

COUNTY BOARD OF COMMISSIONERS
January 05, 2004 PROCEEDINGS
Re-organizational Meeting
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chair Todd called their re-organizational meeting to order at 9:26 a.m. with Pledge of Allegiance.
PRESENT: Commissioners Hartnett, Engel, Todd, Miller, Bousquet, and Ted Piepho, Secretary.
ABSENT: All present

Commissioner Hartnett moved, seconded by Commissioner Engel to approve the minutes of December 22, 2003 as typed.
ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea. Unanimous Motion Carried.

The County Board departed for their road tour at 9:28 a.m.
Chair Todd opened nominations for Chairman.

The board recessed their road tour at 11:38 a.m.

Chair Todd reconvened their meeting at 1:30 p.m. with all members and the County Clerk present.

Commissioner Hartnett nominated Commissioner Todd to serve as the 2004 Chair of the Dakota County Board of Commissioners.

Commissioner Hartnett moved, seconded by Commissioner Bousquet that nominations cease and that the secretary cast a unanimous ballot for Commissioner Todd to serve as the board's 2004 chair until the next re-organizational meeting.
ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Abstained, Miller- Yea. Unanimous Motion Carried.

Commissioner Bousquet nominated Commissioner Hartnett to serve as the 2004 Vice-Chair of the Dakota County Board of Commissioners until the next re-organizational meeting.

Commissioner Bousquet moved, seconded by Commissioner Miller that nominations cease and the secretary cast a unanimous ballot for Commissioner Hartnett to serve as the 2004 Vice-Chair of the Dakota County Board of Commissioners until the next re-organizational meeting.
ROLL CALL VOTE: Bousquet- Yea, Hartnett- Abstained, Todd- Yea, Miller- Yea, Engel- Yea. Unanimous Motion Carried.

Commissioner Todd moved, seconded by Commissioner Hartnett, to designate the following banks as depositories for Dakota County with the maximum deposit being governed by securities pledged by each institution: First National Bank in Homer and Dakota County State Bank, Iowa-Nebraska State Bank, and Siouland National Banks in South Sioux City.
ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Bousquet, to hold Commissioner's meetings at 1:30 p.m. on First Monday of the month. Be it further resolved that on claims day (third Monday) the board shall convene at 10:00 a.m. to review claims. And finally be it resolved that the chair designate other meeting dates as necessary to conduct county business one month in advance of the month in which the meetings are changed.
ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Miller seconded by Commissioner Engel to retain the present courthouse hours opening at 8:00 a.m. and closing at 4:30 p.m. Monday through Friday.
ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Engel moved, seconded by Commissioner Bousquet to adopt the holidays and early closings as identified in the Employee Handbook.
ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea. Unanimous Motion Carried.

Commissioner Miller moved, seconded by Commissioner Engel to adopt the Burial Policy as adopted September 19, 1989 and revised January 7, 2002.
ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea. Unanimous Motion Carried.

Commissioner Bousquet moved, seconded by Commissioner Hartnett, to appoint the Dakota County Star as the legal newspaper of the county for the calendar year 2004.
ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea. Unanimous Motion Carried.

Commissioner Hartnett moved, seconded by Commissioner Engel, to establish the first Wednesday in October as County Government Day and that the Veteran Service Office be responsible for scheduling the events for that day.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea. Unanimous Motion Carried.

Commissioner Miller moved, seconded by Commissioner Bousquet to approve the Employee Association Agreement agreed to in 1998 as follows:

POP MACHINE RENEWAL AGREEMENT

This original agreement entered into this December 7, 1992, and retroactive to January 1, 1992 between the Dakota County Employee Association, hereinafter referred to as Employees and the Dakota County Board of Commissioners, hereinafter referred to as the Commissioners, be renewed and amended and read as follows:

I. That the Dakota County Employees desire to rent from the Dakota County Commissioners, space to establish pop machines in the premises of the Dakota County Courthouse.

II. That the Commissioners agree that such rental shall be fair and reasonable and shall be at the price of one cent per can of pop actually sold, said remittance to occur semiannually and an accounting of such remittance shall be made by the individuals responsible for the filling of the said pop machines.

III. That the rental is a fair rental value for the use of the space for the pop machines and the electricity used to utilize the same. The one cent per can of pop sold shall be deposited in the county general fund with a miscellaneous receipt. The balance of the proceeds collected shall be the only money the Dakota County Employees Association may use for the flower fund and for the employees annual recognition party.

a. It is understood that there will be no expenditures from this fund for funeral flowers or memorial expended in excess of \$30.00 without the prior approval of both the County commissioners and the Dakota County Employee's Association.

b. Said expenditures shall be made only for the death of an immediate relative as defined in the employee manual or the sickness of any State, or Dakota County Employee, employed on a full-time or regular part-time basis in the Dakota County Courthouse or Courthouse Annex. Immediate family shall mean only the following: spouse, child or step-child, mother, father, sister and/or brother.

IV. This agreement is intended to comply with the terms of the audit requirements so that no private funds are generated without reasonable compensation back to the County and that this rental agreement will compensate the County fairly for the space and electricity utilized to operate the pop machines in the facility.

V. The terms of this agreement shall be annual and renewable each year upon agreement of the parties.

WHEREFORE the parties desire the agreement entered into on the 7th day of December, 1992 to be extended one additional year. BE IT THEREFORE agreed that the Dakota County Board of Commissioners and the Dakota County Employee's Association agree to the renewal and amendments to this agreement this 21st day of December, 1998.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea. Unanimous Motion Carried.

Commissioner Engel moved, seconded by Commissioner Hartnett to reappoint Alan Boyd as Veteran's Service Officer for calendar year 2004, or until his duties would be terminated in that position..

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea. Unanimous Motion Carried.

Commissioner Bousquet moved, seconded by Commissioner Miller to reappoint Randy Crombie as Highway Superintendent until which time Mr. Mellick passes the Highway Superintendent License Exam in the Spring of 2004, or in the case that Mr. Mellick does not pass the exam, until the board reappoints a replacement if it desires.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea. Unanimous Motion Carried.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to reappoint Arnold Mellick as the Planning & Zoning Administrator for calendar year 2004, or until his duties would be terminated in that position.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea. Unanimous Motion Carried.

Commissioner Bousquet moved, seconded by Commissioner Miller to appoint Leon Pies as Weed superintendent.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea. Unanimous Motion Carried.

Commissioner Todd moved, seconded by Commissioner Hartnett to reappoint Pat Foust as LEC Emergency Management Director.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea. Unanimous Motion Carried.

Chair Todd asked the following board members to serve on the following agencies/boards or committees until the next re-organizational meeting:

Area Agency for Aged Advisory Board	Clara Woten
SIMPCO	Pam Miller
Region IV Mental Health Board	Jackie Hartnett
County Health Board	Jackie Hartnett
Region IV Developmental Disabilities	Lyle Todd
R C & D	Pam Miller
Ag Land Valuation Board	Fred Denker
Planning & Zoning	Rick Bousquet
Golden Rod Hills	Bill Engel
Area Agency on Aging Governing Board	Rick Bousquet and Dawn Bousquet Alternate
NE Nebraska Joint Housing Authority	Arnold Mellick
Working Committees Economic Development Freenet	Todd (Normally the Chair) Nanci Walsh
Civil Defense/(LEPC,PEP)	Rick Bousquet
Finance/Budget	Todd & Miller
Legislative	Pam Miller
Personnel/Policies	Bill Engel & Pam Miller
Property/Space Utilization	Bill Engel & Rick Bousquet
Road Committee	Bill Engel & Rick Bousquet
Safety	Jackie Hartnett & Bill Engel
LEC	Rick Bousquet, Lyle Todd & Jim Cahill
ADA	Bill Engel & Rick Jensen
Recycling	Jackie Hartnett
Transportation	Bill Engel (Lyle Todd Alternate)
Weed Control	Road Committee
Emergency Closings	Wagner/Todd/Engel/Nanci Walsh
DCIT	Miller
DCIT Public Safety	Hartnett
Highway 35 Committee	Engel & Todd
Press Committee	Hartnett & Walsh
Storm Water Advisory Board	Bousquet
Storm Water Planning (working)	Hartnett

Note: Other Committees members serve on as Board Members, but not appointed by the county board chair are as follows:

NIRMA	Hartnett
Jail Standards	Hartnett

Commissioner Miller moved, seconded by Commissioner Engel to adopt the Humane Society Agreement which was amended and adopted on November 27, 2000, as follows:

SIOUXLAND HUMANE SOCIETY, INC.
AGREEMENT WITH THE
COUNTY OF DAKOTA COUNTY, NEBRASKA

This Agreement effective the 7th day of January, 2004 is entered into by and between the SIOUXLAND HUMANE SOCIETY, INC. (hereinafter "SHS"), and the COUNTY OF DAKOTA, state of Nebraska (hereinafter "County").

WHEREAS, SHS is a nonprofit corporation which maintains facilities for humane shelter, care and disposal of dogs, cats and other animals; and

WHEREAS, the County has certain responsibilities to enforce its Resolutions and state laws pertaining to stray or unleashed animals; and

WHEREAS, the County wishes to use the services and facilities of SHS, from time to time, to assist the County in the enforcement of said ordinances and state laws and in the humane treatment of animals.

IT IS THEREFORE AGREED as follows:

1. Impoundment. Upon delivery of any animal to SHS by any authorized representative of the County, SHS shall provide humane shelter services, including feeding and medical care and, if necessary, isolation, for a period of at least three (3) days. If the animal has not been retrieved by its rightful owner by the end of such period, the animal shall be disposed of as determined by SHS, in its sole discretion.
2. Authorized Representative. For purposes of this Agreement, an authorized representative of the County shall mean any sheriff or sheriffs deputy, any police officer, any animal control officer or any person authorized by telephone by County personnel.
3. Fees for Services. SHS shall be paid the following fees for its services:
 - a. For each animal brought to the shelter, an incoming fee of \$10.00;
 - b. For housing each animal, \$7.00 per day, for a maximum period of 4 days. (In accordance with SHS policy, each animal will be held for a minimum of three (3) days for a minimum housing fee of \$18.00.
4. Responsibility for Fees.
 - a. In the event the rightful owner of the animal retrieves the animal from SHS, all fees shall be collected from the owner prior to release of the animal. In addition, SHS reserves the right to charge additional fees to such owner. SHS shall make a report to the County of all animals retrieved by their owners.
 - b. In the event the rightful owner does not retrieve the animal within 4 days, the County shall be responsible for such fees upon submission of an itemized statement from SHS. Fees are due within ten (10) days of billing.
5. Animals Captured or Impounded by County- The County agrees to turn over to SHS for adoption or disposal any animals impounded by the County which are not claimed by the rightful owner within the time period provided by County Resolution.
6. Right to Euthanize. Notwithstanding any minimum holding period provided herein, SHS reserves the right to euthanize at any time any animal which SHS determines, in its sole discretion, is suffering needlessly and will not benefit from medical treatment.
7. Hold Harmless. The County agrees to hold SHS and its employees, volunteers and directors harmless from any right, demand, claim or cause of action arising from any wrongful receipt, impounding or disposition of any animal which is sheltered, retrieved, euthanized or disposed of under this Agreement, so long as SHS complies with the terms of this Agreement.
8. Representations. The County represents that it has been duly authorized to enter into this agreement by the proper body and that the person executing the same on behalf of the County is authorized to do so. SHS represents that it has been duly authorized to enter into this agreement by its board of directors.
9. Term of Agreement. This agreement shall remain in force until properly terminated by either party. Termination shall be effected by either party giving written notice to the other at least thirty (30) days prior to the date of termination. For the purpose of giving notice, the addresses of the parties stated below are sufficient until such time as a party notifies the other of a change in address,

SIouxLAND HUMANE SOCIETY, INC. COUNTY OF DAKOTA

By: _____
Executive Director

By: _____
Chairperson, County Board

Signed: _____, 2004
Date

Signed: _____, 2004
ATTEST: Date

Theodore A. Piepho,
County Clerk

Address:
1665 18th Street
Sioux City, Iowa

Address:
Dakota County Board of Commissioners
%Dakota County Clerk
P.O. Box 39
Dakota City, NE 68731-0039

Arnold Mellick presented the Annual Weed Report, which included the Noxious Weed Infestation Report and the Activity Report to the board. Chair Lyle Todd signed same.

Arnie Mellick inquired about him sending two people to a tire maintenance class in Sioux Falls. He said it was a one day class and no registration fee.

Commissioner Miller moved, seconded by Commissioner Bousquet to transfer Dakota County Abandoned Vehicle Title 03330700019 on a 1990 Mercury Topaz bearing the serial number 1MEPM38S5IK616696, 03330700018 on a 1987 Chevrolet Nova bearing the serial number 1Y1SK5140HZ121180 to Axles & Gears dba C & H Truck parts for consideration of the storage and towing charges due against said vehicles.
ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea. Unanimous Motion Carried.

Pat Foust and Gary Brown appeared before the board and presented the board with an update on the interoperability grant through the state of Iowa.

The County Clerk asked about giving Midstates Electric the abstract for the old County Maintenance Shop in South Sioux City that Midstates purchased from the county.
Commissioner Todd said that it was not any good anymore to just throw it away.

Commissioner Hartnett moved, seconded by Commissioner Engel to approve and authorize the chair to sign the Federal Functional Classification for Roads in Dakota County presented by SIMPCO.
ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea. Unanimous Motion Carried.

Pat Foust appeared before the board and mentioned the Statewide Communications Alliance of Nebraska (SCAN) Board's Proposal. He was concerned about the specification cost of the project and where the money was going to be spent. He suggested that the board not give a blanket approval to go forward with the project and asked them to attend a meeting here at the courthouse on January 23, 2004.

Jim Wagner appeared before the board concerning the Jail Budget. Mr. Wagner said that time is running out for the Dakota County Jail.
Sheriff James Wagner told the Board of Commissioners that he has enough money to operate through February, and then he will have to ask for more.
Currently, an average of \$62,000 is being spent per month On out boarding costs. For more than a year, the 42-bed jail has been overcrowded nonstop and Wagner has been forced to send prisoners to other counties to house them. The \$35 a day cost, per prisoner, is adding up.
A recent study shows that the number or prisoners that have been admitted to the jail annually has increased over 45 percent in the last six years. In 1998, there were 1,229 arrested and the 2003 numbers revealed the total was 2,262, which is more than a 1,000 prisoner increase.
Wagner told the Commissioners that he wanted to give them the heads up that if something doesn't change, he was going to be back asking for more money.

Ed Matney appeared before the board to thank them for choosing him for the County Attorney position.

Commissioner Engel moved, seconded by Commissioner Miller to approve the payroll claims subject to the County Employee Handbook, the latest Comprehensive Master Agreement between Dakota County and the Nebraska Public Employees Local No. 251 and American Federation of State, County and Municipal Employees, AFL-CIO, or the latest Comprehensive Master Agreement between the County and Communications Workers of America, whichever the employee is governed by, as follows:
COUNTY GENERAL FUND: Gross salaries- \$81,189.45, General Fund Employees Net Pay- \$54,990.76, Employer deductions paid: Retirement- 4,973.79, Social Security Tax- 4,869.69, Medicare- 1,138.82, Unicare Health- 14,462.00, Unicare Dental- 921.90, Unicare Life- 305.02.
Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Daniel Christoffers- 340.00, Bobbi Jo Harsma- 866.25, Theodore

Piepho- 1407.81, Lora Skow- 497.50, Joan Spencer- 1053.41, Darlene Davis- 777.60, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 832.00, Kimberly Kuehl- 755.20, Phyllis Ridge- 852.80, Mark J. Dorcey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 340.00, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 920.00, Thomas Jackson- 307.70, Dustin Kinsey- 720.00, Andrew Jensen- 336.00, Richard Jensen- 1206.00, Patricia Stingley- 856.00, Sandy Beers- 977.60, Jeremy Bermel- 2054.84, Anthony Bos- 266.20, Brad Claypool- 1899.01, Brian Ellinger- 2316.71, Todd Hammer- 1705.96, Melvin Harrison III- 1788.35, Rodney Herron- 1529.16, Kimberly Johnson- 560.24, Jared Junge- 2,272.74, Michael Kreegar- 1729.22, Gayle Richards- 728.00, William Thompson- 2,224.48, James Wagner- 1,760.81, Randall Walsh- 1865.40, Rita Chase- 920.00, Debra Fergen- 2190.51, Amber Hegarty- 994.36, Aimee Kennedy- 808.00, John Loos, Jr.- 1115.34, Bobbi Strong- 540.00, Nicole Sims- 1073.77, Rebecca Broer- 1676.70, Sergio Castillo- 921.90, Richard Criss- 1561.20, Penny Epting- 916.00, John Gilles- 1433.31, Michael Gregerson Jr.- 1431.59, Alma Gunderson- 1604.80, Paula Harrigfeld- 439.32, Cathy Harsma- 1452.03, Joseph Ramirez- 1029.05, Kevin Rohde- 1045.73, Linda Schovanec- 1065.96, Margaret Stingley- 988.46, Adrain Suarez- 1055.28, Judy Vandenberg- 84.00, Randall Crombie- 115.38, Cynthia Purucker- 858.40, Arnold Mellick- 142.94, Leon Pies- 526.00, Pamela DeVries- 1,367.12, Gloria Dwyer- 836.00, Patricia Glover- 925.88, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 7,911.45, State- 2,748.40, Social Security Tax- 4,869.69, Medicare- 1,138.82, Retirement- 3,387.23, Unicare Health- 1,656.82, Unicare Dental- 349.06, Colonial Health- 35.20, Credit Union- 1,610.93, Colonial Life- 3.00, Deferred Comp- 811.22, Garnishments- 964.65, Aflac Health- 375.17, Aflac Life/Dsbl- 107.05, Aflac Flex Plan- 230.00.

COUNTY ROAD PAYROLL: Gross salaries- \$13,412.29, Road Employees Net Pay- \$9,440.42, Employer deductions paid: Retirement- 905.33, Unicare Health- 2,685.80, Unicare Dental- 171.21, Unicare Life- 54.54, Social Security Tax- 789.39, Medicare- 184.62.

Joel Broekemeier- 1060.00, Randall Crombie- 1064.00, Ronald Harder- 1056.00, Walter Heinemann- 1064.00, Richard Hoesing- 1060.00, Robert Jacobsen- 1064.00, Fred Kellogg- 1052.00, Kimon Litras- 1100.00, Richard McNear- 1064.00, Arnold Mellick- 1186.29, Marlan Millard- 1064.00, Leon Pies- 526.00, James Swanson- 1052.00.

ROAD FUND: Employee withholding paid to: Federal- 941.98, State- 351.56, Social Security- 789.39, Medicare- 184.62, Retirement- 603.55, Unicare Health- 509.66, Unicare Dental- 45.28, Reassure America Life- 9.76, Colonial Health- 33.01, Union Dues- 200.00, Credit Union- 32.00, Deferred Comp.- 81.68, Aflac Health- 125.30, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,712.30, Cops Fast Employee Net Pay- 1,147.13, Employer deductions paid: Retirement- 132.70, Unicare Health- 206.60, Unicare Dental- 13.17, Unicare Life- 4.42, Social Security- 106.16, Medicare- 24.83, Brent Gilster- 1712.30.

COPS FAST GRANT: Employee withholding paid to: Federal- 257.22, State- 82.78, Social Security- 106.16, Medicare- 24.83, Retirement- 94.18.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea. Unanimous Motion Carried.

Chair Todd adjourned the meeting at 3:55 p.m.
 DAKOTA COUNTY, NEBRASKA

BY: \s\ _____
 Lyle Todd, Board Chair

ATTEST:
 \S\ _____
 Theodore A. Piepho,
 County Clerk

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COUNTY BOARD OF COMMISSIONERS
 January 20, 2004 PROCEEDINGS
 COUNTY BOARD MEETING ROOM
 DAKOTA COUNTY COURTHOUSE

Chair Todd called their regular scheduled meeting to order at 10:00 a.m. with Pledge of Allegiance.
 PRESENT: Commissioners Hartnett, Engel, Todd, and Ted Piepho, Secretary.
 ABSENT: Commissioners Miller and Bousquet.

The board reviewed the Accounts Payable and Payroll claims submitted by the County Clerk for payment.

Commissioner Engel moved, seconded by Commissioner Hartnett to approve the minutes of January 5, 2004 as typed.
 ROLL CALL VOTE: Engel- Yea, Bousquet- Absent, Hartnett- Yea, Todd- Yea, Miller- Absent,
 UNANIMOUS MOTION CARRIED.

Commissioner Engel moved, seconded by Commissioner Hartnett to approve the accounts payable and payroll claims submitted by the County Clerk, except to table the claim for Schulz, Harding and Downs, which is their second claim for representing the County Clerk in the Recall Election of Robert Finney.
 COUNTY GENERAL FUND: Gross salaries- \$73,907.79, General Fund Employees Net Pay- \$51,683.21, Employer deductions paid: Retirement- 4,367.22, Social Security Tax- 4,419.49, Medicare- 1,033.61, Unicare Health- 13,636.27, Unicare Dental- 869.89, Unicare Life- 288.01.

Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Daniel Christoffers- 350.00, Bobbi Jo Harsma- 804.38, Michelle Hultit- 680.00, Theodore Piepho- 1407.81, Joan Spencer- 1053.41, Darlene Davis- 777.60, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 826.80, Kimberly Kuehl- 755.20, Phyllis Ridge- 852.80, Mark J. Dorcsey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 350.00, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 920.00, Thomas Jackson- 1538.46, Dustin Kinsey- 720.00, Richard Jensen- 1206.00, Patricia Stingley- 856.00, Sandy Beers- 977.60, Jeremy Bermel- 1646.44, Anthony Bos- 274.20, Brad Claypool- 1346.76, Brian Ellinger- 1506.52, Todd Hammer- 1107.80, Melvin Harrison III- 1378.08, Rodney Herron- 1529.16, Kimberly Johnson- 567.97, Jared Junge- 1566.68, Michael Kreegar- 1286.25, Gayle Richards- 728.00, William Thompson- 1817.96, James Wagner- 1760.81, Randall Walsh- 1630.53, Rita Chase- 920.00, Debra Fergen- 1807.69, Aimee Kennedy- 808.00, John Loos, Jr.- 1538.46, Bobbi Strong- 720.00, Nicole Sims- 1073.77, Rebecca Broer- 1150.05, Sergio Castillo- 1287.00, Richard Criss- 982.10, Penny Epting- 1001.78, John Gilles- 993.04, Michael Gregerson Jr.- 1073.82, Alma Gunderson- 1069.20, Paula Harrigfeld- 439.30, Cathy Harsma- 1000.40, Joseph Ramirez- 1009.13, Kevin Rohde- 1545.23, Linda Schovanec- 1065.60, Margaret Stingley- 735.93, Adrain Suarez- 949.05, Randall Crombie- 115.38, Cynthia Purucker- 858.40, Leon Pies- 537.20, Pamela DeVries- 1,367.12, Gloria Dwyer- 836.00, Patricia Glover- 957.41, Alan Boyd- 896.00. GENERAL FUND: Employee withholding paid to: Federal- 6,643.23, State- 2,356.50, Social Security Tax- 4,419.49, Medicare- 1,033.61, Retirement- 2,967.63, Unicare Health- 1,656.83, Unicare Dental- 349.07, Colonial Health- 35.20, Credit Union- 292.93, Colonial Life- 3.00, Deferred Comp- 811.22, Garnishments- 964.65, Aflac Health- 375.17, Aflac Life/Dsbl- 107.05, Aflac Flex Plan- 209.00.

COUNTY ROAD PAYROLL: Gross salaries- \$13,716.33, Road Employees Net Pay- \$9,669.10, Employer deductions paid: Retirement- 925.83, Unicare Health- 2,685.93, Unicare Dental- 171.34, Unicare Life- 54.67, Social Security Tax- 808.25, Medicare- 189.03.

Joel Broekemeier- 1082.40, Randall Crombie- 1086.40, Ronald Harder- 1118.84, Walter Heinemann- 1086.40, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1080.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1186.29, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 982.31, State- 366.62, Social Security- 808.25, Medicare- 189.03, Retirement- 617.25, Unicare Health- 509.66, Unicare Dental- 45.28, Reassure America Life- 9.76, Colonial Health- 33.01, Union Dues- 200.00, Credit Union- 15.00, Deferred Comp.- 81.68, Aflac Health- 125.30, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,617.00, Cops Fast Employee Net Pay- 1,093.15, Employer deductions paid: Retirement- 125.32, Unicare Health- 206.61, Unicare Dental- 13.18, Unicare Life- 4.43, Social Security- 100.25, Medicare- 23.45, Brent Gilster- 1617.00.

COPS FAST GRANT: Employee withholding paid to: Federal- 234.71, State- 76.50, Social Security- 100.25, Medicare- 23.45, Retirement- 88.94.

VISITORS PROMOTION: S Sioux City Chamber lodging tax- 5,157.16

GENERAL FUND: Gretchen Hirschbach, prior yrs- 69.24; Daniel Rohde, prior yrs- 23.08; Charles Rush, prior yrs- 34.62; Cellular One, phone- 29.64; Lyle Todd, mileage- 28.13; NACO, workshop- 340.00; Dakota County Star, publishing- 286.56; Eloise Gormally, prior yrs- 103.86; Cellular One, phone- 27.10; NE Assoc of Co Clerks, dues- 45.00; CDW Government, supplies- 54.00; Microfilm Imaging Systems, supplies- 110.50; Perkins, supplies- 132.19; Capital One, software- 25.99; Staples, computer supplies- 469.74; Charlotte Doenhoefer, prior yrs- 10.00; Ruth Jensen, prior yrs- 12.00; Nadine Lewon, prior yrs- 17.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; DAS Imservices, data services- 27.00; Robert Giese, mileage- 78.75; NE Assoc of Co Treasurers, dues- 50.00; Staples, supplies- 173.24; Dixon County Clerk, dues- 10.00; NE Assoc of Co Clerks, dues- 45.00; Microfilm Imaging Systems, lease rent- 240.00; Iowa Office Supply, toner- 85.50; Dakota City Postmaster, postage- 46.00; Dixon County Clerk, dues- 10.00; ASAP Pack & Ship, supplies- 11.31; Perkins, supplies- 20.27; NACO, membership dues- 15.00; Colene Boyle, prior yrs- 46.16; Carol Sue Dunham, mileage- 54.56; Lynette Beermann, supplies- 55.75; Iowa Office Supply, supplies- 108.65; Thomson West, law library- 71.75; DAS Material Division, supplies- 141.04; Iowa Office Supply, supplies- 36.87; Kurt Rager, supplies- 435.51; Sams Club, supplies- 30.48; Thurston County Court, supplies- 7.15; United Bank of Iowa, lease payment- 158.04; Cellular One, phone- 33.99; Maurice Redmond, bar assoc dues- 300.00; Record Printing, publishing- 207.01; Lexis Nexis, legal books- 481.56; Lawsoft Inc, data processing- 90.00; Scott Dugan, mileage- 172.80; West Group, dues- 143.50; Pacific City Graphics, publishing- 111.00; Francisco Gonzalez, interpret- 1160.00; United Bank of Iowa, lease- 90.40; Brandon Barbee, juror fees- 37.59; Fred Barg, juror fees- 42.40; Lynette Barker, juror fees- 37.59; Wayne Blair, juror fees- 38.70; William Bradish, juror fees- 37.59; Kimberly Byrne, juror fees- 37.22; Coffee King, coffee- 79.84; Jeffrey Davenport, juror fees- 37.22; Pharyce Eslick, bailiff fees- 80.20; Rebecca Ferris, juror fees- 37.59; Bryan Gotch, juror fees- 46.10; Robert Harder, juror fees- 37.59; Michelle Heidi, juror fees- 38.33; Sheila Herfel, juror fees- 40.55; Jose Herrera, juror fees- 37.59; Hungrys North, jury food- 233.73; HyVee, food- 88.05; Becky Knudsen, juror fees- 40.18; Katie Lane, juror fees- 37.59; Eugene Persinger, juror fees- 37.22; Dennis Reinert, juror fees- 38.70; John Rivers, juror fees- 42.40; Toni Rowland, juror fees- 42.40; Dennis Tranmer, juror fees- 37.22; Trisha Turner, juror fees- 40.55; Jennifer Lamp, witness fees- 34.40; William Binkard, counsel- 1364.00; Cray Huff Inkster, counsel- 1217.00; Randy Hisey, counsel- 96.00; Robert Rehan, counsel- 2212.35; Richard Thramer, counsel- 724.80; Lori Ubbinga, counsel- 1511.00; Clerk of District Court, court cost- 461.00; MIPS, court cost- 82.34; MIPS, court cost- 599.40; Dakota County Court, court cost- 745.00; Dakota County Sheriff, papers/warrants- 1159.20; Maximus Inc, allocation plan- 2988.43; Klemett Dean, prior yrs- 84.00; Cellular One, phone- 26.11; Qwest, phone- 40.73; NPPD, utility- 1676.06; City of Dakota City, water- 2588.08; Midamerican Energy, heating- 1320.69; Gill Hauling, garbage- 110.00; Curry Floor & Acoustics, carpet repair- 310.00; Nebraska State Fire Marshall, permits- 120.00; Sams Club, supplies- 66.47; Wilmes Hardware Hank, supplies- 15.55; G&R Electric, thermostat- 73.00; RotoRooter, sewer clean- 95.00; O'Keefe Elevator, inspection- 107.44; Rick Jensen, mileage- 120.23; S Jans Excavation, snow removal- 440.00; ServiceMaster, services- 3750.00; Trembly Pest Control, pest control- 50.00; Sams Club, supplies-

56.01; Bomgaars, supplies- 74.67; Grainger Inc, supplies- 203.00; Lowes, supplies- 97.26; Maintenance Engineering, bulbs- 1130.92; Menards, supplies- 31.25; Sams Club, supplies- 50.20; Dakota Food & Fuel, gas- 16.00; Dakota County Extension, mileage/dues/contractual services/supplies,/equipment rental- 709.95; Neva Neal, prior yrs- 103.86; Armon Todd, prior yrs- 69.24; Cellular One, phone- 116.23; City of South Sioux City, phone- 31.16; Racom Corp, phone- 378.75; Aether Systems, software contract- 3811.50; Racom Corp, computer expense- 588.00; SFCU, aol- 23.90; Nebraska Sheriff Assoc, dues- 290.00; Jacks Uniforms, uniforms- 656.14; Sergio Castillo, interpret- 40.00; Amy Hueser, interpret- 35.00; Sharon Luong, Interpret- 25.00; Joaquin Orduno, interpret- 40.00; Sandy Beers, mileage- 71.25; Midwest Radar & Equip, recertification- 450.00; SFCU, training- 18.74; Robertson Implement, dog food- 17.95; Nebraska UC Fund, unemployment pay- 376.00; Walmart, supplies- 10.38; Harolds Photo, film developing- 97.08; Jacks Uniforms, uniforms- 117.50; Michael Kreegar, reimburse- 5.19; Qualification Targets, targets- 66.87; SFCU, supplies- 385.06; Walmart, supplies- 24.04; Dakota Food & Fuel, fuel- 668.97; Philfleet, fuel- 3136.09; Bobbers Car Wash, tokens- 125.00; Circle R Inc, vehicle maintenance- 287.63; Dakota County Treasurer, vehicle maintenance- 516.80; Team Ford, repairs- 108.67; Torco, vehicle maintenance- 165.00; Torco, vehicle maintenance- 30.00; Crystal Oil, repairs- 40.00; Fremont Tire, repairs- 411.45; Midwest Radar & Equip, equipment- 194.59; Jacks Uniforms, equipment- 11.20; Ammunition, ammunition- 189.00; Boses Guns, gun repair- 50.00; Galls Inc, shotgun stock- 93.97; Jacks Uniforms, equipment- 286.65; Netsys, printer- 75.00; Cellular One, phone- 19.99; Dakota County Star, legal notice- 21.94; Nebraska Dept of Motor Vehicles, transcripts- 28.00; St Lukes Home Health, blood tests- 100.00; Cellular One, phone- 60.14; Pathology Medical Services, autopsy- 833.35; Pathology Medical Services, autopsy- 1575.00; Des Moines Stamp, stamps- 49.90; Document Depot & Destruction, document destruction- 40.00; Iowa Office Supply, supplies- 151.00; Perkins, supplies- 67.94; Cellular One, phone- 26.11; Perkins, supplies- 39.04; Cellular One, phone- 52.22; Jacks Uniforms, uniforms- 43.50; American Bio Medical Corp, drug test- 96.45; Benstar Packaging, supplies- 397.42; Braunger, food- 2672.57; Coffee King, coffee- 157.95; Earthgrains, bread- 894.96; HyVee, food- 4566.34; Jacks Uniforms, uniforms- 39.95; Sams Club, supplies- 443.12; Walmart, supplies- 171.92; Dept of Correctional Services, safekeepers- 15951.65; Dixon County Sheriff, boarding- 250.00; GuardRite, transports- 680.00; Madison County Sheriff, boarding- 14,950.00; Midwest Special Services, transports- 370.51; Pierce County Sheriff, boarding- 2400.00; SFCU, supplies- 78.52; Washington County Sheriff, boarding- 4290.00; Dept of Correctional Services, medical- 6074.77; Louderback Drug, medical- 39.40; MCH Health System, medical- 49.50; Redlers Pharmacy, medical- 1521.52; Amy Hueser, interpret- 10.00; Sandra Townsend, interpret- 10.00; Kevin Rohde, reimbursement- 20.00; St Lukes Health, physical- 244.00; Boy & Girls Home, boarding- 900.00; GuardRite, transport- 692.80; NE Neb Juvenile Services, boarding- 30457.50; Prince of the Road, transports- 1189.20; Bob Barker Co, supplies- 563.06; Nebraska UC Fund, unemp pay- 639.71; Perkins, supplies- 61.99; SFCU, supplies- 172.05; Dakota Food & Fuel, fuel- 133.89; SFCU, fuel- 85.94; BI Inc, house arrest- 3549.50; Des Moines Stamp, stamp- 30.85; Perkins, supplies- 42.66; Veterans Memorial Fund, flag- 20.00; Pam Devries, mileage- 52.92; Pat Glover, mileage- 79.55; Nebraska Dept of HHS, lisc- 500.00; Dunes Family, phsy- 250.00; Perkins, supplies- 48.93; Redlers Pharmacy, supplies- 27.50; Jim Weier, repair comp- 85.00; Boundtree Medical, freight- 4.05; Pam Devries, meals/mileage/lodging- 407.93; Sams, software- 65.76; Al Boyd, mileage- 180.57; Cellular One, phone- 47.88; Warren Johnston, prior yrs- 11.54; NE Nebraska Public Power, electric- 21.08; Aflac, services fees- 40.00; AT&T, phone- 7.27; Amsterdam Printing, forms- 82.96; Business Telecomm, phone- 287.50; Cable One, internet- 280.25; Dakota County Clerk, stoppay check- 15.00; Dakota County Star, ad- 74.00; Lazette Gifford, website- 40.00; MIPS, training- 230.80; MIPS, payroll/claims- 299.37; Norfolk Daily, ad- 19.27; NPPD, power- 42.16; Omaha World Herald, ad- 161.98; Betty Oneill, prior yrs- 46.16; Qwest, phone- 1442.75; Region IV Inc, 5320.25; Region IV Mental Health, 5656.50; Sams, food- 34.35; Sioux City Journal, ad- 189.72; US Postal Services, postage- 2500.00; Jim Weier, work- 106.25; WCS Telecom, phone- 416.45; IBM Corp, qtrly serv- 266.64; Executive Copy Systems, mileage/labor- 120.00; ROAD FUND: Ace Industrial Supply, equipment- 130.15; Advance Auto, parts/supplies/oil- 851.20; Aramark, service- 255.31; ATCO, supplies- 219.50; California Contractors, supplies- 97.80; Cellular One, phone- 54.20; Dakota Co Read Petty Cash, supplies/cdl testing/phone- 135.17; Gill Hauling, service- 45.00; Great Plains, parts- 152.77; Heartland Fire, fire extinguishers- 96.00; Higman Sand , rock- 2276.28; HME, haul rock- 60.00; Hubbard Mini Mart, fuel- 2787.52; H204U, water- 25.75; IA NE Bank, grader payment- 15,234.75; Jackson Glass, repair- 132.11; Joes Dept Store, parts/supplies/tools/oil- 306.58; Linweld, oxygen tanks- 29.84; Arnold Mellick, fridge- 25.00; Menards, supplies- 23.96; Midwest Services & Sales, bridge spikes- 30.00; NPPD, homer srvc- 80.47; NE Salt & Grain, ice control- 768.62; Newman Traffic, signs- 79.45; NE NPPD, pay ahead- 1082.50; NE Nebraska Telephone, services- 183.44; Piorier Equip, parts- 77.16; Powerplan, parts- 233.36; Presco, grader blades- 1548.40; Rees Mack & Sales, parts- 393.87; RMS, parts- 100.29; Willis Roeber, prior yrs- 69.24; Sioux City Bolt, supplies- 39.99; Sioux City Iron, supplies- 147.03; Siouxland NAPA, parts/supplies- 822.52; Stephan Welding, supplies- 49.25; Warren Oil, fuel- 3361.08; Willers Inc, gravel- 2934.00; Ziegler, parts- 381.96;

HARD SURFACE FUND: Jeo Consulting, engineering- 3500.00;

ROAD AND BRIDGE IMPROVEMENT FUND: Joe's Dept. Store, tire repair- 14.20;

POOR RELIEF: Hazel Tomek, shelter allowance- 200.00; Crystal Oil, supplies- 5.16;

VETERAN'S AID FUND: Veterans Service Office, Relief- 500.00;

S.T.O.P. FUND: Jim Weier, computer repair- 276.25;

JUVENILE ACCT INCENTIVE BLOCK GRANT: BI Inc, grant monitoring- 158.40;

INHERITANCE TAX FUND: Voorhis/Roberston Justice Svc., consultant- 8141.52;

WEED FUND: A-1 Auto Salvage, repairs- 95.00; Advance Auto Parts, repairs- 147.04; Arnold Motor Supply, repairs- 37.47; Maurice Crofoot, prior yrs- 103.86; Dak Co Road Petty Cash, supplies- 4.08; J Colin Green, prior yrs- 57.70; Hubbard Mini Mart, fuel- 109.52; NE Weed Control Assoc, registration- 70.00; Precision Ind, repairs- 84.14;

Siouxland Napa, repairs- 69.79;

ROLL CALL VOTE: Engel- Yea, Bousquet- Absent, Hartnett- Yea, Todd- Yea, Miller- Absent,

UNANIMOUS MOTION CARRIED.

Chair Todd recessed their meeting at 11:36 a.m.

Chair Todd reconvened their meeting at 1:31 p.m.

PRESENT: Commissioners Hartnett, Engel, Todd, and Ted Piepho, Secretary.

ABSENT: Commissioners Miller and Bousquet.

Commissioner Miller arrived at 1:33 p.m.

Jeanett McFee appeared before the board to support the Resolution for Grant Application for the Haven House.

Commissioner Hartnett moved, seconded by Commissioner Miller to adopt Resolution 04C-002 as follows:

RESOLUTION 04C-002

BE IT RESOLVED BY THE BOARD OF DAKOTA COUNTY COMMISSIONERS THAT on this 20th day of January 2004 that we the undersigned duly elected Commissioners of Dakota County hereby find as follows:

1. Haven House Family Services Center, a non-profit corporation incorporated under the laws of Nebraska in 1979, has provided services in the area of domestic violence and sexual assault in Northeastern Nebraska including Dakota County.
2. In 1997, Haven House entered into collaborative efforts and grant requests to provide increased levels of services to Dakota County residents.
3. That in October 1998 these collaborative efforts resulted in the receipt of a grant to form the Dakota County Community Coordinated Response Team.
4. That in order to continue the services and programs created by these efforts Haven House has prepared for submission, a grant request to the Nebraska Crime Commission for funds available under the Violence Against Women Act.

THEREFORE, BE IT RESOLVED THAT THE UNDERSIGNED COMMISSIONERS HEREBY EXPRESS SUPPORT OF THIS GRANT REQUEST AND COMMEND AND SUPPORT THE EFFORTS PUT FORTH IN THE REDUCTION OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT IN OUR COUNTY.

DATED this 20th day of January 2004.

_____	_____
Commissioner	Commissioner
_____	_____
Commissioner	Commissioner

ATTEST:

_____	_____
County Clerk	Commissioner

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Absent, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Robert Giese, County Treasurer, appeared before the board and presented his Semi-Annual Report and asked the board to sign same. The board signed the Treasurer's Semi-Annual Report for period July 1, 2003 through December 31, 2003.

Commissioner Todd moved, seconded by Commissioner Engel to convene as Board of Equalization to consider a Motor Vehicle Exemption application filed by Goldenrod Hills. ROLL CALL VOTE: Engel- Yea, Bousquet- Absent, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED 1:43 p.m.

Robert Giese, County Treasurer, presented a Motor Vehicle Exemption Application by GoldenRod Hills Community Action on a 1996 Chevrolet Cavalier bearing the Serial Number 1G1JC5247T71274554 used by S. Sioux City and Dakota City Head Start Staff to attend meetings and training. Commissioner Engel moved, seconded by Commissioner Miller to approve the Motor Vehicle Exemption Application by GoldenRod Hills Community Action on a 1996 Chevrolet Cavalier bearing the Serial Number 1G1JC5247T71274554 used by S. Sioux City and Dakota City Head Start Staff to attend meetings and training. ROLL CALL VOTE: Engel- Yea, Bousquet- Absent, Hartnett- Yea, Todd-

Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Miller to reconvene as Board of Commissioners.

ROLL CALL VOTE: Bousquet- Absent, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED 1:44 p.m.

The board discussed the Payment/waiver certification for improvements on Educational Lands. Mr. Todd thought that the value should be reset at zero.

Commissioner Miller moved, seconded by Commissioner Bousquet to declare the Improvement value on the Educational Lands for the old Crystal Lake at Zero dollars and to authorize the chair to sign the release.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Absent, UNANIMOUS MOTION CARRIED.

Arnie Mellick, Road Foreman, discussed the Tire Grant with the board. He said it had to be submitted by February 1.

Dianne Farrell and Linda Johnson, from Heartland Counseling, appeared before the board with some ideas they thought would help reduce the inmate population in the jail.

Commissioner Hartnett moved, seconded by Commissioner Engel to transfer Dakota County Abandoned Vehicle Title Number 04012700019 on a 1991 Chevrolet Cavalier bearing the serial number 1G1JC14G0M7272871 and Title No. 1FABP53U7HG187780 on a 1987 Ford Taurus bearing the serial number 1FABP53U7HG187780 to Axles & Gears dba C & H Truck parts for consideration of the storage and towing charges due against said vehicles.

ROLL CALL VOTE: Engel- Yea, Todd- Yea, Miller- Yea, Bousquet- Absent, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Engel to send Karen Tullis a letter stating that permission has been given by the Nebraska Northeastern Railway Co. for the board to provide an emergency access along the railroad right-of-way west of Jackson, Nebraska from North Bluff Road to the Tullis property.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Absent, UNANIMOUS MOTION CARRIED.

Commissioner Engel moved, seconded by Commissioner Hartnett to acknowledge receipt of and approve the Officials reports filed with the County Clerk from the County Clerk, Register of Deeds and the Clerk of the District Court for the month of December, 2003 and the County Sheriff's Quarterly Report for the period October 1, through and including December 31, 2003.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Absent, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Todd moved, seconded by Commissioner Hartnett to adopt Resolution 04C-003 instructing and directing to proceed to foreclose the lien of all taxes delinquent in said county on all real estate for delinquent taxes on land that has been offered for sale for taxes three consecutive years and not sold for want of bidders as follow:

RESOLUTION 04C-003

Whereas, it appears from the records that the office of the County Treasurer that several lots and parcels of land in Dakota County, Nebraska, have been offered for sale for taxes for three consecutive years and not sold for want of bidders, and all such delinquent taxes should be cleared.

Therefore, be it resolved by the Board of County Commissioners that the County Attorney of said County be and he hereby is instructed and directed to proceed to foreclose the lien of all taxes delinquent in said county on all real estate for delinquent taxes on land that has been offered for sale for taxes three consecutive years and not sold for want of bidders. This resolution rescinds any and all former resolutions of this Board concerning this matter.

Dated this 19th day of January, 2004.

Attest:

Chairman

County Clerk

ROLL CALL VOTE: Engel- Yea, Bousquet- Absent, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd recessed their meeting at 3:37 p.m. until 1:30 p.m.

Thursday, January 22, 2004, to meet with Dave Voorhis for his preliminary report concerning the Criminal Justice System.

Chair Todd reconvened their meeting at 1:30 p.m. on January 22, 2004.

PRESENT: Commissioners Hartnett, Engel, Todd, Bousquet and Ted Piepho, Secretary.

ABSENT: Miller Absent

Commissioner Miller arrived at 1:35 p.m.

Dave Voorhis appeared before the board and discussed his presentation that he was going to give Friday.

Chair Todd recessed their meeting at 3:35 p.m. until 8:30 a.m. January 23, 2004 at Dakota City Hall.

Chair Todd reconvened their meeting at 8:30 a.m. on January 23, 2004 at the Dakota City Council Chambers

PRESENT: Commissioners Hartnett, Engel, Todd, Bousquet Miller and Ted Piepho, Secretary.

ABSENT: All present

OTHERS IN ATTENDANCE: Nanci Walsh- Board assist., Lance Hedquist- SSC City Administrator, James Wagner- County Sheriff, Sandy Beers- Sheriff's Office, Richard Brown- District Probation Officer, Mike Carlson- Probation Officer, Nicole M Sims, Debra Fergen- Deputy Co. Atty, Lynette Beermann- Clerk of the District Court, Linda Schovanec- Sheriff's Office, Judge Kurt Rager, Michele Linch- Sioux City Journal Reporter, Teresa Plum- Dakota County Star Reporter, Scot Ford- SSC Chief of Police, Del Fuelberth, Judge Magistrate Virginia Piper, Ed Matney- Co. Atty, Bill Fitzgerald- Nebr Safety Patrol, Rod Herron- Deputy Sheriff, Vince Kramper- Concerned Citizen, Bob Lane- Dakota City Councilman, Pam DeVries- Health Nurse, Sandy Ehrich- SSC Council, Marge Meinen- Family Center.

Dave Voorhis presented the following information to the Dakota County Board, Judges, City Officials and other Criminal Justice personnel.

DAKOTA COUNTY JAIL POPULATION &
CRIMINAL JUSTICE SYSTEM STUDY

January 2004

Presented by:

Dave Voorhis
Voorhis / Robertson Justice Services, Inc.

PRESENTATION OUTLINE

Data Analysis

- a) Trends
- b) Jail

Data Uniqueness Admission and ALOS

Key Data and System Findings

Key Recommendations

Develop Next Steps

BUDGET ISSUES

County and State are experiencing severe fiscal problems

Out of County Board currently exceeds the budget

A plan to manage the jail's population is needed until voter approval for new jail

DATA UNIQUENESS

Data Scarce

Admission and ALOS

Decisions require data

Need for uniformity - consistency

More information

BOARDING COST 1997-2003

Annual Boarding Cost

1997 - \$10,000

1998 - \$40,000
1999 - \$20,000
2000 - \$25,000
2001 - \$120,000
2002 - \$270,000
2003 - \$740,000

DATA ANALYSIS: TRENDS

Crime rates in Dakota County are not driving increased admissions

Projected population growth in the County is modest, at best

The jail's population rate is increasing dramatically faster than the county's general population rate

Without coordinated system practices change, the jail's population will continue the trend of growth

TRENDS: JAIL POPULATION GROWTH

Actual and Estimated Average Daily Jail Population Felony and Misdemeanor

1998 starts at 28 and a gradual increase to 134 in 2012

DATA ANALYSIS: JAIL

90% of the charges offenders entering the jail are charged/convicted of misdemeanor or lower level offenses

45% of the offenders entering the jail were charged with traffic, DUI, or DUS, 56% of sentenced group

84% of the offenders brought into the jail were from the Sheriff & SSPD

60% of the offenders were brought into jail on new charges and 30% for a warrant arrest

Bond accounted for 43% of the release and sentence served account for 26%

74% of the arrestees were released within 72 hours

67% of inmates are pretrial tracking study

49% of the offenders detained in jail were held in lieu of bond

The average length of stay (ALOS) of offenders held in jail was 7 days

JAIL DATA (continued)

Tracking	Adm	% of Sample	Days Used	% of Days
<than 1 Day	84	47%	84	6%
1-2 Days	31	17%	62	4%
31-60 Days	8	4%	352	24%
Over 60 Days	6	3%	414	28%
Total	179		1460	

JAIL DATA: CLASSIFICATION

System lacks classification system,

Substantial % of the inmate population is medium security

The Dakota County Jail is in need of replacement and does not provide adequate spaces

KEY FINDINGS

Dakota County needs to consider adoption of new approaches to criminal justice that reflect "best practice" and innovation to control jail population

The justice system lacks coordinated systemic planning

A Criminal Justice Coordinating Council (CJCC) / CJAC should be established as first step to solve current issues

A county-wide citation and arrest policy should reduce intake

Pretrial release is under-developed

The Jail and criminal justice system lacks a mechanism to control, or cap, the jail population

The system lacks data analysis systems

Need equipment and training

Over reliance on bond and incarceration

Lack of intermediate sanctions

A county-wide citation and arrest policy should reduce intake

Case processing is not the major culprit

Some cases do linger with reason

Tweak processing eliminate days

KEY RECOMMENDATIONS

Create a Criminal Justice Coordinating Council (CJCC)

Expand pretrial release services to include misdemeanor offenses

Adopt a county-wide field release policy for law enforcement - Arrest standards

Review options for pretrial release

Develop early screening of arrestees for potential diversion, treatment placement, and other non-jail options

Develop a continuum of sanctions

Develop intermediate sanctions

Implement a jail population management plan that includes a release matrix

Consider an economic rationing device, such as booking fees, to cover jail costs

Aggressively implement policies to return out-of-county inmates

Invest in jail alternatives such as pretrial release, home incarceration, work and treatment programs, and other jail alternatives

Develop plan to reduce FTA's

Establish an independent monitor of incarceration and case processing to gather information

Chair Todd adjourned the meeting at 11:35 a.m.
DAKOTA COUNTY, NEBRASKA

BY: \s\ _____
Lyle Todd, Board Chair

ATTEST:
\S\ _____
Theodore A. Piepho,
County Clerk

* * * *

**COUNTY BOARD OF COMMISSIONERS
FEBRUARY 2, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE**

Chair Todd called their regular scheduled meeting to order at 1:30 p.m. with Pledge of Allegiance.
PRESENT: Commissioners Miller, Bousquet, Hartnett, Engel, Todd, and Ted Piepho, Secretary.
ABSENT: All Present

Carol Larvick Extension Office, & Del Himsack, Agriculturist that serves Dakota County. They recommended that new appointments to the Extension Board be; Jean Grove, Peg Stoltz and Pat Robertson be appointed as Chair.

Commissioner Hartnett moved, seconded by Commissioner Engel to appoint Jean Grove and Peg Stoltz as members of the Ag. Extension Board for three year terms and to appoint Pat Robertson to a one year term as Chair to said Board.
ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea. Unanimous Motion Carried.

Del passed out some brochures on soybeans and corn production, which are programs he is involved in.

Randy Crombie, Highway Supt., presented the board with information and projects suggested for next years One and Six Year Road Plan and information that he would be presenting at the One and Six Year Road Hearing.

Commissioner Hartnett moved, seconded by Commissioner Miller to convene into Closed Executive Session to discuss Personnel as requested by the Sheriff.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea. Unanimous Motion Carried 1:58 p.m.

Commissioner Hartnett moved, seconded by Commissioner Miller to reconvene into open session.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea. Unanimous Motion Carried 2:41 p.m.

Madelyn Thorsland, State's Assessor for Dakota County, appeared before the board with approximately 62 Tax List Corrections amounting to net loss of approximately \$45,789.81 without any drainage taxes.

Commissioner Hartnett moved, seconded by Commissioner Engel to approve the Tax List Corrections, as presented by Ms. Thorsland, amounting to approximately \$45,789.81 net loss without consideration of drainage taxes. Be it further resolved to authorize the chair to sign said corrections.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea. Unanimous Motion Carried.

Commissioner Hartnett moved, seconded by Commissioner Miller to approve the minutes of January 20, 2004 as typed.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea. Unanimous Motion Carried.

It was mentioned that the Boy Scouts were supposedly sold to Leo Anderson for \$7,000.

Commissioner Miller mentioned the letter that she received from Pat Engel's regarding the mandatory age for letting children drop out of school, prisoner medical co-pays, and education dollars to tribal schools.

Board discussed the Board's Workshop at Kearney.

The County Clerk commented that would be a good opportunity for the board to lay some ground work to try and get boards in counties where we are housing prisoners to reduce out per day costs for the out boarding of prisoners.

Commissioner Bousquet moved, seconded by Commissioner Miller to appoint Fred Gay to the Joint Law Enforcement Board as Dakota County's Lay member.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea. Unanimous Motion Carried.

Commissioner Miller gave a report on the Economic Development Committee.

Commissioner Miller presented a couple different concepts for funding a full time development director.

Commissioner Miller also reported on RC&D. Two programs were the Tire Grant and a collection point for Household hazardous waste.

The board talked about the half cent sales tax to fund a new jail. South Sioux City is asking the county to agree to fund or help fund several different projects. The three projects are that the county would agree to pave C Avenue. Another request is that the county agree to fund approximately \$45,000/year for the library and the third request was a percentage going to the LEC.

Discussion was had in looking at a different architect for the construction of a new jail. They felt that the county should talk with Bechenhauer Construction, who also believes in a Construction manager.

Commissioner Bousquet asked how we were coming with the roof.

