.m.

Morgan moved, seconded by Rohde to approve the following resolution to accept the One- and Six-Year Road Plan as presented by the Highway Superintendent and Chairman of the Board be authorized to sign same. Unanimous motion carried

RESOLUTION

WHEREAS the Dakota County Board of Commissioners has held a public hearing at 11:00 a.m. Monday, February 23, 1981, at the Dakota County Courthouse, as previously advertised, and

WHEREAS County Highway Superintendent Bruce Hovey has presented to said Board at said hearing the One- and Six-Year Road Plans, now therefore,

BE IT RESOLVED by the Dakota County Board of Commissioners that said One- and Six-Year Road Plans are hereby adopted as presented, with the proviso that the proposed construction will be done as funding allows.

Adopted this 23rd day of February, 1981, at Dakota City, Nebraska.

ATTEST:

THE DAKOTA COUNTY BOARD OF
COMMISSIONERS

Chairman

County Clerk

Maurice Redmond (County Attorney) appeared before the Board and read the following statement to the Board:

I've requested the Clerk to turn on the tape recorder for the purpose of the recording of the statement to the Board addressing the board in a particular manner in regard to the Child Support portion of the program. I want the records to show and to be a part of the official minutes in the meeting of this Board; that the Board approved and entered into a contract with the State Department of Welfare which it is obligated to comply with and perform, which includes advancing and budgeting funds for the Child Support enforcement program; that there is sufficient funds budgeted within the County Attorney's budget to pay the claim of Mr. Raymond Speer, Child Support Enforcement Attorney. In addition, that the budget as adopted by the Board was improperly adopted and the board has been so advised by the County Attorney, myself, and by the State Auditor's office in a letter dated August 28, 1980, which I have marked as an exhibit, that it be offered also into the official minutes of the Board's meeting as Exhibit A, page 1 and page 2. In addition, the Board and specifically members denying the claim, Mr. Garvey, Mr. Morgan and Mr. Culbertson, have been advised that they are without authority to deny a claim for which there are sufficient funds in the County Attorney's budget and in the General Fund to pay the claim, and that they could be held to be personally liable for any expense necessary to assure the claim is paid. They have been so advised by the County Attorney as to that fact.

In addition, it is my personal opinion the three members of the Board are playing politics with the young man's salary and such act is totally reprehensible, insensitive and cowardly.

I wish my statement to be official part of the Board's minutes. If you have anything to say in response to that, gentlemen, I hope that you put it on record. Do you have anything to say, Mr. Garvey?

Mr. Garvey said, No. (He started to say something, but was then interrupted by Mr. Redmond)

Mr. Redmond said, Do you have anything to say, Mr. Morgan?

Mr. Morgan said, Well, in response to the allegations that we're insensitive; it's not that I'm insensitive; it's just that I want to establish the correct procedure that we'd had. Because of an agreement that we had with you, this session of the Board on to how we would fund the program and how we would handle the payment; this we are going to have to clarify with the budget hearing and further adoption in order to establish this payment.

Mr. Redmond: It's basically the point that I made and the point that you were advised as to the proper procedure by the State offices, the State Auditor's office and in addition, basically the Board then is denying a claim because of it's own error which I say is insensitive, but I wish it to be made part of the record that you be so advised as to the nature of the legality of the act.

MEMORANDUM

FROM: Ray A. C. Johnson
Auditor of Public Accounts

SUBJECT: Direct Reimbursement for Title IV-D,
Child Support Enforcement Costs

TO: All County Board Chairpersons

There is apparently some confusion as to the role of the County Board in recognizing Title IV-D monies earned by the County Attorney, Clerk of the District Court and County Treasurer subject revenue subsequently paid to the County by the Nebraska Department of Public Welfare.

Section 43-512.05 mandates that such reimbursement "shall be added to the budgets of those County officials who have performed the services....."

To comply with the express mandate of the Statute a County Board must allow additional appropriation to the officials referred to in Para. 1 through one of the following options:

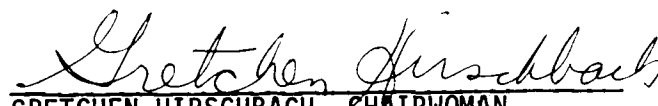
- a. For the 1980-1981 budget, adopt an increase to the affected officer's budget, equal to the estimated anticipated income from Title IV-D revenues and/or the actual revenue received in the 1979-1980 fiscal year. This allows the officer to cost out through the budget process the expenses caused by additional workload.
- b. If the 1980-1981 County Budget has been finalized and adopted the County Board should charge the expense of the officers additional workload to the Miscellaneous General Account in the County General Fund and not to the officers budget.
- c. The expense for the additional workload could be charged against the officers budget as it occurs during the year except that, when the officers budget approaches the point of depletion, the County Board, by resolution, must add to that officers budget an amount considered necessary to finish out the fiscal year, by transferring unused appropriations within the General Fund Miscellaneous Accounts.

Finally, Title IV-D reimbursement is fully funded by Federal dollars and, as such, is excluded from application of the 7% Revenue Lid.

Garvey moved, seconded by Morgan to adjourn. Unanimous motion carried 12:18 P.M.

ATTEST:


THEODORE A. PIEPHO, COUNTY CLERK


GRETCHEN HIRSCHBACH, CHAIRWOMAN

COMMISSIONERS MEETING
March 2, 1981 Proceedings
Basement Meeting Room

Chairwoman Hirschbach called their regular scheduled meeting to order at 9:00 a.m. Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Dan Rohde, Robert Garvey and Ted Piepho, secretary.

Rohde moved, seconded by Morgan to approve the minutes of February 23 as typed.

ROLL CALL VOTE: Morgan yes
Culbertson Yes
Hirschbach Yes
Rohde Yes
Garvey Yes

Unanimous motion carried

Ted Piepho (County Clerk) and Robert Giese (County Treasurer) appeared before the board regarding the discussion with the Auditors.

Mr. Morgan read the following statement and asked that it be entered into the minutes of this meeting.

STATEMENT

On Feb. 23, 1981, the Dakota County Attorney entered into the record a statement concerning the payment of a salary claim for his assistant, Mr. Raymond Speers, in which he accused several members of this Board of playing politics with a young man's salary and of acting in a reprehensible, insensitive and cowardly manner.

I offer to you this excerpt from the minutes of the County Board proceedings of Sept. 2, 1980:

Smith moved, seconded by Garvey that the County Budget be amended. Following is the resolution. Unanimous motion carried

RESOLUTION

That the County budget be amended, as it concerns Child Support collections, through the County Attorney's office and the employment of Raymond Speer as a special assistant in this capacity is approved with the express stipulation that Mr. Speer's salary of \$13,000.00 must only be paid out of Title Four Child Support agreement receipts.

If the County Attorney's office, through said assistant, does not collect funds sufficient to pay his wages, they shall be so limited to funds actually paid into the hands of the Dakota County Treasurer.

I believe this resolution clearly states the County Board's position and intentions on the matter of Mr. Speer's employment.

The only reprehensible act concerning this claim to date, is that of the County Attorney in his accusations against several members of this Board. I submit that the only reason this claim could not be honored, is the inefficiency of the County Attorney's office in submitting the necessary claim to the State for the incentive payments due the County. He can hardly expect the fund to remain solvent if his office is over five months late in making request for reimbursement.

Ms. Hirschbach said we have requested from Keith Larsen, a written copy of his opinion regarding the Child Support and CETA funds.

Mr. Piepho said, The law states these funds be a part of the General Fund. I was not in position to override the decision of the board to hold a public hearing to amend the budget; and if I was to have it printed within the time period given, I had to have the public hearing notice printed last week.

Mr. Giese presented the Board a list of parcels of real estate on which taxes are delinquent for the Board to act on at their next meeting.

Vincent Kramper appeared before the Board to present a plaque commemorating the new addition to the courthouse.

Wayne Wheeler (County Surveyor) appeared before the board for the public hearing to amend the County Surveyor's budget.

Ms. Hirschbach said the Board underestimated the amount needed for the County Surveyor's budget. Some claims pertaining to the landfill were paid out of the County Surveyor's budget; these claims will be distributed to the proper budgets.

Mr. Wheeler said about \$5000 more would be needed in the Surveyor's budget to cover claims for the remainder of the fiscal year.

Mr. Morgan said we should transfer a sufficient amount now to avoid another hearing. The Solid Waste Disposal Agency can either reimburse the county or the amount can be subtracted from future bills.

Rohde moved, seconded by Garvey to adopt the following resolution to amend the County Surveyor's budget from \$5,030.00 to \$10,030.00 and the Miscellaneous Fund be amended from \$266,096.04 to \$261,096.04.

ROLL CALL VOTE: Culbertson Yes
Hirschbach Yes
Rohde Yes
Garvey Yes
Morgan Yes

Unanimous motion carried

RESOLUTION

WHEREAS: The County Surveyor of Dakota County, State of Nebraska has expended his budget.

WHEREAS: The County Board and the County Surveyor had under estimated the expenditures of said office for fiscal year 1980.

WHEREAS: The present statutes specify establishing Section Corners falling on county owned property or right-of-way, be the County's responsibility.

And

WHEREAS: It is the best interest of the county that Section Corners be marked and the county has no choice but to establish such markings.

BE IT RESOLVED: That the County Miscellaneous function be cut \$5,000 for a total of \$261,096.04.

And Further

BE IT RESOLVED: That the County Surveyor's budget be increased by \$5,000 to an amended total of \$10,040.00

Approved this 2nd day of March 1981.

ATTEST:

County Clerk

Chairman

Mr. Morgan read the following resolution regarding the Solid Waste Disposal Agency:

RESOLUTION

RESOLUTION CONCERNING PARTICIPATION IN THE DAKOTA COUNTY SOLID WASTE DISPOSAL AGENCY AND RATIFICATION OF PROCEEDINGS.

WHEREAS, The County of Dakota, State of Nebraska, is a participating member of The Dakota County Solid Waste Disposal Agency by virtue of a Joint Contract entered into pursuant to the provisions of the Interlocal Cooperation Act; and

WHEREAS, said Joint Contract was executed on or about September 9, 1980; and

WHEREAS, Commissioners Robert Garvey and Larry Morgan were duly appointed as members of the Management Committee of The Dakota County Solid Waste Disposal Agency; and

WHEREAS, the Management Committee of the Dakota County Solid Waste Disposal Agency has been actively seeking establishment of a sanitary landfill site for Dakota County, Nebraska; and

WHEREAS, said Management Committee has entered into various contracts for leases of real estate, engineering services, testing services, legal services, and other related matters which have previously been communicated to the Board of Commissioners of the County of Dakota State of Nebraska; and

WHEREAS, it is the desire of the County of Dakota, State of Nebraska to ratify the acts of the said Larry Morgan and Robert Garvey as members of the Management Committee of The County Solid Waste Disposal Agency.

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY OF DAKOTA, STATE OF NEBRASKA:

(1) That all acts of the Management Committee of the Dakota County Solid Waste Disposal Agency are hereby ratified and confirmed including, but not limited to, the execution of real estate leases, hiring of services of engineers and legal counsel, all activities in connection with the search and acquisition of a landfill site, and defense of a lawsuit presently pending against The Management Committee and its individual members.

(2) That the County of Dakota shall continue to financially support the Management Committee of the Dakota County Solid Waste Disposal Agency pursuant to the Joint Contract dated September 9, 1980.

(3) That the desire of the County of Dakota, State of Nebraska, to obtain a licensed sanitary landfill site is hereby renewed and confirmed.

DATED this 2nd day of March, 1981.

COUNTY CHAIRMAN

COUNTY CLERK

Ms. Hirschbach said, I think we should refer this resolution to the County Attorney for advice as to whether or not we should sign it.

Mr. Redmond recommended a legal opinion be submitted being this involves matters presently pending litigation.

Ms. Hirschbach said, I think we should table this matter until we get an opinion.

Morgan moved, seconded by Garvey to adopt the said resolution.

ROLL CALL VOTE: Hirschbach abstained
 Rohde no
 Garvey yes
 Morgan yes
 Culbertson yes

Motion carried

Rohde moved, seconded by Garvey to recess.

ROLL CALL VOTE: Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes

Unanimous motion carried 10:05 a.m.

Garvey moved, seconded by Morgan to reconvene.

ROLL CALL VOTE: Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes

Unanimous motion carried 10:14 a.m.

Morgan moved, seconded by Rohde to convene as the Board of Equalization.

ROLL CALL VOTE: Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes

Unanimous motion carried 10:15 a.m.

Garvey moved, seconded by Rohde to reconvene in regular session.

ROLL CALL VOTE: Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes

Unanimous motion carried 10:22 a.m.

Dennis Ringgenberg appeared before the Board regarding the liquor license application of Thomas F. Heenev. Mr. Ringgenberg said Mr. Heenev owns the property. He is engaged in a lease with Ed and Joy Bloomfield, they having the option to purchase the establishment known as Dan's Wagon Wheel Inn in Willis, Nebraska, on or before May 1.

Ms. Hirschbach said this would be a transfer of names. She asked if there were any objections from members of the audience. No objections were voiced.

Morgan moved, seconded by Rohde to approve the liquor license application by Thomas F. Heenev d/b/a/ Wagon Wheel Inn.

ROLL CALL VOTE: Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes

Unanimous motion carried

Paul Culbertson explained a road designation system for possible use by the county. Mr. Culbertson said the costs will vary depending on the type of post used, size of sign, etc.

Ms. Hirschbach asked Mr. Culbertson to continue working on the project to complete the map work. She said this project could possibly be handled in the road department.

Bids for a new motor grader were opened at 11:00 a.m. The following bids were received:

| | Fehrs Tractor & Equipment Co. | Midcon Equipment Co. | Nebraska Tractor & Equipment Co. | Missouri Valley Machinery Co. |
|--|-------------------------------|----------------------|----------------------------------|-------------------------------|
| Delivered Price | \$113,833.00 | \$110,742.00 | \$116,123.50 | \$160,000.00 |
| Less Discount | 11,952.00 | 16,782.00 | 22,623.50 | 32,000.00 |
| NET BID (Delivered) (without trade-in) | 101,881.00 | 93,960.00 | 93,500.00 | 128,000.00 |
| Less trade-in County Unit | 33,046.00 | 17,332.00 | 15,000.00 | 28,000.00 |
| NET BID (Delivered) (with trade-in) | 68,835.00 | 76,628.00 | 78,500.00 | 100,000.00 |

Bruce Hovey (Highway Superintendent) was not able to be present at today's meeting and asked the Board to wait until next week to make their decision.

Morgan moved, seconded by Rohde to table action on the motor grader bids and the bids be referred to Mr. Hovey for review.

ROLL CALL VOTE: Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes

Unanimous motion carried

The Board scheduled the bid letting for 10:15 a.m. on March 9.

Garvey moved, seconded by Morgan the following letters be entered into the minutes of this meeting.

February 24, 1981

Mr. Larry Morgan
Rural Route 1
South Sioux City, Nebraska 68776

Dear Mr. Morgan:

This is to acknowledge receipt of your letter of February 20, 1981, requesting a transcript of our visit on February 17, 1981. The visit was not a court proceeding and was not intended to be as such. Upon learning of the Board's action, I wanted an opportunity to visit with the Board. The Board had adjourned and I was going to be busy in other parts of the District the rest of the week. We had a jury trial in Ponca, on the 23rd, and I would not have been afforded an opportunity to visit with you. Such being the case, I requested Mr. Redmond, who I assumed had advised the Board on the matter, to see if he could contact the Board to enable me to visit with them.

Several of the Board Members were unavailable. I noted a newspaper reporter in the Clerk's Office around 4:00 p.m. and out of courtesy to the Board members and to alleviate the suspicion of secrecy; I visited with you in the District Courtroom. The meeting was not intended to embarrass you and I am of the opinion it did not, but merely for the Court to visit with you and set forth the Court's position; since the Court was not given an opportunity to address the Board prior to their action on the Court Clerk's salary claim.

We will honor your request for a transcript and it will be furnished to you, the other Board Members, and the County Attorney at no cost to anyone. We are presently in the middle of jury work in Ponca, Nebraska, and the reporter has other matters pending, but as soon as time permits she will transcribe the record and deliver the same to all persons concerned.

Sincerely yours,

Francis J. Kneifl

F JK/jmw

South Sioux City, Nebr.
28 Feb. 1981

Honorable Francis J. Kneifl
District Judge
County Courthouse
Dakota City, Nebr. 68731

Dear Judge Kneifl:

I have received your letter of February 24, 1981, and would like to respond to your position on the matter regarding the County Board's action on the CETA worker's salary claim. At the February 23, 1981, county board meeting, I offered to the other Board members a general statement on the entire episode and my opinion as to your involvement and actions on February 17th. I personally take issue with a number of events which occurred that day.

My first concern regards the order directed by you to the County Sheriff's office for a county wide search for the five members of our board, summoning us to appear before you at 4:00 P.M. that afternoon in the District Courtroom. I have received a copy, supplied to me by another commissioner, of what was apparently your written order commanding our presence before you. This written order also told board members they could have private legal counsel with them in court.

I never received this information contained in the order on February 17th, and did not even know I was to be in open Court until seconds before being taken into the Courtroom by our County Attorney, Maurice Redmond. The three Board members present, prior to the hearing, were led into a conference room by Mr. Redmond. At that time, he told us you were infuriated by the Board's action on the CETA claim, and your first inclination was to throw us in jail. However, Mr. Redmond continued by saying he had calmed you down. He then told us that he thought we were to see you in the Judge's chambers.

Mr. Redmond left the conference room for several minutes. He then returned and led us down the back hall, but was met by your Court Reporter and apparently told by her to take us into the courtroom. The rest of what was said is a matter of record in court.

While you have stated to me that our appearance before you was a visit, I am convinced the entire public display was a courtroom proceeding. We were seated behind the attorney's table required to stand when you entered the courtroom and when speaking to the Court. Also, you were

wearing a robe and had your reporter take everything down, As a layman, there could be no impression other than that of a Courtroom proceeding.

However much a written record may reflect what was said at the time, it may not accurately show the atmosphere in which we were standing before you. I personally felt intimidated, especially because of Mr. Redmond's statements to us in the conference room. Also, it was embarrassing and humiliating for me as a public official to be led into a Courtroom without adequate notice and an understanding of exactly what was happening. I do not feel this was right and consider it to be an abuse of the legal system.

More importantly is the effect this has had on the integrity of our County Board and judicial system. Public opinion, as I perceive it, is very much disturbed with what happened. Many are questioning our County Board's independence and authority to act responsibly and without undue influence. The appearance before you in open court by a majority of board members for the purpose of discussing county business and without proper procedure in conducting an open public meeting, is wrong, and I believe contrary to the laws in our state.

I am only speaking for myself, however my past experience indicates that this board has always been accommodating in providing people with opportunity to speak to us. I would have been more than willing to meet at a special public meeting with the other Board members later on that same week to hear your concerns. I regret you did not pursue that course of action.

As a matter of information, I am sending a copy of your letter to the Chief Justice of the Supreme Court and to the State Attorney General, because of my concern over the entire affair. They will also be receiving a copy of this letter for their reference.

Very Truly Yours,

Larry Morgan

ROLL CALL VOTE: Garvey yes
Morgan yes
Culbertson yes
Hirschbach yes
Rohde yes

Unanimous motion carried.

Nondas Vitols appeared before the Board regarding personnel.

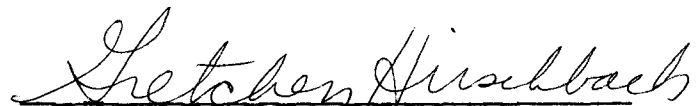
Garvey moved, seconded by Morgan to adjourn.

ROLL CALL VOTE: Morgan yes
Culbertson yes
Hirschbach yes
Rohde yes
Garvey yes

Unanimous motion carried 11:57 a.m.

ATTEST:


THEODORE A. PIEPHO, COUNTY CLERK


GRETCHEN HIRSCHBACH, CHAIRWOMAN

COMMISSIONERS MEETING
March 9, 1981 Proceedings
Basement Meeting Room

Chairwoman Hirschbach called their regular scheduled meeting to order at 9:03 a.m. Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Dan Rohde, Robert Garvey, and Ted Piepho, secretary.

Rohde moved, second by Garvey to approve the minutes of March 2 as typed.

ROLL CALL VOTE: Culbertson yes
Hirschbach yes
Rohde yes
Garvey yes
Morgan yes

Unanimous motion carried

Ms. Hirschbach acknowledged receipt of a letter and opinion from Maurice Redmond, County Attorney in regard to the claim of Rodney Smith. Board members each received a copy of the same. The Board acknowledged receipt of a letter from Ray A. C. Johnson, State Auditor. In his letter to the Board, Mr. Johnson stated Section 23-135 of the statutes sets forth the procedure for the county board to follow. The county board should act on the claim in either allowing or disallowing and the procedure to follow thereafter is laid out in the above section.

Mr. Morgan said, I would like to read the county attorney's opinion before we take any action on the claim.

Ms. Hirschbach asked the board if they wished to solicit any other legal opinions.

Mr. Morgan said, I think we should postpone action now.

Gene Sturm (SIMPCO) appeared before the board regarding State Lighting and Thermal Standards. Mr. Sturm said LB954 was passed last year and will go into effect April 1, 1981. Residential structures 3 stories or less would be exempt from the lighting standards, but should adhere to the thermal standards. The standards could be enforced by either the State or the county. If the county was to enforce the standards, the County Building Inspector would do the inspecting. The county could charge up to \$25 per home; the larger buildings would be charged 1¢ per square foot.

Mr. Morgan said, To create a minimum amount of hassle, it would be better to handle it on a local basis.

Mr. Sturm said he would be presenting this to the Planning & Zoning Committee at their meeting this week.

Kenneth Beekley appeared before the Board regarding the Block Grant Application. The application by Dakota County was approved. Mr. Beekley explained this is a grant and loan program. Dakota County applied to participate on a loan basis.

Bruce Hovey appeared before the Board regarding the replacement of a tube southeast of Hubbard. Mr. Hovey said the cheapest way would be to repair the existing road rather than open another road in the area. In addition, he said the fence at the county shed in South Sioux need to be replaced.

Ms. Hirschbach said these should be bid items. She asked Mr. Hovey to write up specifications and present them to the Board for review.

Maurice Redmond (County Attorney) appeared before the Board regarding condemnation by the State Fire Marshall of buildings located on Lot 4 and except W2' of East ½ of Lot 5, Block 172, Dakota City, Dakota County, Nebr. Mr. Redmond said the Board can either hire a contractor to take the buildings down or if the county thinks they have use for the lumber, they can take it down themselves.

Ms. Hirschbach asked Mr. Garvey and Mr. Culbertson to check into the situation to determine what we should do and report to the Board next week.

Brad King (Burroughs) and Richard Morse (Morse Data Proceeding) appeared before the Board to explain that is available to the county in regard to a computer. Mr. King said, In the past few months, there has been interest in a computer system for the county and city of South Sioux. Two alternatives are possible. South Sioux City and Dakota County can work together on a joint basis or each can work individually. We are meeting Tuesday morning with the people who have shown an interest in this to determine if it is even feasible.

Mr. Morse explained what is available to the county. The computer prints out tax statements which show the taxpayers where the tax money goes. It prints out information necessary for the assessor to send in the reports to the State. In addition, it will print tax collection lists, property record cards, personal property schedules and personal property tax statements. It will print a list of motor vehicles which is used by several offices.

Mr. Garvey and Mr. Morgan said they would try to attend the meeting on Tuesday.

Rohde moved, second by Morgan to recess.

ROLL CALL VOTE: Hirschbach yes
Rohde yes
Garvey yes
Morgan yes
Culbertson yes

Unanimous motion carried 10:15 a.m.

Morgan moved, second by Garvey to reconvene.

ROLL CALL VOTE: Rohde yes
Garvey yes
Morgan yes
Culbertson yes
Hirschbach yes

Unanimous motion carried 10:25 a.m.

Bruce Hovey (Highway Superintendent) appeared before the Board regarding the bids on a new motor grader for the County. Mr. Hovey said Fehrs Tractor and Equipment Co. of Omaha submitted the low bid and meets all specifications.

Dick Krejci (Dealer Representative of Fehrs) appeared before the Board to explain the transmission option, that being the power range shift, which is \$1,800 less than the power shift transmission. The fuel consumption of a grader with the power range shift would be about 30% less than the other one.

Rohde moved, second by Garvey to accept the bid of Fehrs Tractor & Equipment Co. for a new diesel powered motor grader with the power range shift transmission option for \$67,035.00.

ROLL CALL VOTE: Rohde yes
Garvey yes
Morgan yes
Culbertson yes
Hirschbach yes

Unanimous motion carried

The Board acknowledged receipt of a petition in error filed by Raymond Speer in regard to his salary claim which was previously twice denied by the Board.

Ms. Hirschbach said, When a claim has been denied, it can only be reconsidered once. This claim should have been tabled, not denied. We can allow the payment to be made by default.

Maurice Redmond (County Attorney) said, It would not be proper for me to represent the Board because of conflict of interest.

Ms. Hirschbach said, The Board can either let the payment be made by default and not contest the petition or we can get outside legal advice and contest the petition.

Mr. Morgan read the following statement and asked that it be entered into the minutes.

STATEMENT

I am sure all of the board members are aware of the fact that a lawsuit has been filed against Dakota County by Mr. Raymond Speer, an attorney currently associated with the County Attorney's office. The papers were apparently filed with the Clerk of the District Court on March 4, 1981. My understanding of the petition is that Mr. Speer is in disagreement with this Board's previous action in denying his claim for wages.

The purpose of this morning's special budgetary hearing is to consider taking steps to amend the current 1980-81 fiscal year budget as to Judge Kneifl's CETA worker and Mr. Speer's claim problems. Because the county has been sued, I am of the opinion that this Board should take no action on Mr. Speer's budget problem at this time. I make this recommendation for a number of reasons.

First, a reading of the lawsuit papers shows a definite purpose in favorably commenting and defending the County Attorney's actions on this subject before this Board. It is a matter of record that the County Attorney has threatened several members of this Board with possible legal action as it regards Mr. Speer's claim. The timeliness of filing this lawsuit just prior to our budget hearing and the statements contained in the suit, indicate to me that the judicial system is again being used to force our Board into a decision.

Secondly, the circumstances on Mr. Speer's salary and the County Attorney's involvement place the Board in a position of being without adequate unbiased legal counsel. Therefore, it is imperative for this Board to seek legal advice from an outside source. I believe the Board should immediately ask for help from the State Attorney General's office. This is especially necessary since the County has been sued and obviously, the County Attorney cannot act as legal counsel for the County.

Last of all, it is a matter of record that in September of 1980, this Board amended the county budget by resolution to provide that Mr. Speer was to be paid only from those funds actually collected and deposited with the County Treasurer under the Title 4 program. The County Attorney also agreed to this at that time, but now his office is wanting to alter the budget provision and agreement previously entered into. This Board should live up to its prior commitments.

It is imperative that this Board turn the matter over to the State Attorney General and that a request be made for assistance and legal representation on this lawsuit. I believe this Board should refrain from taking any action on Mr. Speer's budget matter until the Board has had an opportunity to be advised by independent legal counsel.

Ms. Hirschbach asked Mr. Redmond, Am I correct the Board has no right to appeal and get an Attorney General's opinion?

Mr. Redmond replied, The Attorney General will render an opinion to any state office or to me.

Ms. Hirschbach asked Mr. Morgan, Through what office will we render an opinion?

Mr. Morgan said, Through our own office.

Morgan moved, second by Culbertson the County Board send a letter to the State Attorney General asking for legal counsel in the matter of the lawsuit filed against Dakota County by Raymond Speer.

ROLL CALL VOTE: Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach no
 Rohde no

Motion carried

Mr. Morgan said, We have no intention of denying the claim when the funds come in.

Ms. Hirschbach asked Mr. Morgan to get in touch with the Attorney General. She said a phone call should determine if the Attorney General will help us.

The Board held a public hearing to amend the General Fund budget figures to include Child Support and CETA within the General Fund.

Mr. Hirschbach said, Child Support is a mandated program. The County Board must supply funds to run the program. We don't have the option of disallowing expenditures.

Mr. Redmond said he agreed to accept the non-support cases in his budget to eliminate extra expense to the county.

Ms. Hirschbach said the legislature passed the Statute regarding Title IV-D monies to put everyone in compliance. It is upsetting to take the time to work on this problem and then bring it back to the Board and have them not believe or accept it.

Mr. Morgan said, This Board established a resolution and I feel this resolution is still binding. The resolution stated when funds are available, claims will be paid. I think we should defer action until we have a response from the Attorney General. The resolution states where Speer's salary is to come from.

Mr. Redmond, said, The Board has two issues. First, they have a claim. Second, an improperly adopted budget.

Rohde moved, second by Garvey to authorize the County Treasurer to transfer funds within the General Fund Budget for the CETA Program.

ROLL CALL VOTE: Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes

Unanimous motion carried

Morgan moved, second by Garvey to defer action on the Child Support fund until outside legal counsel is received

ROLL CALL VOTE: Culbertson yes
 Hirschbach no
 Rohde no
 Garvey yes
 Morgan yes

Motion carried

Rohde moved, second by Garvey to convene as the Board of Equalization.

ROLL CALL VOTE: Hirschbach yes
Rohde yes
Garvey yes
Morgan yes
Culbertson yes

Unanimous motion carried 11:28 a.m.

Garvey moved, second by Rohde to reconvene in regular session.

ROLL CALL VOTE: Culbertson yes
Hirschbach yes
Rohde yes
Garvey yes
Morgan yes

Unanimous motion carried 12:06 p.m.

Mr. Morgan read a letter from the Attorney General, Paul Douglas, dated March 6 in response to Mr. Morgan's letter regarding Judge Kneifl's meeting with some of the Board members on February 17. In his letter, Mr. Douglas said he had discussed the matter with the chief justice who said he would have the matter investigated by his court administrator. Mr. Douglas said the purpose of his letter was to acknowledge receipt of Mr. Morgans letters and to assure him (Morgan), Mr. Douglas and the Chief Justice would be reviewing and monitoring the matter very closely.

Morgan moved, second by Garvey to convene in executive session to discuss personnel in the Road Dept. with the Road Superintendent; to discuss Union matter subject to litigation with the County Attorney and to discuss with the County Clerk, an error made that could cause injury to the reputation of an individual.

ROLL CALL VOTE: Hirschbach yes
Rohde yes
Garvey yes
Morgan yes
Culbertson yes

Unanimous motion carried 12:25 p.m.

Morgan voved, second by Rohde to reconvene in open session.

ROLL CALL VOTE: Rohde yes
Garvey yes
Morgan yes
Culbertson yes
Hirschbach yes


Unanimous motion carried 1:02 p.m.

Morgan moved, second by Garvey to adjourn.

ROLL CALL VOTE: Garvey yes
Morgan yes
Culbertson yes
Hirschbach yes
Rohde yes

Unanimous motion carried 1:03 p.m.

ATTEST:


THEODORE A. PIEPHO, COUNTY CLERK


GRETCHEN HIRSCHBACH, CHAIRWOMAN

COMMISSIONERS MEETING
March 16, 1981 Proceedings
Basement Meeting Room

Chairwoman Hirschbach called their meeting to order at 8:40 a.m. Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Dan Rohde, Robert Garvey, and Ted Piepho, secretary.

Some of the County Officials met with the Board to discuss the need for a computer as a result of the meeting at South Sioux City Council Chambers Tuesday, March 10. Brad King (Burroughs) also appeared before the Board. The cost for one central computer located in South Sioux City would be \$140,000 to \$150,000; and \$80.00 per month for telephone lines. The cost for having one computer located in South Sioux and one in the Courthouse would be about \$70,000 for the County and \$50,000 for the city of South Sioux.

Mr. Morgan said, The problem with one central computer located in South Sioux, would be having the added expense of going to South Sioux to use the computer. I am impressed with the additional services this type of system can provide compared to the CAPS Program.

Ms. Hirschbach asked the officers what their thoughts are regarding a computer.

Bob Giese (County Treasurer) said, I would like to go to Sarpy County to see what a computer can do for my office.

Ted Piepho (County Clerk) said, A computer would be of benefit to my office in regard to the voters registration. I feel we definitely need a computer.

Mr. King said, The advantage of 2 central systems would be the accessibility of a back-up.

Some county officials and Board members made plans to go to Sarpy County on March 27 to see what advantage a computer could be to the Courthouse.

Mildred Jorgensen (County Welfare Director) appeared before the Board with the monthly report from her office.

Garvey moved, second by Rohde to convene in executive session to discuss a welfare applicant as requested by

Ms. Jorgensen. ROLL CALL VOTE:

| | |
|------------|-----|
| Morgan | yes |
| Culbertson | yes |
| Hirschbach | yes |
| Rohde | yes |
| Garvey | yes |

Unanimous motion carried 9:15 a.m.

Rohde moved, seconded by Garvey to reconvene in open session.

ROLL CALL VOTE:

| | |
|------------|-----|
| Culbertson | yes |
| Hirschbach | yes |
| Rohde | yes |
| Garvey | yes |
| Morgan | yes |

Unanimous motion carried 9:30 a.m.

Ms. Jorgensen said, To date, my office has received 318 applications for Energy Assistance. She presented an application for general assistance to the Board.

Morgan moved, second by Rohde the said application for general assistance be denied because this individual is employable and he be so notified.

ROLL CALL VOTE:

| | |
|------------|-----|
| Hirschbach | yes |
| Rohde | yes |
| Garvey | yes |
| Morgan | yes |
| Culbertson | yes |

Unanimous motion carried.

Robert Giese (County Treasurer) appeared before the Board with the monthly report from his office. For the first eight months of the fiscal year, \$102,801.48 in interest has been collected from C.D.'s. Mr. Giese said a new repurchase agreement has been established at the Siouxland National Bank. A minimum of \$25,000 is invested for a minimum of seven days at 9% interest.

Vern Larson (South Sioux City Mayor) and Kurt Hohenstein representing the residents of Millis Beach, appeared before the Board regarding the road at Millis Beach in connection with the possible grain elevator which is being considered.

Mr. Larson said, We have a rezoning petition by Lincoln Grain Co.

Mr. Hohenstein said, The residents of Millis Beach are concerned with the access into the Millis Beach area.

The city of South Sioux is in a unique situation, said Mr. Larson. We have nothing to gain from the taxes.

Lance Hedquist (South Sioux City Administrator) appeared before the Board. He explained four alternatives to be considered.

Mr. Larson said, We could have an agreement where only Millis Beach residents would use this road.

Mr. Hohenstein said, There is a mainline railroad track and a storage track 50 feet away, adding to the congestion. The residents of Millis Beach are concerned with trucks being parked on the road.

Mr. Hedquist said, Lincoln Grain Co. would be willing to have a road put in.

Mr. Larson said, I would like to see some indication from the Board of their willingness to provide a road. We won't need the road for another 15-18 months.

Dennis Nelson (South Sioux City Councilman) said, My main concern is that I want to know if the county is willing to work with us.

The Board agreed they are willing to work with the city.

Mr. Larson said, We checked with a couple of other places where Lincoln Grain Co. is located. There is one in Atchinson, Kansas and another in Fremont. Neither place has had any major problems with Lincoln Grain co.

Rohde moved, second by Garvey the Board cooperate in assuring residents access to the Millis Beach area.

ROLL CALL VOTE: Rohde, yes
 Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes

Unanimous motion carried

In regard to the condemnation by the State Fire Marshall of buildings located on Lot 4 and Except W2' of East ½ of Lot 5, Block 172, Dakota City, Dakota County, Nebraska, Mr. Garvey said he and Mr. Culbertson looked at the property. They talked to Don McKinney, City Manager. Mr. McKinney said the city's original plans were to take the property down and clean it up. The city wants to be sure this property is taken care of.

Mr. Redmond said, I need to know how you want to handle this so I can write up the resolution.

Garvey moved, second by Morgan to form a committee to negotiate for removal and clean-up of said property and the County Attorney prepare a resolution.

ROLL CALL VOTE: Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes

Unanimous motion carried

Ted Piepho (County Clerk) appeared before the Board with the monthly report from his office.

Culbertson moved, second by Garvey to approve the minutes of March 9 as typed.

ROLL CALL VOTE: Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes

Unanimous motion carried

Kurt Rager appeared before the Board and presented a claim for Wayne Wheeler (County Surveyor) in the amount of \$130.00. Mr. Rager said, A client of mine was having a problem getting access to a road. George Saunders and I found in the minutes where the Board had made this road a county road. Mr. Wheeler done the surveying work and sent a bill to my client. My client sent this bill on to Mr. Saunders. I received another bill in December. My client feels he benefited from this, so he would be willing to pay a fair share of this claim.

The Board agreed to pay half of the claim. Ms. Hirschbach told Mr. Rager the claim would have to be resubmitted.

Garvey moved, second by Rohde to recess.

ROLL CALL VOTE: Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes

Unanimous motion carried 10:34 a.m.

Rohde moved, second by Garvey to reconvene.

ROLL CALL VOTE: Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes

Unanimous motion carried 10:54 a.m.

Morgan moved, second by Rohde to convene in executive session to discuss Union matter subject to litigation with the County Attorney.

ROLL CALL VOTE: Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes

Unanimous motion carried 10:58 a.m.

Culbertson moved, second by Rohde to reconvene in open session.

ROLL CALL VOTE: Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes

Unanimous motion carried 11:23 a.m.

Morgan moved, second by Rohde to deny the claim of Rodney Smith.

ROLL CALL VOTE: Morgan yes
 Culbertson yes
 Hirschbach abstained
 Rohde yes
 Garvey abstained

Motion carried

Rohde moved, second by Garvey to adopt a resolution authorizing the County Treasurer to transfer funds from the Child Support Program's balance to within the General Fund Budget and that it be administered as a separate function within the General Fund.

ROLL CALL VOTE: Hirschbach yes
 Rohde Yes
 Garvey yes
 Morgan yes
 Culbertson yes

Unanimous motion carried

Garvey moved, second by Rohde to approve the following claims:

GENERAL PAYROLL: Gretchen Hirschbach \$541.66; Paul Culbertson \$541.66; Robert Garvey \$541.66; Larry Morgan \$541.66; Daniel Rohde \$541.66; Theodore A. Piepho \$1208.33; Mary Hinkle \$840.39; Eloise Gormally \$615.25; Margaret Rahn \$615.25; Myra Smith \$615.25; Robert Giese \$1,208.33; Irene M. Van Lent \$840.39; Charlotte Doenhoefler \$615.25; Ruth M. Jensen \$615.25; Nadine Johanson \$615.25; Mardell Sorensen \$615.25; Ruth Warnock \$615.25; Virginia A. Piper \$1,208.37; Betty J. Garwood \$840.46; Sharon Shannon \$615.25; Betty J. Garwood \$150.00; Sharon A. Shannon \$150.00; William F. Whear \$1,208.33; Harvey Bates \$1,087.87; Jarold Gilson \$1,070.00; Mike McManigal \$950.00; Linda Wilson \$791.00; Linda Wilson \$15.30; Armon Todd \$963.00; Darlene Arneson \$569.50; Norma Barajas \$192.10; Sally Deal \$136.00; Michael Koettters \$552.20; Cheryl Lundberg \$343.40; Earlean McClain \$544.00; Neva Neal \$343.37; Patricia Parkins \$326.40; Maurice S. Redmond \$1,208.33; Dennis J. Mahr \$1,337.50; Raymond E. Speer \$1,083.00; Gloria Engelbrecht \$900.00; Cindy Harris \$700.00; Joy K. Nixon \$1,208.33; Thelma E. Baugous \$840.46; Nellie June Beardshear \$615.25; Shirley Ann Bentz \$615.25; Dorothy J. Lundberg \$615.25; Lillian Rager \$615.25; Jeanette Ramirez \$615.25; Madelyn Thorsland \$615.25; Nondas Vitols \$615.25; Klemett Dean \$1,259.39; Nancy Dean \$371.85; Harold Nelson \$280.00; Patricia Stingley \$668.75; Bruce Hovey \$2,000.00; Jon Norris \$624.17; Maurice A. Roady \$713.33; Lorraine Tillman \$1,123.50; Bonniel Chapman \$615.25; Dr. J. H. Walston \$230.00; Lyle Todd \$204.00; Maxine Titler \$666.67; Veronica Grijalba \$580.56; Social Security \$2,972.97; Blue Cross \$1,702.90

PAYROLL ASSISTANCE: Blue Cross \$245.98; Mildred Jorgensen \$1,508.39; Jeanine Blivine \$781.17; Margaret Boeshart \$1,166.71; Pauline Jensen \$1,183.38; Patricia Lane \$1,045.09; Mary O'Dell \$711.85; Charlene Weber \$1,045.29; Social Security \$494.89

ASSISTANCE: Margaret Boeshart \$22.26; Pauline Jensen \$5.46; Mildred Jorgensen \$3.36; Patricia Lane \$17.22; Charlene Weber \$49.98; Northwestern Bell \$239.07; South Sioux City Medical Clinic \$33.00; South Sioux City Medical Clinic \$38.00; Sioux City Stationery \$15.19; Dakota County Treasurer \$632.09; AB Dick Products \$104.65; South Sioux City Credit Bureau \$50.00; Mildred Jorgensen \$45.00; Mildred Jorgensen \$44.50; Mildred Jorgensen \$56.00

POOR RELIEF: State Dept. of Public Welfare \$8,709.14

DAKOTA COUNTY HISTORICAL SOCIETY: Dakota Co. Historical Society \$113.18

FEDERAL GRANT HIGHWAY SAFETY PROGRAM: Danny Potts \$1,070.00; Danny Potts \$10.00

WEED PAYROLL: Paul Foreshoe \$850.00; Ruth Foreshoe \$50.00; Maurice Crofoot \$25.00; J. Colin Green \$25.00; Elmer Nelson \$25.00; John Ryan \$25.00; George W. Shrader \$25.00; Social Security \$68.17; Blue Cross \$34.51

WEED: Maurice Crofoot \$1.53; J. Colin Green \$4.08; Elmer Nelson \$2.38; John Ryan \$4.25; George W. Shrader \$1.70; Crippen Manufacturing Co. \$28.52; Torticill Service Center \$18.00; Milt Peters Small Engine Repair \$120.10; Farmer's Co-op Assn. \$20.10; Carlson Machine Co. \$30.05; Paul Foreshoe \$236.07

ROAD PAYROLL: George Anderson \$912.04; Leland Armbricht \$800.00; Donald Belt \$929.53; Caleb Chapman \$919.33; Beverly Gradert \$565.50; Walter Heinemann \$976.80; Robert Jacobsen \$914.77; Lawrence Jepsen \$1,070.00; Kurt Johnson \$890.15; Walter Johnson \$1,016.13; Arnold Mellick \$971.44; Marlan Millard \$886.50; Willis Roeber \$806.38; Earl Stading \$919.33; Social Security \$836.44; Blue Cross \$530.18; Blue Cross \$61.90; Lone Star \$3.75

COUNTY ROAD: Iowa Public Service \$195.99; Northwestern Bell \$36.21; City of South Sioux City \$330.45; City of Emerson \$16.96; Marlan Millard \$49.13; Nebraska Public Power District \$8.38; City of Dakota City \$82.51; Great Plains Supply Co. \$232.01; Clausen Electric \$246.59; Johnson Hardware \$20.15; Anderson Drive-In Radio \$22.00; Standard Bearings Co. \$30.55; Auto Parts & Exchange \$323.17; Mike's Auto Parts \$18.59; Diesel Specialties \$374.40; Automotive Electric Inc. \$3.50; Ben Fish & Son \$204.66; Carl A. Anderson \$218.22; C. W. Suter & Son, Inc. \$3.10; Carlson Machine Co. \$150.25; Condon Motor Co. \$175.92; Dakota Auto Parts \$11.51; Hansen Machine Shop \$30.27; Herman M. Brown \$782.41; Midcon Equipment Co. \$154.03; Motor Parts Central \$1.40; Missouri Valley Machinery Co. \$792.36; Northern Auto Parts Warehouse, Inc. \$113.81; Tagatz Hardware \$41.59; Van's Used Trucks & Parts \$50.00; Tri-County Hardware \$12.76; Wilensky Auto Parts Co. \$123.13; Curtis Industries \$168.71; The Sioux City Iron Co. \$30.50; Sioux Tool Service Co. \$35.85; Bliven Welding \$9.00; Monroe Welding Co. \$74.48; Minear Lock & Key Service \$8.50; Means Services, Inc. \$40.06; Filter Care \$6.78; Walthill Farm Equipment \$29.95; Snap-On Tools Corp. \$81.00; Joe's Surplus \$77.10; Firestone Stores \$291.68; Royal Culvert \$391.71; Engel's Mobil Service \$388.70; Adam's Service \$897.85; Warren Oil Co. \$1,348.77; So. Soo Oil Co. \$1,666.16; Homer Service Station \$139.28; Crystal Oil Co. \$468.03; Farmers Co-op Assn. \$1,116.65; C & H Heavy Duty Specialists, Inc. \$35.00; Porter-Ripa Engineering \$932.00; Wayne W. Wheeler \$65.00

GENERAL: South Sioux City Star \$18.56; South Sioux City Star \$40.81; Northwestern Bell \$105.43; Theodore Piepho \$4.00; A.B. Dick \$160.00; Executive Copy Systems \$20.00; General Business Equipment, Ltd. \$39.00; Burroughs Corp. \$23.85; R.L. Polk & Co. \$16.00; General Business Equipment, Ltd. \$23.83; Sioux City Stationery \$45.00; Sioux City Stationery Co. \$1.19; Sioux City Stationery Co. \$23.40; Executive Copy Systems \$53.00; Sooland Office Supply \$21.93; Robert Giese \$43.26; Des Moines Stamp Mfg. Co. \$45.50; Sooland Business Forms \$233.65; Northwestern Bell \$65.56; Sioux City Stationery Co. \$2.12; Bancroft-Whitney Co. \$119.40; West Publishing Co. \$90.00; Northwestern Bell \$71.09; Northwestern National Bank \$200.25; Des Moines Stamp Mfg. Co. \$74.60; Northwestern Bell \$115.79; Sooland Office Supply \$20.62; Redfield & Co. \$15.59; Nebraska Continuing Legal Education \$19.06; Sioux City Stationery \$37.75; Life-Lite \$281.49; Law Enforcement Equipment \$72.65; The Paper Co. \$18.34; Armon Todd \$119.52; Northwestern Bell \$288.84; Western Union \$248.27; Sioux Valley Radio Eng. Co. \$35.00; Jerry Gilson \$3.33; William F. Whear \$389.20; Harvey Bates \$576.40; Jarold Gilson \$698.76; Michael McManigal \$571.36; Sheriff Dept. \$12.37; Leo's Service \$46.25; Security National Bank \$135.52; William Whear \$310.00; Dakota County Sheriff Dept. \$1,053.50; Danny Potts \$445.00; Ben Franklin's \$10.00; Sioux City Stationery \$9.65; Bancroft-Whitney Co. \$35.00; Burroughs Corp. \$19.15; Mid West Business Products \$39.60; Des Moines Stamp Mfg. Co. \$14.90; Executive Leasing, Inc. \$158.62; The Bureau of National Affairs, Inc. \$251.00; General Business Equipment \$7.20; Sooland Office Supply \$7.58; Joy K. Nixon \$113.70; Northwestern Bell \$121.91; Sioux City Stationery \$100.00; Monroe \$44.00; Klemett Dean \$35.00; Bill Hedrick Refrigeration \$138.30; American Linen \$15.20; Cook Paint & Varnish Co. \$182.57; Western Paper Co. \$67.80; Tagatz True Value \$45.25; City of Dakota City \$1,042.28; Bahr Plumbing \$132.25; Iowa Public Service \$1,275.00; T & D Service \$20.00; Black Welding \$25.00; Tucker Glass \$10.00; Torticill Service \$3.75; O'Shaughnessy Fire Protection \$4.00; Dakota County Extension Service \$1,300.00; Star Printing & Publishing \$109.50; South Sioux City Star \$79.30; Northwestern Bell \$47.13; Sioux City Stationery \$33.30; Northwestern Bell \$21.86; Maurice Roady \$55.69; Northwestern Bell \$52.69; Northwestern Bell \$24.34; Lorraine Tillman \$119.49; Lorraine Tillman \$20.00; Lorraine Tillman \$15.00; Precision Typewriter Works \$47.50; Northwestern Bell \$66.00; Sooland Office Supply \$9.36; State of Nebraska, Div. of Communications \$32.90; Sioux City Stationery \$16.65; South Sioux City Star \$72.75; Lyle Todd \$29.61; South Sioux City Star \$8.13; Maxine Titler \$19.15; Northwestern Bell \$34.25; Hammond & Stephens Co. \$6.72; Henry Beekman \$20.64; Betty Beekman \$20.64; Marcella Vandenburg \$20.64; Roger Thompson \$20.64; Kathleen Shannon \$20.00; Leamer Law Office \$128.10; William Binkard \$304.96; William Horneber \$236.25;

Leamer Law Office \$510.30; William Binkard \$100.00; Clerk of District Court \$184.00; Dr. James Walston \$100.00; Ada Frum \$100.00; William Bernard \$100.00; James C. Hanks \$105.70; Executive Copy Systems \$600.00; Northwestern Bell \$9.45; County Treasurer \$1,000.00; City of South Sioux City \$00.92; County Clerk's Office \$30.00; Star Printing And Publishing \$208.30; Executive Copy Systems \$35.90; Dakota County Sheriff Office \$336.50; South Sioux City Medical Clinic \$20.00; Charlie Zook Dodge \$73.80

ROLL CALL VOTE: Rohde yes
Garvey yes
Morgan yes
Culbertson yes
Hirschbach yes

Unanimous motion carried

Garvey moved, second by Rohde to adjourn.

ROLL CALL VOTE: Garvey yes
Morgan yes
Culbertson yes
Hirschbach yes
Rohde yes

Unanimous motion carried 12:48 p.m.

ATTEST:

Theodore A. Piepho
THEODORE A. PIEPHO, COUNTY CLERK

Gretchen Hirschbach
GRETCHEN HIRSCHBACH, CHAIRWOMAN

COMMISSIONER'S MEETING
March 23, 1981 Proceedings
Basement Meeting Room

Chairwoman Hirschbach called their regular scheduled meeting to order at 9:00 a.m. Present: Robert Garvey, Dan Rohde, Gretchen Hirschbach, Paul Culbertson, Larry Morgan and Ted Piepho, secretary.

Morgan moved, second by Rohde to approve the minutes of March 16 as corrected.

ROLL CALL VOTE: Garvey yes
Rohde yes
Hirschbach yes
Culbertson yes
Morgan yes

Unanimous motion carried

Bruce Hovey (Highway Supt.) appeared before the Board. In regard to the new motor grader purchase, Mr. Hovey said we may have to consider financing it, being it was not budgeted for.

Ms. Hirschbach asked Mr. Morgan to study the Road Fund Budget to determine if we will have to finance the motor grader, and to report back to the Board next week.

Joy Nixon (County Assessor) appeared before the Board and presented many Homestead Applications for the Board's approval.

Culbertson moved, second by Morgan to adopt the following resolution:

RESOLUTION NO. _____

WHEREAS, the County of Dakota is the owner and holder of several Certificates of Tax Sale of several parcels of real estate issued to the County of Dakota for all delinquent regular taxes thereon, and which having been regularly advertised and offered for sale and tax sale, and remaining unsold for want of bidders, was sold to the County of Dakota and Certificate of Tax Sale issued thereon under provisions of Nebraska Revised Statutes, Section 77-1809 R.S. Supp. (1979); and

WHEREAS, more than two years and less than five years have elapsed since the issuance of such respective certificates of tax sale and by reason thereof the right of redemption of the owners or claimants of such respective tracts has expired;

NOW, THEREFORE, BE IT RESOLVED THAT Maurice S. Redmond, County Attorney, be and he is hereby directed, as promptly under the circumstances as it is reasonably possible so to do, to institute action to foreclose the lien of all taxes delinquent, whether regular or special, on all real estate within Dakota County, Nebraska, which having been heretofore advertised and offered for sale and remaining unsold for want of bidders was sold to the County of Dakota and Certificates of Tax Sale issued thereon.

BE IT FURTHER RESOLVED, that the County Treasurer of Dakota County, Nebraska be and the same hereby is directed to issue Treasurer's Certificates of Tax Sale in favor of Dakota County that all parcels of real estate offered for sale for less than three consecutive years were not sold for want of bidders.

INTRODUCED BY Paul Culbertson

PASSED AND APPROVED this 23 day of March, 1981.

ATTEST:

COUNTY CLERK

CHAIRMAN OF THE BOARD

ROLL CALL VOTE: Rohde yes
 Hirschbach yes
 Culbertson yes
 Morgan yes
 Garvey yes

Unanimous motion carried

Ms. Hirschbach asked Mr. Garvey to get bids on the condemned house in Dakota City in order for Mr. Redmond to write the resolution.

Rohde moved, seconded by Garvey to recess.

ROLL CALL VOTE: Hirschbach yes
 Culbertson yes
 Morgan yes
 Garvey yes
 Rohde yes

Unanimous motion carried 10:06 a.m.

Rohde moved, second by Garvey to reconvene.

ROLL CALL VOTE: Culbertson yes
 Morgan yes
 Garvey yes
 Rohde yes
 Hirschbach yes

Unanimous motion carried 10:35 a.m.

Mr. Morgan said he contacted the Attorney General by phone regarding the petition filed by Raymond Speer. The Attorney General's only suggestion was to employ private legal counsel.

Ms. Hirschbach: I don't see the necessity for the County to pay for private legal counsel.

Mr. Morgan: I would like to have legal counsel to help us determine which direction to take.

Morgan moved, second by Garvey to employ private legal counsel to advise us on the necessary action to take regarding the petition filed by Ray Speer.

ROLL CALL VOTE: Morgan yes
 Garvey yes
 Rohde no
 Hirschbach no
 Culbertson yes

Motion carried

Ms. Hirschbach: I am personally convinced that an attorney will tell us to default the petition and we will not win in this case.

Ms. Hirschbach assigned Mr. Morgan, Mr. Culbertson, and Mr. Garvey to obtain legal counsel within the county.

Rohde moved, second by Garvey to convene as the Board of Equalization.

ROLL CALL VOTE: Garvey yes
 Rohde yes
 Hirschbach yes
 Culbertson yes
 Morgan yes

Unanimous motion carried 11:00 a.m.

Garvey moved, second by Morgan to reconvene in regular session.

ROLL CALL VOTE: Hirschbach yes
 Culbertson yes
 Morgan yes
 Garvey yes
 Rohde yes

Unanimous motion carried 11:26 a.m.

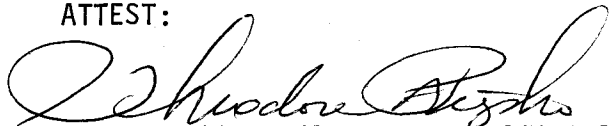
The Board agreed to schedule a special meeting for 10:30, March 30.

Garvey moved, second by Rohde to adjourn.

ROLL CALL VOTE: Culbertson yes
 Morgan yes
 Garvey yes
 Rohde yes
 Hirschbach yes

Unanimous motion carried 11:30 a.m.

ATTEST:


 COUNTY CLERK


 CHAIRMAN OF THE BOARD

COMMISSIONER'S MEETING
 March 30, 1981 Proceedings
 Basement Meeting Room

Chairwoman Hirschbach called their special meeting to order at 10:35 a.m.
 Present: Robert Garvey, Dan Rohde, Gretchen Hirschbach, Paul Culbertson and Ted Piepho, secretary.
 Absent: Larry Morgan

Rohde moved, second by Garvey to approve the minutes of March 23 as typed.

ROLL CALL VOTE: Garvey yes
 Rohde yes
 Hirschbach yes
 Culbertson yes
 Morgan absent

Motion carried

In regard to the legal counsel opinion on the petition in error filed by Ray Speer, Mr. Garvey said he and Mr. Morgan spoke to an attorney who said he would talk to the County Attorney and suggest that Mr. Speer file another claim.

Joy Nixon (County Assessor) appeared before the Board in regard to the I.B.P. valuation.

Ms. Nixon: I believe on that protest form there's a place for my recommendation.

Ms. Hirschbach: We don't have copies of the protest here.

Ms. Nixon: Last year we added on the new building at \$3,129,807.00 plus the 21% raise mandated by the State for a total of \$3,787,065.00. Midwest has \$3,653,628.00. That would make a difference of \$133,437.00 actual value or \$46,700 assessed value. It would be my recommendation the valuation on the main site be lowered no more than that amount of \$133,437.00. I'd like to go over the appraisal with you. I'm assuming from the last paragraph in the letter from Midwest that we will get a much more detailed report. I was going over some of the physical and functional obsolescence. If you will notice on the main processing building, it was 20% and 15%; Stockyards 10% & 15%; Chain link fence 10% & 15%; Hide Plain 5% & 15%; Air flotation and inedible Rendering Building 20% & 15%; Employment & Security Building 20% & 15%; Waste Treatment Facility 10% & 15%; Large Water Tank 60% & 15%; Metal Storage Building 5% & 15%; Office Building 4% & 25%; Transient Houses 20% & 15%; Scale House 20% & 15%; Scale 10% & 15%; Guard Shack 30% & 15%; Computer Building 20% & 15%; Old Office Building 20% & 15%; Blood Drying Building 20% & 15%; Truck Wash 10% & 15%; Fuel Tanks 15% & 15%; Railroad Spurs 15% & 15%; Hide Flume 10% & 15%; Wells and Pumps 15% & 15%; Old Engineering & Construction 40% & 30%; Steel Shop Building 20% & 15%; Old Refrigerated Building 30% & 15%; Paving 30% & 15%. Going back to the office building, if you'll notice, it's mostly 15% through the functional and economic on the others. On the office building, they have allowed 25%. That's why I was interested in getting their analysis on that. I multiplied it out and starting with the \$5,145,955.00 replacement, the physical 4% would take off \$205,838.00 leaving a total of \$4,940,117.00 and if 15% deduction was taken, instead of 25%, we would come up with \$3,199,102.00. Going on to this worksheet, I tried to correlate from my old worksheet to what Midwest had. The problem for me in making a breakdown is Midwest put all sites together. It's all in this one total. But if I recall, the protest was filed only on the main plant site. On these totals here, in the column where it says 1980 corrections, I got a total of \$12,294,982.00 and then with the 21% State raise, it brought it up to \$14,876,928.00, and that's just where the main plant sits.

Ms. Hirschbach: Does the \$12,349,633.00 represent Midwest's figure?

Ms. Nixon: Yes, I would say it would. My original recommendation stands.

Mr. Garvey: We've got a difference of \$2,527,295.00 between yours and Midwest's, right?

Ms. Nixon: Yes. But what I'm saying is the only tract they protested on was on the main plant.

Mr. Rohde: What was your recommendation?

Ms. Nixon: That you lower it no more than \$133,437.00 actual from the fourteen million dollar figure.

Rod Smith appeared before the Board.

Ms. Hirschbach: Rod, what is the school board's position on this?

Mr. Smith: I listen to this with great interest because so many times I listen to these things and I can't understand them. Lots of times when Joy's done, I still don't understand them and I don't understand them this morning. I'd like to ask some questions and hopefully it might clarify things in my mind and in yours, too. First of all, I'd like to know what the actual value was for 1979. You've got to understand that Iowa Beef started building an office building in 79. Joy put a partial valuation on that in 79. What was your actual, final figure for 1979?

Ms. Nixon: \$12,475,125.00 actual value.

Mr. Smith: When the schools come down in August and ask for values, we have to know those in order to prepare our budget. Now 1980 rolls around and if Iowa Beef is going to protest, they must ordinarily protest and have their protest acted upon by May 1. Now, I'm going to ask you, Joy. When the spring of 1980 rolled around, Iowa Beef's valuation was still \$12,475,125.00. In May of 1980, Iowa Beef made no protest because they had their value from the preceding year and they had been given no notice of any raise. Now, along comes June and July and the schools begin getting active because they have to start getting their figures in August for their 1980 levies and budgets. We're up to September 1980. Now, what figure did you give the schools for Iowa Beef's valuation in September of 1980?

Ms. Nixon: \$14,876,928.00

Mr. Smith: You gave them that figure in September, but you hadn't notified Iowa Beef. You done all the work to compile all of these figures down to even \$928.00, so you gave them those figures and you hadn't notified Iowa Beef. When did you notify them?

Ms. Hirschbach: Sometime in November.

Mr. Smith: So you didn't notify Iowa Beef until November of 1980 after the schools had already incorporated this almost \$15,000,000.00 into their budgets. Then you ask for professional appraisers. Now there's a big argument between Iowa Beef and your offices and your professional appraisers as to what the outcome of this is going to be. You have gotten the answer from your professional appraisers at \$12,394,000.00, which is about exactly what the figure was early in the year in May. What's happened now, is the school has counted on these figures she gave them in September, when what she gave them should have been \$12,475,000.00 and now we're out forty thousand bucks on figures that she had no right to give to the schools. It's not this Board's fault, it's not Iowa Beef's fault and now you've gotten a figure that 2½ million less. I swear to heaven by listening here that you paid \$13,000 for an appraisal that now you don't like too well and are considering changing.

Ms. Hirschbach: Not \$13,000. We did not do the personal property. The figure was about six or seven thousand.

Mr. Smith: Well, six or seven thousand dollars that you now want to disregard because the answer didn't come out and she's working on figures to change that. We aren't here to say that their taxes shouldn't be lowered. I personally think they should. But I'm very concerned that you know what actually happened and we sure as the devil don't want it to happen again. As a matter of fact, I'm wondering who's going to pay us the forty thousand dollars. Like I say, it's not Iowa Beef's fault. No way! It appears they were right in the beginning. This Board, at levy time should, of course it's been said year after year, the people who make up the budgets have got to be able to count on the figures they get out of the Assessor's office. And it's one of the duties of the Board to at least inquire and to see that those figures are finished and that they're accurate. Ordinarily, the way you do it, you use the figures that you know you have in August, the figures you can count on. That's why you have your hearings up to May. Then if there are some obvious mistakes or if there are some changes made because of the finishing of new buildings or because of some omitted property, which the law allows her to add, she can add them. But good heavens, she can't raise them in August without even notifying Iowa Beef. And taking that as a final figure, have I misstated that Joy? Is there anything wrong with the figures I gave?

Ms. Nixon: No.

Mr. Smith: Our concern is that for heaven's sake, don't let it happen again.

Ms. Nixon: Well, it's a procedure that we follow. When we finish any work on anything, we put it on the cards as quickly as we can.