The board briefly discussed the meeting with Dave Voorhis at the Dakota City council chambers.

The County Clerk asked when a jail would be completed if we had the ok to build one tomorrow. The board thought two years. Mr. Piepho thought that the board should look at some options that would have an impact right away. He mentioned Rachel's Haven, which could possibly be used as a work release center and maybe some other housing for inmates. He thought if we could do something there and if we were successful in getting counties, who outboard prisoners to lower the per day cost, it is possible this could be a savings of a couple hundred thousand dollars a year. He added that the Broyhill building across the street to house juveniles for a minimal holding period. That may save a trip of taking juveniles to Madison.

Ms. Walsh brought up a Sprint bill which is being billed to Dakota County and she can't find out who it belongs to.

Mr. Bousquet suggested disconnecting it.

Mr. Todd asked about if there was any desire to move the Register of Deeds duties to the County Clerk. It was discussed whether it should be put on the ballot. The basis for doing so was a cost saving measure. It was suggested that Mark come before the board to discuss it.

Payroll Claims paid February 6th, 2004.

COUNTY GENERAL FUND: Gross salaries- \$74,989.92, General Fund Employees Net Pay- \$52,624.77, Employer deductions paid: Retirement- 4,493.76, Social Security Tax- 4,486.60, Medicare- 1,049.28, Unicare Health- 13,429.00, Unicare Dental- 856.05, Unicare Life- 282.92.

Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Daniel Christoffers- 350.00, Bobbi Jo Harsma- 840.94, Michelle Hult- 454.75, Theodore Piepho- 1407.81, Joan Spencer- 1053.41, Darlene Davis- 777.60, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 832.00, Kimberly Kuehl- 755.20, Phyllis Ridge- 831.48, Mark J. Dorcey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 350.00, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 920.00, Thomas Jackson- 1538.46, Dustin Kinsey- 720.00, Richard Jensen- 1206.00, Patricia Stingley- 856.00, Sandy Beers- 977.60, Jeremy Bermel- 1757.93, Anthony Bos- 274.20, Brad Claypool- 1440.72, Brian Ellinger- 1651.87, Todd Hammer- 1206.12, Melvin Harrison III- 1456.38, Rodney Herron- 1529.16, Kimberly Johnson- 293.93, Jared Junge- 1545.23, Michael Kregar- 1468.16, Gayle Richards- 728.00, William Thompson- 2028.10, James Wagner- 1760.81, Randall Walsh- 1829.48, Rita Chase- 920.00, Debra Fergen- 1807.69, Aimee Kennedy- 808.00, John Loos, Jr.- 1538.46, Edward Matney III- 2277.70, Bobbi Strong- 720.00, Nicole Sims- 1073.77, Rebecca Broer- 1221.00, Sergio Castillo- 976.95, Richard Criss- 1134.60, Penny Epting- 1149.53, John Gilles- 1083.72, Michael Gregerson Jr.- 1150.11, Alma Gunderson- 1211.10, Paula Harrigfeld- 767.65, Cathy Harsma- 1122.40, Joseph Ramirez- 936.00, Kevin Rohde- 1098.03, Linda Schovanec- 1119.60, Margaret Stingley- 829.73, Adrain Suarez- 962.93, Randall Crombie- 115.38, Cynthia Purucker- 858.40, Leon Pies- 537.20, Pamela DeVries- 1,367.12, Gloria Dwyer- 836.00, Patricia Glover- 959.71, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 6,840.66, State- 2,421.76, Social Security Tax- 4,486.60, Medicare- 1,049.28, Retirement- 3,055.68, Unicare Health- 1,656.82, Unicare Dental- 349.06, Colonial Health- 35.20, Colonial Life- 3.00, Deferred Comp- 811.22, Garnishments- 964.65, Aflac Health- 375.17, Aflac Life/Dsbl- 107.05, Aflac Flex Plan- 209.00.

COUNTY ROAD PAYROLL: Gross salaries- \$14,241.85, Road Employees Net Pay- \$10,043.78, Employer deductions paid: Retirement- 961.31, Unicare Health- 2,685.80, Unicare Dental- 171.21, Unicare Life- 54.54, Social Security Tax- 840.82, Medicare- 196.66.

Joel Broekemeier- 1082.40, Randall Crombie- 1269.73, Ronald Harder- 1270.49, Walter Heinemann- 1147.51, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1209.83, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1186.29, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,057.60, State- 393.33, Social Security- 840.82, Medicare- 196.66, Retirement- 640.89, Unicare Health- 509.66, Unicare Dental- 45.28, Reassure America Life- 9.76, Colonial Health- 33.01, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 125.30, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,396.50, Cops Fast Employee Net Pay- 968.29, Employer deductions paid: Retirement- 108.23, Unicare Health- 206.60, Unicare Dental- 13.17, Unicare Life- 4.42, Social Security- 86.58, Medicare- 20.25, Brent Gilster- 1396.50.

COPS FAST GRANT: Employee withholding paid to: Federal- 182.62, State- 61.95, Social Security- 85.58, Medicare- 20.25, Retirement- 76.81.

Chair Todd adjourned their meeting at 4:35 p.m.

DAKOTA COUNTY, NEBRASKA

BY: \s\ _____
Lyle Todd, Board Chair

ATTEST:

\S\ _____
Theodore A. Piepho,
County Clerk

* * * *

COUNTY BOARD OF COMMISSIONERS
FEBRUARY 17, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chair Todd called their regular scheduled meeting to order at 10:00 a.m. with the Pledge of Allegiance.

PRESENT: Commissioners Bousquet, Hartnett, Engel, Todd, and Ted Piepho, Secretary.

ABSENT: Commissioner Miller

The board reviewed the claims submitted by the County Clerk for payment.

Chair Todd recessed their meeting for lunch at 11:45 a.m.

Chair Todd reconvened their meeting at 1:30 p.m.

PRESENT WERE: Commissioners Hartnett, Engel, Todd, Miller and Ted Piepho, Secretary.
ABSENT: Commissioner Bousquet

The County Clerk Opened the bids for a gravel truck as advertised. They were: Jim Hawk Truck Trailers Inc.- 1996 Volvo WG- \$29,500, and a pup for \$7,500, Wise Mack, Inc- \$20,000 for a 1996 truck tractor- \$45,500 for a Mack Straight truck- and \$47,500 for a 2001 Truck tractor; Holcomb Trucks- \$34,250 for a 99 Sterling Semi Truck Tractor, Holcomb Trucks- \$36,998 for a 99 Freightliner Semi Truck Tractor, and Northern Truck Equipment \$13,392 for a 99 Trail Blazer Belly Dump Trailer.

Commissioner Bousquet arrived at 1:40 p.m.

Chair Todd referred the bids for a gravel truck to the Road Committee.

Commissioner Miller moved, seconded by Commissioner Engel to direct the Road Department to get cost estimates for hiring an Engineering Firm to engineer the Bo-Magging of North Shore Drive.
ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to reappoint Gene Cantrell, Joe O'Neill and Richard McNear to 3 year terms on the Dakota County Planning and Zoning Board.
ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd opened the Public Hearing for the One and Six Year Road Plan at 2:00 p.m.

Randy Crombie, Highway Supt., explained the one and six year Road projects. They were as follows:

- 1 C22-(175) 2004-05
- 2 C22-(179) 2004-05
- 3 C22-(183) 2004-05
- 4 C22-(184) 2004-05
- 5 C22-(185) 2004-05
- 6 C22-(192) 2004-05
- 7 C22-(123) 2004-05
- Metric
- 8 C22-(194) 2004-05
- 9 C22-(190) 2005-06
- 10 C22-(193) 2005-06
- 11 C22-(185) 2005-06
- 12 C22-(122) 2005-06
- 13 C22-(186) 2005-06
- 14 C22-(182) 2006-07
- 15 C22-(168) 2006-07
- 16 C22-(119) 2006-07
- 17 C22-(187) 2007-08
- 18 C22-(188) 2007-08
- 19 C22-(197) 2007-08
- 20 C22-(118) 2008-09
- 21 C22-(195) 2008-09
- 22 C22-(196) 2008-09
- 23 C22-(198) 2008-09
- 24 C22-(124) 2009-10
- 25 C22-(155) 2009-10
- 26 C22-(199) 2009-10

Mr. Crombie recommended that the county have an engineer on Project C22-(185)
Chair Todd closed the Public Hearing at 2:25 p.m.

Commissioner Miller moved, seconded by Commissioner Bousquet to adopt the One and Six Year Road Plan Resolution 04C-004 as follows:

Resolution 04C-004

Be it resolved by the Board of Commissioners for Dakota County, Nebraska, that the One and Six Year County Road Program as prepared by Randy Crombie, Dakota County Highway Superintendent, and attached hereto, be adopted.

BOARD OF COMMISSIONERS FOR
DAKOTA COUNTY, NEBRASKA
/S/Lyle Todd, Chairman

ATTEST:

/s/Theodore A. Piepho
County Clerk

Passed and approved this 17th day of February, 2004
Motion by Commissioner Miller
Seconded by Commissioner Bousquet

The Above Resolution be approved, the Chairman stated the motion and directed the Clerk to call the roll. Roll call resulted as follows:

Voting YEA: Commissioners Bousquet, Miller, Todd, Engel and Hartnett.

Voting NAY: None

The result of the vote being five Yeas and Zero Nays, the Chairman declared the motion carried.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Wade Ericson appeared before the board and presented an option for the county to increase their medical deductible.

Commissioner Hartnett moved, seconded by Commissioner Engel to acknowledge receipt of and approve the Officials reports filed with the County Clerk by the County Clerk, Register of Deeds and the Clerk of the District Court for the month of January, 2004.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Pam reported on the Dakota County Economic Development Committee. She presented the following information.

DAKOTA COUNTY ECONOMIC DEVELOPMENT COMMITTEE
Strategic Planning Task Force
Action Plan
October, 2003

Increase and improve overall infrastructure throughout the County
(particularly roads & postal routes, water & electric)

- * Inventory all available, developable land. Consider placing options on appropriate land. Utilize SIMPCO's GIS mapping services to identify good possibilities for development.
- * Develop a -Sketch Plan- to share with all citizens and any businesses wishing to locate or expand in the County.
- * Share copies of the Dakota County Comprehensive Plan with all communities.
- * Create overlay maps of services for the entire County and present as one comprehensive map.
- * Identify possible CDBG eligible projects. Use GIS to identify income eligible areas. Also look for other sources to fund projects.
- * Cooperate with South Sioux City's CDA organization for possible industrial land development.
- * Create a Plan for future infrastructure projects together with:
 1. Detail of cost estimates
 2. Timeline for completion

Develop a "Leadership Dakota County" program and foster a positive image of Dakota County as well as be a leader in the area

- * Gather Research about similar programs such as "Leadership Siouxland" and the University of Nebraska's "Leadership Plenty"
- * Consider a co-venture with similar programs but "customize" it for Dakota County
- * Develop a Dakota County Leadership Committee to manage the program making sure to include young people and to make the program more of an economic development program.
- * Price the program as a tuition based program. Cost will be determined by the above mentioned Committee.
- * Research possible grant sources to subsidize the program.
- * Timeline: January 2004 through May 2004 for the first "class"

Expand Revolving Loan Fund sources, and attract more business into the rural communities, attract 3 businesses that employ 200 or more each and achieve lower taxes.

- * Cooperate and encourage SEDC in its effort to obtain a USDA RLF for the area
- * Develop a Marketing Plan
 - a. Ask NPPD for marketing plan assistance
 - b. Invite City of South Sioux City Administrator and Economic Development Director to discuss possible joint cooperation effort
 - c. Invite Siouxland Chamber Director to explain "The Siouxland Initiative" in order to consider opportunities for cooperation.
- * Explore taking advantage of the Missouri River Location for location of future camping facilities, riverfront development, participation in the upcoming Lewis & Clark festivities and research Environmental Trust Fund for possible funding.

Create a good Zoning Plan that includes areas identified for development

- * Review and adopt Zoning Plan which is nearing completion by SIMPCO
- * Consider re-zoning where appropriate utilizing Comprehensive Plan and land inventory.
- * Research possible DEQ funding for nuisance abatement.
- * Commit staff to enforcing zoning and consider SIMPCO for staffing nuisance abatement coordination.

In order to accomplish the Action Plan that has been identified, the County has 3 options:

- 1) Contract with the City of South Sioux City through an interlocal agreement to provide economic development services for the county on an hourly rate, not to exceed \$25,000
Advantages: less duplication in seminars and conferences, no training costs, expertise in economic development in this area
Disadvantages: perception of SSC "running the show", will enough time be given to county project?
- 2) Advertise for and contract with a person to work as a part-time Economic Development Director for the County
Advantages: more cost-effective? (Knox County hired someone for \$25,000/year-fulltime), may be able to hire someone who knows the people with land, more "control" by the county
Disadvantages: unknown who would apply at this time, some start up time lost
- 3) Full-time Economic Development Director hired by the County
Advantages: This person would be able to do a complete job for the county, possible merger of activities with other programs
Disadvantage: Cost, no place for an office at present time

WAYS TO FINANCE THE IMPLEMENTATION OF ACTION PLAN FOR ECONOMIC DEVELOPMENT

- 1) Leadership Dakota County will be self-supporting by way of tuition paid by the participants or their sponsoring organization.
- 2) County to allocate \$25,000 from general fund to this effort.
- 3) Form an Economic Development Agency similar to what Knox County and Norfolk area did: Each town pays \$ per capita, the county pays a proportionate share, financial institutions, other large businesses are asked to contribute to the Economic Development Agency. The Agency Board directs and supervises the ED Director. Each contributor (towns and other contributors/banks/businesses) have a seat and a vote on the Board. The County has 2 seats and 2 votes on the Board.

Proposed List of Tasks and Responsibilities of the Dakota County Economic Development Director

Be the contact person for Dakota County for economic development inquiries and respond to all interested parties.

Host a prospective company that is considering locating in Dakota County, coordinating efforts with all parties involved.

Identify potential land sites in Dakota County suitable for economic development and develop relationships with the land owners, resulting in securing options for future development.

Complete a land use study, analyzing all land sites, location of utilities, transportation and current usage of land. Prepare or secure maps of Dakota County using overlays to indicate the various components of existing infrastructure.

Work with the Planning and Zoning Commission to secure appropriate zoning in the County to allow for controlled growth and development.

Work with the Road Superintendent and Road Supervisor on the 1 and 6 year plan, so as to plan for future road improvements that will enhance economic development.

Seek out and apply for grants to aid in economic development and assist towns in the county with same.

Incorporate the Dakota County Tourism and Convention Director's position into the County-wide Economic Development functions.

Market Dakota County for economic development using tools such as a web page, NPPD Facts Book, NEDI web site, etc.

Provide expansion and retention services to existing businesses within Dakota County.

Continuously meet with officials and leaders in all towns in the county to work with them on economic development.

Acquire labor and wage survey information for Dakota County.

Work with the Dakota County Economic Development Committee, coordinating meetings as necessary.

Develop marketing plan, identifying target or niche industries.

Qualifications:

College degree in business administration preferred.
 Prior business experience, preferably in economic or community development
 Good communication skills
 Computer skills a must

Commissioner Hartnett moved, seconded by Commissioner Bousquet to approve a maximum of \$500.00 for the printing and mailing of a pamphlet designed by Dakota County Economic Development labeled Leadership Dakota County.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to approve the Dakota County Economic Development Staff Services with SIMPCO as follows:

DAKOTA COUNTY ECONOMIC DEVELOPMENT STAFF SERVICES

February 1, 2004

SIMPCO planner 75 hours X \$46	\$3,450
Skip Meisner 20 hours X \$60	\$1,200
TOTAL COST	\$4,650
Small Communities Partnership Program 45%	- \$2,092
Remaining Cost	\$2,558

SCOPE OF SERVICES

SIMPCO will prepare a basic land use with roads for Dakota County. The map will be in GIS format with overlays for railroads, electrical transmission lines, water service, sanitary sewer service, natural gas pipelines and cable/fiber optic service where feasible.

SIMPCO will prepare the map also depicting developable land with ownership of suitable sites. SIMPCO will also contact 10 prime site land owners as to their willingness to negotiate real estate options. The timeline is February - June 2004.

Agreed to:

 SIMPCO

 Dakota County Commissioners
 ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Del Fuelberth, with Beckenhauer Construction, Inc. appeared before the board and discussed Beckenhauer being the construction manager for a new jail.

Commissioner Bousquet moved, seconded by Commissioner Engel to approve the claims submitted by the County Clerk as follows:

GENERAL FUND: Cellular One, phone- 437.07; Dak. Co. Star, publishing/liq lic posting/semiannual report/election notice- 539.28; Perkins, supp./chair- 572.37; NE Neb Assoc of Co Officials, workshop- 56.00; OSDI Midwest Inc, maint. agree.- 895.00; Theodore Piepho, reimburse- 119.40; Redfield & Co, office supp.- 541.39; RL Polk, polk manuals- 112.00; Robert & Patricia Chitwood, lektriever- 1989.27; Staples, cable kits/supp.- 83.35; Robert Giese, mileage/bosanova card- 171.25; Charlotte Doenhoefer, PYS- 10.00; Ruth Jensen, PYS- 12.00; Nadine Lewon, PYS- 17.00; Mardell Sorenson, PYS- 26.00; Irene Van Lent, PYS- 16.00; DAS lmservices, data service- 27.00; Computer SOS, equip- 799.00; MIS, Equip. lease- 240.00; Commercial Computer Systems, assistance- 88.00; Sams Club, supp.- 288.58; Chris Knudsen, poll setup- 30.00; Harding Schultz and Down, case- 344.88; Nebr. P&Z, conference reg- 210.00; DAS Material, supp.- 164.21; Iowa Office, supp./copier contract- 362.85; Douglas Luebe, supp.- 97.00; Kurt Rager, supp.- 17.54; Thomson West, law library- 110.00; Thurston Co. Court, reimb- 7.95; United Bank of Iowa, lease payment- 248.44; Des Moines Stamp Mfg, stamp- 275.80; Executive Copy, maint.- 335.81; Norfolk Printing, calendar- 29.50; Carol Sue Dunham, mileage/heater- 107.86; Frank Gonzalez, interpet- 440.00; NCDAA, seminar- 115.00; William Binkard, AF- 1488.00; Dak. Co. Court, costs- 821.50; Alexander Esteves, counsel- 361.14; Randy Hisey, counsel- 930.00; Hurley Law Offices, counsel/AF- 1691.00; Barbara Kueny, counsel- 432.00; Randy Hiser, counsel- 312.00; Sandra Inkster, counsel- 1144.00; Dak. Co. Sheriff, papers/warrants- 1046.55; William Poole, expert witness fees- 910.95; Brad Hoppe, expert witness fees- 630.00; Jeff Young, expert witness fees, 869.78; Raymond Speer, AF- 6132.68; Shirley Sides, mhealth hearing- 60.00; Patricia Slaughter, mhealth hearing- 60.00; Siouxland Reporting Service, hearing- 75.00; Clerk of Supreme Court, appeal- 66.50; Clerk of Dist. Ct., costs- 518.00; Michael Schmiedt, AF- 1164.78; Maximus Inc, cost plan- 1290.86; A team, repair- 328.25; Bomgaars, supp.- 94.58; Dak. Food & Fuel, fuel- 881.06; Epely Bros, lawn seed- 87.50; Gill Hauling, garbage- 110.00; Grainger, heaters- 312.15; Hardware Hank, supp.- 52.39; Rick Jensen, mileage- 173.25; Lowes, supp.- 154.36; maint. Engineering, bulbs- 1914.99; Menards, supp.- 208.20; Mid American Energy, gas- 1328.34; NE Neb PD, elec- 1688.13; Service Master, cleaning- 3750.00; Share Corp, deicer/spray- 1799.13; Siouxland Lock & Key, keys- 6.00; Roto Rooter, sewer- 96.30; Trembly Pest Control, pest control- 50.00; Walmart, supp.- 28.80; Foulk Bros Plumbing, plumbing- 1136.00; Dak. Co. Extension, mileage/copier/misc- 739.99; Automotive Electric, maint.- 354.38; AJ Phillips, printing- 875.00; Bekins Fire, recharge- 20.99; Circle R Frame, maint.- 45.90; City of South Sioux City, long distance/copies/lec operations- 21513.63; Dak. Co. Treasurer, maint.- 369.01; Dolezal Motor Co, maint.- 213.94; Fremont Tire, tires- 283.16; Harolds, film- 11.58; Jacks Uniforms, uniforms- 347.95; K&S Auto Service, tire repair- 22.00; Moore Wallace North America, permit apps- 67.08; Mounting Solutions Plus, bullpup mini- 101.00; Net Sys, pc repair- 187.50; Philfleet, fuel- 1829.24; Racom, phone- 971.75; Robertson Implement, dog food- 17.95; Simmons Gun Specialties, shipping- 12.73; SFCU, ammunition/aol/training/fuel/meals- 519.71; Siouxland Humane Society, animal

control- 73.00; Team Ford, patrol unit- 3537.50; Zocklein, workshop- 199.00; Dept of Motor Vehicles, transcripts- 27.00; Des Document Depot & Destruction, document destruction- 80.00; H2O4U, office supp.- 15.75; Nicole Sims, mileage- 9.72; Benstar Packaging, supp.- 462.35; Bob Barker, inmate supp.- 520.55; Boys & Girls Home, juvenile holding- 300.00; Braunger, food- 2137.88; Sergio Castillo, interpret- 50.00; Coffee King, coffee- 72.50; Earthgrains, food- 756.60; Guard Rite Security, transport- 464.46; Amy Hueser, transport- 10.00; HyVee, food- 3302.20; Madison Co. Sheriff, boarding- 4350.00; Midwest Special Services, transport- 103.70; MTS Safety Products, supp.- 178.03; NE Dept of Correctional Services, safekeeper/medical- 22201.48; NE NE Juvenile Services, juvenile holding- 11970.00; NW Iowa Emergency Phys, medical- 75.00; Physicians Clinic, medical- 114.00; Prince of the Road, transport- 1717.10; Racom, antenna- 225.00; Redlers Pharmacy, meds- 1369.91; St Lukes Health Resources, med- 2316.00; Superior Medical Company, gloves- 494.64; Walmart, supp.- 35.31; Better Roads, subscription, 24.00; Arnold Mellick, appl/exam- 25.00; Nebr. LTAP, bridge reg- 25.00; Pam Devries, mileage- 103.87; Dunes Family Medicine, phys- 250.00; Pat Glover, mileage- 68.62; Hopkins Medical, cooler- 44.15; Alan Boyd, mileage- 367.50; Aflac, service fees- 40.00; AT&T, phone- 30.81; Cable One, internet- 254.95; Claritus, Ink Cartridge- 128.00; Lazette Gifford, website- 40.00; Hasler, meter rental- 150.00; MIPS, payroll/claims/supp.- 581.46; Qwest, phone- 1475.03; C&H, storage contract- 750.00; US Postal Service, postage- 2500.00; WCS Telecom, phone- 283.62; ROAD FUND: A1 Auto Salvage, parts- 75.00; Ateam Heating & Cooling, repair- 1811.60; Advance Auto, parts/supp.- 825.08; Air Filter Cleaning, filters- 120.18; Aramark, Service- 256.24; ATCO, supp.- 100.40; 100.40; Axles & Gears, labor- 35.00; Bomgaars, parts/supp.- 149.94; Bridgestone, tires- 164.51; Cellular One, phone- 54.20; Circle R, magnet material- 862.00; Dak. Co. Star, bid notice- 13.41; Daves Body Shop, labor- 95.00; Gill Hauling, dumpster- 45.00; Great Plains International, parts- 118.05; Guarantee Oil, oil- 74.75; Higman Sand, road rock- 235.63; Hubbard Mini Mart, fuel- 2692.62; H2O4U, water- 25.75; Inland Truck Parts, parts- 10.43; Joes Dept Store, supp.- 174.24; Linweld, oxygen tanks- 115.80; M&M Copy Quick, laminate- 26.00; Medical Enterprises, drug tests- 29.90; Menards, supp.- 18.96; Midwest Svc & Sales, blades/bits- 3784.50; Nebr. LTAP, registration- 25.00; NPPD, service- 97.63; NE Coop, fuel hose- 13.54; NE Neb Telephone, phone- 198.03; Pilger Sand & Gravel, gravel- 4121.62; Poms Tire SVC, tires- 1017.32; Powerplan, parts- 414.05; RMS, parts- 67.00; Sams Club, supp.- 49.40; Sioux City Bolt, supp.- 8.25; Sioux City Iron, supp.- 104.60; Siouxland Napa, parts/supp.- 172.60; Town & Country, supp.- 40.75; Warren Oil, fuel- 3704.99; Wayne Water Systems, repair kit- 29.60; Ziegler, parts- 700.82; HARD SURFACE FUND: Siouxland Well Co, replace waterline- 2200.00; ROAD AND BRIDGE IMPROVEMENT FUND: Jeo, 1&6 yr maps/engineering- 11329.50; POOR RELIEF: Don Anderson, rent- 165.00; VETERAN'S AID FUND: Veterans Service Office, Relief- 600.00; L E EQUIPMENT GRANT FUND: Jacks Uniforms, reimb- 3225.75; INHERITANCE TAX FUND: Hyvee, meeting expenses- 48.51; WEED FUND: Advance Auto Parts, repairs- 219.98; Heritage Express, fuel- 21.55; Hubbard Mini Mart, fuel- 120.82; Leon Pies, mileage/registration- 89.50; Payroll Claims paid: COUNTY GENERAL FUND: Gross salaries- \$73,924.12, General Fund Employees Net Pay- \$51,781.35, Employer deductions paid: Retirement- 4,495.50, Social Security Tax- 4,420.53, Medicare- 1,033.83, Unicare Health- 13,016.47, Unicare Dental- 830.38, Unicare Life- 274.75. Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Daniel Christoffers- 350.00, Bobbi Jo Harsma- 720.00, Michelle Hult- 675.75, Theodore Piepho- 1407.81, Joan Spencer- 1053.41, Darlene Davis- 777.60, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 832.00, Kimberly Kuehl- 755.20, Phyllis Ridge- 831.48, Lyn Beltz- 90.00, Mark J. Dorcey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 350.00, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 920.00, Thomas Jackson- 461.55, Dustin Kinsey- 720.00, Richard Jensen- 1206.00, Franklin Morse- 72.00, Patricia Stingley- 856.00, Sandy Beers- 977.60, Jeremy Bermel- 1800.81, Anthony Bos- 822.60, Brad Claypool- 1127.52, Brian Ellinger- 1981.05, Todd Hammer- 1402.85, Melvin Harrison III- 1526.85, Rodney Herron- 1529.16, Kimberly Johnson- 384.54, Jared Junge- 2154.18, Michael Kreegar- 1346.89, Gayle Richards- 728.00, William Thompson- 1680.76, James Wagner- 1760.81, Randall Walsh- 1812.18, Rita Chase- 920.00, Debra Fergen- 1807.69, Aimee Kennedy- 808.00, John Loos, Jr.- 1538.46, Edward Matney III- 2277.70, Bobbi Strong- 720.00, Nicole Sims- 1073.77, Rebecca Broer- 1075.80, Sergio Castillo- 947.70, Richard Criss- 1021.75, Penny Epting- 997.43, John Gilles- 936.00, Michael Gregerson Jr.- 1002.23, Alma Gunderson- 1069.20, Paula Harrigfeld- 637.30, Cathy Harsma- 976.00, Joseph Ramirez- 982.80, Kevin Rohde- 1071.73, Linda Schovanec- 1086.35, Margaret Stingley- 721.50, Adrain Suarez- 905.65, Randall Crombie- 115.38, Cynthia Purucker- 858.40, Leon Pies- 537.20, Pamela DeVries- 1,367.12, Gloria Dwyer- 836.00, Patricia Glover- 953.56, Alan Boyd- 896.00. GENERAL FUND: Employee withholding paid to: Federal- 6,758.85, State- 2,358.22, Social Security Tax- 4,420.53, Medicare- 1,033.83, Retirement- 3,060.15, Unicare Health- 1,656.83, Unicare Dental- 349.07, Colonial Health- 35.20, Colonial Life- 3.00, Deferred Comp- 811.22, Garnishments- 964.65, Aflac Health- 375.17, Aflac Life/Dsbl- 107.05, Aflac Flex Plan- 209.00. COUNTY ROAD PAYROLL: Gross salaries- \$16,806.21, Road Employees Net Pay- \$11,791.54, Employer deductions paid: Retirement- 1,134.41, Unicare Health- 2,685.93, Unicare Dental- 171.34, Unicare Life- 54.67, Social Security Tax- 999.81, Medicare- 233.84. Joel Broekemeier- 1254.95, Randall Crombie- 1616.02, Ronald Harder- 1583.90, Walter Heinemann- 1218.81, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1816.43, Kimon Litras- 1743.38, Richard McNear- 1086.40, Arnold Mellick- 1186.29, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1507.63. ROAD FUND: Employee withholding paid to: Federal- 1,420.63, State- 535.34, Social Security- 999.81, Medicare- 233.84, Retirement- 756.28, Unicare Health- 509.66, Unicare Dental- 45.28, Reassure America Life- 9.76, Colonial Health- 33.01, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 125.30, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,418.55, Cops Fast Employee Net Pay- 980.78, Employer deductions paid: Retirement- 109.94, Unicare Health- 206.61, Unicare Dental- 13.18, Unicare Life- 4.43, Social Security- 87.95, Medicare- 20.57, Brent Gilster- 1418.55.
COPS FAST GRANT: Employee withholding paid to: Federal- 187.82, State- 63.41, Social Security- 87.95, Medicare- 20.57, Retirement- 78.02.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Todd moved, seconded by Commissioner Miller to approve the minutes of February 2, 2004 as typed.
ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd adjourned their meeting at 4:10 p.m.

DAKOTA COUNTY, NEBRASKA

BY: \s\ _____
Lyle Todd, Board Chair

ATTEST:
\S\ _____
Theodore A. Piepho,
County Clerk

Realizing that the Board should have recessed the County Clerk called a special/emergency meeting so the Board could recess until Tuesday February 24, 2004 to meet with Dave Voorhis at 1:30 p.m. and then recess from that meeting to the Joint City, County School meeting at the Marina Inn at 6:30 p.m.

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COUNTY BOARD OF COMMISSIONERS
FEBRUARY 17, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chair Todd called their special/emergency meeting to order at 4:10 p.m.
PRESENT: Commissioners Miller, Bousquet, Hartnett, Engel, Todd, and Ted Piepho, Secretary.
ABSENT: All Present

The reason for the meeting was stated that the board was scheduled to recess from the regular meeting to Tuesday, February 24, 2004 and due to the limited time frame were unable to re-advertise and where as the regular meeting agenda was to recess, Chair Todd recessed their meeting until 1:30 p.m. Tuesday, February 24, 2004 at 1:30 p.m.

DAKOTA COUNTY, NEBRASKA

BY: \s\ _____
Lyle Todd, Board Chair

ATTEST:
\S\ _____
Theodore A. Piepho,
County Clerk

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COUNTY BOARD OF COMMISSIONERS
FEBRUARY 17, 2004 PROCEEDINGS
CONTINUED FEBRUARY 24, 2004
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Vice Chair, Jackie Hartnett, called their meeting to order at 1:30 p.m.
PRESENT: Commissioners Bousquet, Hartnett, Engel, and Ted Piepho, Secretary.
ABSENT: Commissioner Miller & Todd

Dave Voorhis, with Voorhis/Robertson Justice Services, presented his final Criminal Justice System Assessment Report.

Commissioner Miller arrived at 1:47 p.m.

Commissioner Miller moved, seconded by Commissioner Engel to convene into Closed Executive Session.
ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Absent,
UNANIMOUS MOTION CARRIED 2:23 p.m.

Vice Chair Hartnett declared the Closed Executive Session to end and convened into open session at 3:09 p.m.

Vice Chair Hartnett recessed their meeting at 3:10 p.m. until 6:30 p.m. at the Marina Inn, at which time they will meet with the Cities and School Districts in the county.

DAKOTA COUNTY, NEBRASKA

BY: \s\ _____
Lyle Todd, Board Chair

ATTEST:
\S\ _____
Theodore A. Piepho,
County Clerk

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COUNTY BOARD OF COMMISSIONERS
FEBRUARY 17, 2004 PROCEEDINGS
CONTINUED FEBRUARY 24, 2004
MARINA INN
SOUTH SIOUX CITY

Vice Chair, Jackie Hartnett, called their meeting to order at 6:30 p.m.
PRESENT: Commissioners Bousquet, Hartnett, Engel, Miller and Ted Piepho, Secretary.
ABSENT: Commissioner Todd

Joint City/County/School Meeting
Marina Inn
February 24, 2004

AGENDA

Vice Chair Jackie Hartnett gave a welcome address at 6:30 p.m.
Each entity with a quorum convening their meetings.

Pledge of Allegiance

Invocation

Dinner

Introduction and Brief Comments

1. 6:52 p.m. City of South Sioux City - Mayor William McLarty
2. 7:02 p.m. City of Dakota City - Mayor Charles Carson
3. 7:09 p.m. South Sioux City Schools - Sheila Jensen, School Board President
4. Village of Homer - Hal Dowhower, Chair did not have a quorum
5. 7:10 p.m. Other Cities/Villages/School Districts – Jeanie Hohenstein
6. 7:12 p.m. Tom Lynch Village of Jackson
7:14 p.m. Dakota County - Jackie Hartnett, Vice-Chair

Leonard Gill was presented Volunteer of the Year award

Presentations/Discussions

Steve Oltman - Papio Missouri NRD addressed the group

Jay Speerman from Ameritas spoke on behalf of South Sioux City School Board of Education and Refinance Bonds. The School Board had a motion following his presentation.

President of the Northeast Community addressed the group and announced the Agreement with Northeast Nebraska Community College and South Sioux City. South Sioux City Council had a motion following.

Indoor Swimming Pool - YMCA South Sioux City, South Sioux City Schools and Siouxland YMCA took action on an agreement between the three to make the indoor pool competition size.

Criminal Justice System - David Voorhis, of Voorhis/Robertson Justice Services Inc. of Boulder, Colo., gave an overview of his final report on the county's criminal justice system and the jail, which he said was built "frugally" 29 years ago and is not only overcrowded, but outdated and worn out. Voorhis said 4,000 people spent time in the 48-bed jail in 2002-03, including the 25 to 35 a day whom the county paid to house elsewhere because of overcrowding. He said the addition of police officers in South Sioux City, which went from 17 to 27 officers in the last decade under President Clinton's programs, accounts for the jump in arrests.

The county has no juvenile detention or staff-supervised homes for juveniles, adding to its expense of housing them, as far as 300 miles away at a cost of up to \$250 per day. Voorhis noted the jail is on track to spend more than \$1 million this fiscal year, compared to \$50,000 in the years prior to 2000. He recommended a number of measures to keep the accused out of the jail while awaiting trial and to shorten the stays of those who must be detained.

Voorhis also urged the county to aggressively serve the 1,600 warrants on file. Now, when someone with a warrant for failing to appear in court or failing to pay a fine is stopped for a minor offense, the officer must put them in jail, which accounts for a large portion of inmates. He recommended a letter be sent to those with warrants, urging them to make good on their slip-up and save spending time in jail. In the end, however, the county still needs a new jail, he said. He said if the county accidentally crowds the wrong two inmates together and there is an injury or killing, the cost could be greater than that of a new facility.

Half-cent tax could help

Pam Miller addressed the group concerning the county working with South Sioux City to present a half-cent sales tax proposal. It could raise \$900,000 a year for the jail and for communications equipment and repairs to the Law Enforcement Center, she said. City and county residents both must approve the tax, which would expire after about 10 years. The two governments will sign a memorandum of understanding to cooperate in getting the issue on the November general election ballot. It would be the first county sales tax in Nebraska.

Vice Chair Jackie Hartnett adjourned their meeting at 8:40 p.m.

DAKOTA COUNTY, NEBRASKA

BY: \s\ _____
Lyle Todd, Board Chair

ATTEST:
\S\ _____
Theodore A. Piepho,
County Clerk

* * * *

COUNTY BOARD OF COMMISSIONERS
MARCH 1, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chair Todd called their regular scheduled meeting to order at 1:30 p.m. with Pledge of Allegiance. PRESENT: Commissioners Bousquet, Hartnett, Engel, Miller, Todd, and Ted Piepho, Secretary.

Mark Dorcey appeared before the board.

Rick said we wanted to talk about the Register of Deeds.

Lyle said that there has been some discussion to put the Register of Deeds Position on the ballot.

Mr. Dorcey asked why they wanted to do that.

Mr. Bousquet said that they were wanting to save some money, show some fiscal responsibility.

Mr. Dorcey quoted how much his office has taken in versus how much they have spent. He thought that the public likes having the separate office.

Mr. Todd said the income would be there whether Mr. Dorcey was there or not.

Mr. Engel thought that the savings didn't warrant dissolving his position. Mr. Todd thought if they saw a painless way of saving the county money that they were obligated to do so.

Mr. Dorcey mentioned cutting a couple of Commissioners to save \$40,000.

He said that you could save another Board Secretary \$35,000. If we are in a budget crunch then you owe it to the taxpayers to consider that too.

Maxine Koskovich appeared before the board concerning her Tax Statement, which she stated was \$1,012.14. My taxes last year were \$908.00. The Treasurer's Office sent me to the Assessor's Office and they said everybody's taxes went up. They told me, "you got a letter and if you didn't like it why didn't you come down to talk to us."

Ms. Koskovich said that they did not get the letter. She said that the city wants to make a twelve block commercial area from Dakota Avenue to 2nd Avenue and from W. 9th Street to the river. When I asked the man why our taxes went up so much, I was told they took 32 homes in that twelve block area off residential and put them on commercial.

I asked for what reason. They said that we are going to have a brand new medical center up there, so that automatically raises everybody's taxes.

Ms. Koskovich asked, "because I am getting a medical building 3 blocks from me, everybody's taxes in that area went up from one thousand to nineteen hundred dollars?" The reason she is complaining is because this year her house turned one hundred and seven years old. The last improvement on it was in 1989 when we put in sidewalks, a furnace, centralized air, brand new doors and windows. We have been retired for two years and our entire income is \$2,026 a month. My new taxes come to \$2,024 a year. She said that they have never been able to have homestead because they didn't qualify. Maxine

draws \$543 a month and her husband just went through cancer treatments, Maxine just suffered a stroke in January. My social security plus three dollars pays our medical for the month. We are living on fourteen hundred and eighty dollars a month. That's gross to pay utilities, gas and all other necessities. Why did you raise the taxes so high? Everybody in that area is retired in that twelve block area. Commissioner Todd asked what part of her value went up and also said that the mill levy didn't go up very much.

I don't know but they told us the reason our taxes went up is that we are getting a new medical center.

Mr. Todd said that really doesn't have anything to do with it.

Ms. Koskovich asked when did you reappraise my house. I haven't had any body come to my door.

The gentlemen said we didn't have to. We did it on a drive by. How do you raise taxes and reappraise on a drive by?

Mr. Todd said that she should ask Mr. Erickson and asked how much were their taxes.

Ms. Koskovich said that they were \$908.00 last year and went to \$2,024.28.

Commissioner Bousquet asked Dick Erickson, State's Appraiser, if this was some of the property that the land was appraised as commercial for the first block off the avenue?

Dick said she was in the second block.

Ms. Koskovich said that she was not and was in the first block. She lives just behind Flag Park, which is in the first block. That's been my argument for two years. You people don't even know where I live.

That is a lot of tax on a house one hundred and seven years old.

Commissioner Todd said it depends on what it was before. A lot of houses got big increases cause they weren't where they should have been before. I am not defending what happened. I am just trying to get things straightened out. It looks like your assessed value went up about \$52,000.

Ms. Koskovich, "If any of you commissioners want that house for ninety two five, I'll walk out tomorrow."

She said she would even leave the furniture.

Mr. Todd said that you have to file your protest during the right time frame and that is coming up when?

It was commented that the time frame for protesting this value was last June because we are talking about 2003 taxes.

Ms. Koskovich asked when we sent the letter out notifying them of the value that if they wanted to protest, that they should come down. Half of the property owners in that twelve-block area got letters and half did not.

It was commented that the board does not send letters that the Assessor's Office sends letters of Valuation Change. If a protest is filed then the board will send a letter with a date and time to protest the value.

Ms. Thorsland said that the notices go out around June 1st and they state when the protest period begins and ends.

Ms. Koskovich asked why some got the letter and some not?

Mr. Erickson said that the letters went out to every parcel of the county.

Ms. Koskovich said they didn't get one.

Mr. Erickson said that the county levy went up 22% and that the notice went out the end of May. He explained the protest period. He said that she contacted me in August. I agreed with her. I felt it was too high, but it was after the fact. At that time we lowered it and her new value is seventy seven thousand nine, but that's after the fact. The review was done this year and two door hangers were hung on her door asking her to contact our office because she wasn't home at the time. Neither door hanger was answered nor was neither filled out. They both had a questioner with them.

Mr. Todd clarified Dick's statement when Mr. Erickson said that the County levy went up 22%. Mr. Todd said that the 22% was only the County's Levy and that represents about one seventh of the total levy. The taxes didn't go up 22% because of the county.

Ms. Koskovich said that the other thing she doesn't agree with is when she asked the gentleman, "How do I do something about this?"

He said, "you have to go to the County Commissioners, you have to go to City Hall, and you have to go to the school Board." I contacted Lance and he said, "I don't know what you are talking about." When she contacted the Supt. of Schools. He said, "first time I've heard about it Mac." I don't like the run around that I get when I come here at the courthouse. This one tells me something, someone else tells me something else.

Mr. Todd said that there are two things. Your value has been lowered to seventy seven thousand something, which is an improvement and I am sure you qualify for homestead exemption now. My guess is that by the time you get homestead with the new value, you will be paying about what you were before and maybe a little less.

Homestead was briefly discussed.

Commissioner Todd said that with homestead and the new value that she would be ok. There is no provision in the law for us to change the one on the books, referring to the 2003 value.

Commissioner Bousquet, "Is there any way we can go back to Lincoln on that? There's none?"

Commissioner Todd, "There is no provision in the law to back up, it's done."

Ms. Thorsland said that the only thing that can be done is to protest her 2004 value and file for Homestead.

Ms. Koskovich, "you mean out of this 1480 dollars a month I have to save 200 dollars a month to pay taxes?"

Commissioner Todd said that their hands were tied on this. There just is no provision in the law to go back. Every year we have people come in with the same circumstances and if there was a way that we could do it we would. We can't.

Several board members thanked Maxine.

Judge Rager appeared before the board and requested more office space. He said that the Justice approved two more clerical positions and that they had to have space for them. He praised the County Court staff for doing the job at 54% staffing, but said that the two more staff would bring them up to about 75% staffing for the workload that they are doing. He suggested that some of the probation occupied area could serve as office space but then probation would need space. Ultimately probation needs to be by the courts if possible.

The board has been looking at this and asked that informal bids be solicited and go from there.

Madelyn Thorsland, State's Assessor for Dakota County appeared before the board with several Tax List Corrections.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to approve the Tax List Corrections, as presented by Ms. Thorsland amounting to a negative \$93.68 and to authorize the Chairman to sign them.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

The Board discussed the Law Enforcement Block Grant 03-LE-1155, in the amount of \$990 in which the county had a minimum match of \$99.00. The application has previously been approved. This is the acceptance of the grant. The board did not take action, but the Chair signed the acceptance and the County Clerk attested to the Board's signature.

The board briefly discussed terminating the lease for the space occupied by Social Services. Pam reported that Dave Prokesh had called her and she told him that they were thinking of terminating the lease agreement and he said that would be fine.

Commissioner Miller moved, seconded by Commissioner Hartnett to direct a letter be sent to Social Services in Lincoln advising them that pursuant to the agreement with them, the county is giving them 90 days Notice of Termination on the lease with them.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Niki Sims appeared before the board and said that she would be going on Maternity Leave and asked the board if she could have someone come in and work part time while she is on Maternity Leave.

Commissioner Bousquet moved, seconded by Commissioner Engel to authorize Niki to hire someone to fill in about six weeks part time for her while she is on maternity leave.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Pam mentioned the Governor's Day March 22nd.

Lyle reported that the Sioux City authorities would love to hold our juveniles at \$100.00 per day with no antes.

The board discussed the zoning jurisdictions and how far the city zoning extends outside their city limits.

The board was waiting for the County Attorney to convene into Closed Executive Session with the Ag Society Board for Personnel. He was not available until at least 3:00 p.m. so the Chair declared a break at 2:36 p.m.

Chair Todd reconvened their meeting at 2:59 p.m.

Commissioner Engel moved, seconded by Commissioner Hartnett to approve the minutes of February 17, 2004 as typed.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Sandy Beers appeared before the board and explained the Law Enforcement Grant 03-LE-1155 that the chair signed earlier in the meeting.

Several discussions were going on. Mr. Bousquet mentioned that they want to put a \$400,000 addition on to the LEC. Mr. Todd said that they are us and why don't we know anything about it.

Mr. Bousquet mentioned that the county should start sending people on the Washington Trip. Commissioner Miller agreed.

Commissioner Engel stepped out in the hallway for a couple of minutes and returned just after roll call of the next motion.

Commissioner Miller moved, seconded by Commissioner Hartnett to convene in Closed Executive Session to discuss Personnel.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Absent, Bousquet- Yea, MOTION CARRIED 3:15 p.m.

Chair Todd declared the Closed Executive Session Closed and convened in open session at 4:17 p.m.

Mr. Bousquet mentioned that Marvin Howard asked about the Minimum Maintenance and to walk the irrigation pivot across the Minimum Maintenance Road more commonly know as F Avenue. It was brought up that they have built the pivot on the road. There won't be any damage to the road except maybe to put an inch on it.

The Co. Attorney, Ed Matney, said that we have a problem with the pivot on the road. Mr. Matney said the problem is that nobody can obstruct a road, even a minimum maintenance road, even temporarily. The county cannot give him permission to block the road. There is a process for the commissioners to close the road.

Commissioner Todd and Commissioner Bousquet said it is not the board's intent to close the roads and we don't want to close the road, but on the other hand we can't guarantee that we will never want to close it.

There was discussion that Arnie said that they allow people to cross minimum maintenance roads with irrigation pivots and to fence off Minimum Maintenance Roads for cattle and that.

Ed Matney said it sounds like you better have a meeting with Arnie so everybody is on the same page.

The board discussed space for County Court and talked about Social Services probably moving since the county is terminating their lease for the 569 square feet. Commissioner Hartnett mentioned that we have to make a decision about the extension building on main street. Mr. Bousquet thought that the county should give the Extension Office \$20,000 a year for them to build a new building to gain the space.

The board had general discussion on Sales Tax and the LEC. The County Clerk asked the board to check with the legal authorities whether the wording on the ballot had to be the same to all voters in the county. The concern was that it would be worded, as a county tax in the other cities/villages and that may not be the wording in South Sioux City. Discussion followed how the wording might be and the actual wording is not known.

There was discussion whether the County should have a construction Manager for the Jail Project. Mr. Bousquet reported that he had several calls saying they were a waste of money. The consensus of the board was to have a Construction Manager because they felt a construction manager would save money in the long run.

There was discussion on how the jail would be funded.

Dick Erickson brought down and showed the board that Maxine Koskovich did fill out the information requested on the door hangers. His records showed that they were there on May 7th and May 9th. He also showed that she applied for Homestead two years ago and last year.

There was brief discussion on the Motel Hotel Tax.

Payroll claims paid

COUNTY GENERAL FUND: Gross salaries- \$79,432.37, General Fund Employees Net Pay- \$55,474.62, Employer deductions paid: Retirement- 4,822.45, Social Security Tax- 4,758.33, Medicare- 1,112.84, Unicare Health- 13,842.20, Unicare Dental- 882.39, Unicare Life- 291.76.

Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Daniel Christoffers- 350.00, Bobbi Jo Harsma- 812.81, Michelle Hult- 612.00, Theodore Piepho- 1407.81, Joan Spencer- 1053.41, Darlene Davis- 777.60, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 832.00, Kimberly Kuehl- 755.20, Phyllis Ridge- 852.80, Mark J. Dorsey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 350.00, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 920.00, Dustin Kinsey- 752.00, Richard Jensen- 1206.00, Andrew Jensen- 126.00, Patricia Stingley- 856.00, Sandy Beers- 977.60, Jeremy Bermel- 2221.07, Anthony Bos- 274.20, Brad Claypool- 876.96, Brian Ellinger- 2078.51, Todd Hammer- 1533.99, Melvin Harrison III- 2239.38, Rodney Herron- 1529.16, Kimberly Johnson- 422.11, Jared Junge- 1965.50, Michael Kreegar- 1903.65, Gayle Richards- 728.00, William Thompson- 2083.85, James Wagner- 1760.81, Randall Walsh- 2214.40, Rita Chase- 920.00, Debra Fergen- 1807.69, Amber Hegarty- 1453.84, Aimee Kennedy- 808.00, John Loos, Jr.- 1538.46, Edward Matney III- 2277.70, Bobbi Strong- 720.00, Nicole Sims- 1073.77, Rebecca Broer- 1234.20, Sergio Castillo- 1023.75, Richard Criss- 1177.30, Eric Davis- 16.25, Penny Epting- 1158.30, Ronald Fink Jr.- 266.40, John Gilles- 1168.54, Michael Gregerson Jr.- 1481.66, Alma Gunderson- 1280.40, Paula Harrigfeld- 569.05, Cathy Harsma- 1146.80, Joseph Ramirez- 959.40, Kevin Rohde- 1078.30, Linda Schovanec- 1064.00, Margaret Stingley- 848.97, Adrain Suarez- 621.60, Randall Crombie- 115.38, Cynthia Purucker- 858.40, Leon Pies- 537.20, Pamela DeVries- 1,367.12, Gloria Dwyer- 836.00, Patricia Glover- 1017.39, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 7,576.66, State- 2,655.47, Social Security Tax- 4,758.33, Medicare- 1,112.84, Retirement- 3,283.89, Unicare Health- 1,656.82, Unicare Dental- 371.70, Colonial Health- 35.20, Colonial Life- 3.00, Deferred Comp- 811.22, Garnishments- 964.65, Aflac Health- 375.17, Aflac Life/Dsbl- 107.05, Aflac Flex Plan- 245.75.

COUNTY ROAD PAYROLL: Gross salaries- \$13,765.35, Road Employees Net Pay- \$9,629.95, Employer deductions paid: Retirement- 929.13, Unicare Health- 2,685.80, Unicare Dental- 171.21, Unicare Life- 54.54, Social Security Tax- 811.28, Medicare- 1889.74.
 Joel Broekemeier- 1143.30, Randall Crombie- 1116.96, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1186.29, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.
 ROAD FUND: Employee withholding paid to: Federal- 1,056.14, State- 390.02, Social Security- 811.28, Medicare- 189.74, Retirement- 619.45, Unicare Health- 509.66, Unicare Dental- 45.28, Reassure America Life- 9.76, Colonial Health- 33.01, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 125.30, Aflac Life/Dsbl- 64.08.
 COPS FAST GRANT: Gross salaries- 2,080.05, Cops Fast Employee Net Pay- 1,355.39, Employer deductions paid: Retirement- 161.20, Unicare Health- 206.60, Unicare Dental- 13.17, Unicare Life- 4.42, Social Security- 128.96, Medicare- 30.16, Brent Gilster- 2080.05.
 COPS FAST GRANT: Employee withholding paid to: Federal- 344.10, State- 107.04, Social Security- 128.96, Medicare- 30.16, Retirement- 114.40.
 SOUTH SIOUX CITY CHAMBER OF COMMERCE: Visitors Promotion lodging tax- 6,579.97.

Chair Todd adjourned their meeting at 5:02 p.m.

DAKOTA COUNTY, NEBRASKA

BY: _____
 \s\Lyle Todd, Board Chair

ATTEST:

 \S\Theodore A. Piepho,
 County Clerk

* * * *

COUNTY BOARD OF COMMISSIONERS
 MARCH 15, 2004 PROCEEDINGS
 COUNTY BOARD MEETING ROOM
 DAKOTA COUNTY COURTHOUSE

This meeting was cancelled due to a snow storm. An Emergency meeting was called on March 22, 2004 to conduct two items of business from this meetings agenda. They were a resolution on the Homer South Project and claims.

DAKOTA COUNTY, NEBRASKA

DAKOTA COUNTY, NEBRASKA

BY: _____
 \s\Lyle Todd, Board Chair

ATTEST:

 \S\Theodore A. Piepho,
 County Clerk

* * * *

COUNTY BOARD OF COMMISSIONERS
 MARCH 22, 2004 EMERGENCY MEETING PROCEEDINGS
 DAKOTA COUNTY EXTENSION OFFICE
 DAKOTA COUNTY COURTHOUSE

County Clerk, Ted Piepho, called an Emergency Meeting of the County Board to approve claims and to adopt Homer South Bridge Letting Resolution. Among the claims were claims to CableOne, telephone Company and utility payments. The nature of the emergency was that these would be shut off if not paid.
 The Emergency foraction on the Bridge Letting was that it had to be back to the Department of Roads by March 24, 2004.
 Present were: Commissioner Todd and Commissioner Bousquet. Commissioner was contacted by her cell phone for the third member of the board.
 The reason was for the Emergency Meeting was that a regular meeting was scheduled and Commissioner Hartnett was to be the third member present and due to an emergency in the family, she was not able to attend. The regular meeting was scheduled to take action on the Boards agenda of March 15, 2004 and that meeting was cancelled due to a snow storm on said day when the courthouse closed at 9:30 a.m.
 The meeting was called to order at 2:50 p.m. The County Clerk explained the situation and reason for calling such meeting to Commissioner Miller who was present via telephone.