Mr. Smith: Well, why would you predetermine it? You don't add it on without giving the people the right to protest. A perfect example is here before you. Those aren't final until the time for protest is either up or it's decided by the Board of Equalization. Now if you miss some little house, it's going to make a difference of ten dollars, big deal. But when you start screwing around with forty to fifty thousand dollars I don't know what its cost the county, but it's plenty. It's a pity. You should know it's going on, you should know our concern about it and I think you ought to live with the appraisal you got. Trying to pay taxes in this county is panamont to riding a roller coaster. You can't count on anything. One year it's up, one year it's down, the next year it's up. It used to be when you would try to set up a budget, you could kind of count on what you were going to have for next year in the way of taxes and so on. No more. It's about like interest rates. We don't need to have this kind of mistakes being made, because there's no way for us to recover this. We can't afford it much longer.

Ms. Hirschbach: In Joy's defense, Rod, most of the problems of the last few years have been caused by State mandated actions. She's been required by the State to change the appraisal.

Mr. Smith: I understand about the 30% and the 21%'s and all of that, but we know those in August. To do something like this is inexcusable. I can't do anything but call it the way it is. If I don't, somebody is liable to think it isn't important, and they'll let it go next time. I thank you very much for listening to our position.

Garvey moved, second by Rohde to convene as the Board of Equalization.

ROLL CALL VOTE: Rohde yes
 Hirschbach yes
 Culbertson yes
 Morgan absent
 Garvey yes

Motion carried 11:04 a.m.

Garvey moved, second by Rohde to reconvene in regular session.

ROLL CALL VOTE: Culbertson yes
 Morgan absent
 Garvey yes
 Rohde yes
 Hirschbach yes

Motion carried 11:39 a.m.

Harry Sanford appeared before the Board regarding his application for general assistance which was previously denied by the Board. Mr. Sanford said he has a letter from his doctor stating he is not able to work. Ms. Hirschbach asked Mr. Sanford to resubmit his application in Mrs. Jorgensen's office.

Regarding the condemned building in Dakota City, Mr. Garvey said he received bids from two contractors, those being J. Myron Olsen for \$300.00, which includes putting dirt in the hole. The other bid was from Jack Pinny for \$300.00 plus \$35.00 per load of dirt.

Ted Piepho (County Clerk) reported on the meeting in Sarpy County regarding computers. Mr. Piepho said he will continue to study the matter.


Garvey moved, second by Rohde to adjourn.

ROLL CALL VOTE: Garvey yes
 Rohde yes
 Hirschbach yes
 Culbertson yes
 Morgan absent

Motion carried 11:55 a.m.

ATTEST:


COUNTY CLERK


CHAIRMAN OF THE BOARD

DAKOTA COUNTY, NEBRASKA
COMMISSIONER'S MEETING
April 6, 1981 Proceedings
Basement Meeting Room

Chairwoman Hirschbach called their regular scheduled meeting to order at 9:05 a.m.
Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Dan Rohde, Robert Garvey and Ted Piepho, secretary.

Culbertson moved, second by Rohde to approve the minutes of March 30 as typed.

ROLL CALL VOTE: Morgan yes
Culbertson yes
Hirschbach yes
Rohde yes
Garvey yes

Unanimous motion carried

Rohde moved, second by Garvey to convene in executive session to discuss a welfare applicant.

ROLL CALL VOTE: Culbertson yes
Hirschbach yes
Rohde yes
Garvey yes
Morgan yes

Unanimous motion carried 9:08 a.m.

Garvey moved, second by Rohde to reconvene in open session.

ROLL CALL VOTE: Hirschbach yes
Rohde yes
Garvey yes
Morgan yes
Culbertson yes

Unanimous motion carried 9:17 a.m.

Culbertson moved, second by Garvey to approve payments of \$152.65 per month beginning in April, to a welfare applicant, until October 15 or until a ruling is received from Social Security.

ROLL CALL VOTE: Rohde yes
Garvey yes
Morgan yes
Culbertson yes
Hirschbach yes

Unanimous motion carried

Bruce Hovey (Highway Supt.) appeared before the Board. Mr. Hovey said he has received one response in regard to the financing of the new motor grader. In addition, Mr. Hovey said the road dept. is in need of a mechanic at the shop in South Sioux. The Board suggested if a mechanic was hired, that no additional part-time help be hired at this time.

Ted Piepho (County Clerk) appeared before the Board regarding Board of Equalization Hearings. The Board set the following as dates for the hearings: the afternoon of April 20, the morning of April 27 and at 7:30 p.m. on April 28. Mr. Piepho presented the following schedule and instructions to be considered for setting up the budget:

BUDGET HEARING

ON OR BEFORE JUNE 1, 1981

Each office is to receive the original copy of their office budget from the County Clerk.

JUNE 15th THROUGH JUNE 27th

The County Board is to meet with the various County Officials or Department Heads concerning all office budgets.

ON OR BEFORE JULY 3, 1981

Each office is to file the original copy of their budget form with the County Clerk with the budget form completed in full, except for the column headed-ADOPTED.

Hold hearing on Revenue Sharing expenditures.

FIRST PART OF AUGUST

Publish Notice of Budget Hearing

MIDDLE OF AUGUST

Hold Budget Hearing

INSTRUCTION FOR BUDGET PREPARATION

- Step 1.) Receive the original copy from the County Clerk.
- Step 2.) Fill in the actual expenditures for 79-80. (1st column on Budget Form)
- Step 3.) Copy original copy for an office work copy.
- Step 4.) Each office/dept. compiles their 81-82 proposed and enters these figures on their work copy in the appropriate column.
- Step 5.) Make 6 copies (one for each commissioner and one for the county clerk). Be sure to bring your work copy and the 6 copies with you when you meet with the board. Also, have the total amount expended by your office in 80-81. This can be done by getting what you've spent the first 11 months from Mary and adding what you submitted to the Clerk for June's claims.

- Step 6.) During the meeting with the board, while discussing each line item, the board will make their proposal. Everyone is to record these figures in appropriate column, on the appropriate line.
- Step 7.) Type these figures in the original copy received from the County Clerk.
- Step 8.) Each office is to type their 80-81, expenditures in the appropriate column of the original form. These expenditures must be acquired from Mary as this figure must reflect figures recorded by the Clerk's office.
- Step 9.) Make a copy of the original form for your office, file copy and file original with the County Clerk.

Morgan moved, second by Culbertson to adopt the said schedule and instructions as presented by the County Clerk.

ROLL CALL VOTE: Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes

Unanimous motion carried

Ed Wilburn (Northwestern Bell) appeared before the Board with the results from the study conducted by Northwestem Bell in February. Mr. Wilburn said their proposal for Dakota County is the Horizon system with a watts line service. The cost for the first year, including installation would be \$26,069.40. Our present system is costing us about \$14,000 annually. Mr. Wilburn listed the objectives of the Horizon system. Any one office in the courthouse can reach another office by dialing 2 digits, compared to the 7 digits now required. In January 1981, the courthouse paid \$395.40 for long distance calls, using approximately 21.9 hours. Based on 22 hours, the watts line would cost \$389.00. Mr. Wilburn explained the auxilary point option where the regular operator could push a button to have the calls go to another point in the courthouse if she were busy. About four offices would receive their calls direct.

The Board agreed to study the proposal given by Northwestern Bell in order to make a decision latter.

Garvey moved, second by Rohde to convene in executive session as requested by Bob Scoville to discuss litigation.

ROLL CALL VOTE: Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes

Unanimous motion carried 10:21 a.m.

Garvey moved, second by Rohde to recess.

ROLL CALL VOTE: Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes

Unanimous motion carried 10:37 a.m.

Garvey moved, second by Culbertson to reconvene in regular session.

ROLL CALL VOTE: Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes

Unanimous motion carried 10:45 a.m.

Culbertson moved, second by Morgan to adopt the following resolution:

RESOLUTION NO. _____

BE IT RESOLVED: IN THE MATTER OF THE CONDEMNATION BY THE STATE FIRE MARSHALL OF A BUILDING LOCATED ON LOT 4 AND EXCEPT W 2' OF EACH ½ OF LOT 5, BLOCK 172, DAKOTA CITY, DAKOTA COUNTY, NEBRASKA; HENRY W. KRUMWIEDE, 2313 DAKOTA AVENUE, SOUTH SIOUX CITY, NEBRASKA, 68776, OWNER:

WHEREAS, on the 12th day of February, 1980, an order of the State Fire Marshall was filed in the District Court of Dakota County, Nebraska, pursuant to Section 81-502 through 81-541 of the Nebraska Revised Statutes, 1943, concerning the following described property:

Lot 4 and Except W 2' of East ½ of Lot 5, Block 172,
 Dakota City, Dakota County, Nebraska,

WHEREAS, on the 6th day of August, 1980, a judgment of the District Court of Dakota County was entered that the owner, lessee, agent or occupants have failed to file and serve an answer upon the State Fire Marshall as provided by Law and that pursuant to Section 81-517, R.R.S. 1943, as amended, said party or parties were deemed to be in default.

WHEREAS, pursuant to said judgment the State Fire Marshall proceeded with the enforcement thereof pursuant to Section 81-516, R.R.S. 1943, as amended.

WHEREAS, the State Fire Marshall advertised for the sale of such building, structure and contents located on said property to be demolished or repaired, in accordance with the direction contained in the order of the District Court as provided by Section 81-516 and no bids were received.

WHEREAS, the Statutes of the State of Nebraska provide that it shall be the duty of the County to comply with the direction contained in said order, a copy of which is attached hereto.

WHEREAS, a bid in the amount of \$300.00 for the destruction and removal of said structure including the dirt to fill the foundation hole and the filling of said hole has been obtained from J. Myron Olson and is the lowest bid received.

WHEREAS, all expenses incurred by the County in the demolition or repair of such building, structure and contents may be assessed as a special charge against the real estate on which such building or structure is or was situated and the same shall be collected in the same manner as other taxes.

NOW THEREFORE BE IT RESOLVED that the County Board hereby accepts said bid and hereby authorizes the destruction and removal of said structure and filling of the foundation to the normal ground level.

ATTEST:

County Clerk

Gretchen Hirschbach

ROLL CALL VOTE: Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes

Unanimous motion carried

Gene Sturm (SIMPCO) appeared before the Board regarding the Lighting and Thermal Standards adopted by the State of Nebraska. The thermal standard went into effect April 1, 1981. Mr. Sturm said he spoke to Lyle Todd (County Building Inspector) about the thermal standard. Mr. Todd said this would not be any problem for him; he could do this inspection when he does the other inspections on new property. The standard covers only new construction or improvements over 55%. Mr. Sturm agreed to draft a resolution to adopt the standards and submit it to the County Attorney for approval.

Ms. Hirschbach opened the public hearing on the submission of the final application for Community Development Block Grant fund from HUD at 11:06 a.m.

Ken Beekley (SIMPCO) appeared before the Board. Mr. Beekley said the final applications are due Wednesday. Funds should begin to be submitted by July 1. The County Board is required, through motion, to authorize the chairperson to execute and submit the application. The County Board will give final approval of the individual applications.

Ms. Hirschbach closed the hearing at 11:30 a.m.

Morgan moved, second by Garvey to authorize the Chairperson to execute and submit the application for Community Development Block Grant fund.

ROLL CALL VOTE: Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes

Unanimous motion carried

The Board received the following letter from the South Sioux City School.

Mrs. Gretchen Hirschbach
Dakota County Commissioners
Route #1
South Sioux City, Nebraska 68776

Dear Mrs. Hirschbach:

At the Special Board of Education meeting, Monday, March 30, 1981, Mr. Rodney Smith, School Board Attorney, explained how the reduction in valuation of the Iowa Beef Processors plant would impact the school district. According to Mr. Smith, the district can anticipate tax collections of approximately \$40,000 less than requested when the mill levy was established by the Levying Board.

After some discussion of how these lost tax revenues could be recovered, Mr. Randy Lanning moved that the school board should request that the County Board remit an amount to the school district equal to that lost by the revaluation from surplus funds now held by the county. Dr. Ronald Bartels seconded the motion and all six members noted affirmatively.

The South Sioux City Board of Education respectfully requests that the Dakota County Board of Commissioners consider this request because the loss of tax revenue does not occur as a result of any action by the Board of Education. Rather, the loss of tax revenue occurs because the assessed valuation used to establish the school district mill levy was incorrect.

A response by the Commissioners will be appreciated.

Yours truly,

Ralph B. Weaver

RBW/cs

cc: Mr. Rodney Smith

Board Members

Mr. Morgan said, The Board should request an opinion from the County Attorney on this matter.

Culbertson moved, second by Morgan to request an opinion from the County Attorney regarding the question of restitution of lost revenues.

ROLL CALL VOTE: Morgan yes
Culbertson yes
Hirschbach yes
Rohde yes
Garvey yes

Unanimous motion carried

Two sealed bids on six fuel tanks were received, those being from Phil Hehenstein who bid \$300.00 for the two largest tanks and James Warren who bid \$650.00 for all six tanks.

Garvey moved, second by Rohde to accept the bid of \$650.00 from James Warren.

ROLL CALL VOTE: Culbertson yes
Hirschbach yes
Rohde yes
Garvey yes
Morgan abstained

Motion carried

Mr. Rohde said he had questions regarding the Landfill.

Mr. Morgan said he assumed the Board members knew what was going on, but that this was a false assumption on his part. Mr. Morgan explained the situation. The Landfill Agency and individuals were sued concerning the lease on the Pedersen's property. After the lease was signed with Pedersen, a subsequent site did come along which was less costly. The Agency's first thoughts were that the lease could be broken, but later that was not likely. It was determined by the Agency it was no longer advisable to fight the lawsuit. A lien has since been filed by the Omaha attorneys against South Sioux City, Dakota City, and the Landfill Agency. The County Attorney has submitted a cross petition to have Dakota County removed. The immediate plans are to submit the topographical map to the DEC and to obtain a license for the Pedersen site as soon as possible.


The Board agreed to seek the County Attorney's opinion in the question of personal liability of any member of the Board who is appointed to serve on another agency as a representative of the Board.


Rohde moved, second by Garvey to adjourn

ROLL CALL VOTE: Hirschbach yes
Rohde yes
Garvey yes
Morgan yes
Culbertson yes

Unanimous motion carried 12:09 p.m.

ATTEST:


County Clerk


Chairperson of the Board

FLOOD INSURANCE STUDY MEETING
April 7, 1981
Civil Defense Meeting Room

Present: Gretchen Hirschbach, Paul Culbertson

The following people also attended the meeting: Rich Leonard, Gene Sturm, Tom Barnes, Merlin Chambers, Dewey Krumwiede, Kurt Hohenstein, Bettie Cooper, Darryl Lyon, E.C. Smith, Richard Leitschuck, Rick Niedergesos, Bev Gradert and Ted Piepho.

Gene Sturm (SIMPCO) opened the Flood Insurance Study Meeting at 1:05 p.m.

Mr. Sturm: For those of you who don't know, Dakota County is already participating in the National Flood Insurance Program. They have already adopted some regulations. The maps we are reviewing today are more detailed than those we have looked at in the past. They identify areas where relatively severe building limitations would be imposed if they are accepted in the present form. I think it is important for individuals in the county to be aware of the potential ramifications of these maps. Mr. Sturm turned the meeting over to Rich Leonard, with the Federal Emergency Management Agency.

Mr. Leonard: I am with the Federal Emergency Management Agency representing the Federal Insurance Administration, which is a part of FEMA. I am here to talk about the National Flood Insurance Program and in particular, the Flood Insurance Study, which has been done for Dakota County. Presently the county is participating in the Emergency Program where flood insurance is available in the county at a flat rate, for residential structures it's 25¢ per \$100.00 insured property per year. The other aspect of the program is Flood Plain Management in the flood plain to protect it against flooding. That is a requirement of the local government, in this case, the county, if it is to participate in the Flood Insurance Program and have the insurance available. The flood plain management in the emergency program of the present status was based on the flood hazard boundary map which is previously disused, which showed the 100 year flood plain. What the county did in the emergency program was require new development to be elevated in that area based on information on the 100 year level. The Flood Insurance Study is the basis for the county converting from the Emergency Program to the regular program. In converting, both aspects of the program are affected. On one hand, flood insurance is affected and on the other hand, flood plain management is affected. This is not to say that the insurance is sold to the county. It's saying if the county participates in the program by adopting the Flood Plain Management, the insurance is available to property owners in the county. In the insurance aspect, insurance actuarial rates will be established based on risk. Structures built before the Flood Insurance Rate Map takes affect, will continue to be eligible for the present rates under the Emergency Program at 25¢. After that time, structures will be based on actuarial rates.

A member of the audience asked about rebuilding after a fire or other disaster.

Mr. Leonard: Elevation requirements and actuarial insurance rates apply not only to new construction but to substantial improvements of existing structures. Substantial structure improvements are defined as improvements of existing structures at 50% or more of the cost of the existing structure. To answer your question,

substantial improvement also includes the reconstruction of damaged structures if the cost of reconstruction amounted to 50% or more of the value of the structure before damage. If the structure were to be rebuilt, it would have to be rebuilt to the elevation requirements. Variance could be a possibility based on hardship. Any variance will have to recognize the insurance ramification, being that the county may consider granting a variance to the elevation requirements based on hardship but the insurance ramification would still be there. I would say that would also hold the same for destruction other than flood. There is this provision in the Flood Insurance Policy. Let's say an insured structure is destroyed by flood by more than 50%. The community says you can't rebuild the structure unless properly elevated. The Federal Insurance Administrator can grant constructive total loss and pay off the face value of the policy. Regarding elevation, the requirement for new construction and substantial improvements of existing structures is the lowest floor, including the basement must be elevated one foot above the 100 year flood elevation. It's essentially saying that new residential basements are not permitted in the flood plain. There is only one way around that. The county could apply for a special exception which would allow residential structures the same option as non residential structures. Rather than having the lowest floor, including basement, elevated, you could have a floor below the flood elevation if the structure were made water tight to that elevation. This would require a registered professional engineers certification that truly the structure is water tight. Fremont, Grand Island, and Hall County have been permitted special exceptions. Basically what they have had to plead is: 1. The Flood Plain remains an important area to develop residentially 2. Demonstrate the need for basements in residences and 3. Demonstrate actual feasibility for having a flood proof design for a basement.

The second provision of Flood Plain Management would be the adoption of a floodway. We have 2 maps here; a Flood Insurance Rate Map and the Flood Boundary or Floodway Map. The requirement of Flood Plain Management in the floodway would be open space use only would be permitted in that area. Buildings, Landfills, etc. are not permitted. The purpose of a floodway is to reserve an area for flood flow. The remainder of the flood plain would be open for complete development. To a certain extent, the floodway is negotiable. We have proposed allowing equal encroachment on both sides.

After this meeting, an appeals period will be in effect to the results of this study to warrant any changes. Following the 90 day appeals period, a 6 month compliance period will be in effect. At the end of this 6 month period, the Flood Insurance Rate Map takes effect establishing actuarial insurance rates. By the end of this 6 month period, the county is expected to have adopted the Flood Plain Management Ordinance to continue its participation in the National Flood Insurance Program. If they have not adopted the ordinance by that time, they would be suspended from the program and insurance availability would be suspended which would be the first ramification. From there, the ramification of non participation in the program is this: flood insurance is required as a condition to Federally guaranteed and insured loans in the flood plain. If the county did not adopt the ordinance, FHA, SBA, and VA loans would not be available in the 100 year flood plain, but this is not to say conventional loans would not be available. This would be up to the lending institutions to decide for themselves whether they will lend money.

Gene Sturm: I believe, in that case, the lending institution would have to sign a notice saying it realizes the property owner would not be eligible for federal disaster assistance in case of a flood. It would be extremely difficult to get a loan under that situation.

Mr. Culbertson asked about getting a federal grant if the county chose not to participate in the program.

Mr. Leonard: You could not get a federal grant or a federal loan on insurable property in the 100 year flood plain without flood insurance.

Merlin Chambers: I would like to know how the lines got drawn in the first place. I've been through two major floods in Dakota County, the one in Homer in 1940 and the Missouri River flood in 1952. I've never received any water. If you're talking elevations, I know you're all wrong.

Rick Niedergesos: Places on the map where elevation is shown, the elevations were determined by a math computerized model, based on a field survey of cross sections.

Mr. Chambers: Then where the actual water ran, doesn't mean anything?

Mr. Niedergesos: Records of pass floodings were checked.

Mr. Chambers: I can't see how you come up with these boundaries. I've seen the map of the Homer flood and it doesn't hold true.

Mr. Niedergesos: The boundaries were based on sections that cross the flood plain. We did not have enough money available to develop mapping to show every small area. If you have property you think is higher than the elevation shown, get a surveyor to look at it and a letter of map amendment saying your land is above the given elevation.

Kurt Hohenstein: What study was done on the creeks in the area?

Mr. Niedergesos: A study was done on Pigeon Creek and Omaha Creek and these were approximate studies.

Mr. Hohenstein: Your asking the county to adopt this proposal when the most you done was an approximate study on the area? Was there any consideration given to recent developments of Omaha Creek?

Mr. Niedergesos: It was studied in its present state.

Mr. Hohsestein: If you didn't study the whole area of Omaha Creek, how can you determine how much water it carries?

Mr. Niedergesos: There were 2 parts to the study. There was a hydraulic study and hydrological study, concerned with the volume of water.

A member of the audience asked if any consideration had been given to Homer due to the fact that there has been considerable conservation done upstream?

Mr. Niedergesos: The levels of conservation applied at the time of the study were used. Any conservation done since that, was not considered.

Mr. Sturm: The area to have detailed study was determined at an earlier meeting with the county.

Mr. Leonard: Yes. That meeting was in 1978. In respect to previous floods, we have to consider that nothing guarantees they were 100 year floods or greater.

Mr. Chambers: I have seen portions of South Sioux under water four different times, but they are not in

the flood area.

Mr. Sturm: The study was based on current dams and conservation methods being used. The dams were not in place when the other floods occurred.

Mrs. Hirschbach: For any changes to be made then, the burden of proof is on the applicant who wishes the change be made?

Mr. Leonard: Yes. We ask that appeals be sent to the county, so the county is aware that appeals are being made. We will probably ask for no more than a letter of transmittal from the county saying "the enclosed material is being submitted as an appeal with the Flood Insurance Study of the county."

Mrs. Hirschbach: What would constitute proof, to substantiate their change?

Mr. Leonard: They would have to be arguing either the amount of water, which would take a hydraulic analysis-something to demonstrate water will not go to this property or a hydraulic analysis or the elevation to which that amount of water is going to get.

Mr. Hohenstein: Where can we get data on the 100 year flood to compare it to the floods we've had?

Mr. Leonard: In the report.

Mr. Culbertson: As a member of the group to be responsible, I'm going to appreciate a lot of input. Knowing there are alternatives, I hope you come to me and let me know how you feel about this.

Mr. Sturm: According to the NRD guidelines, in Nebraska, a house cannot be built in a floodway. I don't think this floodway is really meaningful in rural areas. How would the actuarial rates be determined in approximate A zones?

Mr. Leonard: It will be according to structures having no basement, an unfinished basement, or a finished basement. Concerning approximate zones, we are relying on NRD's determination of the approximate analysis of what the flood plain is. Finally, I would suggest the county appoint a flood plain coordinator for the county.

Commissioner's Meeting
April 13, 1981 Proceedings
Basement Meeting Room

Chairwoman Hirschbach called their special meeting to order at 8:35 a.m.

Present: Dan Rohde, Gretchen Hirschbach, Paul Culbertson, Larry Morgan, and Ted Piepho, secretary.

Absent: Robert Garvey

Morgan moved, seconded by Culbertson to approve the minutes of April 6 as typed.

ROLL CALL VOTE: Garvey absent
Rohde yes
Hirschbach yes
Culbertson yes
Morgan yes

Motion carried

County Officials met with the Board as scheduled.

Rohde moved, seconded by Morgan to convene in executive session as requested by the officials.

ROLL CALL VOTE: Rohde yes
Hirschbach yes
Culbertson yes
Morgan yes
Garvey absent

Motion carried 8:40 a.m.

Commissioner Garvey arrived at 8:46 a.m. and his vote was cast hereafter.

Garvey moved, seconded by Rohde to reconvene in regular session.

ROLL CALL VOTE: Culbertson yes
Morgan yes
Garvey yes
Rohde yes
Hirschbach yes

Unanimous motion carried 9:30 a.m.

Bob Scoville appeared before the Board regarding Ray Speer's salary claim.

Garvey moved, seconded by Morgan to give notice of reconsideration of Raymond Speer's claim at next Monday's meeting.

ROLL CALL VOTE: Morgan yes
Garvey yes
Rohde yes
Hirschbach yes
Culbertson yes

Unanimous motion carried

Mr. Scoville said he would give notice to Mr. Speer regarding his claim to be reconsidered.

Ted Piepho (County Clerk) appeared before the Board regarding microfilming of courthouse records for security purposes. Mr. Piepho estimated the cost for a firm to come in and do the microfilming in his office, at about \$11,000. A viewer and printer would cost between fourteen and fifteen thousand dollars.

Mr. Culbertson asked if we have any microfilming at the present time.

Mr. Piepho: No.

Ms. Hirschbach suggested to avoid duplication, we should microfilm the current files and then pick up the past, so we aren't behind.

Culbertson moved, seconded by Garvey the Clerk draw up specifications for microfilming, with the options of purchasing our own equipment to do the microfilming or hiring the work done, for the Board to approve.

ROLL CALL VOTE: Garvey yes
 Rohde yes
 Hirschbach yes
 Culbertson yes
 Morgan yes

Unanimous motion carried

Mr. Piepho suggested getting bids for painting the old section of the courthouse and replacing the remaining 22 windows.

Rohde moved, seconded by Culbertson to get bids on painting the old section of the courthouse and replacing windows, including 18 on the second floor and 4 on the first floor of the old section of the courthouse.

ROLL CALL VOTE: Rohde yes
 Hirschbach yes
 Culbertson yes
 Morgan yes
 Garvey yes

Unanimous motion carried.

Mr. Culbertson asked about there being sufficient funds in the budget for this work.

Mr. Morgan said this would be included in next year's budget.

Mr. Piepho said we could use monies from the courthouse building fund.

Rohde moved, seconded by Garvey to convene in executive session.

ROLL CALL VOTE: Hirschbach yes
 Culbertson yes
 Morgan yes
 Garvey yes
 Rohde yes

Unanimous motion carried 9:55 a.m.

Garvey moved, seconded by Rohde to reconvene in regular session.

ROLL CALL VOTE: Culbertson yes
 Morgan yes
 Garvey yes
 Rohde yes
 Hirschbach yes

Unanimous motion carried 10:23 a.m.

Due to the fact that matters involving litigation and questions of personal liability have been brought up recently Ms. Hirschbach recommended the Board request the County Attorney be present at all Board meetings.

Rohde moved, seconded by Morgan to request the County Attorney or a representative of his office be present at all Board meetings.

ROLL CALL VOTE: Morgan yes
 Garvey yes
 Rohde yes
 Hirschbach yes
 Culbertson yes

Unanimous motion carried

Garvey moved, seconded by Culbertson to convene in executive session as requested by Virginia Piper to discuss personnel.

ROLL CALL VOTE: Garvey yes
 Rohde yes
 Hirschbach yes
 Culbertson yes
 Morgan yes

Unanimous motion carried 11:20 a.m.

Rohde moved, seconded by Culbertson to reconvene in regular session.

ROLL CALL VOTE: Rohde yes
 Hirschbach yes
 Culbertson yes
 Morgan yes
 Garvey yes


Unanimous motion carried 11:55 a.m.

Garvey moved, seconded by Rohde to adjourn.

ROLL CALL VOTE: Hirschbach yes
 Culbertson yes
 Morgan yes
 Garvey yes
 Rohde yes

Unanimous motion carried 11:56 a.m.

ATTEST:


 County Clerk


 Chairperson of the Board

COMMISSIONER'S MEETING
 April 21, 1980 Proceedings
 Basement Meeting Room

Chairwoman Hirschbach called their regular scheduled meeting to order at 9:00 a.m.

Present: Robert Garvey, Dan Rohde, Gretchen Hirschbach, Paul Culbertson, Larry Morgan and Ted Piepho, secretary.

Morgan moved, seconded by Rohde to approve the minutes of April 13 as typed.

ROLL CALL VOTE: Garvey yes
 Rohde yes
 Hirschbach yes
 Culbertson yes
 Morgan yes

Unanimous motion carried

Mildred Jorgensen (County Welfare Director) appeared before the Board to give her monthly report and discuss a welfare applicant.

Rohde moved, seconded by Culbertson to convene in executive session to discuss a welfare applicant as requested by Mrs. Jorgensen.

ROLL CALL VOTE: Rohde yes
 Hirschbach yes
 Culbertson yes
 Morgan yes
 Garvey yes

Unanimous motion carried 9:01 a.m.

Culbertson moved, seconded by Garvey to reconvene in regular session.

ROLL CALL VOTE: Hirschbach yes
 Culbertson yes
 Morgan yes
 Garvey yes
 Rohde yes

Unanimous motion carried 9:30 a.m.

Robert Giese (County Treasurer) appeared before the Board with his monthly report. He reported the interest for March being \$10,278.96 and interest for the first nine months of this fiscal year to be \$113,080.44.

Ted Piepho (County Clerk) appeared before the Board with the report from his office.

Robert Scoville, Raymond Speer and Maurice Redmond appeared before the Board regarding the salary claim of Mr. Speer.

Mr. Scoville informed the Board it is necessary to vote on the motion of February 17 in which the Board denied to pay the salary claim of Mr. Speer.

Mr. Speer: I would hate to intervene at this time, but I have already requested Mr. Redmond to reconsider this claim.

Mr. Redmond: The opinion is being drafted at this time. The law provides a claim can only be reconsidered once.

Mr. Scoville: There is no motion to reconsider in the files. My understanding was because of conflict of interest, I was appointed attorney for the Board and asked to submit an opinion to them.

Mr. Speer: I cannot suggest the Board follow any illegal advice as wise as Mr. Scoville's opinion may be. The fact is clear. You have a County Attorney and the people have put this attorney in the position to make decisions for them.

Mr. Scoville: If that's the case, where there is conflict, the Board would have no opinion.

Mr. Speer: There seems to be an unfortunate muddle of interpretation. These opinions are by no means derogatory. A lot of the problems that set this county in legal matters is a result of some offices arguing about the rules of the game. I suggest they accept the rules from people who are competent to give the rules. I advise the Board to follow the county attorney.

Mr. Redmond: The Board has complete authority to settle a dispute by its attorney. The simplest way to settle the dispute is through Mr. Scoville.

Mr. Scoville: Before due notice is given, the Board must provide that notice be given to the claimant. No notice was given and there was no motion to reconsider the claim. Right now the Board must vote on the motion to deny the claim because of insufficient funds.

Mr. Speer: I don't want to fight this out. I would be satisfied if I could just receive my pay. But I want to make sure there is no trouble. I cannot allow the Board to break the law.

Mr. Scoville: Mr. Speer, you told me four times you wanted to take this to court.

Ms. Hirschbach: I have one statement to make. When this matter was taken to court, Mr. Redmond withdrew as counsel and advised the Board to get another opinion. The Board has full authority to rely on the counsel the County Attorney advised us to take.

Mr. Redmond: I did not withdraw. I advised the Board to have another attorney advise them.

Ms. Hirschbach: The issues are clear at this point.

Mr. Scoville: The board must vote on the motion from February 17.

Morgan moved, seconded by Rohde to reconsider the salary claim of Mr. Raymond Speer for February salary.

ROLL CALL VOTE: Morgan yes
 Garvey yes
 Rohde yes
 Hirschbach yes
 Culbertson yes

Unanimous motion carried

With that leaving the motion of February 17 on the floor, the motion was as follow:
 Morgan moved, seconded by Garvey to deny the child support claim of Ray Speer for \$1,083.00 plus any associated salary claims within the Child Support Fund because of lack of monies in that fund.

ROLL CALL VOTE: Garvey no
 Rohde no
 Hirschbach no
 Culbertson no
 Morgan no

Unanimous motion carried

Mr. Speer: I will be losing \$110.00 as a result of this for outside fees. I don't feel this is fair.

Mr. Scoville: I will discuss this with Mr. Speer and report back to the Board.

Culbertson moved, seconded by Rohde to convene as the Board of Equalization.

ROLL CALL VOTE: Rohde yes
 Hirschbach yes
 Culbertson yes
 Morgan yes
 Garvey yes

Unanimous motion carried 11:15 a.m.

Garvey moved, seconded by Rohde to reconvene in regular session.

ROLL CALL VOTE: Morgan yes
 Garvey yes
 Rohde yes
 Hirschbach yes
 Culbertson yes

Unanimous motion carried 12:10 p.m.

Garvey moved, seconded by Rohde to recess for lunch.

RLLL CALL VOTE: Garvey yes
 Rohde yes
 Hirschbach yes
 Culbertson yes
 Morgan yes

Unanimous motion carried 12:11 p.m.

Rohde moved, seconded by Garvey to reconvene as the Board of Commissioners.

ROLL CALL VOTE: Culbertson yes
 Morgan yes
 Garvey yes
 Rohde yes
 Hirschbach yes

Unanimous motion carried 3:48 p.m.

Morgan moved, seconded by Garvey to table Raymond Speer's salary claim until next Monday, April 27.

ROLL CALL VOTE: Culbertson yes
 Morgan yes
 Garvey yes
 Rohde yes
 Hirschbach no

Motion carried

Morgan moved, seconded by Garvey to table the claim of J. Myron Olsen.

ROLL CALL VOTE: Morgan yes
 Garvey yes
 Rohde yes
 Hirschbach yes
 Culbertson yes


Unanimous motion carried

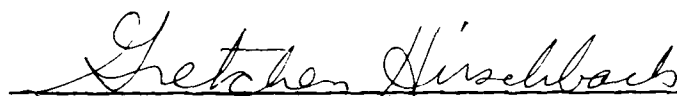
Garvey moved, seocnded by Rohde to adjourn.

ROLL CALL VOTE: Garvey yes
 Rohde yes
 Hirschbach yes
 Culbertson yes
 Morgan yes

Unanimous motion carried 4:00 p.m.

ATTEST:


 County Clerk


 Chairperson of the Board

COMMISSIONER'S MEETING
 April 27, 1981 Proceedings
 Basement Meeting Room

Chairwoman Hirschbach called their regular scheduled meeting to order at 9:00 a.m.
 Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Dan Rohde, Robert Garvey and Ted Piepho, secretary.

Rohde moved, seconded by Culbertson to approve the minutes of April 23 as typed.

ROLL CALL VOTE: Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes

Unanimous motion carried

Joy Nixon (County Assessor) appeared before the Board and presented Homestead Applications for the Board's approval.

Bruce Hovey (Highway Supt.) appeared before the Board to discuss matters in the road dept.

Ms. Hirschbach opened the hearing on the Bottle Club Liquor License for Covington Links Golf Course at 9:30 a.m. Martin E. Johnson applicant, and Kurt Rager, attorney, appeared before the Board. Mr. Rager explained that Mr. Johnson currently has a beer on and off license; he wishes to retain a beer off license and trade the beer on for a Bottle Club License.

Mr. Johnson: This would be an added plus for me. The attorney for the state thought this would be a good idea.

Ms. Hirschbach: I think the Board is aware we serve only as an advisory committee; the state has the final say.

Rohde moved, seconded by Garvey to approve the Bottle Club Liquor License of Martin E. Johnson dba Covington Links Golf Course.

ROLL CALL VOTE: Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes

Unanimous motion carried

Vern Larson (South Sioux City Mayor) appeared before the Board regarding the Landfill situation. The Board acknowledged receipt of the following letter:

April 22, 1981

Mrs. Gretchen Hirschbach
 Chairperson
 Dakota County Board of
 Commissioners
 Dakota City, Nebraska 68731

Dear Mrs. Hirschbach:

The City of South Sioux City, City of Dakota City and the County of Dakota County have been trying to resolve a continuous problem, solid waste disposal for several years. The problem is mutual, all entities are obvious producers of solid waste. The 1980 census figures indicate the following:

| ENTITY | 1980 |
|------------------|--------|
| South Sioux City | 9,339 |
| Dakota City | 1,440 |
| Rural Dakota Co. | 4,397 |
| Total | 15,176 |

As a result of the effects of the three entities seeking a common solution to common problems an organization was formed, the Dakota County Solid Waste Disposal Agency.

As is evident, the County now will have two licensed sites, one public, and one private. The overall most economic method of proceeding for all entities is to proceed with the utilization of both sites, according to the Solid Waste Disposal Agency, City Engineer, and the County Highway Superintendent.

Initially the day to day operation would be disposed at the Gill site with the bulk of the refuse being deposited initially at the Pedersen site.

The organization and participation of Dakota County on the Solid Waste Disposal Agency has been under legal question according to newspaper accounts. The City of South Sioux City and City of Dakota City have requested to appear before the Board of Commissioners Monday April 27, 1981, however since we have been allowed only 15 minutes, it is respectfully requested that all necessary steps be taken to resolve all the legal questions prior to the Monday meeting.

In order to proceed, the City of South Sioux City, and City of Dakota City hereby request that the County Board of Commissioners decide by Monday April 27, 1981, that they:

- 1) Agree to fully participate with the City of Dakota City and South Sioux City as proposed.
- 2) Remove the participation of the County until the legal questions regarding the Agency formation and activities are resolved.

Any time delay in resolving this issue will be very costly and necessitate an immediate resloution of this situation. The city of South Sioux City is under State Department of

Environmental Control mandate to be in a new licensed site by May 15, 1981.

Your prompt attention to this matter is greatly appreciated.

Respectfully,

 Vern Larson
 Mayor
 South Sioux City

 Charles Strong
 Mayor
 Dakota City

VAL/d1

cc: Dakota County Commissioners
 South Sioux City Council Members
 Dakota City Council Members

Mr. Larson: I think the letter to the Board spells it out. Our deadline is approaching rapidly. We need a decision from the County whether or not they want to participate.

Ms. Hirschbach: The problem we are faced with is only indirectly a result of the Board's action. We are uncertain of the authority the Board has at this point, being a legal case is still pending.

Mr. Redmond: We have a joint contract in which the County is involved in a limited type process. The problem with claims is the way they have been submitted. My present thought is the contract would be void to the county, so there is no reason to withdraw. There are some minor ammendments to the contract to be made. The ammendments will be ready for approval next week.

Mr. Larson: We will proceed on our own if the county is not involved.

Mr. Culbertson: Would there be a problem of the County getting back into the organization?

Mr. Larson: As far as I'm concerned, no. We will proceed as scheduled, we'll continue to work with the County. It appears the Solid Waste Disposal Agency now has 3 members, not 5. When the ammendments are made, we'll get back together.

Culbertson moved, seconded by Morgan to break.

ROLL CALL VOTE: Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes

Unanimous motion carried 9:58 a.m.

Rohde moved, seconded by Garvey to reconvene.

ROLL CALL VOTE: Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes

Unanimous motion carried 10:11 a.m.

Garvey moved, seconded by Morgan to convene as the Board of Equalization.

ROLL CALL VOTE: Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes

Unanimous motion carried 10:12 a.m.

Rohde moved, seconded by Morgan to reconvene in regular session.

ROLL CALL VOTE: Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes

Unanimous motion carried 10:44 a.m.

Raymond Speer and Maurice Redmond appeared before the Board in regard to Mr. Speer's salary claims of February and April.

Mr. Redmond handed out copies of an opinion to Board members which covered the steps he feels are necessary to follow to resolve the case regarding the February salary claim of Mr. Speer.

Mr. Speer: First, I would like to comment on my February pay check which I could not accept. I have written a letter to Mr. Piepho explaining the reasons I could not accept my pay check. I believe the only difference between the County Board and the County Attorney is the route to follow to reach our destination. I don't understand why the Board is taking the hard road.

Ms. Hirschbach: We took the advice of the counsel we hired.

Mr. Speer: The law says you have to go by the County Attorney's opinion.

Mr. Garvey: My feeling is that we've had harassment continually from the county attorney's office.

Mr. Speer: I'm the one who is having all the problems. I owe money for the past. But I want to get paid in a legal fashion. There would have been no problem if you'd have followed the State Auditor's advice.

Mr. Morgan: The only way for us to solve this i for us to get our legal counsel back.

In regard to the April salary claim of Mr. Speer:

Mr. Garvey: We tabled the claim because of a 10% increase which was not in our resolution.

Mr. Redmond: I employed Mr. Speer. When I hired him, I advised him that if the program was successful, I would increase his salary. Thirteen thousand dollars was budgeted for the fiscal year. Mr. Speer was hired in August. This increase in his salary is part of that extra months portion. I didn't have a chance to get down here and explain to the Board before now.

Rohde moved, seconded by Garvey to pay the April salary claim of Raymond Speer.

ROLL CALL VOTE: Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes

Unanimous motion carried

Morgan moved, seconded by Rohde to approve the following claims which were submitted last week by the County Clerk:

ROAD-PAYROLL: Social Security \$806.11; Blue Cross \$519.71; Blue Cross \$61.90; Lone Star \$3.75; George Anderson \$846.37; Leland Armbricht \$800.00; Donald Belt \$913.78; Caleb Chapman \$846.37; Beverly Gradert \$582.90; Walter Heinemann \$913.78; Robert Jacobsen \$880.61; Lawrence Jepsen \$1,070.00; Kurt Johnson \$846.37; Walter Johnson \$982.26; Arnold Mellick \$946.95; Marlan Millard \$846.37; Earl Stading \$846.37; Willis Roeber \$800.00

ROAD: Northwestern Bell \$33.59; Village of Emerson \$6.00; Homer Service Station \$102.90; Nebraska Public Power District \$5.49; City of Dakota City \$20.00; City of South Sioux City \$89.24; Iowa Public Service Co. \$135.12; Nebraska Public Power District \$67.63; Standard Bearings Co. \$129.74; Missouri Valley Machinery \$263.44; Carl A. Anderson \$138.85; Krogh's Coast to Coast \$98.80; Dakota Auto Parts \$22.44; Kidder-Knoepfler \$19.10; Mike's Auto Parts \$37.46; Anderson Equipment Co. \$75.70; International Harvester \$24.50; Diesel Specialties \$374.40; Herman M. Brown Co. \$233.94; Carlson Machine Co. \$47.86; Joe's Surplus \$95.75; Graham Brake \$95.26; Midcon Equipment Co. \$1903.87; Anderson Drive-In Radio \$15.10; Motor Parts Central \$10.07; Novelty Machine & Supply Co. \$378.59; Premier Fastener Co. \$304.86; Stephan's Welding Shop \$24.30; Hydraulic Sales & Service \$68.60; Tri-County Hardware \$23.43; Van's Used Trucks and Parts \$25.00; Tagatz Hardware \$6.98; Great Plains Supply Co. \$15.48; Means Services \$32.06; Minear Lock and Key Service \$1.70; Filter Care \$55.48; Hansen Machine Shop \$39.72; Johnson Hardware \$24.25; Monroe Welding Supply Co. \$42.86; Firestone Stores \$48.29; Higman Sand & Gravel \$269.90; Royal Culvert Co. \$23.74; Farmer's Co-op Assn. \$599.18; Engels Mobil Service \$272.10; Diamond Horsehoe Truck Stop \$83.92; Crystal Oil Co. \$561.76; So Soo Oil Co. \$1900.76; Warren Oil Co. \$152.83; Porter-Ripa Engineering \$5560.00; A.B.L.E. Builders, Inc. \$2854.00

GENERAL-PAYROLL: Raymond Speer \$1083.00; Social Security \$3063.81; Blue Cross \$1741.33; Gretchen Hirschbach \$541.66; Paul Culbertson \$541.66; Robert Garvey \$541.66; Larry Morgan \$541.66; Daniel Rohde \$541.66; Theodore Piepho \$1208.33; Mary Hinkle \$840.39; Eloise Gomally \$586.85; Margaret Rahn \$615.25; Myra Smith \$612.41; Robert Giese \$1208.33; Irene Van Lent \$840.39; Charlotte Doenhoefer \$615.25; Ruth M. Jensen \$615.25; Nadine Johanson \$615.25; Mardell A. Sorensen \$615.25; Ruth Warnock \$615.25; Virginia A. Piper \$1208.33; Betty Garwood \$840.39; Betty Garwood \$105.00; Sharon Shannon \$700.00; William F. Whear \$1208.33; Harvey Bates \$1120.51; Jarold Gilson \$1102.00; Mike McManigal \$1030.00; Linda Wilson \$815.00; Armon Todd \$991.89; Darlene Arneson \$684.25; Norma Barajas \$308.00; Sally Deal \$140.00; Michael Koettters \$700.00; Earlean McClain \$700.00; Neva Neal \$353.77; Patricia Parkins \$420.00; Maurice Redmond \$1208.33; Dennis Mahr \$1337.50; Gloria Engelbrecht \$900.00; Cindy Harris \$700.00; Julie Engel \$132.50; Joy K. Nixon \$1208.33; Thelma Baugous \$840.39; Nellie June Beardshear \$701.75; Shriley Ann Bentz \$717.25; Dorothy Lundberg \$615.25; Lillian Rager \$615.25; Jeanette Ramirez \$701.75; Madelyn Thorsland \$615.25; Nondas Vito's \$717.25; Klemett Dean \$1259.39; Harold Nelson \$406.00; Nancy Dean \$381.90; Patricia Stingley \$668.75; Bruce Hovey \$2000.00; Jon Norris \$624.17; Maurice Roady \$713.33; Lorraine Tillman \$1123.50; Bonibel Chapman \$615.25; Dr. J. H. Walston \$230.00; Maxine Titler \$666.67; Lyle Todd \$426.00; Veronica Grijalba \$623.88

PAYROLL-ASSISTANCE: Blue Cross \$245.98; Social Security \$494.89; Mildred Jorgensen \$1508.39; Jeanine Bliven \$781.17; Margaret Boeshart \$1166.71; Pauline Jensen \$1183.38; Patricia Lane \$1045.09; Mary O'Dell \$711.85; Charlene Weber \$1045.29

ASSISTANCE: Mildred Jorgensen \$3.36; Margaret Boeshart \$55.23; Pauline Jensen \$7.14; Patricia Lane \$33.81; Charlene Weber \$76.44; South Sioux City Star \$492.40; Hollar Stamp Co. \$23.90; Northwestern Bell \$210.78; Dr. Jennings \$15.00; Mildred Jorgensen \$104.06; Sioux City Stationery \$105.15

POOR RELIEF: Esther Cannon \$152.65; State Dept. of Public Welfare \$10,802.89

SOLDIERS AND SAILORS: Maurice Roady \$400.00

DAKOTA COUNTY AGRICULTURAL SOCIETY: Dakota County Agricultural Society \$1400.00

DAKOTA COUNTY HISTORICAL SOCIETY: Dakota County Historical Society \$366.60

WEED-PAYROLL: Social Security \$68.17; Blue Cross \$34.51; Paul Foreshoe \$850.00; Ruth Foreshoe \$50.00; Maurice Crofoot \$25.00; J. Colin Green \$25.00; Elmer Nelson \$25.00; John Ryan \$25.00; George Shrader \$25.00

WEED: Maurice Crofoot \$1.53; J. Colin Green \$4.08; Elmer Nelson \$2.38; John Ryan \$4.25; George Shrader \$1.70; Emerson Fertilizer \$609.46; So. Soo Oil Co. \$393.09; Boyer Valley Fertilizer Co. \$2200.32; Emerson Tri-County Press \$18.48; Farmer's Co-op Assn. \$22.27; Goodyear Service Stores \$52.67; McArthur Sheet Metal Works \$19.50; Joe Morten & Son \$30.00; Paul Foreshoe \$43.25

FEDERAL GRANT HIGHWAY SAFETY PROGRAM: Social Security \$71.16; Blue Cross \$38.43; Danny Potts \$1070.00; Danny Potts \$10.00

GENERAL FUND: South Sioux City Star \$505.49; Redfield & Co., Inc. \$8.53; Sioux City Stationery \$520.00; Redfield & Co., Inc. \$81.02; General Business Equipment \$7.65; Northwestern Bell \$117.26; Sooland Office Supply \$14.30; Robert Giese \$58.59; Northwestern Bell \$31.39; Edna Petersen \$10.00; Newton Manufacturing \$108.83; Redfield & Co., Inc. \$70.06; Bear Graphics \$75.00; Monroe Calculator \$39.45; Monroe Business Systems \$319.20; Dakota County Treasurer \$15.00; Virginia Piper \$127.68; Northwestern National Bank \$200.25; Northwestern Bell \$71.65; Executive Copy Systems \$18.88; Sooland Office Supply \$21.41; Norfolk Printing Co. \$174.80; Redfield & Co., Inc. \$7.52; Bancroft-Whitney Co. \$81.00; West Publishing Co. \$126.00; Northwestern Bell \$123.71; Nebr. State Bar Assn. \$7.00; Redfield & Co. \$366.20; Sooland Office Supply \$2.78; Northwestern Bell \$280.71; Western Union \$248.27; Team Electronics \$13.49; Sioux Valley Radio Eng. Co. \$13.80; Jerry Gilson \$34.10; William F. Whear \$456.16; Jarold Gilson \$885.81; Mike McManigal \$741.04; Harvey Bates \$692.32; Sheriff Dept. \$12.32; Sioux City Stationery \$79.15; Omaha Printing Co. \$384.57; Tagatz Hardware \$4.47; Law Enforcement Co. \$181.06; Coast to Coast \$6.99; Leos Service \$342.56; Crystal Oil Co. \$5.00; Charlie Zook Dodge \$162.88; Security National Bank \$135.52; Armon Todd \$148.32; K-Mart \$104.40; American Marketing International \$89.58; Nebraska Correctional Industries \$90.90; William F. Whear \$300.00; Dakota County Sheriff Office \$1347.00; Sioux City Stationery \$2.34; Redfield & Co. \$35.00; Clerk of the Legislature \$11.70; Executive Leasing \$166.58; Ada Frum

\$120.00; West Publishing Co. \$70.00; Bancroft-Whitney \$35.00; Bancroft-Whitney \$91.75; American Management Associations \$122.32; Fidelity Products \$185.17; Thelma Baugous \$132.30; Midwest Appraisal Co. \$7,000.00; Norfolk Printing Co. \$113.10; Hollar Stamp Co. \$8.55; Star Printing & Publishing \$362.45; General Business Equipment \$7.20; Modern Office Enterprises \$47.63; Redler's Professional Pharmacy \$51.00; Sooland Office Supply \$32.22; Sioux City Stationery Co. \$100.00; Sioux City Stationery \$2.14; Joy K. Nixon \$329.69; Northwestern Bell \$98.04; Klemett Dean \$35.00; I.P.S. \$1275.00; City of Dakota City \$991.46; American Linen \$36.00; Tagatz Hardware \$115.21; T & D Service \$20.00; Western Paper \$47.36; Tucker's Glass \$28.00; Claussen Electric \$230.45; Bahr Plumbing \$159.35; Krogh's Coast to Coast \$6.46; Klemmett Dean \$70.24; Zastrow Sharpening \$12.00; Daum Painting Co. \$60.00; Dakota County Extension Service \$1300.00; Bruce Hovey \$262.54; Northwestern Bell \$28.89; Sioux City Stationery \$13.54; Sioux City Blue Print Co. \$187.90; South Sioux City Star \$15.68; Northwestern Bell \$21.70; Maurice A. Rody \$62.22; Northwestern Bell \$29.60; South Sioux City Post Office \$50.05; Hollar Stamp Co. \$4.50; Star Printing And Publishing \$39.15; Dakota City Postmaster \$19.37; District Judge's Office \$534.64; Northwestern Bell Telephone Co. \$20.26; Lorraine Tillman \$221.13; Star Printing And Publishing \$56.55; Lorraine Tillman \$32.25; General Business Equipment \$13.50; Midwest Business Products \$16.37; Lorraine Tillman \$7.00; Kreiser Surgical Inc. \$18.50; State of Nebr. Division of Communications \$46.80; Sooland Office Supply \$37.24; Northwestern Bell \$61.60; A.J. Phillips \$78.40; South Sioux City Star \$8.13; Maxine Titler \$12.00; Northwestern Bell \$30.20; Hammond & Stephens \$108.80; Riverside Publishing \$129.54; Lyle Todd \$58.80; Northwestern Bell \$6.90; Clerk of District Court \$154.11; Dr. James Walston \$75.00; Wm. Binkard \$518.23; Donald Molstad \$704.00; Michael W. Ellwanger \$251.70; Bradford Kollars \$391.05; Dennis Vanderlinden \$20.00; Daniel Shoop \$21.60; Tim Shannon \$20.64; Keith Dean \$20.64; Erin Hogan \$20.64; Ron Schroeder \$20.64; Sheriff Russell H. White Jr. \$8.00; Robert Wichser \$250.00; Thomas F. Dorcey \$154.98; Wm. Binkard \$216.46; Dakota County Court \$11.00; William Horneber \$166.25; Michael W. Ellwanger \$271.25; Edward J. Keane \$796.25; Robert A. Wichser \$367.50; Dakota County Court \$40.00; Wm. Binkard \$75.00; Latimer, Anderson & Cisar \$34.80; Executive Copy Systems \$210.00; Pitney Bowes \$207.00; Pitney Bowes \$85.50; County Treasurer \$1,000.00; County Treasurer \$27.00; Theodore A. Piepho \$6.00; Revenue Sharing Advisory Service \$60.00; Mary Hinkle \$6.29; Pitney Bowes \$15.76; Region IV Mental Health Center \$2,336.00; County Clerk \$3,00; City of South Sioux \$18.25; Northwestern Bell \$9.45; AB Dick Products \$435.04; F & E Check Protector \$89.50; South Sioux City, Solid Waste Disposal Agency \$758.82; Joe Morten & Son \$345.00; Executive Copy Systems \$788.40

Morgan moved, seconded by Garvey to pay the claim of J. Myron Olsen for \$300.00

ROLL CALL VOTE: Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes

Unanimous motion carried

Culbertson moved, seconded by Morgan to adjourn.

ROLL CALL VOTE: Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes

Unanimous motion carried 11:30 a.m.

ATTEST:


 COUNTY CLERK


 CHAIRPERSON OF THE BOARD

COMMISSIONER'S MEETING
 May 4, 1981 Proceedings
 Basement Meeting Room

Chairwoman Hirschbach called their regular scheduled meeting to order at 9:00 a.m.
 Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary.

Morgan moved, seconded by Culbertson to approve the minutes of April 27 as typed.

ROLL CALL VOTE: Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes

Unanimous motion carried

Tom Nelson appeared before the Board regarding easements for building a road.
 Mr. Nelson: I bought 1/2 of the Frank Nelson land near Hubbard. There is no county road going past this property. I would like a county road brought up to it. It would be 60 to 70 rods. Mr. Nelson pointed out on the map the location of this property.

Mr. Hovey (Highway Supt.) I have looked at this land. It needs to be cross-sectioned. I think it should be put in the one-year road program.

Mr. Nelson: I need to know if the county will guarantee access and build a road there.

Ms. Hirschbach: We will refer the question to Mr. Redmonds office for current law. Ms. Hirschbach asked Mr. Hovey to work with Mr. Nelson, to go to Mr. Redmond's office and have the legal work done.

Bruce Smith and Gary Beermann appeared before the Board.
 Mr. Smith: Gary is purchasing the residence owned by J. Ray and Helen Heikes, the Homestead part. For Gary to get good title, he needs the Board to take action regarding the waiver. First, Mr. Beermann can close the deal, get title and send notice to the Board of the 120 day period in which they have to decide if Mr. Beermann can purchase this land. Second, the Board can pass a resolution waiving the 120 day period and approve the purchase.

This matter will be put on next Monday's agenda for the Board to act on.

Morgan moved, seconded by Garvey to convene as the Board of Equilization.

ROLL CALL VOTE: Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes

Unanimous motion carried 9:28 a.m.

Garvey moved, seconded by Rohde to reconvene as the Board of Commissioners.

ROLL CALL VOTE: Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes

Unanimous motion carried 11:05 a.m.

Garvey moved, seconded by Rohde to break.

ROLL CALL VOTE: Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes

Unanimous motion carried 11:06 a.m.

Culbertson moved, seconded by Morgan to reconvene.

ROLL CALL VOTE: Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes

Unanimous motion carried 11:17 a.m.

The following bids were received for painting the courthouse.

Glover Paint and Decorating
 Old part of courthouse \$ 1,875.00
 New part of courthouse \$ 3,110.00
 Both old and new parts \$ 4,985.00
 Option(exterior doors) \$ 350.00

L & D Painting
 Old part of courthouse \$ 3,000.00 (add \$200 for Pittsburgh Sunproof)
 New part of courthouse \$ 6,000.00 (add \$300 for Pittsburgh Sunproof)
 Both old and new parts \$ 9,000.00 (add \$900 for Pittsburgh Sunproof)

Porter Construction
 Old part of courthouse \$ 2,756.00
 New part of courthouse \$ 3,964.00
 Both old and new parts \$ 6,520.00
 Option(exterior doors) \$ 200.00

The following bids were received for replacement of four lower and eighteen upper story windows in the courthouse.

Prenger
 \$840.00 per window
 \$18,480 total
 Option \$250.00

Abbott Construction
 \$18,368 total
 Option \$285.00

Maurice Redmond(County Attorney) presented the proposed ammendments to the landfill contract for the Board to review. This item will be placed on next Monday's agenda.

Wayne Stark appeared before the Board regarding a situation where the north line of his farm is the section line and the county road is on his side of the fence. Mr. Stark said he has asked the Board for help regarding this matter for the last ten years. The Board asked Mr. Hovey(Highway Supt.) to meet Mr. Stark at the site and give him a firm commitment.

Morgan moved, seconded by Rohde to convene in executive session to discuss litigation as requested by Maurice Redmond and William Whear.

ROLL CALL VOTE: Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes

Unanimous motion carried 11:45 a.m.

Rohde moved, seconded by Morgan to reconvene in regular session.

ROLL CALL VOTE: Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes


Unanimous motion carried 12:09 p.m.

Morgan moved, seconded by Culbertson to adjourn.

ROLL CALL VOTE: Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes

Unanimous motion carried 12:10 p.m.

ATTEST:


 COUNTY CLERK


 CHAIRPERSON OF THE BOARD

COMMISSIONER'S MEETING
May 11, 1981 Proceedings
Basement Meeting Room

Chairwoman Hirschbach called their regular scheduled meeting to order at 9:00 a.m.
Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Dan Rohde, Robert Garvey and Ted Piepho, secretary.

Augusta Anderson appeared before the Board regarding the removal of trees. Dan Rohde said he talked to Alfred Peterson and the trees will be removed.

The Board acknowledged receipt of a claim from Abbott Construction for \$10,385.00 for the installation of windows in the courthouse.

Garvey moved, seconded by Morgan to pay \$9,346.50 (90%) of the Abbott Construction claim and the balance of \$1,038.50 be paid on completion of work.

ROLL CALL VOTE: Culbertson yes
Hirschbach yes
Rohde yes
Garvey yes
Morgan yes

Unanimous motion carried.

Bruce Smith appeared before the Board on behalf of Gary Beermann.
Morgan moved, seconded by Rohde to adopt the following resolution:

RESOLUTION NO. _____

WHEREAS, J. RAY HEIKES AND HELEN M. HEIKES, husband and wife, and GARY W. BEERMANN AND MARILYN K. BEERMANN, husband and wife, have entered into an agreement to sell and purchase the following described real estate:

A parcel of land located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, Township 28 North, Range 9 East of the 6th P.M., Dakota County, Nebraska, more particularly described as follows: Beginning at the W $\frac{1}{2}$ corner of Section 18, said quarter corner also being the NW corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$; thence easterly along the North line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ for a distance of 410.92 feet; thence with a deflection angle to the right of 89 $^{\circ}$ 53' 35" for a distance of 455.42 feet; thence with a deflection angle to the right of 87 $^{\circ}$ 43' 49" for a distance of 408.19 feet to the West line of the NW $\frac{1}{4}$ SW $\frac{1}{4}$; thence with a deflection angle to the right of 91 $^{\circ}$ 53' 55" along said West line for a distance of 472.43 feet to the W $\frac{1}{2}$ corner and the point of beginning; containing 4.36 acres, more or less;

and,

WHEREAS, said real estate transaction involves a subdivision of real estate located within the zoning jurisdiction of the County of Dakota, State of Nebraska; and,

WHEREAS, conveyance, in any manner purporting to subdivide real estate, has been or is hereafter recorded in the office of the register of deeds of Dakota County wherein such real estate is situated; and said conveyance, or the recording thereof has or will fail to comply with any requirement relating to subdivision approval; and any party claiming an interest in such conveyance may file an Affidavit with the Register of Deeds asserting that written notice of the defect in approval has been received by the governmental authority, namely, the County Board of Dakota County, Nebraska, having subdivision approval jurisdiction over said real estate; and,

WHEREAS, upon filing of such Affidavit, the County Board of Dakota County, Nebraska, shall have one hundred twenty days from the receipt of such notice to record an objection in the office of the Register of Deeds of said County wherein the above described real estate is situated, or such conveyance shall be fully valid; and if an objection is filed, the conveyance shall not be validated; and,

WHEREAS, the County Board of Dakota County, Nebraska, may waive, prospectively waive or retroactively waive such notice or such one hundred twenty day period, as to a single subdivision or any category of subdivisions; and,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF DAKOTA COUNTY, NEBRASKA:

SECTION 1: That the County Board of Dakota County, Nebraska, does hereby expressly and prospectively waive such notice or such one hundred twenty day period heretofore set forth as to the real estate transaction and conveyance between J. RAY HEIKES and HELEN M. HEIKES, husband and wife; and GARY W. BEERMANN and MARILYN K. BEERMANN, husband and wife.

SECTION 2: That the authority for the passage of this Resolution is done so pursuant to Section 76-2,110, R.R.S., 1943, as amended. That this Resolution shall take effect immediately upon its passage and adoption by the County Board of Dakota County, Nebraska.

PASSED AND APPROVED this _____ day of _____, 1981

ATTEST:

CHAIRMAN OF THE BOARD

COUNTY CLERK

ROLL CALL VOTE: Hirschbach yes
Rohde yes
Garvey yes
Morgan yes
Culbertson yes

Unanimous motion carried

The Board acknowledged receipt of the following letter from the D.E.C. in regards to the old landfill site.

May 6, 1981

Mr. Larry Morgan
Dakota County Commissioner
Dakota County Court House
Dakota City, Ne. 68731

Dear Larry:

I am addressing this letter to you inasmuch as you are knowledgeable about the case involving Ted Saltzman, Dakota Sanitation and Margaret Goodsell, who has been left with a mess of garbage oozing leachate on her land as a result of events these last two years. Finding a remedy to her dilemma is a joint problem of concern to all of us and, if everyone gives a little, we ought to be able to correct the situation. We are appealing for such an effort by all concerned.

You may recall from the copy of my letter of October 1, 1980 to Mrs. Goodsell that the SCS was designing plans for a project which was expected to correct about 98% of the problem as it now exists. Those plans are finished. A 36-foot earthen dam is proposed. Also, the area behind the proposed dam, which now contains the refuse from the Dakota Sanitation operation, must be covered with two feet of dirt and seeded with grass. SCS tells us that this latter job could be done with a cat and one operator. The problem then arises as to who will do the necessary earthwork.

It was agreed at two points in the late court case that the County would furnish a cat to Ted Saltzman who would then finish the work needed to be done. I realize that Maurice Redmond has been opposed to this procedure, but I think Mrs. Goodsell's predicament justifies the County in loaning the cat to Saltzman in the interest of simple justice. Dan Drain and I, therefore, urge that the County Commissioners reconsider and take such action so that Mrs. Goodsell, certainly an innocent victim of circumstances, is not left with potential litigation as a result of the drainage of leachate from her property onto her neighbor's land. Looked at from that standpoint, it certainly makes sense for the County and Ted Saltzman to be magnanimous and lend a hand to help a beleaguered fellow citizen. It would be much appreciated if you would lay the matter before the Commissioners for their consideration.

By copy of this letter to George Hirschbach, Ted Saltzman's attorney, I am requesting his cooperation with the County in cleaning up this item of unfinished business.

With appreciation for your's and the County Board's consideration and a sincere hope that you will act favorably on our suggestion,

Sincerely yours,

Richard H. Hansen
Legal Counsel

cjk

Copy to: George L. Hirschbach
Attorney at Law
R.R. 1
South Sioux City, Ne. 68776

Robert Scoville appeared before the Board regarding the salary claim of Raymond Speer. Mrs Scoville read the following resolution.

RESOLUTION OF INDEMNITY

WHEREAS payment to Raymond Speer, deputy County Attorney, of his February wage claim has been authorized by the County Board and offered to Mr. Speer but he has refused to accept said payment stating his fear that he cannot legally accept said payment in view of the legal opinion of his superior, the County Attorney, adverse to same.

AND WHEREAS Mr. Speer has agreed to accept said payment if he is defended in any action thereon and indemnified for any loss therefrom.

AND WHEREAS, the special attorney to the county board in this matter, has given the Board his opinion that said authorization and payment to Mr. Speer is legally valid and, further that this Resolution of Indemnity should be passed to resolve Mr. Speer's dilemma over his superior's position on the matter and is in the best interest of the citizens of the County toward restoring harmonious relations between the County Board and the Office of the County Attorney.

Therefore, be it resolved by the County Board of Dakota County, Nebraska:

The County Of Dakota, Nebraska, hereby covenants and agrees to indemnify and keep indemnified Raymond E. Speer and to hold and keep him harmless from any loss or damage which Raymond E. Speer shall at any time hereafter sustain by reason of his acceptance of such wage payment and further agrees to defend Raymond E. Speer against any action, claim, or demand arising from his acceptance of such payment.

This indemnification shall extend to the heirs of Ryamond E. Speer.

Dated: _____, 1981.

Chairman of the Board

Garvey moved, seconded by Morgan to accept the said resolution.

ROLL CALL VOTE: Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes

Unanimous motion carried

Morgan moved, seconded by Rohde to authorize Mr. Scoville to pay Mr. Speer for his Cost of action.

ROLL CALL VOTE: Garvey yes
 Morgan yes
 Culbertson no
 Hirschbach yes
 Rohde yes

Motion carried

Morgan moved, seconded by Garvey to table action on the Solid Waste Disposal Agency joint contract until South Sioux City and Dakota City can review the contract.

ROLL CALL VOTE: Morgan yes
Culbertson yes
Hirschbach yes
Rohde yes
Garvey yes

Unanimous motion carried

Rohde moved, seconded by Morgan to convene as the Board of Equalization.

ROLL CALL VOTE: Culbertson yes
Hirschbach yes
Rohde yes
Morgan yes
Garvey yes

Unanimous motion carried 10:12 a.m.

Culbertson moved, seconded by Morgan to reconvene as the Board of Commissioners.

ROLL CALL VOTE: Rohde yes
Garvey yes
Morgan yes
Culbertson yes
Hirschbach yes

Unanimous motion carried 11:50 a.m.

Bids for painting the courthouse and replacing windows in the courthouse were submitted by Ted Piepho and Klem Dean. Mr. Dean recommended the bid from Abbott Construction for the replacement of 28"x28"x28" windows and Glover Paint and Decorating for painting the courthouse being they bid low.

Morgan moved, seconded by Rohde to accept the bid of Abbott Construction Company for \$18,368.00 for the replacement of 22 windows in the courthouse.

ROLL CALL VOTE: Garvey yes
Morgan yes
Culbertson yes
Hirschbach yes
Rohde yes

Unanimous motion carried

Rohde moved, seconded by Garvey to accept the bid of Glover Paint and Decorating for \$5,335.00 for the painting of both parts of the courthouse and the exterior doors with the work to be done after the new windows are installed, work to be completed by October 1, 1981.

ROLL CALL VOTE: Morgan yes
Culbertson yes
Hirschbach yes
Rohde yes
Garvey yes

Unanimous motion carried

Culbertson moved, seconded by Morgan to adjourn.

ROLL CALL VOTE: Culbertson yes
Hirschbach yes
Rohde yes
Garvey yes
Morgan yes

Unanimous motion carried 12:12 p.m.

ATTEST:


COUNTY CLERK


CHAIRMAN OF THE BOARD

COMMISSIONER'S MEETING
 May 18, 1981 Proceedings
 Basement Meeting Room

Chairwoman Hirschbach called their regular scheduled meeting to order at 9:03 a.m.
 Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Dan Rohde, Robert Garvey and Ted Piepho, secretary.

Bruce Hovey (Highway Supt.) appeared before the Board to discuss the road department.

Mildred Jorgensen (Co. Welfare Director) appeared before the Board.

Garvey moved, seconded by Rohde to convene in executive session as requested by Mrs. Jorgensen.

ROLL CALL VOTE: Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes

Unanimous motion carried 9:21 a.m.

Garvey moved, seconded by Rohde to reconvene in regular session.

ROLL CALL VOTE: Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes

Unanimous motion carried 9:30 a.m.

Morgan moved, seconded by Culbertson an application for general assistance be denied pending further investigation of employment possibilities.

ROLL CALL VOTE: Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes

Unanimous motion carried

Morgan moved, seconded by Garvey to convene as the Board of Equalization.

ROLL CALL VOTE: Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes

Unanimous motion carried 9:45 a.m.

Garvey moved, seconded by Rohde to recess.

ROLL CALL VOTE: Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes

Unanimous motion carried 10:17 a.m.

Morgan moved, seconded by Garvey to reconvene as the Board of Commissioners.

ROLL CALL VOTE: Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes

Unanimous motion carried 10:29 a.m.

Morgan moved, seconded by Garvey the Chairman of the Board be authorized to sign the Engineering Agreement with Porter-Ripa Engineering for Project BRS-3940(1) Homer East, Omaha Creek for \$5,490.00.

ROLL CALL VOTE: Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes

Unanimous motion carried

Mrs. Hirschbach said she talked to South Sioux City Mayor Vern Larson regarding the letter sent to him by the Board in regard to the numerous junkyards in the county. Mr. Larson said the next step would be to schedule a meeting between himself, Maurice Redmond, Wayne Boyd and Mrs. Hirschbach.

Mr. Morgan: The problem definitely needs to be resolved and we have to determine whos responsibility it is to take action.

Mrs. Hirschbach said she would also have Woody Evans and Lyle Todd attend this meeting.

Mrs. Hirschbach made reference to an opinion submitted earlier by Maurice Redmond, County Attorney, regarding Iowa Beef's 1980 valuation.

Mrs. Hirschbach read a letter sent to I.B.P. by County Treasurer, Bob Giese. I.B.P. had attempted to pay taxes on the basis of a changed tax statement. Mr. Giese did not accept the partial payment.

County Clerk, Ted Piepho appeared before the Board to discuss purchasing a book case and desk for his office.

Chuck Beermann appeared before the Board. Mr. Morgan had asked Mr. Beermann to get production figures on irrigated land for 1979 and 1980. In 1979, irrigated land in Dakota County increased in production by 29.6%. Mr. Beermann also presented figures on irrigated land production for other counties in Nebraska.

Bill Whear appeared before the Board to discuss the towing and storage claim by Trio Auto Salvage.

Don McKinney appeared before the Board asking the Board's opinion of paving a street that adjoins a Dakota City Street.

Rohde moved, seconded by Morgan to object to the petition in paving Hickory Street in Dakota City, Dakota County, Nebraska.

ROLL CALL VOTE: Morgan yes
Culbertson yes
Hirschbach yes
Rohde yes
Garvey yes

Unanimous motion carried.

Culbertson moved, seconded by Garvey to convene in executive session.

ROLL CALL VOTE: Culbertson yes
Hirschbach yes
Rohde yes
Garvey yes
Morgan yes

Unanimous motion carried. 12:25 p.m.

Rohde moved, seconded by Garvey to reconvene in regular session.

ROLL CALL VOTE: Hirschbach yes
Rohde yes
Garvey yes
Morgan yes
Culbertson yes

Unanimous motion carried 12:50 p.m.

Morgan moved, seconded by Garvey to convene as the Board of Equalization.

ROLL CALL VOTE: Rohde yes
Garvey yes
Morgan yes
Culbertson yes
Hirschbach yes

Unanimous motion carried 12:58 p.m.

Garvey moved, seconded by Rohde to reconvene in regular session.

ROLL CALL VOTE: Garvey yes
Morgan yes
Culbertson absent
Hirschbach yes
Rohde yes

Motion carried 3:13 p.m.

Garvey moved, seconded by Rohde to convene in executive session.

ROLL CALL VOTE: Morgan yes
Culbertson absent
Hirschbach yes
Rohde yes
Garvey yes

Motion carried. 3:14 p.m.

Garvey moved, seconded by Rohde to reconvene in regular session.

ROLL CALL VOTE: Culbertson absent
Hirschbach yes
Rohde yes
Garvey yes
Morgan yes

Motion carried 3:20 p.m.

Garvey moved, seconded by Morgan to table a claim by the Division of Employment for unemployment benefits for the quarter ending March 31, 1981.

ROLL CALL VOTE: Hirschbach yes
Rohde yes
Garvey yes
Morgan yes
Culbertson absent

Motion carried

Garvey moved, seconded by Morgan to approve the following claims:

ROAD-PAYROLL: Social Security \$880.33; Blue Cross \$519.71; George Anderson \$846.37; Leland Armbricht \$800.00; Donald Belt \$913.78; Caleb Chapman \$846.37; Marvin Flaugh \$846.37; Beverly Gradert \$582.90; Walter Heinemann \$913.78; Robert Jacobsen \$880.61; Lawrence Jepsen \$1070.00; Kurt Johnson \$846.37; Walter Johnson \$452.00; Richard McNear \$800.00; Arnold Mellick \$946.95; Marlan Millard \$846.37; Willis Roeber \$800.00; Earl Stading \$846.37

ROAD: City of Dakota City \$20.00; Tractor Supply Co. \$94.00; Ideal Fence Co. \$2342.30; Northwestern Bell \$36.65; Village of Emerson \$6.00; Iowa Public Service \$93.40; Mike's Auto Parts \$2.08; Case Power and Equipment \$57.07; Hydraulic Sales and Service \$73.13; Fehrs Tractor and Equipment \$146.37; Tucker's Glass Shop \$47.23; Doug's Mo-Parts Shop \$16.70; Tri-County Hardware \$3.44; Monroe Welding \$336.00; Standard Bearings Co. \$11.14; Nebraska Tractor and Equipment \$89.96; Missouri Valley Machinery Co. \$438.24; Anderson Drive-In Radio \$24.95; Anderson Equipment Co. \$15.05; Auto Parts and Exchange \$192.41; Curtis Industries \$44.35; Herman Brown Co. \$2165.42; Carlson Machine Co. \$14.58; Dakota Auto Parts \$52.34; Midcon Equipment Co. \$627.28; Northern Auto Parts Warehouse \$253.86; Means Services, Inc. \$23.42; Rockfort Industires \$318.47; Cleveland Cotton Products \$128.70; Filter Care; \$22.15; Tagatz Hardware \$23.96; Brower Construction \$3510.00; Higan Sand and Gravel \$1270.72; Royal Culvert Co. \$430.42; Walensky Lumber \$100.99; Engel's Mobil Service \$367.38; So. Soo Oil Co. \$816.69; Farmers CO-OP Assn. \$1069.98; D & L Repair \$16.40; Crystal Oil Co. \$657.23; Diamond Horseshoe Truck Stop \$884.91; Warren Oil Co. \$998.61; Case Power and Equipment \$425.00; Wayne Wheeler \$1200.00; St. Regis Paper Co. \$324.00; Fehrs Tractor and Equipment \$45,000.00;

REVENUE SHARING: Fehrs Tractor and Equipment \$22,035.00

FEDERAL GRANT HIWAY SAFETY PROGRAM: Social Security \$71.16; Blue Cross \$38.43; Danny Potts \$1070.00; Danny Potts \$10.00

Abbott Construction Company \$9346.50

GENERAL PAYROLL- Social Security \$2954.54; Blue Cross \$1741.33; Gretchen Hirschbach \$541.66; Paul Culbertson \$541.66; Robert Garvey \$541.66; Larry Morgan \$541.66; Daniel Rohde \$541.66; Theodore Piepho \$1208.33; Mary Hinkle \$840.39; Eloise Gormally \$615.25; Margaret Rahn \$602.02; Myra Smith \$615.25; Robert Giese \$1208.33; Irene Van Lent \$840.39; Charlotte Doenhoefer \$615.25; Ruth Jensen \$615.25; Nadine Johansen \$615.24; Ruth Warnock \$615.25; Mardell Sorensen \$527.40; Virginia Piper \$1208.33; Betty Garwood \$840.39; Betty Garwood \$105.00; Sharon Shannon \$700.00; William Whear \$1208.33; Harvey Bates \$1120.51; Jarold Gilson \$1102.10; Mike McManigal \$1030.00; Linda Wilson \$815.00; Armon Todd \$991.89; Darlene Arneson \$567.00; Norma Barajas \$168.00; Sally Deal \$168.00; Michael Koettters \$544.25; Earlean McClain \$560.00; Neva Neal \$353.77; Patricia Parkins \$332.50; Maurice Redmond \$1208.33; Dennis J. Mahr \$1337.50; Raymond E. Speer \$1200.00; Gloria Engelbrecht \$900.00; Cindy Harris \$775.00; Patti Jo Ricke \$174.20; Joy K. Nixon \$1208.33; Thelma Baugous \$840.46; Nellie June Beardshear \$653.25; Shirley Ann Bentz \$650.00; Dorothy Lundberg \$615.25; Lillian Rager \$307.63; Jeanette Ramirez \$653.25; Madelyn Thorsland \$615.25; Nondas Vitols \$650.00; Klemett Dean \$1259.39; Nancy Dean \$276.38; Jon Norris \$171.50; Patricia Stingley \$668.75; Bruce Hovey \$2000.00; Jon C. Norris \$624.17; Maurice Roady \$713.33; Veronica Grijalba \$623.88; Lorraine Tillman \$1123.50; Bonibel Chapman \$615.25; Dr. J.H. Walston \$230.00; Maxine Titler \$666.67; Lyle Todd \$222.00

PAYROLL ASSISTANCE: Blue Cross \$245.98; Social Security \$494.89; Mildred Jorgensen \$1508.39; Jeanine Bliven \$781.17; Margaret Boeshart \$1166.71; Pauline Jensen \$1183.38; Patricia Lane \$1045.09; Mary O'Dell \$711.85; Charlene Weber \$1045.29

ASSISTANCE: Mildred Jorgensen \$1.68; Mildred Jorgensen \$96.06; Margaret Boeshart \$24.57; Pauline Jensen \$4.20; Patricia Lane \$16.59; Charlene Weber \$70.56; AB Dick Products \$10.50; Dr. Jennings \$10.00; Northwestern Bell \$207.56;

POOR RELIEF: State Dept. of Public Welfare \$18,683.27; Esther Cannon \$152.65

INSTITUTIONAL: Beatrice State Development Center \$4290.00; Norfolk Regional Center \$852.00; Lincoln Regional Center \$540.00

Dakota County Historical Society \$1781.85

WEED-PAYROLL: Social Security \$68.17; Blue Cross \$34.51; Paul M. Foreshoe \$850.00; Ruth Foreshoe \$50.00; Maurice Crofoot \$25.00; J. Colin Green \$25.00; Elmer Nelson \$25.00; John Ryan \$25.00; George W. Shrader \$25.00

WEED: Maurice Crofoot \$1.53; J. Colin Green \$4.08; Elmer Nelson \$2.38; John Ryan \$4.25; George W. Shrader \$16.70; So. Soo Oil Co. \$394.20; South Sioux City Star \$44.10; Farmer's Co-op Assn. \$21.63; Torticill Service \$5.00; Cuming Co. Weed District \$240.00; Paul Foreshoe \$101.97

GENERAL FUND: South Sioux City Star \$258.37; Sooland Office Supply \$158.90; General Business \$5.98; Sooland Office Supply \$31.96; Northwestern Bell \$117.16; Robert Giese \$56.70; Northwestern Bell \$34.92; Sooland Office Supply \$1.64; South Sioux City Star \$99.96; Precision Typewriter Works \$8.00; Sooland Office Supply \$11.42; Treasurer's Office \$36.00; Virginia Piper \$30.24; Virginia Piper \$9.00; Northwestern National Bank \$200.25; Northwestern Bell \$83.15; Redfield & Company \$403.32; West Publishing Co. \$379.50; Bancroft-Whitney Co. \$82.50; Star Printing \$83.82; Ward Enterprises \$89.50; Sooland Office Supply \$67.72; Rinder Printing \$62.83; Redfield and Co. \$46.34; Northwestern Bell Telephone \$123.57; General Business \$413.95; Northwestern Bell \$261.88; Western Union \$248.77; Jerry Gilson \$17.25; William F. Whear \$434.32; Harvey Bates \$561.76; Jarold Gilson \$635.92; Michael McManigal \$570.88; Armon Todd \$119.28; Northwest Iowa Area Crime Commission \$100.00; Trio Auto Salvage \$705.00; Sioux City Stationery \$7.18; Leo's Service \$248.89; Security National Bank \$135.52; Jack's Mens Wear & Uniforms \$258.75; William F. Whear \$310.00; Sheriff Department \$973.00; Marian Health Center \$50.00; James Rexall Drug \$15.45; Precision Typewriter Works \$142.50; Sheriff Department \$5.02; Orthopaedic Associates of Sioux City, PC. \$197.00; Joe Morton Insurance \$30.00; Northwestern Bell Telephone \$669.23; Sooland Business Forms, Inc. \$71.58; Sioux City Stationery \$16.67; Cindy Kay Harris \$6.45; Dennis J. Mahr \$222.79; Warren, Gorham and LaMont, INC. \$54.00; Nebraska County Attorneys Association \$70.00; Nebraska County Attorneys Association \$625.00; Precision Typewriter Works \$95.00; Michelle's Photography \$75.00; Marian Health Center \$1000.00; Executive Leasing, INC. \$161.83; West Publishing Co. \$25.00; St. Luke's Medical Center \$10.00; Mary M. Mason, \$35.00; Woodbury County Sheriff \$25.65; Clyde Storie \$24.12; Joy K. Nixon \$121.80; Thelma Baugous \$34.44; South Sioux City, Star \$15.68; Redler's Professional Pharmacy \$54.00; Northwestern Bell \$101.40; Siouxland Office Supply \$12.96; General Business Equipment \$6.05; Redfield & Co. \$640.47; Great Plains Supply Co. \$48.56; Tucker Glass \$42.00; T & D Service \$20.00; American Linen \$20.00; Mid-American Research \$262.80; Bill Hedrick \$60.00; Western Paper \$103.70; Boyer Valley Fertilizer \$ 87.50; Tagatz Hardware \$99.45; Bahr Plumbing \$90.00; Crystal Oil Co. \$16.80; South Sioux City Star \$27.43; Curry Paint And Floor \$46.08; Klemett Dean \$35.00; I.P.S. \$1275.00; City of Dakota City \$975.64; Torticill Service \$10.00; Minear Lock and Key \$1.50; Dakota County Extension Service \$1600.00; Northwestern Bell \$29.42; General Business Equip. \$165.00; South Sioux City Star \$2.10; Lorraine Tillman \$30.00; Lorraine Tillman \$27.21; Lorraine Tillman \$171.36; Northwestern Bell \$30.11; Northwestern Bell \$21.70; Maurice Roady \$375.64; Northwestern Bell \$31.34; Northwestern Bell \$63.30; Sooland Office Supply \$17.96; State of Nebraska, Division of Communications \$70.05; Northwestern Bell \$25.27; Maxine Titler \$43.00; Riverside Publishing Co. \$95.43; Northwestern Bell \$6.90; Lyle Todd \$26.88; Eugene Gilpin \$20.64; Ione Huffman \$20.64; Guadalupe Camberos \$20.64; Santiago Pance \$20.64; Bidel Garcia \$20.64; Michael W. Ellwanger \$122.50; William Horneber \$183.75; Clerk of District Court \$127.25; Western Paper and Supply \$11.95; Coffee King \$49.90; Robert Deck \$486.00; Donald Fitch \$339.68; William Horneber \$938.25; William Binkard \$193.63; William Binkard \$203.83; Treasurer's Office \$1000.00; Ted Piepho \$17.97; Northwestern Bell \$9.45; Judy Wolf \$41.50; South Sioux City Star \$191.51; City of South Sioux City \$21.09; Ted Piepho \$46.50; Region IV Office of Developmental Disabilities \$4907.00; Joe Morton And Son, Inc. \$14,274.00; City of South Sioux City, \$312.67; Redfield & Company, Inc. \$193.76; AB Dick Products \$44.50

ROLL CALL VOTE: Rohde yes
 Garvey yes
 Morgan yes
 Culbertson absent
 Hirschbach yes

Motion carried

Rohde moved, seconded by Morgan to approve the minutes of May 11, 1981 as typed.

ROLL CALL VOTE: Garvey yes
 Morgan yes
 Culbertson absent
 Hirschbach yes
 Rohde yes

Motion carried

Rohde moved, seconded by Morgan to adjourn.

ROLL CALL VOTE: Morgan yes
 Culbertson absent
 Hirschbach yes
 Rohde yes
 Garvey yes

Motion carried 3:30 p.m.

ATTEST:


 COUNTY CLERK


 CHAIRPERSON OF THE BOARD

COMMISSIONER'S MEETING
 May 26, 1981 Proceedings
 Basement Meeting Room

Chairman Hirschbach called their regular scheduled meeting to order at 9:05 a.m.
 Present: Paul Culbertson, Gretchen Hirschbach, Dan Rohde, Robert Garvey, and Ted Piepho, secretary.
 Absent: Larry Morgan

Rohde moved, seconded by Garvey to convene as the Board of Equalization.

ROLL CALL VOTE: Morgan absent
 Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes

Motion carried 9:09 a.m.

Garvey moved, seconded by Rohde to reconvene as the Board of Commissioners.

ROLL CALL VOTE: Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan absent
 Culbertson yes

Motion carried 10:15 a.m.

Helen Tiller and LuAnn Davis appeared before the Board regarding a junk yard located on Lots 8,9, and 10, Island Beach.

Mrs. Tiller: I have a junk yard next door to me. I live on Lot 11, Island Beach. First of all, I don't think the man is licensed. He has put up a used car sign. I don't think he has ever advertised so we could protest. Someone said he had grandfather rights, but there was never a junk yard there before. The man who lived there before was ill. He sold his place to this guy who said he was going to rent out wrecked cars until insurance adjustors could determine what would be done with the cars. Now we have prowlers in our yards, break-ins and rats. We are three women and a girl alone in the house. We have seen all types of things go on out there.

LuAnn Davis: We went to South Sioux City for help. Nobody has any control. Nobody wants to do anything. We have no protection any more. We have people walking through our front yard to get to the junkyard. This guy lines his cars down our lot line. Our kids won't play in the front yard because of the rats.

Mrs. Tiller: Every year my taxes go up and my property value goes down. We have no sewer, or decent road and not we have a junkyard. I know none of you would buy this land. Kathy Santee's mother moved in a beautiful trailer for Kathy. South Sioux City moved the two handicapped people out but they let a junkyard in.

Mrs. Davis: The County Attorney told us to come down here and talk to you. Everyone says they don't have control over us.

Mrs. Hirschbach: We have contacted South Sioux City, and we will be meeting with them within the next two weeks. We will take the following steps to correct this problem. We will meet with South Sioux City to determine who is responsible for your area. We will contact the Sheriff and have your area patrolled closely. We will have Mr. Hovey, the Highway Superintendent, see that the signs are put back up. We will contact the Department of Environmental Control. This agency has control over health problems, and any health problems with go through our County Attorney.

Mrs. Tiller: The guy was using our front yard to turn his cars around. We fenced in part of the yard and it cost \$3000.00. He is over on our property with his cars.

Mrs. Davis: He is also over on Mr. Scoville's property.

Mrs. Hirschbach: We are aware of the problem and I promise we will take steps to correct it.

Garvey moved, seconded by Rohde to break.

ROLL CALL VOTE: Rohde yes
 Garvey yes
 Morgan absent
 Culbertson yes
 Hirschbach yes

Motion carried 10:36 a.m.

Rohde moved, seconded by Culbertson to reconvene.

ROLL CALL VOTE: Garvey yes
 Morgan absent
 Culbertson yes
 Hirschbach yes
 Rohde yes

Motion carried 10:45 a.m.

Garvey moved, seconded by Culbertson to approve the minutes of May 18 as amended.

ROLL CALL VOTE: Morgan absent
 Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes

Motion carried

Bruce Hovey (County Highway Supt.) appeared before the Board.

Mr. Hovey: The county needs to purchase a R.O.W. for the Hubbard-Jackson road from Jerry Bousquet. It would be about 1½ acres of his land. I have met with Mr. Bousquet, but I wanted to get more information. We also need a water tank for grading. There are some construction sales right now and I think we could get a tank for a pretty reasonable price.

The Board asked Mr. Hovey to proceed with these matters using his best judgement.

Regarding the surveying being done in the county, Mr. Hovey said, "Wayne Wheeler is doing the preliminary survey for new construction. When we go out to build something, Wayne does the initial staking and I do the rest."

Mrs. Hirschbach asked Mr. Hovey to prepare a monthly report of work done in the road department.

Mr. Piepho suggested only claims and officials reports be scheduled for the 3rd Monday of the month.

Rohde moved, seconded by Garvey to pay two claims of the Clerk of District Court.

ROLL CALL VOTE: Culbertson no
Hirschbach yes
Rohde yes
Garvey yes
Morgan absent

Motion carried

Garvey moved, seconded by Rohde to pay the final 10% of the claim of Abbott Construction.

ROLL CALL VOTE: Hirschbach yes
Rohde yes
Garvey yes
Morgan absent
Culbertson yes

Motion carried.

The Board briefly discussed a word processor, the CAPS program, and micro-filming. Mrs. Hirschbach asked Mr. Piepho to get a list of programs which can be placed on the three units and costs of each one.

Joy Nixon: I had Mr. Redmond look over the contract from CAPS. He said the contract looked okay but he thought I should get definitions of hardware and software.

Mrs. Nixon read a letter she received defining hardware and software.

Culbertson moved, seconded by Garvey to rescind the previous resolution prohibiting the County Clerk to open mail addressed to the County Commissioners.

ROLL CALL VOTE: Rohde no
Garvey yes
Morgan absent
Culbertson yes
Hirschbach yes

Motion carried

Rohde moved, seconded by Garvey to authorize the County Clerk to open only certified and registered mail directed to the County Commissioners and to keep a log of that mail.

ROLL CALL VOTE: Garvey yes
Morgan absent
Culbertson yes
Hirschbach yes
Rohde yes

Motion carried.

Rohde moved, seconded by Garvey to approve the funding of \$529.00 for the Northeast Nebraska Area Agency on Aging.

ROLL CALL VOTE: Morgan absent
Culbertson yes
Hirschbach yes
Rohde yes
Garvey yes

Motion carried

Culbertson moved, seconded by Rohde to adjourn and reconvene as the Board of Equalization at 1:15 p.m.

ROLL CALL VOTE: Culbertson yes
Hirschbach yes
Rohde yes
Garvey yes
Morgan absent

Motion carried 11:52 a.m.

ATTEST:


COUNTY CLERK


CHAIRPERSON OF THE BOARD

COMMISSIONERS MEETING
June 1, 1981 Proceedings
Basement Meeting Room

Chairwoman Hirschbach called their regular scheduled meeting to order at 9:05 a.m.

Present were: Daniel Rohde, Robert Garvey, Larry Morgan, Paul Culbertson, Gretchen Hirschbach and Ted Piepho, Secretary.

Rohde moved, seconded by Garvey to approve the minutes of May 26, 1981 as typed.

ROLL CALL VOTE: Hirschbach yes
Garvey yes
Culbertson yes
Rohde yes

Abstaining: Larry Morgan.

Robert Giese, County Treasurer appeared with his treasurer's report for April. Mr. Giese read a letter from Tom Eriksen for the payment of the first half of 1980 Real Estate taxes for Dakota County. Mr. Giese notified Mr. Eriksen that interest had to be paid before he accepted IBP's check.

Mr. Giese also called the boards attention to the child support funds and said they should be transferred to the general.

Morgan moved, seconded by Rohde to transfer the County Attorney child support fund and the Clerk of District Court child support fund to the General Fund.

ROLL CALL VOTE: Hirschbach yes
Garvey yes
Culbertson yes
Rohde yes
Morgan yes

Nay: None

Unanimous Motion Carried.

Morgan moved, seconded by Culbertson to convene as Board of Equalization.

Roll Call Vote: Hirschbach yes
Garvey yes
Culbertson yes
Rohde yes
Morgan yes

Nay: None

Motion Carried 9:21 a.m.

Garvey moved, seconded by Rohde to reconvene as Board of Commissioners. Motion carried. 9:37 a.m.
Bruce Hovey, County Highway Supt. appeared before the board and said that they had placed speed limit signs out by North Shore and that he and Mr. Bousquet had come to an agreement of \$1100 for easement and the moving of his fence along the Hubbard-Jackson Road.

The Board asked Joy the County Assessor where the statutes requires the Chairperson of the Board of Equalization to sign Notice of Change in Valuations. Ms. Nixon (County Assessor) referred to section 77-1504. Discussion developed whether section 77-1504 actually states the chairperson sign said notices.

Joy Nixon and Robert Giese discussed the CAPS program with the Board.

Morgan moved, seconded by Rohde that the County Assessor and County Treasurer implement the CAPS program with 3 terminals.

Roll Call Vote: Hirschbach yes
Garvey yes
Culbertson yes
Rohde yes
Morgan yes

Nay: None

Motion Carried

Robert Garvey left the meeting at 10:31 a.m.

The County Clerk discussed micro film, wood processor and the telephone system with the Board.

Rohde moved, seconded by Morgan to adjourn.

ROLL CALL VOTE: Hirschbach yes
Culbertson yes
Rohde yes
Morgan yes

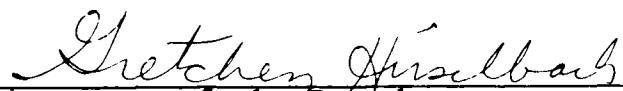
Nay: None

Absent: Robert Garvey

Motion Carried 12:13 p.m.

ATTEST:


County Clerk


Chairperson of the Board

COMMISSIONER'S MEETING
 June 8, 1981 Proceedings
 Basement Meeting Room

Chairwoman Hirschbach called the meeting to order at 8:42 a.m.
 Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach and Ted Piepho, secretary.
 Absent: Robert Garvey, Daniel Rohde

The Board discussed the court house hours and the telephone system with the County Officials.

Daniel Rohde took his chair at 9:00 a.m.
 Robert Garvey took his chair at 9:00 a.m.

Bruce Hovey (County Highway Supt.) appeared before the Board to discuss matters in the road department. Mr. Hovey will be going to Minneapolis this week to look at the possibility of using fly ash stabilizer base in the county. The Board discussed the joints on old Highway 20. Mr. Morgan asked Mr. Hovey to get bids for the removal of the joints on a square yard basis. Mr. Rohde and Mr. Morgan will meet with Mr. Hovey next Monday regarding these matters. The Board discussed the junk yard in the Millis Beach area.

Rohde moved, seconded by Culbertson to convene as the Board of Equalization.

ROLL CALL VOTE: Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes

Unanimous motion carried 10:21 a.m.

Garvey moved, seconded by Morgan to reconvene as the Board of Commissioners.

ROLL CALL VOTE: Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes

Unanimous motion carried 10:27 a.m.

Robert Lapp, Vice President of D.M.G. and Associates, an accounting firm, appeared before the Board to explain Indirect Administration for the Welfare Department.

Mrs. Hirschbach told Mr. Lapp that the county welfare director recommended to the Board that they not go with the program because it would not benefit Dakota County.
 Mr. Lapp briefly explained the program.

Morgan moved, seconded by Culbertson to amend the minutes of June 1, 1981 to include that the County Treasurer maintain separate records of child support funds available.

ROLL CALL VOTE: Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes

Unanimous motion carried

Morgan moved, seconded by Culbertson to approve the minutes of June 1, 1981 as amended.

ROLL CALL VOTE: Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey abstain

Motion carried

Maurice Redmond and Virginia Piper appeared before the Board to discuss a word processor for the court house.

Ted Piepho (County Clerk) presented Funding Approval forms under Title 1 and the Chairperson signed said forms.

Morgan moved, seconded by Culbertson the Chairperson of the Board, Vice Chairman of the Board, County Clerk and the County Treasurer be authorized to sign payment of vouchers.

ROLL CALL VOTE: Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes

Unanimous motion carried

The Board questioned the matter of designating a depository for direct deposit. Mr. Piepho contacted SIMPCO regarding this matter.

Mrs. Hirschbach asked Mr. Culbertson to contact Robert Post regarding the county's insurance.

Regarding the HUD material, Mr. Piepho informed the Board that the Chairperson of the Board cannot be authorized to sign payment of vouchers.

Morgan moved, seconded by Culbertson to amend the original motion authorizing signatures on payment of vouchers to delete the Chairperson of the Board and add Mary Hinkle, County Clerk Deputy.

ROLL CALL VOTE: Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes

Unanimous motion carried

Culbertson moved, seconded by Morgan to delay the designation of a depository until we receive a report from SIMPCO.

ROLL CALL VOTE: Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes

Unanimous motion carried

Garvey moved, seconded by Rohde to adjourn.

ROLL CALL VOTE: Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes

Unanimous motion carried 12:05 p.m.

ATTEST:


 COUNTY CLERK


 CHAIRPERSON OF THE BOARD

 COMMISSIONER'S MEETING
 June 15, 1981 Proceedings
 Basement Meeting Room

Chairwoman Hirschbach called the meeting to order at 9:00 a.m.

Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary.

Culbertson moved, seconded by Morgan to approve the minutes of June 8, 1981 as typed.

ROLL CALL VOTE: Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde absent
 Garvey yes

Motion carried

Garvey moved, seconded by Culbertson to convene as the Board of Equalization.

ROLL CALL VOTE: Culbertson yes
 Hirschbach yes
 Rohde absent
 Garvey yes
 Morgan yes

Motion carried 9:04 a.m.

Garvey moved, seconded by Morgan to reconvene as the Board of Commissioners.

ROLL CALL VOTE: Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes

Unanimous motion carried 9:07 a.m.

County Officials met with the Board regarding court house hours. They scheduled another meeting with all of the officials for 11:30 a.m. today.

Mr. Culbertson reported that Mr. Robert Post of Joe Morten Ins. will meet with the Board next week at their regular meeting.

Morgan moved, seconded by Rohde to request a written report from the Highway Superintendent regarding the use and condition of the road south of Hubbard and to include a legal description.

ROLL CALL VOTE: Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes

Unanimous motion carried

Rohde moved, seconded by Morgan to set a hearing for 9:20 a.m. on July 6, 1981 for the tax exemption of Wall Street Missions.

ROLL CALL VOTE: Morgan yes
 Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes

Unanimous motion carried

Virginia Piper (Clerk of District Court) appeared before the Board. Mrs. Piper explained that she needed a resolution by the Board to transfer money from the Child Support Fund to the Clerk of District Court Fund, because she was short approximately \$441.10 this month.

Morgan moved, seconded by Garvey to transfer \$500.00 from the Child Support Fund to the Clerk of District Court Fund.

ROLL CALL VOTE: Culbertson yes
 Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes

Unanimous motion carried

Bruce Hovey (Highway Superintendent) appeared before the Board and discussed replacing Lawrence Jepsen being his last day is July 1, 1981. Don Belt will be entering the hospital for an operation. Mr. Hovey also informed the Board of their current work on the one-year plan and the order of project order.

Morgan moved, seconded by Culbertson to table the unemployment claim of the road department.

ROLL CALL VOTE: Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes

Unanimous motion carried

Kenneth Beekley (SIMPCO) appeared before the Board to explain the HUD Block Grant Program.

Ted Piepho (County Clerk) appeared before the Board and reported that it is time to renew the health insurance for the county.

Rohde moved, seconded by Garvey to convene in executive session as requested by the officials to discuss salaries and personnel related matters.

ROLL CALL VOTE: Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes

Unanimous motion carried 11:36 a.m.

Rohde moved, seconded by Morgan to reconvene in open session.

ROLL CALL VOTE: Hirschbach yes
 Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes

Unanimous motion carried 1:05 p.m.

Rohde moved, seconded by Culbertson to adopt the following resolution.

WHEREAS: The County Superintendent of Schools, County Attorney, County Jail, Building And Grounds and Legal Services will go over their approved budget.

WHEREAS: An emergency does exist.

WHEREAS: The County General Fund does have unappropriated money left from other offices.

BE IT RESOLVED: By the Dakota County Board of Commissioners that the unappropriated General Fund monies may be utilized for payment of the over expenditure, of the said budgets for those claims approved by the County Board for the fiscal year of 1980.

ATTEST:

Gretchen Hirschbach, Chairperson

Passed and adopted this 15th day of June, 1980

Theodore A. Piepho
 County Clerk

ROLL CALL VOTE: Rohde yes
 Garvey yes
 Morgan yes
 Culbertson yes
 Hirschbach yes

Unanimous motion carried

Rohde moved, seconded by Culbertson to approve the following claims:

GENERAL FUND: South Sioux City Star \$135.52; Norfolk Printing Co. \$442.47; County Clerk \$42.32; Joe Morten & Son \$30.00; Northwestern Bell \$110.85; Mary Hinkle \$1.81; Sooland Business Forms, Inc. \$675.00; R.L. Polk & Co. \$50.00; Sioux City Stationery Co. \$8.18; Robert Giese \$52.50; Mardell Sorensen \$9.00; Northwestern Bell \$61.00; Precision Typewriter Works \$237.50; A.J. Phillips Publishing Co. \$9.00; Sooland Office Supply \$11.24; Virginia Piper \$160.98; Virginia Piper \$36.96; Northwestern National Bank \$200.25; Northwestern Bell \$77.45; Nebraska State Bar Association \$5.05; West Publishing Co. \$249.00; Bancroft-Whitney Co. \$56.30; MONROE Systems for Business \$319.20; Sioux City Stationery \$716.69; Redfield & Co. \$1070.14; County Judge's Office \$106.64; Creighton Law Review \$20.00; Midwest Business Products \$27.25; Norfolk Printing Co. \$30.00; Northwestern Bell Telephone \$121.38; Trade Ruling & Binding Co. \$87.87; South Sioux City Star \$16.13; Northwestern Bell \$280.38; Western Union \$248.77; William F. Whear \$432.64; Harvey Bates \$322.00; Jarold Gilson \$471.52; Michael McManigal \$675.76; Armon Todd \$124.56; Sioux City Stationery \$10.58; R.L. Polk & Co. \$50.00; R.C. Booth Enterprises \$61.39; Dakota County Sheriff Dept. \$13.19; Leo's Service \$226.76; H. & N. Oil Co. \$12.30; Crystal Oil \$10.00; Sioux Harbor Truck Stop \$5.00; Security National Bank \$135.52; South Sioux City Medical Clinic \$41.00; Redler's Professional Pharmacy \$11.51; William F. Whear \$300.00; William F. Whear \$682.50; United Laboratories \$50.10; Minneapolis War Memorial Blood Bank \$240.00; Nebraska Sheriff's and Peace Officer's Association \$20.00; Dan V. Weakley \$105.00; Quinlan Publishing Co. \$34.50; Dennis J. Mahr \$5.40; Bancroft-Whitney Co. \$35.00; R.L. Polk & Co. \$131.00; Sioux City Stationery \$43.77; Sooland Office Supply \$58.48; Maurice Redmond \$58.17; Executive Leasing \$178.60; Northwestern Bell \$426.66; Dr. William Kimberling \$150.00; Joy K. Nixon \$214.29; Thelma Baugous \$116.80; Precision Typewriter \$360.00; Hollar Stamp Co. \$4.46; Modern Office Enterprises \$12.00; Modern Office Enterprises \$43.30; General Business Equipment \$1.85; Journal-Star Printing \$72.80; International Ass'n Assessing Officers \$50.00; Northwestern Bell \$151.22; Sioux City Stationery \$100.00; Klemett Dean \$35.00; Clausen Electric \$144.44; City of Dakota City \$1121.27; Tuffy Lighting Supply \$143.52; Tagatz True Value \$28.70; Western Paper \$31.85; Torticill's Service \$9.40; Iowa Public Service \$923.00; Crystal Oil Co. \$20.95; American Linen \$28.00; Minear Lock & Key \$4.70; Soo-Land Disposal \$30.00; Klemett Dean \$64.64; Dakota County Extension Service \$2881.48; Sioux City Stationery \$2.44; Northwestern Bell \$58.45; Sioux City Blue Print Co. \$75.26; Northwestern Bell \$21.70; Maurice Rody \$79.89; Northwestern Bell \$30.52; Lorraine Tillman \$181.86; Midwest Business Products \$15.37; Lorraine Tillman \$29.12; Northwestern Bell \$23.18; Wayne W. Wheeler \$2400.00; Sooland Business Forms \$8.37; State of Nebraska, Dept. of Admin. Services \$55.90; Northwestern Bell \$61.80; South Sioux City Star \$8.13; Northwestern Bell \$25.47; Maxine Titler \$6.00; Sioux City Stationery \$9.08; R.C. Booth Enterprises \$34.11; Sioux City Stationery \$13.82; Lyle Todd \$55.70; Northwestern Bell \$6.90; Redfield & Co. \$372.30; Western Paper Co. \$12.25; Northwestern Bell \$9.45; City of South Sioux City \$20.29; Board of Educational lands & Funds \$158.35; South Sioux City Star \$119.56; County Treasurer \$1000.00; Dan Weakley \$20.64; Joyce L. Merchant \$20.64; Tom Merchant \$20.64; Wm. Binkard \$201.81; Clerk of District Court \$73.00; Donald Fitch \$121.09; Wm. Binkard \$204.72; William Binkard \$212.95; William Binkard \$350.11

DAKOTA COUNTY, NEBRASKA

GENERAL-PAYROLL: Social Security \$2992.92; Blue Cross \$1702.90; Blue Cross \$ 92.99 ; Gretchen Hirschbach \$541.66; Paul Culbertson \$541.66; Robert Garvey \$541.66; Larry Morgan \$541.74; Daniel Rohde \$541.74; Theodore A. Piepho \$1208.37; Mary Hinkle \$840.39; Eloise Gormally \$615.25; Margaret Rahn \$615.25; Myra Smith \$615.25; Robert Giese \$1208.37; Irene Van Lent \$840.39; Charlotte Doenhoefer \$615.25; Ruth M. Jensen \$615.25; Nadine Johanson \$615.25; Ruth Warnock \$615.25; Mardell Sorensen \$615.25; Virginia Piper \$1208.37; Betty Garwood \$840.39; Sharon Shannon \$700.00; Betty Garwood \$105.00; Sharon Shannon \$150.00; William Whear \$1208.37; Harvey Bates \$1120.51; Jarold Gilson \$1102.00; Michael McManigal \$1030.00; Linda Wilson \$815.00; Armon Todd \$991.89; Darlene Arneson \$570.50; Norma Barajas \$364.00; Sally Deal \$113.75; Micheal Koettters \$505.75; Earlean McClain \$560.00; Patricia Parkins \$336.00; Neva Neal \$353.77; Maurice Redmond \$1208.37; Raymond Speer \$1200.00; Dennis J. Mahr \$1337.50; Gloria Engelbrecht \$900.00; Cindy Harris \$750.00; Patti Ricke \$241.20; Joy K. Nixon \$1208.37; Thelma Baugous \$934.36; Nellie June Beardshear \$706.25; Shriley Ann Bentz \$703.25; Dorothy Lundberg \$683.25; Jeanette Ramirez \$706.25; Madelyn Thorsland \$683.25; Nondas Vitols \$703.25; Klemett Dean \$1259.39; Nancy Dean \$294.80; Jon Norris \$225.75; Pat Stingley \$668.75; Bruce Hovey \$2000.00; Jon Norris \$624.17; Maurice Roady \$713.33; Veronica Grijalba \$623.88; Lorraine Tillman \$1123.50; Bonibel Chapman \$615.25; Dr. J.H. Walston \$230.00; Maxine Titler \$666.67; Lyle Todd \$192.00

ROAD-PAYROLL: Social Security \$903.36; Blue Cross \$547.67 ; George Anderson \$846.37; Leland Armbricht \$616.09; Donald Belt \$913.78; Caleb Chapman \$846.37; Marvin Flaugh \$846.37; Beverly Gradert \$582.90; Walter Heinemann \$913.78; Robert Jacobsen \$880.61; Lawrence Jepsen \$1070.00; Kurt Johnson \$846.37; Walter Johnson \$982.26; Arnold Mellick \$946.95; Richard McNear \$800.00; Marlan Millard \$846.37; Willis J. Roeber \$800.00; Earl Stading \$846.37

ROAD: Village of Emerson \$6.00; State of Nebraska, Dept. of Roads \$2468.17; Wayne W. Wheeler \$1040.00; Saunders GMC \$2.88; Gerald Bousquet \$1100.00; Frank Francisco \$300.00; Missouri Valley Machinery \$18.57; Northwestern Bell \$32.92; City of Dakota City \$20.00; Nebraska Public Power District \$10.42; Iowa Public Service \$60.75; United Wholesalers \$13.68; Van's Used Trucks and Parts \$45.00; Herman M. Brown Co. \$432.28; Carl A. Anderson \$401.53; Condon Motor Co. \$18.69; Wilson Motor Co. \$83.04; Sterling Spring Service \$58.80; Northern Auto Parts Warehouse \$225.11; Midcon Equipment \$15.92; Joe's Surplus \$71.94; Graham Brake \$1822.46; Dakota Auto Parts \$21.38; D.C. Implement \$22.00; Monroe Welding Supply Co. \$56.26; Means Services \$11.31; South Ridge Home Center \$12.25; O'Shaughnessy \$40.95; Cleveland Cotton Products \$19.65; Filter Care \$33.70; Stephan's Welding Shop \$26.45; The Sioux City Iron Co. \$25.04; Snap-on Tools \$34.05; Tagatz Hardware \$22.99; Firestone Stores \$1204.44; Fort Calhoun Stone Co. \$779.63; Higman Sand & Gravel \$1921.44; Beermann Bros. Dehy \$2.00; Wilson Concrete Co. \$869.25; The New Walensky Lumber \$339.72; Engels Mobil Service \$266.25; Adam's Service \$565.50; Diamond Horse-shoe Truck Stop \$1232.93; Crystal Oil Co. \$639.86; Farmer's Co-op A'ssn. \$1008.55; So. Soo Oil Co. \$1006.29; Warren Oil Co. \$2134.87; Fehrs Tractor & Equipment \$200.00

ASSISTANCE-PAYROLL: Blue Cross \$245.98; Social Security \$494.89 ; Mildred Jorgensen \$1508.39; Jeanine Bliven \$781.17; Margaret Boeshart \$1166.71; Pauline Jensen \$1183.38; Patricia Lane \$1045.09; Mary O'Dell \$711.85; Charlene Weber \$1045.29

ASSISTANCE: Pauline Jensen \$4.20; Dakota City Postmaster \$2400.00; AB Dick Products \$650.00; Sioux City Stationery \$442.36; Star Printing and Publishing \$185.00; Northwestern Bell \$210.73; Dakota County Treasurer \$631.02; R.C. Booth Enterprises \$30.66; Mildred Jorgensen \$197.88; Chuck's Upholstery \$60.00; Mildred Jorgensen \$3.36; Margaret Boeshart \$22.55; Patricia Lane \$30.03; Charlene Weber \$87.99

POOR RELIEF: Nebraska State Department of Public Welfare \$29,647.56; Esther Cannon \$152.65

INSTITUTIONAL: Lincoln Regional Center \$720.00

SOLDIERS AND SAILORS: Maurice Roady \$2,000.00

DAKOTA COUNTY HISTORICAL SOCIETY: \$1033.84

WEED-PAYROLL: Social Security \$ 84.48; Blue Cross \$ 34.51 ; Paul Foeshoe \$850.00; Ruth Foeshoe \$75.00; Maurice Crofoot \$25.00; J. Colin Green \$25.00; Elmer Nelson \$25.00; John Ryan \$25.00; George W. Shrader \$25.00; Robert Gillaspie \$180.00; John Yandell \$40.50

WEED: Maurice Crofoot \$1.53; J. Colin Green \$4.08; John Ryan \$4.25; George W. Shrader \$1.70; Paul Foeshoe \$132.46; Torticill Service \$509.20; South Sioux City Star \$27.44; Emerson Tri-County Press \$21.56; So. Soo Oil Co. \$610.01; Emerson Fertilizer, Inc. \$600.10; FIMCO, Inc. \$42.94

FEDERAL GRANT HIGHWAY SAFETY PROGRAM: Social Security \$71.16; Blue Cross \$38.43 ; Danny Potts \$1070.00; Danny Potts \$10.00

ROLL CALL VOTE: Garvey yes
Morgan yes
Culbertson yes
Hirschbach yes
Rohde yes

Unanimous motion carried

Garvey moved, seconded by Culbertson the Nebraska State Bank be the depository for the HUD Block Grant Program.

ROLL CALL VOTE: Morgan yes
Culbertson yes
Hirschbach yes
Rohde yes
Garvey yes


Unanimous motion carried

Morgan moved, seconded by Garvey to recess until Wednesday at 8:00 p.m. to discuss the 81-82 budgets.

ROLL CALL VOTE: Culbertson yes
Hirschbach yes
Rohde yes
Garvey yes
Morgan yes

Unanimous motion carried 1:40 p.m.

ATTEST:


COUNTY CLERK


CHAIRPERSON OF THE BOARD

COMMISSIONERS MEETING
June 17, 1981 Proceedings
Basement Meeting Room

Chairwoman Hirschbach opened the meeting at 8:00 p.m.


Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde and Robert Garvey
Absent: Ted Piepho, secretary

Morgan moved, seconded by Garvey that Paul Culbertson be the recorder being Mr. Piepho is absent.
Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Nay: None
Unanimous motion carried

The Board discussed salaries in the 81-82 budget.
The Board discussed courthouse hours.

Rohde moved, seconded by Hirschbach to adjourn.
Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Nay: None
Unanimous motion carried 11:30 p.m.

ATTEST:


COUNTY CLERK


CHAIRPERSON OF THE BOARD

COMMISSIONERS MEETING
June 22, 1981 Proceedings
Basement Meeting Room

Chairwoman Hirschbach called the meeting to order at 9:03 a.m.
Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary

Morgan moved, seconded by Rohde to approve the minutes of June 15 and June 17 as typed.
Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Nay: none
Unanimous motion carried

Mildred Jorgensen (County Welfare Director) appeared before the Board and requested an executive session.

Morgan moved, seconded by Rohde to convene in executive session as requested by Mrs. Jorgensen to discuss personnel.
Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Nay: None
Unanimous motion carried 9:06 a.m.

Garvey moved, seconded by Rohde to reconvene in open session.
Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
Nay: none
Unanimous motion carried 9:30 a.m.

Rohde moved, seconded by Culbertson to convene as the Board of Equalization.
Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
Nay: none
Unanimous motion carried 9:40 a.m.

Garvey moved, seconded by Morgan to reconvene in regular session.
Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Nay: none
Unanimous motion carried 9:55 a.m.

Garvey moved, seconded by Morgan to take a break.
Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Nay: None
Unanimous motion carried 9:56 a.m.

Culbertson moved, seconded by Morgan to reconvene in regular session.
Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
Nay: none
Unanimous motion carried 10:04 a.m.

Chairwoman Hirschbach opened the proposed use hearing of the Revenue Sharing at 10:04 a.m.
Those in attendance in addition to Board members were Ted Piepho, Joy Nixon, Beverly Gradert and Julie Goodsen.

Mrs. Hirschbach read a letter from the Office of Revenue Sharing.

Ted Piepho, County Clerk, offered two proposals for the use of Revenue Sharing Funds, those being micrographic equipment and a word processor.

Joy Nixon, County Assessor, presented the contract for the CAPS program and proposed use of the Revenue Sharing funds for that purpose.

No other citizens offered written or verbal proposals for use of revenue sharing monies.

Mrs. Hirschbach: The Board proposes to use a portion of the Revenue Sharing for the Road Department.

Chairwoman Hirschbach closed the hearing at 10:18 a.m.

The Board discussed the cost of the phone system. Mrs. Hirschbach gave the Board initial figures and asked Mr. Culbertson to contact the office in Omaha to confirm these costs.

Robert Post of Joe Morten Insurance appeared before the Board and explained the insurance coverage of Dakota County.

Morgan moved, seconded by Rohde to refer the three areas of deductible, umbrella liability and errors and omissions to a committee to further investigate and report back to the Board with a recommendation.

Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach

Nay: none

Unanimous motion carried

Bruce Hovey (Highway Supt.) appeared before the Board.

Garvey moved, seconded by Rohde to convene in executive session to discuss personnel as requested by Mr. Hovey.

Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde

Nay: none

Unanimous motion carried 11:00 a.m.

Culbertson moved, seconded by Rohde to reconvene in regular session.

Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde

Nay: none

Unanimous motion carried 11:17 a.m.

County Officials met with the Board regarding salaries and courthouse hours.

Mrs. Hirschbach: The board wishes to establish office hours to insure a full 8 hour day.

Robert Giese (County Treasurer) requested an executive session to discuss salaries.

Morgan moved, seconded by Garvey to convene in executive session as requested by Robert Giese to discuss salaries.

Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey

Nay: none

Unanimous motion carried 11:23 a.m.

Rohde moved, seconded by Garvey to reconvene in regular session.

Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde

Nay: none

Unanimous motion carried 12:03 a.m.

Garvey moved, seconded by Rohde to set the official hours of the courthouse as 8:00 a.m. to 4:30 p.m. as of July 1, 1981.

Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson

Nay: none

Unanimous motion carried

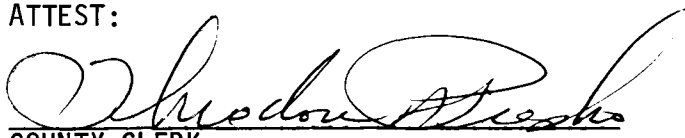
Rohde moved, seconded by Garvey to recess until 8:00 p.m. Tuesday, June 23 to review a few 81-82 office budgets.

Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach

Nay: none

Unanimous motion carried 12:10 p.m.

ATTEST:


COUNTY CLERK


CHAIRPERSON OF THE BOARD

COMMISSIONERS MEETING
June 23, 1981 Proceedings
Basement Meeting Room
June 22, 1981 Meeting Con't.

Chairwoman Hirschbach called the meeting to order at 8:05 p.m.

Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary.

Lance Hedquist appeared before the Board and presented an estimated budget proposal for Landfill costs.

Francis Kneifl appeared before the Board and presented his 81-82 budget. He said he was here to answer any questions the Board might have regarding his budget.

Mr. Kneifl: We are one of three counties and we have twice the case load of the other two counties put together.

Mr. Morgan asked what Veronica Grijalba's salary will be.

Mr. Kneifl said he didn't really know. It will be administered by Cedar County. Cedar and Dixon Counties will each have \$2,500 and Dakota County will have \$4,500.00. Our judicial district ranks sixth out of 21 as far as case loads are concerned. The recorder's responsibility is to be a recorder only. Mr. Kneifl said Veronica's salary would be \$4.00 per hour.

Mr. Culbertson asked what a balifs duty is.

Mr. Kneifl said whatever the court orders. His duties differ on particular days.

Mr. Kneifl's budget request was \$8,300.00. The Board did not make a proposal.

Joy Nixon appeared before the Board and presented her 81-82 budget. The Board reviewed line items. Mrs. Nixon's budget request was \$96,151.00. The Board proposed \$95,131.00.

Klemett Dean appeared before the Board and presented his 81-82 budget. The Board reviewed line items. Mr. Dean's budget request was \$74,071.20. The Board proposed \$73,404.08.

Ted Piepho appeared before the Board and presented his 81-82 budget. The Board reviewed line items. Mr. Piepho's budget request was \$59,214.54. The Board proposed \$58,414.54.

Garvey moved, seconded by Culbertson to recess until Monday, June 29 at 8:00 p.m.
 Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
 Nay: none
 Unanimous motion carried 10:35 p.m.

ATTEST:


 COUNTY CLERK


 CHAIRPERSON OF THE BOARD

BUDGET HEARING
 June 29, 1981
 Basement Meeting Room
 June 22, 1981 Meeting Con't.

Vice Chairman Garvey called the meeting to order at 8:10 p.m.
 Present: Larry Morgan, Paul Culbertson, Robert Garvey and Ted Piepho, secretary.
 Absent: Gretchen Hirschbach, Daniel Rohde

The Board reviewed the Planning Commission budget. The Planning Commission requested \$1,515.00. The County Board proposed \$1,335.00.

The Board reviewed the Building Inspector/Zoning Administration budget. The request was \$11,518.52. The County Board proposed \$9,030.00.

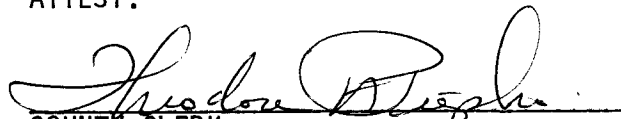
The Board reviewed the budget of the County Court. The officials request was \$10,100.00. The County Board proposed the same.


The Board reviewed the budget of the Agricultural Extension Agent. The official's request was \$27,300.00. The County Board proposed the same.

The Board reviewed the budget of the County Road Superintendent. The official's request was \$30,953.50. The County Board did not propose figures at this meeting.

Morgan moved, seconded by Culbertson to recess until Tuesday, June 30 at 8:00 p.m.
 Yea: Morgan, Culbertson, Garvey
 Absent: Hirschbach, Rohde
 Motion carried 9:50 p.m.

ATTEST:


 COUNTY CLERK


 CHAIRPERSON OF THE BOARD

BUDGET HEARING
 June 30, 1981
 Basement Meeting Room
 June 22, 1981 Meeting Con't.

Chairwoman Hirschbach called the meeting to order at 8:07 p.m.
 Present: Gretchen Hirschbach, Robert Garvey, Larry Morgan, Paul Culbertson
 Absent: Daniel Rohde

The Board reviewed the budget of Maurice Roady, Veterans Service Officer. Travel expense on his budget was discussed. Maurice explained he is required to attend school twice a year. Mr. Culbertson wanted to know the purpose of this schooling. Maurice stated to keep up with the laws. Grave markers were discussed. The Board wanted to know why such an increase from last year. Maurice stated that people steal them and the price had increased \$2.00 per marker. If people request a replacement for a marker that has been stolen, it is granted. Morgan stated the markers could be picked up by the Legion the day after Memorial Day and returned to Maurice, where they would be stored until the next year. Maurice said he would send out letters to the Legion stating this. Maurice requested \$700.00 for grave markers, the Board proposed \$400.00. The official requested \$11,457.00, the Board proposed \$11,057.00.

For Veterans Aid, the official requested \$13,000.00. Cash reserves were discussed. The official requested \$5,000.00. Morgan and Garvey thought 60% of the total budget was too much. Gretchen stated she wasn't in favor of cash reserve. Morgan moved to increase Medical Hospital by \$500.00, total of \$2,500.00. Provisions and clothing increased \$500.00, total of \$2,500.00. Rent and Fuel increased by \$500.00, total of \$3000.00. Cash reserve was not granted. The Board proposed a total budget of \$11,057.00.

Virginia Piper, Clerk of District Court appeared before the Board. Her budget request was \$46,366.94. Virginia stated her total budget was under a 7% increase. Gretchen wanted to know how Sharon Shannon's salary was figured. Virginia said it was last years salary plus 12% increase. No change was made in the Officials request.

For the Clerk of District Court Child Support budget, the official requested \$14,075.00. Virginia stated this has to be budgeted, there is no way it can be transferred later on, and she has no intention of using this full amount, but it must be budgeted now. No change was made in the Official's request for child support.

For Legal Services, the Officials request was \$42,500.00. The County Board proposed \$40,000.00 tentatively for court appointed counsel and Virginia requested \$30,000.00. No request was made for a consulting fee, the Board will consider it later.

The Hearing for the County Treasurer's budget was rescheduled.

Maurice Redmond, County Attorney appeared before the Board and requested an executive session regarding litigation.

Garvey moved, seconded by Culbertson to convene in executive session to discuss litigation as requested by Maurice Redmond.

Yea: Morgan, Culbertson, Hirschbach, Garvey
 Absent: Rohde
 Motion carried 9:23 p.m.


Garvey moved, seconded by Culbertson to reconvene in regular session.
 Yea: Culbertson, Hirschbach, Garvey, Morgan
 Absent: Rohde
 Motion carried 10:40 p.m.

Mr. Culbertson is to contact Northwestern Bell and have them to either come down and check or quote a firm price over the phone to change the clerk's and treasurer's telephone to rotary, and install a phone in the basement meeting room. A \$20,297.18 claim to the Dakota County Treasurer for the Dakota City 17th Street paving was presented.

Garvey moved, seconded by Morgan to approve payment of said claim.
 Yea: Hirschbach, Garvey, Morgan, Culbertson
 Absent: Rohde
 Motion carried

Culbertson moved, seconded by Morgan to adjourn.
 Yea: Garvey, Morgan, Culbertson, Hirschbach
 Absent: Rohde
 Motion carried 11:10 p.m.