Commissioner Todd moved, seconded by Commissioner Bousquet to adopt Homer South Bridge Letting Resolution 04C-005 as follows:

RESOLUTION 04C-005

WHEREAS, there has been signed by Dakota County on the 3rd day of August, 1992, and the State on the 24th day of August, 1992, an agreement providing for the construction of a Federal Aid Project at the following location; Beginning 0.3 mile east of the Southwest Corner of Section 14, Township 27 North, Range 8 East and extends 0.1 mile north, crossing Wigle Creek.

,and

WHEREAS, in the above agreement, the County has pledged sufficient funds to finance its share of the cost of the construction of this project identified as BRO-7022(11), and

WHEREAS, the above mentioned agreement provided that the County would pay all costs not paid for with Federal or State funds, and

WHEREAS, the State received bids for the construction of this project on March 4, 2004 at which time six bids were received for the construction of this proposed work, and

WHEREAS, the following contractor(s) for the items of work listed has been selected as the low bidder(s) to whom the contract(s) should be awarded:

Christensen Bros., Inc., Cherokee, Iowa \$477,326.99

Grading, Water Main Construction, Bridge, Guardrail, Bituminous and General Items

NOW THEREFORE, in consideration of the above facts, the Board of Commissioners of Dakota County, by this resolution, takes the following official action:

1. If for any reason the Federal Highway Administration rescinds, limits its obligations, or defers payment of the Federal share or the cost of this project, the County hereby agrees to provide the necessary funds to pay for all costs incurred until and in the event such Federal funds are allowed and paid.

2. The Board hereby concurs in the selection of the above mentioned contractor(s) for the items of work listed, to whom the contract(s) should be awarded.

3. The Board hereby authorizes the Chairman to sign the contract(s) with the above mentioned contractor(s) for the above mentioned work.

4. The Board does not desire to perform any of the work with its own forces in lieu of performing the work by the contract method.

DATED THIS 22nd DAY OF MARCH, A.D. 2004

BOARD OF COUNTY COMMISSIONERS
OF DAKOTA COUNTY.
\\S\ LYLE TODD
(Chairman)

ATTEST:

\\s\THEODORE A. PIEPHO Board Member Todd
moved the adoption of said
resolution.

Roll Call: 3 yea, 0 nay.

Resolution adopted, signed and
Billed as adopted.

ROLL CALL VOTE: Miller- Yea, Engel- Absent, Bousquet- Yea, Hartnett- Absent, Todd- Yea,
UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Todd to approve the Accounts Payable Claims as presented by the County Clerk as follows:

GENERAL FUND: Cellular One, phone- 27.10; Dakota County Star, publishing- 414.24; Holiday Inn, lodging/meals-633.66; NACO, handbook-37.00; Perkins, supplies- 3.84; South Sioux City Area Chamber, governors day registrations-70.00; Lyle Todd, mileage-235.88; Nanci Walsh, mileage-193.50; AJ Phillips, postage-11.70; CDW Government Inc., software-30.00; Cellular One, phone- 27.10; Gregoire Consulting, Inc., software support-127.40; Perkins, supplies- 102.05; Theodore Piepho, reimburse- 50.00; Staples, software- 439.96; Robert Giese, mileage- 86.24; Charlotte Doenhoefer, prior yrs- 10.00; Ruth Jensen, prior yrs- 12.00; Nadine Lewon, prior yrs- 17.00; Mardell Sorenson, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; Dakota County Star, semi-annual report- 1972.18; DAS Imservices, data service- 27.00; Automated systems, yearly support contract- 600.00; Ruth Gillaspie, mileage- 111.95; Staples, office supplies- 39.56; Microfilm Imaging Systems, lease- 240.00; Office Systems Co., IBM Typewriter Contract- 94.95; Iowa Office Supply, supplies- 44.15; Harding Schultz and Down, case- 77.66; Midwest Sales & Svc., polling place signage- 65.00; Perkins, supplies/sign- 5.03; Dakota County Star, publishing- 6.63; Perkins, supplies- 14.26; Carol Sue Dunham, mileage- 57.64; Iowa Office Supply, supplies- 133.48; Norfolk Printing Co., binders/trial dockets- 418.05; Perkins,

supplies- 51.93; Dakota County Star, help wanted ad- 55.50; Iowa Office Supply, supplies- 16.98; Midwest Office Automations, Maintenance contract- 295.29; Nebraska State Bar Association, adoption manual-65.00; Nebraska Supreme Court Pub. Office, books- 39.50; Sams Club, supplies- 5.42; Star Printing & Publishing, envelopes- 450.00; Thomson West, books- 110.00; United Bank of Iowa, lease payment- 158.04; Cellular One, phone- 62.44; Scott Dugan, mileage- 420.00; Frank Gonzalez, interpret- 680.00; Midwest Office Automation, semi annual contract- 81.74; Omaha World Herald, attorney ads- 654.32; Perkins, office supplies- 117.99; Sioux City Journal, attorney ads- 74.70; United Bank of Iowa, lease-90.40; West Payment Center, jury instruction update- 15.00; Julia Bathke, witness fees- 46.25; Dakota County Court, costs- 1199.24; Thomas Fitch, counsel- 1077.00; Sandra Inkster, counsel- 660.00; Michael Schmiedt, counsel- 60.00; Richard Thrumer, counsel- 53.40; Patrick Tott, counsel- 1467.00; Dakota County Sheriff, papers/warrants- 621.35; Clerk of District Court, court costs- 803.00; Coffee King, coffee- 39.92; Randy Hisey, counsel- 828.00; Woodbury County Sheriff, sheriff fees- 51.90; A team, boiler repair- 82.50; Barone Security Systems, inspections- 175.00; BenStar Packaging, paper towels- 135.94; Cellular One, phone- 26.11; Foulk Bros Plumbing, jail plumbing repair- 693.94; Gill Hauling, dumpster service- 110.00; Hardware Hank, supplies- 55.35; Rick Jensen, mileage- 108.26; Lowes, supplies- 620.81; Menards, supplies- 182.26; MidAmerican Energy, gas- 1320.69; NPPD, electric- 1449.68; Qwest, phone- 40.74; Service Master, cleaning- 3750.00; Siouxland Lock & Key, door locks- 145.00; Stan Jans, snow removal- 990.00; Trembly Pest Control, pest control- 100.00; Walmart, supplies- 28.80; Dakota County Extension, mileage/copier/misc- 774.22; Cellular One, phone- 106.29; Circle R Frame, maintenance- 111.26; City of South Sioux City, long distance- 10.58; D & R Service, repairs- 12.50; Dakota County Treasurer, maintenance- 315.37; Dakota Food & Fuel, fuel- 955.07; Harolds, film- 10.60; Jacks Uniforms, vest/equipment- 380.70; Net Sys, printer install- 37.50; Phliffleet, fuel- 1475.11; Racom, phone- 663.00; Sioux City Journal, advertisement- 130.60; SFCU, aol- 23.90; Team Ford, maintenance- 432.08; Walmart, supplies- 125.95; Cellular One, phone- 59.78; Cellular One, phone- 19.99; Dakota County Bar, bar dues- 100.00; Dakota County Star, legal notice- 51.07; Dept of Motor Vehicles, transcripts- 43.00; Dr. Jeffrey Knerl, witness fees- 500.00; H2O4U, office supplies- 15.75; Iowa Office Supply, copier contract- 151.00; Matthew Bender, law books- 141.10; Perkins, supplies- 40.05; St. Lukes Home Health, blood draws- 200.00; Secretary of State, certified copy- 40.00; West Group, law books- 15.00; City of South Sioux City, lec operations- 43027.26; Cellular One, phone- 26.11; Behavioral Interventions, house arrest- 6152.15, Benstar Packaging, supplies- 108.89; Boys & Girls Home, juvenile holding- 300.00; Braunger, food- 1909.23; Cellular One, phones- 52.22; Coffee King, coffee products- 72.50; Dakota Food & Fuel, fuel- 67.88; Dixon County Sheriff, out-of-county boarding- 2850.00; Earthgrains, food- 757.25; Guard Rite Security, transport- 1202.76; Hobart Sales & Service, stove repairs- 166.65; HyVee, food- 3305.55; Jacks Uniforms, uniforms- 55.95; Karls, washer- 825.00; Lincoln Fire & Rescue, inmate medical- 969.25; Lincoln Radiology Group, inmate medical- 978.00; Louderback Drug, inmate meds- 416.40; Mercy Medical Center, inmate medical bills- 838.35; Midwest Special Services, transport- 636.80; NE Dept of Correctional Services, safekeeper/medical- 22440.45; Northeast NE Juvenile Services, juvenile holding- 13565.00; Nebraska Emergency Medicine, inmate medical- 532.00; Perkins, supplies- 24.30; Pierce County Sheriff Dept., out-of-county boarding- 600.00; Prince of the Road, transport- 761.85; Redlers Pharmacy, meds- 1644.95; Sams Club, supplies/food products- 147.36; SFCU, Sharps Containers/washer repair- 161.66; Siouxland Radiology Partners, inmate medical- 152.60; St Lukes Health Resources, inmate house calls- 1061.00; Walmart, supplies- 181.89; XPEDX, supplies- 66.69; Dakota County Star, hearing notice- 18.98; Holiday Inn, lodging- 137.60; Arnold Mellick, fuel reimb.- 30.00; Pam Devries, mileage- 67.12, Pam DeVries, mileage- 57.37; Dunes Family Medicine, phys- 250.00; Pat Glover, mileage- 75.00; Pat Glover, registration- 55.00; Midwest Office Automations, quarterly contract- 48.00; Perkins, office supplies- 18.74; ; Alan Boyd, mileage- 337.50; Cellular One, phone- 93.20; Office Systems Co., copier contract- 87.72; Northeast NPPD, electric- 42.71; Aflac, service fees- 40.00; AT&T, phone- 29.16; Cable One, internet- 307.45; Claritus, Ink Cartridge- 52.40; Five Star Awards, plaque- 49.57; Lazette Gifford, website- 40.00; HyVee, joint meeting- 34.00; Marina Inn, joint meeting- 1433.06; MIPS, payroll/claims/supplies- 299.37; Perkins, supplies- 80.00; Qwest, phone- 128.95; Qwest, phone- 1248.05; Qwest, phone- 66.27; Region IV Mental Health, qtr payment- 5656.50; US Postal Service, postage- 2500.00; WCS Telecom, phone- 417.19

ROAD FUND: Advance Auto, parts/supplies- 1107.06; Aramark, Service- 253.20; Bridgestone, tires- 54.60; Cellular One, phone- 54.20; Gill Hauling, dumpster- 45.00; Guarantee Oil, antifreeze- 273.00; Harry Heads & Auto Machine, labor- 26.75; Heritage Express, fuel- 21.00; Higman Sand, road rock- 1123.60; Hubbard Mini Mart, fuel- 2137.58; H2O4U, water- 10.00; Jackson Glass, glass repair- 92.85; JEO, 1 & 6 Year Maps- 157.50; Joes Dept Store, supplies- 304.06; Linweld, oxygen tanks- 45.32; NPPD, service- 83.43; Newman Traffic Signs, signs- 1020.00; Northeast Neb Telephone, phone- 239.93; Pilger Sand & Gravel, gravel- 1358.65; Piorier Equipment, parts/filters- 457.83; Powerplan, parts- 797.67; Presco Sales & Svc., blades/chains- 2679.00; RC Customs, parts- 264.58; Rees Mack Sales, parts/labor- 1198.51; Sioux City Iron, supplies- 219.95; Siouxland Hydraulics, parts/labor- 607.89; Siouxland Napa, parts/supplies- 240.14; Stephan Welding, shaft- 10.00; Team Ford, parts- 6.54; Warren Oil, fuel- 8342.21; Ziegler, parts- 991.25;

POOR RELIEF: Becker-Hunt Funeral Home, Gregory Scott Graves lot & burial- 2080.00; Nebraska Dept. of Finance & Acct., administrative fees- 66.50;

INSTITUTIONS: Beatrice State Development Center, qtr payment- 2181.00; Norfolk Regional Center, qtr payment- 246.00;

VETERANS AID FUND: Veterans Service Office, Relief- 800.00;

COMMUNITY CORRECTIONS: BI, grant monitoring- 92.05;

INHERITANCE TAX FUND: Voorhis, consulting- 7941.45; Dakota General Fund, budgeted transfer- 200,000.00;

WEED FUND: Central Community College, registrations- 115.00; Heritage Express, fuel- 26.16; Leon Pies, mileage- 234.38; Ramada Inn-Kearney, lodging- 194.90.

PAYROLL CLAIMS PAID

COUNTY GENERAL FUND: Gross salaries- \$76,264.87, General Fund Employees Net Pay- \$53,368.84, Employer deductions paid: Retirement- 4,598.80, Social Security Tax- 4,561.98, Medicare- 1,066.91, Unicare Health- 13,842.88, Unicare Dental- 883.08, Unicare Life- 292.45. Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Daniel Christoffers- 350.00, Bobbi Jo Harsma- 686.25, Theodore Piepho- 1407.81, Lora Skow- 800.00, Joan Spencer- 1053.41, Darlene Davis- 777.60, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 832.00, Kimberly Kuehl- 755.20, Phyllis Ridge- 852.80, Lyn Beltz- 85.00, Mark J. Dorcey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 350.00, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 920.00, Dustin Kinsey- 752.00, Richard Jensen- 1206.00, Andrew Jensen- 28.00, Patricia Stingley- 856.00, Sandy Beers- 977.60, Jeremy Bermel- 2229.63, Anthony Bos- 850.06, Brian Ellinger- 1985.32, Todd Hammer- 576.84, Melvin Harrison III- 1722.60, Rodney Herron- 1529.16, Kimberly Johnson- 353.60, Jared Junge- 1783.68, Michael Kreegar- 1604.14, Gary Powll- 72.00, Gayle Richards- 728.00, Kevin Rohde- 1683.35, William Thompson- 2066.70, James Wagner- 1760.81, Randall Walsh- 2240.35, Rita Chase- 920.00, Amber Hegarty- 1615.38, Aimee Kennedy- 808.00, John Loos, Jr.- 1538.46, Edward Matney III- 2277.70, Debra Schmiedt- 1807.69, Bobbi Strong- 712.50, Nicole Sims- 1073.77, Rebecca Broer- 1108.80, Sergio Castillo- 1038.38, Richard Criss- 1110.20, Eric Davis- 969.86, Penny Epting- 947.70, Ronald Fink Jr.- 929.63, John Gilles- 994.50, Michael Gregerson Jr.- 1123.63, Alma Gunderson- 1069.20, Paula Harrigfeld- 357.38, Cathy Harsma- 976.00, Joseph Ramirez- 947.70, Linda Schovanec- 1064.00, Margaret Stingley- 735.93, Judy Vandenberg- 56.00, Randall Crombie- 115.38, Cynthia Purucker- 858.40, Leon Pies- 537.20, Pamela DeVries- 1,367.12, Gloria Dwyer- 836.00, Patricia Glover- 926.65, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 7,085.72, State- 2,483.84, Social Security Tax- 4,561.98, Medicare- 1,066.91, Retirement- 3,127.00, Unicare Health- 1,656.83, Unicare Dental- 371.71, Colonial Health- 35.20, Colonial Life- 3.00, Deferred Comp- 811.22, Garnishments- 964.65, Aflac Health- 375.17, Aflac Life/Dsbl- 107.05, Aflac Flex Plan- 245.75.

COUNTY ROAD PAYROLL: Gross salaries- \$13,673.89, Road Employees Net Pay- \$9,490.50, Employer deductions paid: Retirement- 922.96, Unicare Health- 2,685.93, Unicare Dental- 171.34, Unicare Life- 54.67, Social Security Tax- 805.61, Medicare- 188.41. Joel Broekemeier- 1082.40, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1186.29, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,105.73, State- 399.53, Social Security- 805.61, Medicare- 188.41, Retirement- 615.34, Unicare Health- 509.66, Unicare Dental- 45.28, Reassure America Life- 9.76, Colonial Health- 33.01, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 125.30, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,455.30, Cops Fast Employee Net Pay- 1,001.59, Employer deductions paid: Retirement- 112.79, Unicare Health- 206.61, Unicare Dental- 13.18, Unicare Life- 4.43, Social Security- 90.23, Medicare- 21.10, Brent Gilster- 1455.30.

COPS FAST GRANT: Employee withholding paid to: Federal- 196.51, State- 65.83, Social Security- 90.23, Medicare- 21.10, Retirement- 80.04.

ROLL CALL VOTE: Miller- Yea, Engel- Absent, Bousquet- Yea, Hartnett- Absent, Todd- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd adjourned their meeting at 2:55 p.m

DAKOTA COUNTY, NEBRASKA

BY: _____
 \\S\Lyle Todd, Board Chair

ATTEST:

\\S\Theodore A. Piepho,
County Clerk

* * * *

COUNTY BOARD OF COMMISSIONERS
MARCH 29, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chair Todd called their regular scheduled meeting to order at 1:30 p.m. with Pledge of Allegiance. PRESENT: Commissioners Bousquet, Hartnett, Engel, Miller, Todd, and Ted Piepho, Secretary.

Dave Boschults with the Nebraska Department of Public Agriculture appeared before the board and presented his findings on Dakota County Noxious Weed Program. He rated the weed control very well. The average score is 3324 out of a possible 3400. Dakota County received a 3393. He continued by expressing his appreciation for Dakota County spraying the state's highways. He informed the board that Salt Cedar trees may be put on the Noxious Weed List some time in the future because of their thirst for water. He said that one tree may drink up 250 gallons of water a day.

Scott Dugan, Public Defender, appeared before the board to answer the board's question of when he might employ a deputy. Mr. Dugan reported that he is enthused about the number of applications that he is receiving.

Gary Brown, Lance Martin, Glen Sedivy, Pat Foust and Jerry Yacevich appeared before the board and reported that they were working very hard on their tower site and tower site development. Mr. Brown said that they had a site for the tower in Dakota County on property owned by Bryce Anderson and was looking for action by the county board to purchase land. Since this is an LEC expenditure over \$5,000, it needs approval by the County Board and the South Sioux City Council.

Mr. Martin informed the board about a website, Siouxland Tri-State Area Radio Communications (STARCOMN.ORG), a public awareness site to keep the public informed of new developments.

Commissioner Miller moved, seconded by Commissioner Engel to authorize the purchase of land out of the LEC Budget necessary to construct a tower north and west of Homer, located on Wiseman Hill. BE IT FURTHER RESOLVED to authorize an approximate \$900.00 buy out for a buy back of CRP payments on the site.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller presented Sioux City Ordinances on Tower.

Lance Martin is working on a grant for funding from Homeland Security Fund , which has about 19.2 million dollars for distribution in Nebraska. Dakota County and Dixon County will partner to make the grant application more attractive. This particular grant will be applied for from the Law Enforcement and Terrorism Prevention Program earmarked for law enforcement only. If this application is approved, it will provide the LEC with new E911 equipment that will not be covered under FEMA Grant.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to authorize Lance Martin to pursue and make application partnering with Dixon County, for a grant through the Law Enforcement and Terrorism Prevention Program .

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Gravel bids were received from S&S Willer, Inc. and Erlandson Transportation, Inc.

Arnie Mellick opened the gravel bids and they were as follows:

1) Pilger Sand and Gravel, which bid Schedule IV at \$4.20 FOB Pit and \$10.32 delivered, 2) Erlandson Sand and Gravel, who bid Schedule I at \$4.25 FOB Pit.

Commissioner Bousquet moved, seconded by Commissioner Miller to accept the bids from S&S Willer, Inc. and Erlandson Transportation, Inc. as follows: 1) Pilger Sand and Gravel, which bid Schedule IV at \$4.20 FOB Pit and \$10.32 delivered, 2) Erlandson Sand and Gravel, who bid Schedule I at \$4.25 FOB Pit.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

The board discussed bidding a scraper because our present machine's engine and transmission is getting weak. It was felt that we could overhaul our present machine and then we would know what we have instead of speculating the condition of a used one.

Mr. Mellick, talking about the gravel trucks that were recently bid, brought up the fact that we could customize our present truck tractor into a straight truck. That seemed to have support of the board.

Steve Davis from HMN Architects, and Rich Freeman appeared before the board to discuss the construction of a new jail. Contacting information for getting a hold of Mr. Davis is 913-451-9075 or sdavis@hmnarchitects.com.

The board asked Mr. Davis if the footings could be started the next day if the voters approved the measure on November 2nd.

There was discussion whether bids could be taken prior to the election.

Ted Piepho suggested that a Special Election be had if they wanted to start construction yet this fall. He pointed out that if it passed and they could get a 6 month jump on starting the project yet this fall, it could save the taxpayer \$240,000 of out-boarding expense.

Vincent Kramper spoke on the jail issue. He mainly addressed that Sioux City would love to house our juveniles at \$100 a day and that would be a considerable savings for the county.

Chair Todd declared a break at 3:24 p.m. and reconvened at 3:34 p.m.

Jim Wagner appeared before the board concerning the jail's budget.
Dakota County Jail
Budget Report

From: Sheriff James L. Wagner

To: Dakota County Board of Commissioners

March 29, 2004

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Comments from Dakota County System Assessment

Inmate Admitted 1998-2003

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Comments from Dakota County System Assessment

"One comment made during the recent study seems appropriate. The county faces the "Perfect Storm" situation. The jail is in poor condition, remains understaffed/under funded, continuing crowding and out of county cost continue to grow, increased bookings and arrests continue to grow. Severe financial strain on county budgets will likely cause change in structure or practice."

Further Comments

"Choices are made daily to incarcerate certain individuals while others are released on bonds or citations to appear at future court dates. These choices are essential to the control of the jail population and avoidance of system breakdown. Each official conscientiously makes decisions to protect the community. Given additional resources, more offenders would be identified for case processing. Given expanded revenues and budgets, more detention-holding space could satisfy the need to hold more adult and juvenile offenders.

Unfortunately, unlimited funds are not available requiring the prudent decisions necessary to control population and cost. Each decision to incarcerate offenders and to hold for trial or punishment increases the need for bed capacity. These decisions are made with good intention to maintain a safe community."

"The Sheriff's Department moves many prisoners to other jails while sleeping extra prisoners above the rate capacity at the jail to reduce outside bed cost. The cost of housing prisoners in other counties drains local resources and exceeds current budgeted allocation."

Closing Comments

Government Structure

"The criminal justice system is composed of both state and county agencies. The county funds criminal justice primarily through property taxes. City and county government selects heads of many agencies through the election process. Each elected official considers certain independent authority. At the County level, the budgets and expenditures are the responsibility of the County Commissioners with cooperation of the department heads. Each department controls certain activities that influence future and current budgets. It is evident that the Commissioners can be obligated for the costs they have no control over by policies of the criminal justice system."

Dakota County Jail
Expenditures as of March 26, 2004

Budget Adopted	Year-To-Date Expenditures	Budget Remaining	Percent Used
\$1,188,470.60	\$1,076,880.26	\$111,590.34	91%
Total Monthly Average for 9 months		\$	119,653.36
Average time 3 months		\$	358,960.09
Budget Remaining Less 3 Month Avg		\$	247,369.75

Amount Needed

Adults Out of County	24	50.00	1,200.00
Juveniles Out of County	5	150.00	750.00
Totals per Day			1,950.00

Days per month 31

Amount Per Month Out of County \$60,450.00

Times 3 Months:
\$181,350.00

Ralph Puls appeared before the board on behalf of Steve Oltman. He asked Dakota County to rent space in a building being built by Papio Missouri NRD for Ag. Extension Office for \$20,000. Jean Grove from the Ag Extension Office read the following letter.

DAKOTA COUNTY EXTENSION
BOARD OF DIRECTORS

March 19, 2004

Dakota County Commissioners
Court House
Dakota County, NE

Dear Commissioners:

As the Board of Directors we have voted in favor of sending notice to the Dakota County Commissioners that we would like them to consider the proposal from the Papio-Missouri River NRD - Natural Resources Service Center. This proposal is to change the location of the Dakota County University of Nebraska Cooperative Extension office from the Court House to the planned Papio-Missouri River NRD-Natural Resources Service Center in Dakota City. This request would be for 2000 square feet of office, storage and workroom space.

Due to the budget constraints we realize this would be the decision of the Dakota County Commissioners but we wanted you to be aware that we agree as the Board of Directors that this would greatly enhance the Extension Program in Dakota County.

Lease agreement, rent, and other binding details would be up to your discretion and worked out between Papio-Missouri NRD and the Dakota County Board of Commissioners.

Approved at our March 1, 2004 meeting of the Dakota County Board of Directors.

We thank you for your consideration.

Sincerely,

Dakota County Board of Directors
Dakota County Extension

Mary Ann Lussier, President

Dick Leitschuck also expressed support for the county to participate.

Several board members expressed that the county has just terminated our lease with Health and Human Services for 569 square feet and have recently declined to participate in funding them for office space. Without a formal motion, the board expressed that County funds are limited and that we could not commit funding for that purpose at this time. They thought it would be November before the county would know if we could commit funds or not.

Bob Sheehan from the Boys and Girls home, knowing that the county had an on going problem housing juveniles, offered space for 9 juveniles for a \$350,000 annual payment. This did not appear to be beneficial for the county.

Chair Todd called for the agenda item concerning putting the Register of Deeds to be discussed. Commissioner Bousquet said the board needs to make some cuts. He added that they should restrict any hiring in that office.

Commissioner Hartnett asked if they were planning to eliminate the whole budget except the one salary. Commissioner Todd thought that you would be saving only the personnel services in that budget. Mr. Engel was not in favor of dissolving the Register of Deeds position and added that he didn't think it would pass. He said Mr. Dorsey has done a good job, been there quite a while and he is an elected official.

Mr. Todd said that he thought they owed it to the tax payers to save \$20,000.

Commissioner Bousquet moved, seconded by Commissioner Miller to put the Register of Deeds Office on the ballot whether or not to retain it and if it passes to freeze the hiring.
ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Nay, Bousquet- Yea, MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to acknowledge receipt of and approve the Officials reports filed with the County Clerk from the County Clerk, Register of Deeds, County Sheriff and the Clerk of the District Court for the month of February, 2004.
ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Ms. Nancy Walsh reported that Mr. Rick Jensen, Building and Grounds Supt., drew up specifications for remodeling County Court, the Law Library and the Probation Offices. The county solicited bids and Ms.

Walsh reported that in order to do the total project would require sealed competitive bids. She recommended to break it out in two different projects and one to include just the County Court Ms. Walsh read bids for remodeling just the Court Room, which would be one of the projects. Taking out certain parts of the recommendations to include just the courtroom were as follows: RTG Construction Co.- \$13,226.00, Husker Hawk \$22,041.00, Ron Hirsch- - \$26,606.90, R & G Construction 13226, and Summit Construction- \$22,985.00.

Commissioner Bousquet moved, seconded by Commissioner Miller to accept R & G Construction's bid of \$13,226.00 for the remodeling of the County Court Offices.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Engel to transfer Dakota County Abandoned Vehicle Title Number 0408570004 on a 1985 Chevrolet S-10 pickup bearing the serial number 1GCCS14B7F2191549 to Axles & Gears dba C & H Truck parts for consideration of the storage and towing charges due against said vehicle.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Committee Reports

Mr. Bousquet reported on the progress that he and Pam have negotiated with South Sioux City for them to authorize the County having an election to put a one-half percent sales tax on the ballot to fund the construction of a new jail.

He said that they want several things in return. They have talked about the Library and the paving of C Avenue. South Sioux originally wanted \$47,000 a year for their Library.

Commissioner Miller said that they have negotiated a per capita amount for all Dakota County and capping the total amount to \$40,000.

Mr. Bousquet said that they have demanded that C Avenue be paved.

Mr. Bousquet and Ms. Miller told the other board members that the county doesn't have the money right now and they (South Sioux City) would have to wait until the other paving projects were paid off. They also said that South Sioux has the paving of C Avenue into two phases.

Commissioner Hartnett asked how much this will cost and Mr. Bousquet responded "it's going to be a lot. I can't say how much".

Ms. Miller said that the project was split in two phases. The county would complete the first phase by December, 2008 and the 2nd part of the project in 2012.

Ms. Hartnett said she would like to know some cost.

There was discussion as to when the Hubbard-Jackson Bonds would be paid off.

It was said that the Sales Tax would not affect C Avenue.

Mr. Todd thought that the paving was coming right off the top of the sales tax and Mr. Engel echoed that he thought it would come out of the Sales Tax.

Mr. Bousquet said that was not the case, but that was the case with the Law Enforcement Center. One Hundred thousand goes to the LEC.

Mr. Bousquet reported that we are not obligated unless the bond issue passes and the jail is built.

Ms. Hartnett asked where the money was coming from and Mr. Bousquet and Ms. Miller said that would be tax dollars. If this could be done as a Federal Project, that would certainly help.

Ms. Hartnett said she would like to get some concrete figures.

Mr. Bousquet said that we have to look at what we are going to gain by it.

Mr. Bousquet said that he, Lance and Arnie would go out there and try to get some sound figures.

Commissioner Miller said that the pavement will be great for economic development and the county will benefit from it at some point.

Commissioner Todd said that if the sales tax amount went up that would help.

It was brought up that anything more than \$800,000 that was raised from the half percent sales tax would go to the LEC.

Budget Committee did not have a report.

Building and Property Committee. Mr. Todd brought up that the show up time that was paid for the Emergency Closing due to bad weather and commented that was twice as much as any other employer pays.

There was discussion how to pay the employees for that day. It was the consensus of the board to pay those that showed up four hours pay and for those that didn't, they could use vacation or personal time to make up the four hours pay. All employee could use additional vacation or personal time to get eight hours pay.

Health Insurance Bids were discussed and the consensus of the board was to advertise for bids.

The board discussed purchasing all fuel used by the Sheriff's Department from South Sioux and then they would bill the Sheriff's Office. The board agreed to write Sheriff Wagner a letter advising them to start filling their fuel tanks in South Sioux.

Payroll paid: COUNTY GENERAL FUND: Gross salaries- \$76,762.48, General Fund Employees Net Pay- \$53,796.96, Employer deductions paid: Retirement- 4,718.42, Social Security Tax- 4,592.81, Medicare- 1,074.12, Unicare Health- 13,842.20, Unicare Dental- 882.39, Unicare Life- 291.76. Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Daniel Christoffers- 280.00, Bobbi Jo Harsma- 728.44, Theodore Piepho- 1407.81, Lora Skow- 760.00, Joan Spencer- 1053.41, Darlene Davis- 738.72, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 790.40, Kimberly Kuehl- 755.20, Phyllis Ridge- 810.16, Lyn Beltz- 400.00, Mark J. Dorcey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 350.00, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 874.00, Dustin Kinsey- 714.40., Richard Jensen- 1206.00, Patricia Stingley- 856.00, Sandy Beers- 977.60, Jeremy Bermel- 2778.42, Anthony Bos- 1621.33, Brian Ellinger- 1959.67, Todd Hammer- 383.88, Melvin Harrison III- 1816.56, Rodney Herron- 1529.16, Kimberly Johnson- 525.98, Jared Junge- 1869.44, Michael Kreegar- 1530.64, Gayle Richards- 728.00, Kevin Rohde- 1407.13, William Thompson- 1835.13, James Wagner- 1760.81, Randall Walsh- 1764.60, Rita Chase- 920.00, Amber Hegarty- 1615.38, Aimee Kennedy- 808.00, John Loos, Jr.- 1538.46, Edward Matney III- 2277.70, Debra Schmiedt- 1807.69, Bobbi Strong- 760.00, Nicole Sims- 1073.77, Rebecca Broer- 1095.60, Sergio Castillo- 1028.08, Richard Criss- 1000.40, Eric Davis- 901.88, Penny Epting- 1001.82, Ronald Fink Jr.- 888.00, John Gilles- 956.48, Michael Gregerson Jr.- 1055.14, Alma Gunderson- 1062.60, Paula Harrigfeld- 673.78, Cathy Harsma- 988.20, Joseph Ramirez- 947.70, Linda Schovanec- 1064.80, Margaret Stingley- 740.74, Judy Vandenberg- 56.00, Randall Crombie- 115.38, Cynthia Purucker- 858.40, Leon Pies- 537.20, Pamela DeVries- 1,367.12, Gloria Dwyer- 752.40, Patricia Glover- 1065.07, Traci March- 26.00, Alan Boyd- 896.00. GENERAL FUND: Employee withholding paid to: Federal- 7,046.91, State- 2,472.68, Social Security Tax- 4,592.81, Medicare- 1,074.12, Retirement- 3,208.44, Unicare Health- 1,656.82, Unicare Dental- 371.70, Colonial Health- 35.20, Colonial Life- 3.00, Deferred Comp- 811.22, Garnishments- 964.65, Aflac Health- 375.17, Aflac Life/Dsbl- 107.05, Aflac Flex Plan- 245.75. COUNTY ROAD PAYROLL: Gross salaries- \$14,020.18, Road Employees Net Pay- \$9,724.91, Employer deductions paid: Retirement- 946.34, Unicare Health- 2,685.80, Unicare Dental- 171.21, Unicare Life- 54.54, Social Security Tax- 827.08, Medicare- 193.44. Joel Broekemeier- 1082.40, Randall Crombie- 1249.36, Ronald Harder- 1078.40, Walter Heinemann- 1269.73, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1186.29, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40. ROAD FUND: Employee withholding paid to: Federal- 1,155.34, State- 419.72, Social Security- 827.08, Medicare- 193.44, Retirement- 630.92, Unicare Health- 509.66, Unicare Dental- 45.28, Reassure America Life- 9.76, Colonial Health- 33.01, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 125.30, Aflac Life/Dsbl- 64.08. COPS FAST GRANT: Gross salaries- 1,602.30, Cops Fast Employee Net Pay- 1,084.83, Employer deductions paid: Retirement- 124.18, Unicare Health- 206.60, Unicare Dental- 13.17, Unicare Life- 4.42, Social Security- 99.34, Medicare- 23.23, Brent Gilster- 1602.30. COPS FAST GRANT: Employee withholding paid to: Federal- 231.24, State- 75.53, Social Security- 99.34, Medicare- 23.23, Retirement- 88.130. SOUTH SIOUX CITY CHAMBER OF COMMERCE: Visitors Promotion, lodging tax- 8,285.78.

Chair Todd adjourned their meeting at 5:49 p.m.

DAKOTA COUNTY, NEBRASKA

BY: _____
 \lLyle Todd, Board Chair

ATTEST:

 \lTheodore A. Piepho,
 County Clerk

* * * *

DAKOTA COUNTY BOARD OF COMMISSIONERS
APRIL 12, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chairman Lyle Todd called the meeting to order at 1:30 p.m.

Present: Commissioners Pam Miller, Bill Engel, Jackie Hartnett, Lyle Todd, Bousquet and acting secretary, Lora Skow.

Motion by Miller, second by Bousquet to approve the minutes of March 29, 2004 regular meeting. Roll call vote: Ayes: Bousquet, Hartnett, Todd, Miller, Engel. Nays: none. Unanimous Motion Carried.

Madelyn Thorsland from the assessor's office presented two tax list corrections. Two mobile homes were accelerated back to the 2003 tax rolls.

Motion by Hartnett, second by Engel to approve the Tax List Corrections as presented by Madelyn Thorsland, State's Assessor for Dakota County.

Roll call vote: Ayes; Todd, Miller, Engel, Bousquet, Hartnett. Nays; none. Unanimous Motion Carried.

Commissioner Miller updated the others on the Sales Tax negotiations with South Sioux City. The negotiated agreement allows the County to claim 88% of the sales tax collected to apply to the new jail project while the City of South Sioux City and the Law Enforcement Center claim 12% for upkeep and equipment for the LEC. Year 1 projects \$900,000.00 in sales tax receipts. The County will receive \$792,000.00 in the first year while the LEC/South Sioux City will receive \$108,000. A spreadsheet was presented with projected figures for ten years.

According to Miller, all in attendance of the negotiations were in agreement that the collection percentages were fair for both the jail project and the LEC operations. Todd does not want to see the new jail project scaled back to fit bond payments for a ten-year period.

Motion by Engel, second by Miller to accept a joint contractual agreement with the City of South Sioux City, Law Enforcement Center, and Dakota County to fund a new jail and LEC operations with sales tax dollars. South Sioux City/LEC will receive 12% of sales tax revenue while Dakota County will receive 88% of sales tax revenue for 10 years. Dakota County agrees to pave C Avenue in two phases after the Hubbard/Jackson paving debt is paid in full. Phase 1 will encompass Dakota Avenue to C Avenue at a cost of approximately \$618,000. Phase 2 will encompass C Avenue south to Dakota City's Pine Street at a cost of approximately \$823,000. It was stated that the City of South Sioux City will not TIF the land adjacent to C Avenue in the 10-year time frame. Dakota County agrees to contribute property tax dollars of \$40,000 per year for 10 years to the South Sioux City Library--ALL county residents will be allowed to use the library. The funding will start 60 days after the new jail is up and running.

Roll call vote: Ayes: Miller, Engel, Bousquet, Hartnett, Todd. Nays: none. Unanimous Motion Carried.

Miller & Bousquet will present the motion to the Finance Committee in South Sioux City on Friday, April 16, 2004 to finalize negotiations and keep the progress moving forward.

Dick Erickson updated Commissioners on valuations in the County. The valuations for Ag land resulted in minor changes for Areas 2 & 3. The largest increase was in Area 1 on Soil Class 4D. Value went from \$315 to \$600 per acre but only affects 267 acres. South Sioux City valuations increased an average of 12.21% or \$8300. 3354 properties were re-valued. Out of that 3354, 440 properties decreased in value, 2723 increased in value and 191 remained the same. Total increase due to re-valuation is \$28,151,000.00; growth is equal to \$6,740,000.00 for a total valuation of \$34,891,000. Mr. Erickson did state that some houses doubled in value. 250 Commercial properties were re-valued with an overall increase in valuation. Real estate continues to grow at approximately 6% per year in South Sioux City.

Fred Denker informed the commissioners that the Agland Board's motion was to let the agricultural land values for Area 3, which includes Dakota County, stand as currently assessed.

JEO sent an engineering proposal for North Shore Project. JEO bid three phases: 1. Preliminary design phase at \$10,100, 2. Final Design Services at \$4500, and 3. Bidding phase at \$1100.00. Construction phase and finalization phase to be billed on an hourly basis. Engel stated that he is in favor of getting the project done. Engineering is a must to get it done right so that the drainage problem gets fixed and will not be a problem in the future. Bousquet would like to talk with Brian Donald from JEO about the project and proposal.

Chairman Todd signed the Homer South Bridge Contract. Resolution was passed at last meeting. Cost of the project stands at \$477,326.99. Start date is not available yet.

Motion by Todd, second by Bousquet to transfer Dakota County Abandoned Vehicle Title Number 04097700009 on a 1990 Mercury Topaz bearing the serial number 2MEPM36X4LB602040 to C & H Heavy Duty Specialists, Inc. for consideration of the storage and towing charges due against said vehicle. Roll Call Vote: Ayes; Engel, Bousquet, Hartnett, Todd, Miller. Nays; none. Motion carried.

Lynette Beermann, Clerk of District Court, wanted to open communication with the commissioners about her office policy of closing the office for the lunch hour 8 special days per year. She stated that the office is never closed on the days that court is in session.

Nanci Walsh will be putting a report together to address budget concerns for the rest of the 2003-2004 budget year and for 2004/2005.

INS, Federal Marshall Service, and Jail Standards will be invited to discuss the new jail project.

Mayor McLarty of South Sioux City addressed the board. He asked that the bond issue for the jail be carried the full 10 years so that funding for the Law Enforcement Center is guaranteed. The Commissioners agreed to abide by the inter-local agreement that is in force for the Law Enforcement Center as they have in the past.

Bousquet presented the "Dakota County Sheriff's Merit Commission Rules and Regulations" to the other commissioners. The Deputies are asking that for this type of policy to be adopted by the

Commissioners. Ed Matney, County Attorney, is reviewing the policies but believes it is a positive step for the County. The deputies are hired to uphold the letter of the law and should not be worried about the external pressures or political ramifications of doing their job. This policy will address hiring standards, at-will employment, and personnel policies. South Sioux City and other counties have adopted similar policies. This policy would not conflict with the deputies' union contract. The commissioners would like to hear from Sheriff Wagner and Deputies at the next meeting.

Dave Voorhis will be writing a letter stating that their services are no longer needed.

An inter-local agreement between Dakota County and the Boys & Girls Home will be drafted so that Dakota County may house Juveniles in Sioux City, Iowa.

Matney has been in contact with a collection agency that may be willing to work with the outstanding warrant list. The collection agency proposes a time-pay agreement, wants the court system to recall the actual warrant but be able to reinstate the warrant if the people do not uphold their time-pay agreement. Matney stated there may be liability issues involved.

Matney will write a letter to Scott Dugan addressing the issue of hiring an assistant Public Defender for time-service to the County in exchange for paying their Bar Association Dues.

Payroll paid: COUNTY GENERAL FUND: Gross salaries- \$74,933.40, General Fund Employees Net Pay- \$52,639.08, Employer deductions paid: Retirement- 4,588.77, Social Security Tax- 4,479.41, Medicare- 1,047.57, Unicare Health- 13,842.87, Unicare Dental- 883.06, Unicare Life- 292.43. Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Daniel Christoffers- 353.28, Bobbi Jo Harsma- 810.00, Theodore Piepho- 1407.81, Lora Skow- 803.75, Joan Spencer- 1053.41, Darlene Davis- 777.60, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 832.00, Kimberly Kuehl- 722.16, Phyllis Ridge- 767.52, Mark J. Dorsey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 350.00, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 920.00, Dustin Kinsey- 752.00, Richard Jensen- 1206.00, Pamela Davis- 12.00, Franklin Morse- 24.00, Patricia Stingley- 856.00, Sandy Beers- 977.60, Jeremy Bermel- 1749.36, Anthony Bos- 1451.63, Brian Ellinger- 1805.77, Todd Hammer- 383.88, Melvin Harrison III- 1620.81, Rodney Herron- 1529.16, Kimberly Johnson- 534.82, Jared Junge- 2015.23, Michael Kreegar- 1345.05, Gayle Richards- 728.00, Kevin Rohde- 1249.29, William Thompson- 1757.94, James Wagner- 1760.81, Randall Walsh- 1608.90, Rita Chase- 920.00, Amber Hegarty- 1534.61, Aimee Kennedy- 808.00, John Loos, Jr.- 1538.46, Edward Matney III- 2277.70, Debra Schmiedt- 1807.69, Bobbi Strong- 760.00, Nicole Sims- 1073.77, Rebecca Broer- 1122.00, Sergio Castillo- 984.20, Richard Criss- 1037.00, Eric Davis- 935.18, Penny Epting- 1102.73, Ronald Fink Jr.- 888.00, John Gilles- 994.30, Michael Gregerson Jr.- 1206.13, Alma Gunderson- 1079.10, Paula Harrigfeld- 515.03, Cathy Harsma- 976.00, Joseph Ramirez- 971.10, Linda Schovanec- 1085.55, Margaret Stingley- 740.74, Randall Crombie- 115.38, Cynthia Purucker- 858.40, Leon Pies- 537.20, Pamela DeVries- 1,367.12, Gloria Dwyer- 836.00, Patricia Glover- 1130.43, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 6,715.75, State- 2,365.07, Social Security Tax- 4,479.41, Medicare- 1,047.57, Retirement- 3,115.94, Unicare Health- 1,656.83, Unicare Dental- 371.71, Colonial Health- 35.20, Colonial Life- 3.00, Deferred Comp- 811.22, Garnishments- 964.65, Aflac Health- 375.17, Aflac Life/Dsbl- 107.05, Aflac Flex Plan- 245.75.

COUNTY ROAD PAYROLL: Gross salaries- \$13,673.89, Road Employees Net Pay- \$9,490.50, Employer deductions paid: Retirement- 922.96, Unicare Health- 2,685.93, Unicare Dental- 171.34, Unicare Life- 54.67, Social Security Tax- 805.61, Medicare- 188.41.

Joel Broekemeier- 1082.40, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1186.29, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,105.73, State- 399.53, Social Security- 805.61, Medicare- 188.41, Retirement- 615.34, Unicare Health- 509.66, Unicare Dental- 45.28, Reassure America Life- 9.76, Colonial Health- 33.01, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 125.30, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,484.70, Cops Fast Employee Net Pay- 1,018.24, Employer deductions paid: Retirement- 115.06, Unicare Health- 206.61, Unicare Dental- 13.18, Unicare Life- 4.43, Social Security- 92.05, Medicare- 21.53, Brent Gilster- 1484.70.

COPS FAST GRANT: Employee withholding paid to: Federal- 203.45, State- 67.77, Social Security- 92.05, Medicare- 21.53, Retirement- 81.66.

Chairman Todd adjourned the meeting at 4:18 p.m.

Lyle Todd, Chairman

ATTEST:

Theodore A. Piepho, County Clerk

DAKOTA COUNTY BOARD OF COMMISSIONERS
APRIL 19, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chair Todd called their regular scheduled meeting to order at 10:04 a.m.
Present were: Commissioners Engel, Bousquet, Hartnett, Todd and Ted Piepho Secretary.
Absent: Commissioner Miller

The Board reviewed the claims submitted by the County Clerk for payment.

Commissioner Miller arrived at 10:07 a.m.

Commissioner Bousquet reported that he drove North Shore Road and that most of the drives were underwater.

Commissioner Hartnett moved, seconded by Commissioner Engel to adopt Resolutions 04C-006, 007 and 008 reducing the Public Defender's Budget by \$10,000, the Legal Services Budget's by \$5,000 and the Law Library Budget by \$2,000 and to increase the District Judge's budget by \$2,000 and the County Jail budget by \$15,000 as follows:

RESOLUTION 04C-06

WHEREAS, the office of County Jail (Prisoners Boarding) will exceed its budget with the payment of the submitted April, 2004 accounts payable; and,

WHEREAS, An emergency exists; and,

WHEREAS, the office of the Public Defender of the General Fund has unappropriated moneys left.

BE IT THEREFORE RESOLVED, That the Dakota County Board of Commissioners hereby authorize the unappropriated moneys of the Public Defender Budget of the General Fund to be utilized for the payment of the over expended budget of County Jail (Prisoners Boarding) and that said budget be increased by \$10,000.00 to \$1,198,470.60 for fiscal year 2003-2004.

BE IT FURTHER RESOLVED, That the Public Defender Budget be reduced by \$10,000 to \$140,744.93 for fiscal year 2003-2004.

Passed and adopted this 19th day of April, 2004.

Lyle Todd, Chairman
Dakota County Board of Commissioners

ATTEST:

County Clerk

RESOLUTION 04C-07

WHEREAS, the office of County Jail (Prisoners Boarding) will exceed its budget with the payment of the submitted April, 2004 accounts payable; and,

WHEREAS, An emergency exists; and,

WHEREAS, the office of Legal Services of the General Fund has unappropriated moneys left.

BE IT THEREFORE RESOLVED, That the Dakota County Board of Commissioners hereby authorize the unappropriated moneys of the Legal Services Budget of the General Fund to be utilized for the payment of the over expended budget of County Jail (Prisoners Boarding) and that said budget be increased by \$5,000.00 to \$1,203,470.60 for fiscal year 2003-2004.

BE IT FURTHER RESOLVED, That the Legal Services Budget be reduced by \$5,000 to \$175,000 for fiscal year 2003-2004.

Passed and adopted this 19th day of April, 2004.

Lyle Todd, Chairman
Dakota County Board of Commissioners

ATTEST:

County Clerk

RESOLUTION 04C-08

WHEREAS, the office of District Judge will exceed its budget with the payment of the submitted April, 2004 accounts payable; and,

WHEREAS, An emergency exists; and,

WHEREAS, the Law Library of the General Fund has unappropriated moneys left.

BE IT THEREFORE RESOLVED, That the Dakota County Board of Commissioners hereby authorize the unappropriated moneys of the Law Library Budget of the General Fund to be utilized for the payment of the over expended budget of District Judge Budget and that said budget be increased by \$2,000.00 to \$12,850.00 for fiscal year 2003-2004.

BE IT FURTHER RESOLVED, That the Law Library Budget be reduced by \$2,000 to \$20,000.00 for fiscal year 2003-2004.

Passed and adopted this 19th day of April, 2004.

Lyle Todd, Chairman
Dakota County Board of Commissioners

ATTEST:

County Clerk

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller moved, seconded by Commissioner Hartnett to convene into closed Executive Session to discuss possible litigation as requested by Judge Redmond.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED 11:27 a.m.

Commissioner Hartnett moved, seconded by Commissioner Miller to reconvene into Open Session.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED 11:50 a.m.

Chair Todd recessed their meeting at 11:53 a.m. for lunch.

Chair Todd reconvened their meeting from lunch at 1:30 p.m.

Present were: Commissioners Engel, Bousquet, Hartnett, Miller, Todd and Ted Piepho Secretary.

Absent: All Present

Commissioner Miller moved, seconded by Commissioner Bousquet to acknowledge receipt of and approve the Register of Deeds, Clerk of the District Court and the County Clerk's Reports for March, 2004 and to approve the County Sheriff's Quarterly Report and the County Clerks Quarterly Interest Report for January, February and March, all which were filed with the County Clerk.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Arnie Mellick, Road Foreman, opened the bids from Stalheim Equipment Sales to purchase a scraper. The first bid was \$34,500 for a 1982 John Deere 762A without a trade and \$24,500 if we were to trade in 613b Caterpillar Scraper.

The second bid was \$28,500 for a FiatAllis 161 without a trade and \$18,500 if we were to trade in our 613b Caterpillar Scraper.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to refer the bids to the Road Committee and let them decide.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

Nicole Sims appeared before the board and presented a Juvenile Accountability Incentive Block Grant Application beginning October 1, 2004.

Commissioner Hartnett moved, seconded by Commissioner Engel to approve the Juvenile Accountability Incentive Block Grant Application and authorize the chair to sign all documents necessary for the grant application.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Jeremy Bermel and other Sheriff Deputies appeared before the board to ask them to adopt a Merit Commissioner form of employment for the Sheriff's Deputies.

Commissioner Bousquet moved, seconded by Commissioner Engel to accept the Merit Commission.

There was discussion and a couple of commissioners expressed that they would like to see the changes discussed before it be adopted.

Commissioner Bousquet withdrew his motion.

Commissioner Engel withdrew his second.

The board met with the County Officials and Nanci Walsh explained the urgency of budget limitations and possible cutbacks for the ensuing year.

Commissioner Bousquet moved, seconded by Commissioner Engel to convene into Closed Executive Session to discuss litigation.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED. 2:46 p.m.

Commissioner Hartnett reported on the Health Board Meeting that she attended on the 14th of April.

Commissioner Hartnett reported on the Jail Standards Meeting that she attended.

Commissioner Todd reported on the North Star Meeting that he attended.

Chair Todd reconvened in open session at 4:16 p.m.

Commissioner Engel moved to approve the claims as submitted by the County Clerk for payment.

The claim to Thomson West was brought up.

The motion died for a lack of second.

Commissioner Hartnett moved, seconded by Commissioner Miller to table the claim to Thomson West submitted for payment by Judge Redmond.

ROLL CALL VOTE: Engel- No, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, MOTION CARRIED.