ATTEST:


 COUNTY CLERK


 CHAIRPERSON OF THE BOARD

COMMISSIONERS MEETING
 July 6, 1981 Proceedings
 Basement Meeting Room

Vice Chairman Garvey called the meeting to order at 9:00 a.m.
 Present: Larry Morgan, Paul Culbertson, Daniel Rohde, Robert Garvey, Ted Piepho, and Beverly Gradert, Secretary.
 Absent: Gretchen Hirschbach

Culbertson moved, seconded by Morgan to approve the minutes of June 22,23, 29 and 30 as corrected.
 Yea: Morgan, Culbertson, Rohde, Garvey
 Nay: none
 Absent: Hirschbach
 Motion carried

Morgan moved, seconded by Rohde to convene as the Board of Equalization.
 Yea: Culbertson, Rohde, Garvey, Morgan
 Nay: none
 Absent: Hirschbach
 Motion carried 9:05 a.m.

Rohde moved, seconded by Morgan to reconvene in regular session.
 Yea: Morgan, Culbertson, Rohde, Garvey
 Nay: none
 Absent: Hirschbach
 Motion carried 9:47 a.m.

Mildred Jorgensen (County Welfare Director) appeared before the Board and presented her 81-82 proposed budget. The official's request for Welfare Administration was \$124,793.62, with a cash reserve of \$8618.68. The Board proposed the same. The official's request for Relief Medicaide was \$130,000.00. The Board proposed \$131,500.00.

Ken Johnson (Modern Office Systems) appeared before the Board. Mr. Johnson presented copies done on one of our present copiers and those made from a Sharp Copier. He also explained some of the features of Sharp copiers.

Rohde moved, seconded by Culbertson to break.
 Yea: Culbertson, Rohde, Garvey, Morgan
 Nay: none
 Absent: Hirschbach
 Motion carried 10:10 a.m.

Morgan moved, seconded by Rohde to convene as the Board of Equalization.
 Yea: Rohde, Garvey, Morgan, Culbertson
 Nay: none
 Absent: Hirschbach
 Motion carried 10:17 a.m.

Morgan moved, seconded by Culbertson to reconvene in regular session.
 Yea: Garvey, Morgan, Culbertson, Rohde
 Nay: none
 Absent: Hirschbach
 Motion carried 10:58 a.m.

Dave Helton with the State of Nebraska, appeared before the Board to assist them in their study of microfilming equipment. The following bids were received for microfilming equipment.

United Business Equipment and Microfilm (telephone bid taken by Ted Piepho at 10:52 a.m. on June 29, 1981 -
 Witnesses: Rex Luse, Ron Brotherson and Mary Hinkle)

| | |
|--|----------|
| Bell & Howell SRM Camera with base and stand | \$12,000 |
| Intercom | 9,000 |
| One year maintainance contract | 1,700 |
| Reader-printer ABR 650 BiMode | 9,000 |
| 35 mm Viewer only | 1,400 |
| 16 mm Viewer only | 950 |

Bell & Howell, Sioux City, Iowa

Approximate Annual Service

| | | |
|--|--|--|
| 1. Filemaster 1 Recorder w/stand and one camera 16mm roll format silver film - maximum document is 12-5/5 x 17-1/4 - with variable automatic exposure control | \$3655.70 | \$325.00 (13-22 rls./mo.) |
| 2. No automatic feeder or continuous forms feeder Above includes automatic color exposure control. Sequential numbering on the film and dual blip Extra camera heads | N/C 459.00 ea. 1450.00 | INCL. |
| 3. Variable reductions - 21X - 25X - 27X - 29X 2600 frames per 100' roll Three month warranty Repair charge w/o agreement - \$46.00/hr. travel - 48.00/hr. labor Film 60-200/r1 price w/processing and handling Cartridges 110-300 price w/leader & trailer Splice tabs Silver dupes 26-100 including handling Diaz dupes 26-100 including handling | ea. 9.10 ea. 1.50 1M/pkg. 13.60 ea. 11.20 ea. 8.35 | |
| One local salesman - two local servicemen Four working hours - service response time | | |
| 4. ABR-650 Reader/Printer w/one lens and dust cover automatic film threading when using a cartridge motorized variable film advance automatic dual blip search Three paper widths 5 1/2 - 8 1/2 - 11 x 8 1/2 or 11 long 11" x 11" screen - use cartridge of spool film | 2766.00 4500.00 | 320.00 500.00 |
| 5. Sit down stand for reader/printer | 315.00 | |
| 6. Repair charge w/o agreement See item three. Electrostatic print process - No shelf life on supplies. Cost per print - 8 1/2 wide x 11 = .047/print - 11 wide x 11 = .060/print Three month warranty | | |
| 7.a.ABR-100 Recorder w/stand - 32 x lens Includes two 16mm interchangeable cartridge/cassette camera Uses silver film and accepts 11 x 14" documents. Standard equipment includes: * the automatic color controls * the automatic feeder * sequential numbers on film * six different blip modes * book mode * microprocessor logic for operating functions Continuous forms feeder - optional Additional cartridge/cassette cameras 3000 - 8 1/2 x 14 documents per 100' roll Three month warranty - repair charges See item three. Film 60-200/r1 price w/processing & handling For cartridges & duplicating film See item three. | 8434.00 868.00 ea. 228.00 ea. 10.80 | 689.00 (1-20 rls/mo.) 65.00 N/C |
| b.ABR-IV 16/35 roll or jacket manual viewer w/one lens and dust cover | 311.00 | |
| c.File cabinets - Roll/Cartridge four drawer w/lock 360 rolls w/o lock - Jacket-Fiche six drawer w/lock 5100 Jkts/drawer w/o lock | 420.00 386.00 540.00 504.00 | |
| d.ABR-400 Jacket Reader/Filler semi-automatic ABR-510 Diazo Jacket Duplicator ABR-VIII Jacket Reader w/lens & dust cover Jacket cost 6 x 4-1/16 Plain top per C Color top per C Diazo sheet film 6 x 4-1/8 per C | 2085.50 2517.15 219.00 12.71 14.02 7.85 | 224.00 297.00 |
| e.File-Search Reader/Printer w/dust cover (for 16/35 roll and jackets) electrostatic no fade copies - no shelf life on supplies. Includes free eight rolls of paper and four bottles of powder toner. \$338.00 value. | 2135.00 | 255.00 |
| f.SRM Recorder w/stand & dust cover - 44x lens Includes: automatic exposure eye, automatic feeder, document thickness control, item counter duplex (front & back) filming and dual roll camera | 8368.11 | 864.00 (6-25 rls/mo.) |
| g.I have made arrangements with a local service bureau to film your old large documents on a per document charge which you will receive under separate cover. This arrangement allows me to bid todays state of the art equipment for todays document sizes. | | |
| 8. Installation and training of operators, at any time, is free of charge. Delivery is 30 days F.O.B. Dakota City. | | |

Prices are subject to change after July 15, 1981.

Koch Brothers, Des Moines, Iowa

3M EF 5000 Business Document Camera w/stand
Interchangeable cartridges

COST
\$7500.00

OPTIONS:

Automatic Document Feeder Cost: \$ 891.00
Continuous Forms Feeder Cost: \$1894.00
Automatic Color Exposure Control Cost: Not Applicable
Sequential Numbering Device Cost: \$1595.00
Additional Camera Heads Cost: Not Applicable

Camera Reduction Ratio 32X
Maximum Document Size Camera Accepts 15 3/4" Wide
Number of 8 1/2 x 14 Size Instruments Per 100' of film 4000
Warranty Period 90 days
Yearly Maintenance Cost \$ 725.00
Repair Charges W/O Maintenance Agreement \$ 55.00 Per Hour
Film Cost Per 100' Roll Case Price \$ 9.90 Each
Processing Charge: Location: Des Moines \$ 2.70
Omaha \$ 2.42
Film Handling Cost Omaha \$.66
Handling \$.66
Duplicate Film Cost: Silver Omaha \$ 7.19
Diaz Des Moines \$ 5.75
State Provisions For Local Sales and Service Sioux City
Service Response Time 8 working hours or less

3M 3400BE Cartridged Camera w/stand
Interchangeable cartridges

\$5505.75

OPTIONS:

Automatic Document Feeder Cost: \$ 813.00
Continuous Forms Feeder Cost: Not Available
Automatic Color Exposure Control Cost: Not Applicable
Sequential Numbering Device Cost: \$1595.00
Additional Camera Heads Cost: Not Applicable

Camera Reduction Ratio 24X
Maximum Document Size Camera Accepts 12" Wide
Number of 8 1/2 x 14 Size Instruments per 100' Of Film Approx. 2300
Warranty Period 90 Days
Yearly Maintenance Cost \$ 500.00
Repair Charges W/O Maintenance Agreement \$ 55.00 Per Hour
Film Cost Per 100' Roll Case Price \$ 9.90
Processing Charge: Location Des Moines \$ 2.70
Omaha \$ 2.42
Film Handling Cost: Omaha \$.66
Handling \$.66
Duplicate Film Cost: Silver Omaha \$ 7.19
Diaz Des Moines \$ 5.75
State Provisions For Local Sales and Service Sioux City
Service Response Time 8 Working hours or less

3M Data Recording Camera Model 201
Interchangeable Cassettes

\$3131.00

OPTIONS:

Automatic Document Feeder Cost: Not Available
Continuous Forms Feeder Cost: Not Available
Automatic Color Exposure Control Cost: Not Applicable
Sequential Numbering Device Cost: \$ 336.00
Additional Camera Heads Cost: Not Applicable

Camera Reduction Ratio 28X
Maximum Document Size Camera Accepts 11x14
Number of 8 1/2 x 14 Size Instruments Per 100' of Film 2600
Warranty Period 90 Days
Yearly Maintenance Cost \$ 295.00
Repair Charges W/O Maintenance Agreement \$ 55.00
Film Cost Per 100' Roll \$ 12.85
Processing Charge: Location Des Moines \$ 2.70
Omaha \$ 2.42
Film Handling Cost: Omaha \$.66
Handling \$.66
Duplicate Film Cost: Silver Omaha \$ 7.19
Diaz Des Moines \$ 5.75
State Provisions For Local Sales And Service Sioux City
Service Response Time 8 Working Hours or less

COST

3M Data Recording Camera Model 203
Interchangeable Cassettes

\$3955.00

OPTIONS:

| | |
|---|-------------------------|
| Automatic Document Feeder Cost: | Not Available |
| Continuous Forms Feeder Cost: | Not Available |
| Automatic Color Exposure Control Cost: | Not Applicable |
| Sequential Numbering Device Cost: | \$ 478.00 |
| Additional Camera Heads Cost: | Not Applicable |
| Camera Reduction Ratio | 34X or 42X |
| Maximum Document Size Camera Accepts | 34X - 14x19" |
| | 42X - 17x22" |
| Number of 8½x14 Size Instruments Per 100' of Film | 34X - 2600 |
| | 42X - 5200 |
| Warranty Period | 90 Days |
| Yearly Maintenance Cost | \$ 295.00 |
| Repair Charges W/O Maintenance Agreement | \$ 55.00 |
| Film Cost Per 100' Roll | \$ 12.85 |
| Processing Charge: Location | |
| Des Moines | \$ 2.70 |
| Omaha | \$ 2.42 |
| Film Handling Cost | |
| Omaha | \$.66 |
| Handling | \$.66 |
| Duplicate Film Cost: Silver | \$ 7.19 |
| Diazo | \$ 5.75 |
| Des Moines | |
| State Provisions For Local Sales And Service | Sioux City |
| Service Response Time | 8 Working Hours or less |

3M EF 6000 Page Search Reader Printer

\$8950.00

OPTIONS:

| | |
|--|---|
| Work Station | \$ 436.00 |
| Screen Size of Unit Bid | 14"x18" |
| Yearly Maintenance Cost: | \$ 775.00 - .012¢/Print Over 50,000 Prints |
| Repair Charges W/O Maintenance Agreement | \$ 65.00 Per Hour |
| Print Process | Dry Silver |
| Print Size | Rolls Available in 4½"-6"-8½"-11" widths any length between 6"x18" |
| Print Cost of Various Sizes | Case Price |
| | 6x8½ |
| | 6x11 |
| | 8½x11 |
| | 8½x14 |
| | 18x11 |
| Warranty on Reader/Printer | 90 Days |

3M EF 6000 Basic Reader Printer

\$5703.00

Visco Series 2000 Triple Blip Count Controller

\$5791.00

OPTIONS:

| | |
|--|---|
| Work Station | \$ 436.00 |
| Screen Size of Unit Bid: | 14"x18" |
| Yearly Maintenance Cost: | 6000R/P \$ 600.00 |
| | Visco \$ 175.00 |
| Repair Charges W/O Maintenance Agreement | \$ 55.00 |
| Print Process | Dry Silver |
| Print Size | Rolls Available in 4½"-6"-8½"-11" Widths Any length between 6"x18" |
| Print Cost of Various Sizes | Case Price |
| | 6x8½ |
| | 6x11 |
| | 8½x11 |
| | 8½x14 |
| | 18x11 |
| Warranty on Reader/Printer | 90 Days |

3M EF 5000 Business Document Camera

\$7500.00

Dukane Universal Manual 16-35mm Reader

\$ 600.00

Russ Basset MC5-5 Microfilm Storage Film Cabinet

\$ 771.00

3M Model 169 Jacket Loader

\$1740.00

NB Jackets Reader Filler II

\$2085.00

3M Duplifice Printer

\$1807.00

3M Duplifice Developer

\$1446.00

3M Model 800 Jacket Reader Printer

\$1720.37

READER/PRINTER THAT ACCOMMODATES 16/35 ROLL AND MICROFILM JACKETS

3M Model 500 LM Reader Printer

\$4245.00

Print Process

Dry Silver

3M Model 400B Reader Printer

\$2414.00

Print Process

Monobath Silver

3M Model P-74 Microfilm Processor

\$7606.00

Ted Piepho, Larry Morgan, Paul Culbertson and Gretchen Hirschbach will serve as a committee to further study the bids received on microfilming equipment.

Mr. Culbertson reported the cost information he received on ring-over service for the Clerk's and Treasurer's office. For each office, it would cost an additional \$7.60 per month and \$12.00 installation for each office.

Bruce Hovey, Highway Superintendent, appeared before the Board to discuss the county road southeast of Hubbard, benefits for Mrs. Donald Belt, purchase of a front end loader and Road Department policies.

Mr. Hovey presented a written report on the condition of a county road southeast of Hubbard.

Larry Albrecht and Eugene Rohde appeared before the Board.

Mr. Albrecht: This is the only crossroad in 5 miles.

Mr. Albrecht, Mr. Rohde and the Board discussed widening of the road to 18 feet and making it a one lane road through that area.

Mr. Albrecht: There are tubes by Miller's and Olson's that are school bus routes that need to be fixed.

Mr. Culbertson said he didn't understand why the road past his place was put on the one year road plan when there are other roads in need of repair much more.

Morgan moved, seconded by Rohde that six months salary be paid to Mrs. Donald Belt due to the length of service to the County by Mr. Belt.

Yea: Rohde, Morgan, Culbertson, Garvey

Nay: none

Absent: Hirschbach

Motion carried

Rohde moved, seconded by Culbertson to convene in executive session as requested by Mr. Hovey to discuss personnel policies.

Yea: Morgan, Culbertson, Rohde, Garvey

Nay: none

Absent: Hirschbach

Motion carried 12:20 p.m.

Culbertson moved, seconded by Rohde to reconvene in regular session.

Yea: Culbertson, Rohde, Garvey, Morgan

Nay: none

Absent: Hirschbach

Motion carried 12:45 p.m.

The Board discussed the purchase of a front end loader.

The Board discussed the County Dental Insurance.

A letter regarding junkyards and county planning and zoning regulations was received from SIMPCO.

Culbertson moved, seconded by Rohde to recess until Wednesday, July 8 at 8:00 p.m. to review 81-82 budgets.

Yea: Morgan, Culbertson, Rohde, Garvey

Nay: none

Absent: Hirschbach

Motion carried 1:20 p.m.

ATTEST:


 COUNTY CLERK


 CHAIRPERSON OF THE BOARD

July 6, 1981 Meeting Continued
 July 8, 1981
 Basement Meeting Room
 Budget Hearings

Vice Chairman Robert Garvey called the meeting to order at 8:05 p.m.

Present: Robert Garvey, Larry Morgan, Paul Culbertson, Daniel Rohde and Ted Piepho, secretary.

Absent: Gretchen Hirschbach

The Board reviewed the following funds and office budgets for the 81-82 fiscal year.

| Institution | OFFICIAL'S REQUEST | BOARD PROPOSED |
|--|--------------------|-----------------|
| | \$ 27,793.94 | same |
| Revenue Sharing | \$ 198,595.34 | same |
| Legal Services, Judicial, Public Defense | \$ 59,613.32 | \$ 50,000.00 |
| County Surveyor | \$ 20,030.00 | \$ 10,030.00 |
| Misc. General | \$ 262,085.04 | did not propose |
| Election Commissioner | \$ 15,667.60 | same |
| County Board | \$ 39,170.30 | \$ 44,080.00 |
| District Judge | presented earlier | \$ 8,300.00 |
| Civil Defense | 9,404.54 | same |
| County Supt. of Schools | \$ 10,430.04 | did not propose |
| District Probation Office | \$ 2,348.08 | same |

Rohde moved, seconded by Culbertson to adjourn.

Yea: Morgan, Culbertson, Garvey, Rohde

Nay: none

Absent: Hirschbach

Motion carried 11:25 p.m.



COMMISSIONERS MEETING
 July 13, 1981 Proceedings
 Basement Meeting Room

Chairwoman Hirschbach called the meeting to order at 9:00 a.m.
 Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey, Ted Piepho, secretary and Beverly Gradert

Culbertson moved, seconded by Morgan to approve the minutes of July 6, 1981 as typed.
 Yea: Morgan, Culbertson, Rohde, Garvey
 Nay: none
 Abstain: Hirschbach
 Motion carried

Robert Giese (County Treasurer) appeared before the Board and presented his report for May. Mr. Giese reported the interest for May being \$25,975.03. Interest for the first 11 months of the 80-81 fiscal year is \$152,710.22.

Maxine Titler (County Superintendent) appeared before the Board in regard to a letter from the Nebraska Dept. of Education regarding the responsibility of the County Superintendent for providing a testing program for Class 1 schools. The Board discussed the funding of the testing program.

Mr. Morgan: The tests that you are required to give, should be paid for by the County. Any other tests should be paid for by the individual schools.

Paul Foreshoe and George Shrader appeared before the Board and presented the 81-82 Weed Board budget. The Board reviewed line items. The official's request was \$30,820.00. The Board proposed \$29,020.00.

Chris Miller appeared before the Board and presented the 81-82 Ag Society budget. Mr. Miller said they were exempt from having a hearing and also exempt from the lid being they are an agriculture function and spent less than \$50,000 of tax monies.

Rohde moved, seconded by Garvey to break.
 Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
 Nay: none
 Motion carried 10:30 a.m.

Garvey moved, seconded by Morgan to reconvene.
 Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
 Nay: none
 Motion carried 10:36 a.m.

Garvey moved, seconded by Rohde to convene as the Board of Equalization.
 Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
 Nay: none
 Motion carried 10:37 a.m.

Rohde moved, seconded by Culbertson to reconvene in regular session.
 Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
 Nay: none
 Motion carried 11:40 a.m.

Joy Nixon (County Assessor) appeared before the Board and presented the CAPS contract to be signed by Board members.

Mr. Redmond: We requested they eliminate the County Treasurer's and County Assessor's office's from the idemnification part of the contract. The County Board members, County Assessor and County Treasurer signed the CAPS program contract effective August 1, 1981 as follows.

CONTRACT FOR THE IMPLEMENTATION AND CONTINUATION
 OF THE COUNTY ADMINISTERED PROPERTY SYSTEM

This contract is between the Dakota County Commissioners, acting on behalf of the said County, hereinafter called the County, Dakota County Assessor, and Dakota County Treasurer and the Nebraska Department of Revenue, hereinafter called the Department. This contract is for the implementation and continuation of the County Administered Property System, hereinafter referred to as CAPS, for data processing and computer services for use by the County Assessor's and the County Treasurer's offices, as specified in the applicable attached schedules.

SECTION 1
 TERM

This contract shall be effective on the 1st day of August, 19 81. The Department may terminate this contract without cause by written notice to the County sixty days prior to the first day of January of any calendar year. The County may terminate this contract without cause by written notice to the Department sixty days from the first day of the following month after the notice of termination has been given.

SECTION 2
 WORK

The Department shall establish a CAPS file for the county for real estate and/or personal property, incorporating pertinent characteristics of each file, as designed by the Department. With these files, the Department shall provide the services agreed to and specified in the applicable attached schedules. Data necessary to establish the CAPS files shall be accumulated by the County. The County Assessor shall verify the accuracy of the files and shall make any required corrections. Maintenance and updating of the CAPS files shall be performed by the County Assessor.

The specific services to be provided by the Department for the County as set out in this paragraph are shown on Schedules A, B, C and D, which schedule(s) are attached hereto and incorporated herein as if set out in this contract verbatim.

The meaning and definition of any and all computer terminology as used in this contract is understood by and between the parties hereto as that defined in Computer Dictionary and Handbook by Charles J. and

Roger Sippl, published by Howard W. Sams and Company, Inc., third addition, first printing, 1980, which is hereby incorporated into this contract.

SECTION 3
LIMITATION OF LIABILITY

Neither party shall be responsible for any delays that are not due to such party's negligence and that could not have been reasonably foreseen or provided against. Any reasonable delay because of disaster, weather, mechanical failure, act of God, strike, war, order of court or other public authority, will also cause no liability to the Department. The Department shall provide the County with advance notice of allotted time for production of services as itemized on applicable attached schedules.

SECTION 4
PROPERTY

All CAPS software, including computer programs, operating instructions, and other documentation will be the property of the Department. All County source documents, stored data, and other County information shall belong to the County and shall be delivered to the County in the format utilized by CAPS on tape or hard copy, upon termination of this contract and upon request by the County. Access to such information shall be governed by sections 84-712, 84-712.01, 84-712.03 to and including 84-712.09, R.S.Supp., 1980.

SECTION 5
ACCURACY

The County shall be responsible for the accuracy of all data within the system.

SECTION 6
COST

Computer and data processing service costs shall be the actual costs incurred by the Department in providing the services. Segments of actual costs incurred include, but are not limited to, one-time installation charge for telecommunications line, monthly line cost, individual hardware items cost, postage, forms, microfiche, and price per parcel per month cost for data processing and computer file storage. This price per parcel per month is updated on a regular basis using the previous 12 months as the base period.

Expenses attributable to the implementation and continued operation of the services provided in this contract shall be paid to the Department when billed.

SECTION 7
WAIVER

Any waiver by either party of any provision of this contract shall not imply a subsequent waiver of that or any other provision.

SECTION 8
AMENDMENTS

The County may by written notice, request amendments within the general scope of this contract, in the schedules, specifications, or quantity of work to be performed hereunder. An amended or supplemental contract will then be provided, upon amendment being agreeable to the County and the Department.

SECTION 9
PAYMENT

Regular payments to this account shall be on a quarterly basis and shall be due and owing to the Department 30 days from the date of billing. Upon the failure of the County to make timely payments, the Department may cease to perform any services under this contract and may terminate this contract immediately upon the option of the Department. Upon the termination of this contract, a final accounting shall be made.

SECTION 10

It is understood by and between the parties hereto that if no appropriated funds are available to the Department necessary to carry out the terms of this Agreement, this Agreement shall terminate at the end of the then current fiscal year at the election in writing of the Department to the County. If any Governor's budget message is such that it does not include funds necessary for the Department to carry out the terms of this Agreement, notice of such fact shall be given to the County. If at any time it appears that appropriations will be depleted in the future, or not available for the performance of this Agreement, notice of such fact and the estimated date of depletion shall be given promptly to the County.

It is further understood by and between the parties hereto that if the County cannot appropriate funds necessary to carry out the terms of this Agreement for the reason of having reached the tax levy or spending lid ceiling, this Agreement shall terminate at the election of the County in writing to the Department in accordance with the terms in Section 1 of this contract.

SECTION 11
ADDITIONAL PROVISIONS

This contract contains the binding agreements between the parties hereto. It shall be governed by the law of the state of Nebraska.

SECTION 12
INDEMNIFICATION

The County agrees to indemnify the Department or the state as a result of any damage to, loss of, or liability incurred by the Department for the computer terminal or terminals leased to the County by the Department while in the possession of said County or County Assessor.

ACCEPTANCE

The undersigned parties hereby accept and bind themselves to the provisions of this contract.

Dated this 13 day of July, 1981.

Dakota County Assessor

Dakota County Board of
Commissioners

Dakota County Treasurer

ATTEST:

_____ County Clerk

Dated this 13 day of July, 1981.

_____ Fred A. Herrington
State Tax Commissioner

SCHEDULE A
OF
CONTRACT FOR THE IMPLEMENTATION AND CONTINUATION
OF THE COUNTY ADMINISTERED PROPERTY SYSTEM
PREPARED BY THE DEPARTMENT FOR THE COUNTY ASSESSOR

The services for Real Estate shall include:

1. Rosters of the County in various sequences requested by the County (twice per year).
2. Assessor valuation change notices on all real estate properties on which value changes.
3. Agricultural land valuation cards on rural properties.
4. Summary of agricultural land classes, number of acres, unit value per land class, and total value per land class and total county agricultural land value.
5. Notices of valuation change resulting from County Board of Equalization changes.
6. County abstract of assessment information as required by the Department's form.
7. Valuation listing by taxing subdivisions for determining levies after County Board of Equalization.
8. Print final tax roll for certification to the treasurer, sequence must be one of the following for all property within the county:
 - a. Alphabetical
 - b. Legal description
 - c. Legal description within tax district
 - d. Alphabetical within tax district
9. Print real estate tax notices alphabetical within zip code.
10. Print listing of information for completing Homestead Exemption Tax Summary Certificate for certification to the Department.
11. Print listing of information for completing Certificate of Taxes Levied for certification to the Department.
12. Property record cards and labels.
13. Mailing labels.
14. Mortgage company rosters.
15. Microfiche of tax roll.
16. Establish annual posting file for tax roll corrections, additions, or deletions in the event the treasurer fully utilizes the CAPS files.

SCHEDULE B
OF
CONTRACT FOR THE IMPLEMENTATION AND CONTINUATION
OF THE COUNTY ADMINISTERED PROPERTY SYSTEM
PREPARED BY THE DEPARTMENT FOR THE COUNTY ASSESSOR

The services for Personal Property shall include:

1. Rosters of the County in alphabetical or alphabetical within tax district (twice per year).
2. County abstract of assessment information as required by the Department's form.
3. Valuation listing by taxing subdivisions for determining levies.
4. Print two final tax rolls, alphabetical and alphabetical within tax district.
5. Print personal property tax notices, alphabetical within zip code.
6. Print listing of information for completing Homestead Exemption Tax Summary Certificate for certification to the Department.
7. Print listing of information for completing Certificate of Taxes Levied for certification to the Department.
8. Print personal property - mailing labels.
9. Microfiche of tax roll.
10. Establish annual posting file for tax roll corrections, additions, or deletions in the event the treasurer fully utilizes the CAPS files.

SCHEDULE C
OF
CONTRACT FOR THE IMPLEMENTATION AND CONTINUATION
OF THE COUNTY ADMINISTERED PROPERTY SYSTEM
PREPARED BY THE DEPARTMENT FOR THE COUNTY TREASURER

The services for Real Estate for the County Treasurer shall include:

1. Real estate tax receipts; sequence associated with tax rolls.
2. Establish annual master posting file for each tax year commencing with the current year of the contract.
3. Ability to transmit and post collections on a daily basis.
4. Provide monthly allocation and recapitulation for each year's posting file established in item 2 of this schedule.
5. Provide a list of unpaid taxes.
6. Microfiche of tax roll.
7. Mailing labels.

SCHEDULE D
OF
CONTRACT FOR THE IMPLEMENTATION AND CONTINUATION
OF THE COUNTY ADMINISTERED PROPERTY SYSTEM
PREPARED BY THE DEPARTMENT FOR THE COUNTY TREASURER

The services for Personal Property for the County Treasurer shall include:

1. Personal property tax receipts; sequence associated with tax rolls.
2. Establish annual master posting file for each tax year commencing with the current year of this contract.
3. Ability to transmit and post collections on a daily basis.
4. Provide monthly allocation and recapitulation for each year's posting file established in item 2 of this schedule.
5. Provide balance due notices prior to the county treasurer's issuance of distress warrants.
6. Provide list of unpaid taxes.
7. Microfiche tax roll.
8. Mailing labels.

Three bids for Microfilm Service Bureau work were received.
Morgan moved, seconded by Rohde to incorporate the bids into the record and refer them to committee for a recommendation.

Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde

Nay: none

Motion carried

Koch Brothers

| | | |
|------------------|------|------------------|
| Document Prep | | \$12.00 per hour |
| Duplicate Rolls | 16mm | \$ 5.50 each |
| | 35mm | \$10.50 each |
| Hand Feed Rotary | | \$28.50 M |
| Planetary | | \$46.00 M |

United Business Equipment & Microfilm

Proposed County Microfilm Service Bureau Work Performed in 6 Parts.

| | | |
|---------|--|--|
| Part 1. | Clerk of County - Register of Deeds Office - Approx. 423 Books for a cost of Approx. 22,500 Source Documents (Loose Leaf) | \$12,690.00 1,125.00 |
| Part 2. | Treasurer's Office Approx. 147 Books for a Cost of Approx. 58,500 Source Documents | \$ 4,410.00 2,925.00 |
| Part 3. | Assessor's Office Approx. 142 Books for a cost of Approx. 65,700 Source Documents | \$ 4,260.00 3,285.00 |
| Part 4. | District Court Approx. 127 Books for a cost of "Have conferred with Dave Helton of Records Mgt. Lincoln, Ne., He recommends not filming any court cases (civil) over 20 years old". If filmed, it will cost New file cabinet District Court, Approx. Cost Keep capital cases permanent! | \$ 3,810.00 \$19,150.00 11,000.00 |
| Part 5. | County Superintendent's office and Superintendent of Schools Approx. 20 Books for a cost of \$30.00 each Book | \$ 600.00 |
| Part 6. | Plats as determined necessary by yourself, assessor, surveyor & engineer (originals only, 60¢ each plat) Duplicate file reduced to 16mm by Optical Print Reduction | \$ 16.00/Roll |
| Part 7. | As per Dave Helton 1 Reader Printer for a cost of 2 additional Readers @ \$900.00 each Total Cost | \$ 2,000.00 1,800.00 <u>3,800.00</u> |

Micro Systems, Inc.

The following quoted prices include the following:

1. All travel to and from Dakota City.
2. All set up and take down of needed equipment.
3. Use of our transfer boxes as needed.
4. All materials, film, processing, logs, productions, forms.
5. Viewing of each image clarity and completeness.
6. Box labeling to your specification.
7. Density and resolution control.
8. Any retakes as needed at no charge.
9. Return of finished microfilm rolls to Dakota City.
10. Consultations and/or surveys to determine the approx. costs.
11. All taking books apart, putting together, staple removal except as indicated in bid proposal.
12. All microfilm used rated at least 1 yr. before expiration date or longer.
13. Our work fully guaranteed to your specifications.
14. Start date can be 10 working days after acceptance of bid.

County Clerk's Office

Bound books - 17" or smaller in height. 12" wide 35mm microfilm
\$40.00 per thousand pages
Post binder books - 14" in height 18" wide 16mm microfilm
\$37.50 per thousand pages
Surveyors records - (5 Books) Various Sizes 35mm microfilm
\$45.60 per thousand images

County Treasurer's Office

Motor Vehicle Registrations - pink and goldenrod color 4"x4"
one side 16mm microfilm \$17.00 per thousand images
Sewer, Water, Paving records - 8x14" cards post binders
16mm microfilm \$21.00 per thousand images

County Assessor's Office

Schedule and Assessment records - post binders 8½x11 and 8½x14
16mm microfilm \$24.00 per thousand images
Homestead, Soil Classification Grading, Assessment Cards
16mm microfilm \$23.00 per thousand images.
Cadastral Maps - 20" x 20" 35mm microfilm
\$40.00 per thousand images
Current Appraisal Cards - (2 sides) 12" x 12" 16mm microfilm
\$28.00 per thousand images

Circuit Clerk's Office

4-fold documents in packets (some both sides, staples)
unfold and refold all documents - various voltage settings
16mm microfilm \$45.00 per thousand images
Bound Books - \$40.00 per thousand pages 35mm microfilm

Sup. of Schools Office

Census Reports - 8½x14 both sides (staples) Disolution of schools
16mm microfilm \$23.00 per thousand images

Minutes of annual meetings - 16mm microfilm \$21.00 per thousand images
 Teachers Summary etc. - (orange cards) 4x6 + 3x5 cards lose
 16mm microfilm \$21.00 per thousand images
 Bound Books - 35mm microfilm \$40.00 per thousand images
 Post Binder Records - \$24.00 per thousand images

- Options: 1. Duplicate 16mm roll @ \$12.00 per roll.
 2. Each 35mm roll reduced to 16mm @ \$15.00 per 35mm roll.

The Board reviewed the County Insurance Policy.

Morgan moved, seconded by Garvey our deductible be increased from \$100.00 to \$500.00.
 Yea: Morgan, Hirschbach, Garvey
 Nay: Culbertson, Rohde
 Motion carried

Morgan moved, seconded by Rohde the umbrella limits be increased to two million dollars.
 Yea: Culbertson, Rohde, Garvey, Morgan
 Nay: Hirschbach
 Motion carried

Morgan moved, seconded by Culbertson the errors and omissions policy be left as it is.
 Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
 Nay: none
 Motion carried

The Board acknowledged receipt of the following tort claim.

TORT CLAIM

TO: The County of Dakota County, Nebraska, a political subdivision of the State of Nebraska; and the County of Dixon County, Nebraska, a political subdivision of the State of Nebraska.

YOU AND EACH OF YOU are hereby notified that on or about the 11th day of July, 1980 at approximately 7:30 p.m. at the county road intersection located between the Dixon County and Dakota County division line, 2.6 miles north of the town of Emerson in the State of Nebraska, Marc and Mike Schincke were passengers in a car being driven by Kenny L. Klug, that was involved in a motor vehicle accident with a vehicle driven by Mr. Thomas K. Servine.

That the vehicle being driven by Kenneth L. Klug was approaching the above-mentioned intersection eastbound, and that a stop sign controlled the intersection for his lane of traffic, but his view of the stop sign was obstructed and blocked, causing him not to obey said stop sign.

That the above-named Defendants' agents and employees under their direction and within their scope of employment did negligently or by acts of omission fail to remove from said road intersection various grasses, weeds, shrubs or debris causing them to obstruct and block out Kenneth L. Klug's view of the stop sign resulting in the above two-car motor vehicle accident.

That as a result of this accident, Marc Schincke has sustained damages as a result of medical and hospital expenses, loss of wages, pain and suffering, temporary and permanent disability, all in the total sum of \$500,000.00.

That as a result of this accident, Mike Schincke has sustained damages as a result of medical and hospital expenses, loss of wages, pain and suffering, temporary and permanent disability, all in the total sum of \$20,000.00

WHEREFORE, The Claimant Marc Schincke demands judgment against the Defendants and each of them jointly and severally in the sum of \$500,000.00, as a result of his damages previously set out herein together with interest therein as provided by law and for the costs of this action; and the Claimant Mike Schincke demands judgement against the Defendants and each of them jointly and severally in the sum of \$20,000.00, as a result of his damages previously set out herein together with intrest thereon as provided by law and for the costs of this action.

BY: BRADFORD KOLLARS
 315 Benson Building
 Sioux City, Iowa 51101
 712-258-3543
 ATTORNEY FOR MARC AND MIKE SCHINCKE

RECEIVED TORT CLAIM ON THIS 7 DAY OF JULY, 1981, ON BEHALF OF THE COUNTY OF DAKOTA COUNTY, NEBRASKA, A POLITICAL SUBDIVISION OF THE STATE OF NEBRASKA.

Morgan moved, seconded by Garvey the County deny the liability of the tort claim.
 Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
 Nay: none
 Motion carried

The Board reviewed the contract from SIMPCO regarding the Community Development Block Grants.

Mr. Morgan: They have not draun up the contract as we wanted. We are still designated as the collection agency.

The County Clerk will notify Ken Beekley in regard to the contract.

The Board received a letter from the Department of Revenue regarding irrigated land values. A hearing is scheduled in Lincoln on July 21 for the Board to show cause why irrigated land values shouldn't be raised in Dakota County.

The Board acknowledged receipt of a letter from Jack Mills, Executive Director of NACO urging the County Board to support Madison County in future litigation regarding jailer's fees which increased from \$3.00 to \$10.00.

Morgan moved, seconded by Rohde the Board Chairman contact Jack Mills indicating interest on the part of the Board of Commissioners to assist in future litigation of Madison County regarding jailer's fees.

Morgan moved, seconded by Culbertson to convene in executive session as requested by Mr. Redmond to discuss litigation.

Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
 Nay: none
 Motion carried 12:25 p.m.


Culbertson moved, seconded by Rohde to reconvene in regular session.

Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
 Nay: none
 Motion carried 1:10 p.m.

Morgan moved, seconded by Garvey to recess until 8:00 p.m. Tuesday, July 14, 1981 to review County budgets.

Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
 Nay: none
 Motion carried 1:12 p.m.

ATTEST:


 COUNTY CLERK


 CHAIRMAN OF THE BOARD

COMMISSIONERS MEETING
 JULY 14, 1981 PROCEEDINGS
 BASEMENT MEETING ROOM

Vice Chairman Robert Garvey called their continuation meeting of July 13 to order at 8:12 p.m.

Present were: Larry Morgan, Robert Garvey and Paul Culbertson. Daniel Rohde took his chair at 8:27 p.m. Gretchen Hirschbach took her chair at 8:40 p.m.

Robert Giese appeared before the Board and presented his proposed 81-82 budget. His budget was discussed between himself and the County Board. Mr. Giese proposed expenditures of \$85,015.23 for 81-82. The Board did not make their proposal due to the discussion on salaries later.

Maurice Crofoot, Lois Beermann and others appeared before the Board to present the Historical Society budget to the Board.

Mr. Culbertson asked the County Clerk to repeat what he said the other day concerning the Historical Society's budget.

The County Clerk stated that he thought the Historical budget should be advertised and a public hearing held by the Historical Society but it would possibly depend on how the society was formed and that a decisive discussion had never been made.

Discussion followed and after the Board talked with the County Attorney and the County Clerk called the State Auditor, it was decided that the Historical Society was required to advertise and hold a public hearing and that they also were under the 7% lid.

William Whear (County Sheriff) appeared before the Board and presented the 81-82 budget on the Sheriff's office, county jail and the Highway Safety Officer R-Step.

Mr. Whears proposed expenditures were as follows:
 County Sheriff - \$174,718.68 less certain expenditures if the Board approved the purchase of auto's or if they did not approve the auto, that would be deducted from the \$174,718.68 proposed.
 County Jail - \$94,330.58
 R-Step - \$12,000.00

The Board will make their proposal Monday July 20th.

Maurice Redmond (County Attorney) appeared before the Board and presented his 81-82 proposed budgets on the County Attorney's office and his Child Support function.


Mr. Redmond explained his proposal by line item. Mr. Redmonds proposed expenditures were as follows:
 County Attorney's office - \$76,879.00
 County Attorney Child Support - \$35,150.00

The Board wished to review Mr. Redmond's budget more and will review his budget on Monday, July 20.

Garvey moved, seconded by Culbertson to recess until Wednesday, July 15 at 8:00 p.m.

Yea: Garvey, Culbertson, Rohde, Morgan, Hirschbach
 Nay: none
 Absent: none
 Motion carried 11:35 p.m.

ATTEST:


 COUNTY CLERK


 CHAIRMAN OF THE BOARD

COMMISSIONERS MEETING
JULY 15, 1981 PROCEEDINGS
BASEMENT MEETING ROOM

Chairperson Hirschbach called their continued meeting from July 14th to order at 8:13 a.m.
Present were: Gretchen Hirschbach, Daniel Rohde, Robert Garvey, Larry Morgan, Paul Culbertson
and Ted Piepho, Secretary.

Absent: No one

Lorranine Tillman, County Health Nurse appeared before the board and presented the 81-82
budget of expenditures for the Health Dept. Ms Tillman's proposed expenditures were estimated
at \$29,124.76. The board reviewed the budget and proposed expenditures of \$28,674.76.

Bruce Hovey, County Highway Superintendent appeared before the board and presented the 81-82
proposed expenditures of \$584,368.38 with a \$50,000.00 cash reserve for the Road and Bridge
Fund. The County Board added expenditures to certain line items and transferred certain
expenditures to the Revenue sharing budget. The County board proposed expenditures of
\$484,544.30 with a \$50,000.00 cash reserve.

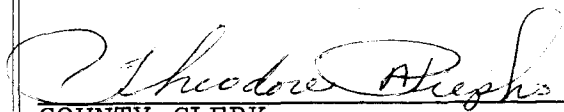
The County Board discussed salaries of employees.
Morgan moved, seconded by Rohde to grant a 12% increase on salaries of General Employees within
the Road Dept and Elected official offices on the basis of the 80-81 budget with the exception of
Dept. heads, Official and Deputies.

Voting Yea: Rohde, Garvey, Morgan, Culbertson, and Hirschbach
Unanimous Motion Carried

Rohde moved, Seconded by Garvey to adjourn

Voting Yea: Garvey, Morgan, Culbertson, Hirschbach and Rohde
Unanimous Motion Carried 10:35 p.m.

ATTEST:



COUNTY CLERK



Chairperson of County Board

COMMISSIONERS MEETING
JULY 20, 1981 PROCEEDINGS
BASEMENT MEETING ROOM

Chairwoman Hirschbach called the meeting to order at 9:00 a.m.
Present were: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey, Ted Piepho,
secretary and Bev Gradert.

Morgan moved, seconded by Garvey to approve the minutes of July 13, 14, and 15 as corrected.
Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried

Culbertson moved, seconded by Rohde to convene as the Board of Equalization.
Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried 9:04 a.m.

Culbertson moved, seconded by Morgan to approve the Board of Equalization minutes of July 13 as typed.
Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried

Rohde moved, seconded by Garvey to reconvene in regular session.
Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
Unanimous motion carried 9:06 a.m.

William Whear, Dakota County Sheriff, appeared before the Board. The Board reviewed the budgets for R-Step, the
County Sheriff and the County Jail.
The official's request for R-Step was \$12,000.00. The Board proposed the same.

Mrs. Hirschbach asked about the increase in salaries.

Mr. Whear said he didn't go by a percentage. He said he called other counties to compare the salaries.

Mr. Culbertson asked who received uniform allowance.

Mr. Whear replied, "all deputies".

Mrs. Hirschbach: It had been suggested we go with 10% increase in salaries for deputies, but I would have no
problem going with 12%.

The Board discussed the purchase of vehicles for the Sheriff's Department.

Hirschbach moved, seconded by Rohde the County purchase one car to be used by the Sheriff's Department.
Voting Yea: Garvey, Hirschbach, Rohde
Voting Nay: Morgan, Culbertson
Motion carried

The official's request for the County Sheriff's budget was \$174,718.68. The Board proposed \$126,618.68.

The Board discussed the County Jail budget.

Mr. Whear said one of the dispatchers is now a secretary. Dispatcher's salaries were discussed.

The official's proposal for the County Jail budget was \$94,330.58. The Board proposed \$83,042.11.

Mildred Jorgensen, County Welfare Director, appeared before the Board and presented her monthly report.

Maurice Redmond, County Attorney, appeared before the Board and requested an executive session.

Garvey moved, seconded by Rohde to convene in executive session to discuss litigation as requested by Mr. Redmond.
 Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
 Unanimous motion carried 10:03 a.m.

Rohde moved, seconded by Garvey to recess.
 Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
 Unanimous motion carried 10:20 a.m.

Rohde moved, seconded by Garvey to reconvene in regular session.
 Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
 Unanimous motion carried 10:25 a.m.

Maxine Titler, County School Superintendent, appeared before the Board and presented the non-resident high school tuition budget. The official's proposal was \$9790.04. The Board proposed the same.

Jim Kennelly appeared before the Board regarding a bridge near his farm which needs to be repaired. The Board will look at the bridge today.

Ted Piepho, County Clerk, appeared before the Board and presented the Inheritance Tax Budget, Courthouse Budget, and the Miscellaneous General Budget.

Mr. Piepho said there are no expenditures in the Inheritance tax budget, but will transfer monies to the Courthouse Building. Revenue is transferred at the end of the year.

The Board reviewed the Miscellaneous General Budget. The proposal was \$262,085.04. The Board proposed \$223,320.04.

Maurice Redmond, County Attorney, appeared before the Board. The Board reviewed the County Attorney budget and the Child Support budget. The official's request for the County Attorney's budget was \$76,879.00 and \$35,150.00 for the Child Support budget.

Mr. Morgan said the proposed for the two budgets should be no more than 12% over last year plus \$4,000.00 from the Miscellaneous General budget, or \$94,182.00.

Morgan moved, seconded by Garvey the total of the County Attorney and Child Support budgets be no more than \$94,182.00 and the County Attorney's office adjust the line items in the two budgets to correspond.

Mr. Redmond: It's unacceptable to my office. We have had a considerable increase in crime in the last three years. My overall budget has not increased at the same rate. We cut back considerably last year. The law requires the Child Support be in my budget and I budget accordingly. There's no fat in that budget. We have taken over contempt citations. There are alot of cases and we need the funds to do the work.

Mrs. Hirschbach called for the vote.
 Voting Yea: Garvey, Morgan, Culbertson, Hirschbach
 Voting Nay: Rohde
 Motion carried.

The Board reviewed the Treasurer's budget. The Board reduced the amount budgeted for salaries from \$42,000.00 to \$41,344.80. The Board reduced the County Treasurer's bond from \$617.00 to \$340.00. The official's request was \$85,015.23. The Board proposed \$84,083.03.

Bob Giese, County Treasurer, appeared before the Board and presented his June report. Mr. Giese reported the interest for June to be \$31,280.76. The total interest for the 80-81 fiscal year was \$183,990.98. The total interest for the last 3½ years was \$345,206.68.

Board members signed the semi-annual treasurer's report.

SEMI-ANNUAL STATEMENT OF ALL COLLECTIONS AND
 DISBURSEMENTS OF THE COUNTY TREASURER'S
 OFFICE FROM DECEMBER 31, 1980 to JUNE 30, 1981

COLLECTIONS:

| | | |
|---|-----|--------------|
| 1981 MOTOR VEHICLE TAX. | .\$ | 282,183.57 |
| 1980 GENERAL TAX | | 2,458,132.99 |
| 1979 GENERAL TAX | | 171,112.96 |
| 1978 GENERAL TAX | | 41,561.30 |
| 1977 GENERAL TAX | | 13,749.50 |
| 1976 GENERAL TAX | | 9,667.22 |
| 1975 GENERAL TAX | | 9,157.83 |
| HEAD AND INTANGIBLE TAX | | 11.00 |
| MOTOR VEHICLE FEES | | 169,689.58 |
| DRIVERS LICENSES | | 12,196.00 |
| MOTOR VEHICLE SALES TAX | | 135,785.45 |
| TRUCK TRACTOR FARM PERMITS. | | 670.66 |
| FEES (DISTRESS WARRANTS, REDEMPTIONS, TAX SALES). | | 61.10 |
| HOMER PAVKNG | | 4,717.62 |
| SOUTH SIOUX CITY SEWER. | | 49,699.32 |
| SOUTH SIOUX CITY WATER. | | 43,748.02 |
| DAKOTA CITY PAVING | | 59,999.81 |
| DAKOTA CITY SEWER | | 2,336.00 |
| DAKOTA CITY WATER | | 3,036.80 |
| JACKSON PAVING | | 7,197.95 |
| PARITAL PAYMENTS | | 12,451.23 |
| OFFICERS FEES | | 34,843.75 |
| STATE ASSISTANCE | | 61,349.94 |

DAKOTA COUNTY, NEBRASKA

| | |
|--|---------------------|
| FINES AND LICENSES | \$ 34,273.48 |
| INHERITANCE TAX | 8,233.75 |
| EMERSON FIRE DISTRICT | 4,552.56 |
| FEDERAL REVENUE SHARING | 74,318.00 |
| FEDERAL HIGHWAY GRANT | 7,089.00 |
| PRO-RATE TAX FROM STATE | 20,637.84 |
| COUNTY GOVERNMENTAL SUBDIVISION FUND #7767 | 21,727.66 |
| CITIES GOVERNMENTAL SUBDIVISION FUND #7767 | 37,789.57 |
| MISCELLANEOUS COLLECTIONS | 1,295,977.74 |
| STATE HIGHWAY ALLOCATION | 160,429.75 |
| OVERLOAD FINES | 8,297.00 |
| WEED FUND | 10,070.26 |
| COUNTY ATTORNEY FUND | 22,303.66 |
| COUNTY NURSE FROM STATE | 3,942.00 |
| IN LIEU TAXES | 12,865.74 |
| PERSONAL PROPERTY TAX RELIEF | 596,153.20 |
| BOAT LICENSE | 2,642.91 |
| FAIR FUND | 3,050.18 |
| HOMESTEAD EXEMPTION | 299,618.75 |
| INSURANCE MONIES | 115,201.24 |
| CLERK OF DISTRICT COURT | 6,637.46 |
| SNOWMOBILE LICENSE | 88.00 |
| MOBILE HOME REFUNDS (RED)- | 1,690.57 |
| TOTAL COLLECTIONS | 6,327,568.78 |

DISBURSEMENTS:

| | |
|---|---------------|
| STATE TREASURER | \$ 171,393.38 |
| STATE INSTITUTIONS | 18,369.44 |
| COUNTY GENERAL FUND | 486,911.80 |
| POOR RELIEF | 71,340.24 |
| FAIR FUND | 7,400.00 |
| COMBINED ROAD ACCOUNTS | 234,872.98 |
| SOLDIERS AND SAILORS | 3,200.00 |
| HISTORICAL SOCIETY | 3,295.47 |
| WEED FUND | 14,077.96 |
| SCHOOLS | 3,013,409.86 |
| STATE ASSISTANCE | 57,943.66 |
| MOTOR VEHICLE SALES TAX | 126,359.48 |
| PARTIAL PAYMENTS | 12,211.14 |
| FIRE DISTRICT #1 | 6,900.00 |
| FIRE DISTRICT #2 | 15,670.46 |
| EMERSON FIRE DISTRICT | 5,748.03 |
| PONCA FIRE DISTRICT | 2,187.26 |
| DRAINAGE DISTRICT #5 | 4,300.00 |
| EDUCATIONAL SERVICE UNIT #ONE | 35,543.80 |
| LOWER ELKHORN NATURAL RESOURCE DISTRICT | 1,127.25 |
| MIDDLE MISSOURI NATURAL RESOURCE DISTRICT | 35,908.58 |
| OMADI DRAINAGE DISTRICT | 1,400.00 |
| NORTHEAST NEBRASKA TECHNICAL COLLEGE | 82,946.28 |
| FEDERAL REVENUE SHARING | 22,035.00 |
| SANITARY IMPROVEMENT DISTRICT # ONE | 10,600.00 |
| FEDERAL HIWAY GRANT | 7,131.97 |
| COUNTY ATTORNEY FUND | 2,491.72 |
| BUILDING FUND | 10,385.00 |

CITIES:

| | |
|---|------------|
| SOUTH SIOUX CITY GENERAL | 310,708.85 |
| SOUTH SIOUX CITY REFUNDING | 386,827.05 |
| SOUTH SIOUX CITY POLICE RETIREMENT | 13,837.98 |
| SOUTH SIOUX CITY COMBINED WATER, ELECTRIC & SEWER | 55,276.25 |
| HOMER GENERAL | 25,635.31 |
| HOMER PAVING | 2,166.00 |
| HOMER SEWER | 3,675.00 |
| DAKOTA CITY GENERAL | 60,626.57 |
| GENERAL OBLIGATION | 531,644.25 |
| DAKOTA CITY WATER AND ELECTRICITY | 23,113.75 |
| EMERSON GENERAL | 12,912.92 |
| HUBBARD GENERAL | 6,265.18 |
| JACKSON GENERAL | 6,842.27 |
| JACKSON VAIROUS PURPOSE | 19,945.00 |

TOTAL DISBURSEMENTS 5,924,637.14

| | |
|---|--------------|
| BALANCE OF ACCOUNTS DECEMBER 31, 1980 | 1,307,205.42 |
| TOTAL COLLECTIONS | 6,327,568.78 |
| TOTAL DISBURSEMENTS | 5,924,637.14 |

BALANCE OF ACCOUNTS JUNE 30, 1981 1,710,137.06

BALANCE OF ACCOUNTS JUNE 30, 1981

| | |
|-------------------------------|------------|
| STATE TREASURER | 23,088.63 |
| STATE INSTIT IONS | 14,999.13 |
| COUNTY GENERAL FUND | 441,550.62 |
| COUNTY RELIEF | 58,694.19 |

DAKOTA COUNTY, NEBRASKA

| | |
|---|-------------|
| FAIR FUND | \$ 9,224.81 |
| COMBINED ROAD ACCOUNTS. | 124,705.74 |
| SOLDIERS AND SAILORS. | 860.20 |
| CLERK OF DISTRICT COURT | 13,071.90 |
| HUNT MEMORIAL | 857.97 |
| HISTORICAL SOCIETY. | 673.20 |
| WEED FUND | 9,418.43 |
| FEDERAL HIWAY GRANT | 1,596.73 |
| COUNTY ATTORNEY FUND. | 21,286.85 |
| NEW BUILDING FUND | 50,715.33 |
| SCHOOLS | 590,593.70 |
| STATE ASSISTANCE. | 10,792.86 |
| MOTOR VEHICLE SALES TAX | 23,586.27 |
| FINES AND LICENSES. | 30,216.98 |
| INHERITANCE TAX | 3,026.51 |
| REDEMPTIONS | 158.96 |
| PARTIAL PAYMENTS. | 7,479.45 |
| FIRE DISTRICT #1. | 330.44 |
| FIRE DISTRICT #2. | 4,832.34 |
| EMERSON FIRE DISTRICT | 8,847.43 |
| WATERBURY FIRE DISTRICT | 1,642.30 |
| DRAINAGE DISTRICT #5. | 2,407.93 |
| EDUCATIONAL SERVICE UNIT #ONE | 5,612.92 |
| MIDDLE MISSOURI NATURAL RESOURCE DISTRICT | 5,703.06 |
| PONCA FIRE DISTRICT | 158.41 |
| LOWER ELKHORN NATURAL RESOURCE DISTRICT | 64.92 |
| OMADI DRAINAGE | 2,102.01 |
| NORTHEAST NEBRASKA TECHNICAL COLLEGE. | 13,111.86 |
| FEDERAL REVENUE SHARING | 49,959.34 |
| SANITARY IMPROVEMENT DISTRICT # ONE | 742.77 |

CITIES:

| | |
|---|-----------|
| SOUTH SIOUX CITY GENERAL. | 33,099.05 |
| SOUTH SIOUX CITY REFUNDING. | 50,631.77 |
| SOUTH SIOUX CITY POLICE RETIREMENT. | 1,485.59 |
| SOUTH SIOUX CITY WATER AND ELECTRICITY. | 1,488.75 |
| HOMER GENERAL | 3,149.75 |
| HOMER PAVING | 9,309.75 |
| HOMER SEWER | 870.03 |
| HOMER PAVING RESERVE. | 9,517.16 |
| DAKOTA CITY GENERAL | 7,804.94 |
| DAKOTA CITY GENERAL OBLIGATION. | 41,850.11 |
| EMERSON GENERAL | 1,038.05 |
| EMERSON REFUNDING | 3,633.23 |
| EMERSON PAVING | 4,094.25 |
| HUBBARD GENERAL | 382.41 |
| JACKSON GENERAL | 632.05 |
| JACKSON SEWER | 15.00 |
| JACKSON PAVING | 9,020.98 |

BALANCE OF ACCOUNTS JUNE 30, 1981 1,710.137.06

STATE OF NEBRASKA
DAKOTA COUNTY

I, ROBERT H. GIESE, TREASURER IN AND FOR SAID COUNTY, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT STATEMENT OF ALL COLLECTIONS AND DISBURSEMENTS MADE BY ME AS COUNTY TREASURER FOR THE SIX MONTHS ENDING JUNE 31, 1981 AND A TRUE AND CORRECT STATEMENT OF ALL LEDGER BALANCES IN THE VARIOUS FUNDS AS THE SAME APPEARS IN MY OFFICE JUNE 30, 1981.

COUNTY TREASURER

SUBSCRIBED AND SWORN TO ME THIS 20th DAY OF JULY, 1981.

COUNTY CLERK

WE DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE ABOVE STATEMENT OF ROBERT H. GIESE, COUNTY TREASURER OF DAKOTA COUNTY, NEBRASKA, FOR THE SIX MONTHS ENDING JUNE 30, 1981. TO THE BEST OF OUR KNOWLEDGE, WE BELIEVE EACH COLLECTION HAS BEEN PROPERLY ACCOUNTED FOR, AND THE VOUCHERS AND OTHER ITEMS OF CREDIT WERE IN PROPER FORM AND CORRECTLY ENTERED AND THE FOOTINGS WERE VERIFIED BY US AND FOUND TO BE CORRECT AND THE ABOVE STATEMENT BALANCES AGREES WITH THE SAID ACCOUNTS IN THE SAID COUNTY TREASURER'S GENERAL LEDGER.

COUNTY COMMISSIONERS OF FINANCE COMMITTEE
DAKOTA COUNTY, NEBRASKA

Bruce Hovey, Highway Superintendent, Gene Rohde and Lester Albrecht appeared before the Board regarding a road south of Hubbard. Mr. Hovey said he discussed the situation with Mr. Rohde and Mr. Albrecht and he is under the same contention as they are. If we maintain the road as it is it will prolong the same problem we have had, and we won't end up with something they will be satisfied with. You can drive a car through now, but not the big farm machinery. Before the present problem existed, Mr. Hovey said he understood the road was used quite frequently.

The Board discussed repairing the road extensively.

Mrs. Hirschbach asked if the traffic count would increase substantially if the road was repaired extensively.

Mr. Albrecht and Mr. Rohde agreed it would.

Mrs. Hirschbach asked Mr. Hovey to draw up specifications and get bids for the Board to review next Monday.

The Board discussed the County Highway Superintendent's salary and approved a monthly salary of \$2,166.67.

Garvey moved, seconded by Rohde to approve the following claims:

ROAD DEPARTMENT-PAYROLL:

Social Security \$965.54; Blue Cross \$538.97; Lone Star \$3.75; Blue Cross \$112.91; Colonial \$9.10; George Anderson \$931.00; Leland Armbricht \$880.00; Caleb Chapman \$931.00; Beverly Gradert \$652.85; Walter Heinemann \$1,005.16; Robert Jacobsen \$1,200.00; Lawrence Jepsen \$393.60; Kurt Johnson \$931.00; Walter Johnson \$1,080.49; Richard McNear \$880.00; Arnold Mellick \$1,041.65; Marlin Millard \$931.00; Raymond Reed \$1,800.00; Willis Roeber \$931.00; Earl Stading \$931.00;

ROAD AND BRIDGE:

Northwestern Bell \$26.21; Village of Emerson \$6.00; City of Dakota City \$20.00; Iowa Public Service \$29.00; Nebraska Public Power District \$9.60; Carl A. Anderson \$24.36; Auto Parts & Exchange \$209.87; Bliven Welding \$2.70; Herman M. Brown \$812.58; Condon Motor Co. \$237.55; Curtis Industries \$121.89; D & L Repair \$10.15; Dakota Auto Parts \$37.48; Fehrs Tractor & Equipment \$77.54; Graham Brake \$239.41; Midcon Equipment Co. \$64.37; Mike's Auto Parts \$22.67; Missouri Valley Machinery Co. \$445.73; Northwest Truck & Trailer \$24.19; Hydraulic Sales & Service \$6.50; Saunders GMC \$1.21; Standard Bearings Co. \$34.06; Wilson Motor Co. \$83.04; Wilma Rife \$100.00; Coast to Coast \$29.35; Means Services \$35.05; Monroe Welding Supply Co. \$27.00; The Sioux City Iron Co. \$8.00; Great Plains Supply Co. \$7.00; Minear Lock & Key \$3.50; Rockfort Industries \$172.39; Kraco Asphalt Co. \$1,125.00; The New Walensky Lumber \$70.69; Southridge Home Center \$12.54; Sears, Roebuck and Co. \$104.19; Snap-on Tools Corp. \$25.65; Firestone Stores \$443.52; Burlington Northern Inc. \$280.00; Higman Sand & Gravel, Inc. \$651.89; St. Regis Paper Co. \$936.00; Kraco Contractors Inc. \$1,077.00; Diamond Horseshoe \$907.91; Farmers Co-op Ass'n. \$1,230.10; Homer Service Station \$265.71; Crystal Oil Corp. \$1,285.95; Engle's Mobil Service \$401.24; So Soo Oil Co. \$1,975.24; Warren Oil Co. \$1004.61; D.C. Implement \$66.00; B & H Oil \$78.52; Frank Bohac \$755.50; Mylet Belt \$5,482.68

REVENUE SHARING:

Backus Sand and Gravel \$4,413.50

GENERAL-PAYROLL:

Social Security \$3,184.66; Blue Cross \$2,097.70; Gretchen Hirschbach \$541.66; Paul Culbertson \$541.66; Robert Garvey \$541.66; Daniel Rohde \$541.66; Larry Morgan \$541.66; Theodore Piepho \$1,208.33; Mary Hinkle \$924.44; Eloise Gormally \$622.68; Margaret Rahn \$695.23; Myra Smith \$686.00; Robert Giese \$1,208.33; Irene VanLent \$924.44; Charlotte Doenhoefer \$689.08; Ruth Jensen \$689.08; Nadine Johanson \$689.08; Mardell Sorensen \$689.00; Ruth Warnock \$689.08; Virginia Piper \$1,208.33; Betty Garwood \$924.44; Sharon Shannon \$712.81; William Whear \$1,208.33; Harvey Bates \$1,232.56; Jarold Gilson \$1,212.31; Michael McManigal \$1,133.00; Linda Wilson \$896.50; Darlene Arneson \$727.50; Norma Barajas \$300.00; Sally Deal \$255.00; Michael Koettters \$786.56; Earlean McClain \$676.78; Neva Neal \$380.65; Patricia Parkins \$510.00; Armon Todd \$1,091.08; Maurice Redmond \$1,208.33; Dennis J. Mahr \$1,337.50; Gloria Engelbrecht \$900.00; Cindy Harris \$750.00; Patti Jo Ricke \$321.60; Raymond Speer \$1,200.00; Joy K. Nixon \$1,208.33; Thelma Baugous \$924.44; Nellie June Beardshear \$787.58; Shirley Ann Bentz \$709.08; Dorothy Lundberg \$689.08; Madelyn Thorsland \$689.08; Lillian Rager \$722.08; Jeanette Ramirez \$787.58; Nondas Vitols \$736.08; Klemett Dean \$1,385.34; Nancy Dean \$379.60; Jon Norris \$386.93; Patricia Stingley \$715.50; Bruce Hovey \$2,166.67; Jon Norris \$680.38; Maurice Rody \$713.33; Lorraine Tillman \$1,208.33; Bonibel Chapman \$689.08; Dr. J.H. Walston \$248.40; Maxine Titler \$666.67

GENERAL:

South Sioux City Star \$314.28; Leota Wood \$10.00; Northwestern Bell \$172.60; Theodore Piepho \$5.00; Redfield & Co. \$18.98; Theodore Piepho \$4.07; Monroe Co. \$319.20; Klopp Printing Co. \$60.00; A.J. Phillips Co. \$375.00; Northwestern Bell \$55.96; Sooland Office Supply \$62.72; South Sioux City Star \$117.60; Robert Giese \$60.48; Sooland Office Supply \$18.52; Sooland Office Supply \$6.44; Sooland Office Supply \$5.75; Virginia Piper \$10.00; Virginia Piper \$28.58; Northwestern National Bank \$200.25; Northwestern Bell \$85.73; Monroe Systems \$39.45; Bancroft-Whitney \$181.45; General Business Equipment \$47.38; International Business Machine Corp. \$27.80; International Business \$630.00; Northwestern Bell \$148.15; Thomas Law Book Co. \$15.00; Redfield & Co. \$77.42; William F. Whear \$487.12; Jarold Gilson \$541.36; Harvey Bates \$578.56; Michael McManigal \$717.52; Armon Todd \$166.32; Western Union \$248.27; Northwestern Bell \$279.97; Sioux Valley Radio \$299.00; Sioux City Stationery \$3.35; Brunton Printing \$71.80; J.P. Cooke \$24.49; Bobier Portrait Studio's \$14.55; Dakota County Sheriff Office \$8.32; Leo's Service \$331.15; H & N Oil 24.00; Charlie Zook Dodge \$193.30; Big A Auto Parts \$13.55; Security National Bank \$135.52; Law Enforcement Equipment Co. \$311.95; The Paper Co. \$37.80; Sheriff Department \$310.00; William F. Whear \$756.00; Sioux City Stationery Co. \$43.94; Gloria Engelbrecht \$5.29; West Publishing Co. \$50.00; Northwestern Bell \$233.26; Union Abstract Co. \$200.00; Trio Auto Salvage \$70.00; South Sioux City Medical Clinic \$30.00; Bancroft-Whitney Co. \$49.70; Executive Leasing \$177.76; Gary Thibault \$158.25; Joy K. Nixon \$224.58; Thelma Baugous \$63.00; Precision Typewriter Works \$20.00; Precision Typewriter Works \$8.00; Nebraska Tax Research Council \$7.80; Sioux City Stationery \$6.37; Holler Stamp Company \$4.46; Standard Blue \$37.81; Northwestern Bell \$115.68; Klemett Dean \$40.00; Tucker Glass \$6.00; Stephan Welding Shop \$4.50; Brown & Even \$178.95; Krough's Coast to Coast \$2.82; Daum Painting \$215.00; Claussen Electric \$19.71; Tagatz Hardware \$130.76; Mid-American Research Chemical Corp. \$339.40; City of Dakota City \$1,422.14; Iowa Public Service \$923.00; Ken Jones \$30.00; American Linen \$23.00; Ken Jones \$288.00; Torticill's Inc. \$15.15; Western Paper \$123.77; Bahr Plumbing \$140.44; Polly Elevator \$650.90; Bahr Plumbing \$567.96; Bill Hedrick \$82.50; Dakota County Extension Service \$1,559.50; Northwestern Bell \$56.18; Sioux City Stationery \$49.27; Northwestern Bell \$21.70; Northwestern Bell \$32.00; Maurice Rody \$113.10; District Judge's Office \$374.25; Lorraine Tillman \$112.14; Bonnie Storm \$269.50; Northwestern Bell \$24.48; Wayne Wheeler \$1,705.00; Joe Morten & Son Inc. \$30.00; Northwestern Bell \$66.06; State of Nebraska \$35.26; Sioux City Stationery \$4.72; Precision Typewriter Works \$47.50; Maxine Titler \$37.00; Northwestern Bell \$15.89; Sioux City Stationery \$19.97; Norma Barajas \$20.00; Thomas Dorsey \$154.98; Crystal Van Matre \$20.00; Walter Messerlie \$20.00; Billy Wohler \$20.00; Tom Berger \$20.64; Gloria Peterson \$20.64; Mrs. Jay Schwedler \$20.00; Redgenall Ray Torno \$20.64; Mona Torno \$20.00; Sherri Johnson \$20.00; Glenn O. Johnson \$22.00; Duane Peterson Jr. \$21.28; Sandy Peterson \$20.00; Leamer Law Office \$86.80; Leamer Law Office \$44.80; Clerk of District Court \$238.50; Wm. Binkard \$453.92; Siouland Interstate Metropolitan Planning Council \$3,200.00; Joe Morton & Son \$606.00; Dakota County Sheriff Dept. \$179.00

GENERAL Con't.

Robert H. Giese \$1,000.00; Nebraska Association of County Officials \$412.00; Pitney Bowes \$86.40; City of South Sioux City \$18.86; Northwestern Bell \$9.45; Dakota County Treasurer \$96.85; Region IV \$3,286.50; F & E Check Protector Co. \$199.00; AB Dick Products \$10.50; Dakota City Postmaster \$ 110.00; Joe Morten & Son \$21,424.00; Latimer, Anderson & Cisar \$87.85; Joe Morten & Son \$3,319.00

WEED-PAYROLL:

Social Security \$90.27; Blue Cross \$41.76; Paul Foreshoe \$910.00; Ruth Foreshoe \$75.00; Maurice Crofoot \$25.00; Robert Gillaspie \$247.50; J. Colin Green \$25.00; Elmer Nelson \$25.00; John Ryan \$25.00; Geroge W. Shrader \$25.00

WEED:

Ruth Foreshoe \$25.00; Maurice Crofoot \$1.80; J. Colin Green \$4.80; Elmer Nelson \$2.80; George W. Shrader \$2.00 Torticill Service \$17.95; So. Soo Oil \$374.10; Crystal Oil Co. \$117.00; Boyer Valley Fertilizer \$60.00; Paul Foreshoe \$24.87

FEDERAL GRANT HIWAY SAFETY PROGRAM:

Social Security \$71.16; Blue Cross \$46.28; Danny Potts \$1,070.00; Danny Potts \$10.00; Police Services and Supply \$370.00;

ASSISTANCE-PAYROLL:

Blue Cross \$295.73; Social Security \$547.47; Mildred Jorgensen \$1,644.15; Jeanine Bliven \$910.06; Margaret Boeshart \$1,271.71; Pauline Jensen \$1,298.76; Patricia Lane \$1,139.15; Mary O'Dell \$829.31; Charlene Weber \$1,139.37

ASSISTANCE:

Mildred Jorgensen \$32.76; Margaret Boeshart \$20.16; Pauline Jensen \$6.72; Pat Lane \$26.67; Charlene Weber \$96.60; Northwestern Bell \$228.05; AB Dick Products \$30.70; Kansas City Public Library \$1.30

POOR RELIEF:

Esther Cannon \$35.65; Nebraska State Department of Public Welfare \$11,762.10

DAKOTA COUNTY AGRICULTURAL SOCIETY:

Dakota County Agricultural Society \$9,000.00

DAKOTA COUNTY HISTORICAL SOCIETY:

Dakota County Historical Society \$673.20

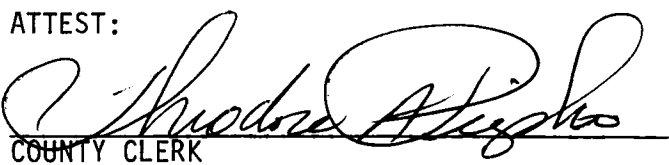
ROLL CALL VOTE:

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried

Garvey moved, seconded by Rohde to adjourn.

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried 1:35 p.m.

ATTEST:


COUNTY CLERK


CHAIRPERSON OF THE BOARD

COMMISSIONERS MEETING
July 27, 1981 Proceedings
Basement Meeting Room

Chairwoman Hirschbach called the meeting to order at 9:03 a.m.

Present were: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary.

Ken Beekley, SIMPCO, appeared before the Board to discuss the agreement between Dakota County and Equitable Federal Savings and Loan Association.

Mr. Beekley: The County Board would not have to make a determination on a case by case. Equitable Federal Savings and Loan would handle the entire proceedings themselves. The County could make a policy to follow the lead of the lender.

Mr. Beekley is to rewrite the agreement.

Mr. Ed Clayton appeared before the Board regarding a ditch in Fiddler Creek which is cutting on the north edge of the bridge.

Dan Rohde and Bruce Hovey will meet with Mr. Clayton today.

The microfilm committee will meet at 7:30 p.m. July 29.

Bruce Hovey, Highway Superintendent, appeared before the Board and presented the following bids on corrugated pipe. Three bids were received.

Midwest Service and Sales Co., Schuyler, Ne.

164' of 120" pipe \$26,075.68
7-10 days delivery F.O.B. job site

St. Regis, Norfolk, Ne.

164' of 120" pipe \$27,720.30
4 weeks delivery F.O.B. job site

Royal Culvert, Sioux City, Iowa

120" steel pipe \$27,152.90
Aluminum multi-plate structure \$25,668.00
4-6 weeks delivery F.O.B. job site

Mr. Hovey said he would like to see us use the aluminum multi-plate.

Morgan moved, seconded by Rohde to accept the bid from Royal Culvert, Sioux City, Iowa for the aluminum multi-plate structure at \$25,668.00.
Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried

The Board discussed the bridge by Jim Kennelly. Mrs. Hirschbach asked Mr. Hovey to get costs for repairing the existing bridge and bringing in a new access.

The Board discussed the bridge at Halls southeast of Hubbard. Mr. Morgan asked Mr. Hovey to check on locating used steel and the cost of a consulting engineer.

Garvey moved, seconded by Rohde to break.
Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried 10:47 a.m.

Rohde moved, seconded by Garvey to reconvene.
Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried 10:58 a.m.

Culbertson moved, seconded by Garvey to approve the minutes of July 20, 1981 as typed.
Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
Unanimous motion carried

Hirschbach moved, seconded by Morgan to convene in an executive session to discuss personnel as requested by Mrs. Hirschbach.
Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
Unanimous motion carried 11:02 a.m.

Rohde moved, seconded by Culbertson to reconvene in regular session.
Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried 11:12 a.m.

Garvey moved, seconded by Morgan to convene in executive session to discuss pending litigation as requested by Maurice Redmond.
Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried 11:12 a.m.

Garvey moved, seconded by Culbertson to reconvene in regular session.
Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried 11:30 a.m.

Morgan moved, seconded by Garvey to allow payment of a claim to the Nebraska Commission of Industrial Relations.
Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried

Morgan moved, seconded by Rohde to approve the Building Permit Application of Walter Zastrow.
Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried

Ted Piepho, County Clerk, presented his monthly report and the estimated revenue for the 81-82 General Fund Budget. He estimated total revenues of \$423,123.66. The County Board proposed \$430,913.42.

Rohde moved, seconded by Garvey to adjourn.
Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried 12:15 p.m.

ATTEST:


COUNTY CLERK


CHAIRPERSON OF THE BOARD

COMMISSIONERS MEETING
AUGUST 3, 1981 PROCEEDINGS
BASEMENT MEETING ROOM

Chairwoman Hirschbach called the meeting to order at 9:04 a.m.
Present were: Larry Morgan, Gretchen Hirschbach, Daniel Rohde, Robert Garvey, Ted Piepho, secretary and Bev Gradert.
Absent: Paul Culbertson

Morgan moved, seconded by Rohde to approve the minutes of July 27, 1981 as typed.
Voting Yea: Morgan, Hirschbach, Rohde, Garvey
Absent: Culbertson
Motion carried

Garvey moved, seconded by Rohde to approve the following thermal code.

A RESOLUTION ADOPTING AND INCORPORATING BY REFERENCE LIGHTING AND THERMAL EFFICIENCY STANDARDS FOR THE COUNTY OF DAKOTA COUNTY, NEBRASKA, AND REPEALING ALL OTHER RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE COUNTY BOARD OF COMMISSIONERS OF DAKOTA COUNTY, NEBRASKA:

Section 1: The Need For and Adoption of Lighting and Thermal Efficiency Standards.

1.0 This Resolution shall be known as the Minimum Lighting and Thermal Efficiency Standards for Buildings.

1.1 The County finds that there is a present and continuing need to provide for the development and implementation of minimum lighting and thermal efficiency standards for buildings to insure coordination with federal policy under the Energy Conservation Standards for New Buildings Act of 1976 and Nebraska State Policy under LB 954, to promote the conservation of our dwindling energy resources and to provide for the public health, safety and welfare.

1.2 The County finds the energy standard enforcement program mandated by state statutes is most easily and economically enforced at the local level in conjunction with building codes, and has determined that it is in the best interest of the citizenry to maintain the authority to do so.

1.3 There is hereby adopted and incorporated by reference for Dakota County, Nebraska Energy Conservation Standard 90-75 of the American Society of Heating, Refrigeration and Air-Conditioning Engineers, Inc. as it existed on April 23, 1980, prepared and published in book form by the Nebraska Energy Office under the title of "Nebraska Building Energy Conservation Standards."

1.4 Three official copies of said standard to be on file in the office of the County Clerk and marked as "Official Copy as Adopted by Resolution, dated

1.5 The area of jurisdiction of this Resolution shall be the county's zoning jurisdiction as identified on the official county zoning map.

Section 2: Definition of Terms.

2.0 As used in this Resolution, unless the context otherwise requires, the following definitions shall apply:

2.1 A Prime Contractor shall mean the person, persons, entity or entities who has a contract with the owner and is the one responsible for the overall construction of any building or the installation of any component which affects the energy efficiency of the building. Prime Contractor shall also mean a property owner who performs the work of a Prime Contractor.

2.2 Architect or engineer shall mean any person registered pursuant to section 81-847, Reissue Revised Statutes of Nebraska, 1943.

2.3 Building shall mean any structure which utilizes or will utilize a heating system, cooling system, or domestic hot water system including new buildings, renovated buildings, and additions, but not including any structure which has a consumption of traditional energy sources for all purposes not exceeding the energy equivalent of one watt per square foot.

2.4 Residential building shall mean a building three stories or less that is used primarily as one or more dwelling units.

2.5 Renovation shall mean alterations on an existing building which will cost more than fifty percent of the replacement cost of such building at the time work is commenced or which was not previously heated or cooled, for which a heating or cooling system is now proposed, except that the restoration of historical buildings shall not be included.

2.6 Addition shall mean any construction added to an existing building which will increase the floor area of that building by five percent or more.

2.7 Floor area shall mean the total area of a building, expressed in square feet, which is within the exterior face of the shell of the structure which is heated or cooled.

2.8 Standard shall mean Standard 90-75 of the American Society of Heating, Refrigeration, and Air-Conditioning Engineers, Inc., as it existed on April 23, 1980.

2.9 Traditional energy sources shall mean electricity, petroleum based fuels, uranium, coal and all nonrenewable forms of energy.

Section 3: Applicability of Standards.

3.0 The standard shall apply to:

3.1 New residential buildings on which construction is initiated on or after the effective date of this Resolution.

3.2 All renovations of or additions to existing residential buildings on which construction is initiated on or after January 1, 1982.

3.3 The standard shall not apply to buildings exempted under Section 4 of this Resolution.

Section 4: Exemptions:

4.0 The following shall be exempt from this Resolution:

4.1 Any building which has a peak design of energy usage for all purposes of less than one watt, or three and four-tenths British Thermal Units per hour, per square foot of floor area.

4.2 Any building which is neither heated nor cooled.

4.3 Any building or portion thereof which is owned by the United States of America.

4.4 Any mobile home as defined by Section 71-4603, Reissue Revised Statutes of Nebraska, 1943.

4.5 Any manufactured housing unit as defined by subsection (1) of section 71-1557, Reissue Revised Statutes of Nebraska, 1943.

4.6 Any building listed on the National Register of Historic Places.

4.7 All residential buildings shall be exempt from lighting efficiency standards.

4.8 Any building, other than a residential structure, used for agricultural purposes and located on a farmstead of 20 acres or more and on which farm products of a value of one thousand dollars or more are normally produced each year.

Section 5: Request for Approval of Alternative Building System.

5.0 Any person who owns or constructs a building to which this Resolution applies may request that an alternative building system, technique, equipment design, or building material be found equivalent to the Standard. The Building Inspector shall make such determination if he finds that the proposed alternative would not result in energy consumption greater than would result from the strict application of the Standard. If the Building Inspector fails to approve or disapprove the request within sixty days from the date of filing, it shall be considered approved.

Section 6: Inspections and Investigations.

6.0 The Building Inspector or any person designated by him or her shall conduct inspections and investigations necessary to enforce the Standard, and may at reasonable hours, enter into any building and upon any premises within its jurisdiction for the purpose of examination to determine compliance with this resolution. Inspections shall be conducted only after permission has been granted by the owner or occupant or after a warrant has been issued pursuant to sections 29-830 to 29-835, Reissue Revised Statutes of Nebraska, 1943.

6.1 During construction, the Building Inspector or persons designated by him or her shall make periodic inspections to assure compliance with this Resolution.

Section 7: Building Plans and Submission for Approval.

7.0 Prior to the construction of, renovation of, or addition to any building covered by this resolution, the Prime Contractor shall file sufficient plans and specifications with the Building Inspector to enable him or her to make a determination whether such building will comply with the Standard. The Building Inspector shall, within 30 days of the filing, approve or disapprove the plans and specifications. If disapproved, the reasons shall be set forth in writing to the Prime Contractor and the County Board of Commissioners.

7.1 If the Building Inspector determines that such construction, renovation or addition will comply with the Standard, he or she shall issue a written permit which the Prime Contractor shall display in a conspicuous place on the premises where the construction work is to be done. No construction, renovation or addition shall commence until a permit is issued and displayed as required by this section.

Section 8: Fees.

8.0 A fee will be collected by the County to cover the cost of inspections made necessary by this resolution.

8.1 These fees will be incorporated into the cost of a building permit and shall be set by the County Board of Commissioners.

8.2 In no event shall the fees charged for inspections required under this Resolution exceed \$25 for residential buildings and one cent per gross square foot for other types of buildings.

Section 9: When an Architect or Engineer is Retained.

9.0 If an architect or engineer is retained, the architect or engineer shall place his or her state registration seal on all construction drawings which shall indicate that the design meets the Standard. The Prime Contractor shall certify that he or she will build in accordance with the Construction documents prepared by the architect or engineer. This certification must accompany the building plans submitted to the Building Inspector for approval.

Section 10: Violation; Penalty; Enforcement.

10.0 Any person violating any portion of this Resolution shall be guilty of a Class IV Misdemeanor and subject to a maximum fine of \$500 or a maximum sentence of three months imprisonment, or both, as provided for by Chapter 81-1626 Revised Statutes of Nebraska, 1943.

Section 11: Validity.

11.0 If any section of this Resolution or any part of any section shall be declared invalid or unconstitutional, such declaration shall not affect the validity or constitutionality of the remaining portions thereof.

Section 12: Repeal of Conflicting Resolutions.

12.0 All Resolutions or parts of Resolutions in conflict with this Resolution and standards as adopted therein and incorporated by reference are hereby repealed.

Section 13: Effective Date.

13.0 This Resolution shall take effect and be in force from and after its publication in book form and publication by reference in the official County newspaper.

Passed by the Dakota County Board of Commissioners this 3rd day of August, 1981.

Gretchen Hirschbach, Chairperson
Dakota County Board of Commissioners

ATTEST:

Ted Piepho,
Dakota County Clerk

* * * * *

Voting Yea: Hirschbach, Rohde, Garvey, Morgan
Absent: Culbertson
Motion carried

Bonnie Monahan appeared before the Board regarding the road past her place. Mrs. Monahan: The weeds are getting pretty high and the road needs gravel. We were told it was going to be fixed but nothing has been done. Two cars can't pass safely on that road.

The Board explained to Mrs. Monahan they had been told the road was fixed. Mrs. Hirschbach asked Mr. Hovey to look at the area and to have the road repaired.

Rohde moved, seconded by Garvey to approve the following agreement between Dakota County and Equitable Federal Savings and Loan.

THIS AGREEMENT ENTERED INTO AS OF THIS _____ DAY
OF _____, 1981 BY AND BETWEEN DAKOTA
COUNTY, NEBRASKA, HEREIN CALLED THE "COUNTY" AND
EQUITABLE FEDERAL SAVINGS AND LOAN ASSOCIATION,
HEREIN CALLED THE "LENDER"

WITNESSETH THAT:

WHEREAS, Dakota County, Nebraska, is receiving funds under the Housing and Community Development Act of 1974, Project B-81-DS-31-0005, to establish a community development program; and

WHEREAS, said funds include sixty-one thousand, one hundred and eighty dollars (\$61,180.00) for housing rehabilitation loans; and

WHEREAS, expenditure of said funds is subject to statutory and administrative requirements of the U.S. Department of Housing and Urban Development and other appropriate federal agencies; and

WHEREAS, Dakota County, Nebraska, desires to retain the services of Equitable Federal Savings and Loan Association to perform certain administrative duties relative to the finances of a housing rehabilitation loan program established with said funds; and

WHEREAS: Dakota County, Nebraska and Equitable Federal Savings and Loan Association are duly authorized to enter into this Agreement.

IT IS HEREBY MUTUALLY AGREED AND UNDERSTOOD AS FOLLOWS:

1. It shall be the responsibility of the County:
 - a. To design the housing rehabilitation loan program.
 - be. To advertise and market the housing rehabilitation loan program.
 - c. To receive applications for assistance, review the recommendations of the Lender, and select borrowers.
 - d. To prepare the housing rehabilitation loan applications, technical specifications, bid documents, construction contracts and other forms and documents pertaining to performance of the rehabilitation construction itself rather than financial administration of the loan agreement.
 - e. To identify housing deficiencies and required rehabilitation work items, solicit bids to perform the work and select a contractor subject to approval by the borrower.
 - f. To perform the initial, in-progress and final housing inspections.
 - g. To mediate any disputes between the borrower and the housing rehabilitation contractor.
 - h. To establish the master filing and recordkeeping systems in accordance with Federal regulations.
 - i. To submit the required progress reports and other correspondence to the U.S. Department of Housing and Urban Development and the State Historic Preservation Office relative to the structures rehabilitated through the program.
 - j. To deposit housing rehabilitation loan funds with the lender to finance eligible loans.
 - k. To review the Lender's recommendation concerning appropriate action to be taken by the Lender in the County's behalf relative to delinquent accounts.
2. It shall be the responsibility of the Lender:
 - a. To accumulate credit information on loan applicants and report the results including a credit recommendation in a form mutually agreed upon for use by the County in evaluating loan applications and selecting recipients.

- b. To prepare all documentation relative to establishment of the loan agreement, such as a title opinion, lien search, proof of insurance, mortgage, filing of lien documents, etc. The specific documents shall be mutually agreed upon by the County and the Lender and all preparation costs shall be included in the loan amount as provided for in Part III.C. of the written Housing Rehabilitation Program.
 - c. To establish an escrow account for each loan after approval. Partial payments may be made from the account periodically upon the review and approval by the County of work completed. Payments will be made in the form of a check payable jointly to the borrower and the rehabilitation contractor.
 - d. To provide all loan collection services relative to the loans made and credit payments to the County's fund account differentiating between payments made on loans within the participating jurisdictions of Dakota City and Jackson and those made within the unincorporated portion of Dakota County.
 - e. To invest the County's unobligated housing rehabilitation funds in a manner mutually agreed upon. The intent of this provision is to generate a return on uncommitted rehabilitation funds so as to maximize their effectiveness. All investments made with the County's rehabilitation funds shall be of such a nature so as not to impair the ability of the program to accomplish its intended purpose of financing rehabilitation loans. All investment income shall be credited to the County's fund account differentiating between income earned on the funds invested in behalf of the participating jurisdictions of Dakota County and Jackson and the income earned in the County's own behalf.
 - f. To provide the County with monthly records of payments received and balances owed on each outstanding loan as well as a report of the status of invested funds and the County's fund account.
 - g. To notify the County of any loan which is more than 45 days delinquent, and in the case of a delinquency of 90 days, initiate action in behalf of the County in conjunction with its own efforts to recover loan funds outstanding in a particular instance.
3. Time of Performance. The Services of the Lender are to commence as of the date of this Agreement is executed by both parties, _____, 1981, and are to be performed for a period of two years from the date of this Agreement, until _____, 1983. Servicing of loans in force at the end of this period will, however, continue throughout the term of the loans. Both parties will annually determine if the services contracted for should be continued and what, if any, amendments should be made to this Agreement.
 4. Compensation. The County agrees to compensate the Lender for performance of the services identified in this Agreement. Compensation shall be at the rate of \$1.50 per payment on each loan serviced and shall be included in the amount of each loan. Payment shall be made by the borrower as a part of each monthly installment and a pro-rata share shall be refunded in the case of early payment.
 5. Private Financing. The Lender agrees to provide funding for companion loans to finance rehabilitation of housing under the County's program in accordance with the schedule contained in Part IV.A.1. of the written Housing Rehabilitation Loan Program. Interest charged on the private funds borrowed shall be at 18 percent per annum applied to the unpaid balance. Adjustments in the rate of interest charged may be necessary from time to time and shall be mutually agreed upon by the Lender and the County.
 6. Benefits. Benefits accruing to the County include the provision of private sector funds to allow additional rehabilitation to be conducted in conjunction with the County's rehabilitation program. Estimated private sector funds to be provided in conjunction with the program are forty-one thousand dollars (\$41,000.00). Additional benefits include the provision of professional services by the Lender in designing, establishing and operating the loan program as well as providing guidance to the County in making credit decisions. Activities benefiting the county will include program design assistance, determination of required loan documents and their development, credit report accumulation, loan servicing and monthly status reports to the County. Estimated value of the benefits of these activities is two thousand dollars (\$2,000.00). Estimated cost of the services to be provided is Twelve Hundred and Sixty Dollars (1,260.00).
 7. Use of funds. All rehabilitation loan funds received by the County under Project B-81-DS-31-0005 shall be deposited into the County's fund account for the purpose of making direct rehabilitation loans to property owners pursuant to the written Housing Rehabilitation Loan Program. Interest earned on any unobligated balance contained in the fund account shall be at market rates for deposits of similar maturity and size and shall be credited to the account and used for a like purpose. Similarly, all principal and interest earned on outstanding loans shall be deposited in the fund account and used for a like purpose.
 8. Return of Unused Deposits. At the termination of the period of this Agreement, all funds under Project B-81-DS-31-0005 deposited into the County's fund account which remain unobligated (unencumbered or not disbursed) shall be returned to the Federal Government via the County's letter of credit. This is not intended to include repayment of principal and interest earned on the fund itself. In addition, the County shall reserve the right to withdraw from the fund account any unobligated amounts required by the U.S. Department of Housing and Urban Development in the exercise of corrective or remedial actions authorized under 24 CFR Part 570.910(b).
 9. Amendments. It may be necessary from time to time to amend the responsibilities and services of the parties signatory hereto. Such amendments which are mutually agreed upon by and between the County and the Lender shall be incorporated in written amendment to this Agreement. While this Agreement calls for annual evaluation, amendments may be proposed by either party at any time.
 10. Equal Employment Opportunity. There shall be no discrimination against any employee who is employed in the work covered by this Agreement, or against any applicant for such employment, because of race, color, religion, sex or national origin. This provision shall include, but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff, or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
 11. Supersede. This Agreement supersedes any previous Agreement between the County and the Lender relative to the provision of services under project B-81-DS-31-0005.

Signed this _____ day of _____, 1981.

DAKOTA COUNTY, NEBRASKA

By _____
Gretchen Hirschbach, Chairman
Dakota County Board of Commissioners

Signed this _____ day of _____, 1981.

EQUITABLE FEDERAL SAVINGS AND LOAN
ASSOCIATION

By _____

Voting Yea: Garvey, Morgan, Hirschbach, Rohde
Absent: Culbertson
Motion carried

The Board reviewed the job description of the Building Inspector as submitted by SIMPCO. Joy Nixon, County Assessor recommended the sentence, "In the event a building permit is not required, the Building Inspector will provide informational statement as required by statute for reporting buildings to the County Assessor.

Rohde moved, seconded by Garvey to adopt the revised job description of the County Building Inspector and it be referred to Planning and Zoning.
Voting Yea: Morgan, Hirschbach, Rohde, Garvey
Absent: Culbertson
Motion carried

The Board discussed the Child Support monies.
Mrs. Hirschbach: Incentive payments are actually the county's and they should be maintained as a separate line item. The signed contract is clear that those funds are to be used directly by the County.

Garvey moved, seconded by Rohde to break.
Voting Yea: Hirschbach, Rohde, Garvey, Morgan
Absent: Culbertson
Motion carried 9:50 a.m.

Garvey moved, seconded by Rohde to reconvene.
Voting Yea: Rohde, Garvey, Morgan, Hirschbach
Absent: Culbertson
Motion carried 10:05 a.m.

At 10:52 a.m., Chairwoman Hirschbach opened the Public Hearing for hearing support, opposition, criticism, suggestions or observations to all estimated expenditures by county officials and Department Heads.

Mrs. Hirschbach: We have neglected one step in our budget procedure. We failed to submit back to the officials, the Board's proposal. We will try to correct that next year.

Rohde moved, seconded by Garvey to propose expenditures of \$44,170.30 for the County Board budget.
Voting Yea: Garvey, Morgan, Hirschbach, Rohde
Absent: Culbertson
Motion carried

Morgan moved, seconded by Garvey to propose expenditures of \$58,414.54 for the County Clerk's budget.
Voting Yea: Morgan, Hirschbach, Rohde, Garvey
Absent: Culbertson
Motion carried

Garvey moved, seconded by Rohde to propose expenditures of \$84,083.03 for the County Treasurer's budget.
Voting Yea: Hirschbach, Rohde, Garvey, Morgan
Absent: Culbertson
Motion carried

Joy Nixon, County Assessor, appeared before the Board and presented the following letter to the Board.

July 30, 1981

Dakota County Board of Commissioners:

I am requesting this office be allowed to dispose of the following machines:

- 1 Burrough's E-1000 accounting machine (does not work; has been listed for sale, no bidders)
- 1 broken Monroe 10 key adding machine (too costly to repair)
- 1 full keyboard Monroe adding machine (too costly to maintain)
- 1 Royal 10 key adding machine (too costly to repair)

I ask that the Board answer this request in writing so that a copy may be attached to the office inventory.

Also that this be included in the minutes of the County Board meeting.

Yours truly,

Joy K. Nixon

cc: Dakota County Clerk
Ted Piepho

Mrs. Nixon said one of the calculators in her office has given out. She also explained the ASCS Office now makes available to counties, land use slides, a projector and stand for \$800.00.

Mr. Morgan: I don't believe they do all of the counties.

Mrs. Hirschbach asked Mrs. Nixon to check to see if slides are available for Dakota County.

Mrs. Nixon said she would know more about it after the workshop in October. Mrs. Nixon received two bids on calculators, those being a Monroe Model No. 2830, 12 digit, print and display for \$325.19 and a Sharp Model No. 4152, 14 digit, print and display for \$319.25. Mrs. Nixon said she felt the Sharp calculator would be better because of the 14 digit.

Morgan moved, seconded by Garvey to propose expenditures of \$95,451.00 for the Assessor's budget.

Voting Yea: Rohde, Garvey, Morgan, Hirschbach

Absent: Culbertson

Motion carried

Morgan moved, seconded by Rohde to authorize the County Assessor to dispose of 1 Burrough's E-1000 accounting machine, 1 Monroe 10 Key adding machine, 1 full keyboard Monroe adding machine and 1 Royal 10 key adding machine.

Voting Yea: Garvey, Morgan, Hirschbach, Rohde

Absent: Culbertson

Motion carried

Morgan moved, seconded by Garvey to propose expenditures of \$9,790.04 for the County Superintendent of Schools budget.

Voting Yea: Morgan, Hirschbach, Rohde, Garvey

Absent: Culbertson

Motion carried

Rohde moved, seconded by Garvey to propose expenditures of \$15,667.60 for the Election Commissioners budget.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan

Absent: Culbertson

Motion carried

Garvey moved, seconded by Rohde to propose expenditures of \$1,335.00 for the Planning Commission budget.

Voting Yea: Rohde, Garvey, Morgan, Hirschbach

Absent: Culbertson

Motion carried

Morgan moved, seconded by Rohde to propose expenditures of \$46,366.99 for the Clerk of District Court budget.

Voting Yea: Garvey, Morgan, Hirschbach, Rohde

Absent: Culbertson

Motion carried

Garvey moved, seconded by Rohde to propose expenditures of \$10,100.00 for the County Court System budget.

Voting Yea: Garvey, Morgan, Hirschbach, Rohde

Absent: Culbertson

Motion carried

Rohde moved, seconded by Morgan to propose expenditures of \$8,300.00 for the District Judge's budget.

Voting Yea: Morgan, Hirschbach, Rohde, Garvey

Absent: Culbertson

Motion carried

Morgan moved, seconded by Garvey to propose expenditures of \$73,404.08 for the Building & Grounds budget.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan

Absent: Culbertson

Motion carried

Garvey moved, seconded by Rohde to propose expenditures of \$27,300.00 for the Agricultural Extension budget.

Voting Yea: Rohde, Garvey, Morgan, Hirschbach

Absent: Culbertson

Motion carried

Morgan moved, seconded by Rohde to propose expenditures of \$126,618.68 for the County Sheriff's budget.

Voting Yea: Garvey, Morgan, Hirschbach, Rohde

Absent: Culbertson

Motion carried

Rohde moved, seconded by Hirschbach to propose expenditures of \$76,879.00 for the County Attorney's budget.

Voting Yea: Morgan, Hirschbach, Rohde, Garvey

Absent: Culbertson

Motion carried

Morgan moved, seconded by Rohde to propose expenditures of \$83,042.11 for the County Jail budget.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan

Absent: Culbertson

Motion carried

Garvey moved, seconded by Rohde to propose expenditures of \$9,304.54 for the Civil Defense budget.

Voting Yea: Rohde, Garvey, Morgan, Hirschbach

Absent: Culbertson

Motion carried

Morgan moved, seconded by Garvey to propose expenditures of \$10,030.00 for the County Surveyor's budget.

Voting Yea: Garvey, Morgan, Hirschbach, Rohde.

Absent: Culbertson

Motion carried

Rohde moved, seconded by Morgan to propose expenditures of \$28,674.76 for the County Nurse budget.

Voting Yea: Morgan, Hirschbach, Rohde, Garvey

Absent: Culbertson

Motion carried

Maurice Roady, County Veteran's Service Officer, appeared before the Board.

Mr. Roady: Last year I didn't ask for a raise, and I got one. I figured this year would be the same. I didn't ask for a raise, and I didn't get one. I would like a raise comparable to what the Veteran's Service Officer is getting in Thurston and Wayne Counties. Wayne County pays \$12,000. Thurston County, with 970 veterans pays \$10,500 and Dakota County has 1,600 veterans and I get \$8,560.

Mr. Morgan said he would go along with \$9,000.00 a year.

Morgan moved, seconded by Garvey to increase the Veterans Service Officer salary to \$9,000.00 per year.

Voting Yea: Hirschbach, Garvey, Morgan

Voting Nay: Rohde

Absent: Culbertson

Motion carried

Morgan moved, seconded by Garvey to propose expenditures of \$11,517.00 for the Veterans Service Officer's budget.

Voting Yea: Garvey, Morgan, Hirschbach

Voting Nay: Rohde

Absent: Culbertson

Motion carried

Rohde moved, seconded by Morgan to propose expenditures of \$223,320.04 for the Miscellaneous General budget.

Voting Yea: Morgan, Hirschbach, Rohde, Garvey

Absent: Culbertson

Motion carried

Morgan moved, seconded by Garvey to propose expenditures of \$28,053.54 for the County Road Superintendent budget.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan

Absent: Culbertson

Motion carried

Garvey moved, seconded by Rohde to propose expenditures of \$2,348.08 for the District Probation Office budget.

Voting Yea: Rohde, Garvey, Morgan, Hirschbach

Absent: Culbertson

Motion carried

Morgan moved, seconded by Hirschbach to propose expenditures of \$9,030.00 for the Building Inspector's budget.

Voting Yea: Garvey, Morgan, Hirschbach, Rohde

Absent: Culbertson

Motion carried

Morgan moved, seconded by Garvey to propose expenditures of \$50,000.00 for the Legal Service, Judicial and Public Defense budget.

Voting Yea: Morgan, Hirschbach, Rohde, Garvey

Absent: Culbertson

Motion carried

Rohde moved, seconded by Garvey to propose expenditures of \$14,075.00 for the Clerk of District Court Child Support budget.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan

Absent: Culbertson

Motion carried

Rohde moved, seconded by Morgan to propose expenditures of \$23,448.12 for the County Attorney Child Support budget.

Voting Yea: Rohde, Garvey, Morgan, Hirschbach

Absent: Culbertson

Motion carried

Bruce Hovey, County Highway Superintendent, appeared before the Board. Mr. Hovey said there is not enough money in the Road-Bridge Fund budget to cover the \$35,000 for the bridge by Clarence Hall.

Rohde moved, seconded by Morgan to propose expenditures of \$519,544.30 with a \$50,000 cash reserve for the Road-Bridge Fund budget.

Voting Yea: Garvey, Morgan, Hirschbach, Rohde

Absent: Culbertson

Motion carried

Morgan moved, seconded by Rohde to propose expenditures of \$124,793.62 with a \$8,679.62 cash reserve for the Welfare Administration budget.

Voting Yea: Morgan, Hirschbach, Rohde, Garvey

Absent: Culbertson

Motion carried

Garvey moved, seconded by Rohde to propose expenditures of \$131,500.00 for the County Relief and Medical Assistance budget.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan

Absent: Culbertson

Motion carried

Ted Piepho, County Clerk, appeared before the Board and requested an additional \$4,000.00 be added to the Institutional Fund budget because of a bill for \$4,000.00 which was received last week.

Morgan moved, seconded by Rohde to propose expenditures of \$31,793.94 for the Institutional Fund budget.

Voting Yea: Rohde, Garvey, Morgan, Hirschbach

Absent: Culbertson

Motion carried

Garvey moved, seconded by Morgan to propose expenditures of \$9500.00 for the Veteran's Aid budget.

Voting Yea: Garvey, Morgan, Hirschbach, Rohde

Absent: Culbertson

Motion carried

Morgan moved, seconded by Garvey to propose expenditures of \$19,487.14 for the R-Step budget.

Voting Yea: Morgan, Hirschbach, Rohde, Garvey

Absent: Culbertson

Motion carried

Ted Piepho, County Clerk, filed the 81-82 Federal Revenue Sharing budget with the County Board.

Garvey moved, seconded by Rohde to propose expenditures of \$198,595.34 for the Federal Revenue Sharing budget.
Voting Yea: Hirschbach, Rohde, Garvey, Morgan
Absent: Culbertson
Motion carried

The Board discussed the Inheritance Tax Fund.
Mr. Piepho: There is \$3,026.51 cash on hand. The reason it was called on audit was because the County Treasurer transferred the money without a resolution.

Morgan moved, seconded by Rohde the Board resolve to transfer the Inheritance Tax Funds to the County Courthouse Building Fund for the 80-81 fiscal year.
Voting Yea: Rohde, Garvey, Morgan, Hirschbach
Absent: Culbertson
Motion carried

Morgan moved, seconded by Garvey to propose expenditures of \$58,715.33 with a \$20,000 cash reserve for the Courthouse Building Fund budget.
Voting Yea: Garvey, Morgan, Hirschbach, Rohde
Absent: Culbertson
Motion carried

Garvey moved, seconded by Rohde to propose expenditures of \$29,020.00 for the Weed Control budget.
Voting Yea: Morgan, Hirschbach, Rohde, Garvey
Absent: Culbertson
Motion carried

Morgan moved, seconded by Garvey to authorize the transfer of \$23,448.12 from the County Attorney Child Support Fund to the General Fund, \$10,910.63 from the Clerk of District Court Fund to the General Fund and \$6,000 from the Sheriff's Budget to R-Step.
Voting Yea: Hirschbach, Rohde, Garvey, Morgan
Absent: Culbertson
Motion carried

The Board received a letter from Gene Sturm, SIMPCO, regarding the Flood Maps.

The Board received a letter from Lance Hedquist informing the Board the County's share of the Solid Waste Disposal would be \$18,761.00.

Rohde moved, seconded by Morgan to adjourn.
Voting Yea: Rohde, Garvey, Morgan, Hirschbach
Absent: Culbertson
Motion carried 11:50 a.m.

ATTEST:


COUNTY CLERK


CHAIRMAN OF THE BOARD

COMMISSIONERS MEETING
AUGUST 10, 1981 PROCEEDINGS
BASEMENT MEETING ROOM

Chairwoman Hirschbach called the meeting to order at 9:03 a.m.
Present were: Larry Morgan, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho
Secretary.
Absent: Paul Culbertson

Morgan moved, seconded by Garvey to approve the minutes of August 3, 1981 as typed.
Voting Yea: Morgan, Hirschbach, Rohde, Garvey
Absent: Culbertson
Motion carried

Morgan moved, seconded by Garvey to rescind the motion of July 27, 1981 accepting the bid from Royal Culvert, Sioux City, Iowa for the aluminum multi-plate structure at \$25,668.00.
Voting Yea: Hirschbach, Rohde, Garvey, Morgan
Absent: Culbertson
Motion carried

Garvey moved, seconded by Rohde to accept the bid from St. Regis Culvert, Sioux City, Iowa, for an aluminum multi-plate structure at \$25,668.00.
Voting Yea: Rohde, Garvey, Morgan, Hirschbach
Absent: Culbertson
Motion carried

Morgan moved, seconded by Garvey to adopt the following resolutions.

RESOLUTION

WHEREAS: The Child Support monies for the Clerk of District Court have been credited to the Clerk of District Court Child Support Fund.

WHEREAS: The monies received from the state are, by statute, to be within the General Fund of the County.

AND WHEREAS: A Fund balance does exist in the Clerk of District Court Child Support.

BE IT THEREFORE RESOLVED: The County Treasurer of Dakota County transfer

\$ 12,707.05 to the General Fund from the Clerk of District Court Child Support Fund.

BE IT FURTHER RESOLVED: The County Treasurer of Dakota County credit the General Fund with all revenues received from the state either for the cooperative agreement portion of the Child Support program or incentive monies.

BE IT FURTHER RESOLVED: The County Treasurer of Dakota County document on the miscellaneous receipt whether the monies received are incentive monies or cooperative agreement monies.

AND FURTHER BE IT RESOLVED: That the County of Dakota utilize the incentive Monies for expenditures of the County as the County Board deems necessary.

_____ moved, seconded by _____ for adoption this 10th day of August, 1981.

Voting Yea: _____

Voting Nay: _____

Attest: _____
County Clerk Board Chairperson

* * * * *

RESOLUTION

WHEREAS: The Child Support monies for the County Attorney have been credited to the County Attorney Child Support Fund.

WHEREAS: The monies received from the state are, by statute, to be within the General Fund of the County.

AND WHEREAS: A fund balance does exist in the County Attorney Child Support.

BE IT THEREFORE RESOLVED: The County Treasurer of Dakota County transfer \$23,723.23 to the General Fund from the County Attorney Child Support Fund.

BE IT FURTHER RESOLVED: The County Treasurer of Dakota County credit the General Fund with all revenues received from the state either for the cooperative agreement portion of the Child Support program of incentive monies.

BE IT FURTHER RESOLVED: The County Treasurer of Dakota County document on the miscellaneous receipt whether the monies received are incentive monies or cooperative monies.

AND FURTHER BE IT RESOLVED: That the County of Dakota utilize the incentive monies for expenditures of the County as the County Board deems necessary.

_____ moved, Seconded by _____ for adoption this 10th day of August, 1981.

Voting Yea: _____

Voting Nay: _____

Attest: _____
County Clerk Board Chairperson

* * * * *

Voting Yea: Garvey, Morgan, Hirschbach, Rohde
Absent: Culbertson
Motion carried

Rohde moved, seconded by Garvey to adopt the following resolution.

RESOLUTION

WHEREAS: The Board of Commissioners of Dakota County has budgeted for a transfer of Inheritance Tax monies to the Courthouse Building Fund;

AND WHEREAS: Such expenditure is specifically authorized by State Statute;

NOW THEREFORE BE IT RESOLVED: That the Dakota County Treasurer transfer \$15,000.00 out of the Inheritance Tax Fund into the Courthouse Building Fund.

_____ moved for said Resolution and seconded by _____ this 10th day of August, 1981.

Voting Yea: _____

Voting Nay: _____

County Clerk

Chairperson of the Board

* * * * *

Voting Yea: Morgan, Hirschbach, Rohde, Garvey
Absent: Culbertson
Motion carried

Morgan moved, seconded by Rohde to accept the following Engineering Agreement with Bruce Gilmore and Associates, Columbus, Nebraska.

Water and Sewer System Improvements - Dakota City, Nebraska

For your consideration, we are herewith submitting a proposal for the furnishing of the engineering services regarding the proposed \$43,000 water and sewer system improvement project for the City of Dakota City, which is to be financed with funds from the Department of Housing and Urban Development.

We propose to provide professional engineering services for this project as follows:

1. Perform the necessary field work required for the development of the plans and specifications, including the location of the water and sewer lines.
2. Prepare, for incorporation in the contract documents, final drawings to show the character and scope of the work to be performed by contractors on the project and specifications.
3. Furnish to the owner and contracting authority such documents and design data as may be required for, and assist in the preparation of, the required documents so that the owner and contracting authority may obtain approval of such governmental authorities that have jurisdiction over design criteria applicable to the project, and assist in obtaining such approvals by participating in submissions to, and negotiations with, appropriate authorities.
4. Prepare bid forms, Notice to Bidders, Instructions to Bidders, general conditions, and supplementary conditions, and assist in the preparation of other related documents.
5. Present and review the above documents, in person, with the appropriate owner and contracting authority officials.
6. Assist the owner and contracting authority in obtaining bids for each of the separate contractors for the construction of the project. We will also assist the owner and contracting authority in evaluating the bids and in assembling and awarding the contracts.
7. During the construction phase, we will consult with the appropriate owner and contracting authority officials and act with the owner and contracting authority's representatives as provided in the Standard General Conditions to the construction contract.
8. Make periodic visits to the construction site to observe the progress and quality of the executed work, and to determine, in general, if the work is proceeding in accordance with the contract documents. An experienced and qualified inspector and/or design professional from our office shall be provided to make the periodic visits to the site. The visits to the construction site will be sequenced so that the critical execution of the work and the quality of the work can be observed.
9. Review and approve shop drawings, samples, results of tests and inspections, and other data which the contractors are required to submit for conformance with the design concept of the project, and compliance with the specifications.
10. Issue any and all instructions of the owner and contracting authority officials to the contractor, and prepare routine change orders, as required.
11. Act as the interpreter of the requirements of the contract documents and judge the performance of the contractors as to the compliance with the contract documents.
12. Based on the on-site observations, review the contractor's applications for payment and determine the amounts owing the contractors, and approve, in writing, payments to the contractors in such amounts. The approval of these payments will constitute

a representation to the owner and contracting authority based on such observations and review that the work has progressed to the point indicated, and that to the best of our knowledge, information, and belief, the quality of the work is in accordance with the contract documents.

- 13. Conduct an inspection to determine if the project is substantially completed, and a final inspection to determine if the project has been completed in accordance with the contract documents; and that each contractor has fulfilled all of his obligations so that approval, in writing, can be given for the final payment to each contractor.
- 14. Prepare for the owner and contracting authority a set of reproducible record prints of plans showing those changes made during the construction process, based on the marked-up prints, drawings, and other data furnished by the contractors to us.
- 15. Our services do not include responsibility for safety or for organizing and supervising the work, both of which shall be the responsibility of the contractors.

Regarding the construction observation during the construction phase, we will furnish a list of our inspectors we would use on this project, along with their resumes, at the preconstruction conference. Daily control of the project would rest primarily with the project manager. Inspection of the construction at the critical points would be made by one of the people listed who is qualified to make the type of inspection required. We assure you that the inspection of the work will be made by qualified, competent people in order to insure quality construction and protect the interest of the owner and contracting authority.

We propose to perform the engineering services on the HUD portion of the project, as previously outlined, for a lump sum fee of \$3,400 of which 70 percent will be done after the award of the contract. The balance of the fee will be due as payments are made to the contractor. This fee covers all of the engineering services, including construction observation. Furthermore, it is understood that the above-referenced engineering services would be performed contingent on the receipt by the owner and contracting authority of funds for the proposed water system improvements from the Department of Housing and Urban Development.

We have provided a space on this proposal for signature by the chairman of the Dakota County Board of Supervisors and the Mayor of the City of Dakota City, accepting the proposed agreement if the proposal meets with the approval of all parties involved. We would be pleased to perform these engineering services and would proceed with the project immediately upon receipt of notification to proceed.

Respectfully submitted,

DAKOTA COUNTY BOARD OF SUPERVISORS

Dennis C. Hirschbrunner, P.E.
Vice-President
BRUCE GILMORE & ASSOCIATES, INC.

Chairman

DCH:kz

ATTEST:

County Clerk

CITY OF DAKOTA CITY, NEBRASKA

Mayor

ATTEST:

Clerk

* * * * *

Voting Yea: Hirschbach, Rohde, Garvey, Morgan
Absent: Culbertson
Motion carried


Rohde moved, seconded by Morgan to convene as the Board of Equalization.
Voting Yea: Rohde, Garvey, Morgan, Hirschbach
Absent: Culbertson
Motion carried 9:28 a.m.

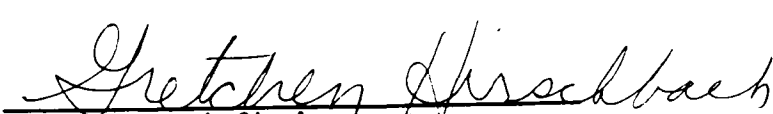
Rohde moved, seconded by Garvey to reconvene in regular session.
Voting Yea: Rohde, Garvey, Morgan, Hirschbach
Absent: Culbertson
Motion carried 10:10 a.m.

The board received a letter from Rosie Purucker regarding a road near her. The letter was referred to Bruce Hovey, Highway Superintendent.

Garvey moved, seconded by Rohde to adjourn.
Voting yea: Garvey, Morgan, Hirschbach, Rohde
Absent: Culbertson
Motion carried 10:15 a.m.

Attest:


County Clerk


Board Chairperson

COMMISSIONERS MEETING
AUGUST 17, 1981 PROCEEDINGS
BASEMENT MEETING ROOM

Chairwoman Hirschbach called the meeting to order at 9:05 a.m.

Present were: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary.

Garvey moved, seconded by Morgan to approve the minutes of August 10, 1981 as corrected.

Voting Yea: Morgan, Hirschbach, Rohde, Garvey

Abstaining: Culbertson

Motion carried

Mildred Jorgensen, County Welfare Director, appeared before the Board and requested an executive session to discuss welfare applications.

Garvey moved, seconded by Rohde to convene in executive session as requested by Mildred Jorgensen to discuss welfare applications.

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan

Unanimous motion carried 9:12 a.m.

Rohde moved, seconded by Garvey to reconvene in regular session.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson

Unanimous motion carried 9:40 a.m.

Morgan moved, seconded by Garvey a welfare assistance application involving rent be denied.

Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach

Unanimous motion carried

Garvey moved, seconded by Rohde to provide rent and medical assistance to a welfare applicant.

Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde

Unanimous motion carried

Chairwoman Hirschbach opened the Revenue Sharing Budget Public Hearing at 9:50 a.m.

The Board acknowledged receipt of a letter from Records Management in Lincoln. Mrs. Hirschbach said she and Mr. Piepho discussed having the back log microfilming done by a Service Bureau, and next year we will decide whether we will purchase our own equipment or have it done by a Service Bureau. The Board will meet next Monday with the Records Management representative.

Chairwoman Hirschbach closed the Revenue Sharing Hearing at 10:00 a.m.

Chairwoman Hirschbach opened the County Budget Public Hearing at 10:00 a.m.

Chairwoman Hirschbach: The County Surveyor contacted me and asked that we reinstate the \$20,000.00 he requested for salary. The County Surveyor is planning to purchase filing cabinets, etc. to set up an office in the courthouse. Also, he has been requested to do a number of section corners.

Culbertson moved, seconded by Rohde to increase the County Surveyor's budget by \$10,000.00 as requested by the County Surveyor.

Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey

Unanimous motion carried

Morgan moved, seconded by Garvey to reduce the General Fund Cash Reserve to \$100,000.00.

Mr. Culbertson asked why there is a change in the cash reserve.

Mrs. Hirschbach: Once the budget is published, the cash reserve cannot be increased. We wanted to be sure we would have enough to cover any changes or errors.

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan

Unanimous motion carried

Ted Piepho: We have to reduce expenditures in the Institutional Fund by \$1750.00. It was estimated as a revenue, but we can't do that because we are duplicating our revenue in our tax asking, because this is included in property taxes. A change in the Veteran's Aid Budget has been typed in the "adopted" column. The change is a decrease of \$7.94.

Mrs. Hirschbach asked if there were any comments from the audience. There were none.

Mrs. Hirschbach asked if there were any requested changes from the Board members. There were none.

Chairwoman Hirschbach closed the County Budget Public Hearing at 10:30 a.m.

Rohde moved, seconded by Garvey to adopt the following resolution:

COUNTY BUDGET DOCUMENT
RESOLUTION OF ADOPTION AND APPROPRIATIONS

WHEREAS, a proposed County Budget for the Fiscal Year 7-1-81 to 6-30-82 prepared by the Budget Making Authority, was transmitted to the County Board on the 17 day of August, 1981

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Dakota County, Nebraska as follows:

Section 1. That the Budget for the Fiscal Year, 7-1-81 to 6-30-82 as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the Budget for Dakota County for said fiscal year.

Section 2. That the office, departments, activities and institutions herein before named are hereby authorized to expend the amounts herein before appropriated to them during the fiscal year beginning July 1, 1981, and ending June 30, 1982.

Section 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be

collected during the fiscal year in each fund, and tax levy requirements for each fund.

DATED AND PASSED THIS 17 DAY OF AUGUST, 1981.

COUNTY BOARD:

ATTEST:

Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried

The Planning and Zoning Committee will meet Tuesday night at which time they will review the Flood Plain Maps.

Maurice Redmond, County Attorney, appeared before the Board.

Morgan moved, seconded by Culbertson to convene in executive session to discuss pending litigation as requested by Mrs. Hirschbach.

Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
Unanimous motion carried 10:53 a.m.

Garvey moved, seconded by Morgan to reconvene in regular session.

Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
Unanimous motion carried 11:34 a.m.

Morgan moved, seconded by Garvey to adopt the Revenue Sharing Budget as proposed.

REVENUE SHARING BUDGET DOCUMENT
RESOLUTION OF ADOPTION AND APPROPRIATIONS

WHEREAS, a Proposed Use Hearing was held.

WHEREAS, a Budget Hearing was held and all citizens (especially senior citizens) were invited to attend said hearings.

AND WHEREAS, a proposed Revenue Sharing Budget for the Fiscal Year 7-1-81 to 6-30-82 prepared by the Budget Making Authority, was transmitted to the County Board on the 17 day of August, 1981.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Dakota County, Nebraska, as follows:

Section 1. That the Revenue Sharing Budget for the Fiscal Year 7-1-81 to 6-30-82 as categorically evidenced by the Revenue Sharing Budget Document be, and the same hereby is, adopted as the Revenue Sharing Budget for Dakota County for the said fiscal year.

Section 2. That the activity herein before named and hereby authorized to expend the amounts herein before appropriated to it during the fiscal year beginning July 1, 1981 and ending June 30, 1982.

Section 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided from unappropriated Revenue Sharing and Revenue Sharing Entitlement to be collected during the fiscal year.

DATED AND PASSED THIS 17 DAY OF AUGUST, 1981.

COUNTY BOARD:

ATTEST:

Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried

Culbertson moved, seconded by Rohde to recess for lunch.

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried

Chairperson Hirschbach reconvened their regular meeting at 2:30 p.m. upon a motion by Rohde, seconded by Morgan.

The County Board reviewed the claims for all funds that were filed with the County Clerk.

Mr. Morgan informed the Board of a Dakota County Solid Waste Disposal Meeting next Monday.

Mr. Redmond gave an answer to the question that was submitted by the Board in the earlier part of the day.

August 17, 1981

Gretchen Hirschbach
Chairperson
Dakota County Board of Commissioners
Dakota City, Nebraska 68731

Re: Approval of Pay
Increases

Question: You have asked whether or not the Board may approve salary claims which include salary increases approved by the various elected officials as of August 17, 1981, in light of the ruling made by the Commission of Industrial Relations in Case #410 filed July 15, 1981.

Answer: The Board may not approve the salary claims without subjecting itself to an action for contempt and the resulting penalties.

The Nebraska Commission of Industrial Relations in its order filed July 15, 1981, stated as follows:

"It is, therefore, Ordered that the Defendant (Dakota County) cease and desist forthwith from continuing its change in the wages of bargaining unit employees during the pendency of Case No. 386 and that the Defendant rescind all of its actions previously taken which fixed or approved any change in the wages of bargaining unit employees during the pendency of Case No. 386."

This office, in an application filed July 23, 1981, requested that a supersedeas bond be granted to stay the effect of the Commission's final order of July 15, 1981. However, the Commission refused to grant a supersedeas bond. The Commission's order is therefore is full force and effect and the County Board must comply with the order.

Section 48-819, R.R.S. 1943, as amended states:

48-819. Commission; Orders; Effect. Orders, temporary or final, entered by the Commission of Industrial Relations shall be binding on all parties involved therein and shall be deemed to be of the same force and effect as like orders entered by a district court and shall be enforceable in appropriate proceedings in the courts of this state. Failure on the part of any person to obey any order, decree or judgment of the Commission of Industrial Relations, either temporary or final shall constitute a contempt of such tribunal in all cases where a similar failure to obey a similar order, decree or judgment of a district would constitute a contempt of such tribunal, and upon application to the appropriate district court of the state shall be dealt with as would a similar contempt of the said district court.

This office is in the process of making an application to the Supreme Court of Nebraska for a supersedeas bond; however, there is no guarantee that the Supreme Court will grant a supersedeas. The Board must therefore act in compliance with the Commission's order, or subject itself to a possible contempt action.

Respectfully submitted by,

Maurice S. Redmond
Dakota County Attorney

MSR/ckh

Mrs. Hirschbach asked Mr. Redmond when we notified the union of the 12%.

Mr. Redmond: I believe my letter was dated July 20 and I told Mr. Dowd (Union Attorney) and the CIR during the telephone conference regarding the supersedeas bond.

Mrs. Hirschbach: To your knowledge were they (the union) aware of the Boards intention of allowing the 12% ?

Mr. Redmond: Mr. Dowd knew it that day (referring to the 24th).

Mrs. Hirschbach: It is your opinion that if the Union would have recognized the 12% increase, it would have been OK to pay the claims, since the Board has not had any response from your letter?

Mr. Redmond: You have to comply with the order or you are subject to contempt and proceedings.

Morgan moved, seconded by Garvey the salary claims of the Bargaining Unit as defined by the Commission of Industrial Relations be denied, those claims being: Ruth Foreshoe, Eloise Gormally, Margaret Rahn, Mary Smith, Charlotte Doenhoefer, Ruth Jensen, Nadine Johanson, Mardell Sorensen, Ruth Warnock, Linda Wilson (both claims) Mike McManigal, Jarold Gilson, Darlene Arneson, Norma Barajas, Sally Deal, Michael Koettters, Cheryl Lundberg, Earlean McClain, Neva Neal, Patricia Parkins, Armon Todd, Nellie J. Beardshear, Shirley Bentz, Dorothy Lundberg, Lillian Rager, Jeanette Ramirez, Madelyn Thorsland, Nondas Vitols, Jon Norris (Custodian Salary) Nancy Dean Pat Stingley, George Anderson, Caleb Chapman, Walter Heinemann, Robert Jacobsen, Kurt Johnson, Walter Johnson, Arnold Mellick, Marlan Millard, Earl Stading, Willis Roeber, Leland Armbright, Beverly Gradert and Richard McNear.

Voting Yea: Hirschbach (under protest) Rohde, Garvey (under protest), Morgan, Culbertson
Motion carried

Morgan moved, seconded by Garvey to table the claim on the payment of the new car.

Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried

Rohde moved, seconded by Garvey to approve the following claims:

GENERAL: Northwestern Bell \$43.45; South Sioux City Star \$328.44; Executive Copy Systems \$43.00; Northwestern Bell \$140.22; Hollar Stamp Co. \$15.28; Sioux City Stationery \$38.31; South Sioux City Star \$164.64; Northwestern \$69.71; Robert Giese \$61.53; General Business Equipment \$9.90; Midwest Business Products \$132.89; A.J. Phillips Co., Inc. \$21.60; Redfield & Co. \$727.13; Redfield & Co. \$1,100.15; Virginia A. Piper \$35.28; Northwestern National Bank \$200.25; Northwestern Bell \$70.60; Executive Copy Systems \$18.30; Burroughs Corp. \$35.10; Redfield & Co. \$36.66; Bancroft-Whitney \$56.30; West Publishing Co. \$155.50; Des Moines Mfg. Co. \$40.75; Executive Copy Systems \$82.95; Hugo Heyn Co. \$37.38; Mid-West Business Products \$88.15; Northwestern Bell \$116.53; Redfield & Co. \$104.32; Priesman Graphics \$100.00; General Business Equipment \$38.31; Northwestern Bell \$271.57; Western Union \$248.27; Sioux Valley Radio Eng. Co. \$142.00; Planz Electronics \$30.40; Executive Copy Systems \$110.00; William F. Whear \$422.32; Harvey Bates \$512.56; Jarold Gilson \$489.28; Michael McManigal \$536.08; Armon Todd \$115.68; Western Paper & Supply Co. \$5.57; Coast to Coast \$16.50; The Paper Company \$18.34; Dakota County Sheriff Dept. \$3.82; Crystal Oil Co. \$2.06; National Police Chiefs & Sheriffs Info. \$28.35; Brunton Printing \$45.36; Quantkit Co. \$40.00; Joe Morton & Son \$30.00; Gene's Guns & Supplies \$27.84; Leos Service \$272.01; Adcraft Inc. \$64.00; Ben Fish and Son \$311.44; Security National Bank \$135.52;

GENERAL, CON'T.