Commissioner Miller moved, seconded by Commissioner Bousquet to approve all other claims submitted by the County Clerk for payment as follows:

GENERAL FUND: Cellular One, phone-30.76; Dakota County Star, publishing-59.02; Perkins, supplies-36.95; Lyle Todd, mileage-121.13; CapitalOne, software-149.99; Cellular One, phone- 27.10; Dakota County Clerk, motor vehicle deposit slips-22.75; IBM Corp, Qtr Maintenance-266.64; Old Republic Surety Group, Notary bond-30.00; Perkins, supplies-115.97; Theodore Piepho, reimburse-89.25; RL Polk, manuals-220.00; Robert Giese, mileage- 82.50; Charlotte Doenhofer, prior yrs- 10.00; Ruth Jensen, prior yrs- 12.00; Nadine Lewon, prior yrs- 17.00; Mardell Sorenson, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; DAS Imservices, data service- 27.00; Executive Copy, repair-120.00; Computer SOS, repair-40.00; AJ Phillips, office supplies-65.00; Staples, office supplies- 230.36; Bear Graphics Inc, binders-76.15; Microfilm Imaging Systems, lease- 480.00; Baudville Inc, supplies-99.75; CoverOne, election register covers- 64.39; Elections Systems & Software, card stock-890.16; Perkins, supplies-211.41; Tyler Graphics, ballot printing-400.00; Walmart, election supplies-28.55; Dakota County Star, publishing- 6.63; Holiday Inn Kearney, lodging-177.00; Perkins, supplies- 118.34; Marlan Millard, mileage-185.63; Carol Sue Dunham, mileage- 62.88; Sue Czapplewski, workshop fee-50.00; Lynette Beermann, mileage-55.88; Iowa Office Supply, supplies- 65.29; Norfolk Printing Co., binders- 314.80; Office Systems Co., typewriter repair-108.00; Perkins, supplies- 293.55; Century Business Products, maintenance contract-325.00; Dakota County Star, help wanted ad- 72.00; Iowa Office Supply, supplies- 16.98; Midwest Office Automations, Maintenance contract- 295.29; Kurt Rager, reimbursement office supplies-38.62; Sams Club, supplies- 61.94; Sioux City Journal, help wanted ad-466.70; Thomson West, books-110.00; Thurston County Court, Transcribing-9.00; Thurston County Court, transcribing-7.95; United Bank of Iowa, lease payment- 158.04; Cellular One, phone- 34.20; Lexus Law Publications, state statutes-78.75; Iowa Office Supply, supplies-19.62; Dakota County Bar Association, member dues-25.00; Scott Dugan, mileage- 360.00; Frank Gonzalez, interpret- 360.00; Omaha World Herald, attorney ads- 354.32; Sams Club, supplies-64.67; Sioux City Journal, attorney ads- 80.20; United Bank of Iowa, lease-90.40; William Binkard, counsel-210.00; William Binkard, counsel-294.00; Dakota County Court, costs- 1359.20; Alexander Esteves, counsel-264.50; Kenny Fischer, witness fees-21.50; Frank Gonzalez, interpreter fees-160.00; Shelley Horak, counsel-186.00; Dennis Hurley, counsel-990.00; Dennis Hurley, counsel-654.00; Sandra Inkster Ehrich, counsel-870.00; Barbara Kueny, counsel-882.00; Barbara Kueny, counsel-330.00; Jim McGough, counsel-527.60; Rabeca Parkins, witness fee-23.00; Carl Rager, witness fee-27.50; Robert Rehan, counsel-244.80; Ralph Ropken, witness fee-27.50; Richard Thramer, counsel-169.80; Dakota County Sheriff, papers/warrants- 1466.51; Clerk of District Court, court costs- 586.50; Woodbury County Sheriff, service fee-6.26; Clerk of Supreme Court, appeal fees-66.50; Coffee King, coffee- 40.92; William Binkard, counsel-472.32; Shelley Horak, counsel-280.20; Thomas Fitch, counsel-318.35; Michael Schmiedt, counsel-480.00; Richard Thramer, counsel-507.00; A-team, boiler repair- 82.50; BenStar Packaging, paper-457.10; Bomgaars, supplies-96.79; Cellular One, phone- 26.11; Dakota City, water/sewer service-1118.40; Dakota Food & Fuel, mower gas-69.00; Gill Hauling, dumpster service- 110.00; WW Grainger, supplies-698.78; Hardware Hank, supplies- 45.42; Rick Jensen, mileage- 135.68; Lowes, supplies-620.81; Maintenance Engineering, lights-258.41; Menards, supplies- 343.19; MidAmerican Energy, gas- 2067.03; NPPD, electric- 1686.13; NE Dept. of Labor, inspection-120.00; Okeefe Elevator, inspection-269.94; Qwest, phone- 40.23; Roto Rooter, jail sewer repair-150.00; Service Master, cleaning- 3750.00; Stan Jans, snow removal- 247.50; Trembly Pest Control, pest control-50.00; Walmart, supplies- 12.81; Dakota County Extension, mileage/supplies/copier/misc- 668.95; Cellular One, phone- 111.77; Circle R Frame, maintenance- 1236.29; Computer SOS, computer repairs-126.50; ConocoPhillips, fuel-423.62; Crystal Oil, repairs-7.00; Dakota County Sheriff, reimburse petty cash-454.00; Dakota County Treasurer, maintenance- 1216.95; Dakota Food & Fuel, fuel- 852.47; Fremont Tire, vehicle maintenance-529.55; Harolds, film- 42.00; Hubbard Mini Mart, fuel-20.71; Jacks Uniforms,

uniforms/speaker- 374.20; Joes Dept. Store, vehicle straps-31.48; Liebers Garage, vehicle maintenance-103.44; NE Workforce Development, unemployment-188.00; Philfleet, fuel-1422.63; Racom, phone- 588.00; Robertson Implement, dog food-18.30; Siouxland Federal Credit Union, supplies/training/AOL-463.28; Reyna Sibrian, interpreter-15.00; Siouxland Humane Society, animal control-76.00; Staples, supplies-72.70; Walmart, supplies- 29.59; Cellular One, phone- 58.70; Cellular One, phone- 19.99; Dept. of Motor Vehicles, transcripts-8.00; Des Moines Stamp Co., stamp-54.75; H2O4U, office supplies- 15.75; Iowa Office Supply, copier contract- 151.00; Pathology Medical Services, autopsy costs-391.95; Perkins, supplies- 174.95; St. Lukes Home Health, blood draws-200.00; City of South Sioux City, LEC operations- 21513.63; Cellular One, phone- 26.11; Nicole Sims, mileage-9.00; Perkins, supplies-29.99; AJ Phillips Publishing, inmate cards-142.50; Benstar Packaging, supplies- 637.46; Bob Barker, supplies-364.88; Boys & Girls Home, juvenile holding- 300.00; Braunger, food- 2495.64; Gary Bring, DDS, dentist-129.00; Cedar County, out-of-county-boarding-3510.00; Cellular One, phones- 52.22; Coffee King, coffee products- 86.45; Dakota Food & Fuel, fuel- 143.40; Dept. of Corrections, medical-17183.15; Dixon County Sheriff, out-of-county boarding- 4300.00; Earthgrains, food- 1081.68; Guard Rite Security, transport- 1049.53; HyVee, food- 3559.40; HyVee Norfolk, inmate meds-233.36; Jacks Uniforms, uniforms- 136.85; Louderback Drug, inmate meds- 617.80; Madison County Sheriff, out-of-county boarding-19700.00; Mercy Medical Center, inmate medical bills- 2302.03; Midwest Special Services, transport- 219.80; MTS Safety Products, gloves- 178.07; Nebraska Crime Commission, training film-3.00; David Noble, inmate dental-180.00; Northeast NE Juvenile Services, juvenile holding- 22955.00; NW Iowa Emergency Physicians, inmate medical- 335.00; Premier Crown Corp, supplies-161.22; Prince of the Road, transport- 4210.00; Quest Diagnostics Inc, inmate medical-226.00; Redfield & Co., printing-255.41; Redlers Pharmacy, meds- 790.45; Safeguard, print receipt pages-550.80; Sams Club, supplies/food products- 154.03; SFCU, training/fuel-3.53; Sioux City Wintronic, door magnetic stops-18.39; St Lukes Health Resources, inmate house calls- 632.00; Staples, toner/binders-129.20; Walmart, supplies- 114.14; Grandy Pratt, bond- 90.00; Secretary of State, Notary-90.00; Bon-Homme Co.-270.00; B & C Office Tech, copier repair/cleaning-127.50; Dakota Co. Road, petty cash-30.00; NE Association of County Engineers, registration-70.00; CMS Lab Program, dues-150.00; Pam DeVries, mileage-38.62; Dunes Family Medicine, phys- 250.00; Pat Glover, mileage- 120.00; Perkins, office supplies- 44.61; Redlers Pharmacy, amonia salts/epinephrine-29.28; Pam DeVries, mileage-5.62; Alan Boyd, mileage- 361.50; Cellular One, phone- 46.60; American Legion, grave markers-647.37; NE NPPD, electric- 21.63; Aflac, service fees- 40.00; AT&T, phone- 31.37; BenStar, paper-1095.33; Business Telecomm Systems Inc., replace phone-257.50; Cable One, internet- 559.45; Dakota County Treasurer, drainage taxes-7800.00; Lazette Gifford, website- 40.00; MIPS, payroll/claims/supplies- 299.37; Qwest, phone- 130.55; Qwest, phone- 1239.53; Qwest, phone- 65.72; Region IV Mental Health, qtr payment- 5320.25; US Postal Service, postage- 2500.00; WCS Telecom, phone- 338.88; South Sioux City Area Chamber, governors day share-425.00.

ROAD FUND: A-1 Auto Salvage, sheriffs car motor-875.00; Advance Auto, parts/supplies- 674.19; Aramark, Service- 290.39; ATCO, shop supplies-602.40; Bomgaars, tools/supplies-22.57; Campbell Supply, tools-28.94; Cellular One, phone- 54.20; Circle R, parts-67.85; Dakota County Roads, petty cash-176.59; Dakota Co. Star, gravel bid notice-14.36; Gill Hauling, dumpster- 45.00; William Haafke, rock hauling-407.30; Heritage Express, fuel- 23.54; Higman Sand, road rock- 3721.93; HME Inc, rock hauling-240.00; Holiday Inn, Bridge Conference Lodging-59.00; Hubbard Mini Mart, fuel- 3402.41; H2O4U, water- 25.75; Jeff Sukup, tools-74.55; Joes Dept Store, supplies- 182.65; Kimball Midwest, shop supplies-44.96; Linweld, oxygen tanks- 148.59; Lux Bros. Trucking, rock hauling-995.90; Arnie Mellick, reimburse fuel-30.00; Midwest Equipment, filters-139.95; Midwest Sales & Service, Posts/reflective tape-625.00; NPPD, service- 92.69; Nebraska Salt & Grain, ice control-744.01; Northeast NE Telephone, phone- 211.69; Pilger Sand & Gravel, gravel- 2796.66; Powerplan, parts- 380.39; Rees Mack Sales, parts/labor- 259.17; Rinker Material Corp, road rock-1772.69; Sams Club, shop supplies-39.04; Sioux City Iron, supplies- 492.81; Siouxland Hydraulics, parts- 59.51; Siouxland Napa, parts/supplies- 721.71; Team Ford, parts-31.90; Tractor Supply, parts-211.96; Warren Oil, fuel/parts-11753.38; Ziegler, parts- 7550.75;

HARD SURFACE ROAD: Union Bank & Trust, Bond Principal & Interest-187,779.82.

ROAD IMPROVEMENT FUND: JEO, engineering-2158.00;

POOR RELIEF: Becker-Hunt Funeral Home, Jaxmine Joanne McManigal-650.00; Crystal Oil, Carl Rager fuel-10.00; Walgreens Pharmacy, William Hardin prescriptions-102.68.

VETERANS SERVICE OFFICE: VSO, emergency relief-500.00,

COPS FAST 97: Staples, toner-622.58.

COMMUNITY CORRECTIONS: BI, Grant Monitoring-503.60, American Bio Medica Corp, drug testing kits-142.02.

INHERITANCE TAX FUND: Voorhis, consulting- 4594.42.

WEED FUND: Advance Auto Parts, pickup parts-23.75; Bomgaars, sprayer parts-22.27; Dakota County Road Petty Cash, registration fees-30.00; Holiday Inn Hastings, lodging & meals-206.58; Hubbard Mini Mart, fuel-164.01; Hubbard Post Office, postage-75.00; Nebraska Dept. of Agriculture, weed book- 25.00; Leon Pies, mileage- 187.88; Siouxland NAPA, parts-102.73; Torco Remfg, parts-90.00.

E 911: City of South Sioux City, e911 surcharge-47664.74.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Engel to approve the minutes of April 12, 2004 as typed.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd adjourned their meeting at 4:36 p.m.

DAKOTA COUNTY COMMISSIONERS

Lyle Todd, Chairman

ATTEST:

Theodore A. Piepho, County Clerk

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DAKOTA COUNTY BOARD OF COMMISSIONERS
APRIL 26, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chair Todd called their regular scheduled meeting to order at 1:30 p.m.

Present were: Commissioners Engel, Bousquet, Hartnett, Todd and Ted Piepho Secretary.

Absent: Commissioner Miller

Commissioner Miller arrived at 1:32 p.m.

Duane Walhof, from the US Marshall's Office, Bruce Bochrns, from INS, Dan Evans from Nebraska Jail Standards, Steve Davis from HMN Architect and Jerry Johnson for Jerry Johnson Construction were in the audience at the board's request to discuss the jail situation.

Dan Evans spoke first and addressed the old jail. He said that the major reason that we could not be in compliance was the numbers that we house in our jail. If we got down to 42 we would be more likely to be in compliance, but added that it was an antiquated jail because of the linear design.

Duane Walhof with the US Marshall's Office and Bruce Bochrns with INS reiterated that there were no monies up front, but once the jail was committed then possible contracts could be looked at. They said that they need space for about fifty prisoners and they are allocated on a first come first serve basis.

Duane said that they understand that the US Marshall's Office and INS are going to be combined into an Office of Detention Trustee.

Commissioner Hartnett left the room at 2:43 p.m. and returned at 2:53 p.m.

Commissioner Bousquet said that JEO had looked at Engineering the North Shore Project and said that they may try and get all the residents together out there and form a Drainage Ditch District.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to approve the agreement between Dakota County and JEO Consulting Group, Inc. for Construction Engineering Services on Project NO. BRO-7022(11) Homer South.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller moved, seconded by Commissioner Engel to transfer Dakota County Abandoned Vehicle Title Number 04113700002 on a 1988 Pontiac 4 dr sedan bearing the serial number 1G2AF51R4JT250195 and Title No. 04113700003 on a 1990 Pontiac Lemans LE Aerocoupe bearing the serial number KL2TN2463LB323169 to Axles & Gears dba C & H Truck Parts for consideration of the storage and towing charges due against said vehicles.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Nanci Walsh, Board's Assistant, presented a proposal for a Telephone Contract, which was to contract 24 trunk lines for two years. The county presently has 17 trunk lines and the county would pay less for the 24 lines.

Commissioner Hartnett moved, seconded by Commissioner Engel to approve the contract with Qwest for 24 trunk lines into the County Courthouse for 24 months.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd opened the Public Hearing at 3:00 p.m. to consider moving monies from the General Fund Cash Reserve to cover the increasing expenditures in the Jail Budget.

Ms. Walsh explained that approximately \$250,000 was needed to see the jail budget through this fiscal year.

There was discussion to increase the budget enough to get by through May and then do another transfer later if needed.

Chair Todd closed the hearing at 3:06 p.m.

Commissioner Bousquet moved, seconded by Commissioner Miller to adopt Resolution 04C-009 as follows:

RESOLUTION 04C-009

WHEREAS, the office of County Jail (Prisoners Boarding) will exceed its budget with the payment of the submitted April, 2004 accounts payable and payroll; and,

WHEREAS, An emergency exists; and,

WHEREAS, A public hearing was held to move monies from the General Fund Cash Reserve to the General Fund Operating Budget.

BE IT THEREFORE RESOLVED, That the Dakota County Board of Commissioners hereby reduce the appropriation in the 2003-2004 Budget for General Fund Cash reserve from \$1,115,000.00 to 965,000.00.

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners do hereby increase the general fund operating expenditures by \$150,000.00. And that such increase is added to the County Jail (Prisoners Boarding) Budget to increase said budget from 1,203,470.60 to 1,353,470.60.

Passed and adopted this 26th day of April, 2004.

Lyle Todd, Chairman
Dakota County Board of Commissioners

ATTEST:

County Clerk

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

Paul and Patti Ireland appeared before the board and asked the board to authorize a Building Permit to replace a trailer house behind the restaurant in Willis.

Arnold Mellick, said that the Board authorized Sid MacLaren to put a Mobile Home there in 1986 and that mobile home was being replaced.

The Chair said that whereas Del and Sharie Lieber owned the property and they were not present and that there was not an application before them, the board does not have anything to approve at this time. He further stated that an application had to be submitted.

Randy Crombie, Highway Supt., appeared before the board and suggested that Platte Road being constructed to go to the Wireless Communication Tower North and West of Homer be reclassified to RL3, which is the lowest classification.

Commissioner Miller moved, seconded by Commissioner Bousquet to adopt Resolution 04C-010 as follows:

RESOLUTION 04C-010

Whereas, Platte Road, on the Northwest corner of Homer, which has the legal description as follows:T27N, R8E beginning in Section 11 ending at Section line of 10 and 11.

Whereas, this section of road is currently unclassified, and;

Whereas, the Dakota County Board of Commissioners desire to use this road to reach a tower site, and;

Whereas, to use this road it must be classified; and,

Whereas, reconstruction is necessary to meet classification standards; and,

Whereas, at the completion of reconstruction regulatory signs will be necessary.

Therefore, The Dakota County Board of Commissioners do hereby resolve to give Platte Road, as described above, which is currently unclassified- to a classification of R-L-3.

And be it further resolved, that the road shall be reconstructed to meet minimum design standards of R-L-3. This shall be construction project C22-200.

And be it further resolved, that any and all regulatory signs be placed on Platte Road after reconstruction to meet the minimum design standard of R-L-3.

Adopted and signed this 26th day of April, 2004.

Lyle Todd, Chairman

ATTEST:

Theodore A. Piepho, County Clerk

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Miller to convene as Board of Equalization.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED. 3:12 p.m.

Dick Erickson, State's Appraiser for Dakota County, appeared before the board and said that they have an offer to settle a TERC Appeal with Bradley Operation Limited, which is the shopping strip starting with HyVee and including all other shops in the strip south except Walmart. He said that the value was increased last year to 4.4 from 3.4 million and they have offered to settle for \$4,000,000. He thought this would amount to a loss of \$9,500 in taxes.

Commissioner Bousquet moved, seconded by Commissioner Engel to accept Bradley Operation Limited's offer of an assessed value of \$4,000,000.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Miller to reconvene as Board of Commissioners.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED. 3:21 p.m.

The board briefly discussed the implementation of the Merit System pursuant to Nebraska Statutes 23-1721 to 23-1736. It was discussed that the Chief Deputy would not be included within the unit as the Nebraska Statutes identify his/her duties. It was also specifically noted that the Board had the right to abolish the Merit Commission at any time except as required by Nebraska Statute.

Commissioner Engel moved, seconded by Commissioner Miller to adopt the Sheriff's Merit Commission system in Dakota County in accordance with Nebraska Statutes 23-1721 to 23-1736. BE IT FURTHER RESOLVED that the motion includes establishment of a three member commission consisting of a county board member, a deputy sheriff and a public representative appointed by the County Court Judge. Said commission is ordered to hold their first meeting by May 17, 2004. The Board of Commissioners further reserve the right to abolish the merit commission at any time.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

The subject of a hiring freeze was briefly discussed.

Commissioner Bousquet moved, seconded by Commissioner Miller to institute a hiring freeze for one year.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- No, MOTION CARRIED.

The Insurance bids to provide the County's Health insurance were opened.

Two Insurance companies submitted bids for a 250, 500 and one thousand dollar deductible and were as follows: (rates only show single rate, although 4 tier rates were bid):

	United Health Care	Unicare
\$250 deductible	\$538.80	\$528.91
\$500 deductible	\$526.47	\$522.25
\$1000 deductible	\$510.62	\$502.46

The present rate is \$413.21 for single rate.

Commissioner Bousquet wanted the county to look at \$2,500 deductible.

The chair tabled this item.

Commissioner Bousquet said that he advised the road that they were going to ten hour days 7:00 a.m. to 5:30 p.m.

There was discussion as to the purpose of doing that.

Mr. Bousquet said that one county he talked to saved \$15,000/annually by doing so. Ms. Hartnett and Mr. Engel were concerned about what happened if it rains.

Mr. Engel spoke against the change.

No action was taken.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to approve the minutes of April 19, 2004 as typed.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd adjourned their meeting at 4:36 p.m.

DAKOTA COUNTY COMMISSIONERS

Lyle Todd, Chairman

ATTEST:

Theodore A. Piepho, County Clerk

DAKOTA COUNTY BOARD OF COMMISSIONERS
MAY 10, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chair Todd called their regular scheduled meeting to order at 1:30 p.m.

PRESENT: Commissioners Lyle Todd, Pam Miller, William Engel, Rick Bousquet and Jackie Hartnett. And Administrative Assistant Nanci Walsh acting as recorder.

Arnold Mellick, Road Foreman appeared before the board regarding the tire cleanup grant. The collection is scheduled for May 20-May 23, 2004 at the County Road Shop.

The Board then discussed leasing a truck to haul gravel during the summer while converting the current truck to a straight truck and adding a pup trailer. Discussion was had on possible purchasing via lease purchase a new truck versus just a few months lease. Mr. Mellick will advertise for bids for this and for the conversion of the old truck.

The position of Highway Superintendent was discussed. Mr. Mellick was notified Friday that he has passed the highway superintendent examination.

Commissioner Hartnett moved, seconded by Commissioner Miller, to appoint Arnold Mellick as Dakota County Highway Superintendent as previously discussed and to send a letter of Randy Crombie thanking him for serving as the Highway Superintendent the past few months. ROLL CALL VOTE: Engel-Yea, Bousquet-Yea, Hartnett-Yea, Todd-Yea, Miller-Yea; UNANIMOUS MOTION CARRIED.

Mr. Mellick presented a request from Del and Shari Lieber to the Planning and Zoning Commission and the Board of Commissioners to issue a building permit for a mobile home behind Granny's at the following legal: Part SE1/4 NE1/4 commencing at the South line of Highway 20 at a part 49 ft East of the west line of SE1/4 NE1/4 thence etc., Section 20-T29N-R7E, .236 acres.

This request received a favorable recommendation from the Planning and Zoning Board.

Commissioner Engel moved, seconded by Commissioner Miller, to approve the building permit for Del and Shari Lieber.

ROLL CALL VOTE: Bousquet-Yea, Hartnett-Yea, Todd-Yea, Miller-Yea, Engel-Yea; UNANIMOUS MOTION CARRIED.

Wade Ericson presented information to the board on a supplement to health insurance that could be used to bridge the gap for county employees if the county went to a higher deductible/coinsurance.

Discussion was had on the health insurance premiums. The board reviewed possible rates from Unicare and the NACO plan. The Board directed Nanci Walsh to continue to look into possibilities including a partial self funding to cover an increase in the deductibles.

The representative for the Merit Commission was discussed. Commissioner Bousquet moved, seconded by Commissioner Miller, to appoint Commissioner Jackie Hartnett to serve as the Board's representative on the Sheriff's Merit Commission.

ROLL CALL VOTE: Hartnett-Abstain, Todd-Yea, Miller-Yea, Engel-Yea, Bousquet-Yea; MOTION CARRIED.

The Board received a letter from Dave Prokesh, Nebraska Department of Health and Human Services, requesting an extension of the time the Department has before the move at the termination of the lease for space with Dakota County. The Board had voted on March 4, 2004 to give them their 90 days notice.

Commissioner Hartnett moved, seconded by Commissioner Bousquet, to extend the lease with Health and Human Services until June 30, 2004 at the current rate of compensation to allow time for their new space to be renovated.

ROLL CALL VOTE: Todd-Yea, Miller-Yea, Engel-Yea, Bousquet-Yea, Hartnett-Yea; UNANIMOUS MOTION CARRIED.

Discussion was had on the electrical estimates for the additional electrical needs with the remodeling. This will be discussed again on the 17th of May.

Commissioner Hartnett moved, seconded by Commissioner Engel, to approve the minutes of April 26, 2004, as typed in the official record. ROLL CALL VOTE: Miller-Yea, Engel-Yea, Bousquet-Yea, Hartnett-Yea, Todd-Yea,; UNANIMOUS MOTION CARRIED.

The board had a brief discussion on the jail issues and economic development including an upcoming tour of an ethanol plant.

COUNTY GENERAL FUND: Gross salaries- \$74,162.42, General Fund Employees Net Pay- \$52,317.82, Employer deductions paid: Retirement- 4,464.23, Social Security Tax- 4,433.04, Medicare- 1,036.77, Unicare Health- 13,635.60, Unicare Dental- 869.22, Unicare Life- 287.34. Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Karilyn Watkins- 319.80, Daniel Christoffers- 350.00, Bobbi Jo Harsma- 798.75, Theodore Piepho- 1407.81, Lora Skow- 800.00, Joan Spencer- 1053.41, Darlene

Davis- 777.60, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 832.00, Kimberly Kuehl- 750.48, Phyllis Ridge- 852.80, Mark J. Dorcey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 369.70, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 920.00, Dustin Kinsey- 752.00., Richard Jensen- 1206.00, Patricia Stingley- 856.00, Sandy Beers- 977.60, Jeremy Bermel- 1607.85, Anthony Bos- 955.50, Sergio Castillo- 1243.93, Brian Ellinger- 1797.22, Todd Hammer- 1096.80, Melvin Harrison III- 1511.19, Rodney Herron- 1529.16, Kimberly Johnson- 514.93, Jared Junge- 1373.72, Michael Kreegar- 1201.73, Gayle Richards- 728.00, Kevin Rohde- 1347.94, William Thompson- 1552.08, James Wagner- 1760.81, Randall Walsh- 1937.60, Rita Chase- 920.00, Amber Hegarty- 1615.38, Aimee Kennedy- 808.00, John Loos, Jr.- 1538.46, Edward Matney III- 2277.70, Debra Schmiedt- 1807.69, Bobbi Strong- 760.00, Nicole Sims- 1073.77, Rebecca Broer- 1108.80, Richard Criss- 976.00, Eric Davis- 929.63, Penny Epting- 971.10, Ronald Fink Jr.- 888.00, John Gilles- 1015.65, Michael Gregerson Jr.- 1322.88, Alma Gunderson- 1102.20, Paula Harrigfeld- 487.63, Cathy Harsma- 988.20, Adam Jensen- 466.20, Joseph Ramirez- 1055.30, Linda Schovanec- 1098.85, Margaret Stingley- 740.74, Randall Crombie- 115.38, Cynthia Purucker- 858.40, Leon Pies- 537.20, Pamela DeVries-, Gloria Dwyer- 836.00, Patricia Glover- 1115.05, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 6,478.48, State- 2,298.84, Social Security Tax- 4,433.04, Medicare- 1,036.77, Retirement- 3,030.55, Unicare Health- 1,656.82, Unicare Dental- 349.06, Colonial Health- 35.20, Colonial Life- 3.00, Deferred Comp- 811.22, Garnishments- 964.65, Aflac Health- 375.17, Aflac Life/Dsbl- 86.05, Aflac Flex Plan- 245.75.

COUNTY ROAD PAYROLL: Gross salaries- \$13,673.89, Road Employees Net Pay- \$9,490.50, Employer deductions paid: Retirement- 922.96, Unicare Health- 2,685.80, Unicare Dental- 171.21, Unicare Life- 54.54, Social Security Tax- 805.61, Medicare- 188.41.

Joel Broekemeier- 1082.40, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1186.29, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,105.73, State- 399.53, Social Security- 805.61, Medicare- 188.41, Retirement- 615.34, Unicare Health- 509.66, Unicare Dental- 45.28, Reassure America Life- 9.76, Colonial Health- 33.01, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 125.30, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,234.80, Cops Fast Employee Net Pay- 874.95, Employer deductions paid: Retirement- 95.70, Unicare Health- 206.60, Unicare Dental- 13.17, Unicare Life- 4.42, Social Security- 76.56, Medicare- 17.90, Brent Gilster- 1234.80.

COPS FAST GRANT: Employee withholding paid to: Federal- 146.19, State- 51.29, Social Security- 76.56, Medicare- 17.90, Retirement- 67.91.

Chairman Todd adjourned the meeting at 3:52 p.m.

DAKOTA COUNTY COMMISSIONERS

ATTEST:

THEODORE A. PIEPHO
COUNTY CLERK

* * * *

DAKOTA COUNTY BOARD OF COMMISSIONERS
MAY 17, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chair Todd called their regular scheduled meeting to order at 10:00 a.m.
PRESENT: Commissioners Lyle Todd, Pam Miller, William Engel, Rick Bousquet and Jackie Hartnett and Ted Piepho, Secretary.

Commissioner Hartnett moved, seconded by Commissioner Engel to approve the minutes of May 10, 2004, as typed.
ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

The board reviewed the claims submitted by the County Clerk for payment.

Chair Todd recessed their meeting at 11:53 for lunch.

Chair Todd reconvened their meeting at 1:30 p.m. with all present as in the morning session.

Eric Bertness, Acting as chair for a citizens group in favor of the construction of a new county jail and expressed that they were willing to promote and to provide education to the tax payers for a favorable

vote. He asked that the board show support for the jail project by unanimously passing a resolution showing unanimous support by the county board. He felt this would have a favorable impact in promoting the passage of a sales tax question for the construction of a new jail.

Commissioner Bousquet moved, seconded by Commissioner Engel that the county board members voting Yea for this motion hereby declares their individual support and need for the construction of a new county jail.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

The board discussed health insurance.

Ms. Walsh provided the board with a spreadsheet with different cost scenarios for the County's Health Group Plan.

After discussion, it was the consensus of the board to continue with our present health insurance for 6 months so that the county's plan was on the same calendar year period as insurance companies are with in providing claims history.

Commissioner Bousquet moved, seconded by Commissioner Miller to renew the County's Health Insurance with Unicare for a six month period, except to discontinue dental coverage through Unicare and to replace it with Delta Dental Insurance effective July 1, 2004.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller moved, seconded by Commissioner Bouquet to acknowledge receipt of and approve the Officials reports filed with the County Clerk from the County Clerk, Register of Deeds and the Clerk of the District Court for the month of April, 2004.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Engel to transfer Dakota County Abandoned Vehicle Title Number 04131700002 on a 1991 Chevrolet Caprice Classic Brougham bearing the serial number 1G1BU51E9KR228011 to Axles & Gears dba C & H Truck parts for consideration of the storage and towing charges due against said vehicles.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

The board acknowledged receipt of a quotation from General Business for the refurbishing of office equipment in the County Court. The bid was \$9,965.42.

Ms. Walsh presented informal electrical bids from State Line, O'Dell Electric and Metro Electric for installing a one hundred amp box on the second floor from the main to supply the County Court with more electricity to operate office machines.

The bids were; State Line - \$3,681, O'Dell Electric - \$6,985 and Metro Electric - \$8,500.

Commissioner Hartnett moved, seconded by Commissioner Engel to accept State Line's bid of \$3,681.00.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

Rick Jensen appeared before the board concerning the roof. Mr. Jensen said that we have not experienced any leaks over the jail area with the recent rain, but did experience a little problem with the last snow.

Mr. Jensen asked about all the old computer equipment in the annex basement. Commissioner Miller said that RC & D was going to have a collection of old computer equipment and we could take care of it then.

Commissioner Miller moved, seconded by Commissioner Hartnett to table the claims to Thompson West for law books and to approve the other claims as follows:

GENERAL FUND: Cellular One, phone- 29.75; Cellular One, equipment- 94.98, Dakota County Star, publishing- 527.43; Perkins, supplies- 151.88; Lyle Todd, mileage-219.75; CapitalOne, shrink film- 61.50; Cellular One, phone- 27.10; Microfilm Imaging Systems, Inc. contracted service- 210.00; NACO, Piepho registration- 65.00; Perkins, supplies- 29.07; Staples, computer memory/hard drive/software- 549.95; Secretary of State, Spencer notary- 30.00; Robert Giese, mileage- 78.75; Charlotte Doenhofer, prior yrs- 10.00; Ruth Jensen, prior yrs- 12.00; Nadine Lewon, prior yrs- 17.00; Mardell Sorenson, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; Des Moines Stamp, office supplies- 176.25; DAS lmservices, data service- 27.01; Duggan Forms, form printing- 941.45; Redfield Inc., office supplies- 329.55; Phillips Printing, printing supplies- 274.00; Computer SOS, repair- 66.50; Bear Graphics Inc, envelopes- 134.63; Microfilm Imaging Systems, lease- 240.00; Commercial Computer Systems, contracted service- 88.00; NACO, Dorcey registration- 65.00; AJ Phillips, shrink wrap ballots- 25.00; Election Training/Mileage; Jeanne Barnes- 16.50; Betty Bliven- 15.75; Bev Bliven- 12.00; Robert Boals- 19.50; Lillian Bossow- 18.00; Jannette Burns- 12.00; Wilma Burns-12.00; Mary Cahill- 12.75; Josephine Cain- 13.50; Phyllis Clingenpeel- 12.00; Bettie Cooper- 13.88; Peggy Demke- 16.88; Connie Denker- 30.75; Catherine Eriksen- 17.63; Art Eslick- 12.00; Pharyce Eslick- 17.63; Myra Gentrup- 30.75; Patricia Giese- 15.75; Sharon Greenleaf- 24.00; Elaine Harris- 17.25; Bertha Hines- 15.00; Patti Holmes- 15.00; Claudia Horner- 15.00; Honore Huse- 19.50; Marjorie Jarvill- 15.75; Trudy Jepsen-

18.75; Carol Johnston- 16.50; Betty Jorgensen- 15.75; Joan Koch- 15.75; Dorothy Kramper- 12.00; Carol Krieger-17.25; Mary Jo Kurlmel- 15.75; Lois Larson- 12.00; Marvel Lukens-30.75; Jean Lynch-19.50; Joanne Mast- 13.75; Clara Maurice- 19.50; Janet Merchant- 15.75; Frank Morse- 15.00; Darlene Nielsen- 18.00; Rosemary Nieto- 15.75; Mary O Dell- 12.00; Richard Peltz- 15.75; Fred Penner- 13.88; Delores Porter- 15.00; Shirley Rager- 17.25; Ellen Rohde- 17.25; Shirley Sides- 12.00; Colleen Tighe-17.06; Maria Timothy- 15.75; Hazel Tomek- 12.00; Geraldine Tramp- 13.50; Irene Van Lent- 12.00; Mary Wolf- 15.75; Clara Woten- 15.75; Marisol Curiel, election consulting- 400.00; Polling Place Rentals: Emerson Fire Hall- 40.00; First Lutheran Church- 60.00; Homer Legion Hall- 40.00; Hubbard Community Center- 40.00; Jackson Legion Hall- 40.00; Knights of Columbus Hall- 70.00; Salem Lutheran Church- 40.00; South Sioux City Fire Hall- 40.00; South Sioux City Legion Hall- 60.00; Craig Dean, set up/take down polls- 400.00; Elections Systems & Software, coding services- 1787.84; Chris Knudsen, setup/take down poll- 30.00; MIPS, poll notification cards- 86.13; Perkins, supplies- 61.97; Pro Printing & Graphics, provisional voter instruction sheets- 56.00; Secretary of State, voter registration cards- 25.00; Star Printing & Publishing, graphic design/ballots- 60.00; Wal-Mart, calling card for Hubbard Precinct- 9.46; Gene Cantrell, mileage- 21.00; Jim Crosgrove, mileage- 24.75; Dakota County Star, publishing- 27.39; Jim Jepsen, mileage- 6.00; Dick McCabe, mileage- 18.00; Dick McNear, mileage- 16.88; Marlan Millard, mileage- 10.50; Donald Neil Miller, mileage- 6.38; Joe O Neill, mileage- 7.88; Cindy Purucker, mileage- 39.00; Martin Rohde, mileage- 12.00; Carol Sue Dunham, mileage- 57.64; Bear Graphics, envelopes- 168.91; Lynette Beermann, printer & cords- 556.95; Executive Copy System, copier maintenance agreement- 237.50; Iowa Office Supply, supplies- 23.19; Perkins Office Systems, office supplies- 125.10; Redfield & Co. Journals- 545.87; Dakota City Post Office, keys- 10.00; Dakota County Court, cash drawer change- 60.00; Kurt Rager, reimbursement- 4.22; Sams Club, office supplies- 228.45; Star Printing & Publishing, stationery- 100.00; Thomson West, CDROM Usage- 5.00; United Bank of Iowa, lease payment- 158.04; LawSoft, Inc, child support calculator- 90.00; Cellular One, phone- 33.07; Aspen Publishers, National Opinion Internet- 1199.81; Thomson West, Misc. Law Books- 823.75; Iowa Office Supplies, supplies- 47.68; Dakota County Star, subscription- 35.00; Scott Dugan, mileage- 247.50; Frank Gonzalez, interpret- 480.00; NACDL, annual dues- 125.00; Nebraska Supreme Court, publications- 350.00; NCDAA, DWI Defense Seminar- 120.00; Omaha World Herald, attorney ads & subscription- 227.20; United Bank of Iowa, lease- 90.40; William Binkard, counsel- 84.00; William Binkard, counsel- 252.00; William Binkard, counsel- 210.00; Alexander Esteves, counsel-352.40; Thomas Fitch, counsel- 1086.00; Dennis Hurley, counsel- 1236.00; Dennis Hurley, counsel- 708.00; Sandra Inkster Ehrich, counsel- 1530.00; Barbara Kueny, counsel- 552.00; Jim McGough, counsel- 348.92; Jim McGough, counsel- 350.93; Jim McGough, counsel- 836.37; Richard Thramer, counsel- 364.80; Patrick Tott, counsel- 945.00; Dakota County Sheriff, papers/warrants- 692.42; Clerk of District Court, court costs- 427.50; Wayne County Sheriff, service fee- 24.72; Hurley Law Office, counsel- 1374.00; James McGough, counsel- 903.75; Patrick Tott, counsel-2012.20; Brian Vakulskas, counsel- 1440.00; BenStar Packaging, paper towels & hand soap- 323.06; Cellular One, phone- 26.11; Dakota Food & Fuel, mower gas-18.00; Foulk Bros. Plumbing, jail plumbing- 345.20; Gill Hauling, dumpster service- 110.00; WW Grainger, supplies- 245.27; Hardware Hank, supplies- 32.01; Rick Jensen, mileage- 127.73; Lowes, supplies- 88.91; Maintenance Engineering, lights- 1145.37; Menards, supplies- 354.33; MidAmerican Energy, gas- 1615.53; NPPD, electric- 1675.30; Okeefe Elevator, inspection- 107.44; Qwest, phone- 40.23; Roto Rooter, jail sewer repair- 90.00; Sams Club, supplies- 188.29; Service Master, cleaning- 3750.00; SHARE, vegetation control- 198.41; Siouxland Lock & Key, jail keys & lock- 47.50; Superior Wholesale, t paper- 763.20; Trembly Pest Control, pest control-50.00; Dakota County Extension, mileage/supplies/copier/misc- 886.55; Anytime Lock & Key, lock changes- 82.15; Bort Auto Body, vehicle repair- 250.00; Cellular One, phone- 104.95; Circle R Frame, maintenance- 426.45; City of South Sioux City, copies/long distance/fuel- 2948.39; ConocoPhillips, fuel- 330.18; Crystal Oil, repairs- 27.00; D & R Service, repair- 83.28; Dakota Avenue Muffler, repair- 26.50; Dakota County Sheriff, reimburse petty cash-94.32; Dakota Food & Fuel, fuel- 171.25; Fremont Tire, vehicle maintenance- 487.60; Grandy Pratt, notary bonds- 150.00; Amy Hueser, interpreter- 70.00; Jacks Uniforms, uniforms/equipment- 259.30; Philfleet, fuel-18.97; Racom, phone- 588.00; Robertson Implement, dog food-18.30; Rogers Frame Repair, vehicle maintenance- 475.00; Siouxland Federal Credit Union, supplies/training/AOL- 103.76; Siouxland Humane Society, animal control- 684.00; Star Printing & Publishing, deputy cards- 212.00; The The Swanson Corp, training- 59.28; Walmart, supplies/ammunition- 131.19; Burt County Court, certified transcripts- 2.25; Cellular One, phone- 59.06; Cellular One, phone- 19.99; Dakota County Star, legal notices- 54.51; Edward Matney, court costs- 141.50; H2O4U, office supplies- 15.75; Iowa Office Supply, copier contract- 97.82; Nebraska County Attorney Association, training seminar registration- 75.00; Perkins, supplies- 37.14; Sheriff of Woodbury County, service fee- 22.72; Sioux City Journal, subscription- 147.00; Thurston County, Certified transcript- 1.75; City of South Sioux City, LEC operations- 21513.63; Cellular One, phone- 26.11; Association of Anesthesiologists, inmate medical- 464.00; BI Incorporated, house arrest- 3737.60; Benstar Packaging, supplies- 352.07; Blair West Pharmacy, inmate medical- 54.40; Boys & Girls Home, juvenile holding- 300.00; Braunger, food- 2145.93; BryanLGH Medical, inmate medical- 5395.80; Cedar County, out-of-county-boarding-2520.00; Cellular One, phones- 52.22; Coffee King, coffee products- 73.50; Computer SOS, computer tower-grant match- 231.58; Consultants in Infectious Disease, inmate medical- 391.00; Dakota Food & Fuel, fuel- 144.14; Dept. of Corrections, safekeepers-12347.72; Earthgrains, food- 835.49; Fremont Tire, vehicle maintenance- 1076.27; Guard Rite Security, transport-3912.11; HyVee, inmate medical- 450.04; HyVee foods- 3158.51; JP Cooke Co., notary stamps- 76.06; Jacks Uniforms, uniforms- 137.50; Keller Pharmacy, inmate meds- 19.95; Louderback Drug, inmate meds- 133.25; Madison County Sheriff, out-of-county boarding-11800.00; Mercy Medical Center, inmate medical- 137.55; MTS Safety Products, non latex gloves- 219.56; Northeast NE Juvenile Services, juvenile holding- 20921.25; Nebraska Emergency Medicine, inmate medical- 532.00; NW Iowa Emergency, inmate medical- 137.00; Ponca Medical Clinic, inmate medical- 127.00; Prince of the Road, transport- 2468.75; Redlers Pharmacy, inmate meds- 1514.53; Robinson Textiles, inmate uniforms- 96.40; Sams Club, supplies/food products- 124.53; Scotts Bluff County, out-of-county boarding- 270.00; Secretary of State, notary- 60.00; St. Lukes Health Resources, inmate house calls- 474.00; Staples, supplies- 43.48; Text & Data Technologies, software support- 1500.00; Walmart, supplies- 104.83;

Cellular One, phone- 192.00; Dunes Family Medicine, phys- 250.00; Pat Glover, mileage- 218.37; Kreisers, Inc., suture removal & syr/NLD- 29.75; Positive Promotions, volunteer- 33.50; Redlers Pharmacy, Tubersol- 29.25; Alan Boyd, mileage- 250.13; Army Times, subscription- 52.00; Cellular One, phone- 46.60; CUSOAN, dues- 25.00; Navy Times; subscription- 52.00; Office Systems, copier contract- 86.00; Matthew Bender, law library- 93.50; Perkins, book carts- 712.00; Aflac, service fees- 40.00; AT&T, phone- 31.41; Cable One, internet- 281.20; Lazette Gifford, website- 40.00; MIPS, payroll/claims/supplies- 299.37; Qwest, phone- 130.55; Qwest, phone- 1243.41; Qwest, phone- 65.72; Northeast NE Area Agency on Aging, admin match- 3753.00; US Postal Service, postage- 2500.00; WCS Telecom, phone- 349.95; Shirley Bentz, prior years service- 8.00; Hassler, postage machine rental- 150.00; Business Telecomm, phone work- 970.00; Dakota Co. Road Fund, budgeted transfer- 156309.79; Road Improvement, budgeted transfer- 45252.77; Weed Fund, budgeted transfer- 11765.09.

ROAD FUND: Ace Industrial Supply, supplies/safety equipment- 212.45; Advanced Auto, parts/supplies/tools/oil- 305.62; Aramark, Service- 265.43; Barco, supplies/safety equipment- 394.40; Barkley Asphalt, hot mix- 97.91; Bomgaars, tools/supplies- 7.99; Bridgestone/Firestone, tires/parts- 1848.00; Cellular One, phone- 54.20; Dakota County Star, scraper bid notice- 24.31; Erlandson Transportation, gravel- 1325.45; Gill Hauling, dumpster- 45.00; Great Plains International, parts- 39.56; Higman Sand, road rock- 3815.02; HME Inc, rock hauling- 480.00; Hubbard Mini-Mart, fuel- 2793.93; H2O4U, water- 25.75; Joes Dept Store, supplies- 460.44; Kimball Midwest, shop supplies- 6.05; Linweld, oxygen tanks- 30.90; Medical Enterprises, drug testing- 29.9; Midwest Sales & Service, Bands/elbows- 783.16; NPPD, service- 39.29; Newman Traffic Signs, signs- 52.58; Northeast Nebraska PPD, electricity- 500.00; Northeast Nebraska Telephone , service- 200.25; Pilger Sand & Gravel, gravel- 3364.10; Poms Tire Svc, tires/parts- 780.64; Powerplan, parts- 198.69; Presco Sales & Svc, culverts/bands- 6290.96; Rees Mack Sales, parts/labor- 546.70; Ricks Radiator, labor- 85.00; Rinker Material Corp, road rock-724.99; RMS, oil/parts- 226.00; Sioux City Iron, supplies- 65.87; Siouxland Napa, parts/supplies- 404.67; Stalheim Equipment Sales, JD Scraper- 24700.00; Stephan Welding, labor- 111.00; Superior Lamp, supplies- 106.07; Town & Country, repairs- 19.75; Tractor Supply, parts- 40.88; Tri State Communications, radio repair- 60.00; UECO, pipe- 396.10; Ziegler, parts/labor/supplies- 905.21;

HARD SURFACE ROAD: Union Bank & Trust, Administrative charges- 500.00;

ROAD IMPROVEMENT FUND: JEO, engineering- 1500.00; Dakota Co. Treasurer, transfer- 50,000.00;

POOR RELIEF: NE Dept. of Social Services, 19.00.

VETERANS SERVICE OFFICE: VSO, emergency relief- 2200.00

LE EQUIPMENT GRANT FUND: Computer Towers, grant- 268.42;

JUVENILE ACCOUNTABILITY: BI, Inc, grant electronic monitoring- 588.75; Community Justice, reimburse juvenile drug test- 50.00;

COMMUNITY JUSTICE GRANT: Nebraska State Probation, drug testing- 475.00

LEC DEBT: General Fund, budgeted transfer- 11835.85.

INHERITANCE TAX FUND: Voorhis, consulting- 4594.42.

WEED FUND: Dakota County Star, legal notice- 102.00; FIMCO, sprayer parts- 281.10; Hubbard Mini Mart, fuel- 83.28; Inland Truck Parts, parts- 113.86; Joes Dept. Store, repairs- 17.19; Perkins, supplies- 199.99; Leon Pies, mileage- 62.50; RC Customs, parts- 45.55; Siouxland NAPA, parts- 18.89; WW Grainger, supplies- 107.86; Hubbard Post Office, postage- 75.00.

E 911: General Fund, budgeted transfer- 620.29.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Chairman Todd adjourned the meeting at 4:23 p.m.

DAKOTA COUNTY COMMISSIONERS

ATTEST:

THEODORE A. PIEPHO
COUNTY CLERK

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**DAKOTA COUNTY BOARD OF COMMISSIONERS
MAY 24, 2004 PROCEEDINGS
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NE 68731**

Chair Todd called their regular scheduled meeting to order at 1:30 p.m.

Present were: Commissioners Miller, Engel, Bousquet, Hartnett, Todd and Ted Piepho Secretary.

The State's Assessor for Dakota County presented many Exemption Applications for Tax Exemption on Real and Personal Property for Qualifying Organizations Form 451, that she recommended approval, disapproval and partial approval. They were as follows: Approved Organizations: Wall Street Mission, Goodwill Industries, Siouxland Food Pantry, Region IV, Inc., Northeast NE Senior Citizens Center, Inc., Nebraska Indian Community College, HIWAY, Inc., Heartland Counseling Services, Inc., NAF Multicultural Human Development Co., Goldenrod Hills Community Action Council, Inc., Dakota County Historical Society, Boys & Girls Home of Nebraska, Boys & Girls Home of Nebraska, Inc., American Family Association, Inc., United Methodist Church, Tri-State Christian Church, Trinity Lutheran Church,

South Sioux City Baptist Church AKA Eastside, Siouxland Community Bible Church, Salem Lutheran Church, St. Paul United Methodist Church, St. Paul's Evangelical Lutheran Church, St. Patrick's Catholic Church, St. Michael's Catholic Church, St. Mary's Catholic Church, St. Cornelius Catholic Church, Sacred Heart Catholic Church of Emerson, Primera Iglesia Bautisita Hispana, Islamic Center of Siouxland, Hope Evangelical Lutheran Church, Glad Tidings Lighthouse of South Sioux City, First Presbyterian Church, First Lutheran Church, First Baptist Church, Faith Mission Church AKA Hope Community Church, Evangelical Church of North America, River Hills Church, Centro Cristiano Nueva Esperanza An International Pentecostal Holiness Church, Ryan-McEntaffer Legion Post #60, Knights of Columbus Council #3844 - KCFT, Inc., Harty-McNally Legion Post #175, Hanson-Greenleaf Legion Post #376, Cownie-Church Legion Post #307, Buckland Post #97.

Disapproved Organizations: Mid America Council of Boy Scouts of America, St. Paul United Methodist Church, Assembly of God Church, Inc.

Partial Exemptions: Fraternal Order of Eagles #2492, Cownie-Church Legion Post #307, Omadi Lodge #5AF & AM

Commissioner Bousquet moved, seconded by Commissioner Engel to approve the Exemption Applications for Tax Exemption on Real and Personal Property for those organizations that the State's Assessor for Dakota County recommended approval and to authorize the Chair to sign same as approved. Wall Street Mission, Goodwill Industries, Siouxland Food Pantry, Region IV, Inc., Northeast NE Senior Citizens Center, Inc., Nebraska Indian Community College, HIWAY, Inc., Heartland Counseling Services, Inc., NAF Multicultural Human Development Co., Goldenrod Hills Community Action Council, Inc., Dakota County Historical Society, Boys & Girls Home of Nebraska, Boys & Girls Home of Nebraska, Inc., American Family Association, Inc., United Methodist Church, Tri-State Christian Church, Trinity Lutheran Church, South Sioux City Baptist Church AKA Eastside, Siouxland Community Bible Church, Salem Lutheran Church, St. Paul United Methodist Church, St. Paul's Evangelical Lutheran Church, St. Patrick's Catholic Church, St. Michael's Catholic Church, St. Mary's Catholic Church, St. Cornelius Catholic Church, Sacred Heart Catholic Church of Emerson, Primera Iglesia Bautisita Hispana, Islamic Center of Siouxland, Hope Evangelical Lutheran Church, Glad Tidings Lighthouse of South Sioux City, First Presbyterian Church, First Lutheran Church, First Baptist Church, Faith Mission Church AKA Hope Community Church, Evangelical Church of North America, River Hills Church, Centro Cristiano Nueva Esperanza An International Pentecostal Holiness Church, Ryan-McEntaffer Legion Post #60, Knights of Columbus Council #3844 - KCFT, Inc., Harty-McNally Legion Post #175, Hanson-Greenleaf Legion Post #376, Cownie-Church Legion Post #307, Buckland Post #97. ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Miller to disapprove the Exemption Applications for Tax Exemption on Real and Personal Property for those organizations that the State's Assessor for Dakota County recommended disapproval and to authorize the Chair to sign same as disapproved. Mid America Council of Boy Scouts of America, St. Paul United Methodist Church, Assembly of God Church, Inc. ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to approve the percentage that the State's Assessor for Dakota County recommended a percentage for those Exemption Applications for Tax Exemption on Real and Personal Property for those organizations that she recommended a percentage approval and to authorize the Chair to sign same as partially approved. Fraternal Order of Eagles #2492, Cownie-Church Legion Post #307, Omadi Lodge #5AF & AM. ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd opened the Public Hearing for the Zoning request of Lynch properties at 3:03 p.m. Present were: Gary Smith, Dean Lieber, Neill Miller, Herman Lieber, Kenny McDonald, Barry Fiscus, Celia Lynch Bogard, Judy Renkel, Teresa Plum, Jean Lynch, Mildred Gill, Catherine Hohenstein, Joe Gill, Phil Claeys and Nyla Miller.

Lyle said that we would hear from the proponents first. Tom Lynch appeared before the board. Last Sept. Judy Renkel Leo Walsh and I came before you for a change. You didn't see a problem with what we were asking and referred us to Planning and Zoning. He explained the cumbersome process he went through to get through the Planning and Zoning. Mr. Lynch started by saying that Mr. Neil Miller was against everything that they are trying to do. Mr. Lynch complained that there was no control at the Public Hearing before the Planning and Zoning Commission. Mr. Lynch itemized what they were doing to improve the RV Park. Each of the RV's have bath rooms. Leo Walsh asked me if he could put on a deck and whether he could cover it and Mr Lynch gave him permission. Mr. Lynch said there was a berm and the RV's can not be seen from the residents in a westerly direction. Mr. Lynch said he represented his brothers and sisters and feels that they are good citizens and feels that they should not be harassed by neighbors and especially from the Planning and Zoning Commission.

Commissioner Todd said in regard to the issue before us is the removal of those two words. Do you think that is necessary for you to run the camp ground?

Mr. Lynch said it was not, but shutting off the water and such they would be going on the property at their own risk.

Pam asked if he was looking for the dates to be changed.

Mr. Lynch said it would be good if there were no dates.

Mr. Todd said the issue before us is whether we should change the Zoning Regulations. This is a normal Zoning procedure.

We have to consider whether it would be for the good of the county.

Judy Renkel spoke and said she was one of those that came last year to see if they could leave their campers there over the winter. Ms. Renkel said that she agreed that it was not appropriate for Mr. Walsh to be adding to his RV. She suggested that the board table for a year and mentioned that Tom will fix it. Then they can come back next year and you would see we all are in good faith. If you give it some time, Tom can fix whatever has been broken.

Mr. Bousquet said that there is no time frame for Tom to complete whatever he wants to do out there. He does not have to have it done before he can do business.

Opponents.

Mr. Neil Miller wanted to clarify that Tom seems to have a problem with him on Planning & Zoning Board. He said we are against leaving RV's there all year for reasons shown in the pictures. Mr. Miller also said that the Planning and Zoning meeting was chaotic and it was not. There was one time that Mr. Lynch was spoken over and he said may I speak and Mr. O'Neill did run the meeting.

They had a lot of meetings and had SIMPCO involved to develop regulations. We set up these regulations and Tom signed off on them. We have to live by these regulations. Why is it a big problem to move them twice a year.

Referring to Mr. Walsh's addition, Mr. Miller said it was intentional that it would not be moved. Mr. Miller read part of Mr. Lynch's own covenants where nothing should be built for human occupancy.

We are not asking for anything different than what was agreed to three years ago.

Bill asked why Mr. Miller was against leaving RV's there year around and Mr. Miller said that it will turn into a mobile home park and it is intended to be an RV Park.

Commissioner Todd asked if you have a storage shed do you have to move the storage shed too. The answer was affirmative.

Commissioner Todd asked a couple of questions: 1.) You don't have a problem with certain time limits as long as there is one. So you would have a problem with having a time of January 1 and left them there till they froze and then had to take them out, you wouldn't have a problem with that as long as they had to take them out?

Mr. Miller said it would probably accomplish the same thing, Yes.

2.) What about if they left them year around with no out buildings, no additions? Would that be something that could be dealt with? Mr. Miller said possibly.

Commissioner Engel asked what about something like Judy's proposal. Would that proposal work for you?

Mr. Miller said he wouldn't be totally against that.

Commissioner Miller said if his concern was that things looked run down that would be a legitimate concern.

Commissioner Bousquet said he could see a problem if the RV's were left there to store.