Sioux Sales Co. \$354.00; Jack's Mens Wear & Uniforms \$21.00; United Laboratories Inc. \$4.01; William F. Whear \$310.00; William F. Whear \$817.00; Northwestern Bell \$230.49; Woodbury County Sheriff \$6.00; Bancroft-Whitney \$274.15; West Publishing Co. \$25.00; Warren, Corham & Lamont, Inc. \$38.50; Harvard Law Review \$28.00; Priesman Graphics \$100.00; The Michie Co. \$32.04; Dan V. Weakley \$35.00; Siouxland Pathology Associates \$500.00; Marian Health Center \$195.00; Marian Health Center \$22.75; Sioux City Stationery \$46.67; Mid West Business Products \$5.75; National Police Chiefs & Sheriffs \$28.35; Maurice Redmond \$136.75; Cindy Harris \$23.40; Executive Leasing \$178.94; Joy K. Nixon \$168.21; Thelma Baugous \$48.93; Precision Typewriter Works \$8.00; Standard Blue \$14.44; General Business Equipment \$35.74; Perkins Stationery \$225.00; Northwestern Bell \$124.06; Klemett Dean \$70.24; Bahr Plumbing \$60.00; Hedrick Refrigeration \$131.40; City of Dakota City \$1,346.47; Tucker Glass \$92.25; Klemett Dean \$39.40; Minear Lock & Key \$3.20; Iowa Public Service \$923.00; Robertson Imp. \$7.10; Claussen Electric \$122.10; Torticills \$30.60; Crystal Oil Co. \$3.65; Tagatz Hardware \$15.62; Brown & Even Associates \$745.71; Mid American Research \$5.10; American Linen \$26.40; Western Paper Co. \$132.40; Siouxland Disposal \$30.00; Dakota County Extension Service \$1,559.00; Sioux City Stationery \$50.34; Northwestern Bell \$58.79; Northwestern Bell \$24.11; Maurice A. Rody \$36.48; Northwestern Bell \$36.08; Mid West Business Products \$7.30; Lorraine Tillman \$50.00; Bonnie Storm \$19.50; Lorraine Tillman \$101.01; Northwestern Bell \$20.33; Wayne Wheeler \$2,822.50; Northwestern Bell \$61.83; State of Nebraska, Division of Communications \$48.22; South Sioux City Star \$8.13; Sioux City Stationery \$13.86; Northwestern Bell \$19.23; Hammond & Stephens \$440.04; Sioux City Stationery \$22.18; Lancaster County Sheriff's Dept. \$3.90; Anna Schoin \$20.64; Roxane Pierce \$20.64; Roxane Pierce \$20.64; Cedar County Sheriff Gordon Graham \$2.00; County Court \$100.00; Clerk of District Court \$201.61; Michael W. Ellwanger \$519.00; Robert Wichser \$537.35; Executive Copy Systems \$370.00; Melvin Hagberg \$50.00; City of South Sioux City \$37.59; Northwestern Bell \$9.45; King Transfer \$35.63; Mid West Business Products \$109.44; Region IV \$2,625.25; Joe Morten & Son \$185.00; Commission of Industrial Relations \$87.20; Maurice Redmond \$61.32; Treasurer \$1,000.00

GENERAL-PAYROLL: Social Security \$1,860.47; Blue Cross \$1,072.53; Gretchen Hirschbach \$541.66; Paul Culbertson \$541.66; Robert Garvey \$541.66; Larry Morgan \$541.66; Daniel Rohde \$541.66; Theodore A. Piepho \$1,208.33; Mary Hinkle \$924.44; Robert Giese \$1,208.33; Irene Van Lent \$924.44; Virginia A Piper \$1,208.33; Betty Garwood \$924.44; Sharon Shannon \$712.81; William F. Whear \$1,208.33; Harvey Bates \$1,232.56; Judy Petersen \$155.63; Maurice Redmond \$1,208.33; Dennis J. Mahr \$1,337.50; Gloria Engelbrecht \$900.00; Cindy Harris \$750.00; Patty Jo Rieke \$201.00; Raymond E. Speer \$1,200.00; Joy K. Nixon \$1,208.33; Thelma Baugous \$924.44; Klemett Dean \$1,385.34; Bruce Hovey \$2,166.67; Maurice Rody \$786.67; Lorraine Tillman \$1,208.33; Bonibel Chapman \$689.08; Dr. J.H. Walston \$248.40; Jon C. Norris \$680.38; Maxine Titler \$666.67

ROAD-PAYROLL: Social Security \$79.80; Blue Cross \$92.36; Raymond Reed \$1,200.00

ROAD: Department of Labor \$68.00; Northwestern Bell \$39.34; Village of Emerson \$6.00; City of Dakota City \$20.00; Nebraska Public Power District \$15.72; Anderson Equipment Co. \$71.16; Carl A. Anderson \$122.95; Circle R Frame Aligners \$202.71; Coast to Coast \$3.27; Condon Motor Co. \$25.07; Dakota Auto Parts \$72.21; Herman M. Brown Co. \$280.64; H & I Grain & Leasing \$1.95; Joe's Surplus \$107.16; Midcon Equipment \$521.90; Mike's Auto Parts \$37.60; Nebraska Tractor & Equipment \$129.06; Robertson Implement Co. \$8.16; Standard Bearings Co. \$41.15; Van's Used Trucks and Parts \$62.50; Hansen Machine Shop \$12.50; Petit Construction \$100.00; L.P. Gill, Inc. \$5,162.56; Curtis Industries \$46.45; Filter Care \$96.10; Monroe Welding Supply Co. \$27.00; Premier Fastener Co. \$266.18; The Sioux City Iron Co. \$101.65; Zee Medical Service \$55.72; Fort Calhoun Stone Co. \$103.68; St. Regis Paper Co. \$9,714.06; Crystal Oil Co. \$638.73; Diamond Horseshoe Truck Stop \$1,156.60; Engel's Mobil Service \$293.20; Farmer's Co-op Assn. \$1,165.73; Torticill's Service \$6.50; So Soo Oil Co. \$1,601.57; Warren Oil Co. \$1,182.27; Hydrotex \$3,833.35; B & H Oil Co. \$35.65; Firestone Stores \$92.66; Midwest Sales & Service \$1,525.72

REVENUE SHARING: Backus Sand & Gravel \$4,033.25; Higman Sand & Gravel \$3,121.88

ASSISTANCE-PAYROLL: Blue Cross \$295.73; Social Security \$547.47; Mildred Jorgensen \$1,644.15; Jeanine Bliven \$910.06; Margaret Boeshart \$1,271.71; Pauline Jensen \$1,298.76; Patricia Lane \$1,139.15; Mary O'Dell \$829.31; Charlene Weber \$1,139.37

ASSISTANCE: Mildred Jorgensen \$35.70; Margaret Boeshart \$17.43; Pauline Jensen \$4.62; Patricia Lane \$24.36; Charlene Weber \$59.01; Mildred Jorgensen \$17.00; Mildred Jorgensen \$59.17; Northwestern Bell \$214.17; International Business Machines Corp. \$66.00; South Sioux City Medical Clinic \$20.00

POOR RELIEF: Esther Cannon \$35.65; Grace Hamilton \$65.00

INSTITUTIONAL FUND: Beatrice State Development Center \$2,184.00; Norfolk Regional Center \$627.00; Lincoln Regional Center \$3,739.00

SOLDIERS AND SAILORS: Maurice Rody \$800.00

DAKOTA COUNTY HISTORICAL SOCIETY: Dakota County Historical Society \$869.16

WEED-PAYROLL: Social Security \$68.82; Blue Cross \$41.66; Paul Foreshoe \$910.00; George W. Shrader \$25.00; Maurice Crofoot \$25.00; John Ryan \$25.00; Elmer Nelson \$25.00; J. Colin Green \$25.00

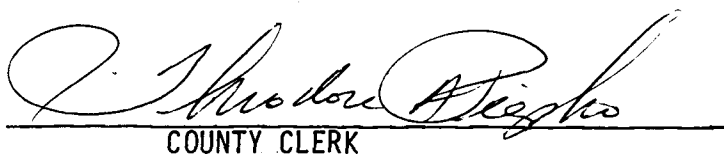
WEED FUND: Paul Foreshoe \$8.60; Ruth Foreshoe \$25.00; Maurice Crofoot \$1.80; J. Colin Green \$4.80; Elmer Nelson \$2.80; John Ryan \$5.00; George W. Shrader \$2.00; Boyer Valley Fertilizer \$50.00

FEDERAL GRANT HIGHWAY SAFETY PROGRAM: Social Security \$71.16; Blue Cross \$46.18; Danny Potts \$1,070.00; Danny Potts \$10.00

Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
Unanimous motion carried

Morgan moved, seconded by Rohde to adjourn.
Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
Unanimous motion carried 3:55 p.m.

ATTEST:


COUNTY CLERK


COUNTY BOARD CHAIRPERSON

COMMISSIONERS MEETING
AUGUST 24, 1981 PROCEEDINGS
BASEMENT MEETING ROOM

Chairwoman Hirschbach called the meeting to order at 9:04 a.m.

Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary.

Morgan moved, seconded by Garvey to approve the minutes of August 17, 1981 as typed.

Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey

Unanimous motion carried

Robert Giese, County Treasurer, appeared before the Board and presented his report for July. Mr. Giese reported the interest for July to be \$13,954.72. A Distress Warrant list was presented to Mrs. Hirschbach.

Bonnie Monahan appeared before the Board regarding the condition of the road past her place. Mrs. Monahan said nothing has been done about the weeds or the road yet.

Mr. Morgan explained the County doesn't have the equipment to do the mowing.

Mr. Culbertson said the Weed Board can only legally spray noxious weeds.

Mr. Hovey: We have a problem getting the landowners to move their fences. It's on the one and six-year road plan. Basically, the road needs to be widened. We could hire to have the mowing done.

Mrs. Hirschbach: This is getting ridiculous discussing this problem over and over and not getting anything done about it. We should inform the landowners that we will get the weeds down this time, but it will be their responsibility thereafter.

Mr. Morgan: This year we should mow the weeds, grade it up and put gravel on it.

Mr. Culbertson said the responsibility of mowing road ditches is the abutting landowners and this shouldn't be any exception.

Ted Piepho, County Clerk, appeared before the Board and presented his report for July.

Mr. Piepho also presented the Sheriff's monthly fee report and the Clerk of District Court monthly report.

The Board will discuss Distress Warrants at their next meeting.

Maurice Redmond, County Attorney, appeared before the Board.

Morgan moved, seconded by Rohde to convene in executive session to discuss pending litigation as requested by Mrs. Hirschbach.

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan

Unanimous motion carried 9:43 a.m.

Rohde moved, seconded by Culbertson to reconvene in regular session and take a 5 minute break.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson

Unanimous motion carried 10:26 a.m.

Garvey moved, seconded by Rohde to reconvene in regular session.

Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach

Unanimous motion carried 10:35 a.m.

Tom Ruffino, State Welfare Dept., appeared before the Board.

Mr. Ruffino: I represent the State Welfare Dept. and I cover a 10 county area. It is my responsibility to visit Welfare Offices, County Boards, etc, to see if we have any common concerns. One area I would like to cover is the State Statute saying County Relief and Assistance is a county function. The Federal government is cutting back funds to every state. There is a problem on the County level when you start reducing funds. Second, is the Welfare Food Stamp fraud. We have programs where we hear sessions on potential fraud. In cases where we can't find any fraud, we turn it over to our attorney.

Mr. Ruffino advised the County to have policies and procedures for hearing these cases.

Mrs. Hirschbach: Mildred has discussed with us improving our policies.

Dave Helton, Records Management Division, with the State of Nebraska, appeared before the Board to discuss the recommendation for Dakota County's microfilm system.

The Board reviewed the following letter of recommendation.

August 21, 1981

Ted Piepho
County Clerk
Dakota County Courthouse
Dakota City, Ne. 68731

Dear Mr. Piepho:

Records Management Division's recommendations for Dakota County's microfilm system are as follows:

1. Backlog Filming - you should use one of the service bureaus that bid the job. Order of bids from estimated lowest is:
 - a. \$68,524 - Micro Systems, Inc., of South Sioux City, Ne. 51106. I must point out, however, that our records show this to be a new company and you may want them to send us some samples of their work to check against state microfilm standards. Again, this is my estimate of the total and may not reflect the company's total estimated cost.

- b. \$70,063 - United Business Equipment and Microfilm of Lincoln, Ne. This company has done microfilming for local Nebraska agencies and the film has been checked against state standards and found to be acceptable.
- c. \$70,641 - Estimated from the bid sheet submitted by Koch Brothers of Des Moines, Iowa. Not enough information was provided for exact figures, this is rough estimate only.

2. Microfilm Retrieval Equipment

You'll need at least one reader/printer and as many readers as the various county officials require.

a. Reader/Printer

In order of lowest cost for unit and one year service contract:

| | | |
|-----|---|--|
| 1. | Bell & Howell File Search 16/35 electrostatic print process Workstation 1 year service contract | \$ 2135 315 255 <hr/> \$ 2705 |
| 2. | ALOS, 16mm dry print process Workstation no service contract price stated | \$ 2200 90 <hr/> \$ 2290 |
| 3. | 3M 400B 16/35mm wet process R/P Workstation no service contract price stated | \$ 2414 436 <hr/> \$ 2850 |
| 4. | Bell & Howell ABR-650 16mm electrostatic print process, motorized Workstation 1 year service contract | \$ 2766 315 320 <hr/> \$ 3401 |
| 5. | 3M 500LM 16/35mm, dry silver print process, roll & jacket Workstation no service contract price stated | \$ 4245 436 <hr/> \$ 4681 |
| 6. | Bell & Howell ABR 650 16mm electrostatic print process, with auto blip retrieval Workstation 1 year service contract | \$ 4500 315 500 <hr/> \$ 5315 |
| 7. | 3M EF6000 16mm dry silver print process roll or cartridge motorized Workstation 1 year service contract | \$ 5703 436 600 <hr/> \$ 6739 |
| 8. | 3M EF6000 16mm dry silver print process auto blip retrieval Workstation 1 year service contract | \$ 8950 436 775 <hr/> \$10161 |
| 9. | Kodak Starvue 16mm, dry print process, motorized, spool and cartridge-no price stated Workstation 1 year service contract | \$ 351 600 <hr/> \$ 951 |
| 10. | Kodak IMT 16mm dry print process, auto blip retrieval Workstation no service contract price stated | \$12818 351 <hr/> \$13169 |

b. Readers

| | | |
|----|---|--------|
| 1. | Bell & Howell ABR IV, 16/35mm no service contract needed | \$ 311 |
| 2. | Dukane 16/35 manual reader no service contract needed | \$ 600 |
| 3. | ALOS 16mm (United Business & Microfilm) no service contract needed | \$ 900 |

If you decide to purchase a camera to do your own microfilm updating, I suggest we reevaluate the situation. The volume of your current records does not indicate a need for an ongoing microfilm system at this time.

There were references to filming some records which I do not recommend.

| | | <u>Retention Period</u> |
|-----------------------|--|---|
| <u>Treasurer</u> | 1. Motor Vehicle registrations. 2. Warrants 3. Bonds | 3 years & audit 5 years & audit after satisfaction of issue--return to issuing agency |
| <u>District Court</u> | 1. Court cases over 20 years old. | |
| <u>Clerks</u> | 1. Motor Vehicle Titles | 5 years |
| <u>Assessor</u> | 1. Appraisal Cards 2. Motor Vehicle Statements | after reappraisal 2 years & audit |

I hope these observations and recommendations aid in your decision. If you have any questions, please give me a call.

Thank you.

Sincerely,

David B. Helton
Records Analyst
Records Management Division

Mr. Helton: An ongoing microfilm system would not be warranted because there is not enough volume at this time.

Mr. Helton and Board members discussed microfilming court cases over 20 years old.

Mrs. Hirschbach asked for a listing of records we should add to the list to be microfilmed after the back log is finished.

Mr. Morgan asked for a list of services provided by the State as far as motor vehicles.

Mr. Piepho asked about additional equipment for security only.

Mr. Helton said we should get one reader/printer and as many additional readers as needed.

Roger Gruber, representative with Koch Brothers, appeared before the Board. Mr. Gruber explained to the Board that 3M has a camera to do the backlog work for you. The camera and reader cost \$9,113.00.

The Board reviewed claims filed with the County Clerk this past week. They acknowledged receipt of the following letter from Tom Dowd, Union Attorney.

August 21, 1981

Maurice Redmond
Attorney at Law
Dakota City, Nebraska 68731

Re: Council No. 32AFSCME vs. Dakota County, Nebraska

Dear Mr. Redmond:

This is to confirm your telephone conversation with Ed Cox. We are not going to object to Dakota County leaving on the pay checks any increases due to promotions from employees coming from probationary to permanent or merit increases.

Very truly yours,

Thomas F. Dowd

TFD:pa

Mrs. Hirschbach: Ted, how soon will the checks get out if they are approved today?

Mr. Piepho: I guarantee they will go out tomorrow for sure.

Garvey moved, seconded by Morgan to approve the following claims:

GENERAL-PAYROLL: Social Security \$1169.50; Blue Cross \$1020.22; Eloise Gormally \$615.25; Margaret Rahn \$615.25; Myra Smith \$599.20; Charlotte Doenhoefer \$615.25; Ruth Jensen \$615.25; Nadine Johanson \$615.25; Mardell Sorensen \$615.25; Ruth Warnock \$615.25; Jarold Gilson \$1070.00; Linda Wilson \$791.75; Mike McManigal \$950.00; Linda Wilson \$107.10; Darlene Arneson \$552.50; Norma Barajas \$108.80; Sally Deal \$81.60; Michael Koettters \$554.20; Earlean McClain \$544.00; Neva Neal \$343.37; Pat Parkins \$326.40; Armon Todd \$963.00; Cheryl Lundberg \$108.80; Nellie June Beardshear \$684.00; Shirley Bentz \$615.25; Dorothy Lundberg \$615.25; Lillian Rager \$647.75; Jeanette Ramirez \$684.00; Madelyn S. Thorsland \$615.25; Nondas Vitols \$647.75; Nancy Dean \$333.32; Jon Norris \$253.75; Patricia Stingley \$668.75; Lyle Todd \$414.00.

WEED FUND-PAYROLL: Social Security \$3.33; Ruth Foeshoe \$50.00

ROAD-PAYROLL: Social Security \$739.98; Blue Cross \$630.18; George Anderson \$846.37; Leland Armbright \$800.00; Caleb Chapman \$846.37; Beverly Gradert \$582.90; Walter Heinemann \$913.78; Robert Jacobsen \$1070.00; Kurt Johnson \$846.37; Walter Johnson \$982.26; Richard McNear \$800.00; Arnold Mellick \$946.95; Marlan Millard \$846.37; Willis Roeber \$800.00; Earl Stading \$846.37

Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
Unanimous motion carried

Gretchen Hirschbach and Larry Morgan will work together to revise our welfare procedures.

Rohde moved, seconded by Culbertson to approve the claim for \$8,169.07 for a 1981 Buick Skylark.

Mr. Culbertson: Bill Whear (County Sheriff) contends that the item was budgeted for and therefore it did not have to be bid on.

Mrs. Hirschbach: By State statute we are required to get bids on expenditures over \$5,000.00 regardless if they are a budgeted item.

Mr. Morgan: I would like to have seen the State's bid. I personally couldn't approve it because it hasn't been bid on.

Mrs. Hirschbach contacted the County Attorney's office for a copy of the statute regarding purchases over \$5,000.00.

Rohde withdrew his motion and Culbertson withdrew his second because it was determined the Board could not recess with a motion on the floor and the Board wanted to discuss this more before a vote was taken.

Rohde moved, seconded by Morgan to recess until 1:00 p.m.
Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried 11:45 a.m.

Garvey moved, seconded by Rohde to reconvene.
Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried 1:27 p.m.

The Board reviewed and discussed the statute describing the procedure of bidding.

The Board decided to hold a special meeting on Tuesday, September 1, at 9:00 a.m. to give more consideration to the claim for a 1981 Buick Skylark.

Morgan moved, seconded by Garvey that Dakota County express desire to participate as a member of the Dakota County Solid Waste Disposal Agency pending the resolution of the joint agreement and subsequent ratification of same.

Mr. Rohde asked what commitments have we made thus far with the agency.


Mr. Morgan explained that we are not committed to anything at this time nor are we committed to any dollar amount at this time.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried

Morgan moved seconded by Rohde to adjourn.
Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
Unanimous motion carried 1:45 p.m.

ATTEST:


COUNTY CLERK


CHAIRPERSON OF THE BOARD

COMMISSIONERS MEETING
SEPTEMBER 1, 1981 PROCEEDINGS
BASEMENT MEETING ROOM

Chairwoman Hirschbach called their special session to order at 9:10 a.m. where as proper notice was posted in at least 3 or more places within the County pursuant to Section 23-154 R.R.S. 1943.

Present were: Paul Culbertson, Robert Garvey, Daniel Rohde, Gretchen Hirschbach, Larry Morgan and Ted Piepho, Secretary.

The Board met with William Whear (County Sheriff) concerning the claim for a 1981 Buick Skylark. There was discussion pertaining to the procedure of purchasing the vehicle.


The Board asked Maurice Redmond (County Attorney) if his opinion concerning the purchase of the vehicle was complete.

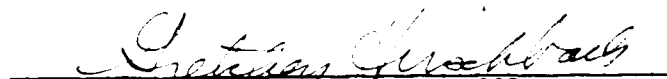
Mr. Redmond stated he did not have his opinion because he was checking the legislature history to get the legislatures intent.

The Board discussed the garage setting on County easement on 9th Street road.

Garvey moved, seconded by Culbertson to adjourn.
Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried 9:50 a.m.

ATTEST:


COUNTY CLERK


CHAIRPERSON OF THE BOARD

COMMISSIONERS MEETING
 SEPTEMBER 8, 1981 PROCEEDINGS
 BASEMENT MEETING ROOM

Chairwoman Hirschbach called the meeting to order at 9:02 a.m.
 Present: Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary.
 Absent: Larry Morgan

Culbertson moved, seconded by Rohde to approve the minutes of August 24 and September 1 as corrected to read "The Weed Board can only legally spray noxious weeds."
 Voting Yea: Culbertson, Hirschbach, Rohde, Garvey
 Absent: Morgan
 Motion carried

Chairwoman Hirschbach read the statute in regards to mowing county roads which states the landowner is responsible for the mowing of road sides.
 The Board briefly discussed the statute.
 Mrs. Hirschbach said she would check to see if the same rule applies to Highways and she will ask Bruce Hovey (Highway Superintendent) to contact someone about doing the work.

Mrs. Hirschbach informed the Board of the resignation of Lyle Todd as County Building Inspector, effective August 21, 1981.

Two applications for Building Permits were received.

Garvey moved, seconded by Culbertson to approve the Building Permit application of Don Prenger for a garage for Lois Beermann.
 Voting Yea: Rohde, Garvey, Culbertson, Hirschbach
 Absent: Morgan
 Motion carried

Rohde moved, seconded by Garvey to approve the Building Permit Application of Kerry Longwell for a dwelling.
 Voting Yea: Garvey, Culbertson, Hirschbach, Rohde
 Absent: Morgan
 Motion carried

Garvey moved, seconded by Rohde to convene as the Board of Equalization.
 Voting Yea: Culbertson, Hirschbach, Rohde, Garvey
 Absent: Morgan
 Motion carried 9:21 a.m.

Culbertson moved, seconded by Garvey to reconvene as the Board of Commissioners.
 Voting Yea: Rohde, Garvey, Culbertson, Hirschbach
 Absent: Morgan
 Motion carried 9:25 a.m.

Ken Beekley, SIMPCO, appeared before the Board. The acknowledged receipt of the following letter from the City of Dakota City.

Mr. Ted Piepho
 Dakota County Clerk
 Dakota County Courthouse
 Dakota City, Nebraska

Dear Ted,

Bids were opened for the 1981 HUD Sewer and Water Projects at last night's special council meeting. Included in that bid was a city project for water main extension. On the total project the engineer's estimate was \$59,500.00 with the six bids ranging from a high \$67,993.90 to the low bid of \$58,510.00. The low bid was by Turner Plumbing and Heating of Vermillion, South Dakota and was accepted.

The HUD portion for water was \$43,038.00, sewer \$8,508.00 for a total of \$51,546.00. The Mayor and Council realize this exceeds the \$43,845.00 available from HUD and are committed to supplementing the HUD funds with required city funds.

Please call if further information is desired.

Sincerely,

Don McKinney
 City Administrator

DMK/mk
 cc: Ken Beekley-SIMPCO
 File

Mr. Beekley: We need to have the County ratify the action of Dakota City.

Rohde moved, seconded by Garvey to approve the bid of Turner Plumbing and Heating of Vermillion, South Dakota.
 Voting Yea: Garvey, Culbertson, Hirschbach, Rohde
 Absent: Morgan
 Motion carried

Mr. Beekley: The Draft Agreement with SIMPCO outlines the responsibilities we have and gives both parties a formalized agreement.

Culbertson moved, seconded by Garvey to approve the following agreement.

AGREEMENT

THIS AGREEMENT ENTERED INTO AS OF THIS _____ DAY OF _____, 1981, BY AND BETWEEN DAKOTA COUNTY, NEBRASKA, HEREIN CALLED THE "COUNTY" AND THE SIOUXLAND INTERSTATE METROPOLITAN PLANNING COUNCIL, HEREIN CALLED THE "CONTRACTOR".

WITNESSETH THAT:

WHEREAS, The County is receiving funds under the Housing and Community Development Act of 1971, Project B-81-DS-31-0005, to establish a community development program; and

WHEREAS, said funds are for the benefit of the residents of Dakota County, especially those residing in the unincorporated portion of the County, the City of Dakota City and the Village of Jackson; and

WHEREAS, expenditure of said funds is subject to statutory and administrative requirements of the U.S. Department of Housing and Urban Development and other appropriate federal agencies; and

WHEREAS, the County desires to retain the services of the Contractor to perform certain duties relative to administration and implementation of the community development program; and

WHEREAS, the County and the Contractor are duly authorized to enter into the Agreement.

IT IS HEREBY MUTUALLY AGREED AND UNDERSTOOD AS FOLLOWS:

1. It shall be the responsibility of the County:

- a. to approve applications for housing assistance based upon the recommendation of its selected lender.
- b. to engage a qualified individual to design the Dakota City water main and sanitary sewer improvements, oversee their construction, and inspect the resultant improvements for completeness.
- c. to retain the overall fiscal responsibilities for the grant in accordance with applicable laws and regulations, including, but not exclusively, the approval of all claims, warrants, requests for payments and other financial documents and forms.
- d. to perform the required closeout procedures, including, but not exclusively, to hire an independent auditor to perform the final program audit, and to resolve any audit findings or recommendations.
- e. to appoint a Fair Housing/Equal Opportunity Officer and Labor Compliance Officer to monitor compliance with applicable laws and regulations.

2. It shall be the responsibility of the Contractor:

- a. to prepare a Final Application for program funds to undertake the community development program as well as the accompanying Housing Assistance Plan and Environmental Review Record.
- b. to assist the County and its selected architect/engineer or other qualified individual in preparation of bid documents, construction contracts, advertisements and other forms and documents deemed necessary to administer the Dakota City water main and sanitary sewer improvements projects. It is intended that the Contractor's role will be to insure consistency with program requirements.
- c. to design an appropriate private rehabilitation leveraging program and assist the County and its selected lending institution in its establishment.
- d. to prepare the housing rehabilitation applications, technical specifications, bid documents, construction contracts, advertisements and other forms and documents deemed necessary to administer the rehabilitation activities.
- e. to perform the initial, in-progress, and final housing inspections.
- f. to assist the County in soliciting bids to perform the housing rehabilitation work and select a qualified contractor subject to approval by the borrower.
- g. to assist the County in mediating any disputes between the borrower and the housing rehabilitation contractor.
- h. to assist the County in designing the community development program's accounting and master filing systems in accordance with Federal regulations.
- i. to assist the County in providing for the accounting of funds, preparation of financial forms for drawdown and payment, and performance of other functions in the management of program finances as requested.
- j. to assist the County in reviewing the selected lender's recommendation concerning appropriate action to be taken by the lender in the County's behalf relative to delinquent housing rehabilitation accounts.
- k. to prepare the Performance Assessment Report at the program's completion and assist the County in the grant close-out procedure.
- l. to assist the Fair Housing/Equal Opportunity and Labor Compliance Officer in monitoring program compliance with applicable laws.

- 3. Time of Performance. The services of the Contractor are to commence retroactively to February 20, 1981, and are to be performed for the duration of Project B-81-DS-31-0005, which is expected to conclude May 31, 1982.
- 4. Compensation. The County agrees to compensate the Contractor for work and services performed in accordance with the terms of this Agreement. These services will be performed on a cost basis which includes salaries, related travel expenses and administrative charges. The Contractor estimates this cost to be ten thousand, five hundred dollars(\$10,500) and agrees to notify the County if this cost estimate is exceeded in order to amend the Agreement accordingly.
- 5. Method of Payment. The County agrees to pay the contractor an amount not to exceed ten thousand, five hundred dollars (\$10,500) unless this Agreement is amended accordingly. Billing for services provided shall be on a monthly basis, or as necessary.
- 6. Amendments. It may be necessary, from time to time, to amend the responsibilities and services of the parties signatory hereto. Such amendments, including any increase or decrease in the amount of the Contractor's compensation which are mutually agreed upon by and between the County and the Contractor shall be incorporated in written amendment to this Agreement.
- 7. Equal Employment Opportunity. There shall be no discrimination against any employee who is employed in the work covered by this Agreement, or against any applicant for such employment, because of race, color, religion, sex, or national origin. This provision shall include, but not be limited to, the following: employment; upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
- 8. Retroactive. The provisions of this Agreement shall be made retroactive to February 20, 1981.

Signed this _____ day of _____, 1981.

DAKOTA COUNTY, NEBRASKA

By _____
Gretchen Hirschbach, Chairperson
Board of Commissioners

Signed this _____ day of _____, 1981.

SIOUXLAND INTERSTATE METROPOLITAN
PLANNING COUNCIL

By _____
Charles E. Strong, Chairman
Board of Directors

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey
Absent: Morgan
Motion carried

Mr. Beekley briefly explained the Housing Program Update.

Rex Luse and Tom Ryan with United Business Equipment and Microfilm, appeared before the Board. Mr. Luse explained which records he felt were most important and should be microfilmed first.

Garvey moved, seconded by Rohde to recess.
Voting Yea: Hirschbach, Rohde, Garvey, Culbertson
Absent: Morgan
Motion carried 10:07 a.m.

Rohde moved, seconded by Garvey to reconvene.
Voting Yea: Rohde, Garvey, Culbertson, Hirschbach
Absent: Morgan
Motion carried 10:25 a.m.

Roger Gruber, Koch Brothers, appeared before the Board and briefly discussed microfilming.

Bruce Hovey, Highway Superintendent; Lance Hedquist, South Sioux City Administrator and Leroy Satrang, engineer, appeared before the Board in regards to South Sioux City going through the County easement. Mr. Hedquist referred to this as the Foundry Road Project. There is presently a storm sewer along part of Foundry Road.

Mr. Satrang: We want to extend the storm sewer another 1500 feet toward the Missouri River.

Mr. Hedquist: The road ditch is there, we have the R.O.W. and there is a storm sewer in part of the road already.

Mr. Satrang: The road would be lowered an average of 2½ feet.

Mr. Garvey: Would it affect your snow removal, Bruce?

Mr. Hovey: Yes.

Mr. Culbertson: Maybe we could make a trade. They (South Sioux City) could maintain that road if they are getting the dirt from it.

Mrs. Hirschbach: I think Paul's idea would be good for both South Sioux City and Dakota County.

Mrs. Hirschbach asked Mr. Satrang and Mr. Hedquist to work with Mr. Hovey on the legal aspects.

Garvey moved, seconded by Rohde the County permit South Sioux City to construct a storm sewer on its easement along Foundry Road.

Voting Yea: Garvey, Culbertson, Hirschbach, Rohde

Absent: Morgan

Motion carried

The Board discussed having Bruce Hovey serve as the County Building Inspector. The Road Committee will work with Mr. Hovey on the Building Inspector job.

Mr. Hovey asked the Board about employees being paid twice a month instead of only once a month. Mr. Hovey said some road employees are the sole supporters of their families and it is not easy for some to manage when they are paid only once a month. Board members agreed it would be a good business practice.

Mr. Culbertson asked about the status of the Monahan road.

Mr. Hovey: We cut the weeds and graded the road. We may put some more gravel on it.

The Board acknowledged receipt of the following letter from Tom Dowd, Union Attorney.

September 3, 1981

Maurice S. Redmond
Dakota County Attorney
P.O. Box 117
Dakota City, Nebraska 68731

Dear Maurice:

This will confirm our telephone conversation of September 2, 1981 wherein I approved the Court Journal Entry which you prepared pursuant to the direction of Judge John Whitehead. As discussed, the Court also directed Dakota County to recover the 3% increase given to the Sheriff's Department Employees, the 11.2% increase given to the Assessor Office Employees, and the general wage increase granted to all bargaining unit employees in July.

As suggested prior to the September 1, 1981 hearing, the Union would approve a 12% across the-board increase effective July 24, 1981 for all bargaining unit employees. In consideration thereof, the Union would approve the 11.2% increase for Assessor Office Employees and the 3% for Sheriff's Office Employees and thus eliminate the requirement that Dakota County take action to recover these payments. There was certainly no intention to work a hardship on the employees; however, the County was in error in unilaterally changing employees wages without approval of their collective bargaining representative. It is for this simple reason that the Union was required to file the action with the District Court of Dakota County by way of a Contempt proceeding in order to cause recognition to be made of the County's obligation to obtain Union approval with respect to bargaining unit employees prior to any increase in wages. While there may be philosophical differences of opinion as to the County's obligation to do so, I am sure you will concur that that is the status of the law of the State of Nebraska.

In any event, I feel that it would be in the best interest of the employees, elected officials, and taxpayers of Dakota County that representatives of the County Board and elected officials return to the bargaining table with the Union and thereby acknowledge and fulfill their clear obligations under law. The Union has no right to determine the composition of Dakota County's bargaining committee; however, a committee should consist of a sufficient representative group so that tentative decisions and agreements can be made concerning all matters pertaining to wages, hours, and terms of employment for all bargaining unit employees. It may well be that the County would find a need to have representative from each elected office as well as a representative from the County Board at the bargaining table. The Union has no objections to such a composition. The employees of Dakota County have been denied their right under law to bargain with the County concerning wages, hours, terms and conditions of employment. They selected the Union under the democratic secret ballot process pursuant to law. Yet they had been denied the right to bargain and I believe that it would be in the best interest of the County to correct this unfortunate state of affairs.

Please advise after you have had an opportunity to consult with the County Board and involved elected office holders whether a 12% across-the-board increase effective July 24, 1981 for bargaining unit employees can be effectuated and thus avoid the necessity of recovering the previous wage increases from the effected employees. We will agree in that connection that by doing such will in no way effect your position on appeal before the Nebraska Supreme Court and shall no constitute an admission against interest. Thank you for your assistance and cooperation in this matter.

Very truly yours,

Thomas F. Dowd

TFD:pa

cc: Gretchen Hirschbach, County Commissioner
Larry Morgan, County Commissioner
Daniel Rohde, County Commissioner
Robert Garvey, County Commissioner
Paul Culbertson, County Commissioner
Ted Piepho, County Clerk
Robert Giese, County Treasurer
William Whear, County Sheriff
Joy Nixon, County Assessor

Mrs. Hirschbach requested an executive session to discuss litigation and negotiations.

Culbertson moved, seconded by Garvey to convene in executive session to discuss litigation and negotiations as request by Mrs. Hirschbach.

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey

Absent: Morgan

Motion carried 11:13 a.m.

Rohde moved, seconded by Garvey to reconvene in regular session.

Voting Yea: Hirschbach, Rohde, Garvey, Culbertson

Absent: Morgan

Motion carried 12:31 p.m.

Mrs. Hirschbach asked for a motion authorizing Board members to serve on the negotiation committee.

Rohde moved, seconded by Garvey that Larry Morgan and Gretchen Hirschbach be Board Representatives to negotiate with the bargaining agent.

Voting Yea: Rohde, Garvey, Culbertson, Hirschbach

Absent: Morgan

Motion carried

Mrs. Hirschbach asked William Whear, Joy Nixon, Robert Giese and Ted Piepho whether they were willing to negotiate All agreed they would.

Garvey moved, seconded by Culbertson to direct Maurice Redmond to obtain private labor counsel for future use.

Voting Yea: Garvey, Culbertson, Hirschbach, Rohde

Absent: Morgan

Motion carried

Culbertson moved, seconded by Garvey that a committment from the Labor Attorney be obtained before any negotiations begin.

Voting Yea: Culbertson, Garvey

Voting Nay: Hirschbach, Rohde

Absent: Morgan

Motion denied

Rohde moved, seconded by Garvey to adjourn.

Voting Yea: Hirschbach, Rohde, Garvey, Culbertson

Absent: Morgan

Motion carried 12:40 p.m.

ATTEST:

Sheldon Piepho
COUNTY CLERK

Gretchen Hirschbach
CHAIRPERSON OF THE BOARD

* * * * *

COMMISSIONER'S MEETING
SEPTEMBER 14, 1981 PROCEEDINGS
BASEMENT MEETING ROOM

Chairwoman Hirschbach called the meeting to order at 9:00 a.m.
Present were: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary.

Culbertson moved, seconded by Garvey to approve the minutes of September 8, 1981 as typed.

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey

Abstaining: Morgan

Motion carried

Joy Nixon, County Assessor, asked that 5 or 10 minutes of each meeting be set aside for her to report on meetings she has attended or for general discussion.

The Board set up September 23 and 24 as possible Union Negotiation Meetings.

Mrs. Hirschbach: We will set up future meetings at that time.

Mr. Morgan: I want to meet with the negotiation committee next Monday after our regular meeting.

Mr. Culbertson presented a report from the Road Department, which included a report on the county equipment and the fact that the control of weeds along county roads is the responsibility of the landowner. Bruce Hovey has agreed to assume the responsibilities of the Building Inspector. Mr. Hovey suggested the possibility of contracting the large road projects out to save the county equipment for the smaller maintenance jobs.

Mr. Rohde: I'm not for contracting out.

Mr. Morgan: We will have to look at the projects each year and determine if contracting would be best.

Mr. Hovey and the road committee recommended the county replace a motor grader this fiscal year.

Morgan moved, seconded by Culbertson that Bruce Hovey, County Highway Superintendent, prepare specifications for a motor grader and advertise for bids with the option of lease purchase and outright purchase.

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan

Unanimous motion carried

Mrs. Hirschbach asked Mr. Hovey and the road committee to report on the road marking system. Mr. Culbertson is to ask the Weed Board about spraying R.O.W. and brush.

Morgan moved, seconded by Rohde that Bruce Hovey be appointed as Zoning Administrator to include Building Inspection.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson

Unanimous motion carried

The Board received a resume from Keith Fegley who applied for the Building Inspector's job.

Garvey moved, seconded by Rohde to take a break.
 Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
 Unanimous motion carried 10:15 a.m.

Culbertson moved, seconded by Rohde to reconvene.
 Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
 Unanimous motion carried 10:30 a.m.

Bruce Hovey, Highway Superintendent, appeared before the Board. Mr. Hovey said he met with the engineer and Lance Hedquist. Mr. Hovey recommends the county let South Sioux City go ahead with their plans for the Foundry Road project. The maintenance of Foundry Road will be worked out with the city.

Garvey moved, seconded by Rohde to allow South Sioux City to take fill from Foundry Road as originally requested.
 Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
 Unanimous motion carried

Morgan moved, seconded by Culbertson to approve the Building Permit Application of Alfred and Elaine Harris for a dwelling (mobile home).
 Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
 Unanimous motion carried.

Morgan moved, seconded by Rohde to approve the Building Permit Application of Loren Messerschmidt for a dwelling.
 Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
 Unanimous motion carried

Mrs. Hirschbach said she contacted Mr. Redmond (County Attorney) on various matters. Mr. Redmond still has no recommendation on the claim for the Sheriff's car. Mr. Redmond will notify the Union in regard to the dates set up for bargaining.

Ted Piepho, County Clerk, presented a claim for help in the Extension Office for the fair.
 Morgan moved, seconded by Garvey to approve the claim of Charlene Nelson for \$375.20.
 Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
 Unanimous motion carried


Rohde moved, seconded by Garvey to convene as the Board of Equalization to set levies (tax rates).
 Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
 Unanimous motion carried 10:25 a.m.

Morgan moved, seconded by Garvey to reconvene as the Board of Commissioners.
 Voting Yea: Hirschbach, Rohde, Garvey, Morgan
 Absent: Culbertson
 Motion carried 12:35 p.m.

The Board opened their mail.

Garvey moved, seconded by Rohde to adjourn.
 Voting Yea: Rohde, Garvey, Morgan, Hirschbach
 Absent: Culbertson
 Motion carried 12:45 p.m.

ATTEST:


 COUNTY CLERK


 CHAIRPERSON OF THE BOARD

COMMISSIONER'S MEETING
 SEPTEMBER 21, 1981- PROCEEDINGS
 BASEMENT MEETING ROOM

Chairwoman Hirschbach, called their regular scheduled meeting to order at 9:05 a.m.

Present were: Gretchen Hirschbach, Daniel Rohde, Robert Garvey, Larry Morgan, Paul Culbertson and Ted Piepho, Secretary.

Rohde moved, Seconded by Morgan to approve the minutes of September 14th as typed. Voting Yea; Rohde, Morgan, Culbertson, Garvey, Hirschbach. Unanimous Motion Carried.

Wayne Stark, appeared before the board regarding the situation where he says the road is to close to his fences and the road is not on the section line. Mr. Stark says the county continues to knock his fence down during snow removal. Mrs. Hirschbach, referred this problem to the road committee.

Mildred Jorgensen, County Welfare Director, presented her monthly report.

| | |
|--------------------------------|--------------------|
| DAKOTA County Poor Relief----- | September 30, 1981 |
| Budget 7-1-1981 | \$131,500.00 |
| July- Medicaid | \$11,762.10 |
| Room & Board | 35.65 |
| August- Room & Board | 35.65 |
| Rent | 65.00 |
| September-Medicaid | 25,859.44 |
| Room & Board | 35.65 |
| Rent | 65.00 |
| Total Spent | <u>\$37,858.49</u> |
| Balance in Budget | \$93,641.51 |

Robert Giese, County Treasurer, presented his monthly report in which he stated the interest earned for July and also a total for this fiscal year. Mr. Giese, also asked the board if they had looked at the Distress Warrant list. And informed the board that distress warrants had to be completed by the end of the month.

Gene Sturm (SIMPCO), appeared before the board concerning the Flood Boundary and Flood Maps.

Mr. Sturm, told the board that the county had to send final comments to the Flood Plain Administration, within 3 weeks. He added further that the county had basically two options. 1) to approve the maps and 2) the county can appeal them. Mr. Sturm, didn't think that another Public Hearing was necessary but that the county could advertise in the local paper. Notice that they were accepting appeals from individuals on the Flood Plain. The board agreed with that and asked Mr. Sturm if he would put the notice in the paper. Mr. Sturm, said there wasn't enough detail and insufficient coverage for the county to use as guideline and therefore suggested appealing the Flood Maps. The board agreed.

Bruce Hovey, Highway superintendent discussed the unemployment claim the board tabled in May, and said that the board should approve the claim to be paid.

Mr. Hovey and the board discussed the following:

- 1) purchase or lease of a motor grader
- 2) filling cracks on old highway 20

Garvey moved, seconded by Rohde to recess for 10 minutes.
Voting Yea: Garvey, Rohde, Morgan, Hirschbach, Culbertson,
Unanimous Motion Carried:10:40 a.m.

Garvey moved, seconded by Culbertson to reconvene.
Voting Yea: Rohde, Morgan, Hirschbach, Culbertson, Garvey
Unanimous Motion Carried:10:50 a.m.

Maurice Redmond, County Attorney appeared before the board and between them discussed salary claims and how they should be handled.

Mrs. Hirschbach, received an agreement from the union to send employees within the bargaining unit a letter requesting they voluntarily repay the increases in May, June and July.

Authorization from the Union reads as follows:

A letter requesting a voluntary payment of all salary increases is sufficient at this time.

Nondas Vitols.

The County Board reviewed all claims filed with the county clerk for the month of September.

Morgan moved, Seconded by Rohde, to denigh the claim submitted by Maxine Titler for the County Fair Book ad.

Voting Yea: Morgan, Rohde, Garvey, Hirschbach

Voting Nay: Culbertson

Motion Carried:

Morgan moved, Seconded by Garvey that the Board Chairman notify all employees included in the bargaining unit, with a letter requesting them to repay all salary increases paid in April, May, June and July.

Voting Yea: Rohde, Garvey, Hirschbach, Morgan, Culbertson

Unanimous Motion Carried.

Morgan moved, Seconded by Culbertson that the claim for the Sheriff; can be tabled until the Attorney General's opinion is received.

Voting Yea: Garvey, Hirschbach, Morgan, Culbertson and Rohde.

Unanimous Motion Carried.

Morgan moved, seconded by Rohde to approve the following claims.

ASSISTANCE:

Salary-Mildred Jorgensen, 1644.15, Jeanine Bliven 910.06, Margaret Boeshart 1271.71, Pauline Jensen 1298.76, Patricia Lane 1139.15, Mary O'Dell 829.31, Charlene Weber 1139.37,
Claims-Blue Cross 295.13, Social Security 547.47, Mildred Jorgensen 3.36, Margaret Boeshart 24.36, Pauline Jensen 8.82, Pat Lane 21.84, Charlene Weber 56.91, Mildred Jorgensen 2.35, Northwestern Bell 176.23, Sioux City Stationery 5.92, Credit Bureau of So Soo 4.85, The Pender Clinic 7.50, A B Dick Products 172.00, Dakota County Treasurer 632.52,

Poor Relief:

Nebraska State Department of Public Welfare 25,859.44, Grace Hamilton 65.00,
Esther Cannon 35.65

INSTUTIONAL:

Lincoln Regional Center 210.00, Norfolk Regional Center 699.00, Beatrice State Development 2010.00, Hastings Regional Center 642.00

SOLDIER & SAILORS:

Maurice A. Roady 1,000.00

DAKOTA COUNTY AGRI SOCIETY:

Dakota County Ag Soc. 3,800.00

DAKOTA COUNTY HISTORICAL SOCIETY:

Dakota County Historical - monthly disbursement 509.39

WEED:

Salary-Paul M. Foreshoe 910.00, Ruth B. Foreshoe 50.00, Maurice Crofoot 25.00, J. Colin Green 25.00, Elmer E. Nelson 25.00, John Ryan 25.00, George Shrader 25.00,
Claims- Social Security 72.15, Blue Cross 41.66, Ruth Foreshoe 25.00, Maurice Crofoot 1.80, J. Colin Green 4.80, Elmer E. Nelson 2.80, John Ryan 5.00, George Shrader 2.00, Paul Foreshoe 86.70, Emerson Tri-County Press 18.48, So. Soo Star 44.10, So Soo Oil Co. 366.08, Boyer Valley Fertilizer 180.40,

FEDERAL GRANT-HIWAY SAFETY PROGRAM

Salary- Danny Potts 1070.00,

Claims- Social Security 71.16, Blue Cross 46.18, Danny Potts 10.00

ROAD:

Salary- George Anderson 846.37, Leland Armbricht 800.00, Caleb Chapman 846.37, Beverly Gradert 582.90, Walter Heinemann 913.78, Robert Jacobsen 1070.00, Kurt Johnson 846.37, Walter Johnson 982.26, Richard McNear 800.00, Arnold Mellick 946.95, Marlan Millard 846.37, Raymond Reed 1200.00, Willis Roeber 800.00, Earl Stading 846.37,
 Claims- Blue Cross 630.18, Social Security 819.78, Northwestern Bell 29.20, Village of Emerson 6.00, City of Dakota City 20.00, Anderson Eq.Co. 250.96, Carlson Machine Co. 1,333.78, Circle R Frame Aligners 349.63, Condon Motor Co. 422.60, D & L REpair 21.90, Dakota Auto Parts 23.25, Fehrs Tractor & Eq. Co. 64.75, Graham Brake 57.84, H & I Grain & Leasing 6.00, Hansen Machine Shop 25.00, Hydraulic Sales & Service 7.17, Joes Surplus 48.99, Midcon Eq. Co. 1,503.99, Missouri Valley Machinery Co. 1,121.06, Northwest Truck & Trailer 29.73, Rogers Radiator Repair 27.50, Saunders GMC, Inc. 13.36, Standatd Bearings Co. 8.99, Tucker's Glass Shop 84.74, United Wholesalers 28.53, Thorp ElectricLtd 126.00, Gill Construction Co. 5,162.56, Coast to Coast 1.59, Filter Care 37.80, Means Service Inc. 23.13, Monroe Welding Supply Co. 214.03, Premier Fastener Co. 32.21, Swan Industires 70.08, Ben Fish Tire Co. 495.72, Firestone Stores 339.76, Beermann Bros. Dehy 2.00, Fort Calhoun Stone Co. 112.48, The Haakinson & Beaty Co. 696.23, The New Walensky Lumber 41.04, St. Regis Paper Co. 3,847.09, Adams Service 362.75, Co-Operative Service Co. 590.44, Crystal Oil Co. 385.78, Diamond Horseshoe Truck Stop 986.84, Engels Mobil Service 330.76, Homer Service Station 494.01, So. Soo. Oil Co. 2,094.52, Warren Oil Co. 2,089.59, Newman Signs 196.25, Great Plains Supply Co. 14.00, Milo Birkley 1,500.00, Pat Dorcey 1,375.00, Howard Rasmussen 250.00, C. & N.W. Trans. Co. 200.00, Midwest Testing 1,223.25, Wayne W. Wheeler 1,660.00, State of Nebraska 1,832.00,

REVENUE SHARING:

Backus Sand & Gravel 7,194.75, Higman Sand & Gravel, Inc. 921.49

GENERAL FUND:

Jury Warrants- Robert E. Allen 20.80, Ruth E. Anderson 20.80, Wayne Blair 21.00, Lanny R. Bodlak 22.00, Jane A. Byerley 21.00, James Chrisman 20.00, Jerry Doom 21.40, Marvin H. Duncan 22.60, Loyd J. Fickler 20.00, Kevin L. Hamilton 21.00, Joan Johnson 23.20, Gary Knudsen 20.60, David A. Madsen 23.20, Robert Markee 21.20, Sherman W. McKinley 21.00, Jeanette R. Moes 21.00, Helen Murphy 20.80, Cleone J. Nielsen 21.20, Robert D. Rahn 22.20, Douglas L. Roeber 23.40, Merle Rubeck 21.00, Karlene Schademan 20.00, Earl Townsend 21.00, James Twhig 23.40, Judy Brewer 21.00, Alice Copple 20.00, Michael C. Curry 21.00, Robert J. Ford 21.00, Brenda Goodier 20.00, Beverly Gradert 24.40, Kenneth E. Jones 20.80, Marsha Koebernick 20.00, Gilbert Leisinger 21.00, Don Struble 21.60, Joyce Webb 22.20, Laurence Wellenstein 21.00, Kenneth V. Moore 40.80.
 Salary- Gretchen Hirschbach 541.66, Paul Culbertson 541.66, robert Garvey 541.66, Larry Morgan 541.66, Daniel Rohde 541.66, Theodore Piepho 1,208.33, Mary Hinkle 924.44, Eloise Gormally 615.25, Margaret Rahn 586.86, Myra Smith 615.25, Robert Giese 1,208.33, Irene Van Lent 924.44, Charlotte Doenhoefer 615.25, Ruth Jensen 615.25, Nadine Johanson 615.25, Mardell Sorensen 615.25, Ruth Warnock 615.25, Virginia A. Piper 1,208.33, Betty Garwood 924.44, Sharon Shannon 712.81, Betty Garwood 150.00, Sharon Shannon 150.00, William F. Whear 1208.33, Harvey Bates 1,232.56, Jarold Gilson 1,070.00, Michael McManigal 1,050.00, Linda Wilson 791.80, Darlene Arneson 677.45, Sally Deal 248.20, Michael Koettters 685.10, Earlean McClain 683.22, Neva Neal 343.37, Patricia Parkins 326.40, Judy Petersen 374.06, Armon Todd 963.00, Linda Wilson 95.20, Maurice S. Redmond 1,208.33, Dennis J. Mahr 1,337.50, Gloria Engelbrecht 900.00, Cindy Harris 750.00, Patti Jo Ricke 355.10, Raymond Speer 1,333.33, Joy K. Nixon 1,208.33, Thelma E. Baugous 924.44, Nellie June Beardshear 676.50, Shirley Ann Bentz 617.25, Dorothy J. Lundberg 615.25, Lillian M. Rager 683.75, Jeanette D. Ramirez 690.75, Madelyn Thorsland 615.25, Nondas L. Vitols 674.25, Klemett Dean 1,385.34, Nancy Dean 455.60, Patricia Stingley 668.75, Patricia Stingley 111.20, Charlene Nelson 375.20, Bruce Hovey 2,166.67, Jon C. Norris 680.38, Maurice A. Roady 750.00, Lorraine Tillman 1,208.33, Bonibel Chapman 689.08, Dr. J.H. Walston 248.40, Maxine Titler 666.67
 Claims-Blue Cross 2138.93, Social Security 3109.34, Northwestern Bell 18.95, So. Soo. Star 1,504.51, Northwestern Bell 119.42, Hollar Stamp Co. 6.45, Sioux City Stationery 23.47, Robert Giese 58.80, Northwestern Bell 81.63, So. Soo. Star 117.60, Dakota County Treasurer 1.53, Burroughs Corporation 776.63, Precision Typewriter Works 2.50, Virginia A. Piper 39.96, Northwestern Bell 144.48, Sioux City Stationery 12.68, IBM 227.00, Exective Copy Systems 15.34, Northwestern Bank 200.25, Bancroft-Whitney Co. 194.65, West Publishing Co. 30.00, Redfield & Company 98.34, General Business Eq. 104.26, IBM 54.25, Northwestern Bell 157.45, Redfield & Company 457.21, West Publishing Co. 78.25, William F. Whear 466.72, Harvey Bates 721.12, Jarold Gilson 628.24, Armon Todd 152.64, Sioux City Stationery 51.44, Krogh's Coast to Coast 42.40, K-Mart 64.56, Northwestern Bell 270.50, Western Union 248.27, Sioux Valley Radio Eng. Co. 99.00, Sheriff Department 4.73, Leo's Service 357.26, Crystal Oil Co. 14.00, Security National Bank 135.52, Kemp Service Co. 91.67, Dakota Auto Parts 51.88, Sioux Valley Radio Eng. Co. 240.05, Jacks Men's Wear 90.00, William F. Whear 300.00, William F. Whear 1,235.00, Nebraska Correctional Industries 191.40, Sioux City Stationery 90.51, Redfield & Co. 13.99, Northwestern Bell 268.26, Physician's Desk Reference 29.45, West Publishing 25.00, Judith M. Wolf 128.00, Anderson Drive-In Radio 27.95, Shepard's MrGraw Hill 113.74, Matthew Bender 126.18, Bancroft-Whitney 35.00, Maurice S. Redmond 17.01, Maurice S. Redmond 10.55, Executive Leasing, Inc. 174.83, Maurice S. Redmond 64.38, Joy K. Nixon 176.99, Thelma R. Baugous 60.48, General Business Eq. 3.30, Perkins Stationery 32.50, Norfolk Printing 89.35, Redler's Pharmacy 54.00, Sioux City Stationery 10.50, Northwestern Bell 98.74, Precision Typewriter 16.00, Klemett Dean 39.20, Torticill's Inc. 18.47, Clausen Electric 123.79, City of Dakota City 1,256.12, General Business 62.00, Tagatz Hardware 156.10, Tucker Glass 4.80, Siouxland Disposal 30.00, IPS 923.00, American Linen Supply 44.00, Darrel Daum 12.50, Tuffy Lighting Supply Co. 174.00, Western Paper Co. 119.80, Kroghs Coast to Coast 33.84, Bahr Plumbing 93.64, Dakota County Extension 95.74, Bruce Hovey 61.00, General Business Eq. 57.90, Northwestern Bell 38.57, Sioux City Blue Print Co. 14.00, Northwestern Bell 21.70, Northwestern Bell 52.87, Maurice A. Roady 112.25, The American Legion 381.00, Redfield & Co. 15.98, Midwest Business Products 11.96, Northwestern Bell 28.02, So Soo Star 73.50, Lorraine Tillman 123.06, Wayne Wheeler 680.00, General Business Eq. 29.90, Sioux City Stationery Co. 22.00, Mid West Business Products 8.18, Nebraska Dept. of Communications 46.02, Northwestern Bell 66.51, So. Soo. Star 8.13, Northwestern Bell 6.90, So. Soo. Star 16.26, So. Soo. Star 45.40, Northwestern Bell 23.42, Hammond & Stephens 11.55, Sioux City Stationery 24.40, Northwestern Bell 13.80, Lyle Todd 49.14, Dakota County Court 40.00, Dick Wobken 32.00, Paula Stockton 20.64, Vern Larson 20.64, Russell H. White 20.22, Mary Jo Carter 20.00, Walter K. Messerlie 20.00, Walter K. Messerlie 20.00, Debbie Klein 21.92, Redfield & Company 49.16, Clerk of District Court 371.92, Clerk of Supreme Court 20.00, Paddock 66.24, Western Paper & Supply Co. 12.25, Coffee King 32.70, Wm Binkard 641.01, County Treasurer's Office 29.88, Treasurers Office 18.00, County Treasurer 1,000.00, Pitney Bowes Credit Corp. 20.00, Executive Copy Systems 225.00, Northwestern Bell 9.45, City of South Sioux 18.74, Joe Morten & Son 1,192.00, So. Soo. Star 104.56, Pitney Bowes Cr. Corp. 69.00
 Dakota County Sheriff Department 221.80, Joe Morten & Son 2,021.00, Dakota County Clerk 10.15

GENERAL - CON'T

Region IV Mental Health Center 3,286.50, Glover Painting & Decorating Co., Inc. 4,268.00,

The Board opened their mail.

Mrs. Hirschbach, signed the Revenue Sharing statement of Assurance.

Robert Garvey, signed the request for payment of credit and status of funds report from HUD.

The board told Robert Glese, not to issue any distress warrants to those that are more than two years old, and that they would review the list and add any names older than two years, if they deem necessary next meeting.

Rohde moved, seconded by Garvey to adjourn.

Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach

Unanimous motion carried 1:35 p.m.

ATTEST:


COUNTY CLERK


CHAIRPERSON OF THE BOARD

COMMISSIONERS MEETING
SEPT. 28, 1981 PROCEEDINGS
BASEMENT MEETING ROOM

Chairwoman Hirschbach called the meeting to order at 9:02 a.m.

Present were: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary.

Rohde moved, seconded by Garvey to approve the minutes of September 21 as typed.

Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey

Unanimous motion carried

The Board discussed the contract between Homer and Dakota County on a building previously passed by the County Board October 6, 1980 but not agreed to by Homer Village Board.

Mrs. Hirschbach: The "buy-back" is the only problem. If you choose to delete that, we can go to the Homer Board. It's not the clause we negotiated.

Culbertson moved, seconded by Morgan to strike Section F of the contract and resubmit it to the Homer Village Board.

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan

Unanimous motion carried

The Board discussed replacement of windows in the vault of the County Clerk's office and the County Treasurer's office.

Mr. Garvey: I think a new window should have been put in and the bars fixed over when the rest of the windows were replaced. I got a bid price of \$1,275.00 from the contractor to replace the window in the vault of the County Treasurer's office.

Mrs. Hirschbach: Ted was concerned because the Pella windows are not fireproof. However, neither vault has fire proof ceilings presently.

Mr. Peipho: If the current window is fireproof, I don't want to replace it with a window that isn't fireproof.

Rohde moved, seconded by Garvey to replace the window in the vault of the County Treasurer's office unless the Fire Marshall disapproves of the method of replacement.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson

Unanimous motion carried

Harvey Bates and Don Fitch appeared before the Board.

Mr. Fitch: I am representing Mr. Bates who purchased a forty acre tract of land in Dakota County. (Mr. Fitch pointed out the area on a map.) The tract is land-locked presently. There is no access road to it. Mr. Bates intends to improve the land and build a home there.

Mrs. Hirschbach asked Mr. Fitch to work with Dan Rohde and Paul Culbertson on the matter.

The Board reviewed the Distress Warrant list. Armon Todd and Dorothy Lundberg appeared before the Board to assist them in determining the final list for the treasurer to issue.

Mrs. Hirschbach: I would like to see Armon or Bill (County Sheriff, Bill Whear), request guidelines in writing from Mr. Redmond so we know where we stand.

Morgan moved, seconded by Culbertson the following be taken off the Distress Warrant list per the Sheriff's recommendation(with the Exception of Iowa General Housing) in his June 30, 1981 statement of Distress Warrant Collections.

| | | |
|---------|-----------------------|-----------------------|
| # 9 | Ace Building Center | Bankrupt |
| # 22 | Associated Body Shop | Out of Business |
| # 27-45 | B & B (Bill Beckman) | Out of Business/Moved |
| # 75 | Dale Bobier | Uncollectable |
| # 83 | Boyd Const., Inc. | Uncollectable |
| # 91 | Terry Burge | Bankrupt |
| # 103 | Christy Equipment Co. | Not Due |

| | | |
|-------------|------------------------------|----------------------------|
| # 107 & 387 | Sylvia Coleman (Ceramic's) | Out of Business |
| # 129 | Dudley Drug | Bankrupt |
| # 132 | Larry Eisenhauer | Not Due |
| # 135 | Nora Entreen | Deceased |
| # 141 | Roger Bousquet (Foam Bond) | Out of Business/Left State |
| # 176 | Hassel Const. Co., Inc. | Out of Business |
| # 194 | Homer Furniture & Upholstery | Out of Business |
| # 204 | Jensen Const. | Bankrupt |
| # 205 | Jensen Hardware & Lumber | Bankrupt |
| # 213 | William/Debra Keil, Jr. | Bankrupt |
| # 223 | Marvin Kovarna | Out of State |
| # 232 | Larson T.V. Service | Deceased |
| # 237 | Leasing, Inc. | Left State/Out of Business |
| # 243 | Lilja's Dept. Store, Inc. | Out of Business |
| # 254 | Marine Equipment & Supply | Bankrupt/Principles Dead |
| # 315 | Pik-n-Pak Store | Out of Business |
| # 317 | Pizza Shack (Bernard Westin) | Out of Business |
| # 332 | River City Auto Sales, Inc. | Moved out of State |
| # 344 | Richard Schincke | Uncollectable |
| # 348 | Meal Schutt | Deceased |
| # 350 | Sharp Industries | Out of Business |
| # 362 | Janice Snell | Moved to Chicago |
| # 364 | So. Soo Riverview Inc. | Out of Business |
| # 379 | Suidae Products Inc. | Out of Business |
| # 382 | Superette Food Market | Out of Business |
| # 396 | Michael Tompkins | Bankrupt |
| # 400 | Triple E. (Charles Eveleth) | Out of Business |
| # 405 | Vernon's Little Nashville | Out of Business |

Mr. Culbertson: Are these warrants forever gone?

Mr. Morgan: Warrants are not mailed out, but they are not gone; they are kept on file in the Treasurer's Office.

Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
 Unanimous motion carried

The Board acknowledged receipt of a questionnaire on Welfare Salaries, a letter from the Department of Labor in regard to the CETA program; and a letter of protest from Tom Barnes in regard to the Flood Hazard Maps.

Klem Dean appeared before the Board. Mr. Dean said he contacted the Fire Marshall about installing Pella windows in the vault of the Treasurer's office and Clerk's office. The Fire Marshall approved the Pella windows.

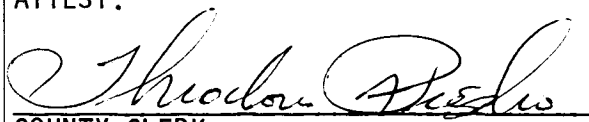
Mrs. Hirschbach contacted Mr. Redmond in regard to the Attorney General's opinion on the purchase of the car for the Sheriff's office.

Mr. Redmond said he has not yet received the opinion.

Rohde moved, seconded by Morgan to adjourn.

Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
 Unanimous motion carried 11:15 a.m.

ATTEST:


 COUNTY CLERK


 BOARD CHAIRPERSON

COMMISSIONERS MEETING
 OCTOBER 5, 1981 PROCEEDINGS
 BASEMENT MEETING ROOM

Chairwoman Hirschbach called the meeting to order at 9:08 a.m.
 Present were: Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary.
 Absent: Larry Morgan

Rohde moved, seconded by Culbertson to approve the minutes of September 28, 1981 as typed.
 Voting Yea: Culbertson, Hirschbach, Rohde, Garvey
 Absent: Morgan
 Motion carried

Jim Hanks, with the law firm of Klass, Whicher and Mishne appeared before the Board.

Mr. Morgan arrived at 9:11 a.m.

Mrs. Hirschbach: We need a motion to hire this firm to represent us as a spokesperson during our negotiation meetings.

Garvey moved, seconded by Culbertson to hire the firm of Klass, Whicher and Mishne.

Mr. Hanks briefly explained what he will be doing as spokesperson for the Board.

Mr. Culbertson asked what the fee would be.

Mr. Hanks: \$55

Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
 Unanimous motion carried

Ted Piepho, County Clerk and the Board briefly discussed microfilm.

Mrs. Hirschbach asked Mr. Piepho the amount of Revenue Sharing on hand and payments we anticipate before January.

Mr. Piepho: We will have approximately \$74,318 less than we had anticipated. We have approximately \$104,000 left to spend.

Mrs. Hirschbach: The reason I requested that information is because there is some indication there may be some action taken in January to reduce or eliminate Revenue Sharing. At this point, I would like to see us go with just the Clerk's and Treasurer's office until we see what will happen with the Revenue Sharing.

Morgan moved, seconded by Garvey to draw up a contract with Micro Systems, Inc., Sioux City, Iowa, to reflect the wishes of this Board that the amount of microfilming be determined by this Board.

Voting Yea: Garvey, Morgan, Hirschbach, Culbertson, Rohde
 Unanimous motion carried

Bonnie Beermann, SIMPCO, appeared before the Board regarding the Flood Map Appeal. She presented a letter from Gene Sturm and said the letter should be in Washington D.C. by next Tuesday. In addition to the letter, copies of appeals from residents are also being sent.

The Board received additional letters of appeal in the mail today.

Morgan moved, seconded by Rohde the Board Chairman be authorized to send an official protest to the Federal Insurance Administration.

Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
 Unanimous motion carried

Morgan moved, seconded by Culbertson to convene as the Board of Equalization.

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
 Unanimous motion carried 10:10 a.m.

Garvey moved, seconded by Culbertson to reconvene as the Board of Commissioners after a five minute break.

Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
 Unanimous motion carried 10:14 a.m.

Rohde moved, seconded by Morgan to reconvene.

Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
 Unanimous motion carried 10:25 a.m.

Mildred Jorgensen, County Welfare Director, appeared before the Board. She presented the Board with a Dakota County Policy for General Assistance County Poor Relief.

The Board briefly reviewed the policy.

Mr. Morgan: I recommend we adopt this policy at this time and then make the revisions as necessary.

Culbertson moved, seconded by Garvey to adopt the Dakota County Policy for General Assistance County Poor Relief.

DAKOTA COUNTY POLICY FOR GENERAL ASSISTANCE COUNTY POOR RELIEF

INTRODUCTION

General Assistance is a county tax supported program of public aid on a temporary basis for those persons not qualifying for other available support programs, and who do not have the financial means to meet essential and emergency needs. The Dakota County Board of Commissioners has adopted the following policies, and has assigned the responsibility of administration of these policies to the Dakota County Welfare Director.

DEFINITION

General Assistance shall mean payments made by the county to providers to meet essential and emergency needs of the recipient. Such assistance shall be reasonable and necessary under the circumstances and shall be in such amounts and made at such times as will, at the discretion of the county welfare board, meet the emergency or essential needs of the recipients of general assistance.

General assistance will include only the following needs:

1. Food
2. Housing
3. Energy and Public Utilities
4. Medical
5. Burial Expense according to Statute 71-1002
6. Emergency Transportation

ELIGIBILITY

Dakota County shall provide general assistance for the necessities of life to those poor persons who have a legal settlement within Dakota County and who are unable to earn a livelihood because of any unavoidable cause. A person shall meet the legal settlement requirement if he or she has resided one year continuously in the state of Nebraska and twelve months continuously in Dakota County. Section 68-115 shall be consulted for exceptions and rules governing minors. In the event that emergency aid is granted to a transient, the welfare director shall recover the funds from the county of his or her residence in accordance with Nebraska State Statute 68-113.

The following criteria shall be adhered to by applicants to be eligible to receive general assistance.

1. Applicant must demonstrate an emergency need for one or more of the items to be covered by general assistance. An eviction notice or utility shut-off notice will be required. Telephone services will not be considered for payment.
2. Applicant must provide sufficient information to allow the county welfare director to determine if the needs of the applicant are being provided by or being applied for under one or more of the following retirement or assistance programs:
 - a. Social Security
 - b. Social Security and S.S.I.
 - c. State of Nebraska Supplemental Income, AABD
 - d. Aid to families with dependent children
 - e. Unemployment compensation
 - f. Workmen's compensation
 - g. Veteran's pension or disability
 - h. All other public maintenance programs including veterans relief
 - i. The state program for emergency assistance to families with children to include provisions for catastrophic illness.

- j. All earned and/or unearned income received by any member of the household to include child support, intermittent wages, gifts, civil service pensions and other private pensions.
- k. A relative to include spouse, mother, father, son or daughter who is financially able shall be encouraged to provide support.
3. The Welfare Director shall utilize any special organizations such as Travelers Aid to provide emergency aid.
4. Only one payment will be made within any six month period for either rent or utilities.

LIMITATIONS

1. Rent payments shall not exceed \$140.00
2. Energy and utility payments shall not exceed \$65.00
3. Food shall be issued in accordance with food stamp standards. A grocery order shall be issued in lieu of cash.
4. The limitations shall be reviewed annually by the county welfare board.
5. The County Board of Welfare may, at its discretion, confide the care of a poor person to a householder or householders of good moral character. Every person to whom the care of any such poor person shall be entrusted shall execute a bond to Dakota County, conditioned that he or she will treat such poor persons with humanity, and provide him or her the necessary comforts of life, fitted to his or her condition. The bond shall state the sum to be paid by Dakota County for keeping such poor person.
6. The County Board of Welfare shall provide the necessary medical services for an eligible poor person. The physician and care facilities shall be authorized by the County Welfare Director prior to the receipt of treatment to the poor person. The County shall not be liable for the expense of medical treatment not authorized by the County Welfare Director.
7. General Assistance in an emergency may be granted by the County Welfare Director without prior authorization by the County Welfare Board except in cases involving unusual circumstances or policy considerations.
8. It shall be the intent of the County Board to provide short-term emergency relief only. In granting relief to any poor person, the County Board shall take into consideration the ability of the poor person to perform work. If such a person is strong and able-bodied, the County Board may require, as a condition prior to the granting of relief, such person to perform any county work or labor as will fairly compensate for the relief furnished. Such person shall be paid the federal minimum hourly wage.
9. The County Board shall not grant General Assistance in any case should the issuance of warrants cause the county expenditures to exceed the limitation imposed by statutes.

RESOURCES

An applicant may be ineligible for general assistance if he or she has resources of any kind which may be converted into monies to purchase those needs for which assistance is being requested. The following exceptions will be allowed:

- a. House and immediate real estate being used as a home by the applicant.
- b. One currently licensed vehicle used for household transportation and any other vehicles necessary for employment of household members.
- c. Household furnishings and personal belongings.
- d. Life insurance with cash value of less than \$1000.00 per insured.

DISPOSITION OF UNCLAIMED BODIES

1. An unclaimed body shall be remanded to the Nebraska State Anatomical Board in accordance with Nebraska State Statute.
2. An unclaimed body not accepted by the Nebraska State Anatomical Board shall be buried at county expense.

EMPLOYABILITY

An applicant shall be found ineligible for assistance unless he or she submits a statement of incapacitation from a physician, psychologist, or mental health agency; or can show evidence of active attempts to secure employment through job service and personal contacts. Suitable employment shall be determined entirely by physical and mental capabilities and not on training or previous work experience. The only exception shall be the need for the applicant to provide child care.

APPLICATION FOR ASSISTANCE:

Persons desiring to receive general assistance shall make written application to the county welfare director. Application forms will be available in the office of the director. The County welfare director shall provide the applicant written notice of approval or denial of the request with all reasonable promptness.

DENIAL PROCEDURE - APPLICANTS RIGHTS

Should the application be denied, the applicant shall have 30 calendar days in which to request an administrative review of the finding. The review shall be made by the County Welfare Director and the applicant shall be notified within 10 working days following such request. The applicant has the right to be represented by any representative of his or her choice.

APPEAL PROCEDURE

If the applicant is not satisfied with the decision rendered following an administrative review, he or she may request an appeal hearing by the County Welfare Board. The applicant shall have been given, prior to the hearing, a written statement setting forth the reason for denial of benefits. The County Welfare Board shall allow the applicant or his or her representative to present further evidence or arguments to support claim for benefits. The applicant or representative shall be allowed to examine any evidential material used to make the welfare department's decision unless such evidence was labeled confidential by a professional person supplying such information. The applicant shall be given written notice of the County Welfare Board's decision as soon as practicable, showing the reasons for the decision.

The decision may be appealed a second time to the County Board of Welfare within 30 calendar days of receipt of such decision, if the applicant or representative has additional evidence to present in support of the application. Such notice of request shall be filed with the County Welfare Director. The County Board of Welfare shall render a written decision to the applicant as soon as possible following such hearing on the appeal.

It shall be the responsibility of the County Welfare Director to be aware of the published regulations of the State Director of Public Welfare establishing maximum payments for all health services furnished to recipients of General Assistance and to insure that the County does not exceed those maximum payments.

The County Welfare Director shall submit a monthly report to the County Board of all General Assistance relief granted. This report shall include the current monthly expenditures and summation of expenditures for the current fiscal year. A list of these expenditures including the names of the recipients shall be published monthly as part of the proceedings of the County Board of Commissioners.

Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
 Unanimous motion carried

Mr. Fitch and the Board briefly discussed the road placement.

Mrs. Hirschbach asked the Road Committee to have a recommendation ready by next Monday.

Mr. Culbertson: I talked to Mrs. Stark and she is well pleased with the road now.

Mrs. Hirschbach: Bruce Hovey, Highway Superintendent, went before the Jackson Town Board and asked if they would take care of the bridges within their township, but they won't.

Mr. Hovey: They really didn't offer a solution. They want us to come up with one.

Mrs. Hirschbach: We need to determine if we are going to continue to maintain bridges within a township.

Mr. Hovey and the Road Committee will present a recommendation to the Jackson Town Board.

Mr. Culbertson: I met with the Dakota City Rural Fire District. They are very enthusiastic about the road marking system. Their thought was that if the County was able to come up with some additional funds, they would match the funds. I am planning to meet with the other two fire districts.

Garvey moved, seconded by Morgan to take a break.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson

Unanimous motion carried 9:54 a.m.

Rohde moved, seconded by Garvey to reconvene.

Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach

Unanimous motion carried 10:05 a.m.

Paul Malone and Dick Bruer with the Nebraska Public Power District, appeared before the Board regarding a transmission line on the Pat Dorcey farm.

Mr. Bruer: This problem came up in the last year. Most of the earth around the transmission line has been removed. The integrity of the structure has been jeopardized. We have met with Pat Dorcey and Bruce Hovey and I believe it was everyone's intent to dissolve this problem. We do have a couple of options available. We could put earth back around the structure or the structure could be relocated a few feet away. We sent one letter to the County and we have made about a dozen phone calls but we have had no response.

Mr. Malone: The foundation for the structure has very little support in high wind and ice. Relocating the structure about 90 feet away would cost around \$6,000; replacing the dirt would cost about \$2,000 - \$2,500 or we could install a much taller pole and put it deeper in the ground at a cost of about \$6,000.

Mrs. Hirschbach: At Mr. Dorcey's direction, the County removed the dirt for Mr. Dorcey to put in bins or other sheds.

Mr. Dorcey: They (County) needed dirt for the Hubbard-Jackson road and I told them they could get the dirt from there. I understood the County was to know how close they could go.

Mr. Rohde: I don't understand why N.P.P.D. doesn't just move the structure.

Mr. Bruer: This is a private easement; its not on the County line.

Mr. Dorcey: Very little dirt was taken from the east slope. It was already eroded away.

Mrs. Hirschbach: We will refer this matter to the road committee for a recommendation.

Morgan moved, seconded by Rohde to convene in executive session to discuss County liability and legal ramifications as requested by Mrs. Hirschbach.

Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde

Unanimous motion carried 10:25 a.m.

Culbertson moved, seconded by Garvey to reconvene in regular session.

Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey

Unanimous motion carried 10:44 a.m.

Morgan moved, seconded by Rohde to approve the building permits for DuWayne Olsen and Alan Pedersen for dwellings.

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan

Unanimous motion carried

Bids for a computer were opened at 11:00 a.m. The following bids were received.

A-B Dicks Products Company, Sioux City, Iowa

| | |
|---|--------------|
| Quote as one price (computer and printer package) | \$ 10,400.00 |
| Word Processing | -- |
| General Ledger system | -- |
| Accounts Receivable system | -- |
| Accounts Payable system | -- |
| Payroll system | -- |
| If the above consist of a package | 3,160.00 |
| Voter registration | 1,350.00 |

Burroughs Corp., Sioux City, Iowa

| | |
|---|--------------|
| Quote as one price (computer and printer package) | \$ 24,603.80 |
| Word Processing | 2,500.00 |
| General Ledger system | -- |
| Accounts Receivable system | -- |
| Accounts Payable system | -- |
| Payroll system | -- |
| If the above consists of a package | 6,650.00 |
| Voter registration | 1,750.00 |

Executive Computer Systems, Ltd., Sioux City, Iowa

| | |
|---|--------------|
| Quote as one price (computer and printer package) | \$ 20,900.00 |
| Word Processing | 2,500.00 |
| General Ledger system | 1,500.00 |
| Accounts Receivable system | 1,500.00 |
| Accounts Payable system | 1,500.00 |
| Payroll system | 1,500.00 |
| If the above consists of a package | 7,000.00 |
| Voter registration | 2,000.00 |

The above quote of \$20,900.00 includes 10 Mbyte Hard Disk Storage, a special price this month only.

Executive Computer Systems, Ltd., Sioux City, Iowa

| | |
|---|--------------|
| Quote as one price (computer and printer package) | \$ 13,500.00 |
| Word Processing | 2,500.00 |
| General Ledger system | 1,500.00 |
| Accounts Receivable system | 1,500.00 |
| Accounts Payable system | 1,500.00 |
| Payroll system | 1,500.00 |
| If the above consists of a package | 7,000.00 |
| Voter registration | 2,000.00 |
| 10 Mbyte Hard Disk Storage | 10,000.00 |

I.B.M., Sioux City, Iowa

| | |
|---|-----------------------------------|
| Quote as one price (computer and printer package) | \$ 23,737.00 |
| Word processing | 500.00 |
| General Ledger system | 3,500.00 |
| Accounts Receivable system | N/A |
| Accounts Payable system | Included in general ledger system |
| Payroll system | 1,250.00 |
| Voter Registration | 1,000.00 |

Modern Office Enterprises and Systems Division, Sioux City, Iowa

| | |
|---|--------------|
| Quote as one price (computer and printer package) | \$ 18,329.00 |
| Word processing | N/C |
| General Ledger system | 1,000.00 |
| Accounts Receivable system | 1,000.00 |
| Accounts Payable system | 1,000.00 |
| Payroll system | 1,000.00 |
| Voter registration | 2,500.00 |

A committee consisting of Larry Morgan, Paul Culbertson and Gretchen Hirschbach will study the bids.

Morgan moved, seconded by Culbertson to convene in executive session to discuss Union negotiations as requested by Mrs. Hirschbach.


Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried 11:06 a.m.

Rohde moved, seconded by Culbertson to reconvene in regular session.
Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach 11:35 a.m.

The Solid Waste Disposal was discussed. Mr. Redmond said he and Wayne Boyd met with each other are are planning to meet again soon in regard to the Waste Disposal.

Culbertson moved, seconded by Rohde to adjourn.
Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
Unanimous motion carried 11:52 a.m.

ATTEST:


COUNTY CLERK


BOARD CHAIRPERSON

COMMISSIONERS MEETING
OCTOBER 19, 1981 PROCEEDINGS
BASEMENT MEETING ROOM

Chairwoman Hirschbach called the meeting to order at 9:05 a.m.

Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary

Morgan moved, seconded by Garvey to approve the minutes of October 13, 1981 as typed.
Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried

Mildred Jorgensen, County Welfare Director, appeared before the Board and presented her monthly report.

Robert Giese, County Treasurer, appeared before the Board and presented his report for September. Mr. Giese reported the interest for September to be \$24,826.08 and the interest for the first three months of this fiscal year is \$55,504.09.

Ted Piepho, County Clerk, appeared before the Board and presented his reports for August and September. Mr. Piepho reported the total disbursements for August 1 to August 31 were \$5,088.85 and total disbursements for September 1 to September 30 were \$5,088.45.

The Board briefly discussed the road placement into Harvey Bates property in Section 34, Township 28, Range 8 in Dakota County. A hearing was set for November 9, 1981.

Rohde moved, seconded by Morgan to convene in executive session to discuss union negotiations.
 Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
 Unanimous motion carried 10:18 a.m.

Culbertson moved, seconded by Garvey to reconvene in open session.
 Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
 Unanimous motion carried 10:58 a.m.

Bids for a new diesel powered motor grader were opened at 11:00 a.m. The following bids were received.

| COMPANY | DELIVERED PRICE | LESS DISCOUNT | NET BID (DELIVERED) WITHOUT TRADE-IN | LESS TRADE-IN COUNTY UNIT | NET BID (DELIVERED) WITH TRADE-IN | MAKE & MODEL |
|----------------------------------|-----------------|---------------|--------------------------------------|---------------------------|-----------------------------------|-------------------|
| Fehrs Tractor & Equipment Co. | 126,401.00 | 13,272.00 | 113,129.00 | 30,627.00 | 82,502.00 | Champion D740A |
| Fehrs Tractor & Equipment | 121,473.00 | 12,755.00 | 108,718.00 | 29,439.00 | 79,279.00 | Champion D740 |
| Missouri Valley Machinery Co. | 137,600.00 | 18,600.00 | 119,000.00 | 4,000.00 | 115,000.00 | Cat. 140G |
| Midcon Equipment Company | 119,736.00 | 25,279.00 | 94,457.00 | 12,000.00 | 82,457.00 | J.D. 772A (Demo.) |
| Nebraska Tractor & Equipment Co. | 131,525.00 | 27,260.00 | 104,265.00 | 19,425.00 | 84,840.00 | Galion A-600 |
| Nebraska Tractor & Equipment Co. | 123,975.00 | 24,795.00 | 99,180.00 | 19,425.00 | 79,755.00 | Galion T-600C |
| Nebraska Tractor & Equipment Co. | 135,025.00 | 42,240.00 | 92,785.00 | 19,475.00 | 73,360.00 | Galion T-600C |
| Nebraska Tractor & Equipment Co. | 121,960.00 | 24,180.00 | 97,780.00 | 19,425.00 | 78,355.00 | Galion A-550 |

The bids will be referred to the Road Committee for a recommendation next Monday.

Culbertson moved, seconded by Garvey to convene in executive session to discuss personnel matters in two departments as requested by Mr. Culbertson.
 Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
 Unanimous motion carried 11:28 a.m.

Culbertson moved, seconded by Rohde to reconvene in open session.
 Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
 Unanimous motion carried 11:35 a.m.

Culbertson moved, seconded by Rohde to approve the claims.

Culbertson withdrew his motion and Rohde withdrew his second to the motion.

Ted Piepho, County Clerk, presented information pertaining to the bids received on computers. Mr. Piepho recommended the county purchase the 800010 from A-B Dick. The Board discussed whether both the County Attorney and the County Clerk should be tied into one central system or whether they should have separate stand alone systems. Mr. Piepho recommended that he purchase an 800010 from A-B Dick and then Mr. Redmond could determine if that computer was compatible for his office after he saw it in operation. If it was then he could tie his terminal into the central system, and if it was not compatible for his office, he could purchase a stand alone system that would suit his needs.

Mrs. Hirschbach: We are trying to decide the amounts to deduct from salaries as ordered by the C.I.R. to recover those increases granted in July. We will be considering the repayment for April, May and June next month.

Morgan moved, seconded by Garvey that claims be allowed with all salary claims by members of the bargaining unit of AFSCME Local 2049A to be reduced by the amount of increase granted in the July pay period over and above the base pay of March, 1981.

ROAD/BRIDGE FUND:

Northwestern Bell \$29.95; City of Dakota City \$20.00; Municipal Utilities-Emerson \$6.00; Nebraska Public Power \$6.00; Auto Parts & Exchange \$246.09; Carlson Machine Co. \$10.42; Dakota Auto Parts \$70.29; Herman M. Brown \$16.37; Joe's Surplus \$38.61; Midcon Equipment \$145.08; Mike's Auto Parts \$4.50; Missouri Valley Machinery \$1,750.06; Nebraska Tractor & Equipment \$16.28; Northern Auto Parts Warehouse \$63.82; Saunders Int'l. Trucks, Inc. \$41.00; United Wholesalers \$117.65; Condon Motor Co. \$98.76; Rector Produce \$1,056.00; Anderson Fire Control Equipment Co. \$28.50; Circle R Frame Aligners \$20.60; Cleveland Cotton Products \$184.86; Curtis Industries \$448.09; Eutectic Corp. \$346.66; Filter Care \$40.15; Hansen Machine Shop \$13.40; La Grange Equipment Co. \$205.65; Means Services \$51.53; Monroe Welding Supply Co. \$76.36; Motor Parts Central \$41.74; Firestone Stores \$85.90; St. Regis Paper Co. \$27,517.69; Great Plains Supply Co. \$31.18; Farmers Coop Association \$2,250.07; So Soo Oil Co. \$1,250.15; Warren Oil Co. \$1,552.63; Crystal Oil Co. \$537.65; Diamond Horseshoe Truck Stop \$2,163.54; Engels Mobil Service \$462.40; Fimco, Inc. \$352.50;

FEDERAL REVENUE SHARING:

Higman Sand & Gravel \$3,320.73

ROAD FUND-PAYROLL:

Social Security \$782.09; Blue Cross \$630.18; George Anderson \$761.74; Leland Armbricht \$720.00; Caleb Chapman \$805.54; Beverly Gradert \$512.95; Walter Heinemann \$869.68; Robert Jacobsen \$1,087.97; Kurt Johnson \$805.54; Walter Johnson \$884.03; Arnold Mellick \$852.25; Richard McNear \$832.07; Marlan Millard \$812.84; Raymond Reed \$1,200.00; Willis Roeber \$854.48; Earl Stading \$761.74

GENERAL FUND:

South Sioux City Star \$913.57; Northwestern Bell \$18.95; Theodore Piepho \$6.00; Midwest Business Products \$37.05
 Sioux City Stationery \$6.40; NACO \$40.00; Northwestern Bell \$110.94; Redfield & Co. \$387.42; Redfield & Co.
 \$85.83; Precision Typewriter Works \$24.00; Sioux City Stationery \$8.16; Coast to Coast \$29.88; Robert Giese
 \$59.64; Redfield & Co. \$268.80; Redfield & Co. \$198.37; Sioux City Stationery \$5.76; South Sioux City Star
 \$105.84; Donna Fuchser \$25.00; Northwestern Bell \$68.78; Redfield & Co. \$92.03; Virginia Piper \$31.92; North-
 western Bell \$73.88; Sioux City Stationery \$6.82; Redfield & Co. \$11.61; Norfolk Printing Co. \$60.40; Executive
 Copy Systems \$8.76; Northwestern National Bank \$200.25; West Publishing Co. \$74.00; Bancroft-Whitney Co. \$67.50;
 Holiday Inn \$32.00; NACO \$40.00; Executive Copy Systems \$450.00; General Business \$13.25; Hugo Heyn Co. \$37.38;
 Northwestern Bell \$160.13; Redfield & Co. \$54.10; Northwestern Bell \$275.84; Western Union \$199.31; Jarold
 Gilson \$5.87; William Whear \$467.44; Harvey Bates \$570.88; Jarold Gilson \$580.24; Armon Todd \$147.36; Michael
 McManigal \$20.00; Sioux City Stationery \$139.13; K Mart \$10.02; Sheriff Dept. \$6.74; MPH Industries \$7.75;
 Leo's Service \$366.40; Crystal Oil Co. \$10.00; Security National Bank \$135.52; Jack's Mens Wear \$179.50;
 Sheriff Dept. \$115.67; William Whear \$819.00; William Whear \$310.00; The Paper Co. \$52.53; Sioux City Stationery
 \$38.37; A.J. Phillips Co. \$82.90; The Mines Press Inc. \$17.88; Northwestern Bell \$226.18; West Publishing Co.
 \$130.00; Callaghan & Co. \$57.50; Matthew Bender & Co. \$120.52; Bancroft-Whitney \$98.05; Larry Donelson \$69.25;
 Dan V. Weakley \$70.00; Executive Leasing \$183.63; The Lincoln Hilton \$123.75; Thelma Baugous \$149.35; Joy Nixon
 \$351.46; Joy K. Nixon \$144.16; Joy K. Nixon \$102.23; Northwestern Bell \$99.03; South Sioux City Star \$101.12;
 Redler's Pharmacy \$54.00; Perkins Stationery \$48.70; NACO \$40.00; NACO \$40.00; Redfield & Co. \$50.18; Woody's
 Electric \$315.35; Kroghs Coast to Coast \$39.76; Klemett Dean \$70.24; Klemett Dean \$39.60; Bill Hedrick Refrig.
 \$50.95; E.L. Black Welding \$160.00; Lighting by Jolin \$92.00; Minear Lock & Key \$58.58; Klemett Dean \$16.91;
 Tagatz Hardware \$102.51; Curry Paint & Floor \$44.40; Clausen Electric \$26.00; American Linen \$28.60; Western
 Paper Co. \$69.74; Torticills Station \$8.25; City of Dakota City \$1,528.66; Siouxland Disposal \$30.00; Iowa
 Public Service \$923.00; Dakota County Extension Service \$2,162.43; Bruce Hovey \$77.00; Northwestern Bell \$57.73;
 South Sioux City Star \$58.05; Sioux City Stationery \$10.03; Northwestern Bell \$21.70; Hedrick Refrig. \$49.65;
 Maurice Roady \$88.26; Maurice Roady \$275.41; Northwestern Bell \$38.37; Cedar County Clerk \$4,500.00; District
 Judge's Office \$881.73; Lorraine Tillman \$127.68; Lorraine Tillman \$20.00; Lorraine Tillman \$53.00; Northwestem
 Bell \$26.86; Wayne Wheeler \$2,510.00; Northwestern Bell \$62.39; Northwestern Bell 6.90; Maxine Titler \$8.00;
 Sioux City Stationery \$12.56; Northwestern Bell \$23.19; Wayne Chamberlain \$40.00; Walter Beermann \$20.80;
 Thurston Co. Sheriff Dept. \$32.68; Glen Dale Gunsolley \$20.64; Tony Gibson \$20.64; Randy Uhl \$20.64; William
 Horneber \$270.81; Wm. Binkard \$231.85; Donald Fitch \$224.00; Paddock \$63.94; Dr. James Walston \$75.00;
 William Bernard \$75.00; Ada Frum \$75.00; Wm. Binkard \$202.66; Clerk of District Court \$3.60; Michael Ellwanger
 \$437.50; Michael Ellwanger \$147.00; Wm. Binkard \$363.67; Daniel Hartnett \$183.75; Dakota County Treasurer
 \$96.35; Visible Computer Supply Corp. \$34.35; Pitney Bowes \$69.00; Pitney Bowes \$85.50; City of South Sioux
 \$33.56; Northwestern Bell \$9.45; South Sioux City Star \$21.56; Theodore Piepho \$14.46; Region IV \$2,625.25;
 Federal Hwy. Grant \$2,347.59

WEED FUND-PAYROLL:

Social Security \$70.48; Blue Cross \$41.66; Paul M. Foreshoe \$910.00; Ruth Foreshoe \$25.00; Maurice Crofoot
 \$25.00; J. Colin Green \$25.00; Elmer Nelson \$25.00; John Ryan \$25.00; George Shrader \$25.00;

WEED FUND:

Paul Foreshoe \$110.75; Ruth Foreshoe \$25.00; Maurice Crofoot \$1.80; J. Colin Green \$4.80; Elmer Nelson \$2.80;
 George Shrader \$2.00; Emerson Tri-County Press \$23.10; South Sioux City Star \$27.44; Precision Typewriter
 Works \$25.00; Mrs. Vylet Tompkins \$58.43

FEDERAL GRANT HIWAY SAFETY GRANT:

Social Security \$78.94; Blue Cross \$46.18 ; Danny Potts \$1,187.00; Danny Potts \$10.00

ASSISTANCE-PAYROLL:

Blue Cross \$295.13; Social Security \$547.47; Mildred Jorgensen \$1,644.15; Jeanine Bliven \$910.06; Margaret
 Boeshart \$1,271.71; Pauline Jensen \$1,298.76; Patricia Lane \$1,139.15; Mary O'Dell \$829.31; Charlene Weber
 \$1,139.37

ASSISTANCE:

Mildred Jorgensen \$22.47; Margaret Boeshart \$28.14; Pauline Jensen \$4.62; Pat Lane \$16.38; Charlene Weber
 \$65.73; Morningside Mercy Medical Park \$91.00; Northwestern Bell \$224.30; Mildred Jorgensen \$2.35

DAKOTA COUNTY HISTORICAL SOCIETY:

Dakota County Historical Society \$1,082.65

GENERAL FUND-PAYROLL:


Social Security \$2914.57; Blue Cross \$2138.93; Gretchen Hirschbach \$541.66; Paul Culbertson \$541.66; Robert
 Garvey \$541.66; Larry Morgan \$541.66; Daniel Rohde \$541.66; Theodore Piepho \$1,208.33; Mary Hinkle \$924.44;
 Eloise Gormally \$558.40; Margaret Rahn \$535.27; Myra Smith \$544.50; Robert Giese \$1,208.33; Irene Van Lent
 \$924.44; Charlotte Doenhoefer \$541.42; Ruth Jensen \$541.42; Nadine Johanson \$541.42; Mardell Sorensen \$160.57
 Ruth Warnock \$541.42; Virginia Piper \$1,208.33; Betty Garwood \$924.44; Sharon Shannon \$712.81; William Whear
 \$1,208.33; Harvey Bates \$1,232.56; Jarold Gilson \$927.69; Michael McManigal \$867.00; Linda Wilson \$1,105.00;
 Earlean McClain \$942.34; Darlene Arneson \$484.60; Sally Deal \$193.80; Michael Koettters \$399.19; Neva Neal
 \$306.19; Patricia Parkins \$280.80; Judy Petersen \$215.63; Armon Todd \$834.92; Linda Wilson \$119.00; Maurice
 Redmond \$1,208.33; Dennis J. Mahr \$1,337.50; Gloria Engelbrecht \$900.00; Cindy Harris \$750.00; Patti Jo Ricke
 \$420.43; Raymond E. Speer \$1,333.33; Joy K. Nixon \$1,208.33; Thelma Baugous \$924.44; Nellie June Beardshear
 \$624.42; Shirley Bentz \$541.42; Dorothy Lundberg \$541.42; Jeanette Ramirez \$625.92; Lillian Rager \$597.42;
 Madelyn Thorsland \$541.42; Nondas Vitols \$588.92; Klemett Dean \$1,385.34; Nancy Dean \$367.45; Patricia Stingley
 \$622.00; Bruce Hovey \$2166.67; Jon C. Norris \$680.37; Maurice Roady \$750.00; Lorraine Tillman \$1,208.33;
 Bonibel Chapman \$689.08; Dr. J.H. Walston \$248.40; Maxine Titler \$666.67


Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
 Unanimous motion carried

Rohde moved, seconded by Garvey to adjourn.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
 Unanimous motion carried 1:29 p.m.

ATTEST:


 COUNTY CLERK


 BOARD CHAIRPERSON

COMMISSIONERS MEETING
OCTOBER 26, 1981 PROCEEDINGS
BASEMENT MEETING ROOM

Chairwoman Hirschbach called the meeting to order at 9:07 a.m.

Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary.

Morgan moved, seconded by Culbertson to approve the minutes of October 19, 1981 as typed.

Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey

Unanimous motion carried

Mrs. Hirschbach asked for reports of Officials, Boards and Committees.

Mrs. Hirschbach: I still have a number of questions on computers. I think we should consider the possibility of having someone come in and look at the county's operation. I don't feel qualified to judge the operation.

Mr. Rohde: Paul and I met with Bruce (Highway Supt.) this morning. I would say if you're looking at low bid or money, go with Champion. If you're looking at quality, go with Caterpillar, considering the Cats we have.

Morgan moved, seconded by Rohde to accept the bid from Fehrs Tractor and Equipment Co. for a D740 rigid frame motor grader for \$79,279.00.

Voting Yea; Hirschbach, Rohde, Garvey, Morgan

Voting Nay: Culbertson

Motion carried

Lorraine Tillman, County Nurse, appeared before the Board.

Mrs. Tillman: Our yearly contract with Marian Health Center is up. Marian Health Center provides a nurse aide and I provide skill nursing care. Each visit is \$19.00. Last year the County made \$2,107.00.

Morgan moved, seconded by Rohde the Board approve the following agreement with Marian Health Center.

AGREEMENT

IT IS HEREBY AGREED BY AND BETWEEN MARIAN HEALTH CENTER, Sioux City, Iowa (hereinafter referred to as "Hospital"), and the DAKOTA COUNTY HEALTH DEPARTMENT SERVICE, Dakota City, Nebraska, (hereinafter referred to as "Health Department"), as follows:

WHEREAS, the Hospital is an acute care general facility desirous of administering a hospital Home Service Department, and

WHEREAS, the Hospital is desirous of providing a Hospice Program, and

WHEREAS, the Health Department possesses staff resources to administer skilled nursing services, and

WHEREAS, the parties are desirous of entering into this agreement,

IT IS HEREBY AGREED:

I. The Health Department shall refer to Marian Health Center Home Health Services Program those appropriate cases that have been referred to the Health Department who meet the criteria to be serviced by the Hospital.

Criteria for patient referral:

- a. The patient lives in South Sioux City, Nebraska.
- b. The patient could benefit from the multi-service aspect of the Hospital program.
- c. A third party payor (Medicare, Medicaid, Blue Cross, etc.) can be billed for those services rendered.
- d. The patient's physician approves of this transfer.

II. Skilled nursing services to be rendered can be furnished by the Hospital Director of Home Health Services or the Health Department, based on existing caseload of each R.N. These services will be rendered on the premises of the patient's residence as ordered by the attending physician under the coordination of the Hospital Director of Home Health Services.

III. The overall coordination and supervision of care provided to patients admitted to the Department of Home Health Services will be by the Director of the Hospital Department of Home Health Services and the Health Department agrees to provide the Hospital with the necessary documentation and information required for medical records purposes within one week subsequent to any and all home visits.

IV. In providing for the Hospice Program, the Health Department will make on-call skilled nursing visits in addition to visits made during regular hours. On-call shall be defined as those hours between 4:30 p.m. and 8:00 a.m. daily, and 2:00 p.m. and 8:00 a.m. on weekends and holidays.

The hospital agrees to provide necessary Hospice inservice, call supportive team conferences, and supply trained Hospice volunteers. The Hospice program will be evaluated at the end of a year.

V. All services performed by the Health Department shall be charged to the Hospital by the Health Department on a fee-for-service basis pursuant to a fee schedule to be agreed upon between the Hospital and the Health Department, a copy of which is attached hereto and by their reference made a part hereof. Monthly, the Health Department shall provide an itemized statement to the Hospital for services rendered by the Health Department.

VI. It shall be the responsibility of the Hospital to bill and collect from the appropriate third parties the amount charged for rendering of services by the Health Department.

VII. The Health Department shall hold harmless the Hospital from any civil liability, including court costs, attorney fees or any cost whatsoever incurred in defending against any demand, claim, or lawsuit against the Hospital for damages arising out of the conduct of Health Department personnel, agents, or designees, while performing the services which are subject to this agreement. Each part shall bear the full responsibility and legal liability, including all

legal and attorney expenses, which might arise out of the acts of omissions of the respective parties, their agents and/or designees; to the extent that such conduct on the part of either party imposes expense or costs upon the non-negligent party, the negligent party shall fully indemnify the non-negligent party for such expenses and costs.

VIII. Nothing in this agreement shall be construed to establish an employer-employee relationship between the Hospital and the Health Department. The Health Department shall be responsible for any workman's compensation liability that arises out of services performed under the agreement by Health Department agents or designees.

IX. In providing the subject services, as a part of the Department of Home Health Services of Marian Health Center, the Health Department agrees to operate under Home Health Services policies, cooperate with the departmental coordinator in the provision of services, the recording of treatments provided, and the ongoing assessment of the quality of medical care being provided, including periodic supervision of Home Health Aide Services as may be required by federal regulations, under the overall preview and jurisdiction of the organized medical staff of the Hospital.

X. This agreement shall be effective from the date of signing hereof and shall continue for a period of one year and from year to year thereafter until terminated. Either party may terminate this agreement upon ninety days' written notice to the other party.

DATED this 26th day of October, 1981.

MARIAN HEALTH CENTER

BY

Sr. Elizabeth Mary Burns, R.S.M.
President and Chief Executive Officer

DAKOTA COUNTY PUBLIC HEALTH NURSING SERVICES

BY

Ted Piepho, President
Dakota County Board of Health

BY

Gretchen Hirschbach, Chairman
Board of Commissioners

Fee schedule agreed upon between the Hospital and the Health Department: \$19.00 per visit

Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried

The Board briefly discussed the status of Foundry Road, and the Flood Appeal.

Mrs. Hirschbach reported on the meeting at Norfolk.

Brad King from Burroughs Corporation appeared before the Board and explained some features of the Burroughs line of computers.

Rohde moved, seconded by Garvey to take a break.
Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
Unanimous motion carried 10:10 a.m.

Garvey moved, seconded by Rohde to reconvene.
Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
Unanimous motion carried 10:20 a.m.

The Board received a notice from the Nebraska Department of Roads indicating that Project BR0-7022(2) Hubbard South has been approved for State Aid Bridge Funds. The county's cost is 10%.

Several computer representatives were present at the meeting. Mrs. Hirschbach told the representatives she recommended earlier to the Board that we hire a consultant. Mrs. Hirschbach said she was reluctant to make a decision now without having someone come in and look at the county's operation.

The Board briefly discussed the financing of the motor grader.

Morgan moved, seconded by Culbertson to adjourn.
Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried 10:55 a.m.

ATTEST:

Sheldon [Signature]
COUNTY CLERK

Gretchen Hirschbach
CHAIRPERSON OF THE BOARD

COMMISSIONERS MEETING
 NOVEMBER 2, 1981 PROCEEDINGS
 BASEMENT MEETING ROOM

Chairwoman Hirschbach called the meeting to order at 9:06 a.m.
 Present were: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary.

Culbertson moved, seconded by Morgan to approve the minutes of October 26, 1981 as typed.
 Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
 Unanimous motion carried

Morgan moved, seconded by Garvey to convene in executive session as requested by Jim Hanks to discuss Union Negotiations.
 Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
 Unanimous motion carried 9:08 a.m.

Culbertson moved, seconded by Rohde to reconvene in open session.
 Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
 Unanimous motion carried 10:18 a.m.

Garvey moved, seconded by Rohde to recess for 5 minutes.
 Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
 Unanimous motion carried 10:19 a.m.

Garvey moved, seconded by Morgan to reconvene.
 Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
 Unanimous motion carried 10:30 a.m.

Gene Sturm (SIMPCO) appeared before the Board in regard to the Flood Map appeal. The Board and Mr. Sturm briefly discussed the appeal.
 Mrs. Hirschbach asked Mr. Sturm what he would suggest for further action by the County.
 Mr. Sturm suggested the Board send a letter to Congressman Douglas Bereuter. There are two phases of the program. Right now the emergency phase is in effect. These new maps are working toward the "regular" phase of the program. The maps are more stringent under the "regular" phase.
 The Board will work with Mr. Sturm to prepare a report as to what the repercussions will be if the Board decides to go against the maps.

Ken Beekley (SOMPCO) appeared before the Board in regard to the Rehab Project.
 Mr. Beekley: As far as the water and sewer projects in Dakota City, construction is progressing nicely. It will probably carry over into next week.

Mr. Beekley and the Board discussed the agreement between the County and the Lender. Mr. Beekley said the procedure in regards to the funds has been changed. Instead of depositing the whole lump sum, funds will be drawn down on a project by project basis.

Bruce Hovey (Highway Supt.) appeared before the Board in regard to Foundry Road.
 Mr. Hovey: I just came from Foundry Road. It's a typical construction mess, especially now with the rain. I guess it's passable.

Mr. Culbertson: I'd like input from these people as to what their problems are.

(Mr. and Mrs. Ralph Tebben, Shirley Meyers and Ted Greene were present at the meeting.)

Mr. Greene: The City of South Sioux agreed to wait until the crops were out of the fields before they started working on the road, but they were out there the next day.

Mrs. Hirschbach: The best we can do now is to make sure we get the road back to its original condition.

Mr. Greene: I have had experience with South Sioux City. I pay city taxes, but I haven't gotten anything from the city. The County has been great, A 1.

Mr. Morgan: Although they agreed to maintain the road, there is a question of whether or not they have the equipment.

Mr. Culbertson: The agreement was to keep the road open back into Mr. Greene's driveway.

Mr. Greene: The promises I've had from the city haven't been worth what they're written on. Mrs. Greene can't be here this morning because she can't get out.

Mr. Morgan: The problem is going to be getting enough gravel back on the road.

Mrs. Hirschbach: Mr. Hovey and the Road Committee will write up an agreement regarding type of gravel, measuring elevations, having field entrances restored and the maintenance issue.

The Board discussed the computer purchase.

Mrs. Hirschbach: In discussion with other people, I would suggest the hard disc over the floppy disc. The hard disc is much faster. I am opposed to a bigger system right now. There is potential for too many mistakes.

Garvey moved, seconded by Culbertson to purchase the Altos 8000-10 system from A-B Dick for \$16,895.00 for the County Clerk's office.
 Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
 Unanimous motion carried

Mrs. Hirschbach: I talked to a representative from Nebraska Public Power last week, and he informed me that NPPD would not wait much longer for a solution. They promised to send a copy of the easement.

Rohde moved, seconded by Garvey to convene in executive session as requested by Bruce Hovey to discuss the legal ramifications of the power lines.
 Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
 Unanimous motion carried 11:35 a.m.

Rohde moved, seconded by Garvey to reconvene in open session.
Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
Unanimous motion carried 11:43 a.m.

Morgan moved, seconded by Rohde the Board empower the road committee and the highway superintendent to arrange a meeting with representatives of NPPD and the land owner to attempt to negotiate a satisfactory settlement of the problem arising from removal of fill dirt from the area of an NPPD power pole setting.
Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
Unanimous motion carried

Mr. Garvey reported on the landfill meeting. The proposal has been drawn up and submitted to Mr. Redmond, but the Board has heard nothing from him.

The Board acknowledged receipt of a resolution in regard to mandatory sentences for drunk drivers.

Morgan moved, seconded by Garvey the County Board adopt the resolution supporting the bill on mandatory sentences for drunk drivers.

Raymond Spear: I think it's a good idea to get drunk drivers off the road, but something should be done to reduce the burden on the prosecutor.

Voting Yea: Hirschbach, Rohde, Morgan
Voting Nay: Culbertson, Garvey
Motion carried

Culbertson moved, seconded by Garvey to take from the table the motion to table the claim for the car for the Sheriff's Department.
Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried

Culbertson moved, seconded by Garvey that because the statutes are explicit in regard to limits and bids involving expenditures and the County Board has been patient in this matter, the following motion is offered; the claim for purchase of a car for the sheriff's department be denied in the amount of \$8,169.07.

Mrs. Hirschbach: I'd prefer to wait for the Attorney General's opinion.

Mr. Redmond: It's a very complicated matter. I called Paul (the Attorney General) two weeks ago. He said he would rush in to it. Now they are swamped with new material for the next session.

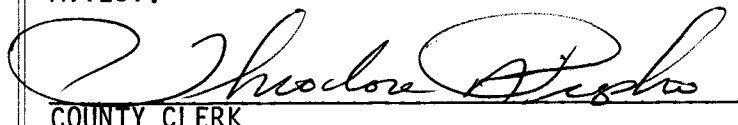
Voting Yea: Garvey, Morgan, Culbertson
Voting Nay: Rohde, Hirschbach
Motion carried

The Board acknowledged receipt of a letter from the State Welfare Office. Included were three pay plans. Mrs. Hirschbach and Mr. Rohde will serve as a committee to review the information received and report back to the Board.

Mr. Garvey and Mr. Morgan will research the issue of collecting the money paid for the Sheriff's Department car before the claim was approved. This will be an agenda item for November 9.

Rohde moved, seconded by Garvey to adjourn.
Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
Unanimous motion carried 12:30 p.m.

ATTEST:


COUNTY CLERK


CHAIRPERSON OF THE BOARD

COMMISSIONERS MEETING
NOVEMBER 9, 1981 PROCEEDINGS
BASEMENT MEETING ROOM

Chairwoman Hirschbach called the meeting to order at 9:02 a.m.
Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary.

Culbertson moved, seconded by Rohde to approve the minutes of November 2, 1981 as typed.
Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried

Mrs. Hirschbach asked for reports of Officials, Boards and Committees.

Mr. Rohde: I have had a lot of complaints about there not being enough gravel on the roads. It's fine if it don't rain, but the school buses are having a difficult time.

Mr. Garvey: Larry and I met on the salaries for 1983, but it will be a couple of weeks yet before we are ready to report on it.

Rohde moved, seconded by Garvey to convene in executive session as requested by Mrs. Hirschbach to discuss the tentative agreement in Union Negotiations.
Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried 9:09 a.m.

Garvey moved, seconded by Rohde to reconvene in open session.
Voting yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried 9:37 a.m.

Mr. Culbertson, Mr. Rohde, Bruce Hovey, Pat Dorcey and Nebraska Public Power representatives met on Wednesday regarding the power poles on Dorcey's property.

Mr. Culbertson: We discussed a three way split of the cost, each party paying \$2,000.00.

Mr. Rohde: We had quite a lengthy discussion on the matter.

Mr. Culbertson: It's regrettable that it ever happened, but we feel this is the likely solution. N.P.P.D. has asked for a letter of intent.

Morgan moved, seconded by Rohde to ratify the informal agreement by the Road Committee, Nebraska Public Power District and the land owner to split the cost of the repair of the power line three ways and to so notify N.P.P.D. by letter.

Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
Unanimous motion carried

The Board briefly discussed the Foundry Road situation. The Board agreed there should be something down in writing.

Mr. Hovey: There isn't any problem between us and the city. The problem is whether the City Council can legally agree to maintain a road outside the city limits.

Mr. Morgan: We've always had a good working relationship with the city of South Sioux.

Rohde moved, seconded by Morgan to take a five minute break.
Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
Unanimous motion carried 10:02 a.m.

Garvey moved, seconded by Culbertson to reconvene.
Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried 10:10 a.m.

William Whear, County Sheriff, appeared before the Board in regard to the Sheriff's vehicle.

Mr. Whear: I assumed Mr. Redmond would be here today. I don't know if we can get much accomplished. I understand I have so many days to appeal the denial of the claim.

Mr. Garvey: Larry (Morgan) and I went over this.

Mr. Morgan: As far as any further action being taken, the statutes read that the matter should be referred to the County Attorney.

Mr. Garvey: There is no way we can say whether any action can be taken. The County Attorney has to decide that.

Garvey moved, seconded by Morgan the matter of purchase of the car for the Sheriff's Department be referred to the County Attorney for any further necessary action.

Mr. Whear: I think a mountain is being made out of a mole hill. If a mistake has been made, it was an honest mistake on my part.

Mr. Garvey: I feel that if we don't take the steps we are, then we are making a mistake.

Mr. Morgan: There is nothing personal in this as far as your participation. The expenditure was made without the benefit of approval of the Board by the claims process. It was discussed openly at budget time that bids had to be taken and we assumed that you would advertise for bids.

Mr. Whear: I think you're spending a lot of time on this when that time could be spent on something more important.

Mr. Morgan: There is no one on this Board that wants to cause anyone any undue hardship, but I don't want to be personally liable.

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried

The Board briefly discussed the Solid Waste Disposal Agency contract.

Mrs. Hirschbach said there were a few areas Mr. Redmond questioned. She read a letter from Mr. Redmond stating he would be in Omaha November 9 and 10, and therefore, would not be available during the Board's weekly meeting. Mrs. Hirschbach read the following letter to Wayne Boyd from the Department of Environmental Control.

Wayne E. Boyd
Smith, Smith and Boyd
2601 Dakota Avenue
South Sioux City, Ne. 68776

RE: Dakota County Solid Waste Disposal Agency

Dear Mr. Boyd:

Your letter of October 26, 1981, with copies of the revised and amended joint contract for the above referenced governmental body, has been received and reviewed by our legal counsel.

On the basis of his recommendation, I find that it satisfactorily complies with the Department's requirements. Pursuant to Neb. Rev. Stat. §23-2205 (Reissue 1977) the joint contract, as submitted, is approved. As requested, enclosed is one copy.

Sincerely,

Dan T. Drain
Director

bjp

Mrs. Hirschbach: A lot of questions can't be answered yet. I think the best way to deal with this is the unified way with all agencies acting together.

The Board acknowledged receipt of the following letter from Kurt Hohenstein.

November 4, 1981

Dakota County Board of Commissioners
 County Courthouse
 Dakota City, Ne. 68731

In re: Flood Plain Regulations

Based upon the information that I have received, it appears that FEMA will not be granting the requested appeal. It will then be up to the Board of Commissioners to decide whether to adopt the flood plain regulations and maps as submitted by FEMA. I would request that you advise me as to when the hearing will be held on the adoption of the maps so that I may be present and present my views to the Board of Commissioners on this matter. I am sure there are numerous other individuals that I could contact that have a direct stake in the outcome of the Board's vote who would like to be present and present their views also. Please advise me as to when the Board of Commissioners will consider this matter.

Thank you for your cooperation.

Kurt Hohenstein

bls

PUBLIC HEARING
 November 9, 1981
 Basement Meeting Room
 Dakota County Courthouse

Mrs. Hirschbach opened the Public Hearing at 11:00 a.m. on the matter of opening a road in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34, Township 28, Range 8.

Present were: All Board members, Ted Piepho, secretary, Kurt Hohenstein representing Marvin and Lloyd Chaillie, Julie Goodsen, Louise Zerschling, Don Fitch, Harvey Bates, Judy Bates, Joy Nixon, Bruce Hovey and Eldon Black.

The following affidavit was read.

AFFIDAVIT

STATE OF NEBRASKA)
) ss
 COUNTY OF DAKOTA)

Harvey R. Bates, being first duly sworn on oath deposes and states that he is the owner of a parcel of real estate located in Dakota County, Nebraska, legally described as follows, to-wit:

--SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34, Township 28, Range 8, East of the 6th P.M., in Dakota County, Ne.--

That his parcel of land is cut off from all public roads by real estate owned by others; that deponent cannot purchase right-of-way for access to his property; that said landowners have indicated to deponent their refusal to sell any of their real estate at any price for an access road.

Deponent respectfully requests that a public road be laid out in accordance with Section 39-1716 of the Reissue Revised Statutes of the State of Nebraska and such other statute as may be applicable.

 Harvey R. Bates

SUBSCRIBED AND SWORN to before me this 9th day of October, 1981.

 NOTARY PUBLIC

Mrs. Hirschbach asked Mr. Hovey if he had a report. Mr. Hovey did not have a formal report.

Mr. Fitch: I understand the purpose of this hearing is to determine the best access for the road and to assess the damages. Mr. Hovey, Mr. Rohde, Mr. Culbertson and I looked at the area last week.

Kurt Hohenstein: Lloyd Chaillie owns property adjacent to Mr. Bates. An alternate route would be across Lloyd's property. I wrote to the Nebraska Game and Parks Commission. They don't want a road across their land any more that the Chaillies do. Mr. Bates shall pay damages to Chaillie's if the Board decides to go across Chaillies. Lloyd and Marvin ask that you consider alternates as to using their property. They do not want a public road.

Mr. Hovey: The shortest route would be to come up from the south, through the Game and Park's land.

Mr. Rohde: The shortest route would be through the Game and Parks.

Mr. Morgan: Is there any kind of road through the Game and Parks?

Mr. Bates: In the north side, but there isn't a section line there.

Mr. Fitch: Mr. Frisbie owns 80 acres to the west. If you go across Chaillie's, you would go across his. He is in favor of a road, the only one who is, of the surrounding land owners.

Mr. Bates: Mr. Frisbie said he would grant an easement.

Mr. Fitch: Something was mentioned about going in from the south. Going that route would be tough. There are canyons about 90' deep.

Mr. Hovey: We can't get through the Games and Parks either on the section line.

Mr. Fitch: Looking from the north, by Taylor Cemetary, it's quite a bit longer stretch across there, but it doesn't look like there are any deep canyons to go across.

Mr. Hohenstein: The Game and Parks Commission basically stated they would not be willing to do this voluntarily.

Mr. Fitch: I think you should have a 66' road.

Mr. Hohenstein: The statute states not more than 4 rods and no less than two.

Mr. Hovey: You couldn't possibly have a road narrower than 24'.

Mr. Morgan: The topography indicated that you probably can't follow a section line.

Mr. Fitch: All Mr. Bates needs is access but that it would still be a county road and the Board would have to determine how wide it should be to prevent liability.

Mrs. Hirschbach: Is there truly a viable route to this property unless we go through the Game and Parks land?

Mr. Bates: If you went through the Game and Parks, I would keep up the road.

Mr. Hovey: It's just about impossible no matter which way you go.

Mr. Hohenstein: It's my understanding that Mr. Bates pays damages to the property owner on which the road goes. The County is going to have to pay for the road and maintain it. This Board decides where the road shall be and establishes damages that Mr. Bates shall pay. The property owner has the right to appeal to District Court in respect to the damage issue.

Mrs. Hirschbach closed the public hearing at 11:30 a.m.

Mrs. Hirschbach: I don't think we are required to take action at this time. I suggest we look at the alternative of going across the Game and Parks property. We should look at the possibility of condemning the land to establish a road there. The Road Committee should meet with Mr. Redmond for an opinion. I would like that issue resolved before we look at any other alternatives.

Morgan moved, seconded by Rohde to adjourn.
Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried 11:53 a.m.

ATTEST:

Sheldon Highley
COUNTY CLERK

Gretchen Hirschbach
BOARD CHAIRPERSON

COMMISSIONERS MEETING
NOVEMBER 16, 1981 PROCEEDINGS
BASEMENT MEETING ROOM

Chairperson Hirschbach called the meeting to order at 9:00 a.m.
Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, Secretary.

Culbertson moved, seconded by Garvey to approve the minutes of November 9, 1981 as typed.
Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried

Mildred Jorgensen, County Welfare Director, appeared before the Board and presented her report for October.

Robert Giese, County Treasurer, appeared before the Board with his report for October. Mr. Giese reported the interest earned in October to be \$16,068.58 and the interest for the first quarter of this fiscal year is \$71,573.67.

Ted Piepho, County Clerk, appeared before the Board with his report for October.

Mrs. Hirschbach asked for Reports of Officials, Boards and Committees.

Mr. Culbertson: The questions on Bate's road have been submitted to Mr. Redmond. I attended the Iowa Health Systems meeting last week. The Weed Board is pleased the County Road Dept. is willing to pay for supplies to spray the weeds along the county roads.

Mr. Morgan: Gene Cantrell wishes to be appointed to the Planning and Zoning Board.

The Board discussed financing the new motor grader through Custom Leasing.

Morgan moved, seconded by Rohde to finance \$50,000 of the new motor grader through Custom Leasing at 11% for 60 months with the option to pay off the full amount anytime.

There was some discussion as to whether it would be better to finance the full amount. Mr. Hovey said he would recommend financing the full amount.

Voting Yea: Culbertson
Voting Nay: Hirschbach, Rohde, Garvey, Morgan
Motion denied

Morgan moved, seconded by Garvey to finance the entire cost of the motor grader (\$79,279.00) for 5 years at 11% through Custom Leasing with the option to pay off the full amount anytime.

Voting Yea: Garvey, Morgan, Culbertson, Hirschbach
Voting Nay: Rohde
Unanimous motion carried

Rohde moved, seconded by Morgan to recess for 10 minutes.
Voting Yea: Garvey, Morgan, Culbertson, Hirschbach
Unanimous motion carried 9:58 a.m.

Culbertson moved, seconded by Rohde to reconvene.
Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried 10:12 a.m.

Claims were submitted by the County Clerk.

Rohde moved, seconded by Culbertson to approve the following claims, with the exception of \$174.51 on the Claim from the Rural Water District #1.

Morgan moved, seconded by Culbertson to amend the motion to include the deduction of the increase granted in April, May and June to the following employees: Jerold Gilson \$96.00; Michael McManigal \$90.00; Armon Todd \$86.67; Neva Neal \$30.90; Nellie June Beardshear \$68.00; Dorothy Lundberg \$68.00; Madelyn Thorsland \$68.00; Shirley Bentz \$68.00; Nondas Vitols \$68.00; Jeanette Ramirez \$68.00 and Ruth Foreshoe \$25.00.