Mr. Miller said they do. Mr. Miller said what Planning and Zoning ask is that the Commissioners stick to the rules. They have spent alot of time developing those rules.

Commissioner Todd asked Ms. Renkel if she would have any problem with moving the camper out after everything is not pretty to look at.

Ms. Renkel said no.

Ms. Nyla Miller said that she doesn't know who would monitor this. Mr. Lynch has not monitored what is going on now referring to Mr. Walsh. Maybe this looks nice but what happens if the next guy put up a tin shed?

Dean Lieber spoke from the audience.

Lyle said what I am getting out of all this is that no one has a real problem as long as the dates are moved further in the year so they can enjoy it longer as long as the trailer is moved and no permanent structure.

Mr. Lynch said that Mr. Walsh needed a closed in area cause he has sensitive skin. If you tell me it has to be moved, it will be moved.

Mr. Mellick said that he had let Mr. Lynch know that the deck was not removable.

Barry Fiscus spoke from the audience.

Commissioner Miller asked that Tom restate his request.

Mr. Lynch: When he originally went to Planning and Zoning, he requested that he be given a variance to 640.5 which requires the campers to be removed from the camp site.

The board discussed what options the board could do and whether the board had to take action today.

Commissioner Hartnett suggested that Tom go correct the issue and come back and she has no problem changing the dates.

Commissioner Todd said that the only thing they can do today is to leave it alone or remove the dates.

Commissioner Engel moved, seconded by Commissioner Bousquet to close the Public Hearing for the Zoning request of Lynch properties.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED. 3:45 P.M.

Commissioner Engel moved to leave the present zoning language as it is. A short discussion was had that Mr. Lynch wanted to leave RV Vehicles in the park year around and Mr. Engel realized he intended that and therefore he withdrew his motion.

The consensus of the board was not to restrict an RV park to move RV vehicles.

Commissioner Bousquet moved, seconded by Commissioner Engel to permit RV Vehicles to remain in RV Parks year around as long as compliance to the regulations of no attachments, outbuilding or screened in porches, to a trailer are adhered to.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Engel to authorize the chair to sign a Notice to Proceed for JEO Consulting Group, Inc. to start performing their obligations under the contract documents for Project BRO-7022(11), Homer South, C.N. 31216.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd opened a public hearing to consider increasing the County Jail Budget to cover operational expenses incurred against said budget at 3:11 p.m.

No one was in the audience to offer testimony in favor of or in opposition to increasing the budget. Ms. Walsh, assistant to the board, explained that in order to approve all the claims submitted to date for the County Jail Budget, they would have to increase the Jails budget.

Chair Todd closed the hearing at 3:18 p.m.

Commissioner Miller moved, seconded by Commissioner Engel to adopt Resolution 04C-011 increasing the County Jail's budget from \$1,203,470.60 to \$1,453,470.60.

RESOLUTION 04C-011

WHEREAS, the office of County Jail (Prisoners Boarding) will exceed its budget with the payment of accounts payable and Payroll in the month of June, 2004; and,

WHEREAS, An emergency exists; and,

WHEREAS, A public hearing was held to move monies from the General Fund Cash Reserve to the General Fund Operating Budget.

BE IT THEREFORE RESOLVED, That the Dakota County Board of Commissioners hereby reduce the appropriation in the 2003-2004 Budget for General Fund Cash reserve from \$965,000 to 865,000.00.

BE IT FURTHER RESOLVED, That the Dakota County Board of Commissioners do hereby increase the general fund operating expenditures by \$100,000.00. And that such increase is added to the County Jail (Prisoners Boarding) Budget to increase said budget from 1,203,470.60 to 1,453,470.60.

Passed and adopted this 24th day of May, 2004.

Lyle Todd, Chairman
Dakota County Board of Commissioners

ATTEST:

County Clerk

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd opened a public hearing to hear testimony in support of or in opposition to increase the revenues and expenditures for the Visitors Promotion Fund.

No one was in the audience to offer testimony in favor of or in opposition to the Visitor's Promotion Fund being increased.

Chair Todd closed the public hearing at 3:22 p.m.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to adopt Resolution 04C-012 to increase the appropriation in the 2003-2004 Budget for the revenues and expenditures of the Visitors Promotion fund from \$70,600 to \$90,600.00.

RESOLUTION 04C-012

WHEREAS, Visitors Promotion will exceed its budget with the payment of accounts payable and Payroll in the month of May 2004; and,

WHEREAS, An emergency exists; and,

WHEREAS, The lodging tax was increased as of January 1, 2004, causing more revenues and expenditures to pass through the Visitors Promotion budget, and,

WHEREAS, A public hearing was held to increase the revenues and expenditures for the Visitors Promotion fund.

BE IT THEREFORE RESOLVED, That the Dakota County Board of Commissioners hereby increase the appropriation in the 2003-2004 Budget for the revenues and expenditures of the Visitors Promotion fund from \$70,600 to \$90,600.00.

Passed and adopted this 24th day of May, 2004.

Lyle Todd, Chairman
Dakota County Board of Commissioners

ATTEST:

County Clerk

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Engel to approve the minutes of May 17, 2004 as typed.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

COUNTY GENERAL FUND: Gross salaries- \$77,453.13, General Fund Employees Net Pay- \$54,669.86, Employer deductions paid: Retirement- 4,664.00, Social Security Tax- 4,634.23, Medicare- 1,083.81, Unicare Health- 14,409.47, Unicare Dental- 896.23, Unicare Life- 296.85.

Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Daniel Christoffers- 350.00, Bobbi Jo Harsma- 911.25, Theodore Piepho- 1407.81, Lora Skow- 973.88, Joan Spencer- 1053.41, Darlene Davis- 777.60, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 821.60, Kimberly Kuehl- 755.20, Phyllis Ridge- 852.80, Lyn N. Beltz- 80.00; Mark J. Dorcey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 471.45, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 920.00, Dustin Kinsey- 752.00, Richard Jensen- 1206.00, Patricia Stingley- 856.00, Sandy Beers- 977.60, Jeremy Bermel- 1406.30, Anthony Bos- 1495.73, Sergio Castillo- 1214.91; Brian Ellinger- 1421.02, Todd Hammer- 1096.80, Melvin Harrison III- 1417.23, Rodney Herron- 1529.16, Kimberly Johnson- 510.51, Jared Junge- 1373.72, Michael Kreegar- 1176.00, Gayle Richards- 728.00, Kevin Rohde- 1338.07, William Thompson- 3742.84, James Wagner- 1760.81, Randall Walsh- 1842.45, Rita Chase- 920.00, Amber Hegarty- 1615.38, Aimee Kennedy- 792.85, John Loos, Jr.- 1538.46, Edward Matney III- 2277.70, Debra Schmiedt- 1807.69, Bobbi Strong- 760.00, Nicole Sims- 1073.77, Rebecca Broer- 1144.10; Richard Criss- 982.10, Eric Davis- 912.98, Penny Epting- 1155.38, Ronald Fink Jr.- 899.10, John Gilles- 1024.80, Michael Gregerson Jr.- 1136.13, Alma Gunderson- 1108.80, Paula Harrigfeld- 549.13, Cathy Harsma- 988.20, Adam J Jensen- 969.87; Joseph Ramirez- 971.38, Linda Schovanec- 1112.15, Margaret Stingley- 745.55, Cynthia Purucker- 858.40, Leon Pies- 537.20, Pamela DeVries- 683.56, Gloria Dwyer- 836.00, Patricia Glover- 1153.50, Judi D Neswick- 13.00; Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 6,512.49, State- 2,428.31, Social Security Tax- 4,634.23, Medicare- 1,083.81, Retirement- 3,170.21, Unicare Health- 1,656.83, Unicare Dental- 394.35, Colonial Health- 35.20, Sheriff Union Dues- 40.00; Colonial Life- 3.00, Deferred Comp- 811.22, Garnishments- 964.65, Aflac Health- 375.17, Aflac Life/Dsbl- 128.05, Aflac Flex Plan- 245.75.

COUNTY ROAD PAYROLL: Gross salaries- \$13,673.89, Road Employees Net Pay- \$9,490.50, Employer deductions paid: Retirement- 922.96, Unicare Health- 2,685.93, Unicare Dental- 171.34, Unicare Life- 54.67, Social Security Tax- 805.61, Medicare- 188.41.

Joel Broekemeier- 1082.40, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1186.29, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,105.73, State- 399.53, Social Security- 805.61, Medicare- 188.41, Retirement- 615.34, Unicare Health- 509.66, Unicare Dental- 45.28, Reassure America Life- 9.76, Colonial Health- 33.01, Deferred Comp.- 81.68, Aflac Health- 125.30, Aflac Life/Dsbl- 64.08, Union Dues-200.00.

COPS FAST GRANT: Gross salaries- 1,220.10, Cops Fast Employee Net Pay- 865.23, Employer deductions paid: Retirement- 94.56, Unicare Health- 206.61, Unicare Dental- 13.18, Unicare Life- 4.43, Social Security- 75.65, Medicare- 17.69, Brent Gilster- 1220.10.

COPS FAST GRANT: Employee withholding paid to: Federal- 144.10, State- 50.32, Social Security- 75.65, Medicare- 17.69, Retirement- 67.11.

Commissioner Todd moved, seconded by Commissioner Bousquet to recess until 8:00 a.m. Tuesday, June 1, 2004, to decide whether the County should partially self fund it's Group Health Insurance. ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED. 5:45 p.m.

/s/Lyle Todd, Chairman
Dakota County Board of Commissioners

ATTEST:
/s/Theodore A. Piepho
County Clerk

The County Board did not meet at 8:00 a.m., Tuesday, June 1, 2004, to decide whether the County should partially self fund it's Group Health Insurance because there was not a quorum.

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COUNTY BOARD OF COMMISSIONERS
JUNE 7, 2004 PROCEEDINGS
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NE

Chair Todd called their regular scheduled meeting to order at 1:30 p.m.
Present were: Commissioners Miller, Engel, Hartnett, Todd and Ted Piepho Secretary.

Absent: Commissioner Bousquet.

Angie Coan, from Gateway Bar and Grill, 1558 Gateway Drive, South Sioux City, Dakota County, NE 68776; appeared before the board to ask if the board would approve a Special Designated Liquor License for July 23rd, July 24th and July 25th to serve beer during the fair.

Commissioner Engel moved, seconded by Commissioner Hartnett to approve a request for a Special Designated Liquor License in the name of Richard L. Coan Gateway Bar & Grill, 1558 Gateway Drive, South Sioux City, Dakota County, NE 68776; for the location at 1524 Atokad Drive, South Sioux City, Nebraska, Dakota County, 68776, to serve beer at the Dakota-Thurston County Fair July 23, 24 and 25th.

ROLL CALL VOTE: Engel- Yea, Bousquet- Absent, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet appeared at 1:40 p.m.

Arlan Kuehn appeared before the board to discuss promotion of the new jail. He said it would be beneficial for them if the board would declare that no property taxes would be used to fund the new jail and to set a date when they would like to have the election so they could move forward with educating the public.

Commissioner Hartnett moved, seconded by Commissioner Engel that no Property Taxes are to be used to construct a new jail.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller moved, seconded by Commissioner Bousquet to hold a Special Election August 10, 2004 contingent to the South Sioux City Council approving a Special Election for the Construction of a new jail from one-half cent sales tax.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

The County Clerk opened bids submitted for a new truck tractor and also bids to convert the present truck tractor to a straight truck. Arnie Mellick read the bids as follows for a new truck tractor: Peterbilt of Sioux City- \$77,588, Great Plains International- \$68,900, Dakota Volvo- \$68,468.71 and Rees Mack Sales- \$70,183.76.

The bids to convert our truck tractor to a straight truck were as follows: Circle R Frame Aligners- \$16,105, Northern Truck- \$12,499 and \$13,100 and Stephan Inc. of Sioux City- \$14,905.

Chair Todd referred the bids to the Road Committee.

Elliott Saunders appeared before the board to inform them that he is in the process of getting a boat ramp at the end of County Road #37. He has the private donations to complete the project and said that he may need the board's approval at some point in time.

Chuck Young briefly addressed the Jail situation.

Chair Todd informed the board that with a one-half cent sales tax, the county could construct a 116 bed jail. This was information received from Steve Davis.

Ed Matney, County Attorney, briefly discussed the Jail Agreement with the City of South Sioux City and will make final modifications to the draft and submit it to Wayne Boyd, South Sioux City's Attorney.

Commissioner Hartnett moved, seconded by Commissioner Engel to approve the minutes of May 24, 2004 as typed.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

The board discussed to eliminating a kitchen in the new jail because plans are to cater the food.

COUNTY GENERAL FUND: Gross salaries- \$78,282.68, General Fund Employees Net Pay- \$54,797.03, Employer deductions paid: Retirement- 4,737.47, Social Security Tax- 4,673.15, Medicare- 1,092.88, Unicare Health- 16,577.73, Delta Dental- 497.77, Unicare Life- 294.72.

Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Karilyn Watkins- 76.88, Daniel Christoffers- 366.41, Bobbi Jo Harsma- 765.00, Theodore Piepho- 1407.81, Lora Skow- 840.00, Joan Spencer- 1053.41, Darlene Davis- 777.60, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 832.00, Kimberly Kuehl- 755.20, Phyllis Ridge- 852.80, Mark J. Dorcey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 353.28, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 920.00, Dustin Kinsey- 752.00., Andrew Jensen- 504.00, Richard Jensen- 1206.00, Jeanine Grove- 48.00, Franklin Morse- 36.00, Patricia Stingley- 856.00, Sandy Beers- 977.60, Jeremy Bermel- 1946.62, Anthony Bos- 1587.60, Sergio Castillo- 1417.99, Brian Ellinger- 1865.62, Todd Hammer- 1467.06, Melvin Harrison III- 1738.26, Rodney Herron- 1758.52, Kimberly Johnson- 313.82, Jared Junge- 1860.86, Michael Kreegar- 1602.30, Gayle Richards- 728.00, Kevin Rohde- 1495.92, James Wagner- 1760.81, Randall Walsh- 1626.20, Rita Chase- 920.00, Amber Hegarty- 1615.38, Aimee Kennedy- 777.70, John Loos, Jr.- 1538.46, Edward Matney III- 2277.70, Debra Schmiedt- 1807.69, Bobbi Strong- 745.75, Amanda Jones- 245.00, Nicole Sims- 1073.77, Rebecca Broer- 1481.70, Richard Criss- 1136.13, Eric Davis- 951.83, Penny Epting- 1102.73, Ronald Fink Jr.- 932.40, John Gilles- 1143.75, Michael Gregerson Jr.- 1085.85, Alma Gunderson- 1240.80, Paula Harrigfeld- 161.08, Cathy Harsma- 1200.18, Adam Jensen- 997.61, Joseph Ramirez- 989.68, Linda Schovanec- 1098.85, Margaret Stingley- 853.78, Judy Vandenberg- 168.00, Cynthia Purucker- 858.40, Leon Pies- 537.20, Pamela DeVries- 1367.12, Gloria Dwyer- 836.00, Patricia Glover- 1022.77, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 7,211.56, State- 2,547.85, Social Security Tax- 4,673.15, Medicare- 1,092.88, Retirement- 3,215.72, Unicare Health- 1,955.53, Delta Dental- 297.62, Colonial Health- 35.20, Sheriff Union Dues- 40.00, Colonial Life- 3.00, Deferred Comp- 811.22, Garnishments- 964.65, Aflac Health- 375.17, Aflac Life/Dsbl- 120.55, Aflac Flex Plan- 245.75.

COUNTY ROAD PAYROLL: Gross salaries- \$14,158.69, Road Employees Net Pay- \$9,975.21, Employer deductions paid: Retirement- 955.68, Unicare Health- 3,169.27, Delta Dental- 95.16, Unicare Life- 54.54, Social Security Tax- 847.44, Medicare- 198.19.

Joel Broekemeier- 1244.80, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1186.29, Marlan Millard- 1086.40, Leon Pies- 658.10, James Swanson- 1275.90.

ROAD FUND: Employee withholding paid to: Federal- 1,188.91, State- 433.05, Social Security- 847.44, Medicare- 198.19, Retirement- 637.16, Unicare Health- 300.70, Delta Dental- 64.20, Reassure America Life- 9.76, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 125.30, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,594.95, Cops Fast Employee Net Pay- 1,080.67, Employer deductions paid: Retirement- 123.61, Unicare Health- 243.79, Delta Dental- 7.32, Unicare Life- 4.42, Social Security- 98.89, Medicare- 23.13, Brent Gilster- 1,594.95.

COPS FAST GRANT: Employee withholding paid to: Federal- 229.50, State- 75.04, Social Security- 98.89, Medicare- 23.13, Retirement- 87.72.

Chair Todd adjourned their regular meeting at 3:40 p.m.

/s/Lyle Todd, Chairman
Dakota County Board of Commissioners

ATTEST:

/s/Theodore A. Piepho
County Clerk

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COUNTY BOARD OF COMMISSIONERS
EMERGENCY MEETING
JUNE 9, 2004 PROCEEDINGS
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NE

Chair Todd called their regular scheduled meeting to order at 4:00 p.m.
Present were: Commissioners Miller, Engel, Hartnett, Todd and Ted Piepho Secretary.

Absent: Commissioner Bousquet

County Clerk Ted Piepho called an Emergency Meeting at the request of the County Attorney. The Emergency Business was whether the County House should close Friday to observe a national day of mourning for the Late President Ronald Reagan.

Commissioners Todd and Engel appeared in the Office of County Clerk and Commissioners Miller and Hartnett were reached by telephone. Commissioner Bousquet was not able to be reached.

Others in attendance were County Attorney Ed Matney and Nanci Walsh Assistant to the Board.

County Clerk Ted Piepho explained that he had been requested to call an Emergency Meeting and the reason being to determine whether the board wanted to close the courthouse to observe a national day of mourning.

Chair Todd mentioned the three scenarios of action that could be taken.

1. Leave things as they now stand and that is to leave the courthouse open and if people wanted to take off, it would be without pay, but employees could take a vacation day or personal day.
2. Close the courthouse with pay
3. Close the courthouse without pay.

Option 1 was discussed. Option 2 was discussed and it was determined that to declare a holiday and pay everyone, then overtime would have to be paid for those that worked. Option 3 was discussed and that would basically have the same financial impact as Option 1.

County Attorney expressed that he thought that the board could close the courthouse under EMERGENCIES in the handbook and as long as they notify employees in advance of 7:30 a.m. that they would not have to pay employees.

As of the present, all offices were going to close except for the County Treasurer, County Clerk Register of Deeds and the Assistant to the board. County Clerk Ted Piepho, said to be fair to the board he presented the following information. Dakota City, South South Sioux, Woodbury County, Sioux City and Dixon County were all going to be open and that was the criteria for which he and the County Treasurer decided to remain open for business.

Mr. Engel said that he thought they should close the courthouse with pay. Commissioner Hartnett thought that it was a historic day, she would go along with that.

Commissioner Engel moved, seconded by Commissioner Todd to declare a national day of mourning and close the courthouse with paid benefits.
ROLL CALL VOTE: Engel- Yea, Bousquet- Absent, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd adjourned their Emergency Meeting at 4:15 p.m.

/s/Lyle Todd, Chairman
Dakota County Board of Commissioners

ATTEST:
/s/Theodore A. Piepho
County Clerk

* * * *

COUNTY BOARD OF COMMISSIONERS
JUNE 21, 2004 PROCEEDINGS
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

Chair Todd opened their regular scheduled meeting to order at 10:00 a.m.
Present were: Commissioners Todd, Miller, Engel, Bousquet, Hartnett and Ted Piepho Secretary.
Absent: All present
The board reviewed the claims submitted by the County Clerk for payment.

Nanci Walsh called the County Attorney's Office to request that County Attorney, Ed Matney come down.
Mr. Matney appeared before the board. The board discussed ballot language and number of ballots questions that will be on the ballot for the Special Election August 10, 2004.

The board discussed the District Judge's claims for Thomson West. Mr. Matney has said that he did not see where the county was responsible for those expenditures as there was not a contract with the county.
Commissioner Miller said she would like to refuse them.

Steve Davis and Jerry Johnson appeared before the board.

Commissioner Hartnett asked that they talk about the contract between Jerry and Steve Davis since the County Attorney is present. Mr. Matney told them that he thought this was a new situation and that a new contract should be entered into for this election.

Chair Todd recessed their meeting for lunch at 12:00 noon.
Chair Todd reconvened their meeting with all present at 1:30 p.m.
Maxine: Just give me an answer yes or no and I'll go home.
Dick: I don't know quite what your question is.
Maxine: My question is: After you said that there was nothing you could do about it, that your hands are tied, I can prove that is doesn't make a difference if it is after the fact, whether 9 months or 1 year, or

what. This board has the right to go back and give me the lower value and the lower tax. That is what I am trying to prove today. You have done it before.

Bill: I believe she is right.

Lyle: That we have gone back after the deadline

Maxine: Yes you have. And even according to Mike Goodwillie, November 13, 201771507, discussed corrected clerical errors at any time. And make no reference to the previous protests.

Rick: You're talking clerical

Maxine: Well, isn't that a clerical error, if everybody else's was raised from 140 some thousand down to 77 some thousand and declared a clerical error? Mine goes from 92,660 down to 77,900 wasn't that a clerical error? Pardon me, if it's a clerical error for one, it's a clerical error for two. And I've got the proof. And in fact one of them was lowered by \$36,000.

Rick: My take on a clerical error is when someone types something in wrong.

Maxine: OK

Rick: Did they type something in wrong on yours?

Maxine: No, and they didn't on these others either.

Lyle: Which ones are you referring to there Maxine? Why don't you take a chair up and use the desk there?

Maxine: I am referring to Josephine McGinty and to James Todd. There was 4 months from the time he made a protest on her taxes till this board... Well first of all Mr. Finney came and represented Phyllis and that was in November/December of 2000.

Pam: Who is Phyllis?

Maxine: His wife I presume. And at that same meeting the county commissioners with Hartnett making the motion, Bobier seconding it, to approve the clerical error that was made. That same meeting, Commissioner Todd moved, seconded by Bobier, to reduce the 2000 value of Phyllis Todd property to the 2001 value that Dick Erickson had put on the property value of 201. Ok, I am saying the same thing. She was passed the point of fact. You approved it, this board approved that it was a clerical error. This board approved the reduction. Now had I, according to the March minutes, Mr. Erickson said that I contacted him in August with a protest, and at that time is when he lowered my taxes from 92660 to 77900. Well that's a damn lie because I didn't even talk to that man. The soonest I know that my property had gone up and my taxes had gone up when I came down on 12-9, of 03 to pay my taxes and I thought that I owed for 2 years and found out that no 2024 was just for 203. But like I said, you've gone back after the fact before on James Todd he was on December of 2000, you accepted it then 2000 is after the June protest period. Wait a minute it's after the protest period, right? You have from June 1st to June 30th to protest, right? That's what your letter said. Ok, here on November/December 2000 Finney showed up, but also at that same meeting is when you decided there was a clerical error made and you decided to accept the new lower tax/value.

Lyle: Was there a clerical error?

Maxine: How should I know? These are your minutes.

Lyle: Well there must have been.

Maxine: These are your minutes.

Lyle: Well I am assuming there was a clerical error then.

Maxine: Well how could there have been a clerical error when the original price for James was \$104885 and the new one was 67910, and he paid the tax on the 67910.

Lyle: I don't know why that precludes a clerical error?

Maxine: Well, why don't you ask Mr. Erickson? He's the one who's declaring all these clerical errors. I have nothing to do with that, I am just arguing that what is good for one is good for all of us.

Lyle: Well if there is a clerical error, yes I fully agree.

Maxine: Well 9 months after the fact, he comes in and says I don't approve of my value and my taxes, right away Mr. Erickson writes it up as a clerical error. Now how can you mistake the figures of 104885 as a mistake to 67910, I can write plainer than that.

Lyle: Well, I don't know that we are necessarily just talking about the amounts, a clerical error could involve that they wrote up that (Jackie: was the computation of square feet. Maxine: no it wasn't on there) he had 2500 sq ft when he had 1000. It could be any number of things Maxine.

Maxine: I know it could, but I have done my homework, I have gone through this.

Pam: You said he came down in December but when did he actually file the protest?

Maxine: When did I file the protest?

Pam: No, when did this person that you are talking about file the protest? Cause there is like you said, you just said it, there is a date to file.

Maxine: Mr. Finney represented Phyllis in November or December of 2000 to protest the taxes. But that was after the fact of the June.

Pam: But did they file the paper that said I want to protest.

Maxine: It didn't say that. No she did not file.

Pam: That is probably what we what you need to find out. Did they file.

Maxine: Well, Mrs. McGinty didn't file one either. I have already asked. Jim didn't file one either.

Lyle: Well I (Maxine: to get it passed). I do not remember the details of the incident, but I know that we got called out to both of those residences to look at them because there were mistakes made in the assessment process. I don't remember what the correction entailed, but I was at her house and I was at Jim Todd's house, several of us went there to look them over.

Maxine: What relation is Jim Todd to you?

Lyle: Cousin

Maxine: And you are the one that helped reevaluate his house?

Lyle: I went out there as a commission member yeah.

Maxine: Well, you should have abstained.

Lyle: Pardon me

Maxine: You should have abstained. That's illegal.

Lyle: All right.

Maxine: Same way when you made the motion to correct the new evaluation

Lyle: What about McGinty's?

Maxine: You should have abstained.

Lyle: On McGinty's?

Maxine: You didn't make the motion there, that was on Todd's that you made the motion. But, thank you. I want to thank you for listening to me. I am not going to get anywhere. So I will be making a trip to Lincoln. But thank you very much, and I will not be paying the other 1000 dollars, you ate up these other ones, you can eat mine. Marvin come on. You just have to be a relative or a friend to get by.

Chair Todd opened the Public Hearing for the purpose of hearing testimony for or against the sale of that real property described as: --Abandoned Railroad Right of Way through NW ¼ of Section 26, Township 27, Range 6 and the abandoned Railroad Right of Way through NE ¼ of Section 26, Township 27, Range 6 at 2:03 p.m.

Leon Jepsen said that he has been taking care of the weed spraying all these years and he doesn't intend to continue to do so. He said that if the county wants to spray the weeds that's fine.

Chair Todd closed the Public Hearing at 2:07 p.m.

The County Clerk opened the bids for a new pickup for the Weed Supt.

The bids received were opened in the following order: Woodhouse Ford, Team Ford, Anderson Auto Group, Charlie Zook Motors and Knoepfler Chevrolet. Bids were submitted for a regular and extended cab pickup. Bid were in respective order as follows: \$16,990/20,440, \$23,393.36/\$26,725.80, \$20,307/\$20,174(Ford)\$17683/\$21442(Chevy and \$19,984/\$22,287, \$19,423/\$21667.

The Chair referred the pickup bids to the Road Committee for evaluation of the bids.

Arnie Mellick discussed the truck bids. He recommended purchasing a Mack Truck because they are local and the service and repairs can be done locally.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to accept the bid of Rees Mack Sales to purchase a new Mack Truck for the bid price of \$70,183.76.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Mr. Mellick also recommended Stephen Inc. of Sioux City to convert our existing Truck Tractor to a straight truck at a price of \$14,905.

Commissioner Bousquet moved, seconded by Commissioner Engel to accept the bid of Stephan Inc. of Sioux City to convert the Road Department's present truck tractor to a straight truck for the bid price of \$14,905.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd opened the public Hearing whether to consider changing the Planning & Zoning 640.5 advertised as follows:

Notice is hereby given that the Dakota County Board of Commissioners will hold a public hearing on the 21st day of June, 2004 at 2:15 p.m. to consider change in Occupancy of the Dakota County Planning & Zoning Regulations 640.5. RECREATION VEHICLE PARKS.

The current language in part reads as follows: "Recreational vehicle parks shall be allowed to operate from April through October in a calendar year, being closed for the remainder of the year. Private recreational vehicle parks may establish their own time of operation, but must fall between the months of April through October each year. Recreational vehicle parks must close and all vehicles must be removed from the grounds by October 31 of each year and shall open no earlier than April 1 of each year. No permanent or year around occupancy is allowed in recreational vehicle parks."

The Dakota County Board of Commissioners will consider wording as follows: "Recreational vehicle parks shall be allowed to operate from January 1 through December 31 in each calendar year. Private recreational vehicle parks may establish their own time of operation each year."

Any person wishing to offer testimony in favor of, or in opposition to the proposed change may do so at time of hearing.

Chair Todd closed the public hearing at 2:55 p.m.

Commissioner Engel moved, seconded by Commissioner Bousquet to rescind the previous motion where Commissioner Bousquet moved, seconded by Commissioner Engel to permit RV Vehicles to remain in RV Parks year around as long as compliance to the regulations of no attachments, outbuilding or screened in porches, to a trailer are adhered to, and to allow RV vehicles to remain on the grounds of a RV Park between the dates of October, 2004 and April 2005 for all RV Parks, who presently have a conditional use permit to operate as under their present RV Park permit.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Todd declared a 10 minute break to allow CBM time to set up for their presentation offering their services to provide food services for the inmate population of the jail.

Marlin and Shane Sejnohn presented information about CBM.

Pat Anderson with the South Sioux City Chamber of Commerce and Donna Goodier, from the South Sioux City Area Convention and Visitors Bureau appeared before the board and presented the 2004-05 budget for the South Sioux City Area Convention and Visitors Bureau. Their budget proposed an income of \$150,600.00 with expenditures of \$136,111.00 with a \$14,489.00 cash reserve.

Commissioner Miller moved, seconded by Commissioner Hartnett to approve 2004- 2005 CDB Budget with a proposed income of \$150,600.00 with expenditures of \$136,111.00 with a \$14,489.00 cash reserve.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

The board reviewed the County Officials reports filed by the Clerk of the District Court, County Clerk and the Register of Deeds for the month of May, 2004.

Commissioner Miller moved, seconded by Commissioner Bouquet to adopt Resolution 04C-013 rescinding a Resolution to increase the District Judge's Budget as follows:

RESOLUTION 04C-013

WHEREAS, The District Judge budget of the General Fund will not exceed its budget for 2003-2004; and,

WHEREAS, The Dakota County Board of Commissioners previously adopted Resolution 04C-008.

BE IT THEREFORE RESOLVED, That the Dakota County Board of Commissioners hereby rescind Resolution 04C-008 and return the budgets of the District Judge to \$10,850.00 for 2003-2004 and the Law Library to \$22,000 for 2003-2004.

Passed and adopted this 21st day of June, 2004.

\s\Lyle Todd, Chairman

Dakota County Board of Commissioners

ATTEST:

\s\Theodore A. Piepho
County Clerk

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- No, Bousquet- Yea, Hartnett- Yea, MOTION CARRIED.

Commissioner Miller moved, seconded by Hartnett to take from the table the claims of Thomson West in the amounts of \$9550.02 and \$3,079.25, which have been put on the table and refuse or deny said claims.

ROLL CALL VOTE: Miller- Yea, Engel- Abstained, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller moved, seconded by Commissioner Hartnett to refuse the newly submitted claim of Thomson in the amount of \$11,197.90 and these refusals are based on the fact that there may not be a need for the county to pay these.

ROLL CALL VOTE: Engel- Abstained, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

The Veteran Budget was changed from \$1,100 to \$1,000 to correspond with the budgeted amount.

The board discussed bidding the food services for the jail inmates.

The Board discussed the language of the election ballot. There should be 3 different ballot questions and everyone will vote one so it will appear as 4 questions.

This change allows the people in South Sioux City to vote whether the County can issue bonds.

The County Clerk asked since there are two different issues should we have two Special Elections since you have two different subjects.

The County Attorney said that Smith Hayes Council and Ameritas Council had two lawyers representing those entities look at it and hopefully they looked at that.

Commissioner Miller moved, seconded by Commissioner Engel to set the Special Election August 10, 2004 for the questions before the board with questions submitted to the voters and adopt Resolution 04C-014 as follows:

RESOLUTION 04C-014

BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF DAKOTA COUNTY, NEBRASKA, as follows:

Section 1. That by resolution of the County Board of Commissioners without petition of voters it is hereby ordered that a special election be held in the County on August 10, 2004, at which election there will be submitted to the qualified voters of The County of Dakota, in the State of Nebraska, for their approval or rejection of the following proposition, to-wit:

"Shall The County of Dakota, in the State of Nebraska, impose a sales and use tax of one-half of one percent (0.5%), upon the same transactions within such county other than in municipalities which impose a local option sales tax on which the State of Nebraska is authorized to impose a tax, for the following public safety service purposes:

* 88% of the collections in each year to be applied to paying the principal and interest of bonds for the construction costs of a new Dakota County Jail/Correctional Facility.

* 12% of the collections in each year to be applied to paying the costs of capital improvements and equipment for the City/County Law Enforcement Center, including but not limited to interoperable communication equipment, with such collections being applied to either current expenditures for such purposes or to the retirement of lease-purchase of other indebtedness incurred for such purpose;

Such sales and use tax shall remain in effect for a period of ten years from the time of its first going into effect or for such shorter period as shall be required to result in amounts collected sufficient to retire the bonds (including any bonds issued to refund the same) issued for the construction of the Dakota County Jail/ Correctional Facility; and

(If a majority of the votes cast upon such question shall be in favor of such tax, then the governing body of The County of Dakota shall be empowered as provided by Section 13-319, R.S. Supp. 2003 and Section 77-27,142 Reissue Revised Statutes of Nebraska, 2003, as amended, and shall forthwith proceed to impose a tax pursuant to the Local Option Revenue Act. If a majority of those voting on the question shall be opposed to such tax, then the governing body of The County of Dakota shall not impose such tax).

FOR this proposition
AGAINST this proposition

Section 2. That by resolution of the County Board of Commissioners without petition of voters it is hereby ordered that a special election be held in the County on August 10, 2004, at which election there will be submitted to the qualified voters of The County of Dakota, in the State of Nebraska, for their approval or rejection of the following proposition, to-wit:

"Shall The County of Dakota, in the State of Nebraska, issue the negotiable bonds of the County in the principal amount not to exceed Seven Million Twenty-five Thousand Dollars (\$7,025,000) for the purpose of providing for a Jail/Correctional Facility and equipping and furnishing such facility; said bonds to be issued from time to time, bear interest at such rate or rates and become due at such time or times, as may be fixed by the Board of Commissioners of the County;

The tax to be imposed, by this proposition together with amounts to be provided by the City of South Sioux City under an authorization for an additional one-half of one percent (0.5%) sales tax as submitted at separate proposition at this same election held August 10, 2004 to the voters of the City of South Sioux City, Nebraska and the voters in the area of The County of Dakota outside the limits of the City of South Sioux City, shall be the tax levied to meet the liability incurred by the County on such bonds as adopted by this proposition:

FOR this proposition
AGAINST this proposition

Section 3. Voters voting in favor of the propositions will blacken the oval preceding the words "FOR this proposition" and voters voting against said propositions will blacken the oval preceding the words "AGAINST this proposition".

Section 4. Notice of the submission of said propositions at said election shall be published for four weeks (five consecutive weekly publications immediately preceding the election) in the Dakota County Star, a legal newspaper published and of general circulation in Dakota County, Nebraska.

Section 5. The voting places for said election shall be the regular polling places in each voting precinct and the receiving board and counting board in each voting precinct shall be regular receiving board and counting board in each voting precinct appointed by the County Clerk of Dakota County, Nebraska for this purpose. The polls will be open from 8 o'clock A.M. to 8 o'clock P.M. on the date of said election and a copy of the question shall be posted at each place of voting during the day of the election.

Section 6. The County Clerk is authorized and directed to make all necessary arrangements for submitting said propositions at such election and to furnish appropriate ballots, together with all necessary election supplies, to the receiving board in each election precinct.

AND BE IT FURTHER RESOLVED that the first proposition be submitted to all voters in Dakota County outside the incorporated limits of the City of South Sioux City.

AND FINALLY BE IT RESOLVED that the second question be submitted to all voters in the county including those voters inside the incorporated limits of the City of South Sioux City.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to approve the Interlocal Agreement between South Sioux City and Dakota County as follows:

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT made and entered into this 21st day of June, 2004, by and between the CITY OF SOUTH SIOUX CITY, DAKOTA COUNTY, NEBRASKA, a municipal corporation (hereinafter referred to as "City") and the COUNTY OF DAKOTA, STATE OF NEBRASKA, a governmental subdivision (hereinafter referred to as "County"), WITNESSETH:

WHEREAS, the City has the ability to institute a local option sales and use tax pursuant to Neb. Rev. Stat. Section 77-27,142 to 77-27,148 inclusive (Local Option Revenue Act) for various purposes enumerated therein including but not limited to capital improvements and property tax reduction; and,

WHEREAS, the County has the authority to impose a sales and use tax to finance public services pursuant to Neb. Rev. Stat. Section 13-318 to 13-326 inclusive; and,

WHEREAS, the City and County have agreed to simultaneously submit to the voters within their respective jurisdictions a ballot question to obtain authority to impose a sales and use tax upon the same transactions within their jurisdiction on which the State of Nebraska is authorized to impose a tax; and,

WHEREAS, the City and County have agreed that said sales and use taxes, if simultaneously approved by voters in each jurisdiction, shall be used to provide funds for the financing of a new jail/correctional facility and contribution to the joint City-County Law Enforcement Center, and,

WHEREAS, it is in the best interest of each of the parties hereto to enter into this Interlocal Agreement for submission of the simultaneous questions on imposition of a sales and use tax for the purposes herein set forth; and,

WHEREAS, the governing body of each of the aforesaid governmental subdivisions has duly adopted an Ordinance or a Resolution authorizing the execution of this Interlocal Agreement pursuant to

the provisions of the Interlocal Cooperation Act (Neb. Rev. Stat. Section 13-801 to 13-827, as amended).

NOW, THEREFORE, pursuant to the authority of said Interlocal Cooperation Act of the Legislature of the State of Nebraska and pursuant to the authority and direction of the ordinances and resolutions hereinabove referred to as adopted by each of the governmental subdivisions who are a party hereto, and in consideration of the mutual covenants and undertakings herein contained, IT IS HEREBY AGREED by and between each of the aforesaid governmental subdivisions, and each of them, and each of the successors, as follows:

1. Duration. The term of this agreement shall be for a period of ten (10) years from the first date on which the sales and use tax approved by the voters of the County and City is collected. This agreement shall be terminated in the event that the voters of either the City or County shall refuse to implement the sales and use tax as contemplated by this agreement.
2. Administration. Due to the nature of the contract and responsibilities of each governmental subdivision, it is determined that it is not necessary to create any separate legal or administrative entity for administration of the agreement. In the alternative, administration of the agreement shall be the responsibility of the City Administrator of the City of South Sioux City, Nebraska, and the County Clerk of the County of Dakota, State of Nebraska.
3. Purpose. The purpose of this agreement is to provide funds for the following projects:
 - (a) Eighty-eight percent (88%) of the sales tax collected by each party during the term of the agreement to the County for the payment of principal and interest upon bonds contemplated to be issued for the construction of a new jail/correctional facility adjacent to the existing Dakota County Courthouse located in Dakota City, Nebraska;
 - (b) Twelve percent (12%) of the sales tax collected by each party during the term of the agreement shall be allocated to the Joint Law Enforcement Center operated by the City and County in South Sioux City, Nebraska for public safety and interoperable communications equipment and other capital expenditures. The funds shall not be used for operating expense of the Joint Law Enforcement Center;
 - (c) The County shall, during the term of this agreement, contribute \$40,000.00 to the South Sioux City Public Library so that the basic services of the Library will be available without charge to residents of the County who do not reside within the City of South Sioux City, Nebraska with said payment commencing sixty (60) days after the opening of the new jail facility and occurring annually thereafter for the term of this agreement.
 - (d) The County will provide funds for the paving, and related appurtenances, of "C" Avenue between South Sioux City, Nebraska, and Dakota City, Nebraska, and one (1) connector street to IBP/Dakota Avenue in accordance with Exhibit "A" which is attached hereto and made a part hereof by reference. Phase 1, as delineated in Exhibit "A", shall be completed by December 31, 2010. Phase 2, as delineated in Exhibit "A", shall be completed by December 31, 2012. However, if the City elects to complete either phase prior to schedule (i.e., Phase 1 prior to December 31, 2010, and Phase 2 prior to December 31, 2012), the County will reimburse the City. Such reimbursement may occur over 10 year periods, which shall commence as of the respective completion dates referenced above. The County will not be required to pay any interest on such amounts. If the City chooses to establish a TIF district or receive other governmental funds for the financing of the paving project mentioned above, the County will not be required to reimburse the City for those funds received in that manner.
4. City Election. The City shall submit the question of imposition of a one-half of one percent sales and use tax pursuant to the Local Option Revenue Act at the August 10, 2004 special election. The question to be submitted to the electors of the City shall be as follows: See Exhibit "B," which is attached hereto and made a part hereof by reference.
5. County Election. The County shall submit the question of imposition of a one-half of one percent sales and use tax pursuant to the Public Safety Services Sales Tax at the August 10, 2004, special election. The question to be submitted to the electors of the County shall be as follows: See Exhibit "C," which is attached hereto and made a part hereof by reference.
6. Distribution of Funds. In the event that both of the sales and use tax questions are approved by the respective electors of the City and County, the sales tax receipts shall be deposited by each entity in a special account and distributed as set forth herein.
7. Books and Accounts. The City Administrator and the County Clerk shall keep and maintain such books and accounts as they may deem advisable and as may be required by their respective auditors, which books and accounts shall be audited annually by a certified public accountant selected by the City and County. Certified reports of audits shall be prepared as of the end of each fiscal year, copies of which shall be furnished to the Clerks of each governmental subdivision. The books and accounts shall be available for inspection by authorized representatives of the City and County.
8. Records and Reports. The City Administrator and County Clerk shall maintain and keep such other records and make such reports to the constituent government subdivisions as each may deem necessary or advisable for the proper conduct of the duties and obligations pursuant to this agreement.
9. Obligation of the City. The obligation of the City shall be limited to the sales and use tax generated pursuant to this agreement. The City shall not be obligated under this agreement to make any payments other than the sales and use tax.
10. No General Obligation of the City. The obligation of the City pursuant to this agreement shall not be deemed to be a general obligation of the City or be supported by the full faith and credit of the City, and neither the County nor the bond holder of the bonds issued by the County shall be entitled to require or compel the City to levy ad valorem taxes or taxation in any form of any property in the City for the making of payments pursuant to the bonds issued by the County. Nothing contained in this agreement nor any action taken under it shall be construed as creating a lien of any kind upon the property, funds, income or revenue now existing or hereafter held or available to the City.
11. County Bonds. The County shall be responsible for any additional payments due upon bonds issued for its jail/corrections facility construction project which exceed eighty-eight percent (88%) of the sales tax collected. The City shall have no obligation to pay any additional funds for payment of the County's principal and interest payment upon bonds for the project.

12. No Obligation for Operating Expenses. None of the sales tax collected by the City and County shall be used for operation of the jail/correctional facility to be constructed in Dakota City, Nebraska. The sales and use tax collected shall be used only for capital expenditures, payment of bonds and interest for construction of the new jail/correctional facility and for equipment and capital expenditures at the Joint Law Enforcement Center.

13. Amendment of County Bond Resolution. The bond resolution adopted by the County for the construction of the jail/correctional facility may not be amended to enlarge the obligation of the City or adversely affecting the rights or interest of the City without the City's expressed permission.

14. Sunset Provision. It is agreed that the sales and use tax, if approved both by the City and County electors, will contain a sunset provision whereby the tax will automatically expire ten (10) years after implemented. The sales tax shall be terminated by the parties in the event that the bonds for the jail/correctional facility are retired prior to the end of the 10-year term of the sales tax.

15. Budget. It is not necessary to create a separate budget for this agreement.

IN WITNESS WHEREFORE, the governmental subdivisions who are a party hereto have, on the day and year first above written, caused their agreement to be executed by the respective officers duly authorized and have caused their respective seals to be affixed hereto.

CITY OF SOUTH SIOUX CITY, DAKOTA
COUNTY, NEBRASKA, a municipal corporation,
BY: _____
MAYOR

ATTEST:

CITY CLERK

(S E A L)

COUNTY OF DAKOTA, STATE OF
NEBRASKA, a governmental subdivision,
BY: _____
CHAIRMAN

ATTEST:

COUNTY CLERK

(S E A L)

EXHIBIT "A"
Showing the paving agreement

EXHIBIT "B" - PAGE 1
OFFICIAL MUNICIPAL BALLOT
THE CITY OF SOUTH SIOUX CITY,
IN THE STATE OF NEBRASKA
Tuesday, August 10, 2004

"Shall the City of South Sioux City, Nebraska, impose an additional sales and use tax of one-half of one percent (0.5%), upon the same transactions within such municipality on which the State of Nebraska is authorized to impose a tax, for the following purposes:

88% of the collections in each year to be applied to paying the bonds for the construction costs of a new Dakota County Jail/Correctional Facility.

12% of the collections in each year to be applied to paying the costs of capital improvements and equipment for the City/County Law Enforcement Center, including but not limited to interoperable communication equipment, with such collections being applied for such purposes, including current expenditures and retirement of lease-purchase or other indebtedness for funding of contributions by the City under an interlocal cooperation agreement to the County by the City for payment of the County's bonds (including any bonds issued to refund the same);

Such additional sales and use tax shall remain in effect for a period of ten years from the time of its first going into effect or for such shorter period as shall be required to result in amounts collected sufficient to retire the bonds issued for the construction of the Dakota County Jail/ Correctional Facility"

(If a majority of the votes cast upon such question shall be in favor of such tax, then the governing body of the City of South Sioux City shall be empowered as provided by Section 77-27,142 Reissue Revised Statutes of Nebraska, 2003, as amended, and shall forthwith proceed to impose a tax pursuant to the Local Option Revenue Act. If a majority of those voting on the question shall be opposed to such tax, then the governing body of the City of South Sioux City shall not impose such tax).

FOR this proposition
AGAINST this proposition

EXHIBIT "B" - PAGE 2
OFFICIAL COUNTY BALLOT
THE COUNTY OF DAKOTA,
IN THE STATE OF NEBRASKA
Tuesday, August 10, 2004

"Shall The County of Dakota, in the State of Nebraska, issue the negotiable bonds of the County in the principal amount not to exceed Seven Million Twenty-five Thousand Dollars (\$7,025,000) for the purpose of providing for a Jail/Correctional Facility and equipping and furnishing such facility; said bonds to be issued from time to time, bear interest at such rate or rates and become due at such time or times, as may be fixed by the Board of Commissioners of the County;

The tax to be imposed to pay principal and interest on bonds authorized by this proposition shall be provided under an authorization for an additional one-half of one percent (0.5%) sales tax as submitted by separate proposition at this same election held August 10, 2004 to the voters of the City of South Sioux City, Nebraska and the voters in the area of The County of Dakota outside the limits of the City of South Sioux City, shall be the tax levied to meet the liability incurred by the County on such bonds as adopted by this proposition:

FOR this proposition
AGAINST this proposition

EXHIBIT "C" - PAGE 1
OFFICIAL COUNTY BALLOT
THE COUNTY OF DAKOTA,
IN THE STATE OF NEBRASKA
Tuesday, August 10, 2004

"Shall The County of Dakota, in the State of Nebraska, impose a sales and use tax of one-half of one percent (0.5%), upon the same transactions within such county other than in municipalities which impose a local option sales tax on which the State of Nebraska is authorized to impose a tax, for the following public safety service purposes:

88% of the collections in each year to be applied to paying the principal and interest of bonds for the construction costs of a new Dakota County Jail/Correctional Facility.

12% of the collections in each year to be applied to paying the costs of capital improvements and equipment for the City/County Law Enforcement Center, including but not limited to interoperable communication equipment, with such collections being applied to either current expenditures for such purposes or to the retirement of lease-purchase of other indebtedness incurred for such purpose; Such sales and use tax shall remain in effect for a period of ten years from the time of its first going into effect or for such shorter period as shall be required to result in amounts collected sufficient to retire the bonds (including any bonds issued to refund the same) issued for the construction of the Dakota County Jail/ Correctional Facility; and

(If a majority of the votes cast upon such question shall be in favor of such tax, then the governing body of The County of Dakota shall be empowered as provided by Section 13-319, R.S. Supp. 2003 and Section 77-27, 142 Reissue Revised Statutes of Nebraska, 2003, as amended, and shall forthwith proceed to impose a tax pursuant to the Local Option Revenue Act. If a majority of those voting on the question shall be opposed to such tax, then the governing body of The County of Dakota shall not impose such tax).

FOR this proposition
AGAINST this proposition

EXHIBIT "C" - PAGE 2
OFFICIAL COUNTY BALLOT
THE COUNTY OF DAKOTA,
IN THE STATE OF NEBRASKA
Tuesday, August 10, 2004

"Shall The County of Dakota, in the State of Nebraska, issue the negotiable bonds of the County in the principal amount not to exceed Seven Million Twenty-five Thousand Dollars (\$7,025,000) for the purpose of providing for a Jail/Correctional Facility and equipping and furnishing such facility; said bonds to be issued from time to time, bear interest at such rate or rates and become due at such time or times, as may be fixed by the Board of Commissioners of the County;

The tax to be imposed to pay principal and interest on bonds authorized by this proposition shall be provided under an authorization for an additional one-half of one percent (0.5%) sales tax as submitted by separate proposition at this same election held August 10, 2004 to the voters of the City of South Sioux City, Nebraska and the voters in the area of The County of Dakota outside the limits of the City of South Sioux City, shall be the tax levied to meet the liability incurred by the County on such bonds as adopted by this proposition:

FOR this proposition
AGAINST this proposition

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Todd moved, seconded by Commissioner Bousquet to adopt Resolution 04C-015 moving \$50,000 from the Miscellaneous General Budget to the County Jail Budget for Fiscal year FY2003-2004 as follows:

RESOLUTION 04C-015

WHEREAS, the office of County Jail (Prisoners Boarding) will exceed its budget with the payment of the submitted June, 2004 accounts payable; and,

WHEREAS, An emergency exists; and,

WHEREAS, the office of Miscellaneous of the General Fund has unappropriated moneys left.

BE IT THEREFORE RESOLVED, That the Dakota County Board of Commissioners hereby authorize the unappropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of County Jail (Prisoners Boarding) and that said budget be increased by \$50,000.00 to \$1,503,470.60 for fiscal year 2003-2004.

BE IT FURTHER RESOLVED, That the Miscellaneous Budget be reduced by \$50,000 to \$283,522.66 for fiscal year 2003-2004.

Passed and adopted this 21st day of June, 2004.

\s\Lyle Todd, Chairman

ATTEST: Dakota County Board of Commissioners

\s\Theodore A. Piepho
County Clerk

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to adopt Resolution 04C-016 moving \$8,000 from the County Attorney's Budget to the Election Commissioner's Budget for Fiscal year FY2003-2004 as follows:

RESOLUTION 04C-016

WHEREAS, the office of Election Commissioner will exceed its budget with the payment of the submitted June, 2004 accounts payable; and,

WHEREAS, An emergency exists; and,

WHEREAS, the office of County Attorney of the General Fund has unappropriated moneys left.

BE IT THEREFORE RESOLVED, That the Dakota County Board of Commissioners hereby authorize the unappropriated moneys of the County Attorney Budget of the General Fund to be utilized for the payment of the over expended budget of Election Commissioner and that said budget be increased by \$8,000.00 to \$44,610.40 for fiscal year 2003-2004.

BE IT FURTHER RESOLVED, That the County Attorney Budget be reduced by \$8,000 to \$345,298.59 for fiscal year 2003-2004.

Passed and adopted this 21st day of June, 2004.

\s\Lyle Todd, Chairman

ATTEST: Dakota County Board of Commissioners

\s\Theodore A. Piepho
County Clerk

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Engel to adopt Resolution 04C-017 moving \$2,000 from the Clerk of the District Court's Budget to the Child Support's Budget for Fiscal year FY2003-2004 as follows:

RESOLUTION 04C-017

WHEREAS, the office of Child Support will exceed its budget with the payment of the submitted June, 2004 accounts payable; and,

WHEREAS, An emergency exists; and,

WHEREAS, the office of Clerk of District Court of the General Fund has unappropriated moneys left.

BE IT THEREFORE RESOLVED, That the Dakota County Board of Commissioners hereby authorize the unappropriated moneys of the Clerk of District Court Budget of the General Fund to be utilized for the payment of the over expended budget of Child Support and that said budget be increased by \$2,000.00 to \$32,794.30 for fiscal year 2003-2004.

BE IT FURTHER RESOLVED, That the Clerk of District Court Budget be reduced by \$2,000 to \$121,290.14 for fiscal year 2003-2004.

Passed and adopted this 21st day of June, 2004.

\s\Lyle Todd, Chairman

ATTEST: Dakota County Board of Commissioners

\s\Theodore A. Piepho
County Clerk

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Miller to adopt Resolution 04C-018 moving \$1,500 from the Legal Services Budget to the Veteran Service Officer's Budget for Fiscal year FY2003-2004 as follows:

RESOLUTION 04C-018

WHEREAS, the office of Veterans Service Officer will exceed its budget with the payment of the submitted June, 2004 accounts payable; and,

WHEREAS, An emergency exists; and,

WHEREAS, the office of Legal Services of the General Fund has unappropriated moneys left.

BE IT THEREFORE RESOLVED, That the Dakota County Board of Commissioners hereby authorize the unappropriated moneys of the Legal Services Budget of the General Fund to be utilized for the payment of the over expended budget of Veterans Service Officer and that said budget be increased by \$1,500.00 to \$38,343.08 for fiscal year 2003-2004.

BE IT FURTHER RESOLVED, That the Legal Services Budget be reduced by \$1500 to \$126,060.25 for fiscal year 2003-2004.

Passed and adopted this 21st day of June, 2004.

\s\Lyle Todd, Chairman

ATTEST: Dakota County Board of Commissioners

\s\Theodore A. Piepho
County Clerk

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller moved, seconded by Commissioner Hartnett to approve the Accounts Payable claims submitted by the County Clerk as follows:

GENERAL FUND: Cellular One, phone- 27.10; Dakota County Star, publishing- 302.19; Perkins, supplies- 21.91; Nanci Walsh, mileage- 96.45; Cellular One, phone- 27.10; Dell Computers, computer- 1359.90; Holiday Inn, lodging- 119.90; Midwest Office Automations, service contract- 300.00; MIPS, contracted service- 454.72; Perkins, supplies- 103.49; Staples, software- 239.93; Redfield & Co., property valuation protest forms- 283.22; Joan Spencer, postage- 37.00; Robert Giese, mileage- 88.12; Charlotte Doenhoefer, prior yrs- 10.00; Ruth Jensen, prior yrs- 12.00; Nadine Lewon, prior yrs- 17.00; Mardell Sorenson, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; Office Systems, service contract- 449.75; DAS Imservices, data service- 27.50; Staples, office supplies- 168.96; Mark Dorcey, mileage- 206.18; Holiday Inn, lodging- 119.90; Microfilm Imaging Systems, lease- 240.00; Election Workers; Lynette Beermann- 12.00; Jeanne Barnes- 69.53; Betty Bliven- 66.95; Bev Bliven- 66.95; Robert Boals- 70.82; Lillian Bossow- 69.53; Alan Boyd- 24.00; L. Irene Buck- 64.38; Jannette Burns- 69.53; Wilma Burns- 69.53; Mary Cahill- 69.53; Josephine Cain- 83.82; Linda Carson- 16.00; Phyllis Clingenpeel- 66.95; Bettie Cooper- 70.82; Peggy Demke- 69.53; Connie Denker- 70.83; Brandy Dickey- 16.00; Catherine Eriksen- 69.53; Art Eslick- 70.82; Pharyce Eslick- 70.82; Aloise Ferris- 88.10; Myra Gentrup- 70.82; Patricia Giese- 69.53; Ruth Gillaspie- 18.00; Sharon Greenleaf- 69.53; Elaine Harris- 69.53; Bertha Hines- 66.95; Patti Holmes- 69.53; Claudia Horner- 69.53; Ginger Huggenberger- 99.57; Honore Huse- 95.28; Charlene Jensen- 72.10; Marjorie Jarvill- 69.53; Trudy Jepsen- 95.60; Carol Johnston- 69.53; Betty Jorgensen- 87.95; Joan Koch- 69.53; Dorothy Kramper- 70.82; Carol Krieger- 82.10; Mary Jo Kurlmel- 69.53; Lois Larson- 69.53; Marvel Lukens- 70.82; Randy Lussier- 72.10; Jean Lynch- 69.53; Joanne Mast- 69.53; Clara Maurice- 69.53; Janet Merchant- 69.53; Frank Morse- 85.53; Darlene Nielsen- 69.53; Rosemary Nieto- 87.03; Mary ODell- 79.53; Richard Peltz- 85.85; Fred Penner- 69.53; Delores Porter- 72.10; Shirley Rager- 69.53; Sarah Reinert- 70.82; Ellen Rohde- 90.03; Shirley Sides- 32.00; Dave Schable- 16.00; Colleen Tighe- 69.53; Maria Timothy- 69.53; Hazel Tomek- 69.53; Harry Tomek- 16.00; Geraldine Tramp- 70.82; Irene Van Lent- 72.10; Nanci Walsh- 36.00; Jackie Wilson- 14.00; Clara Woten- 85.85; Dakota County Star, publishing sample ballots- 1577.28; INTAB, ballot box seals- 43.75; MIPS, Bosanova TCP/IP- 125.00; Staples, election supplies- 91.87; Tyler Graphic Services, Inc., ballot printing- 2975.52; Dakota County Star, publishing- 26.64; Hubbard Post Office, postage- 17.64; Perkins, supplies- 59.98; Carol Sue Dunham, mileage- 57.64; Lynette Beermann, printer cartridge- 12.89; Das Material, supplies- 106.40; Iowa Office Supply, supplies- 103.17; Midwest Office Automations, maintenance- 467.98; Thomson West, CD Rom Service- 220.00; Thurston County Court, reimbursement for transcription- 27.70; United Bank of Iowa, lease payment- 158.04; Cellular One, phone- 31.23; Iowa Office Supply, pen refills- 11.07; Lexis Law Publishing, officer's DUI handbook- 21.60; Thomson West, law books- 245.23; Scott Dugan, mileage- 375.00; Frank Gonzalez, interpreting- 80.00; Omaha World Herald, advertisement/subscription- 311.30; Perkins, office supplies- 88.38; Guk Rut, interpreting- 212.00; Sioux City Journal, advertisement/subscription- 62.75; United Bank of Iowa, lease payment- 90.40; William Binkard, counsel- 174.00; William Binkard, counsel- 234.00; William Binkard, counsel- 150.00; Osbaldo Herrera, Witness Fee- 23.00; Randy S. Hisey, counsel- 516.00; Randy S. Hisey, counsel- 1926.00; Randy S. Hisey, counsel- 384.00; Shelly Horak, counsel- 153.00; Shelly Horak, counsel- 288.00; Sandra Inkster Ehrich, counsel- 255.00; Brenda Kelly, witness fee- 23.00; Barbara Kueny, counsel- 246.00; Robert J Rehan, counsel- 3045.60; Patrick Tott, counsel- 894.00; Dakota County Sheriff, papers/warrants- 1197.01; Clerk of District Court, court costs- 734.00; Clerk of Supreme Court, appeal fees- 77.50; Coffee King, coffee- 39.92; Elena Harrell, interpreter fees- 30.00; Woodbury County Sheriff, sheriff fees- 39.51; William Binkard, counsel- 997.00; Alexander Esteves, counsel- 644.24; Thomas Fitch, counsel- 954.00; Michael Schmiedt, counsel- 225.00; Richard Thramer, counsel- 429.60; Frank Gonzalez, interpreting- 40.00; Randy S. Hisey, counsel- 1494.00; Shelly Horak, counsel- 300.00; Maximus Inc., cost allocation plan- 1107.49; Iowa Office Supply, office supplies- 198.42; BenStar Packaging, supplies- 394.55; Bomgaars, supplies- 157.17; Cellular One, phone- 27.50; Foulk Bros. Plumbing, jail plumbing- 472.45; Gill Hauling, dumpster service- 110.00; Hardware Hank, supplies- 47.34; Rick Jensen, mileage- 121.28; JS Brothers Tree Service, tree removal- 525.00; Menards, supplies- 315.18; MidAmerican Energy, gas- 1684.53; NPPD, electric- 1955.54; Qwest, phone- 39.52; Roto Rooter, sewer repair- 400.00; Sams Club, supplies- 85.05; Service Master, cleaning- 3845.00; SHARE, vegetation control- 136.04; Superior Wholesale, t paper- 293.70; Tool Depot, tool repair- 65.15; Trembly Pest Control, pest control- 50.00; Dakota County Extension, mileage/supplies/copier/misc- 2994.22; Cellular One, phone- 149.47; Cellular One, service- 105.36; Circle R Frame, maintenance- 946.70; City of South Sioux City, copies/long distance/fuel- 2864.41; ConocoPhillips, fuel- 28.98; Crystal Oil, repairs- 2.99; D & R Service, repair- 431.09; Dakota County Star, subscription- 35.00; Dakota County Sheriff, reimburse petty cash- 21.39; Dakota County Treasurer, vehicle maintenance- 97.82; Five Star Enterprises, plaque- 52.94; Fremont Tire, vehicle maintenance- 12.00; Harolds, film developing- 19.56; JP Cooke Co., notary stamps- 76.06; Jacks Uniforms, uniforms/equipment- 216.75; Jackson Glass, new window- 206.11; Joes Department Store, parts- 6.22; NLETC, firearm instructor certification- 220.00; Racom, phone- 977.35; Robertson Implement, dog food- 18.30; Rogers Frame Repair, vehicle maintenance- 491.14; Siouxland Federal Credit Union, supplies/training/AOL- 833.81; Siouxland Humane Society, animal control- 38.00; Staples, supplies- 29.99; AJ Phillips Publishing, stationary- 608.00; Cellular One, phone- 64.18; Cellular One, phone- 19.99; Dakota County Star, subscription- 60.00; Department of Motor Vehicles, transcripts- 24.00; Douglas County Court, certified copy of conviction- 4.75; Electronic Engineering, pager contract- 99.50; Hampton Inn, lodging- 440.00; Amber Hegarty, mileage- 221.13; Edward Matney, mileage/appeal/misc- 344.87; H2O4U, office supplies- 31.50; Iowa Office Supply, copier contract- 90.60; John Loos, Jr., meals/seminar- 32.61; Kingsbury County, certified copies- 4.00; Matthew Bender, law books- 9.45; Nebraska County Attorney Association, seminar registration/dues- 1695.60; Perkins, supplies- 54.40; St. Lukes Home Health, blood draw- 400.00; Thurston Co., certified transcripts- 2.25; City of South Sioux City, LEC operations- 21513.63; Cellular One, phone- 28.26; Perkins, office supplies- 238.90; Nicole Sims, mileage- 12.00; American Bio Medical Corp, drug test kits- 97.44; BI Incorporated, house arrest- 6456.50; Bob Barker, inmate supplies- 744.62; Benstar Packaging, supplies- 633.09; Blair West Pharmacy, inmate medical- 185.25; Boys & Girls Home, juvenile holding-

450.00; Braunger, food- 2541.68; Gary Bring, DDS, inmate medical- 129.00; Cardiovascular Associates, inmate medical- 804.00; Sergio Castillo, SR., interpret- 90.00; Cedar County, out-of-county-boarding- 4050.00; Cellular One, phones- 52.22; Cellular One, equipment- 149.97; Coffee King, coffee products- 109.75; Herbert Coulter, DDS, inmate medical- 131.00; Dept. of Corrections, safekeepers/medical- 23708.98; Dixon County Sheriff, out of county boarding- 8540.00; Earthgrains, food- 1024.88; Faith Regional Health Service, inmate medical- 1297.09; Fraternal Order of Police, food product- 45.60; Grandy Pratt, notary bond- 30.00; Guard Rite Security, transport- 5796.96; Hartington Family Dentistry, inmate medical- 117.00; HyVee, food products- 3260.42; HyVee, inmate medical- 555.59; Jacks Uniforms, handcuffs- 303.80; Kreisers, inmate medical- 37.26; Louderback Drug, inmate meds- 406.50; Madison County Sheriff, out-of-county boarding- 29350.00; MCH Health, inmate medical- 223.60; Mercy Medical Center, inmate medical- 8558.50; Midwest Health Partners, inmate medical- 794.00; Moore Medical Corp, inmate medical- 107.06; National Public Safety Information, directory- 116.10; David Noble, DDS, inmate medical- 178.00; Northeast NE Juvenile Services, juvenile holding- 23472.50; NW Iowa Emergency, inmate medical- 734.00; Prince of the Road, transport- 1145.35; Quest Diagnostics, inmate medical- 55.15; Redlers Pharmacy, inmate meds- 1171.52; St. Lukes Health Resources, inmate house calls- 1374.00; Sams Club, food products- 275.71; Secretary of State, notary bond- 30.00; Sioux City Wintronics, door alarms- 12.62; Siouxland Federal Credit Union, transport meals/fuel- 116.13; Siouxland Lock & Key, duplicate keys- 8.25; Siouxland Radiology Partners, inmate medical- 42.92; Walmart, supplies- 127.19; Hubbard Post Office, postage- 100.00; Northeast NE Telephone, phone- 187.42; Apex-Carex Healthcare Products, med chests- 55.00; Pam DeVries, mileage- 80.58; Dunes Family Medicine, phys- 250.00; Gloria Dwyer, supplies- 30.06; Pat Glover, mileage/supplies- 199.11; Medibadge, stickers- 59.55; Midwest Office Automations, quarterly contract- 39.02; NACCHO, dues- 55.00; Perkins, office supplies- 35.04; Marx Truck Trailer Sales, trailer- 10605.00; Cellular One ,phone- 46.60; Luken Memorial, set marker- 110.00; Ed Matney, postage reimbursement- 192.09; Aflac, service fees- 40.00; AT&T, phone- 38.15; Cable One, internet- 281.20; Dakota City PostMaster, box rentals- 528.00; Dakota Co. Interagency Team, dues- 25.00; Dakota County Register of Deeds, recording fee- 5.50; Executive Copy Systems, copier repair- 138.82; Lazette Gifford, website- 40.00; MIPS, payroll/claims/supplies- 299.37; Midwest Office Automations, copier repair- 119.10; NACO, semi-annual dues- 983.00; Nebraska Loess Hills RC & D, sponsorship- 200.00; Personal Touch Computers Consulting, internet/phone repair- 361.42; Positive Outcomes, research on health insurance- 100.00; Qwest, phone- 1371.47; Qwest, phone- 1248.93; Qwest, phone- 65.72; Sams Club, membership dues- 355.00; Sams Club, phone cards for Board- 208.20; Sioux Air Inc., backwater spraying- 1040.00; SIMPCO, economic development- 2558.00; US Postal Service, postage- 2499.18; WCS Telecom, phone- 306.84.

ROAD FUND: Advanced Auto, parts/supplies/tools/oil- 208.23; Aramark, Service- 254.22; Bomgaars, tools/supplies- 154.98; Bridgestone/Firestone, tires/parts- 531.50; Butler Co. Landfill, tire recycling grant- 6640.10; Campbell Supply, tools- 27.08; Cellular One, phone- 55.26; Dakota County Star, bid notices- 174.29; Erlandson Transportation, gravel- 3334.51; The Feed Shed, erosion control- 188.30; Fremont Tire, tires/repairs- 41.00; Gerry Miller Impl., mower parts- 243.08; Gill Hauling, dumpster- 45.00; Great Plains International, parts- 205.62; Guarantee Oil, filters- 92.30; William Haafke, rock hauling- 807.30; Higman Sand, road rock- 6614.85; HME Inc, rock hauling- 840.00; Hubbard Mini-Mart, fuel- 3138.32; H2O4U, water- 25.75; Inland Truck Parts, parts- 130.32; Jackson Glass, parts- 107.93; Joes Dept Store, supplies- 157.32; John Howard Trucking, rock hauling- 6681.80; Krumwiede Htg & Cooling, parts/labor- 158.89; Linweld, oxygen tanks/supplies- 95.75; Midland Equipment, parts- 79.94; NPPD, service- 23.68; Newman Traffic Signs, signs- 86.98; Northeast Coop, posts- 57.00; Northeast Equipment, may tractor rental- 950.00; Northeast Nebraska PPD, electricity- 500.00; Pilger Sand & Gravel, gravel- 4203.98; Powerplan, parts- 304.36; Presco Sales & Svc, culverts/bands- 4216.00; RC Customs, steel- 39.07; Rees Mack Sales, filters/radio repair- 58.78; Rinker Material Corp, road rock- 1437.00; RMS, oil/parts- 164.17; Sioux City Bolt, bolts- 43.68; Sioux City Iron, supplies- 148.70; Siouxland Hydraulics, parts/repairs- 411.38; Siouxland Napa, parts/supplies- 727.04; TORCO, parts- 275.75; Tractor Supply, parts- 16.79; UECO, pipe- 147.60; Ziegler, parts/labor/supplies- 583.48;

ROAD IMPROVEMENT FUND: JEO, engineering- 1482.50;

INSTITUTIONS: Beatrice State Development Center, qtrly payment- 1935.00; Norfolk Regional Center, qtrly payment- 39.00;

VETERANS SERVICE OFFICE: VSO, emergency relief- 1000.00

STOP FUND: Jack's Uniforms & Equipment, under armour shirts- 55.90; Sportsman Camera Inc., camera equipment- 1679.60.

JUVENILE ACCOUNTABILITY: BI, Inc, grant electronic monitoring- 685.90;

COMMUNITY JUSTICE GRANT: American Bio Medica Corp., drug testing- 170.77.

WEED FUND: Advance Auto Parts, pickup repairs- 23.18; Bomgaars, sprayer parts- 106.05; Dakota County Star, advertisement- 27.86; Hubbard Mini Mart, fuel- 338.36; Joes Dept. Store, sprayer parts- 77.77; Northeast Coop, spray/prepay spray- 8395.07; Leon Pies, workshop registration- 10.00; Siouxland NAPA, parts- 55.95.

COUNTY GENERAL FUND: Gross salaries- \$76,278.17, General Fund Employees Net Pay- \$53,389.43, Employer deductions paid: Retirement- 4,614.26, Social Security Tax- 4,548.88, Medicare- 1,063.89, Unicare Health- 16,090.80, Delta Dental- 508.56, Unicare Life- 286.54.

Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Daniel Christoffers- 350.00, Bobbi Jo Harsma-, Theodore Piepho- 1407.81, Lora Skow- 863.63, Joan Spencer- 1053.41, Darlene Davis- 777.60, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 826.80, Kimberly Kuehl- 755.20, Phyllis Ridge- 852.80, Mark J. Dorcey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 363.13, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 920.00, Dustin Kinsey- 752.00., Andrew Jensen- 504.00, Richard Jensen- 1206.00, Patricia Stingley- 856.00, Sandy Beers- 977.60, Jeremy Bermel- 1577.84, Anthony Bos- 1661.10, Sergio Castillo- 1185.92, Brian Ellinger- 1959.67, Todd Hammer- 1323.06, Melvin Harrison III- 1691.28, Rodney Herron- 1529.16, Kimberly Johnson- 419.90, Jared Junge- 1596.71, Michael Kreegar- 1389.15, Gayle Richards- 728.00, Kevin Rohde- 1190.10, James Wagner- 1760.81, Randall Walsh- 1730.00,

Rita Chase- 920.00, Amber Hegarty- 1615.38, Aimee Kennedy- 808.00, John Loos, Jr.- 1538.46, Edward Matney III- 2277.70, Debra Schmiedt- 1807.69, Bobbi Strong- 760.00, Amanda Jones- 40.00, Nicole Sims- 1073.77, Rebecca Broer- 1521.30, Richard Criss- 1174.25, Eric Davis- 937.95, Penny Epting- 1278.23, Ronald Fink Jr.- 937.95, John Gilles- 1123.93, Michael Gregerson Jr.- 1346.21, Alma Gunderson- 1240.80, Paula Harrigfeld- 415.66, Cathy Harsma- 1226.10, Adam Jensen- 971.25, Joseph Ramirez- 995.78, Linda Schovanec- 1092.20, Margaret Stingley- 844.16, Cynthia Purucker- 858.40, Leon Pies- 537.20, Pamela DeVries- 1367.12, Gloria Dwyer- 836.00, Patricia Glover- 928.95, Traci March- 29.25, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 6,964.19, State- 2,464.02, Social Security Tax- 4,548.88, Medicare- 1,063.89, Retirement- 3,130.23, Unicare Health- 1,955.56, Delta Dental- 297.63, Colonial Health- 35.20, Sheriff Union Dues- 40.00, Colonial Life- 3.00, Deferred Comp- 811.22, Garnishments- 964.65, Aflac Health- 375.17, Aflac Life/Dsbl- 93.55, Aflac Flex Plan- 245.75.

COUNTY ROAD PAYROLL: Gross salaries- \$13,735.00, Road Employees Net Pay- \$9,680.96, Employer deductions paid: Retirement- 927.09, Unicare Health- 3,169.40, Delta Dental- 95.29, Unicare Life- 54.67, Social Security Tax- 821.18, Medicare- 192.05.

Joel Broekemeier- 1082.40, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1147.51, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1186.29, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,133.32, State- 410.67, Social Security- 821.18, Medicare- 192.05, Retirement- 618.09, Unicare Health- 300.70, Delta Dental- 64.20, Reassure America Life- 9.76, Colonial Health- 33.01, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 125.30, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,131.90, Cops Fast Employee Net Pay- 806.92, Employer deductions paid: Retirement- 87.72, Unicare Health- 243.80, Delta Dental- 7.33, Unicare Life- 4.43, Social Security- 70.18, Medicare- 16.41, Brent Gilster- 1131.90.

COPS FAST GRANT: Employee withholding paid to: Federal- 131.60, State- 44.54, Social Security- 70.18, Medicare- 16.41, Retirement- 62.25.

SOUTH SIOUX CITY CHAMBER OF COMMERCE: Lodging Tax for Visitor Promotion- 9,465.42.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Engel moved, seconded by Commissioner Hartnett to approve the June 7, 2004 minutes as written..

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Engel moved, seconded by Commissioner Hartnett to acknowledge receipt of and approve the Officials reports filed with the County Clerk from the County Clerk, Register of Deeds and the Clerk of the District Court for the month of May, 2004.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Miller to value the real property described as: --Abandoned Railroad Right of Way through NW ¼ of Section 26, Township 27, Range 6 and the abandoned Railroad Right of Way through NE ¼ of Section 26, Township 27, Range 6, at \$150 an acre.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

The board talked about the jail roof leaking.

The board talked about the expense of Court appointed attorneys. Extensive discussion was had about court appointed attorneys being paid on a fee per case basis rather than an hourly rate.

It was felt that cases would get through the system much faster if that were done.

Chair Todd adjourned their meeting at 4:59 p.m.

/s/Lyle Todd, Chairman
Dakota County Board of Commissioners

ATTEST:
/s/Theodore A. Piepho
County Clerk

* * * *

COUNTY BOARD OF COMMISSIONERS
JULY 6, 2004 MEETING
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

Chair Lyle Todd called the meeting to order at 1:30 p.m. followed by roll call: Present were; Commissioners Jackie Hartnett, Bill Engel, Rick Bousquet, and Chair Lyle Todd. Absent was Commissioner Pam Miller.

Roll call was followed by the Pledge of Allegiance.

Commissioner Pam Miller arrived at 1:33 p.m.

Minutes from the June 21, 2004 meeting were approved correcting the ballot language in the Interlocal Agreement with South Sioux City to read as follows:

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT made and entered into this 21st day of June, 2004, by and between the CITY OF SOUTH SIOUX CITY, DAKOTA COUNTY, NEBRASKA, a municipal corporation (hereinafter referred to as "City") and the COUNTY OF DAKOTA, STATE OF NEBRASKA, a governmental subdivision (hereinafter referred to as "County"), WITNESSETH:

WHEREAS, the City has the ability to institute a local option sales and use tax pursuant to Neb. Rev. Stat. Section 77-27,142 to 77-27,148 inclusive (Local Option Revenue Act) for various purposes enumerated therein including but not limited to capital improvements and property tax reduction; and,

WHEREAS, the County has the authority to impose a sales and use tax to finance public services pursuant to Neb. Rev. Stat. Section 13-318 to 13-326 inclusive; and,

WHEREAS, the City and County have agreed to simultaneously submit to the voters within their respective jurisdictions a ballot question to obtain authority to impose a sales and use tax upon the same transactions within their jurisdiction on which the State of Nebraska is authorized to impose a tax; and,

WHEREAS, the City and County have agreed that said sales and use taxes, if simultaneously approved by voters in each jurisdiction, shall be used to provide funds for the financing of a new jail/correctional facility and contribution to the joint City-County Law Enforcement Center, and,

WHEREAS, it is in the best interest of each of the parties hereto to enter into this Interlocal Agreement for submission of the simultaneous questions on imposition of a sales and use tax for the purposes herein set forth; and,

WHEREAS, the governing body of each of the aforesaid governmental subdivisions has duly adopted an Ordinance or a Resolution authorizing the execution of this Interlocal Agreement pursuant to the provisions of the Interlocal Cooperation Act (Neb. Rev. Stat. Section 13-801 to 13-827, as amended).

NOW, THEREFORE, pursuant to the authority of said Interlocal Cooperation Act of the Legislature of the State of Nebraska and pursuant to the authority and direction of the ordinances and resolutions hereinabove referred to as adopted by each of the governmental subdivisions who are a party hereto, and in consideration of the mutual covenants and undertakings herein contained, IT IS HEREBY AGREED by and between each of the aforesaid governmental subdivisions, and each of them, and each of the successors, as follows:

1. Duration. The term of this agreement shall be for a period of ten (10) years from the first date on which the sales and use tax approved by the voters of the County and City is collected. This agreement shall be terminated in the event that the voters of either the City or County shall refuse to implement the sales and use tax as contemplated by this agreement.

2. Administration. Due to the nature of the contract and responsibilities of each governmental subdivision, it is determined that it is not necessary to create any separate legal or administrative entity for administration of the agreement. In the alternative, administration of the agreement shall be the responsibility of the City Administrator of the City of South Sioux City, Nebraska, and the County Clerk of the County of Dakota, State of Nebraska.

3. Purpose. The purpose of this agreement is to provide funds for the following projects:

* Eighty-eight percent (88%) of the sales tax collected by each party during the term of the agreement to the County for the payment of principal and interest upon bonds contemplated to be issued for the construction of a new jail/correctional facility adjacent to the existing Dakota County Courthouse located in Dakota City, Nebraska;

* Twelve percent (12%) of the sales tax collected by each party during the term of the agreement shall be allocated to the Joint Law Enforcement Center operated by the City and County in South Sioux City, Nebraska for public safety and interoperable communications equipment and other capital expenditures. The funds shall not be used for operating expense of the Joint Law Enforcement Center;

* The County shall, during the term of this agreement, contribute \$40,000.00 to the South Sioux City Public Library so that the basic services of the Library will be available without charge to residents of the County who do not reside within the City of South Sioux City, Nebraska with said payment commencing sixty (60) days after the opening of the new jail facility and occurring annually thereafter for the term of this agreement. The County will provide funds for the paving, and related appurtenances, of ?C? Avenue between South Sioux City, Nebraska, and Dakota City, Nebraska, and one (1) connector street to IBP/Dakota Avenue in accordance with Exhibit "A" which is attached hereto and made a part hereof by reference. Phase 1, as delineated in Exhibit "A", shall be completed by December 31, 2010. Phase 2, as delineated in Exhibit "A", shall be completed by December 31, 2012. However, if the City elects to complete either phase prior to schedule (i.e., Phase 1 prior to December 31, 2010, and Phase 2 prior to December 31, 2012), the County will reimburse the City. Such reimbursement may occur over 10 year

periods, which shall commence as of the respective completion dates referenced above. The County will not be required to pay any interest on such amounts. If the City chooses to establish a TIF district or receive other governmental funds for the financing of the paving project mentioned above, the County will not be required to reimburse the City for those funds received in that manner.

4. City Election. The City shall submit the question of imposition of a one-half of one percent sales and use tax pursuant to the Local Option Revenue Act at the August 10, 2004 special election. The question to be submitted to the electors of the City shall be as follows: See Exhibit "B," which is attached hereto and made a part hereof by reference.

5. County Election. The County shall submit the question of imposition of a one-half of one percent sales and use tax pursuant to the Public Safety Services Sales Tax at the August 10, 2004, special election. The question to be submitted to the electors of the County shall be as follows: See Exhibit "C," which is attached hereto and made a part hereof by reference.

6. Distribution of Funds. In the event that both of the sales and use tax questions are approved by the respective electors of the City and County, the sales tax receipts shall be deposited by each entity in a special account and distributed as set forth herein.

7. Books and Accounts. The City Administrator and the County Clerk shall keep and maintain such books and accounts as they may deem advisable and as may be required by their respective auditors, which books and accounts shall be audited annually by a certified public accountant selected by the City and County. Certified reports of audits shall be prepared as of the end of each fiscal year, copies of which shall be furnished to the Clerks of each governmental subdivision. The books and accounts shall be available for inspection by authorized representatives of the City and County.

8. Records and Reports. The City Administrator and County Clerk shall maintain and keep such other records and make such reports to the constituent government subdivisions as each may deem necessary or advisable for the proper conduct of the duties and obligations pursuant to this agreement.

9. Obligation of the City. The obligation of the City shall be limited to the sales and use tax generated pursuant to this agreement. The City shall not be obligated under this agreement to make any payments other than the sales and use tax.

10. No General Obligation of the City. The obligation of the City pursuant to this agreement shall not be deemed to be a general obligation of the City or be supported by the full faith and credit of the City, and neither the County nor the bond holder of the bonds issued by the County shall be entitled to require or compel the City to levy ad valorem taxes or taxation in any form of any property in the City for the making of payments pursuant to the bonds issued by the County. Nothing contained in this agreement nor any action taken under it shall be construed as creating a lien of any kind upon the property, funds, income or revenue now existing or hereafter held or available to the City.

11. County Bonds. The County shall be responsible for any additional payments due upon bonds issued for its jail/corrections facility construction project which exceed eighty-eight percent (88%) of the sales tax collected. The City shall have no obligation to pay any additional funds for payment of the County's principal and interest payment upon bonds for the project.

12. No Obligation for Operating Expenses. None of the sales tax collected by the City and County shall be used for operation of the jail/correctional facility to be constructed in Dakota City, Nebraska. The sales and use tax collected shall be used only for capital expenditures, payment of bonds and interest for construction of the new jail/correctional facility and for equipment and capital expenditures at the Joint Law Enforcement Center.

13. Amendment of County Bond Resolution. The bond resolution adopted by the County for the construction of the jail/correctional facility may not be amended to enlarge the obligation of the City or adversely affecting the rights or interest of the City without the City's expressed permission.

14. Sunset Provision. It is agreed that the sales and use tax, if approved both by the City and County electors, will contain a sunset provision whereby the tax will automatically expire ten (10) years after implemented. The sales tax shall be terminated by the parties in the event that the bonds for the jail/correctional facility are retired prior to the end of the 10-year term of the sales tax.

15. Budget. It is not necessary to create a separate budget for this agreement.

IN WITNESS WHEREFORE, the governmental subdivisions who are a party hereto have, on the day and year first above written, caused their agreement to be executed by the respective officers duly authorized and have caused their respective seals to be affixed hereto.

CITY OF SOUTH SIOUX CITY, DAKOTA
COUNTY, NEBRASKA, a municipal corporation,

BY: _____
MAYOR

ATTEST:

CITY CLERK

(S E A L)

COUNTY OF DAKOTA, STATE OF
NEBRASKA, a governmental subdivision,

BY: _____
CHAIRMAN

ATTEST:

COUNTY CLERK

(S E A L)

EXHIBIT "A" was a drawing showing that Phase I consists of extending the connector street from IBP/Dakota Avenue (48th Street) east to "C" Avenue with a similar urban design as the existing 48th Street and paving "C" Avenue north from 48th Street to 39th Street with a rural design.

Phase II consists of paving "C" Avenue from 48th Street south to Dakota City city limits with a rural design.

EXHIBIT "B" - PAGE 1

OFFICIAL MUNICIPAL BALLOT

THE CITY OF SOUTH SIOUX CITY,
IN THE STATE OF NEBRASKA

Tuesday, August 10, 2004

"Shall the City of South Sioux City, Nebraska, impose an additional sales and use tax of one-half of one percent (0.5%), upon the same transactions within such municipality on which the State of Nebraska is authorized to impose a tax, for the following purposes:

* 88% of the collections in each year to be applied to paying the principal and interest of bonds for the construction costs of a new Dakota County Jail/Correctional Facility.

* 12% of the collections in each year to be applied to paying the costs of capital improvements and equipment for the City/County Law Enforcement Center, including but not limited to interoperable communication equipment,

with such collections being applied for such purposes, including current expenditures and retirement of lease-purchase or other indebtedness for funding of contributions by the City under an interlocal cooperation agreement to the County by the City for payment of the County?s bonds (including any bonds issued to refund the same);

Such additional sales and use tax shall remain in effect for a period of ten years from the time of its first going into effect or for such shorter period as shall be required to result in amounts collected sufficient to retire the bonds issued for the construction of the Dakota County Jail/ Correctional Facility?"

(If a majority of the votes cast upon such question shall be in favor of such tax, then the governing body of the City of South Sioux City shall be empowered as provided by Section 77-27,142 Reissue Revised

Statutes of Nebraska, 2003, as amended, and shall forthwith proceed to impose a tax pursuant to the Local Option Revenue Act. If a majority of those voting on the question shall be opposed to such tax, then the governing body of the City of South Sioux City shall not impose such tax).

- FOR this proposition
- AGAINST this proposition

EXHIBIT "B" _ PAGE 2

OFFICIAL COUNTY BALLOT

THE COUNTY OF DAKOTA,
IN THE STATE OF NEBRASKA

Tuesday, August 10, 2004

"Shall The County of Dakota, in the State of Nebraska, issue the negotiable bonds of the County in the principal amount not to exceed Seven Million Twenty-five Thousand Dollars (\$7,025,000) for the purpose of providing for a Jail/Correctional Facility and equipping and furnishing such facility; said bonds to be issued from time to time, bear interest at such rate or rates and become due at such time or times, as may be fixed by the Board of Commissioners of the County;

The tax to be imposed by this proposition, together with amounts to be provided by the City of South Sioux City under an authorization for an additional one-half of one percent (0.5%) sales tax as submitted by separate proposition at this same election held August 10, 2004 to the voters of the City of South Sioux City, Nebraska and the voters in the area of The County of Dakota outside the limits of the City of South Sioux City, shall be the tax levied to meet the liability incurred by the County on such bonds as adopted by this proposition.:

- FOR this proposition
- AGAINST this proposition

EXHIBIT "C" - PAGE 1

OFFICIAL COUNTY BALLOT

THE COUNTY OF DAKOTA,
IN THE STATE OF NEBRASKA

Tuesday, August 10, 2004

"Shall The County of Dakota, in the State of Nebraska, impose a sales and use tax of one-half of one percent (0.5%), upon the same transactions within such county other than in municipalities which impose a local option sales tax on which the State of Nebraska is authorized to impose a tax, for the following public safety service purposes:

- * 88% of the collections in each year to be applied to paying the principal and interest of bonds for the construction costs of a new Dakota County Jail/Correctional Facility.
- * 12% of the collections in each year to be applied to paying the costs of capital improvements and equipment for the City/County Law Enforcement Center, including but not limited to interoperable communication equipment, with such collections being applied to either current expenditures for such purposes or to the retirement of lease-purchase of other indebtedness incurred for such purpose;

Such sales and use tax shall remain in effect for a period of ten years from the time of its first going into effect or for such shorter period as shall be required to result in amounts collected sufficient to retire the bonds (including any bonds issued to refund the same) issued for the construction of the Dakota County Jail/ Correctional Facility; and

(If a majority of the votes cast upon such question shall be in favor of such tax, then the governing body of The County of Dakota shall be empowered as provided by Section 13-319, R.S. Supp. 2003 and Section 77-27,142 Reissue Revised Statutes of Nebraska, 2003, as amended, and shall forthwith proceed to impose a tax pursuant to the Local Option Revenue Act. If a majority of those voting on the question shall be opposed to such tax, then the governing body of The County of Dakota shall not impose such tax)."

- FOR this proposition
- AGAINST this proposition

EXHIBIT "C" - PAGE 2

OFFICIAL COUNTY BALLOT

THE COUNTY OF DAKOTA,
IN THE STATE OF NEBRASKA

Tuesday, August 10, 2004

"Shall The County of Dakota, in the State of Nebraska, issue the negotiable bonds of the County in the principal amount not to exceed Seven Million Twenty-five Thousand Dollars (\$7,025,000) for the purpose of providing for a Jail/Correctional Facility and equipping and furnishing such facility; said bonds to be issued from time to time, bear interest at such rate or rates and become due at such time or times, as may be fixed by the Board of Commissioners of the County;

The tax to be imposed by this proposition, together with amounts to be provided by the City of South Sioux City under an authorization for an additional one-half of one percent (0.5%) sales tax as submitted by separate proposition at this same election held August 10, 2004 to the voters of the City of South Sioux City, Nebraska and the voters in the area of The County of Dakota outside the limits of the City of South Sioux City, shall be the tax levied to meet the liability incurred by the County on such bonds as adopted by this proposition.:

___ FOR this proposition

___ AGAINST this proposition

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- yea and Todd- Yea
UNANIMOUS MOTION CARRIED

Nanci Walsh presented dental coverage options for the board. The Delta dental plan that the board was looking at for \$14.65 for a single person does not cover Iowa dentists, so she recommended going with Delta's Premier Plan at a cost about \$18.90 for singles. This plan covers any dentist, Iowa or Nebraska, but has a one-time \$25 deductible for anything above yearly checkup. The Premier Dental Plan from Delta saves that County about \$10 over Unicare. Even if the County were to pick up the \$25 deductible it would still be saving money.

Motion was made by Commissioner Miller to go with Delta's Premier Plan, without paying the deductible, at a cost of \$18.90 for singles and \$58.05 per family. Motion was seconded by Commissioner Hartnett. ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Arnie Mellick talked to the board about the tire recycling grant. Through the grant that was given to the County, we could recycle up to 100 tons of tires. The county only collected 57 3/4 tons. That gives us roughly 43 tons left on the grant. Our options are to have another tire cleanup day in the fall or we can turn over our grant money to another County. Pam said the Loess Hills Resource Conservation District (RCD), went over their allowed tonnage and wanted to know if we could turn over our extra tonnage to them. Arnie will check and see if we can designate where our left over money goes and get back to the board at the next meeting.

Leon Pies discussed the bids for a new pickup for the Weed Department. Several bids came in and they were looking at a pickup that had hail damage, but found one at Woodhouse Ford in Blair that has no hail damage and was only \$450 higher. The cost of the pickup would be \$21,890.

Commissioner Todd thought that the board had bought the pickups for the County Sheriff's Department, with the idea of transferring them to the Weed Department when the Sheriff had replaced them. This is correct, but the Sheriff's Department isn't ready for a new pickup.

Commissioner Bousquet moved to accept the bid for the new pickup for the Weed Department from Woodhouse Ford that wasn't bid, but did not have hail damage, with financing from NACO for four years. The motion was seconded by Commissioner Miller.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd said that we need to keep an eye on the Sheriff's Department's pickups. Nanci Walsh said that we should have payment for the pickup by the 19th of this month.

Madelyn Thorsland, from the State Assessor's office, discussed the fact that it was within the board's rights to extend the Homestead filing deadline to give Dakota County residents more time to file for Homestead exemption.

Commissioner Hartnett moved to extend the Homestead filing deadline to July 21, 2004 seconded by Commissioner Bousquet.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

A notice will be put in the Star notifying the public of the extended deadline.

Arnie Mellick discussed bids received for the foam markers that came with the County's sprayer, which the County has never used. Two bids were received one bid from Gahlen Hinks of Emerson for \$350, and the other is from McCord, LTD for \$312. The foam markers are used to mark the fields so that you can tell where you've sprayed. They came with the sprayer that we bought used three or four years ago, but have sat in the County shed since then. They would cost about \$900 new.

Commissioner Hartnett moved to accept the bid by Gahlen Hinks for \$350 for the foam markers, seconded by Commissioner Bousquet.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller moved to reconvene as Board of Equalization at 2:03 p.m. seconded by Commissioner Hartnett.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Madelyn Thorsland, from the State Assessor's office discussed dropping the penalty for late filing per the County's Official Regulations section 49-1203. This states that when the filing deadline falls on a weekend, the board can accept protests filed on the following business day. All three of the protests in question were filed in a timely manner under this regulation so she is recommending that the board drop the penalties on these three personal property protests.

Commissioner Bousquet moved to drop the penalties on these three personal property protests seconded by Commissioner Engel.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller moved to reconvene as the Board of Commissioners at 2:08 p.m. seconded by Commissioner Hartnett.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

**There was one abandoned vehicle report, which is a 1996 Ford Windstar located at C & H. The Windstar has 80,000 miles on it. The County Clerk would like to look into this vehicle more. Item was tabled until the July 19, 2004.

Chair Todd opened the meeting for public comment.

Dakota County citizen Ed Albertson of Pomp's Tire took the floor. Mr. Albertson said that the County has been doing business with Pomp's Tire since March of this year, and that business relations have been good. Mr. Albertson went on to say that Rick Bousquet had them out to his farms a couple times to do work on one of his tractor tires. The first time that they were out, everything went fine. The second time that they came out Rick had called to say that he was dissatisfied with the quality of service and said "I am a County Commissioner, and I will see that you do not do business with the County again." Mr. Albertson said that when he went to the County shed to do business the next week, he was told that they could no longer do business with them per Rick Bousquet.

Rick said that he was dissatisfied with the quality of service and that he had mentioned to Arnie at the County shed that yes, if they did as poor quality of service for the County as they had with him, then he did not want the County using them. Rick also said that he never used the line "I am a County Commissioner." and that once he had ironed out his differences with Pomp's that he told the manager at Pomp's that they (the County) would continue using them as long as Barry did all our work.

Lyle feels that it is the Commissioner's duty to pass along information that they feel is pertinent to County business.

The Board of Commissioners have been asked to sign off on the construction of a boat ramp at the end of County Road 37, north of Jackson. The Corps of Engineers need the County to sign the permit for the boat ramp. The Board agrees that this is a good idea, but is not exactly sure what their role would be in the scheme of things with the boat ramp. County Attorney Ed Matney was called in to advise the board. He said that the owner of the property is the party that needs to fill out the application for permit. Light and Novelly own the property but the County has an easement for the road. The county is not certain if the easement goes all the way to the river or just until the end of the road and would like to make sure about this before filling out the permit application. County Clerk Ted Piepho said he would look into this further and come back to the board on July 19, 2004 with more information.

Commissioner Miller discussed that the Economic Development contract with SIMPCO ran out as of June 30th. \$2500 would extend our contract another 6 months. Both Commissioners Todd and Miller feel that the County has benefited from the research that SIMPCO has done for the County and that we should continue with our contract. This will be added to the July 19th agenda.

Nanci Walsh discussed with the board that Beckenhauer was asking if the Board was going to be asking for RFP's for construction manager. Commissioner Hartnett would like Nanci to contact Steve Davis (architect) to see if he is going to include a contract manager on his RFP. Nanci will get back with the board on this at the July 19th meeting.

COUNTY GENERAL FUND: Gross salaries- \$77,103.65, General Fund Employees Net Pay- \$53,961.15, Employer deductions paid: Retirement- 4,606.32, Social Security Tax- 4,577.28, Medicare- 1,070.53, Unicare Health- 16,333.93, Delta Dental- 633.15, Unicare Life- 290.30.

Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Daniel Christoffers- 389.39, Bobbi Jo Harsma- 900.01, Cassandra Joseph- 486.00, Theodore Piepho- 1407.81, Lora Skow- 867.56, Joan Spencer- 1053.41, Darlene Davis- 777.60, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 832.00, Kimberly Kuehl- 755.20, Phyllis Ridge- 852.80, Mark J. Dorcey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 350.00, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 920.00, Dustin Kinsey- 752.00., Andrew Jensen- 504.00, Richard Jensen- 1206.00, Patricia Stingley- 856.00, Sandy Beers- 977.60, Jeremy Bermel- 1517.79, Anthony Bos- 1594.95, Sergio Castillo- 1127.89, Brian Ellinger- 1664.70, Todd Hammer- 1292.21, Melvin Harrison III- 1440.72, Rodney Herron- 1529.16, Kimberly Johnson- 525.98, Jared Junge- 1544.37, Michael Kreegar- 1473.68, Gayle Richards- 728.00, Kevin Rohde- 1190.10, James Wagner- 1760.81, Randall Walsh- 1591.60, Rita Chase- 920.00, Amber Hegarty- 1615.38, Aimee Kennedy- 808.00, John Loos, Jr.- 1538.46, Edward Matney III- 2277.70, Debra Schmiedt- 1807.69, Bobbi Strong- 700.63, Amanda Jones- 430.00, Nicole Sims- 1073.77, Rebecca Broer- 1725.90, Richard Criss- 1000.40, Eric Davis- 921.30, Penny Epting- 1440.56, Ronald Fink Jr.- 899.10, John Gilles- 1040.05, Michael Gregerson Jr.- 1136.65, Alma Gunderson- 1056.00, Paula Harrigfeld- 839.05, Cathy Harsma- 1120.88, Adam Jensen- 912.98, Joseph Ramirez- 953.08, Linda Schovanec- 1112.15, Margaret Stingley- 735.93, Cynthia Purucker- 858.40, Leon Pies- 738.70, Pamela DeVries- 1367.12, Gloria Dwyer- 715.83, Patricia Glover- 922.80, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 6,838.06, State- 2,415.51, Social Security Tax- 4,577.28, Medicare- 1,070.53, Retirement- 3,122.25, Unicare Health- 1,955.53, Delta Dental- 381.95, Colonial Health- 35.20, Sheriff Union Dues- 40.00, Colonial Life- 3.00, Deferred Comp- 811.22, Garnishments- 964.65, Aflac Health- 491.72, Aflac Life/Dsbl- 128.05, Aflac Flex Plan- 411.75.

COUNTY ROAD PAYROLL: Gross salaries- \$13,673.89, Road Employees Net Pay- \$9,632.46, Employer deductions paid: Retirement- 922.96, Unicare Health- 3,169.27, Delta Dental- 122.85, Unicare Life- 54.54, Social Security Tax- 816.84, Medicare- 191.03.

Joel Broekemeier- 1082.40, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoesing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1186.29, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,123.54, State- 406.83, Social Security- 816.84, Medicare- 191.03, Retirement- 615.34, Unicare Health- 300.70, Delta Dental- 78.28, Reassure America Life- 9.76, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 153.35, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,264.20, Cops Fast Employee Net Pay- 893.38, Employer deductions paid: Retirement- 97.98, Unicare Health- 243.79, Delta Dental- 9.45, Unicare Life- 4.42, Social Security- 78.38, Medicare- 18.33, Brent Gilster- 1264.20.

COPS FAST GRANT: Employee withholding paid to: Federal- 151.36, State- 53.22, Social Security- 78.38, Medicare- 18.33, Retirement- 69.53.

Chair Todd adjourned the meeting at 3:18 p.m. on July 6th, 2004. Next Commissioners' meeting will be held July 19, 2004 at 10 a.m.

Chair Lyle Todd

ATTEST:

Theodore A. Piepho, County Clerk

* * * *

COUNTY BOARD OF COMMISSIONERS
JULY 19, 2004 MEETING
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

Chair Lyle Todd called the meeting to order at 10:00 a.m. followed by roll call: Present were Commissioners Jackie Hartnett, Bill Engel, Rick Bousquet, and Chair Lyle Todd and Commissioner Pam Miller. Roll call was followed by the Pledge of Allegiance.

Commissioner Bousquet moved, seconded by Commissioner Engel to direct the Highway Supt. to advertise for bids to bo-mag North Shore Drive.
ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd recessed their meeting for lunch at 11:45 a.m.
Chair Todd reconvened their meeting from lunch at 1:30 p.m.

Pat Foust provided the board with information concerning the grants that were applied for and received constructing communications towers.

Linda Dahl appeared before the board and explained her claims that were filed by her or her attorney.

Commissioner Bousquet moved, seconded by Commissioner Miller to table the tort claim and the regular claim filed by Linda Dahl in the amount of 11,928.50.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

The construction of a boat ramp at the waters edge north of County Road 37 was discussed.

1022 second Avenue
Wayne, Nebraska 68787
Telephone: 402-375-4750 home
402-375-1153 office
402-375-2288 messages
July 14, 2004

The Honorable Board of County Commissioners
Dakota County, Nebraska
C/C Ms. Nancy Walsh, Assistant to the Board
P.O. Box 338
Dakota City, Nebraska 68731

Subject: Elliotte Saunders's request regarding L Avenue (Road No. 37) north of Jackson

Ladies and Gentlemen:

I am writing to support the request of my cousin Elliotte Saunders that Dakota County keep L Avenue (Road No. 37) near the Missouri River open to public travel. More specifically, I respectfully ask that you review or cause to be reviewed Dakota County's records pertaining to this road. I believe that such a review will show that this is a public road all the way to the Missouri River.

The records of the establishment of this part of L Avenue can be found in County Commissioners Record 2A and the Road Calendar. These records indicate that the following events took place from 1867 to 1871 with respect to this road, which was then called the East Branch of the St. John's, Timber, and Pigeon Creek Road or Road No 37.

August 26, 1867

Several residents of Dakota County presented a petition to the Board of County Commissioners asking to have a road established in this area. See Commissioners Record 2A, page 17.

August 31, 1867

The Board of County Commissioners appointed Barnabas Bates as special commissioner to view and locate the road. They specifically instructed Bates to view, locate, and report on the part of the road on the line between Sections 1 and 2 and on the line between Sections 11 and 12, all in Township 29 North, Range 7 East of the 6th P.M. See Commissioners Record 2A, page 17.

January 6, 1868

The Board of Commissioners cancelled the appointment of Bates on the grounds that he had failed to act and appointed George C. Grainger as special commissioner to view and locate the road. See Commissioners Record 2A, page 30.

March 19, 1868

Grainger surveyed the east branch of the road, including the part on the line between Sections 1 and 2 and on the line between Sections 11 and 12. See Commissioners Record 2A, page 39.

April 6, 1868

Grainger reported to the Board of Commissioners on his survey of the road. See Commissioners Record 2A, pages 38-41. Then the persons who owned and controlled the land on the lines between Sections 1 and 2, 11 and 12, and 13 and 14 granted right of way to the county for the road. The Board of County Commissioners ordered that Grainger's report be accepted and the supervisor be informed of the location of the road. See Commissioners Record 2A, page 41.

April 4, 1871

The Board of County Commissioners ordered that all roads located in the county be recorded and platted in the Road Record and that the County Surveyor make the record. See Commissioners Record 2A, page 144.

June 2, 1871

The county Surveyor recorded and platted the road in the Road calendar. The East Branch, including the part on the line between Sections 1 and 2 and between Sections 11 and 12, is recorded along with the rest of Road No. 37. See Road calendar, pages 321, 331-332.

The records cited above show that Road No. 37 originally ran along the entire mile of the section line between Sections 1 and 2, Township 29 North, Range 7 East. Because of a change in the course of the Missouri River, the north part of Section 1 and the north part of Section 2 no longer exist. But according to the records, that part of Road No. 37 (L Avenue) which runs along the section line between the remaining parts of Sections 1 and 2 is a public road all the way to the Missouri River.

Further evidence that Road No. 37 (L Avenue) is a public road all the way to the Missouri River can be found in an easement (copy attached hereto) which Lawrence Texley and Alta Texley conveyed to Dakota County on April 28, 1962, for a county road running along the line between Sections 11 and 12 and the line between Sections 1 and 2 "to the South edge of the Missouri River".

Thank you in advance for your attention to this matter. Please call or write if you have questions or comments about this letter.

Very truly yours,

Sidney A. Saunders

Attachment: a/s
pc (all with attachment):
Mr. Theodore Piepho, Dakota County clerk
Mr. Elliotte Saunders

Attached to this letter was a copy of an Easement between Lawrence Texley and Alta Texley and Dakota County filed in the Register of Deeds Misc. Record Book 26 pages 111, 112 and 113
Merritt Koehs from Northeast Coop appeared before the board to explain their metered system where a meter is installed in the county's gas storage tank and the county would just pay for the fuel that it uses.

Commissioner Miller moved, seconded by Commissioner Hartnett to acknowledge receipt of and approve the Pledged Securities Report and the Semi-annual Treasurers Report submitted by Robert Giese, County Treasurer, for January 1, 2004 through June 30, 2004, with Grand Totals as follows: Beginning Balance- \$4,043,781.72, Collections- \$13, 583,015.18, Disbursements- \$14,300,143.50 and an Ending Balance of \$3,326,653.40.

PLEGDED SECURITIES FOR DAKOTA COUNTY TREASURER AS OF JUNE 30, 2004:

IA-NE STATE BANK

BANK DEPOSIT GUARANTEE BOND BOND #DG1471NE007 \$2,000,000.00

SIOUXLAND NATIONAL BANK DEPOSIT GUARANEE BOND

BOND # DG2259NE010 \$500,000.00

BOND # DG2259NE016 \$500,000.00

DAKOTA COUNTY BANK

FHLB 1-28-00 (3133MAJQ3) 1-28-05 \$1,000,000.00

FHLB 1-25-00 (3133MAL49) 1-25-05 \$1,000,000.00

FHLB 8-26-02 (392003036) 8-26-05 \$500,000.00

FIRST NATIONAL BANK

FHLB 6-1-04 (31339XDV3) 6-19-08 \$500,000.00

FHLB 6-1-04 (31339YJ26) 7-30-08 \$500,000.00

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller moved, seconded by Commissioner Bousquet to authorize Dakota County to board juveniles in the Woodbury County Juvenile Detention Center.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Engel moved, seconded by Commissioner Bousquet to approve the Tax List Corrections as presented by the State's Assessor for Dakota County in the amount of \$11,672.72 net loss.
ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to approve the Supplemental Agreement 1 between the State of Nebraska and Dakota County on project BRO-7022(14) Homer South (Dakota County) C.N. 31603.
ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Miller to acknowledge receipt of and approve the Officials Reports filed with the County Clerk from the County Clerk, Register of Deeds and the Clerk of the District Court for the month of June, 2004 and the County Sheriff's Quarterly Report for the period April 1, through and including June 30, 2004.
ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Miller to approve the Audit Agreement with Romans, Wiemer and Associates with the changes recommended by the County Attorney as follows:
DAKOTA COUNTY
AND
ROMANS, WIEMER & ASSOCIATES, CPA'S, P.C.
YORK, NE 68467

THIS AGREEMENT made and entered into this _____ day of December, 2004, by and between DAKOTA COUNTY, hereinafter called "the County", and ROMANS, WIEMER & ASSOCIATES, CPA'S, P.C., hereinafter called "Live Permit Holder".

WHEREAS, the County wishes to obtain the services of the Live Permit Holder to perform the annual audit of the County required by Section 23-1608 R.R.S. 1943 for the years ending June 30, 2004, June 30, 2005, and June 30, 2006.

WHEREAS, this agreement is in the best interest of the public in fulfilling the requirements of Section 23-1608 R.R.S. 1943.