Vote on the amendment
Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried

Vote on the original motion
Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried

GENERAL-PAYROLL: Social Security \$3,009.08; Blue Cross \$2,138.93; Gretchen Hirschbach \$541.66; Paul Culbertson \$541.66; Larry Morgan \$541.66; Robert Garvey \$541.66; Daniel Rohde \$541.66; Theodore A. Piepho \$1,208.33; Mary Hinkle \$924.44; Eloise Gormally \$615.25; Margaret Rahn \$615.25; Myra Smith \$615.25; Robert Giese \$1,208.33; Irene Van Lent \$924.43; Charlotte Doenhoefer \$615.25; Ruth Jensen \$615.25; Nadine Johanson \$615.25; Mardell Sorensen \$293.00; Ruth Warnock \$615.25; Virginia Piper \$1,208.33; Betty Garwood \$924.44; Sharon Shannon \$712.81; William Whear \$1,208.00; Harvey Bates \$1,232.56; Jarold Gilson \$974.00; Michael McManigal \$910.00; Linda Wilson \$896.00; Armon Todd \$876.33; Darlene Arneson \$567.60; Sally Deal \$212.95; Chestly H. Foster Jr. \$850.00; Michael Koettters \$476.60; Earlean McClain \$676.78; Neva Neal \$312.47; Patricia Parkins \$116.90; Judy Petersen \$260.63; Linda Wilson \$132.60; Maurice Redmond \$1,208.33; Dennis J. Mahr \$1,337.50; Gloria Engelbrecht \$900.00; Cindy Harris \$750.00; Patti Jo Ricke \$469.00; Raymond Speer \$1,333.33; Joy K. Nixon \$1,208.33; Thelma Baugous \$924.44; Nellie June Beardshear \$595.75; Shirley Bentz \$547.25; Dorothy Lundberg \$547.25; Lillian Rager \$673.25; Jeanette Ramirez \$595.75; Madelyn Thorsland \$547.25; Nondas Vitols \$605.25; Klemett Dean \$1,385.34; Nancy Dean \$420.43; Patricia Stingley \$668.75; Bruce Hovey \$2,166.67; Jon C. Norris \$680.38; Maurice Roady \$750.00; Lorraine Tillman \$1,208.33; Bonibel Chapman \$689.08; Dr. J.H. Walston \$248.40; Maxine Titler \$666.67

GENERAL FUND: Abbott Construction Co. \$1,836.80; Glover Painting & Decorating Co. \$1,332.00; City of Dakota City (HUD Project) \$4,951.77; City of Dakota City (HUD Project) \$1,910.00; Gretchen Hirschbach \$64.12; South Sioux City Star \$253.12; South Sioux City Star \$27.79; Northwestern Bell \$18.95; Sioux City Stationery \$41.25; Sioux City Stationery \$16.94; A B Dick Products \$10.50; Northwestern Bell \$111.45; Robert Giese \$41.58; Irene Van Lent \$10.00; South Sioux City Star \$2,339.28; Northwestern Bell \$69.54; Sioux City Stationery \$14.87; Nebraska State Ins. Agency \$30.00; Virginia Piper \$38.40; Virginia Piper \$30.24; Virginia Piper \$22.64; Brunton Printing \$123.43; Norfolk Printing \$275.20; Redfield & Co. \$258.80; Western Paper & Supply \$46.80; Precision Typewriter Works \$47.50; Northwestern Bell \$12.98; Northwestern National Bank \$200.25; West Publishing Co. \$121.00; Bancroft-Whitney \$57.85; General Business Equipment \$148.10; Northwestern Bell \$136.08; Redfield & Co. \$301.67; Joy K. Nixon \$115.47; Thelma Baugous \$63.18; General Business Equipment \$39.80; Michael McManigal \$10.00; Northwestern Bell \$282.85; Western Union \$248.27; Harvey Bates \$24.24; William Whear \$428.08; Harvey Bates \$661.84; Jarold Gilson \$565.60; Armon Todd \$150.72; Torticills Service \$347.18; Sioux City Stationery \$46.60; The Paper Co. \$18.34; Redfield & Co. \$78.14; Sheriff Dept. \$7.41; Law Enforcement \$20.75; Crystal Oil Co. \$20.50; Security National Bank \$135.52; Tagatz Hardware \$47.65; William Whear \$300.00; Brunton Printing \$30.00; William Whear \$861.50; Redler Pharmacy \$93.00; Ben Franklin \$71.16; Commerce Clearing House \$155.00; Clerk of the Legislature \$52.00; Sioux City Stationery \$305.35; Central Supply \$117.81; The Mines Press Inc. \$21.89; Northwestern Bell \$222.28; Bancroft-Whitney \$104.20; Dennis J. Mahr \$181.84; Executive Leasing \$162.08; County Assessor's Ass'n. of Nebr. \$12.00; Northwestern Bell \$93.23; State of Nebr. Dept. of Labor \$11.50; Hedrick Refrigeration \$119.55; Craig Dean \$140.00; Woody Electric \$601.03; Brown & Even \$63.98; Kroghs \$7.94; Crystal Oil Co. \$5.00; Siouxland Disposal \$30.00; Klemett Dean \$40.00; City of Dakota City \$1,350.59; Iowa Public Service \$923.00; E.L. Black & Sons \$10.00; Western Paper \$96.82; Mid-American Research Corp. \$253.30; Clausen Electric \$63.98; Tagatz Hardware \$96.67; Daryl Daum Painting \$371.00; American Linen \$26.40; Minear Lock & Key \$1.60; Bahr Plumbing \$268.30; Dakota County Extension Service \$37.45; Dakota County Extension Service \$1,518.64; Sioux City Stationery \$15.50; Bruce Hovey \$92.04; South Sioux City Star \$7.84; Northwestern Bell \$95.82; U.S. Civil Defense Council \$33.00; Northwestern Bell \$23.08; Joe Morten & Son \$90.00; Maurice Roady \$52.31; Northwestern Bell \$26.53; Lorraine Tillman \$233.10; Northwestern Bell \$21.84; State of Nebr. Dept. of Communications \$48.76; Northwestern Bell \$61.83; South Sioux City Star \$7.03; South Sioux City Star \$8.13; Northwestern Bell \$6.90; Maxine Titler \$39.00; Precision Typewriter Works \$47.50; Northwestern Bell \$22.42; Jerome Fleming \$21.60; Brian Coan \$21.60; Danny Gill \$21.60; Kevin Hamilton \$20.00; Bill Krueger \$20.00; Clerk of District Court \$223.45; Ada Frum \$85.00; Redfield & Co. \$52.50; Francis Goodwin \$435.00; Kurt Hohenstein \$909.30; Kurt Hohenstein \$212.10; Wm. Binkard \$467.33; Wm. Binkard \$395.98; Wm. Binkard \$487.29; Wm. Binkard \$180.40; Wm. Binkard \$146.93; Northwestern Bell \$9.45; AB Dick Products \$9.00; City of South Sioux City \$25.00; Judy Wolf \$56.00; Northeast Nebr. Area Agency on Aging \$529.00; Pitney Bowes \$12.42; Redfield & Co. \$23.06; AB Dick Products \$388.88; County Treasurer \$1,000.00; Dakota County Treasurer \$4.00; Burroughs Corp. \$405.05

ASSISTANCE-PAYROLL: Blue Cross \$295.13; Social Security \$547.47; Mildred Jorgensen \$1,644.15; Jeanine Bliven \$910.06; Margaret Boeshart \$1,271.71; Pauline Jensen \$1,298.76; Pat Lane \$1,139.15; Mary O'Dell \$829.31; Charlene Weber \$1,139.37

ASSISTANCE: Mildred Jorgensen \$3.36; Margaret Boeshart \$16.17; Pauline Jensen \$34.86; Pat Lane \$47.46; Charlene Weber \$51.03; Sioux City Stationery \$22.22; Credit Bureau \$2.60; Brunton Printing \$17.00; AB Dick Products \$10.50; Northwestern Bell \$186.16

SOLDIERS & SAILORS: Maurice Roady \$1,000.00

Dakota County Historical Society \$3,400.00

WEED-PAYROLL: Social Security \$70.48; Blue Cross \$41.66; Paul Foreshoe \$910.00; Ruth Foreshoe \$25.00; Maurice Crofoot \$25.00; J. Colin Green \$25.00; Elmer Nelson \$25.00; John Ryan \$25.00; George Shrader \$25.00

WEED: Maurice Crofoot \$1.80; J. Colin Green \$4.80; Elmer Nelson \$2.80; John Ryan \$5.00; George Shrader \$2.00; Torticill Service \$279.76; So. Soo Oil Co. \$377.60; Ruth Foreshoe \$25.00; Paul Foreshoe \$179.54; Nebraska Weed Control Ass'n. \$50.00; State of Nebraska-Dept. of Labor \$15.22;

FEDERAL GRANT-HIGHWAY SAFETY PROGRAM: Social Security \$77.61; Blue Cross \$46.18; Danny Potts \$1,167.00; Danny Potts \$10.00

ROAD-PAYROLL: Social Security \$828.11; Blue Cross \$630.18; Blue Cross \$110.00; George Anderson \$846.37; Leland Armbricht \$800.00; Caleb Chapman \$846.37; Beverly Gradert \$582.90; Walter Heinemann \$913.78; Robert Jacobsen \$1,070.00; Kurt Johnson \$846.37; Walter Johnson \$982.26; Richard McNear \$846.37; Arnold Mellick \$979.60; Marlan Millard \$846.37; Raymond Reed \$1200.00; Willis Roeber \$846.37; Earl Stading \$846.37

ROAD/BRIDGE FUND: Homer Service Station \$278.55; Northwestern Bell \$24.36; City of Dakota City \$20.00; Village of Emerson \$6.00; Nebraska Public Power District \$2.76; Anderson Equipment \$261.60; Auto Parts & Exchange \$12.01; Automotive Electric \$62.91; Carl A. Anderson \$173.29; Dakota Auto Parts \$159.18; Hydraulic Sales & Service \$146.63; Midcon Equipment Co. \$113.76; Mike's Auto Parts \$41.82; Missouri Valley Machinery \$748.48; Saunders Int'l. Trucks \$84.77; Tucker's Glass Shop \$52.83; United Wholesalers \$76.73; Condon Motor Co. \$244.68; Means Services \$21.08; Monroe Welding Supply Co. \$44.86; Rockfort Industries \$334.80; South Ridge Home Center \$365.13; Firestone Stores \$22.00; Missouri Valley Steel Co. \$63.64; St. Regis Paper Co. \$1,762.50; Kay Dee Builders Supply Co. \$49.30; Crystal Oil Co. \$376.74; Diamond Horseshoe Truck Stop \$1,186.63; Engels Mobil Service \$291.76; So. Soo Oil Co. \$915.22; Warren Oil Co. \$678.81; Middle Missouri Rural Water #1 \$58.00

REVENUE SHARING: Higman Sand & Gravel \$1,404.42

The Board reviewed and discussed the Solid Waste Disposal Agency contract. Some changes were made in the contract.

Garvey moved, seconded by Morgan to approve the preliminary contract regarding the Solid Waste Disposal Agency as corrected.

Mr. Rohde asked what we are sharing costs on.

Mr. Morgan said our only share is on the Pedersen landfill. The County still has complete control over what they spend.

Voting Yea: Garvey, Morgan, Culbertson, Hirschbach
 Voting Nay: Rohde
 Motion carried

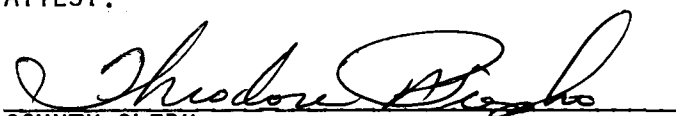
Mrs. Hirschbach reappointed Mr. Garvey and Mr. Morgan as representatives to the Solid Waste Disposal Agency.

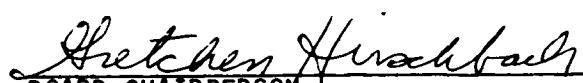
Mr. Morgan suggested someone with a little more tenure be appointed.

Mrs. Hirschbach then appointed Mr. Culbertson.

Morgan moved, seconded by Rohde to adjourn.
 Voting Yea: Garvey, Moraan, Culbertson, Hirschbach, Rohde
 Unanimous motion carried 11:20 a.m.

ATTEST:


 COUNTY CLERK


 BOARD CHAIRPERSON

COMMISSIONERS MEETING
 NOVEMBER 23, 1981 PROCEEDINGS
 BASEMENT MEETING ROOM

Chairwoman Hirschbach called the meeting to order at 9:00 a.m.
 Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary.

Rohde moved, seconded by Culbertson to approve the minutes of November 16, 1981 as typed.
 Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
 Unanimous motion carried

Mrs. Hirschbach asked for reports of Boards, Officials and Committees.

Mr. Culbertson: I talked to Bill Rohde in regard to the water hydrant. It seems the county had been getting water there before moving on to another hydrant. Bill contends there is a definite process in opening and closing it. He didn't know it was broken until a county employee told him. The Road Committee will meet with Bill Rohde on this matter.

Mr. Hovey said he talked to a representative of N.P.P.D. They will start work on the project on December 7. They haven't gotten a letter from Pat Dorcey yet.

Mr. Morgan asked that the following question be submitted to Mr. Redmond for his opinion.

QUESTION: Does the County Board have the authority, after establishing a paving district, to defer assessments on affected agriculturally zoned property until the zoning of such property is changed to residential, commercial or industrial?
 BACKGROUND: The County Board is exploring the possibility of paving county roads serving Iowa Beef processors and Lincoln Grain facilities. Much of the property adjoining the proposed paving is presently agricultural. The Board does not feel it is feasible to assess agricultural property owners until the use of the property is changed by rezoning.

Mr. Hovey said he talked to Higman Sand and Gravel about stockpiling in Homer.
 Mr. Morgan: We have all expressed interest in this in the past. I see no need for a motion.

The Board briefly discussed the road leading to Millis Beach road and Millis Beach road itself.
 Mrs. Hirschbach asked Mr. Hovey to get a list of the railroad crossings needing repair so a letter can be sent to Burlington.

Mr. Hovey said he would like to take bids on some old road equipment.

Culbertson moved, seconded by Garvey to empower Bruce Hovey to sell the asphalt roller for the same price as we paid for it with the provision for future use and to sell other surplus equipment from the Road Dept.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried

Mr. Hovey: We need to seal the cracks on old Highway 20 and Highway 77. Also, the parking lot here needs to be repaired.

The Board agreed the work could be bid as a package deal.

Mr. Garvey: Dakota City is not in favor of one of the changes we made in the Solid Waste Disposal Agency Contract. I think it will be resolved at the noon meeting today.

Morgan moved, seconded by Rohde to convene in executive session as requested by Mrs. Hirschbach to discuss Union Negotiations and pending litigation.

Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
Unanimous motion carried 9:40 a.m.

Culbertson moved, seconded by Rohde to reconvene in regular session.

Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
Unanimous motion carried 10:27 a.m.

Morgan moved, seconded by Garvey the Board of Commissioners inform the AFSCME Council that the county will recover all merit and promotional increases granted after October 1980 because there has not been a mutual agreement on the granting of merit and promotional increases during the time from October 1980 to the present.

Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried

Morgan moved, seconded by Rohde to appoint Gene Cantrell as a member of the Planning & Zoning Board of Dakota County

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried

Morgan moved, seconded by Culbertson to convene as the Board of Equalization.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried 10:37 a.m.

Morgan moved, seconded by Garvey to approve the tax exemption application by Hope Lutheran Church, 218 West 18th, South Sioux City, Ne., in a 1977 Chevrolet, I.D.#CPL327330 723, actual value \$6,000.00.

Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
Unanimous motion carried

Culbertson moved, seconded by Rohde to reconvene as the Board of Commissioners

Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
Unanimous motion carried 10:44 a.m.

The Board acknowledged receipt of a letter from Doug Bereuter in regard to the Flood Hazard Boundry Maps.

The Board acknowledged receipt of an opinion from the Attorney General regarding the Sheriff's Dept. Car.

The Board discussed the opinion.

Mr. Morgan: In light of this, the Board should establish a policy of its own.

Mr. Redmond: It would not be binding legally.

The claim for the Sheriff's car was refiled by Sheriff Whear today.

Morgan moved, seconded by Garvey to table consideration of the claim until the next regular claims day.

Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried

Mr. Morgan informed the Board of a special meeting Monday evening, November 30, at which time five counties will be discussing County Officials salaries.


Culbertson moved, seconded by Morgan the broken chairs in the Commissioners meeting room be disposed of and replaced with new chairs.

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried

Rohde moved, seconded by Garvey to adjourn.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried 11:18 a.m.

ATTEST:


COUNTY CLERK


BOARD CHAIRPERSON

BOARD OF COMMISSIONERS
SPECIAL MEETING 11-30-81
BASEMENT MEETING ROOM

The Dakota County Commissioners met in a Special Session at the Dakota County Courthouse to discuss the official's salary for the ensuing term.

Present were: Gretchen Hirschbach, Daniel Rohde, Robert Garvey, Larry Morgan, Paul Culbertson and Ted Piepho, secretary.
Officials present were: Robert Giese, Joy Nixon and Ted Piepho.

Culbertson moved, seconded by Rohde to approve the minutes of November 23, 1981 as typed.
Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
Unanimous motion carried

The Board and the elected officials discussed the official's salaries for the ensuing term. The Officials proposed the following salaries.

\$24,597.80 x .07 equals \$26,391.65
effective January 1, 1983 through December 31, 1983

\$26,391.65 x .07 equals \$28,162.03
effective January 1, 1984 through December 31, 1984

\$28,162.03 x .07 equals \$30,133.37
effective January 1, 1985 through December 31, 1985

\$30,133.37 x .07 equals \$32,242.71
effective January 1, 1986 through December 31, 1986

That medical/ dental/ life insurance coverage be continued
Retirement plan be initiated


County Assessor proposes that in lieu of the 10% increase of salary over and above other county officials, be replaced by the County furnishing the office with a motor vehicle for the assessing of real estate.
(10% increase over and above other county officials' salaries recommended by County Officials' Association)

Culbertson moved, seconded by Rohde to convene in executive session to discuss collective bargaining as authorized by Statute.
Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
Unanimous motion carried 9:38 a.m.

Culbertson moved, seconded by Rohde to reconvene in open session.
Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried 11:40 a.m.

Culbertson moved, seconded by Garvey to adjourn.
Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried 11:47 a.m.

ATTEST:


COUNTY CLERK


BOARD CHAIRPERSON

COMMISSIONERS MEETING
DECEMBER 7, 1981 PROCEEDINGS
BASEMENT MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chairwoman Hirschbach called the meeting to order at 9:12 a.m.
Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, Secretary.

Rohde moved, seconded by Garvey to approve the minutes of November 30, 1981 as typed.
Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried

Mrs. Hirschbach and Mr. Culbertson will serve on a Finance Committee to review each claim on Claims Day. The Board will be given a list of each claim rather than having to review each individual claim. December Claims Day was moved up to December 14 due to the Christmas holiday.

Ron Runge and Tom Harris appeared before the Board. Mr. Runge owns land by the Thomas Ashford Boy Scout Camp near Homer. Mr. Harris farms the land.

Mr. Runge: Honey Creek is a natural drainage that runs east to the Missouri River. In the 1960's, Thurston and Dakota County agreed where the natural drainage should go. Mr. Ashford didn't like that. This land was given to the Boy Scouts. They have increased the drainage and if rains alot, it will back up all the way to Blyburg Lake. We have been trying to work this out with the Boy Scouts. We would like to have the County look at it and talk to the neighbors.

Mr. Morgan: What caused the change?

Mr. Runge: They built a road and now it converts. The only reason there hasn't been a problem is because we have had some dry years. We thought we had an agreement with them.

Mr. Morgan: If a culvert is placed there, what will it do to the land on the other side?

Mr. Runge: That's the way the water is supposed to run.

Mrs. Hirschbach: We will refer this to Mr. Hovey and the Road Committee. They will report back at the next meeting.
Mr. Runge asked for a copy of the resolution adopting a ploicy for use of county right-of-way.

The Board acknowledged receipt of the following letter from N.P.P.D.

Mr. Bruce Hovey
Dakota County Highway Superintendent
P.O. Box 126
Dakota City, Nebraska 68731

Dear Mr. Hovey:

Subject: Relocate Structure #171
Transmission Line 1097

Pursuant to the discussion at our meeting in Dakota City and your letter of November 10, 1981, NPPD agrees to the proposal to split the costs for the structure relocation. The costs will be split equally, one-third each to Dakota County, Pat Dorcey and NPPD. In a telephone conversation between Paul Malone and Pat Dorcey today, Mr. Dorcey said he would send a letter confirming his agreement to the cost split.

For record purposes, we must make clear that we feel we should not have any financial responsibility to repair the structure and are sharing in the cost only because we wished to reach a voluntary settlement. We feel we have a valid easement for the structure and that the removal of the dirt from around the structure was a violation of NPPD's rights under the existing easement.

We hope to begin the relocation work the week of December 7, 1981. Work should be completed in a 2-day period. When the work is completed we will send a billing for actual costs.

If you have any question, please advise.

Sincerely,

R. E. Breuer
Transmission Engineering Manager

REB/pjm:ja

cc: W. A. Merrill
P. J. Malone
Gretchen Hirschbach, Dakota County Board Chairman
Pat Dorcey, Hubbard, Nebraska

Morgan moved, seconded by Garvey to convene in executive session as requested by Maurice Redmond to discuss I.B.P. litigation and Morgan requested to ask the County Attorney's opinion regarding property acquisition.
Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried 9:54 a.m.

Rohde moved, seconded by Culbertson to reconvene in open session.
Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
Unanimous motion carried 10:43 a.m.

Robert Giese, Joy Nixon and Ted Piepho appeared before the Board for the discussion of officials' salaries.

Mr. Culbertson asked the purpose of the assessor's driving around the county looking at property.

Mrs. Nixon: They are picking up new listings and measuring buildings.

Mr. Culbertson: If we know of all new construction and we have these building permits, why do we have these four people going around looking for these things?

Mrs. Nixon: They are picking up new listings. They aren't out all of the time.

The Jailor's Fees were briefly discussed.

Mr. Morgan: We need to determine the County Surveyor's hourly rate.

Mr. Culbertson: How was the increase for the commissioners arrived at?

Mr. Morgan: It's basically what the other counties are going by. It's primarily based on the cost of living increases.

The Board will meet with the County Officials on December 14.

Mrs. Nixon asked if the Board was proposing a motor vehicle for the Assessor's office.

Mr. Morgan: We are not recommending it. We are recommending single coverage for health and accident and no retirement.

Culbertson moved, seconded by Morgan to adjourn.
Voting Yea: Garvey
Voting Nay: Morgan, Culbertson, Hirschbach, Rohde
Motion denied.

Morgan moved, seconded by Garvey to authorize Jim Hanks to employ legal counsel for the negotiation phase and any other assistance he might need.
Voting Yea; Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried

Garvey moved, seconded by Morgan to approve the ~~XXXXXX~~ Contract Supplement to Engineering Service Agreement for professional engineering services for the Water and Sewer System Improvement Projects, covering the furnishing of a full-time resident inspection in lieu of the part-time inspection contained in the original agreement.

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried

Culbertson moved, seconded by Morgan to adjourn.
Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried 11:37 a.m.

ATTEST:

Theodore D. High

COUNTY CLERK

Gretchen Hirschbach

BOARD CHAIRPERSON

* * * * *

COMMISSIONERS MEETING
DECEMBER 14, 1981 PROCEEDINGS
BASEMENT MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chairwoman Hirschbach called the meeting to order at 9:03 a.m.
Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Dan Rohde, Robert Garvey and Ted Piepho, secretary.

Culbertson moved, seconded by Morgan to approve the minutes of December 7, 1981 as typed.
Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried

Mrs. Hirschbach asked for reports of Officials, Boards and Committees.

In regard to the drainage of the Boy Scouts Camp, Mr. Culbertson said the Road Committee believes Dakota County has no responsibility for the drainage because the entrance to the camp is in Thurston County.

The Board received the following legal opinion from the County Attorney.

COUNTY ATTORNEY'S OPINION
REQUESTED BY THE HIGHWAY SUPERINTENDENT
ISSUED DECEMBER 7, 1981

Q: 1. If Harvey Bate's request for a new road is granted, who would bear the cost of obtaining right of way for the new road?

A: 1. Harvey Bates.

Section 39-1716, R.R.S. 1943, as amended, expressly states that the county board "is to appraise the damages to be suffered by the owner or owners of real estate over or through which the (public road) shall be laid." The cost of those damages is to be borne by the person petitioning for the new road. The person petitioning for the road is to pay that amount to the county treasurer before the order laying out the new road is filed. Section 39-1718, R.R.S. 1943, as amended.

Q: 2. If Harvey Bate's request for a new road is granted, who would bear the costs of the condemnation proceedings, and the engineering, surveying, and construction costs of the road?

A: 2. The County.

The general rule is well-expressed in Section 39-1701, R.R.S. 1943, as amended: "All costs, expenses, and damages incurred (in county road building) shall be paid out of the general fund of the county or the county road fund." Section 39-1716, cited above, overrides the general provision in one specific category of expenses: "damages suffered by the owner" of the real estate through which the new road runs.

In sum, the statutes mandate that the person petitioning for the road pay the condemnation prizes awarded to his neighbors, but the statutes do no say that that person has to pay for the cost of the condemnation proceedings or for the mechanical expenses involved in constructing the road. In the absence of specific legislation shifting those other costs to the petitioner, the general rule governs and the government must pay.

Q: 3. What is the procedure for acquiring right of way from the State Games and Parks Commission?

The rule is stated in Section 39-1703, R.R.S. 1943, as amended: The county board *** may acquire land owned, occupied or controlled by the state or any state *** commission, whenever such land is necessary to construct, reconstruct, improve, relocate, or maintain a county road. *** The procedure for such acquisition shall, as nearly as possible, be that provided in Sections 72-224.02 and 72-224.03. Prior to taking land for any of the above purposes, a certificate that the taking of such land is in the public interest must be obtained from the Governor and the Department of Roads, and filed in the office of the Department of Administrative Services and a copy thereof in the office of the Board of Educational Lands and Funds. The damages assessed in such proceedings shall be paid to the Board of Educational Lands and Funds, and shall be remitted by that board to the State Treasurer for credit to the proper account.

In practice, then, the proceedings shall be "before a board of appraisers consisting of the Auditor of Public Accounts, the Commissioner of Education, and an appointed member of the State Real Estate Commission chosen by the Commission." Section 72-224.03(1). The County will have first filed a plat and a complete description of the lands to be acquired with the secretary of the Board of Educational Lands and Funds, and shall have given notice to the Governor and Attorney General of the Hearing date, "which shall not be less than ten days from the date of the filing" with the secretary

of the B.E.L.F. Section 72-224.03(2).

At the hearing, both the County and the B.E.L.F. may present evidence and the board of appraisers will determine the amount of the condemnation award the County must pay. If we have any complaints, we are to take our appeal to the Lancaster County District Court. Section 72-224.03(4). (In point of fact, since 39-1703 required that we gain the consent of the Governor and the Department of Roads before the condemnation takes effect, the hearing before the board of appraisers will probably be a mere formality. If we do not have the approval of the Governor and Department of Roads beforehand, it would be futile to commence the condemnation proceeding.)

Q: 4. If Harvey Bates can acquire an easement on his neighbor's property that would connect his property to an existing county road does the County need to proceed any further?

Our office refrains from answering this question, as its resolution is a factual matter properly decided by the County Board. Section 39-1716, as interpreted by the Supreme Court in Singleton vs. Kimball County Board of Commissioners, 203 Neb. 429, 279 NW2d 112 (1979), says that the County must lay out a road if the County Board finds "that the conditions set forth in Section 39-1713 or 29-1714 exist." Those conditions are:

- (1) That the Petitioner owns real estate within County.
- (2) That the Petitioner's land is shut off from public roads by being surrounded by real estate belonging to other persons and/or by water; or that his only access to a public road is by an established private road less than two rods in width.
- (3) That the Petitioner cannot purchase access to a public road from his neighbor at a non-exorbitant price.
- (4) That the Petitioner's petition request that a public road be established for the Petitioner's use.

Judging from your question, the crux of the matter at hand is whether Harvey Bates, the petitioner in this instance, can demonstrate that Condition No. 3 exists. Section 39-1713 obliges him to tell the County Board the lowest price at which he can purchase access to his lot. If the Board decides that price is reasonable, the County may reject Deputy Bates's petition, but if the Board decides that Deputy Bates would have to pay an exorbitant amount to obtain an easement from his neighbors, the County has to proceed with the condemnation process against Deputy Bates's neighbor.

In a sentence, the determination of whether the Petitioner can purchase access to his lot only at an exorbitant price is reserved for the County Board, and this office will not venture an opinion upon that question of fact.

Respectfully submitted,

Maurice Redmond
Dakota County Attorney

MSR/pjr

* * * * *

Mrs. Hirschbach asked the Road Committee to meet with Mr. Hovey after the meeting today to review the opinion. Mr. Hovey is to notify Harvey Bates regarding the time the Board will make a decision.

Mildred Jorgensen, County Welfare Director, appeared before the Board with her monthly report.

Garvey moved, seconded by Rohde to convene in executive session to discuss welfare applicants as requested by Mrs. Jorgensen.

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried 9:11 a.m.

Rohde moved, seconded by Garvey to reconvene in regular session.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried 9:37 a.m.

Morgan moved, seconded by Garvey that Case "A" be denied assistance because the parties have been determined ineligible.

Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
Unanimous motion carried

Morgan moved, seconded by Garvey that a supplement of \$51.00 be granted towards the payment of rent in case "B".

Voting Yea; Garvey, Morgan, Culbertson, Hirschbach, Rohde
Unanimous motion carried

Ron Runge appeared before the Board in regard to the drainage on the Boy Scouts Camp.

Dan Rohde: Paul Culbertson, Bob Jacobsen, Bruce Hovey and I went down there. It looks to us like it's in Thurston County.

Mr. Runge: Then why has Dakota County assessed our taxes ever since we have had the land? Have you had it surveyed? The swale was put in by Dakota and Thurston County as a joint operation.

Mr. Culbertson: I know the people who live there and their car is licensed in Thurston County. Where is the swale?

Mr. Runge: It's on the Thurston-Dakota County line, is what I've been told. It was determined a long time ago. It seems to me it was put in in the 50's.

Morgan moved, seconded by Garvey to break.

Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried 9:53 a.m.

Rohde moved, seconded by Garvey to reconvene.

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried 10:16 a.m.

The Road Committee, Mr. Hovey and Mr. Runge will meet with the Thurston County Board at 8:45 a.m. December 15.

Gene Sturm, SIMPCO, appeared before the Board in regard to the flood plain maps. Mr. Sturm explained the four sanctions that would be applied if the County withdraws or fails to go in the regular program after April, 1982.

Mr. Sturm: The impacts on Dakota County would be felt by people living on or owning property in the flood plain. Each federal agency has to develop its own guidelines.

Mr. Sturm proposed a time table for consideration to hold public hearings.

Doug Johnson of First Equitable Savings appeared before the Board. Mr. Johnson explained their loan policy. He said if they make a loan on property in the flood plain, they are required to have the borrower seek out flood insurance.

Mr. Culbertson: On an overall basis, what percentage of homes are flood insured?

Mr. Johnson said he could get those figures, but he didn't have them now.

The Board will set a date for a public hearing at their next meeting.

Mr. Culbertson gave a brief report on the Weed Board. They are drawing up specifications for a new pickup.

The Board reviewed the claims submitted by the County Clerk.

Culbertson moved, seconded by Morgan to approve the following claims with the exception of the claim for the Sheriff's Department car and a claim submitted by Jarold Gilson for \$48.20.

GENERAL PAYROLL: Social Security \$3,133.82; Blue Cross \$2,185.11; Teachers retirement \$31.50; Gretchen Hirschbach \$541.66; Paul Culbertson \$541.66; Robert Garvey \$541.66; Larry Morgan \$541.66; Daniel Rohde \$541.66; Theodore Piepho \$1,208.33; Mary Hinkle \$924.44; Eloise Gormally \$615.25; Margaret Rahn \$615.25; Myra Smith \$615.25; Robert Giese \$1,208.33; Irene Van Lent \$924.44; Charlotte Doenhoefer \$615.25; Ruth Jensen \$615.25; Nadine Johnson \$615.25; Mardell Sorensen \$615.25; Ruth Warnock \$615.25; Virginia Piper \$1,208.33; Betty Garwood \$924.44; Sharon Shannon \$712.81; Betty Garwood \$150.00; Sharon Shannon \$150.00; William F. Whear \$1,208.00; Harvey Bates \$1,232.56; Jarold Gilson \$1,070.00; Michael McManigal \$1000.00; Linda Wilson \$896.00; Armon Todd \$963.00; Darlene Arneson \$680.00; Sally Deal \$615.40; Chesley H. Foster Jr. \$850.00; Naomi Huck \$327.00; Michael Koettters \$659.60; Earlean McClaim \$676.78; Neva Neal \$343.37; Linda Wilson \$102.00; Maurice S. Redmond \$1,208.33; Dennis J. Mahr \$1,337.50; Raymond Speer \$1,333.33; Gloria Engelbrecht \$900.00; Cindy Harris \$750.00; Patti Jo Ricke \$427.13; Joy K. Nixon \$1,208.33; Thelma Baugous \$924.44; Nellie June Beardshear \$667.25; Shirley Bentz \$615.25; Dorothy Lundberg \$615.25; Lillian Rager \$637.25; Jeanette Ramirez \$667.25; Madelyn Thorsland \$615.25; Nondas Vitols \$637.25; Klemett Dean \$1,385.34; Nancy Dean \$452.25; Patricia Stingley \$668.75; Bruce Hovey \$2,166.67; Jon Norris \$680.38; Maurice Roady \$750.00; Lorraine Tillman \$1,208.33; Bonibel Chapman \$689.08; James Walston \$248.40; Maxine Titler \$666.67

GENERAL FUND: Gretchen Hirschbach \$75.68; Daniel Rohde \$186.00; Northwestern Bell \$19.72; South Sioux City Star \$235.38; South Sioux City Star \$15.68; Northwestern Bell \$166.23; Norfolk Printing \$125.35; Ted Piepho \$156.13; Hollar Stamp Co. \$13.25; Star Printing & Publishing \$26.50; Sioux City Stationery \$5.58; Bancroft-Whitney \$28.15; Northwestern Bell \$82.41; Northwestern National Bank \$200.25; Redfield & Co. \$83.28; Virginia Piper \$111.42; Virginia Piper \$36.96; Des Moines Stamp Co. \$75.60; General Business Equipment \$15.68; Northwestern Bell \$135.29; Redfield & Co. \$43.77; County Judge \$35.91; William Whear \$375.28; Harvey Bates \$521.44; Jarold Gilson \$533.44; Armon Todd \$161.28; Michael McManigal \$10.00; Sheriff Dept. \$8.32; Western Union \$248.27; Sioux Valley Radio Eng. Co. \$90.50; Executive Copy Systems \$473.24; Torticills Service \$484.32; Crystal Oil Co. \$12.70; H&N Oil Co. \$15.70; Northwestern Bell \$299.45; Security National Bank \$135.52; Dakota County Treasurer \$128.85; Sioux City Stationery \$12.00; Joe Morten & Son \$30.00; William F. Whear \$310.00; William F. Whear \$861.00; Northwestern Bell \$298.14; Maurice S. Redmond \$44.94; Nebraska County Attorneys Association \$140.00; Nebraska Sheriff's and Peace Officers' Ass'n. \$20.00; Maurice Redmond \$30.48; Woodbury County Sheriff \$3.25; Thurston County Sheriff \$1.50; Redfield & Co. \$35.00; West Publishing Co. \$25.00; Warren, Gorham & Lamont \$39.80; Bancroft-Whitney \$136.50; Day-Timers, Inc. \$17.09; Executive Leasing Co. \$169.92; Joy K. Nixon \$327.33; Thelma Baugous \$121.56; General Business Eq. \$9.69; International Ass'n. Of Assessing Officers \$50.00; Nebr. Center for Continuing Education \$164.22; Redfield & Co. \$298.16; Northwestern Bell Telephone \$114.88; Klemett Dean \$39.60; Kenny Jones \$30.00; Hedrick Refrigeration \$74.85; Kenny Jones \$50.00; Bahr Plumbing \$60.00; Western Paper \$140.20; Minear Lock & Key \$8.80; Clausen Electric \$80.73; Robertson Implement \$11.34; Tagatz Hardware \$46.15; City of Dakota City \$1,373.32; Mid American Research Chemical Corp. \$165.70; Woody's Electric \$48.12; Iowa Public Service \$923.00; Sioux City Stationery \$69.90; Klemett Dean \$18.12; American Linen \$29.90; Crystal Oil Co. \$5.00; Woody Boelter \$15.00; Dakota County Extension Service \$1,318.22; Bruce Hovey \$166.27; Northwestern Bell \$86.93; Sioux City Stationery \$22.40; Northwestern Bell \$37.80; Maurice Roady \$43.22; Lorraine Tillman \$144.90; Northwestern Bell \$29.13; Sioux City Stationery \$19.40; Precision Typewriter Works \$24.00; State of Nebraska Division of Communications \$74.52; South Sioux City Star \$17.93; Joe Morten & Son \$30.00; Northwestern Bell \$4.14; Hammond & Stephens \$11.76; Northwestern Bell \$30.33; Charlene Blackbird \$24.80; Hildreth Red Eyes \$24.80; Sharon Schrader \$21.68; Chongae Redding \$20.00; David W. Schrader \$21.68; County Judges Office \$148.50; Wm. Binkard \$264.64; Thurston County Sheriff \$34.18; Thurston County Sheriff \$11.56; County Judges Office \$130.00; Clerk of District Court \$101.30; Dakota County Sheriff Dept. \$505.44; Region IV Mental Health Center \$3,286.50; County Treasurer \$1,000.00; Executive Copy Systems \$370.00; City of South Sioux City \$25.00; Northwestern Bell \$9.87; Board of Educational Lands and Funds \$169.90; Klass, Whicher & Mishne \$1,455.00; Klass, Whicher & Mishne \$1,754.70; Amsterdam Printing and Litho Corp. \$78.01; V. W. Eimicke Associates, Inc. \$40.33; Pitney Bowes Credit Corp. \$69.00; Ted Piepho \$17.67

HUD FUND: Turner Plumbing & Heating \$5,884.23; SIMPCO \$310.00

WEED FUND - PAYROLL: Social Security \$72.15; Blue Cross \$41.66; Paul Foeshoe \$910.00; Ruth Foeshoe \$50.00; Maurice Crofoot \$25.00; J. Colin Green \$25.00; Elmer Nelson \$25.00; John Ryan \$25.00; George Shrader \$25.00;

WEED FUND: Ruth Foeshoe \$25.00; Maurice Crofoot \$1.80; J. Colin Green \$4.80; John Ryan \$5.00; George Shrader \$8.50; Paul Foeshoe \$188.99

FEDERAL GRANT HIGHWAY SAFETY PROGRAM: Social Security \$78.27; Blue Cross \$46.18; Danny Potts \$1,177.00; Danny Potts \$10.00

ASSISTANCE PAYROLL: Blue Cross \$295.13; Social Security \$547.47; Mildred Jorgensen \$1,644.15; Jeanine Bliven \$910.06; Margaret Boeshart \$1,271.71; Pauline Jensen \$1,298.76; Pat Lane \$1,139.15; Mary O'Dell \$829.31; Charlene Weber \$1,139.37

ASSISTANCE: Mildred Jorgensen \$3.36; Margaret Boeshart \$6.51; Pauline Jensen \$4.62; Pat Lane \$30.03; Charlene Weber \$48.93; Dakota County Treasurer \$632.31; Nebraska State Bank \$35.00; Dr. W.E. Reynolds \$10.00; Sioux City Stationery \$4.50; Northwestern Bell \$178.38; Mildred Jorgensen \$2.55

POOR RELIEF: Larry Laird \$51.00; Nebraska State Department of Public Welfare \$39,579.36

INSTITUTIONAL FUND: Lincoln Regional Center \$273.00; Hastings Regional Center \$465.00; Norfolk Regional Center \$1,329.00; Beatrice State Development Center \$2,979.00

SOLDIERS & SAILORS: Maurice Roady \$400.00

DAKOTA COUNTY HISTORICAL SOCIETY: Dakota County Historical Society \$329.46

ROAD FUND - PAYROLL: Social Security \$844.97; Blue Cross \$630.18; George Anderson \$846.37; Leland Armbricht \$800.00; Caleb Chapman \$846.37; Beverly Gradert \$582.90; Walter Heinemann \$961.24; Robert Jacobsen \$1,125.56; Kurt Johnson \$846.37; Walter Johnson \$1,007.79; Richard McNear \$890.32; Arnold Mellick \$946.95; Marlan Millard \$934.26; Ray Reed \$1,200.00; Willis Roeber \$864.67; Earl Stading \$853.69

ROAD FUND: Northwestern Bell \$35.53; City of Dakota City \$20.00; Iowa Public Service Co. \$65.51; Nebraska Public Power District \$13.43; A-1 Floor Covering \$24.00; Carl A. Anderson \$26.84; Anderson Drive-In Radio \$19.75; Anderson Equipment Co. \$460.64; Arrow Ford \$17.20; Automotive Electric \$69.28; Clausen Electric \$104.06; Dakota Ave. Muffler Shop \$74.15; Fehrs Tractor & Equipment \$216.47; Herman M. Brown Co. \$65.77; Hirsch Awning \$182.70; Hydraulic Sales & Service \$16.62; Joe's Surplus \$85.00; Midcon Equipment \$175.88; Mike's Auto Parts \$85.35; Missouri Valley Machinery Co. \$2,919.29; Nebraska Tractor & Equipment Co. \$32.33; Premier Fastener Co. \$263.58; Sioux Tool Co. \$8.80; United Wholesalers \$52.15; Van's Used Trucks & Parts \$5.00; Walthill Farm Equipment \$75.20; Gill Construction Co. \$3,639.68; Dakota County Weed District \$171.09; Filter Care \$104.05; Means Services \$19.71; Monroe Welding Supply Co. \$27.00; The Sioux City Iron Co. \$40.14; South Ridge Home Center \$29.98; Stephan's Welding Shop \$4.17; Zee Medical Service Co. \$61.30; Firestone Stores \$99.42; State Steel Supply Co. \$35.00; Adams Service \$432.34; Crystal Oil Co. \$384.28; Diamond Horseshoe \$1,924.37; Engel's Mobil Service \$314.30; Farmers Co-op Ass'n. \$3,238.26; So Soo Oil Co. \$1,452.81; Warren Oil Co. \$1,198.29; Hall Feed & Seed \$29.70; Frank Francisco \$300.00; A.C.E. Mobile Concrete \$437.06

REVENUE SHARING: Higman Sand & Gravel \$2,506.69

Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
 Unanimous motion carried

Mr. Morgan: Bob (Garvey) and I investigated the law as far as it pertains to bidding. The law was changed in 1943 and again in 1965. In 1967 it was again revised and provides for a purchasing agent in counties with a population under 150,000. This leaves a lot of doubt about if our county is covered. Second, we have had an improper payment process here. I think there is the possibility of personal liability if we approve this claim. The Attorney General's opinion is just that - an opinion. At this point, if we continue to disapprove the claim, no one is out of any money. The claim has already been paid. I feel this is the best course of action to take on this matter. I strongly suggest we ask Jack Mills to consult with us at a meeting and talk to other County Officials to determine if they feel there is a problem here. We should push for clarification of this law by the Legislature.

Mrs. Hirschbach: I agree. I would prefer the law apply to our county as well. We have the authority to set a minimum and require bids over that amount. We have no power other than what the State gives us. Although I dislike the Attorney General's opinion, under the existing law, we don't have the authority. I think the law should be clarified. If I had to go with an opinion, I would prefer to go with the Attorney General's opinion. I assumed at the time, it would be operative and that was the point of soliciting it.

Hirschbach moved, seconded by Culbertson to approve the payment for the Sheriff's Department car.

Mr. Culbertson: What would happen if we would deny this opinion?

Mrs. Hirschbach: Legally, I don't know.

Mr. Morgan: I strongly feel the Legislature intended by include us under this \$5,000 limitation. The payment was made without the Board's approval. We could pass a resolution and let someone challenge it in court.

Mrs. Hirschbach: The Courts interpret the Statutes. In Nebraska, the County Governemnts have only the authority established by law.

Mr. Morgan: There is no mention that we cannot set up our own rules. All we would be doing is setting up a rule to say how we conduct our business.

Mrs. Hirschbach: Once the budget is approved, if there is an item not expressly listed, you would have to come to this Board. We need to look at where the Official's authority ends and the Board's begins.

Mr. Morgan: We have the authority to set the rules by which the item would be purchased.

Mr. Culbertson: I thought we expected that bids would be brought before us.

Mrs. Hirschbach called the question.
 Voting Yea: Hirschbach
 Voting Nay: Rohde, Garvey, Morgan, Culbertson
 Motion denied.

Joy Nixon and Ted Piepho appeared before the Board for the discussion of official's salaries.

Mr. Piepho: I wish Bill (Whear) was here. It's hard for us to set here when there are three other officials involved. I would ask the Board to table action this week. It should be placed on the agenda next week and I feel the Board should make a decision then.

Mrs. Nixon: I would like the Board to consider the fact that we are a Class 4 county and the minimum slaary should be set at \$19,000.00.

Mrs. Hirschbach: But the assessed valuation and size are less than other counties with our population. We are working on a salary scale for the rest of the courthouse, why not for the officials?


Mr. Culbertson: We have a proposal from the Board and from the County Officials.

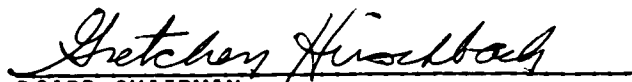
Mr. Morgan: I wouldn't recommend staggering at this time.

Rohde moved, seconded by Morgan to adjourn.
 Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
 Unanimous motion carried 12:20 p.m.

December 14, 1981 Meeting:

ATTEST:


 COUNTY CLERK


 BOARD CHAIRMAN

* * * * *

COMMISSIONERS MEETING
 DECEMBER 21, 1981 PROCEEDINGS
 BASEMENT MEETING ROOM
 DAKOTA COUNTY COURTHOUSE

Chairwoman Hirschbach called the meeting to order at 9:04 a.m.
 Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary.

Rohde moved, seconded by Morgan to approve the minutes of December 14, 1981 as corrected.
 Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
 Unanimous motion carried

Ted Piepho, County Clerk, appeared before the Board and presented his report for the month of November.

Bruce Hovey, Highway Superintendent, appeared before the Board to discuss matters in the Road Department. Mr. Hovey said he would like the Board to consider renting a front-end loader. He has checked with two equipment dealers on rental-purchase agreement. There was a short discussion on the matter.

Morgan moved, seconded by Rohde to authorize the Highway Supt. to draw up specifications for rental or lease-purchase of a front-end loader and to advertise for the same.
 Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
 Unanimous motion carried

Mrs. Hirschbach informed the Board of a meeting on Wednesday, December 30, at 9:30 a.m. with Johnson, Erickson, O'Brien & Associates, Inc. to discuss the possibility of a road classification study.

Bob Giese, County Treasurer, appeared before the board with his report for November. Mr. Giese reported the interest earned in November to be \$13,071.40 and interest earned during the first five months of this fiscal year is \$84645.14.

Several individuals were present for the discussion of officials salaries. The following recommendation was proposed by the salary committee.

- 1) County Treasurer, County Clerk, County Assessor and Clerk of District Court would receive \$17,500 for the year 1983.
- 2) County Sheriff would receive \$17,500 for 1983, if the additional compensation received by the Sheriff in the form of jailers fees continues in existence after January 1, 1983.
- 3) County Sheriff would receive \$20,125 for the year 1983 if the additional compensation received by the Sheriff in the form of jailers fees is repealed effective prior to or on January 1, 1983.
- 4) Part-time County Attorney would receive \$17,500. If the Board voted to go with a full time County Attorney the salary would be \$22,000 to \$24,000.
- 5) Superintendent of Education would receive \$8,500.
- 6) County Commissioners would receive \$7,000.
- 7) The County Surveyor would be paid on an hourly basis. His salary has not yet been established.
- 8) County Weed Board members would receive \$12.50 per meeting.

The County Treasurer, County Assessor, County Clerk, Clerk of District Court, County Sheriff, County Attorney, Superintendent of Education, County Commissioners and the County Surveyor would receive an annual increase of 1/2 of the Consumer Price Index up to a maximum of 6% based on the 1983 salary, starting in 1984.

Mr. Morgan: One-half of the CPI would be computed on the base salary each year.

Mrs. Hirschbach asked if there were any comments from the audience on the proposed recommendations.

Maurice Crofoot: Why is there such a difference in percentages of raises? Some are receiving a 7% raise, while others are getting 20%. You are all elected officials.

Mrs. Hirschbach: The Commissioners do not put in nearly the amount of time the other officials do. Four years ago the Commissioners voted themselves a very healthy increase.

Mr. Crofoot asked about the Weed Board members salary being changed from \$25.00 per month to \$12.50 per meeting.

Mr. Morgan: It was recommended that we stay with a per meeting salary. There may be some months when you may not have to meet.

Mr. Crofoot: I think you should set the number of times we should meet.

Mr. Morgan: That should be up to you. You should meet whenever you have business to take care of. I think we should leave it at \$12.50 per meeting to comply with the statutes.

Mr. Crofoot asked if the Board received a counter proposal from the officials.

Mrs. Hirschbach: We did receive a second proposal based on recommendations from the other counties.

Bill Clausen: Do you have the authority to set the salary? If you set it at \$17,500, is that it?

Mrs. Hirschbach: No. We have the authority to build in an increase, which has to be done now. It cannot be changed.

Mr. Clausen asked how many hours the officials put in.

Mrs. Hirschbach: There is a variation in the offices. The courthouse is open from 8:00 to 4:30, but it is not uncommon for some officials to be here until 5:00. Board of Equalization hearings are often held in the evening and are attended by both the County Clerk and the County Assessor.

Mr. Clausen asked how many holidays are observed by the courthouse.

Mr. Morgan: Eleven official holidays.

Mr. Giese: These holidays are set by the Board.

Mrs. Hirschbach: The County currently has the same holidays as the State.

Mr. John Murphy: What is the total cost over-all under the Garvey-Morgan proposal?

Mr. Morgan: Roughly, it will be about \$42,000.00

Mrs. Hirschbach: County Government is big business. One hopes that by raising the salary you will attract competition. It's to your advantage that that be the case. The county does offer a lot in fringe benefits. We have an informal policy of 2 weeks vacation; we have single coverage for medical and workmen's comp is the same as the State plan. The proposed salaries were based on a study done by NACO. It was an extensive salary study which took into account a number of factors.

Mrs. Maurice Crofoot: By being here, do we have any bearing on what you will do today?

Mr. Morgan: Yes.

Mr. Crofoot: Let's keep all the control we can in our hands. It's our county. I'm not strictly against raises. The point I'm trying to get across is you fellows make the decisions here - we have elected you to control our county.

There was a question about the County sick leave policy.

Mr. Morgan: Through our Union Negotiations, we have established that 6 days a year be allowed. Every office varies

Culbertson moved, seconded by Garvey the annual salary for the office of County Treasurer, County Clerk, County Assessor, County Sheriff, Clerk of District Court, County Commissioner, Superintendent of Education and Weed Board be established as indicated on the proposal recommended by the salary committee, to include the resolution of the 15% in regard to the Sheriff's salary.

Mrs. Hirschbach: County business is big business. I would have supported a higher base salary. I would prefer to see a flat increase pegged to the CPI. I do think these offices are very important. I realize there is no guarantee the present officials will be in office the next four years. I also think the Chairman of the County Board should be paid a somewhat higher salary than the rest of the Board members. Ted Piepho has been a great help to the County Board. He has taken on more responsibilities than he has to. Without one person in charge, things don't get done. The Chairman has to be prepared to put in more hours and assume more responsibility.

Mrs. Hirschbach called for the question.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried

Morgan moved, seconded by Rohde to set the County Surveyor's salary at \$6,000 per year (to be computed at \$12.50 per hour) for filing purposes.

Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
Unanimous motion carried

Morgan moved, seconded by Garvey to set the salary for a part-time County Attorney at \$17,500.

Mr. Morgan: Presently, we have a part-time County Attorney, I think we should continue that way.

Mr. Culbertson: I am in opposition to that. We need a full-time county attorney just for us. We need assistance full time.

Mr. Morgan: He will only be here part-time, but he will help us full time.

Voting Yea: Garvey, Morgan, Rohde
Voting Nay: Culbertson, Hirschbach
Motion carried

Rohde moved, seconded by Garvey to break.

Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried 11:46 a.m.

Culbertson moved, seconded by Garvey to reconvene.

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried 12:05 P.M.

Rohde, moved, seconded by Garvey to convene in executive session as requested by Virginia Piper to discuss personnel.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried 12:06 P.M.

Culbertson moved, seconded by Rohde to reconvene in regular session.

Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
Unanimous motion carried 12:33 p.m.

The Board acknowledged receipt of a letter from the State Dept. of Revenue in regard to the implementation of the Marshall-Swift Manual by January 1, 1983.

Mrs. Hirschbach: We have two options. We can either go for a hearing in Lincoln or we can follow steps to implement the manual. Joy Nixon indicated she intended to implement the Marshall-Swift on commercial property in 1982.

Rohde moved, seconded by Garvey to waive a formal hearing and submit testimony in writing.

Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
Unanimous motion carried

Garvey moved, seconded by Culbertson to set a Public Hearing on the flood maps for February 8, 1982 at 10:00 a.m.

Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried

Culbertson moved, seconded by Garvey to set an annual salary of \$2,500 for part-time Registrar of Deeds if required by law and to request the County Attorney's office to solicit an Attorney General's opinion as to whether the establishment of the office is mandatory.

Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
 Unanimous motion carried

Morgan moved, seconded by Garvey to adopt the following resolutions establishing salaries for county officials.

Be it resolved by the County Board of Dakota County that the annual salary for the office of County Treasurer, County Clerk, County Assessor, Clerk of District Court and part-time County Attorney be established at \$17,500, for the year 1983, plus an annual increase during the term of office (1984, 1985, 1986) based on the Consumer Price Index as established by the Bureau of Labor Statistics, Department of Labor; but that such increase shall in no event exceed the amount of 6% of \$17,500 or ½ of the CPI whichever is the lessor amount. The minimum salary in any year will be \$17,500.

Be it resolved by the County Board of Dakota County that the annual salary for the office of Superintendent of Education be established at \$8,500, for the year 1983, plus an annual increase during the term of office (1984, 1985, 1986) based on the Consumer Price Index as established by the Bureau of Labor Statistics, Department of Labor; but that such increase shall in no event exceed the amount of 6% of \$8,500 or ½ of the CPI whichever is the lessor amount. The minimum salary in any year will be \$8,500.

Be it resolved by the County Board of Dakota County that the annual salary for the office of County Commissioner be established at \$7,000 for the year 1983, plus an annual increase during the term of office (1984, 1985, 1986) based on the Consumer Price Index as established by the Bureau of Labor Statistics, Department of Labor; but that such increase shall in no event exceed the amount of 6% of \$7,000 or ½ of the CPI whichever is the lessor amount. The minimum salary in any year will be \$7,000.

Be it resolved by the County Board of Dakota County that the annual salary for the office of County Surveyor be established at \$6,000, (to be computed at \$12.50 an hour), for the year 1983, plus an annual increase during the term of office (1984, 1985, 1986) based on the Consumer Price Index as established by the Bureau of Labor Statistics, Department of Labor; but that such increase shall in no event exceed the amount of 6% of \$6,000 or ½ of the CPI whichever is the lessor amount. The minimum salary in any year will be \$6,000 (computed at \$12.50 an hour).

Be it resolved by the County Board of Dakota County that the annual salary for the office of County Weed Board member be established at \$12.50 per meeting, for the years 1983, 1984, 1985 and 1986.

Be it resolved by the County Board of Dakota County that the annual salary for the office of part-time Registrar of Deeds be established at \$2,500, for the years 1983, 1984, 1985 and 1986.

Be it resolved by the County Board of Dakota County that the annual salary for the office of County Sheriff be established at \$17,500 for the year 1983, plus an annual increase during the term of office (1984, 1985, 1986) based on the Consumer Price Index as established by the Bureau of Labor Statistics, Department of Labor; but that such increase shall in no event exceed the amount of 6% of \$17,500 or ½ of the CPI whichever is the lessor amount. The minimum salary in any year will be \$17,500, provided the additional compensation received by the Sheriff in the form of jailers fees continues in existence after January 1, 1983.

Be it resolved by the County Board of Dakota County that the annual salary for the office of County Sheriff be established at \$20,125 for the year 1983, plus an annual increase during the term of office (1984, 1985, 1986) based on the Consumer Price Index as established by the Bureau of Labor Statistics, Department of Labor; but that such increase shall in no event exceed the amount of 6% of \$20,125 or ½ of the CPI whichever is the lessor amount. The minimum salary in any year will be \$20,125, provided the additional compensation received by the Sheriff in the form of jailers fees is repealed effective prior to or on January 1, 1983.

Voting Yea: Hirschbach, Rohde, Garvey, Morgan Culbertson
 Unanimous motion carried

The following bids were received for 10 concrete parking bumpers and 43 windows and oak trim.

Glen or David James
 James Drug
 \$5.09 each for 10 concrete parking bumpers

Richard Brown
 P.O. Box 471
 Dakota City
 43 Windows @ 52¢ \$22.36
 oak trim 12.50
 Total \$34.86

The bids will be considered at a later date.

Rohde moved, seconded by Culbertson to approve the following claims.

GENERAL FUND: Dan V. Weakley \$35.00; Corey Sounsoci \$20.00; Thurston County Sheriff Dept. \$23.12; Tim Hergenrader \$20.00; Tom Harris \$20.00; Pamela Palmer \$31.34; Wayne Wheeler \$1590.00; Northwestern Bell \$69.28; State of Nebraska, Division of Communications \$79.77

ROAD FUND: Marlan Millard \$33.48; Nebr. Public Power District \$29.64; Village of Emerson \$6.00; Woody's Electric \$329.80; Condon Motor Co. \$16.50; Fehrs Tractor & Equipment \$51.23; Hydraulic Sales & Service \$91.48; Snap On Tools \$123.90; Homer Service Station \$182.75

Voting Yea: Rohde, Garvey, Morgan, Culbertson, Hirschbach
 Unanimous motion carried

Maxine Titler, County Superintendent of Education, appeared before the Board and asked that her salary be reconsidered. Mrs. Titler said the past practice has been that the Superintendent of Education receives ½ of the raise the other officials receive.

Culbertson moved to increase the proposed salary from \$8,500 to \$9,000. The motion failed for lack of a second.

Rohde moved, seconded by Garvey to adjourn.

Voting Yea: Garvey, Morgan, Culbertson, Hirschbach, Rohde
Unanimous motion carried 1:36 p.m.

ATTEST:

COUNTY CLERK

CHAIRMAN OF THE BOARD

* * * * *

COMMISSIONERS MEETING
DECEMBER 28, 1981 PROCEEDINGS
BASEMENT MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chairwoman Hirschbach called the meeting to order at 9:02 a.m.
Present: Larry Morgan, Paul Culbertson, Gretchen Hirschbach, Daniel Rohde, Robert Garvey and Ted Piepho, secretary

Culbertson moved, seconded by Rohde to approve the minutes of December 21, 1981 as typed.

Morgan moved, seconded by Culbertson to amend the minutes of December 21, 1981 to include in the salary resolution for the registrar of deeds, an annual increase during the term of office (1984, 1985, 1986) based on the Consumer Price Index as established by the Bureau of Labor Statistics, Department of Labor; but that such increase shall in no event exceed the amount of 6% of \$2,500 or 1/2 of the CPI whichever is the lesser amount. The minimum salary in any year will be \$2,500; and to include the resolution regarding single coverage on the Health and Accident Insurance.

Vote on the amendment:
Voting Yea: Morgan, Culbertson, Hirschbach, Rohde, Garvey
Unanimous motion carried

Vote on the original motion:
Voting Yea: Culbertson, Hirschbach, Rohde, Garvey, Morgan
Unanimous motion carried

Mrs. Hirschbach asked for reports of officials, boards and committees.
Mr. Culbertson: I talked to Jon (Norris) about the Fire Marshall's comment. It seems that courthouses are exempt from most statutes. To put in 8 or 10 smoke alarms would probably suffice.

Mr. Garvey: I think these smoke alarms would give people the feeling of security.

Mr. Culbertson: I would like for us to consider this more seriously. Maybe we could have the fire marshall suggest where they should be put.

Mr. Culbertson and Mr. Garvey will check with Klem (Dean) on the feasibility of smoke alarms and will also talk to Jon Norris.

Mr. Culbertson informed the Board of the resignation of a Weed Board member. The Weed Boards is considering asking another gentleman to serve on the Board.

The computer contract was discussed.
Mrs. Hirschbach: I don't remember signing the contract. I'm a bit reluctant to approve the claim.

Mr. Morgan and Mr. Culbertson will meet following the meeting regarding the contract.

Mr. Morgan: We need some good legal advice. We better seek some counsel someplace.

Mr. Piepho: I think your original motion stated your intention. I've tried to get assistance on this contract but I haven't had any cooperation. I've already got the computer.

Klem Dean appeared before the Board in regard to the bids received last week on parking bumpers and windows.

Mr. Garvey: It is my opinion and I believe it is also Klem's, that while work is being done on the parking lot, the concrete bumpers could be stored in the old county shed. They could be put back later on where they will be out of the way for snow removal.

Garvey moved, seconded by Rohde to reject the bid on the concrete parking bumpers and to accept the bid from Richard Brown, Dakota City, on the windows and oak trim for \$34.86.
Voting Yea: Hirschbach, Rohde, Garvey, Morgan, Culbertson
Unanimous motion carried

Klem Dean and the Board discussed a service contract for the elevator.
Mr. Dean: I suggest we go with a minimum monthly contract for \$35.00 per month for one year. I would recommend Carter Elevator.

Dan Rohde left at 9:45 a.m.

Culbertson moved, seconded by Morgan to sign a contract with Carter Elevator for minimum monthly maintenance at \$35.00 a month.
Voting Yea: Garvey, Morgan, Culbertson, Hirschbach
Absent: Rohde
Motion carried

There was a brief discussion on the number and style of chairs to purchase for the Commissioners room. Mrs. Hirschbach will check on prices and report back to the Board.

Morgan moved, seconded by Garvey to convene in executive session to discuss county liability in the designation of Registrar of Deeds and bond liability as requested by Mr. Morgan.
Voting Yea: Morgan, Culbertson, Hirschbach, Garvey
Absent: Rohde
Motion carried 10:05 a.m.

Culbertson moved, seconded by Garvey to reconvene in regular session.
Voting Yea: Culbertson, Hirschbach, Garvey, Morgan
Absent: Rohde
Motion carried 10:36 a.m.

Culbertson moved, seconded by Garvey to take a 5 minute break.
Voting Yea: Hirschbach, Garvey, Morgan, Culbertson
Absent: Rohde
Motion carried 10:37 a.m.

Culbertson moved, seconded by Morgan to reconvene.
Voting Yea: Garvey, Morgan, Culbertson, Hirschbach
Absent: Rohde
Motion carried 10:50 a.m.

Morgan moved, seconded by Culbertson to convene in executive session as requested by Bruce Hovey to discuss Union Negotiations and job descriptions.
Voting Yea: Morgan, Culbertson, Hirschbach, Garvey
Absent: Rohde
Motion carried 10:52 a.m.

Garvey moved, seconded by Culbertson to reconvene in regular session.
Voting Yea: Culbertson, Hirschbach, Garvey, Morgan
Absent: Rohde
Motion carried 11:27 a.m.

Culbertson moved, seconded by Garvey to amend the resolution establishing the Registrar of Deeds salary from \$2,500 to \$7,500 which is the minimum by statute.

The Board discussed the position of Registrar of Deeds.

Voting Yea: Culbertson, Hirschbach
Voting Nay: Garvey, Morgan
Absent: Rohde
Motion denied

Morgan moved, seconded by Garvey to request that Representative VonMinden seek an attorney general's opinion on the following question:
Can the Dakota County Board of Commissioners set the salary of the Registrar of Deeds at an amount less than \$7,500 per year, if the Board determines that the work load does not justify a salary of \$7,500?
Background: The county population is presently 16,573 which represents a very few number of people over the statutory minimum of 16,500 requiring the county to establish the office of Registrar of Deeds.
The workload of the office will presently require only part-time services.

Voting Yea: Hirschbach, Garvey, Morgan, Culbertson
Absent: Rohde
Motion carried

Mildred Jorgensen addressed the board on a couple of applicants for local aid.

Garvey moved, seconded by Culbertson to adjourn.
Voting Yea: Garvey, Morgan, Culbertson, Hirschbach
Absent: Rohde
Motion carried 12:08 p.m.

ATTEST:

Theodore A. Piepho

COUNTY CLERK

Hatchers Hirschbach

BOARD CHAIRPERSON

* * * * *

Void this point to the bottom of the page-January 4th minutes continue on page 337(next page)
Morgan moved, seconded by Rohde to approve the contract between Dakota County and A B Dick Company of Sioux City to purchase the computer and accessories as outlined in the contract.
Voting Yea: Culbertson, Hirschbach, Rohde and Morgan
Absent: Garvey
Motion Carried

Morgan moved, Seconded by Rohde to appoint Don Kramper to the Planning and Zoning Board.

I, Theodore A. Piepho, County clerk in and for the County of Dakota, State of Nebraska, do hereby certify the above motion was typed in error at its location but is included in the January 4th minutes stating on next page.

Theodore A. Piepho

Theodore A. Piepho County Clerk

In witness whereof: I set my hand and affix the seal of my office this 15th day of January, 1981

SEAL