NOW, THEREFORE, BE IT UNDERSTOOD AND AGREED:

1. That the Live Permit Holder will:
 - A. Begin work on the audit engagement as specifically agreed upon with the County. (No notice of the audit shall be give prior to its commencement.)
 - B. Perform all work in accordance with generally accepted auditing standards and Section 23-1608 R.R.S. 1943.
 - C. Immediately inform the Auditor of Public Accounts and County Attorney if the audit discloses any irregularity in the collection or disbursement of public funds or in the abatement of taxes.
 - D. Provide access to the working papers to the Auditor of Public Accounts for the period of three years after issuance of the audit report and to any appropriate federal agencies for the period of time specified in relevant agreements entered into by the County.
 - E. Perform the work in accordance with auditing standards for audits of government organizations, programs, activities, and functions as it relates to financial and compliance requirements, federal requirements, on the Single Audit, and acceptable to the Auditor of Public Accounts.
2. Conditions of payment are:
 - A. It is understood that the fees for the services set forth above shall be reimbursed at the following annual rates:

For Year Ending

June 30, 2004	\$ 12,450.00
Annual Extension for June 30, 2005	12,450.00
Annual Extension for June 30, 2006	12,450.00

Any additional Single Audit of federal funds would be an additional \$850.00 per year required.

B. The Live Permit Holder shall present an invoice for services in the following manner: At conclusion of engagement and upon receipt of audit reports.

C. Payment shall be made within 30 days of receipt of invoice.

3. Termination of Agreement:

A. The County may terminate this contract with 30-days written notice.

B. The Live Permit Holder shall be paid for all work satisfactorily performed to the date of termination.

C. The Live Permit Holder may terminate this contract with 30-days written notice.

IN WITNESS THEREOF, the County and Live Permit Holder have executed this AGREEMENT as of the date indicated below.

LIVE PERMIT HOLDER

COUNTY

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller moved, seconded by Commissioner Hartnett to approve the contract with SIMPCO to provide economic development services including researching grant funding sources and writing grant applications from July 1, 2004 to December 31, 2004 for a remaining cost of \$2,500.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Engel moved, seconded by Commissioner Miller to approve the lease purchase agreement with NACO Leasing Corporation on a 2004 F150 Supercab 4X4 Heritage VIN 2FTRX18W34CA87201.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to approve the Accounts Payable claims as follows:

GENERAL FUND: Cellular One, phone- 29.96; Dakota County Star, publishing- 175.06; Perkins, supplies- 274.84; Siouxland Federal Credit Union, anti virus software- 21.05; Cellular One, phone- 27.10; Robert & Patricia Chitwood, Lekriever lease payment- 1989.27; Dakota County Star, subscription- 60.00; Destiny Computer, onsite configuration DOS program- 115.00; Lexi Koster, logging in protest forms- 42.49; MIS, scanner maintenance- 140.00; NetSys+, networking- 603.75; Perkins, supplies- 247.68; Redfield & Co., property value protest forms- 125.80; Sams Club, computer equipment- 264.16; Sioux City Journal, subscription- 234.00; Sammie Skow, logging in protest forms- 42.49; Robert Giese, mileage- 76.65; Charlotte Doenhoefer, prior yrs- 10.00; Ruth Jensen, prior yrs- 12.00; Nadine Lewon, prior yrs- 17.00; Mardell Sorenson, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; DAS Imservices, data service- 27.50; Election Systems & Software, Inc., ballot graphics-

2090.68; MIPS, voter registration support- 153.00; Dakota County Star, meeting notice- 6.63; Lynette Beermann, mileage/meal Grand Island- 175.57; Carol Sue Dunham, mileage- 57.64; Executive Copy System, fax machine repair/maintenance- 120.00; Iowa Office Supply, supplies- 139.63; Norfolk Printing Co., Civil Case Binders- 259.23; Creighton Law Review, law book- 25.00; General Business Interiors, office desks- 9918.98; Thomson West, CD Rom Service- 220.00; Thurston County Court, reimbursement for transcription- 7.55; United Bank of Iowa, lease payment- 158.04; Cellular One, phone- 34.20; Iowa Office Supply, supplies- 98.88; Lexis Law Publishing, Officer search & seizure book- 21.60; ImageRite, toner cartridge- 80.25; Scott Dugan, mileage- 397.50; Frank Gonzalez, interpreting- 640.00; Sioux City Journal, one year subscription- 50.20; United Bank of Iowa, lease payment- 90.40; William Binkard, counsel- 126.00; William Binkard, counsel- 678.24; William Binkard, counsel- 114.00; William Binkard, counsel- 120.00; Dakota County Court, court costs- 4526.78; Alexander Esteves, counsel- 360.00; Chris Freemont, witness fees- 37.25; Patricia Freemont, witness fees- 37.25; Samuel Gomez, witness fees- 20.75; Frank Gonzalez, interpreting- 120.00; Tony Heuangdehxmophonh, witness fees- 21.50; Shelly Horak, counsel- 225.00; Shelly Horak, counsel- 177.00; Hurley Law Office, counsel- 1284.00; Sandra Inkster Ehrich, counsel- 1155.00; Sheryl Parsells, witness fees- 23.75; John Petersen, witness fees- 22.25; Brook Redick, witness fees- 27.50; Shelly Rees, witness fees- 27.50; Mary Renfer, witness fees- 23.75; Michael Schmeidt, counsel- 210.00; Jesus Tapia, witness fees- 22.25; Richard Thramer, counsel- 264.60; Patrick Tott, counsel- 837.00; Lori Ubbinga, counsel- 150.00; Dakota County Sheriff, papers/ warrants- 864.65; Clerk of District Court, court costs- 332.00; Coffee King, coffee- 81.84; Robert Decker, bailiff fee- 25.00; Richard Thramer, counsel- 624.60; Lori Ubbinga, counsel- 204.00; Barone Security, inspection, 345.00; BenStar Packaging, supplies- 198.30; Bomgaars, lawn care- 29.98; Cellular One, phone- 27.96; City of Dakota City, utilities- 1194.35; Foulk Bros. Plumbing, jail plumbing- 518.70; Gill Hauling, dumpster service- 110.00; Grainger, filters/stripe paint- 568.56; Hardware Hank, supplies- 202.86; Rick Jensen, mileage- 134.59; Lowes, supplies- 60.94; Maintenance Engineering, lighting- 746.34; Menards, supplies- 358.66; Metro Electric, electrical- 207.46; MidAmerican Energy, gas- 1677.09; NPPD, electric- 3852.21; OKeefe Elevator, inspection- 142.34; Qwest, phone- 39.52; Sams Club, supplies- 212.66; Service Master, cleaning- 3750.00; SHARE, supplies- 112.28; State Line Electric, County Court wiring- 3681.30; Trembly Pest Control, pest control- 50.00; Dakota County Extension, mileage/supplies/copier/misc- 620.07; C & H Heavy Duty, tow- 90.00; Cellular One, phone- 126.25; Circle R Frame, maintenance- 624.70; City of South Sioux City, copies/long distance/fuel- 2528.39; ConocoPhillips, fuel- 137.44; Crystal Oil, repairs- 13.50; D & R Service, repair- 60.50; Dakota Avenue Muffler, converter- 472.06; Dakota County Sheriff, mileage/envelopes- 338.50; Dakota County Star, meeting notice- 9.63; Dakota County Treasurer, vehicle maintenance- 112.37; Fremont Tire, vehicle maintenance- 522.09; Amy Hueser, interpreter- 85.00; JP Cooke Co., notary stamps- 51.33; Jacks Uniforms, equipment- 119.90; PepperBall Technologies, Bermel instructor training- 395.00; Racom, phone- 588.00; Robertson Implement, dog food- 18.30; Rogers Frame Repair, vehicle maintenance- 932.88; Siouxland Federal Credit Union, AOL- 23.90; Siouxland Humane Society, animal control- 76.00; Standard & Associates, Merit Commission Tests- 253.50; Torco, vehicle maintenance- 104.50; AJ Phillips Publishing, stationary- 43.00; Cellular One, phone- 64.47; Cellular One, phone- 19.99; Connie Lee, bill of exceptions- 181.50; Dakota County Treasurer, certified copies- 4.00; Department of Motor Vehicles, transcripts- 15.00; H2O4U, office supplies- 15.75; Iowa Office Supply, copier contract- 247.04; James Publishing, law books- 69.94; Lois Professional Library, law books- 749.84; Matthew Bender, law books- 11.55; Secretary of State, certified copy- 20.00; St. Lukes Home Health, blood draw- 100.00; Thompson West, law books- 162.50; Thurston Co., certified transcripts- 3.00; City of South Sioux City, LEC operations- 21513.63; Cellular One, phone- 31.54; Avera Sacred Heart, inmate medical- 177.00; BI Incorporated, house arrest- 3238.10; Bob Barker, inmate supplies- 925.95; Benstar Packaging, supplies- 275.74; Blair West Pharmacy, inmate medical- 185.25; Boys & Girls Home, juvenile holding- 600.00; Braunger, food- 1997.00; Gary Bring, DDS, inmate medical- 72.00; Cardiovascular Associates, inmate medical- 30.00; Sergio Castillo, SR., interpret- 205.00; Cedar County, out-of-county-boarding- 2070.00; Cellular One, phones- 125.94; Dakota County Sheriff, batteries/transport meals- 23.58; Dakota Food & Fuel, fuel- 199.46; Dixon County Sheriff, out of county boarding- 2400.00; Earthgrains, food- 616.56; Dr. Shamayne Frank, inmate medical- 144.00; John Gilles, reimbursement- 31.84; Guard Rite Security, transport- 4154.33; Frederick Hathaway MD, inmate medical- 1324.00; HyVee, food products- 3000.39; HyVee, inmate medical- 65.09; Jacks Uniforms, uniforms- 62.95; Louderback Drug, inmate meds- 263.24; Madison County Sheriff, out-of-county boarding- 43150.00; Mercy Medical Center, inmate medical- 422.50; Midwest Special Services, transports- 81.60; Northeast NE Juvenile Services, juvenile holding- 38307.50; Office Systems Co., typewriter contract- 433.20; Joaquin Orduno, interpreter- 10.00; Redlers Pharmacy, inmate meds- 800.26; St. Lukes Health Resources, inmate medical- 561.00; St. Lukes Health Resource Des Moines, inmate medical- 1119.00; Sams Club, food products- 63.25; Siouxland Radiology Partners, inmate medical- 203.60; Staples, supplies- 93.37; Steffen Drug Store, inmate medical- 111.32; Walmart, supplies- 199.40; Washington County Sheriff, out of county boarding- 15303.20; Wayne County Clerk, operating expense- 17835.59; Cellular One, phone- 27.10; Holiday Inn Express, lodging- 158.00; Arnold Mellick, mileage- 175.50; Old Republic Surety, notary bond renewal- 50.00; Briggs, nursing drug books- 67.31; Pam DeVries, mileage- 30.75; Pam DeVries, mileage- 129.37; Dunes Family Medicine, phys- 250.00; Pat Glover, mileage/CPR class- 226.12; Mercy Health Services/Urgent Care, TB masks- 70.78; Perkins, office supplies- 109.82; SCHC, supplies- 66.75; General Fund, phone/office rent- 2602.00; Cellular One ,phone- 179.65; Office Systems Company, copier contract- 86.00; Aspen Publishers Inc., law books- 163.12; Thomson West, law books- 526.50; VM Farms, land lease- 100.00; Aflac, service fees- 40.00; AT&T, phone- 30.85; BenStar Packaging, paper- 1327.63; Cable One, internet- 278.25; Executive Copy Systems, copier repair- 130.30; Five Star Awards, clip board separators, 137.84; Lazette Gifford, website- 40.00; Hy Vee, coffee hour- 116.97; IBM Corporation, qtr maintenance agreement- 266.64; Justice Benefits, SCAAP program- 4116.86; MIPS, payroll/claims/supplies- 339.65; NetSys+, internet- 1149.25; NIRMA, work comp/liability ins.- 60307.00; Qwest, phone- 712.23; Qwest, phone- 65.72; Region IV Inc., qtr payment- 5320.25; Romans Wiemer & Associates, audit yr ended

6/30/03- 11500.00; Sioux Air Inc., backwater spraying- 1040.00; US Postal Service, postage- 2500.00; WCS Telecom, phone- 497.52.

ROAD FUND: A-1 Auto Salvage, rear axle- 550.00; Advanced Auto, parts/supplies/tools/oil- 257.56; Aramark, Service- 241.28; ATCO, supplies- 143.35; Autosound Solutions, radio repair- 32.00; Barkley Asphalt, hot mix- 2771.79; Bridgestone/Firestone, tires- 82.48; Cellular One, phone- 30.12; Circle R, parts/labor- 1395.36; Colonial Research, misc. supplies- 47.40; Dakota County Road, supplies/cdl testing- 141.91; Erlandson Transportation, gravel- 1465.23; Gill Hauling, dumpster- 45.00; Great Plains International, sales tax- 14.40; William Haafke, rock hauling- 677.40; Higman Sand, road rock- 13368.78; HME Inc, rock hauling- 540.00; Hubbard Mini-Mart, fuel- 3280.70; H2O4U, water- 41.50; Inland Truck Parts, parts- 179.89; Iowa Nebraska State Bank, grader payment- 15234.75; Joes Dept Store, supplies- 300.18; John Howard Trucking, rock hauling- 3453.40; Linweld, oxygen tanks/supplies- 152.62; Midland Equipment, parts- 62.88; NPPD, service- 23.68; Newman Traffic Signs, signs- 79.86; NIRMA, workmans comp/liability ins.- 60307.00; Northeast Equipment, tractor rental- 989.24; Northeast Nebraska Telephone, phone- 204.41; Pilger Sand & Gravel, gravel- 2724.02; Pumps Tire Service, tires- 775.00; Rees Mack Sales, repair- 33.54; Rinker Material Corp, road rock- 483.36; Sioux City Iron, supplies- 17.20; Siouxland Napa, supplies/tools- 694.14; Stephan Welding, repairs- 136.55; Tri State Communications, radio repair- 125.00; Warren Oil, fuel/oil- 2650.80; Wilmes Hardware Hank, supplies- 29.56;

ROAD IMPROVEMENT FUND: JEO, engineering- 3324.71.

VETERANS SERVICE OFFICE: VSO, emergency relief- 800.00.

STOP FUND: NetSys+, computer repair- 828.75.

JUVENILE ACCOUNTABILITY: BI, Inc, grant electronic monitoring- 574.20;

INHERITANCE TAX: RTG Construction, County Court remodeling- 14826.00.

WEED FUND: Advance Auto Parts, pickup repairs- 5.88; Bridgestone, tire- 91.75; Circle R, pickup frame repair- 399.00; Dakota County Star, advertisement- 27.86; Fremont Tire, brake adjustment- 25.00; Hubbard Mini Mart, fuel- 238.07; Nutra Flo, sprayer parts- 23.03; Perkins, office supplies- 16.54.

E911: City of South Sioux City, E911 surcharge- 22609.20.

COUNTY GENERAL FUND: Gross salaries- \$78,262.58, General Fund Employees Net Pay- \$54,819.11, Employer deductions paid: Retirement- 4,684.92, Social Security Tax- 4,649.15, Medicare- 1,087.33, Unicare Health- 16,333.60, Delta Dental- 633.15, Unicare Life- 290.97.

Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Daniel Christoffers- 370.00, Bobbi Jo Harsma- 808.60, Cassandra Joseph- 699.75, Theodore Piepho- 1407.81, Lora Skow- 895.13, Joan Spencer- 1053.41, Darlene Davis- 777.60, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 832.00, Kimberly Kuehl- 755.20, Phyllis Ridge- 767.52, Mark J. Dorcey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 435.93, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 920.00, Dustin Kinsey- 752.00., Andrew Jensen- 448.00, Richard Jensen- 1206.00, Brenda Lussier- 136.50, Patricia Stingley- 856.00, Sandy Beers- 977.60, Jeremy Bermel- 1526.35, Anthony Bos- 1661.10, Sergio Castillo- 1185.92, Brian Ellinger- 1634.77, Todd Hammer- 1398.47, Melvin Harrison III- 1472.04, Rodney Herron- 1605.60, Kimberly Johnson- 525.98, Jared Junge- 1372.00, Michael Kreegar- 1532.48, Gary Powell- 768.00, Gayle Richards- 728.00, Kevin Rohde- 1525.50, James Wagner- 1760.81, Randall Walsh- 1980.85, Rita Chase- 920.00, Amber Hegarty- 1615.38, Aimee Kennedy- 754.98, John Loos, Jr.- 1538.46, Edward Matney III- 2277.70, Debra Schmiedt- 1807.69, Bobbi Strong- 760.00, Amanda Jones- 475.00, Nicole Sims- 489.83, Rebecca Broer- 1377.75, Richard Criss- 1143.75, Eric Davis- 979.58, Penny Epting- 1149.53, Ronald Fink Jr.- 910.20, John Gilles- 1146.80, Michael Gregerson Jr.- 1263.65, Alma Gunderson- 1234.20, Paula Harrigfeld- 597.39, Cathy Harsma- 1134.60, Adam Jensen- 721.50, Joseph Ramirez- 946.98, Linda Schovanec- 1215.23, Margaret Stingley- 803.27, Cynthia Purucker- 858.40, Leon Pies- 718.55, Pamela DeVries- 1367.12, Gloria Dwyer- 694.93, Patricia Glover- 1017.39, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 6,944.22, State- 2,467.23, Social Security Tax- 4,649.15, Medicare- 1,087.33, Retirement- 3,176.44, Unicare Health- 1,955.56, Delta Dental- 382.15, Colonial Health- 35.20, Sheriff Union Dues- 40.00, Colonial Life- 3.00, Deferred Comp- 811.22, Garnishments- 964.65, Aflac Health- 491.72, Aflac Life/Dsbl- 128.05, Aflac Flex Plan- 411.75.

COUNTY ROAD PAYROLL: Gross salaries- \$13,673.89, Road Employees Net Pay- \$9,632.43, Employer deductions paid: Retirement- 922.96, Unicare Health- 3,169.40, Delta Dental- 122.85, Unicare Life- 54.67, Social Security Tax- 816.84, Medicare- 191.03.

Joel Broekemeier- 1082.40, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoesing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1186.29, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,123.54, State- 406.82, Social Security- 816.84, Medicare- 191.03, Retirement- 615.34, Unicare Health- 300.70, Delta Dental- 78.32, Reassure America Life- 9.76, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 153.35, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,550.85, Cops Fast Employee Net Pay- 1055.70, Employer deductions paid: Retirement- 120.19, Unicare Health- 243.80, Delta Dental- 9.45, Unicare Life- 4.43, Social Security- 96.15, Medicare- 22.49, Brent Gilster- 1550.85.

COPS FAST GRANT: Employee withholding paid to: Federal- 219.08, State- 72.13, Social Security- 96.15, Medicare- 22.49, Retirement- 85.30.

SOUTH SIOUX CITY CHAMBER OF COMMERCE: Visitor Promotion, Lodging tax- 12,420.30.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd adjourned their meeting at 4:00 p.m..

Lyle Todd, Chairman

ATTEST:

Theodore A. Piepho, County Clerk

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COUNTY BOARD OF COMMISSIONERS
AUGUST 2, 2004 MEETING
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

Chair Todd called the meeting to order at 1:30 PM, followed by roll call: present were Commissioners Pam Miller, Bill Engel, Rick Bousquet, Chair Lyle Todd, County Clerk Ted Piepho, and Deputy County Clerk for Equalization Cassandra Joseph.

Absent were Commissioner Jackie Hartnett and County Board Administrative Assistant Nancy Walsh.

Roll call was followed by the Pledge of Allegiance.

Nancy Walsh arrived at 1:33 pm.

Ted Piepho brought before the Board a proposed Sludge Regulation. The Board does have a resolution in place but no one has been enforcing it and it is the belief of several members of P & Z and the community that some sort of regulations needs to be in place. There was discussion among the board and members of the community on this matter. The Board asked Planning and Zoning to do some more research on this topic and come back to the Board with their findings. The Board will have a public hearing on this matter before it makes any final decision. The Board also asked Arnie to get the County Attorney's opinion on this issue.

Commissioner Jackie Hartnett arrived at 1:40 pm.

Dean Clausen of Emerson commented about the sludge issue, he will be added to the agenda for the August 16, 2004 Board Meeting.

Chair Todd opened the hearing at 2 PM as advertised: on the P&Z regulations update.

Patty from SIMPCO presented the Board with a new county zoning map along with copies of Planning and Zoning Ordinances and Subdivision Regulations. The Subdivision Regulations were not changed much as there was no real reason to change them. The Bylaws were not changed much either.

The committee did go through the entire Zoning Ordinances and updated them accordingly. Two new areas were added concerning tower and wind source energy regulations. There was discussion among the board in reference to these two additions and Patty will do some further checking on them for the Board. There were also some changes made to the regulations for feedlots. The Board will read through the revised regulations and ordinances for further discussion at the August 16th Board Meeting.

The Zoning Map looked very well done. Zoning changes were denoted and listed on the reverse side of the map. There have only been 34 zoning changes in Dakota County since 1978. The Board will review the map further and discuss again at the next Board Meeting.

There were no public comments oral or written. If there are any changes made per the Board, there will be another public hearing.

Chair Todd closed the public hearing at 2:35 pm.

Rick moved, seconded by Jackie to accept the bid for the abandoned railroad for \$205 from Leon Jepsen.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea. UNANIMOUS MOTION CARRIED.

There were no bids for the BOMAG on North Shore. This is tabled until we get some bids.

Elliot Saunders asked for the Board's signature on the permit for the boat dock at the end of County Road 37.

Commissioner Miller moved, seconded by Commissioner Engel to sign the permit to rebuild the boat ramp for public and recreational use.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Miller to move to executive session at 2:45 pm
ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to move out of Executive session at 3:00 pm
ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea. UNANIMOUS MOTION CARRIED.

The Board reviewed the language in the RFP (Request for Proposal) for the Jail Food Service Bids. Bids are due August 27, 2004 and the contract will be awarded September 13, 2004, with the contract beginning October 1, 2004.

Nancy sent a sample RFP for the new jail construction, to the County Attorney to get his comment.

The Board toured the jail. The Board noted that plumbing problems are becoming prevalent.

The Board discussed a bid for BOMAG from STA-BIL, Harlan, Iowa.

Commissioner Bousquet moved, bill to accept Sta-Bil's bid for \$87,524 to BOMAG the North Shore Road.
ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea. UNANIMOUS MOTION CARRIED.

COUNTY GENERAL FUND: Gross salaries- \$76,968.54, General Fund Employees Net Pay- \$53,908.70, Employer deductions paid: Retirement- 4,694.52, Social Security Tax- 4,573.35, Medicare- 1,069.60, Unicare Health- 16,090.14, Delta Dental- 623.70, Unicare Life- 285.88.

Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Daniel Christoffers- 390.82, Bobbi Jo Harsma- 871.88, Cassandra Joseph- 733.50, Theodore Piepho- 1407.81, Lora Skow- 840.00, Joan Spencer- 1053.41, Darlene Davis- 777.60, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 816.40, Kimberly Kuehl- 755.20, Phyllis Ridge- 852.80, Lyn Beltz- 160.00, Mark J. Dorcey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 397.76, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 920.00, Dustin Kinsey- 752.00., Andrew Jensen- 455.00, Richard Jensen- 1206.00, Patricia Stingley- 1225.15, Sandy Beers- 977.60, Jeremy Bermel- 1886.58, Anthony Bos- 1330.35, Sergio Castillo- 1192.35, Brian Ellinger- 1677.52, Todd Hammer- 1271.63, Melvin Harrison III- 1699.11, Rodney Herron- 1529.16, Kimberly Johnson- 260.78, Jared Junge- 1372.00, Michael Kreegar- 1304.63, Gayle Richards- 728.00, Kevin Rohde- 1581.32, James Wagner- 1760.81, Randall Walsh- 1799.20, Rita Chase- 920.00, Amber Hegarty- 1615.38, Aimee Kennedy- 808.00, John Loos, Jr.- 1538.46, Edward Matney III- 2277.70, Debra Schmiedt- 1807.69, Bobbi Strong- 760.00, Amanda Jones- 500.00, Nicole Sims-, Rebecca Broer- 1323.30, Richard Criss- 1030.90, Eric Davis- 1004.55, Penny Epting- 1030.90, Ronald Fink Jr.- 937.95, John Gilles- 1085.80, Michael Gregerson Jr.- 1568.45, Alma Gunderson- 1174.80, Paula Harrigfeld- 670.89, Cathy Harsma- 976.00, Adam Jensen- 155.40, Joseph Ramirez- 940.88, Linda Schovanec- 1223.48, Margaret Stingley- 740.74, Bradley Uhl- 560.55, Cynthia Purucker- 858.40, Leon Pies- 537.20, Pamela DeVries- 1367.12, Gloria Dwyer- 809.88, Patricia Glover- 1191.95, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 6,818.11, State- 2,406.39, Social Security Tax- 4,573.35, Medicare- 1,069.60, Retirement- 3,181.77, Unicare Health- 1,955.53, Delta Dental- 381.95, Colonial Health- 35.20, Sheriff Union Dues- 40.00, Colonial Life- 3.00, Deferred Comp- 791.22, Garnishments- 964.65, Aflac Health- 491.72, Aflac Life/Dsbl- 111.55, Aflac Flex Plan- 340.00.

COUNTY ROAD PAYROLL: Gross salaries- \$13,673.89, Road Employees Net Pay- \$9,632.46, Employer deductions paid: Retirement- 922.96, Unicare Health- 3,169.27, Delta Dental- 122.85, Unicare Life- 54.54, Social Security Tax- 816.84, Medicare- 191.03.

Joel Broekemeier- 1082.40, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1186.29, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,123.54, State- 406.82, Social Security- 816.84, Medicare- 191.03, Retirement- 615.34, Unicare Health- 300.70, Delta Dental- 78.28, Reassure America Life- 9.76, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 153.35, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,352.40, Cops Fast Employee Net Pay- 943.32, Employer deductions paid: Retirement- 104.81, Unicare Health- 243.79, Delta Dental- 9.45, Unicare Life- 4.42, Social Security- 83.85, Medicare- 19.61, Brent Gilster- 1352.40.

COPS FAST GRANT: Employee withholding paid to: Federal- 172.20, State- 59.04, Social Security- 83.85, Medicare- 19.61, Retirement- 74.38.

Chair Todd adjourned the meeting at 4:00 pm on the 2 day of August, 2004.

Chair Lyle Todd

ATTEST:

Theodore A. Piepho, County Clerk

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COUNTY BOARD OF COMMISSIONERS
AUGUST 16, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chair Todd called their regular scheduled meeting to order at 10:02 a.m.

PRESENT WERE: Commissioners Bousquet, Engel, Hartnett, Miller, Todd and Ted Piepho, Secretary.

The board reviewed the claims filed with the County Clerk for payment.

Commissioner Miller departed the meeting at 10:38 a.m.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to take from the table the claim submitted by Linda Dahl in the amount of \$11,928.40.

ROLL CALL VOTE: Miller- Absent, Todd- Yea, Hartnett- Yea, Bousquet- Yea, and Engel- Yea.
UNANIMOUS MOTION CARRIED

Commissioner Bousquet moved, seconded by Commissioner Hartnett to deny the claim submitted by Linda Dahl in the amount of \$11,928.40 and to approve the claims submitted by the County Clerk for payment as follows:

GENERAL FUND: Cellular One, phone- 28.90; Dakota County Star, publishing- 514.16; Perkins, supplies- 137.09; Cellular One, phone- 27.10; Bear Graphics, envelopes- 432.94; BenStar Packaging, no perf paper- 53.46; Des Moines Stamp, stamp- 28.75; Camilla Grassel, verifying petitions- 112.50; Northeast Nebraska Association of County Official, registration- 15.00; NetSys+, computer work- 180.00; Old Republic Surety Group, notary bond- 50.00; Star Printing & Publishing- keepsake certificates- 125.00; Robert Giese, mileage- 80.30; Charlotte Doenhoefer, prior yrs- 10.00; Ruth Jensen, prior yrs- 12.00; Nadine Lewon, prior yrs- 17.00; Mardell Sorenson, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; DAS Imservices, data service- 27.50; Ruth Gillaspie, mileage- 60.35; Des Moines Stamp, office supplies- 123.95; Star, publishing- 79.69; Ruth Gillaspie, notary fees- 60.00; Microfilm Imaging Systems, lease equipment- 240.00; Perkins, supplies- 79.28; Dakota County Star, election publishing- 1670.16; Dakota City Postmaster, postage- 23.00; Election Systems & Software, Inc., ballot graphics- 368.03; MIPS, voter registration support- 52.90; Ted Piepho, registration/election supplies- 71.10; Tyler Graphics, ballot printing- 651.24; Walmart, election supplies- 70.64; ElectionWorkers; Jeanne Barnes- 66.95; Betty Bliven- 80.70; Bev Bliven- 66.95; Robert Boals- 68.24; Lillian Bossow- 69.53; Alan Boyd- 12.00; L. Irene Buck- 64.38; Jannette Burns- 69.53; Mary Cahill- 69.53; Josephine Cain- 80.12; Linda Carson- 8.00; Margaret Craig- 66.95; Peggy Demke- 69.53; Connie Denker- 68.24; Catherine Eriksen- 69.53; Art Eslick- 64.38; Pharyce Eslick- 64.38; Aloise Ferris- 69.53; Myra Gentrup- 68.24; Patricia Giese- 69.53; Sharon Greenleaf- 66.95; Elaine Harris- 66.95; Patti Holmes- 69.53; Ginger Huggenberger- 126.04; Honore Huse- 91.95; Charlene Jensen- 66.95; Marjorie Jarvill- 69.53; Trudy Jepsen- 90.45; Carol Johnston- 86.60; Betty Jorgensen- 80.33; Joan Koch- 69.53; Dorothy Kramper- 68.24; Carol Krieger- 66.95; Mary Jo Kurmel- 69.53; Lois Larson- 69.53; Rosemary Larson- 69.53; Marvel Lukens- 68.24; Randy Lussier- 66.95; Joanne Mast- 69.53; Clara Maurice- 66.95; Janet Merchant- 69.53; Frank Morse- 71.58; Darlene Nielsen- 69.53; Rosemary Nieto- 94.53; Mary O Dell- 79.53; Fred Penner- 69.53; Delores Porter- 66.95; Shirley Rager- 69.53; Sarah Reinert- 66.95; Ellen Rohde- 87.45; Shirley Sides- 24.00; Diane Sullivan- 66.95; Colleen Tighe- 66.95; Maria Timothy- 69.53; Harry Tomek- 12.00; Geraldine Tramp- 66.95; Irene Van Lent- 66.95; Mary Wolf- 27.75; Clara Woten- 87.03; Polling Place Rentals: Emerson Fire Hall- 40.00; First Lutheran Church- 60.00; Homer Legion Hall- 40.00; Hubbard Community Center- 40.00; Jackson Legion Hall- 40.00; Knights of Columbus Hall- 40.00; Salem Lutheran Church- 40.00; South Sioux City Fire Hall- 40.00; South Sioux City Legion Hall- 60.00;

Dakota County Star, hearing notice- 21.31; Carol Sue Dunham, mileage- 57.64; Executive Copy System, copier agreement- 237.50; Nebraska Notary Association, notary renewal fees- 134.00; Norfolk Printing Co., Binders/trial docket sheets- 783.38; NE Nebraska Association of County Officials- 15.00; Audio Video Graphics, Inc., court reporter tapes- 598.75; DAS Material, office supplies- 495.07; Five Star Enterprises, Inc., office signs- 245.54; Office Systems Co., typewriter contracts- 533.22; Virginia Piper, office supplies- 16.03; Sams Club, office supplies- 52.64; Thomson West, CD Rom Service- 110.00; Thurston County Court, reimbursement for transcription- 16.40; United Bank of Iowa, lease payment- 158.04; Cellular One, phone- 31.22; Scott Dugan, mileage- 352.50; Frank Gonzalez, interpreting- 480.00; NCDAA, annual member dues- 125.00; Perkins, office supplies- 38.95; Sioux City Journal, attorney ads- 47.45; United Bank of Iowa, lease payment- 90.40; William Binkard, counsel- 198.00; Kelly Burton, witness fees- 23.00; Dakota County Court, court costs- 1090.40; Alexander

Esteves, counsel- 341.96; Alexander Esteves, counsel- 879.65; Donald Lee Fuchser, witness fees- 26.75; Dennis Hassler, witness fee- 26.75; Randy Hisey, counsel- 450.00; Randy Hisey, counsel- 378.00; Hurley Law Office, counsel- 174.00; Sandra Inkster Ehrich, counsel- 1174.00; Roxanne Jump, witness fees- 23.00; Barbara Kueny, counsel- 900.00; Richard Thramer, counsel- 394.80; Richard Thramer, counsel- 489.60; Patrick Tott, counsel- 516.00; Brian Vakulskas, counsel- 168.00; Dakota County Sheriff, papers/ warrants- 3659.65; Clerk of District Court, court costs- 462.50; Carol Sue Dunham, jury supplies- 94.23; Robert Decker, bailiff fee- 25.00; Shirley Sides, mental health hearing- 90.00; Patricia Slaughter, mental health hearing- 90.00; Minnehaha County Sheriff, sheriff fees- 17.70; Woodbury County Sheriff, sheriff fees- 28.13; Lynette Beermann, mental health supplies- 159.49; James McGough, counsel- 363.34; Michael Schmiedt, counsel- 314.40; Patrick Tott, counsel- 465.00; Ateam, air conditioning repair- 330.00; BenStar, paper supplies- 437.75; Bomgaars, lawn care- 125.63; Cellular One, phone- 141.09; Foulk Bros. Plumbing, jail plumbing- 317.79; Grainger, lights- 439.50; Gill Hauling, dumpster service- 125.00; Hardware Hank, supplies- 39.10; Rick Jensen, mileage- 173.37; Lowes, supplies- 788.89; Maintenance Engineering, lighting- 1498.80; Menards, supplies- 1312.33; MidAmerican Energy, gas- 1678.31; NPPD, electric- 3828.08; Qwest, phone- 40.25; Roto Rooter, sewer- 96.30; Robertson Implement, mower parts- 128.62; Sams Club, supplies- 289.89; Service Master, cleaning- 3750.00; Trembly Pest Control, pest control- 50.00; Velvet Poodle, flowers- 113.20; Dakota County Extension, mileage/supplies/copier/misc- 912.72; Ammunition, ammunition- 319.00; Sergio Castillo, interpreter- 40.00; Cellular One, phone- 78.33; City of South Sioux City, copies/long distance/fuel- 3055.05; ConocoPhillips, fuel- 220.61; D & R Service, repair- 848.47; Dakota County Sheriff, PC training/tests- 63.65; Dakota County Star, meeting notice- 329.13; Dakota County Treasurer, vehicle maintenance- 1625.91; Fremont Tire, vehicle maintenance- 28.00; Harolds, film developing- 10.38; Jacks Uniforms, equipment- 3.20; NCS Pearson Inc, psych tests- 609.25; Qualifying Targets, targets- 96.76; Racom, phone- 700.00; Siouxland Federal Credit Union, training/cd rom/AOL- 492.40; Siouxland Humane Society, animal control- 38.00; Torco, vehicle maintenance- 30.00; Walmart, supplies- 134.64; Cellular One, phone- 62.13; Cellular One, phone- 19.99; Dakota County Treasurer, certified copies- 17.85; Douglas County Sheriffs Dept., subpoena fees- 43.10; H2O4U, office supplies- 10.50; Iowa Office Supply, copier contract- 142.27; Loislaw, law books- 297.00; Nebraska Supreme Court, motion fees- 6.00; Perkins Office Solutions, office supplies- 25.04; Sprint, cellular phones- 131.19; St. Lukes Home Health, blood draw- 300.00; Thompson West, law books- 162.50; University of Iowa Dept. of Pathology, slides- 104.00; City of South Sioux City, LEC operations- 21513.63; Cellular One, phone- 26.11; Electronic Engineering, pager- 95.78; ABC Travel, transport- 3036.49; BI Incorporated, house arrest- 4046.95; Bob Barker, inmate supplies- 70.97; Benstar Packaging, supplies- 488.97; Boys & Girls Home, juvenile holding- 300.00; Braunger, food- 1490.89; Cedar County, out-of-county-boarding- 1800.00; Central Restaurant Products, kitchen supplies- 68.50; Cellular One, phones- 81.56; Coffee King, coffee products- 73.50; Dakota County Sheriff, transport meals- 15.80; Dept. of Correctional Service, safekeepers 7 inmate medical- 29830.61; Dixon County Sheriff, out of county boarding- 2480.00; Earthgrains, food- 786.25; Dr. Shamayne Frank, inmate medical- 208.00; Michael Gregerson, transport meal- 9.99; Guard Rite Security, transport- 4565.30; Humane Restraint, transport hoods- 180.00; HyVee, food products- 3602.38; HyVee, inmate medical- 313.70; Jacks Uniforms, uniforms- 103.79; GR Lindblade, jailer IDs- 40.00; Louderback Drug, inmate meds- 417.60; Midwest Health Partners, inmate medical- 140.00; Northeast NE Juvenile Services, juvenile holding- 6485.00; Physicians Clinic, inmate medical- 223.00; Redlers Pharmacy, inmate meds- 783.97; St. Lukes Health Resources, inmate medical- 442.00; Sams Club, food products- 299.33; Siouxland Federal Credit Union, transport fuel/meals/rentals- 1047.81; Siouxland Lock & Key, duplicate jail keys- 4.95; Siouxland radiology Partners, inmate medical- 42.92; Staples, toner/supplies- 151.00; Sandra Townsend, interpreter- 20.00; United States Marshall Service, transport- 1172.00; Walmart, supplies- 147.50; Cellular One, phone- 27.10; NE Nebraska Association of County Officials, workshop registration- 15.00; Secretary of State Notary, notary-30.00; Symantec, antivirus renewal- 31.60; Aventis Pasteur, pneumovax- 102.66; Pam DeVries, mileage- 204.00; Pam DeVries, mileage- 218.62; Dunes Family Medicine, phys- 250.00; Pat Glover, mileage- 173.62; Kreislers, Inc., HEMA Combistix- 61.85; Cellular One, phone- 46.60; Aflac, service fees- 35.00; AT&T, phone- 33.82; Amsterdam Printing & Litho, payroll change forms- 70.79; BenStar Packaging, paper- 252.70; Business Telecomm Systems Inc., telephone work- 1691.40; Cable One, internet- 275.30; Lazette Gifford, website- 40.00; Hassler, meter rental- 150.00; Fred Kellogg, AFLAC reimbursement- 18.90; MIPS, payroll/claims/supplies- 339.65; NetSys+, internet- 143.00; Midwest Office Automations, toner- 276.50; Qwest, phone- 712.23; Qwest, phone- 65.72; Qwest, phone- 247.54; Region IV Inc., extra payment- 445.00; SIMPCO, dues- 3565.00; Sioux Air Inc., backwater spraying- 1040.00; US Postal Service, postage- 2500.00; WCS Telecom, phone- 382.11.

ROAD FUND: Aramark, Service- 333.19; ATCO, supplies- 344.00; Bridgestone/Firestone, tires- 633.30; Cellular One, phone- 27.84; Colonial Research, supplies- 127.60; Erlandson Transportation, gravel- 431.33; Fremont Tire, tire repair- 55.00; Gill Hauling, dumpster- 45.00; Great Plains International, sales tax- 7.66; Higman Sand, road rock- 4276.79; HME Inc, rock hauling- 780.00; Hubbard Mini-Mart, fuel- 2328.69; H2O4U, water- 25.75; Inland Truck Parts, parts- 55.63; Joes Dept Store, supplies- 198.76; John Howard Trucking, rock hauling- 872.00; Linweld, oxygen tanks/supplies- 117.54; Marx Truck Trailer Sales, supplies- 11.90; Medical Enterprises, drug testing- 29.90; NPPD, service- 25.16; Northeast Coop, fuel/oil/propane- 5206.89; Northeast Equipment, tractor rental/parts- 1221.10; Northeast Nebraska Telephone, phone- 233.98; Northeast Nebraska Public Power, security light- 79.20; Pilger Sand & Gravel, gravel- 2161.03; PowerPlan, filters/parts- 229.37; Rinker Material Corp, road rock- 722.42; RMS, parts- 39.93; Sioux City Iron, supplies- 53.50; Siouxland Hydraulics, parts- 22.90; Siouxland Napa, supplies/tools- 880.62; Stalheim Equipment, repairs- 276.09; Torco, alternator- 177.50; Utility Equipment Co, pipe- 675.64; Warren Oil, fuel/oil- 647.12; Ziegler, parts- 624.38.

ROAD IMPROVEMENT FUND: Dakota County Star, N Shore Blacktop Ad- 26.08.

VETERANS SERVICE OFFICE: VSO, emergency relief- 900.00.

JUVENILE ACCOUNTABILITY: BI, Inc, grant electronic monitoring- 410.85; Community Justice, drug test reimbursement- 55.00.

COMMUNITY JUSTICE: American Bio, drug testing supplies- 170.77.

INHERITANCE TAX: Magic Carpet, work in probation/elevator- 1615.00.
WEED FUND: Dakota County Clerk, pickup title- 10.00; Hubbard Mini Mart, fuel- 273.55; Joes Department Store, sprayer parts- 10.99; Perkins, balance due- .80; Leon Pies, workshop registration reimbursement- 10.00; Tri State Communications, radio equipment- 23.00.
E911: City of South Sioux City, e911 surcharge- 22609.20.
COUNTY GENERAL FUND: Gross salaries- \$77,488.95, General Fund Employees Net Pay- \$53,947.13, Employer deductions paid: Retirement- 4,872.96, Social Security Tax- 4,605.67, Medicare- 1,077.16, Unicare Health- 16,578.39, Delta Dental- 642.60, Unicare Life- 295.39.
Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Daniel Christoffers- 373.47, Bobbi Jo Harsma- 984.40, Cassandra Joseph- 238.50, Theodore Piepho- 1407.81, Lora Skow- 918.75, Joan Spencer- 1053.41, Darlene Davis- 777.60, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 832.00, Kimberly Kuehl- 755.20, Phyllis Ridge- 852.80, Mark J. Dorcey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 435.93, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 920.00, Dustin Kinsey- 752.00., Andrew Jensen- 560.00, Richard Jensen- 1206.00, Patricia Stingley- 856.00, Sandy Beers- 977.60, Jeremy Bermel- 2169.61, Anthony Bos- 1683.15, Sergio Castillo- 1127.89, Brian Ellinger- 2344.42, Todd Hammer- 1621.33, Melvin Harrison III- 1417.23, Rodney Herron- 1529.16, Kimberly Johnson- 342.55, Jared Junge- 1534.93, Michael Kreegar- 1367.11, Gary Powell- 252.00, Gayle Richards- 728.00, Kevin Rohde- 1203.25, James Wagner- 1760.81, Randall Walsh- 2162.50, Rita Chase- 920.00, Amber Hegarty- 1615.38, Aimee Kennedy- 808.00, John Loos, Jr.- 1538.46, Edward Matney III- 2277.70, Debra Schmiedt- 1807.69, Bobbi Strong- 738.63, Amanda Jones- 205.00, Nicole Sims- 751.66, Rebecca Broer- 1194.60, Richard Criss- 1061.37, Eric Davis- 949.06, Penny Epting- 1040.05, Ronald Fink Jr.- 888.00, John Gilles- 991.25, Michael Gregerson Jr.- 1397.00, Alma Gunderson- 1092.30, Paula Harrigfeld- 580.35, Cathy Harsma- 1012.60, Joseph Ramirez- 97.60, Linda Schovanec- 1275.08, Margaret Stingley- 735.93, Bradley Uhl- 1017.04, Cynthia Purucker- 858.40, Leon Pies- 537.20, Pamela DeVries- 1367.12, Gloria Dwyer- 836.00, Patricia Glover- 1184.26, Alan Boyd- 896.00.
GENERAL FUND: Employee withholding paid to: Federal- 7,020.99, State- 2,469.83, Social Security Tax- 4,605.67, Medicare- 1,077.16, Retirement- 3,307.27, Unicare Health- 1,955.06, Delta Dental- 382.15, Colonial Health- 35.20, Sheriff Union Dues- 40.00, Colonial Life- 3.00, Deferred Comp- 791.22, Garnishments- 964.65, Aflac Health- 491.37, Aflac Life/Dsbl- 144.55, Aflac Flex Plan- 340.00.
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COPS FAST GRANT: Gross salaries- 1,782.38, Cops Fast Employee Net Pay- 1,186.82, Employer deductions paid: Retirement- 138.13, Unicare Health- 243.80, Delta Dental- 9.45, Unicare Life- 4.43, Social Security- 110.51, Medicare- 25.84, Brent Gilster- 1782.38.
COPS FAST GRANT: Employee withholding paid to: Federal- 273.78, State- 87.40, Social Security- 110.51, Medicare- 25.84, Retirement- 98.03.
COUNTY GENERAL FUND: Gross salaries- \$77,488.95, General Fund Employees Net Pay- \$53,947.13, Employer deductions paid: Retirement- 4,872.96, Social Security Tax- 4,605.67, Medicare- 1,077.16, Unicare Health- 16,578.39, Delta Dental- 642.60, Unicare Life- 295.39.
Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Daniel Christoffers- 373.47, Bobbi Jo Harsma- 984.40, Cassandra Joseph- 238.50, Theodore Piepho- 1407.81, Lora Skow- 918.75, Joan Spencer- 1053.41, Darlene Davis- 777.60, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 832.00, Kimberly Kuehl- 755.20, Phyllis Ridge- 852.80, Mark J. Dorcey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 435.93, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 920.00, Dustin Kinsey- 752.00., Andrew Jensen- 560.00, Richard Jensen- 1206.00, Patricia Stingley- 856.00, Sandy Beers- 977.60, Jeremy Bermel- 2169.61, Anthony Bos- 1683.15, Sergio Castillo- 1127.89, Brian Ellinger- 2344.42, Todd Hammer- 1621.33, Melvin Harrison III- 1417.23, Rodney Herron- 1529.16, Kimberly Johnson- 342.55, Jared Junge- 1534.93, Michael Kreegar- 1367.11, Gary Powell- 252.00, Gayle Richards- 728.00, Kevin Rohde- 1203.25, James Wagner- 1760.81, Randall Walsh- 2162.50, Rita Chase- 920.00, Amber Hegarty- 1615.38, Aimee Kennedy- 808.00, John Loos, Jr.- 1538.46, Edward Matney III- 2277.70, Debra Schmiedt- 1807.69, Bobbi Strong- 738.63, Amanda Jones- 205.00, Nicole Sims- 751.66, Rebecca Broer- 1194.60, Richard Criss- 1061.37, Eric Davis- 949.06, Penny Epting- 1040.05, Ronald Fink Jr.- 888.00, John Gilles- 991.25, Michael Gregerson Jr.- 1397.00, Alma Gunderson- 1092.30, Paula Harrigfeld- 580.35, Cathy Harsma- 1012.60, Joseph Ramirez- 97.60, Linda Schovanec- 1275.08, Margaret Stingley- 735.93, Bradley Uhl- 1017.04, Cynthia Purucker- 858.40, Leon Pies- 537.20, Pamela DeVries- 1367.12, Gloria Dwyer- 836.00, Patricia Glover- 1184.26, Alan Boyd- 896.00.
GENERAL FUND: Employee withholding paid to: Federal- 7,020.99, State- 2,469.83, Social Security Tax- 4,605.67, Medicare- 1,077.16, Retirement- 3,307.27, Unicare Health- 1,955.06, Delta Dental- 382.15, Colonial Health- 35.20, Sheriff Union Dues- 40.00, Colonial Life- 3.00, Deferred Comp- 791.22, Garnishments- 964.65, Aflac Health- 491.37, Aflac Life/Dsbl- 144.55, Aflac Flex Plan- 340.00.
COUNTY ROAD PAYROLL: Gross salaries- \$13,673.89, Road Employees Net Pay- \$9,632.43, Employer deductions paid: Retirement- 922.96, Unicare Health- 3,169.40, Delta Dental- 122.85, Unicare Life- 54.67, Social Security Tax- 816.84, Medicare- 191.03.
Joel Broekemeier- 1082.40, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras-

1122.40, Richard McNear- 1086.40, Arnold Mellick- 1186.29, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,123.54, State- 406.82, Social Security- 816.84, Medicare- 191.03, Retirement- 615.34, Unicare Health- 300.70, Delta Dental- 78.32, Reassure America Life- 9.76, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 153.35, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,782.38, Cops Fast Employee Net Pay- 1,186.82, Employer deductions paid: Retirement- 138.13, Unicare Health- 243.80, Delta Dental- 9.45, Unicare Life- 4.43, Social Security- 110.51, Medicare- 25.84, Brent Gilster- 1782.38.

COPS FAST GRANT: Employee withholding paid to: Federal- 273.78, State- 87.40, Social Security- 110.51, Medicare- 25.84, Retirement- 98.03.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd recessed their meeting for lunch at 11:40 a.m.

The County Board reconvened their meeting from the morning session at 1:30 p.m.

PRESENT WERE: Commissioners Bousquet, Engel, Miller, Todd and Ted Piepho, Secretary.

Absent Commissioner Hartnett

Greg Hosch, with the South Sioux City Exposition & Racing Inc. dba Horsemen's Atokad Downs to obtain a Special Designated License for beer stands on the Atokad Grounds 1524 Atokad Drive, South Sioux City, Dakota County, NE 68776. Said License was requested for September 17 through September 19th, 2004, which is their live race dates.

Commissioner Hartnett arrived at 1:32 p.m.

Commissioner Engel moved, seconded by Commissioner Bousquet to approve a request for a Special Designated Liquor License in the name of South Sioux City Exposition & Racing Inc. dba Horsemen's Atokad Downs to obtain a Special Designated License for beer stands on the Atokad Grounds 1524 Atokad Drive, South Sioux City, Dakota County, NE 68776 for the dates July 19th and July 20th, which is their live race dates.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Miller to acknowledge and accept into the record the Certification of County Clerk/Election Commissioner certifying the Special Election held Tuesday, August 10, 2004 as follows:

OFFICE OF THE COUNTY CLERK
 DAKOTA COUNTY, NEBRASKA
 CERTIFICATION OF VOTES CAST

TO: SOUTH SIOUX CITY'S MAYOR AND COUNCIL MEMBERS
 DAKOTA COUNTY COMMISSIONERS

STATE OF NEBRASKA)
 SS
 COUNTY OF DAKOTA)

I, Theodore A. Piepho, County Clerk in and for the County of Dakota, State of Nebraska, do hereby certify that a Special Election was had in the City of South Sioux City on the 10th day of August, 2004.

AND I FURTHER CERTIFY the following ballot question was presented to the voters:

SPECIAL MUNICIPAL
 BOND ELECTION
 CITY OF
 SOUTH SIOUX CITY, NEBRASKA
 AUGUST 10, 2004

"Shall the City of South Sioux City, Nebraska, impose an additional sales and use tax of one-half of one percent (0.5%), upon the same transactions within such municipality on which the State of Nebraska is authorized to impose a tax, for the following purposes:

* 88% of the collections in each year to be applied to paying the principal and interest of bonds for the construction costs of a new Dakota County Jail/Correctional Facility.

* 12% of the collections in each year to be applied to paying the costs of capital improvements and equipment for the City/County Law Enforcement Center, including but not limited to interoperable communication equipment, with such collections being applied for such purposes, including current expenditures and retirement of lease-purchase or other indebtedness for funding of contributions by the City under an interlocal cooperation agreement to the County by the City for payment of the County's bonds (including any bonds issued to refund the same);

Such additional sales and use tax shall remain in effect for a period of ten years from the time of its first going into effect or for such shorter period as shall be required to result in amounts collected sufficient to retire the bonds issued for the construction of the Dakota County Jail/ Correctional Facility?"

(If a majority of the votes cast upon such question shall be in favor of such tax, then the governing body of the City of South Sioux City shall be empowered as provided by Section 77-27,142 Reissue Revised Statutes of Nebraska, 2003, as amended, and shall forthwith proceed to impose a tax pursuant to the Local Option Revenue Act. If a majority of those voting on the question shall be opposed to such tax, then the governing body of the City of South Sioux City shall not impose such tax).

977 VOTED FOR this proposition
130 VOTED AGAINST this proposition

CERTIFICATION OF SPECIAL ELECTION AUGUST 10, 2004 CONTINUED ON NEXT PAGE.
PAGE 2 OF CERTIFICATION OF SPECIAL ELECTION AUGUST 10, 2004

I further certify that the following question was presented to all voters in Dakota County, Nebraska outside the incorporated limits of the City of South Sioux City, Dakota County, Nebraska:

SPECIAL COUNTY ELECTION
COUNTY OF DAKOTA,
NEBRASKA
AUGUST 10, 2004

"Shall The County of Dakota, in the State of Nebraska, impose a sales and use tax of one-half of one percent (0.5%), upon the same transactions within such county other than in municipalities which impose a local option sales tax on which the State of Nebraska is authorized to impose a tax, for the following public safety service purposes:

* 88% of the collections in each year to be applied to paying the principal and interest of bonds for the construction costs of a new Dakota County Jail/Correctional Facility.

* 12% of the collections in each year to be applied to paying the costs of capital improvements and equipment for the City/County Law Enforcement Center, including but not limited to interoperable communication equipment, with such collections being applied to either current expenditures for such purposes or to the retirement of lease-purchase of other indebtedness incurred for such purpose;

Such sales and use tax shall remain in effect for a period of ten years from the time of its first going into effect or for such shorter period as shall be required to result in amounts collected sufficient to retire the bonds (including any bonds issued to refund the same) issued for the construction of the Dakota County Jail/ Correctional Facility; and

(If a majority of the votes cast upon such question shall be in favor of such tax, then the governing body of The County of Dakota shall be empowered as provided by Section 13-319, R.S. Supp. 2003 and Section 77-27,142 Reissue Revised Statutes of Nebraska, 2003, as amended, and shall forthwith proceed to impose a tax pursuant to the Local Option Revenue Act. If a majority of those voting on the question shall be opposed to such tax, then the governing body of The County of Dakota shall not impose such tax).

997 VOTED FOR this proposition
236 VOTED AGAINST this proposition

CERTIFICATION OF SPECIAL ELECTION AUGUST 10, 2004 CONTINUED ON NEXT PAGE.
PAGE 3 OF CERTIFICATION OF SPECIAL ELECTION AUGUST 10, 2004

I FURTHER CERTIFY THAT THE FOLLOWING QUESTION WAS PRESENTED TO ALL VOTERS WITHIN DAKOTA COUNTY INSIDE AND OUTSIDE THE INCORPORATED LIMITS OF THE CITY OF SOUTH SIOUX CITY, DAKOTA COUNTY, NEBRASKA

SPECIAL ELECTION
COUNTY OF DAKOTA,
NEBRASKA
AUGUST 10, 2004

"Shall The County of Dakota, in the State of Nebraska, issue the negotiable bonds of the County in the principal amount not to exceed Seven Million Twenty-five Thousand Dollars (\$7,025,000) for the purpose of providing for a Jail/Correctional Facility and equipping and furnishing such facility; said bonds to be issued from time to time, bear interest at such rate or rates and become due at such time or times, as may be fixed by the Board of Commissioners of the County;

The tax to be imposed by this proposition, together with amounts to be provided by the City of South Sioux City under an authorization for an additional one-half of one percent (0.5%) sales tax as submitted at separate proposition at this same election held August 10, 2004 to the voters of the City of South Sioux City, Nebraska and the voters in the area of The County of Dakota outside the limits of the City of South Sioux City, shall be the tax levied to meet the liability incurred by the County on such bonds as adopted by this proposition."

1,937 VOTED FOR this proposition
389 VOTED AGAINST this proposition

I FURTHER CERTIFY the summary of votes cast in favor of and against each proposition as follows:

977 votes cast FOR the S. Sioux City Jail Facility Sales/Use Tax
130 votes cast AGAINST the S. Sioux City Jail Facility Sales/Use Tax

997 votes cast FOR the Dakota County Jail Facility Sales/Use Tax
236 votes cast AGAINST the Dakota County Jail Facility Sales/Use Tax

1,937 votes cast FOR Dakota County Jail Facility Bond Issue
389 votes cast AGAINST the Dakota County Jail Facility Bond Issue

AND FINALLY I CERTIFY THAT SAID ELECTION WAS CANVASSED BY MARY WOLF AND SHIRLEY SIDES, DISINTERESTED INDIVIDUALS, ASSISTING THE COUNTY CLERK ON THE 12TH DAY OF AUGUST, 2004.

IN WITNESS WHEREOF I SET MY HAND AND AFFIX THE SEAL OF MY OFFICE THIS 16TH DAY OF AUGUST, 2004, AT DAKOTA CITY, DAKOTA COUNTY, NEBRASKA.

\S\Theodore A. Piepho
COUNTY CLERK'S SEAL Theodore A. Piepho, Dakota County Clerk

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Miller to renew the Cooperative Agreement for Child Support Enforcement.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

The board briefly discussed the Architect Agreement. The consensus was that Steve Davis was on board to provide the Architectural Services for the Construction of the County Jail.

Ms. Walsh advised the board that Mr. Hedquist had contacted her to advise the board not to get in a hurry to approve business for the Construction of the new jail as that may eliminate them from being financially funded under the bonding arrangements.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to convene as Board of Equalization.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED at 1:42 p.m.

Madelyn Thorsland, Office Manager for the State's Assessor for Dakota County appeared before the board and informed the board that Dick Ericksen recommends that the board stipulate to Ron Krause's 2003 TERC appeal appealing the County Board setting the valuation on Parcel number 220007241 at \$30,000 because the board set the value on said parcel for 2004 at \$12,000.

Commissioner Bousquet moved, seconded by Commissioner Engel to authorize the County Attorney to stipulate Ron Krause's 2003 value before the TERC on Mr. Krause's 2003 value on Parcel 220007241 and to set said value at \$12,000.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Ms. Thorsland also requested that the board correct an error on Don Brockberg's Parcel number 220019371 because of a computer entry error causing his value to be \$1,613,475 on the land and it should have been \$22,500.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to set the total value on Parcel number 220019371 at \$106,420.00, with the land being valued at \$22,500.00, the Improvements to be valued at \$83,920.00 for a total value of \$106,420.00 for tax year 2004.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to reconvene as Board of Commissioners.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED at 1:48 p.m.

Commissioner Miller moved, seconded by Commissioner Bousquet to acknowledge receipt of and approve the officials reports filed by the County Clerk, Register of Deeds and the Clerk of the District Court for Fees received during the month of July, 2004.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Vincent Kramper, Chair of the Citizen's Committee for a new jail, gave the board a report of over all concerns that the public expressed during their informational meetings and also some things the committee would like to see after the new jail is constructed.

LEC Director, Pat Foust, appeared before the board and discussed the LEC roof. He felt that the roof should be completed by bonding the project. He estimated the project to cost \$250,000.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to transfer Dakota County Abandoned Vehicle Title Number 04180700024 on a 1996 Ford Windstar Wagon bearing the serial number 2FMDA5140TBB48533 to Axles & Gears dba C & H Truck parts for consideration of the storage and towing charges due against said vehicles.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd recessed their meeting until Monday, August 23, 2004 at 1:30 p.m.

ATTEST Lyle Todd, Chair

Theodore A. Piepho
County Clerk

* * * *

DAKOTA COUNTY BOARD OF COMMISSIONERS
AUGUST 23, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Vice Chair, Jackie Hartnett, reconvened the meeting of August 16, 2004 at 1:31 p.m. on August 23, 2004 with the following commissioners present: Pam Miller, Bill Engel, Rick Bousquet. Absent: Lyle Todd. Recording secretary, Lora M. Skow.

Commissioner Bousquet updated the commissioners on his meeting with Steve Davis about a team concept that engages Davis, Todd Moss, and Jerry Johnson. Jerry Johnson will serve as construction manager under Steve Davis.

Nanci Walsh will contact Ed Matney, Steve Davis, and Jerry Johnson to get contracts ready for discussion at the next meeting.

John Trecek from Ameritas and Robert Wood from Smith Hayes Financial discussed the steps for bonding the Jail/Correctional Facility with sales tax revenue. Two resolutions will be on the agenda for adoption at the next regular meeting. The first resolution will deal with reimbursement of construction costs if bills are paid before the proceeds of the bonds are available. The second resolution puts the Sales Tax into effect.

Motion by Bousquet, second by Engel to send a Letter of Intent to Steve Davis to use a team concept approach for the construction of the Jail/Correctional Facility with Todd Moss and Jerry Johnson. Roll call vote: Ayes: Engel, Bousquet, Hartnett and Miller. Nays: none. Motion carried.

Hartnett adjourned the meeting at 1:58 p.m.

ATTEST Lyle Todd, Chair

Theodore A. Piepho
County Clerk

* * * *

COUNTY BOARD OF COMMISSIONERS
AUGUST 30, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chair Todd called their regular scheduled meeting to order at 1:30 p.m.

PRESENT WERE: Commissioners Bousquet, Engel, Todd and Ted Piepho, Secretary.
ABSENT: Commissioners Hartnett, Miller. They arrived at 1:40 p.m.

Randy Walsh, Deputy Sheriff for Distress Warrant Collections and Robert Giese appeared before the board with list of the Distress Warrants.

August 24, 2004
Dakota County Commissioners
Dakota County Courthouse
Dakota City, Nebraska

The Dakota County Sheriff returned the 2003 Distress Warrants to the Dakota County Treasurer on August 24, 2004.

434 Distress Warrants issued: 11-1-2003 totaling \$108,099.74.

Of the 434 Distress Warrants:

347 are satisfied	\$92,220.57
66 are to be stricken	17,348.31
17 were sold at sheriff's sale	1,847.00
4 remain unsatisfied totaling	722.30

(2-partial payments are being made, 1-check returned from the bank)

ROBERT H. GIESE
DAKOTA COUNTY TREASURER

Commissioner Hartnett moved, seconded by Commissioner Engel to strike the 66 Distress Warrants as recommended by Deputy Walsh and Bob Giese.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Leon Pies, Weed Supt., appeared before the board to review the grant that he applied for to purchase a 4 wheeler.

Pat Foust appeared before the board to inform them that they needed to replace the dictation equipment and upgrade that to the telephone system. Since it was not on the agenda the board could not take action.

Commissioner Miller moved, seconded by Commissioner Bousquet to adopt Resolutions 04C-019, 04C-020 and 04C-021 as follows:

RESOLUTION 04C-019

ALLOCATIONS FOR MISCELLANEOUS SUBDIVISIONS

Whereas, LB1114 provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivisions as follows:

Subdivision	Property Tax Request	Property Tax Allocation	Levy*
Dakota Co Ag Society			
General	66,250.00	\$66,250.00	.007088
Cap. Const.	40,000.00	40,000.00	.004280
Total	106,250.00	106,250.00	.011368

*Levy Allocation is the rate per \$100 valuation.

Passed and adopted this 30th day of September, 2004.

County Clerk

Board Chair

RESOLUTION 04C-020

LEVY ALLOCATIONS FOR MISCELLANEOUS SUBDIVISIONS

Whereas, LB1114 provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivisions as follows:

Subdivision	Property Tax Request	Prop. Tax Allocation	Levy*
Dakota Co Historical Society			
	18,666.34	18,666.34	.001997

*Levy Allocation is the rate per \$100 valuation.

Passed and adopted this 30th day of August, 2004.

County Clerk

Board Chair

RESOLUTION 04C-021

LEVY ALLOCATIONS FOR MISCELLANEOUS SUBDIVISIONS

Whereas, LB1114 provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the Fire Districts in the Mutual Finance Organizations received funding and must levy the same rate; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivisions as follows:

Subdivision	Property Tax Request	Property Tax Allocation	Levy*
Fire Protection Dist #1, Homer			
Total	29,847.80	23,409.12	.0295
Dakota Covington Rural Fire			
Total	70,825.14	62,659.63	.0295
Emerson Rural Fire			
Total	44,151.60	27266.18	.0295

*Levy Allocation is the rate per \$100 valuation.

Passed and adopted this 30th day of August, 2004.

County Clerk

Board Chair

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Ms. Walsh opened the bids from HyVee and BCM to provide the food catering service for Dakota County inmates.

HyVee bid \$2.50 for Breakfast, \$3.00 for the noon and dinner meal, a total of \$8.50 per prisoner per day.

CBM bid \$____ for Breakfast, \$____ for the noon and dinner meal, a total of \$____ per prisoner per day. Their bids were calculated on how many meals they delivered.

These bids were referred to committee with Commissioners Bousquet and Miller sitting on said committee.

Commissioner Miller moved, seconded by Commissioner Hartnett to adopt the following resolution and certifications outlining the advertisement and publications pertaining to the Special Election and adoption of Sales Tax.

RESOLUTION NO. 04C-022

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF DAKOTA COUNTY, NEBRASKA, TO ADOPT AND IMPOSE A SALES AND USE TAX OF ONE-HALF OF ONE PERCENT (0.5%) UPON THE SAME TRANSACTIONS WITHIN THE CORPORATE LIMITS OF THE COUNTY OF DAKOTA, NEBRASKA, BUT EXCLUDING ALL SUCH TRANSACTIONS WITHIN THE CORPORATE LIMITS OF SOUTH SIOUX CITY, NEBRASKA, ON WHICH THE PROVISIONS OF THE NEBRASKA REVENUE ACT OF 1967, AS AMENDED, AND THE LOCAL OPTION REVENUE ACT, AS AMENDED, APPLIES; TO PROVIDE FOR THE DATES UPON WHICH THE TAX SHALL BE IMPOSED AND WHEN SUCH TAX SHALL TERMINATE; TO PROVIDE FOR THE ADMINISTRATION, ASSESSMENT, COLLECTION, CLAIMS, REMEDIES, PENALTIES AND DISPOSITION OF SUCH SALES AND USE TAX; TO REPEAL ALL RESOLUTIONS INCONSISTENT HERewith; AND TO PROVIDE FOR WHEN THIS RESOLUTION SHALL BE IN FULL FORCE AND EFFECT

BE IT RESOLVED BY THE CHAIRPERSON AND BOARD OF COMMISSIONERS OF THE COUNTY OF DAKOTA, NEBRASKA:

Section 1. That pursuant to the approval of the electors of The County of Dakota County, in the State of Nebraska, at the special election held on August 10, 2004, there is hereby adopted and imposed pursuant to the provisions of Sections 13-318 to 13-326, R.R.S. Neb 1997, as amended (the "County Sales Tax Act") and Sections 77-2701 to 77-27,135, R.R.S. Neb., 2003 as amended (known as the Nebraska Revenue Act of 1967) and Sections 77-27,142 to 77-27,148, R.R.S Neb. 2003, as amended (known as the Local Option Revenue Act), a sales and use tax which tax shall be One-half of one percent (0.5%) upon the same transactions on which the State of Nebraska is authorized to impose a sales and use tax pursuant to the provisions of the Nebraska Revenue Act of 1967 (as now or hereafter amended) within the corporate limits of Dakota County, Nebraska, but outside the corporate limits of any incorporated municipality which as of the date hereof has adopted a local sales tax pursuant to the Local Option Revenue Act (the only such municipality being the City of South Sioux City, Nebraska). Such tax is hereby imposed pursuant to the County Sales Tax Act, the Nebraska Revenue Act of 1967 and the Local Option Revenue Act as the same now exist or may from time to time hereafter be amended. Said additional sales and use tax shall commence on January 1, 2005 and shall remain in effect for a period of ten (10) years from the time of its first going into effect or for such shorter period as shall be required to result in annual collections sufficient to retire the bonds issued for construction of the Dakota County Jail/Correctional Facility, including payments required to be made by the County pursuant to an interlocal cooperation agreement under the Interlocal Cooperation Act with respect thereto.

Section 2. That the administration of the Sales and Use Tax imposed by this Resolution, the making of returns for the ascertainment and assessment, the provisions for tax claims and remedies, the laws governing consummation of sales, penalties and collection, and for the disposition and distribution of the taxes so imposed and collected shall be as provided by the County Sales Tax Act, the Nebraska Revenue Act of 1967 and the Local Option Revenue Act, as now existing or hereafter amended, and as provided for in the propositions relating thereto as approved by the electors of The County of Dakota, Nebraska, at the special election held on August 10,2004.

Section 3. That the County Clerk shall mail a certified copy of this Resolution and a certified copy of a map of The County of Dakota, Nebraska, showing the corporate limits thereof and the corporate limits of the City of South Sioux City to the Nebraska Tax Commissioner and Nebraska Department of Revenue immediately after the passage of this Resolution and at least one hundred twenty (120) days prior to January 1, 2005, as provided by law.

Section 4. That all Resolutions or portion of Resolutions inconsistent herewith be and the same are hereby repealed.

Section 5. That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2004.

ATTEST:

Chairperson

County Clerk
(S E A L)

A meeting of the Chairperson and Board of Commissioners of The County or Dakota, Nebraska, was held at the _____ in said County on the ____ day of _____, 2004, at _____ o'clock ____M. Present were:

Chairperson: _____;

Commissioners: _____.

Absent: _____.

Notice of the meeting was given in advance thereof by ____, a designated method for giving notice, as shown by the (Affidavit of Publication) (Certificate of Posting Notice) attached to these minutes. Notice of this meeting was given to the Chairperson and all members of the Board and a copy of their acknowledgment of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Chairperson and Board of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Commissioner _____ introduced and moved adoption of Resolution No. _____ entitled:

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF DAKOTA COUNTY, NEBRASKA, TO ADOPT AND IMPOSE A SALES AND USE TAX OF ONE-HALF OF ONE PERCENT (0.5%) UPON THE SAME TRANSACTIONS WITHIN THE CORPORATE LIMITS OF THE COUNTY OF DAKOTA, NEBRASKA, BUT EXCLUDING ALL SUCH TRANSACTIONS WITHIN THE CORPORATE LIMITS OF SOUTH SIOUX CITY, NEBRASKA, ON WHICH THE PROVISIONS OF THE NEBRASKA REVENUE ACT OF 1967, AS AMENDED, AND THE LOCAL OPTION REVENUE ACT, AS AMENDED, APPLIES TO PROVIDE FOR THE DATES UPON WHICH THE TAX SHALL BE IMPOSED AND WHEN SUCH TAX SHALL TERMINATE: TO PROVIDE FOR THE ADMINISTRATION, ASSESSMENT, COLLECTION, CLAIMS, REMEDIES, PENALTIES AND DISPOSITION OF SUCH SALES AND USE TAX; TO REPEAL ALL RESOLUTIONS INCONSISTENT HEREWITH; AND TO PROVIDE FOR WHEN THIS RESOLUTION SHALL BE IN FULL FORCE AND EFFECT

Commissioner _____ seconded the motion for final passage of the resolution. The Chairperson then stated the question was "Shall Resolution No. _____ be passed and adopted?" Upon roll call vote, the following Commissioners voted YEA:

_____. The following voted NAY:_____.

The passage and adoption of said resolution having been concurred in by a majority of all members of the Board, the Chairperson declared the resolution adopted and the Chairperson in the presence of the Board signed and approved the resolution and the Clerk attested the passage and approval of the same and affixed his signature thereto. A true, correct and complete copy of said resolution is as follows:

RESOLUTION NO. 04C-022

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF DAKOTA COUNTY, NEBRASKA, TO ADOPT AND IMPOSE A SALES AND USE TAX OF ONE-HALF OF ONE PERCENT (0.5%) UPON THE SAME TRANSACTIONS WITHIN THE CORPORATE LIMITS OF THE COUNTY OF DAKOTA, NEBRASKA, BUT EXCLUDING ALL SUCH TRANSACTIONS WITHIN THE CORPORATE LIMITS OF SOUTH SIOUX CITY, NEBRASKA, ON WHICH THE PROVISIONS OF THE NEBRASKA REVENUE ACT OF 1967, AS AMENDED, AND THE LOCAL OPTION REVENUE ACT, AS AMENDED, APPLIES; TO PROVIDE FOR THE DATES UPON WHICH THE TAX SHALL BE IMPOSED AND WHEN SUCH TAX SHALL TERMINATE; TO PROVIDE FOR THE ADMINISTRATION, ASSESSMENT, COLLECTION, CLAIMS, REMEDIES, PENALTIES AND DISPOSITION OF SUCH SALES AND USE TAX; TO REPEAL ALL RESOLUTIONS INCONSISTENT HEREWITH; AND TO PROVIDE FOR WHEN THIS RESOLUTION SHALL BE IN FULL FORCE AND EFFECT \par BE IT RESOLVED BY THE CHAIRPERSON AND BOARD OF COMMISSIONERS OF THE COUNTY OF DAKOTA, NEBRASKA:

Section 1. That pursuant to the approval of the electors of The County of Dakota County, in the State of Nebraska, at the special election held on August 10, 2004, there is hereby adopted and imposed pursuant to the provisions of Sections 13-318 to 13-326, R.R.S. Neb 1997, as amended (the "County Sales Tax Act") and Sections 77-2701 to 77-27,135, R.R.S. Neb., 2003 as amended (known as the Nebraska Revenue Act of 1967) and Sections 77-27,142 to 77-27,148, R.R.S Neb. 2003, as amended (known as the Local Option Revenue Act), a sales and use tax which tax shall be One-half of one percent (0.5%) upon the same transactions on which the State of Nebraska is authorized to impose a sales and use tax pursuant to the provisions of the Nebraska Revenue Act of 1967 (as now or hereafter amended) within the corporate limits of Dakota County, Nebraska, but outside the corporate limits of any incorporated municipality which as of the date hereof has adopted a local sales tax pursuant to the Local Option Revenue Act (the only such municipality being the City of South Sioux City, Nebraska). Such tax is hereby imposed pursuant to the County Sales Tax Act, the Nebraska Revenue Act of 1967 and the Local Option Revenue Act as the same now exist or may from time to time hereafter be amended. Said additional sales and use tax shall commence on January 1, 2005 and shall remain effect for a period of ten (10) years from the time of its first going into effect or for such shorter period as shall be required to result in annual collections sufficient to retire the bonds issued for construction of the Dakota County Jail/Correctional Facility, including payments required to be made by the County pursuant to an interlocal cooperation agreement under the Interlocal Cooperation Act with respect thereto.

Section 2. That the administration of the Sales and Use Tax imposed by this Resolution, the making of returns for the ascertainment and assessment, the provisions for tax claims and remedies, the laws governing consummation of sales, penalties and collection, and for the disposition and distribution of the taxes so imposed and collected shall be as provided by the County Sales Tax Act, the Nebraska Revenue Act of 1967 and the Local Option Revenue Act, as now existing or hereafter amended, and as provided for in the propositions relating thereto as approved by the electors of The County of Dakota, Nebraska, at the special election held on August 10,2004.

Section 3. That the County Clerk shall mail a certified copy of this Resolution and a certified copy of a map of The County of Dakota, Nebraska, showing the corporate limits thereof and the corporate limits of the City of South Sioux City to the Nebraska Tax Commissioner and Nebraska Department of Revenue immediately after the passage of this Resolution and at least one hundred twenty (120) days prior to January 1, 2005, as provided by law.

Section 4. That all Resolutions or portion of Resolutions inconsistent herewith be and the same are hereby repealed.

Section 5. That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this _____ day of _____, 2004.

ATTEST:

Chairperson

County Clerk
(S E A L)

I, the undersigned, County Clerk, of The County of Dakota, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Chairperson and Board of Commissioners on _____; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

County Clerk

(SEAL)

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to adopt the following Resolution 04C-023 and certifications outlining the advertisement and publications pertaining to the Special Election and adoption of County Sales Tax.

RESOLUTION NO. 04C-023

BE IT RESOLVED BY THE CHAIRPERSON AND COUNTY BOARD OF COMMISSIONERS OF THE COUNTY OF DAKOTA, NEBRASKA, as follows:

Section 1. That the Chairperson and Board of Commissioners of the County of Dakota, Nebraska, do hereby declare this resolution to be the County's official declaration of intent under Internal Revenue Code Regulation Section 1.150-2 to provide for the incurring of indebtedness which may include reimbursements of expenditures made by the County in connection with the proposed Dakota County Jail/Correctional Facility. The preliminary estimate of debt contemplated to be issued for such projects is currently \$7,000,000.

Section 2. That up to the expenditure of the full amounts of such projects described within this resolution, the County may advance funds as may be necessary for meeting the immediate costs of such improvements. It is the intent of the Chairperson and Board and the County's reasonable expectation that the County shall reimburse such expenditures as may be made from general funds on hand from the proceeds of the issuance of its debt obligations.

Section 3. That the County Clerk shall make a copy of this resolution available for public inspection at the main office of the County at all times during normal business hours within ten days after the adoption hereof. Such copies shall remain available for public inspection at all such times until the bonds or such other tax-exempt obligations contemplated herein are issued.

DATED this ____ day of August, 2004.

ATTEST:

By _____
Chairperson

County Clerk
(S E A L)

A meeting of the Chairperson and County Board of Commissioners of the County of Dakota, Nebraska, was held at the _____ in said County on the ____ day of August, 2004, at _____ o'clock ____ M. Present were: Chairperson: _____ Commissioners: _____ Absent: _____.

Notice of the meeting was given in advance thereof by _____ a designated method for giving notice as shown by the (Affidavit of Publication) (Certificate of Posting Notice) attached to these minutes. Notice of this meeting was given to the Chairperson and all members of the Board and a copy of their acknowledgment of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Chairperson and Board of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Commissioner _____ introduced Resolution No. _____ and moved for its adoption. Commissioner _____ seconded the foregoing motion and upon roll call on the passage and adoption of said Resolution the following Commissioner voted YEA: _____. The following voted NAY: _____. Whereupon the Chairperson declared said Resolution passed and adopted. A true, correct and complete copy of said Resolution is as follows:

RESOLUTION NO. 04C-023

BE IT RESOLVED BY THE CHAIRPERSON AND COUNTY BOARD OF COMMISSIONERS OF THE COUNTY OF DAKOTA, NEBRASKA, as follows:

Section 1. That the Chairperson and Board of Commissioners of the County of Dakota, Nebraska, do hereby declare this resolution to be the County's official declaration of intent under Internal Revenue Code Regulation Section 1.150-2 to provide for the incurring of indebtedness which may include reimbursements of expenditures made by the County in connection with the proposed Dakota County' Jail/Correctional Facility. The preliminary estimate of debt contemplated to be issued for such projects is currently \$7,000,000.

Section 2. That up to the expenditure of the full amounts of such projects described within this resolution, the County may advance funds as may be necessary for meeting the immediate costs of such improvements. It is the intent of the Chairperson and Board and the County's reasonable expectation that the County shall reimburse such expenditures as may be made from general funds on hand from the proceeds of the issuance of its debt obligations.

Section 3. That the County Clerk shall make a copy of this resolution available for public inspection at the main office of the County at all times during normal business hours within ten days after the

adoption hereof. Such copies shall remain available for public inspection at all such times until the bonds or such other tax-exempt obligations contemplated herein are issued.

DATED this ____ day of August, 2004.

ATTEST: By _____
Chairperson

County Clerk

(S E A L)

I, the undersigned, County Clerk, of the County of Dakota, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Chairperson and Board on _____; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the County Clerk: that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

County Clerk

(SEAL)

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Engel to convene into Board of Equalization to consider stipulating values to the TERC.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED 2:28 p.m.

Dick Erickson, State's Appraiser for Dakota County, and Madelyn Thorsland, State's Assessor for Dakota County presented the Board and recommended the following.

Stipulate Patrick and Maurine Kavanaugh, Parcel # 220022216, TERC case #03R-312 because they had their property valued at \$175,560 for 2003. They bought it 5/16/2003 for \$150,550 and I lowered it to \$163,975 at CBOE. They filed a TERC appeal for 2003 asking for \$143,450.

He wrote that when the revalue for SSC was finished we ended up with a value of \$147,740 for 2004.

I talked with Lyle Todd and suggested we stipulate to that value for 2003. He was in agreement and said to bring it to the CBOE for approval.

Stipulate to Braids Inc. Parcel # 220027080, TERC case #03C-20.

We had their property valued at \$61,435 for 2003. They bought it 12/13/2002 for \$35,000 and I did not lower it at CBOE. They filed a TERC appeal for 2003 asking for \$35,000. Mr. Erickson met with Terry and Marilyn Muff to see if I could convince them the value we had based on sales in the area was appropriate. In the course of that conversation Terry countered with \$50,000. I told him to run that past Lyle. He called me and said Lyle thought it sounded good and to run it by the CBOE.

Roma Johnson, Parcel # 220080046, TERC # 03R-243. Mr. Erickson has visited with Ms. Johnson and shown her where she was confused as to which parcel she was protesting. She is now in agreement with our value and has sent a letter to the TERC withdrawing her appeal.

Dianna Spirk, Parcel #220154937, TERC # 03R-93. We had her property valued at \$72,145 for 2003. She bought it 10/16/2001 for \$65,000 and I did lower it to \$68,435 at CBOE. She filed a TERC appeal for 2003 asking for \$56,000. I am waiting for conformation from Dianna but I believe she is going to stipulate to \$60,000. I think we should have this on the agenda so the CBOE can approve it when I get her conformation.

In addition Mr. Erickson recommended that the board stipulate a value of \$12,000 on Ron Krause's 2003 TERC appeal because the board raised him to \$30,000 in 2003 and lowered his value on the same parcel to \$12,000 in 2004.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to stipulate to the values on the above TERC cases as outlined by Dick Erickson.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to reconvene as Board of Commissioners.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED 2:38 p.m.

Commissioner Hartnett moved, seconded by Commissioner Miller to convene into Closed Executive Session to discuss personal and legal matters.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED 2:38 p.m.

Clerk did not attend Closed Session.

Commissioner Bousquet moved, seconded by Commissioner Miller to reconvene into open session.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED 3:40 p.m.

Chair Todd declared a 5 minute recess at 3:40 p.m.

Chair Todd reconvened from recess at 3:45 p.m.

The board reviewed the tort claim filed by Linda Dahl.

Commissioner Miller moved, seconded by Commissioner Bousquet to table the Tort Claim of Linda Dahl since there was a question whether it was properly tabled before.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

The board discussed putting the Register of Deeds question on the ballot. The County Attorney advised the board that a Public Hearing was to be held prior to the board passing a resolution and that the Public Hearing had to be advertised three consecutive weeks prior to the hearing.

Discussion was had whether they could meet those requirements by publishing in the SC Journal and publish it one day before the hearing.

Commissioner Miller moved, seconded by Commissioner Bousquet to hold a Public Hearing whether to consolidate the Register of Deeds Office and the County Clerk's Office and to publish the notice in the SC Journal this week, next week and Sunday, Sept. 12, 2004.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

The County Board met with the County Officials and proposed a reduction in hours of the courthouse from 8:30 a.m. to 4:30 p.m., which would give employees a 37 and one-half hour work week.

Commissioner Hartnett moved, seconded by Commissioner Engel to approve the minutes of August 16, 2004 as typed.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

COUNTY GENERAL FUND: Gross salaries- \$74,474.75, General Fund Employees Net Pay- \$51,879.03, Employer deductions paid: Retirement- 4,716.92, Social Security Tax- 4,418.79, Medicare- 1,033.46, Unicare Health- 16,333.93, Delta Dental- 633.15, Unicare Life- 290.30.

Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Daniel Christoffers- 370.00, Bobbi Jo Harsma- 846.56, Theodore Piepho- 1407.81, Lora Skow- 840.00, Joan Spencer- 1053.41, Darlene Davis- 777.60, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 832.00, Kimberly Kuehl- 755.20, Phyllis Ridge- 852.80, Lyn Beltz- 125.00, Mark J. Dorcey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 370.00, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 920.00, Dustin Kinsey- 752.00., Andrew Jensen- 35.00, Richard Jensen- 1206.00, Patricia Stingley- 856.00, Sandy Beers- 977.60, Jeremy Bermel- 1706.47, Anthony Bos- 1117.20, Sergio Castillo- 1147.25, Brian Ellinger- 1959.67, Todd Hammer- 1501.33, Melvin Harrison III- 1221.48, Rodney Herron- 1529.16, Kimberly Johnson- 499.46, Jared Junge- 1634.43, Michael Kreegar- 1288.09, Gayle Richards- 728.00, Kevin Rohde- 1052.00, James Wagner- 1760.81, Randall Walsh- 1630.53, Rita Chase- 920.00, Amber Hegarty- 1615.38, Aimee Kennedy- 808.00, John Loos, Jr.- 1538.46, Edward Matney III- 2277.70, Debra Schmiedt- 1807.69, Bobbi Strong- 712.50, Nicole Sims- 1073.77, Rebecca Broer- 1719.30, Richard Criss- 1008.45, Eric Davis- 888.00, Penny Epting- 985.15, Ronald Fink Jr.- 888.00, John Gilles- 1213.90, Michael Gregerson Jr.- 1106.49, Alma Gunderson- 1387.65, Paula Harrigfeld- 704.00, Cathy Harsma- 982.10, Joseph Ramirez- 221.08, Linda Schovanec- 1064.00, Margaret Stingley- 735.93, Bradley Uhl- 868.58, Cynthia Purucker- 858.40, Leon Pies- 637.95, Pamela DeVries- 1367.12, Gloria Dwyer- 836.00, Patricia Glover- 930.49, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 6,598.69, State- 2,322.77, Social Security Tax- 4,418.79, Medicare- 1,033.46, Retirement- 3,195.77, Unicare Health- 1,955.00, Delta Dental- 381.95, Colonial Health- 35.20, Sheriff Union Dues- 40.00, Colonial Life- 3.00, Deferred Comp- 791.22, Garnishments- 964.65, Aflac Health- 491.37, Aflac Life/Dsbl- 128.05, Aflac Flex Plan- 340.00.

COUNTY ROAD PAYROLL: Gross salaries- \$13,673.89, Road Employees Net Pay- \$9,632.46, Employer deductions paid: Retirement- 922.96, Unicare Health- 3,169.27, Delta Dental- 122.85, Unicare Life- 54.54, Social Security Tax- 816.84, Medicare- 191.03.

Joel Broekemeier- 1082.40, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1186.29, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,123.55, State- 406.83, Social Security- 816.84, Medicare- 191.03, Retirement- 615.34, Unicare Health- 300.69, Delta Dental- 78.28, Reassure America Life- 9.76, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 153.35, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,345.05, Cops Fast Employee Net Pay- 939.16, Employer deductions paid: Retirement- 104.24, Unicare Health- 243.79, Delta Dental- 9.45, Unicare Life- 4.42, Social Security- 83.39, Medicare- 19.50, Brent Gilster- 1345.05.

COPS FAST GRANT: Employee withholding paid to: Federal- 170.46, State- 58.56, Social Security- 83.39, Medicare- 19.50, Retirement- 73.98.

SOUTH SIOUX CITY CHAMBER OF COMMERCE: Visitors Promotion, lodging tax- 13,847.00.

Chair Todd adjourned their meeting at 4:50 p.m.

ATTEST

Lyle Todd, Chair

Theodore A. Piepho
County Clerk

* * * *

COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 13, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chair Todd called their regular scheduled meeting to order at 1:30 p.m.

PRESENT WERE: Commissioners Bousquet, Engel, Todd, Miller and Ted Piepho, Secretary.
ABSENT: Commissioner Hartnett.

Arnie Mellick, Highway Supt., opened the bids received to purchase some of the county's surplus property.

Garvin's Salvage submitted a bid to purchase the County's 1986 Chevy K30 Pickup for \$260.00, a 1998 Chevy Lumina for \$135.00 and a 1985 Chevy D30 Military for \$360.00.

Robert and Teresa Gunderson submitted a bid to purchase the County's 1986 Chevy K30 Pickup for \$376.00 and bid \$327.00 on the D30 Military pickup.

Commissioner Bousquet moved, seconded by Commissioner Miller to accept the bid from Garvin for a Chevy D30 Military for the price of \$360.00 and to accept Robert and Teresa Gunderson's bid of \$327.00 on the D30 Military pickup.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Absent, Todd- Yea, UNANIMOUS MOTION CARRIED.

Vincent Kramper and Jim Gustafasen appeared before the board to discuss an agreement for Dakota County to pay the Fire District for the prisoners who are transported to medical facilities.

Mr. Kramper recommended that the county pay the fire district \$2,000 a year for 25 transports.

Jim said that they had agreed to charge \$200.00 while their normal cost is \$360.00.

Jim said that Siouxland Paramedics charge the fire district \$150.00 if they assist so the fire district loses \$70 if they would assist.

Commissioner Bousquet moved, seconded by Commissioner Miller to approve the Juvenile Accountability Grant Award with the Special Conditions.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Absent, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Pat Foust, LEC Director, appeared before the board and presented the LEC Budget.

Commissioner Miller moved, seconded by Commissioner Engel to approve the LEC Budget as presented by the LEC Committee.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Absent, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Mr. Foust also presented the board with a proposal to replace the Dictaphone system. He said that the present one was 20 years old and no service contract is available.

Mr. Foust also mentioned the subject of the LEC roof and reminded the board the need to repair or replace it.

Commissioner Miller moved, seconded by Commissioner Todd to approve the replacement of the Dictaphone System and to approve going ahead with the LEC roof provided South Sioux City approves the projects.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Absent, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd relocated their meeting to the Dakota City Council chambers to accommodate all the people that wished to attend the County's Budget Hearing. He then recessed their meeting in the County Board Room at 2:11 p.m.

Chair Todd reconvened their meeting at approximately 2:20 p.m. at the Dakota City Council Chambers.

Chair Todd opened the Budget Hearing as advertised in the Dakota County Star at 2:11 p.m.

Chair Todd also opened the Tax Request Hearing as advertised in the Dakota County Star at 2:12 p.m.

Warren Johnson started the Public Hearing by speaking for the veterans. He said they were here today to appeal the Veterans Officer's budget. He said they represented 1605 veterans and their dependents.

Mr. Johnson asked if it was possible that they will make changes to the budget or is the budget locked?

Chairman Todd said there would be changes made to the budget because they are not under the lid restrictions yet. He continued by telling the audience that they are up against the lid and they couldn't tax anymore than what they had published.

Mr. Johnston said that he was a veterans service officer for about 15 years and it is a full-time job.

Mr. Johnston wanted to know who prepared the rough draft of the budget.

Commissioner Miller explained that herself, Jackie Hartnett and Nanci Walsh were on the budget committee.

Mr. Johnston stated that a lot of the tax money came from the veterans themselves. He also emphasized that the state provided funds for the county's veterans.

Warren Johnston said they can go to a part-time position, but with the approval of the County Veterans Committee and the Veteran Committee was not aware of the boards proposal.

Pam Miller asked who was what on the veterans committee message and Mr. Johnston mentioned the members of the Veteran's Committee and asked each one present if they had been contacted. Mr. Johnston stated Nebraska statute 80-407, which says "Each county veterans service committee shall cooperate with and assist the Department of Veterans' Affairs in the performance and discharge of its duties and functions. Each such county veterans service committee shall appoint, subject to confirmation by the county board, a county veterans service officer for its county after the applicant has been certified as eligible according to section 80-410 by the Director of Veterans' Affairs. Service officers appointed prior to March 27, 1969, shall also be certified as eligible. The county veterans service committee, in cooperation with the Department of Veterans' Affairs, shall issue a certificate of appointment, and establish a service center for the assistance of veterans, and is authorized to accept,

for the purpose of carrying out its program of assistance to veterans, grants of funds from the county, municipalities, veterans, civic, religious, and fraternal organizations and groups, and private citizens. The county boards of the counties involved, after meeting with the affected veterans service committees, are authorized to join two or more counties in the appointment of a county veterans service officer for a given area with the expenses to be shared by the counties involved. The county board and the county veterans service committee shall be authorized to appoint or place any veterans service officer on a part-time basis if such officer's service shall not require forty hours per week. Members of the county veterans service committee shall be ineligible to serve as county Veterans service officers or assistant county veterans service officers."

Mr. Johnston referred to the letter stating that everybody was going to go to 37 1/2 hours per week except for elected officials, attorneys and union employees. Mr. Johnson said it wasn't fair for the veterans service officer to go from 40 hours to 16. He couldn't understand why the commissioners would cut the veterans service officer from 40 to 16 when all the other employees are going from 40 to 37 1/2 hours.

Mr. Todd said that the board had talked about this and thought Mr. Boyd could do the work in 16 hours.

Mr. Johnston mentioned the number of veterans from the earlier wars are very old and dying out and the need to service these veterans now is more important than ever.

Kenny Beermann addressed the board and said that he thought there was money available and it was from other budgets.

Rod Snyder said he thought that there was a lack of communication, and that it should be straightened out when the board meets with the Veteran Service Committee.

Roy Strong from Dakota City asked the board to address where they were in relation to the 50 cent lid.

Neil Miller asked about the billboard that said the county would save \$60,000. He said that when they voted for the sale tax they thought the property tax would not increase.

Ron Snyder concurred with Mr. Miller's statement

Mr. Bousquet mentioned the health cost of the prisoners being County's expense. All the fines go to the school. Should some of the money stay at the county to offset some cost?

There were several other people that spoke and asked the board to cut property tax.

Mr. Matney addressed the board and submitted his County Attorney's Opinion written in response to the request of the Elected Officials as follows:

TO: Lynette Beermann
Mark Dorcey
Scott Dugan
Bob Giese
Ted Piepho
Jim Wagner

FROM: Ed Matney

DATE: 10 September 2004

SUBJECT: Request for County Attorney's Opinion

I am writing in response to your letter of 03 September 2004, in which you requested my opinion in regard to several questions. I will be brief in the memorandum, but please feel free to contact me if you need additional clarification of the issues.

Question #1: "Is an Elected Official bound by a County Board's order of a hiring freeze and refrained from hiring if the elected official feels that another person is needed as long as they are not arbitrary, capricious or unreasonable?"

Response: No, an elected official is not bound by such an order.

A county board of commissioners has the authority to order a hiring freeze with respect to employees subject to its direct control. Staffing within the offices of the various elected officials is not subject to the direct control of the county board of commissioners. At least two Nebraska Attorney General's Opinions provide guidance in this area, the opinion of 28 April 1983 to Sen. Emil E. Beyer, Jr., and the opinion of 18 November 1983 to Johnson County Attorney Steven J. Mercure.

Question #2: "Can the County Board cut an Elected Official's Budget bottom line and force an Elected Official to close his/her office if his/her budget is exhausted before the fiscal year end as long as the official has not been arbitrary, capricious or unreasonable with his/her expenditures?"

Response: This question cannot be answered with a "yes" or "no."

A county board of commissioners does ultimately adopt a comprehensive budget for the county for the fiscal year. However, it is my opinion that a county board of commissioners cannot do through the budget process what the board is prohibited from doing directly. For example, a county board of commissioners has no authority to terminate an employee of the county treasurer; similarly, the board has no authority to direct the county clerk to close his office on Fridays. Therefore, a unilateral attempt by a county board of commissioners to use budgetary pressures to cause staffing changes within, or changes in the office hours of, the offices of the various elected officials would be improper.

Question #3: "Can the County Board eliminate a position from an Elected County Official's office and budget without the consent of the County Official and/or is the official bound to terminate the employee that holds that position?"

Response: No.

The various elected officials are responsible for carrying out their duties and maintaining appropriate staffing levels. The following quote from an opinion of the Nebraska Attorney General is helpful. "The elected officials of a county have the power to terminate their employees. Most importantly, the elected county officials have the right of control and supervision over the work, the power to direct the manner in which the work is to be done, and to determine the result to be accomplished by the people working in their office. Therefore, the elected county officials, not the county board, are the employers of the persons working in their respective offices" Opinion of the Nebraska Attorney General to Sen. Emil E. Beyer, Jr., of 28 April 1983.

Question #4: "Can the County Board regulate an Elected Officials Office hours and restrict his or her employees to a certain number of hours?"

Response: No, no authority exists for such regulation or restriction.

"[T]he authority of each county officer to determine the working hours of himself and his employees . . . is exclusively his. We believe the county board has no specific authority to fix the hours of employment" Opinion of the Nebraska Attorney General to Johnson County Attorney Steven J. Mercure of 18 November 1983 (citing Report of the Attorney General 1953-54, p. 66 and Report of the Attorney General 1955-56, p. 68).

Mr. Matney said that he had some concerns of the board's proposal for the reduction of hours and submitted the following letter:

September 13, 2004

Board of Commissioners
Dakota County Courthouse
Hand-Delivered
Dakota City, NE 68731

Dear Commissioners:

I am writing to give you notice that your proposed budget for the 2004-2005 fiscal year will not be sufficient for the operation of my office. This notice is provided pursuant to the Nebraska law, including, but not limited to, 13-501, et. Seq., of the Nebraska Revised Statutes.

Sincerely,

\s\ Edward Matney III

He continued that he received a letter from Judge Rager and offered that into the record as follows:

Thursday, September 09, 2004

Edward H Matney, III
Dakota County Attorney
PO Box 117
Dakota City, NE 68731-0117

In Re: Courthouse Hours

Dear Ed:

I am writing in response to your letter to me dated September 7, 2004, concerning the proposed opening of the courthouse at 8:30 a.m. rather than 8:00 a.m. I certainly understand the difficulties the commissioners face, but we seem to get a lot done early in the morning. As you well know, we have many days in which we have hearings scheduled in the mornings between 8:00 and 8:30 in order to keep matters moving as best we can. Often times these hearings are for the convenience of the parties

and the maximum utilization of interpreters that may be needed. All types of cases are set at these earlier times, including, criminal, juvenile, civil, dissolutions, protection orders, etc.

Also, you might wish to know that the State requires that our staff members work forty hours per week. Therefore, our office staff will need to be here at 8:00 a.m. regardless of the courthouse hours.

It would be my belief that the court would need to continue to schedule hearings between 8:00 and 8:30 in order to keep abreast of matters, to best accommodate the parties, their attorneys, interpreters, and to utilize the staff that is required to be present. I sincerely hope that the commissioners do not find it necessary to modify the hours the county offices are open as that may be awkward for the state offices in the building.

Sincerely,

Kurt T. Rager
County Judge

Lynette Beermann, Clerk of the District Court was concerned about not having enough money to operate her office and read and submitted the following letter.

September 13, 2004

Board of Commissioners
Dakota County Courthouse
Hand-Delivered
Dakota City, NE 68731

Dear Commissioners:

I am writing to give you notice that your proposed budget for the 2004-2005 fiscal year will not be sufficient for the operation of my office. This notice is provided pursuant to the Nebraska law, including, but not limited to, 13-501, et. Seq., of the Nebraska Revised Statutes.

Sincerely,

\s\ Lynette Beermann

Robert Giese, County Treasurer, appeared before the board and was concerned about not having enough money to operate his office and read and submitted the following letter into the record.

September 13, 2004

Board of Commissioners
Dakota County Courthouse
Hand-Delivered
Dakota City, NE 68731

Dear Commissioners:

I am writing to give you notice that your proposed budget for the 2004-2005 fiscal year will not be sufficient for the operation of my office. This notice is provided pursuant to the Nebraska law, including, but not limited to, 13-501, et. Seq., of the Nebraska Revised Statutes.

Sincerely,

\s\ Robert H. Giese

September 13, 2004

Ted Piepho, County Clerk, appeared before the board and was concerned and read and submitted the following letter into the record.

September 13, 2004

Dakota County Board of Commissioners
PO Box 338
Dakota City NE 68731

RE: Error in proposed budget.
Budget Hearing 2004

Dear Board Members:

I am writing in reference to my 2004 proposed budgets submitted for the County Clerk's Office and the Election Commissioner.

In preparing my County Clerk's budget I neglected to take into consideration approximately \$7,000 in salary that will be spent in the FY2004/2005 fiscal year budget.

I also did not take into consideration having a Special Election that we had in August and therefore I under estimated that budget by about \$8,000.00 because I wasn't aware of the Special Election when I prepared the budget.

I therefore request that you take into consideration these amounts when you adopt the County FY2004/05 budgets.

I know that I will be looking at expenditures of roughly \$44,000 in the Election Budget. And I would be willing to try and live within the amount I originally submitted for County Clerk, and if or when the extra is needed later in the fiscal year, my budget increased at that time.

Sincerely,

Ted Piepho
County Clerk

James L. Wager, County Sheriff, appeared before the board and was concerned about not having enough money to operate his office, read and submitted the following letter into the record.

September 13, 2004

Board of Commissioners
Dakota County Courthouse
Hand-Delivered
Dakota City, NE 68731

Dear Commissioners:

I am writing to give you notice that your proposed budget for the 2004-2005 fiscal year will not be sufficient for the operation of my office. This notice is provided pursuant to the Nebraska law, including,

but not limited to, 13-501, et. Seq., of the Nebraska Revised Statutes.

Sincerely,

\s\ James L. Wagner

Others that spoke during the Public Budget Hearing were: Doug Carter, Paul Beltz, Wendy Morgan, Mike Storm, Arnold Andre and Kenny Beermann.

Chair Todd closed the Tax Request Public Hearing at 3:54 p.m.

Chair Todd closed the Budget Public Hearing at 3:55 and recessed to reconvene in the County Board meeting room.

Chair Todd reconvened their meeting in the County Board Meeting Room at 4:05 p.m.

The board discussed the CBM bid for the feeding of prisoners.

The advertisement for request for proposal reads as follows:

DAKOTA COUNTY BOARD OF COMMISSIONERS
REQUEST FOR PROPOSALS (RFP)
Inmate Food Services

1. INTRODUCTION

Dakota County Nebraska is requesting sealed proposals for the provision of furnishing food service to include inmate and staff feeding seven days a week and program support services for a maximum population of 70 inmates. The contract period will be for two (2) years commencing on October 1, 2004, with an option for the County, at its discretion, to extend the contract for an additional one year term. Dakota County presently operates a Jail facility at the following location:

The Dakota County Jail
1601 Broadway
Dakota City, NE 68731

Current Average Daily Population : 46

2. BIDDING PROCESS

The following is a schedule of events concerning the bid process:

EVENT DATE

Distribution of Bid Packets
(from: Dakota County)

August 12, 2004 Mandatory Pre-Bidders Conference
(Tour of Kitchen Available)
Dakota County Jail
Dakota City, NE 68731

Please call Dakota County Board of Commissioners at (402) 987-2130
By August 16, 2004 if you will be attending
August 17, 2004
9:00 AM

Bids Due
(at: Dakota County Board Office)
(Bids will be opened on August 30, 2004)
August 27, 2004
4:00 PM
Notification of Award
September 13, 2004
Commence Services Projected
October 1, 2004

A complete original and four (4) exact duplicate copies of the sealed proposals, evidencing the name and address of the proposer, should be submitted to:

DAKOTA COUNTY BOARD OF COMMISSIONERS
1601 BROADWAY
PO BOX 338
DAKOTA CITY, NE 68731

** PLEASE MARK YOUR ENVELOPES : Inmate Food Service **

Sealed proposals must be received not later than 4:00 p.m., August 27, 2004, at the address set forth above. Proposals received after 4:00 p.m, August 27, 2004, will not be considered.

The bid is to be completed in legible form. Any additional written material such as professional records, certifications, etc., your company thinks important, may be attached and submitted to augment the data. The bidder must initial any corrections.

NO FAXED OR E-MAILED DOCUMENTS WILL BE ACCEPTED.

Questions regarding bid specifications shall be directed to the following individual:

Nanci Walsh
Administrative Assistant
Dakota County Board of Commissioners
1601 Broadway, PO Box 338
Dakota City, NE 68731
402-987-2130
nwalsh@dakotacountyne.org

3. RESERVATION OF RIGHTS

The Dakota County Board of Commissioners reserves the right to reject any and all proposals, to award the agreement to other than the low proposal, to award separate agreements for separate parts of the services required, to negotiate the terms and conditions of all and any part of the proposals, to waive irregularities and/or formalities, and in general to make award in the manner as determined to be in the Board's best interest and its sole discretion.

4. RESPONSIVE PROPOSALS

Companies are expected to examine the RFP requirements and all instructions. Failure to do so will be at the company's risk. Each company shall furnish all information requested herein. The person signing the proposal must initial all erasures or other changes. If any person contemplating submitting a proposal is in doubt of the true meaning of any part of the specifications or other conditions with the RFP, he/she is advised to call and have the portion in question clarified.

5. CHANGES AND ADDENDA TO BID DOCUMENTS

Each change or addendum issued in relation to the RFP will be on file in the Board Office. In addition, to the extent possible, copies will be mailed to each person registered as having received a RFP. It shall be the contractor's responsibility to make inquiry as to the changes or addenda issued. All such changes or addenda shall become part of the contract and all bidders shall be bound by such changes or addenda.

6. TAXES, TERMS AND CONDITIONS

Dakota County is exempt from Federal Excise and State Sales Tax. The county's tax number will be provided after the award. Payment terms are Net 30 days upon receipt and acceptance.

7. METHOD OF AWARD

The award will be made to the vendor whose proposal is determined to be professionally and technically complete. The selection process may, however, include a request for additional information or an oral presentation to support the written proposal. The price proposal will be considered firm and cannot be altered after receipt per the terms of this proposal.

The County reserves the right to award this contract not necessarily to the vendor with the lowest price, but to the bidder that demonstrates the best ability to fulfill the requirements of the RFP. The successful vendor will be chosen based on the qualifications and selection criteria discussed in Section 12 of this proposal.

The successful vendor shall commence work only after the transmittal of a fully executed contract and after receiving written notification to proceed from Dakota County. The successful bidder will perform all services indicated in the proposal in compliance with the negotiated contract. All bids will be reviewed and recommendations for a selection will be made to the Dakota County Board of Commissioners. Final approval will be granted by the Board of Commissioners and Dakota County Sheriff.

Dakota County reserves the right to reject any and all proposals for any reason in whole or in part received in response to this RFP. Dakota County will not pay for any information herein requested, nor is it liable for any costs incurred by the proposer.

Vendors whose proposals do not meet the mandatory requirements will be considered non-compliant. After the evaluation of the proposals and selection of the successful vendor, all vendors will be notified in writing of the selected firm.

8. WITHDRAWAL OF PROPOSAL

Proposals may be withdrawn in person by a bidder, or authorized representative, provided their identity is made known and a receipt is signed for the bid, but only if the withdrawal is made prior to the stated bid deadline. No proposal may be withdrawn for at least 90 days after opening except the successful company whose prices shall remain firm for the entire contract period. In case of error by the bidder in making up a bid, the Dakota County staff may, by discretion, reject such a proposal upon presentation of a letter by the Bidder which sets forth the error, the cause thereof, and sufficient evidence to substantiate the claim.

9. INDEMNIFICATION AND HOLD HARMLESS

The Contractor whose proposal is accepted must agree to the following indemnification and hold harmless responsibilities:

The Contractor shall, at its own expense, protect, defend, indemnify and hold harmless Dakota County, its elected and appointed officers, employees and agents from all claims, damages, costs, lawsuits and expenses including, but not limited to, all costs from administrative proceedings, court costs, and attorney fees, that they may incur as a result of any acts, omissions or negligence of the selected firm, its employees or agents or its subcontractors of sub-subcontractors, or any of their officers, employees or agents which may arise out of the contract.

10. EQUAL EMPLOYMENT OPPORTUNITY

The Contractor and its subcontractors, as required by law, shall not discriminate against the employee or applicant for employment with the respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly relates to employment, because of race, color, religion, national origin, age, sex, disability that is unrelated to the individual's ability to perform the duties of a particular job or position, height, weight, or marital status. Breach of this covenant may be regarded as a material breach of the Contract.

The Contractor agrees to post notices containing this policy against discrimination in conspicuous places available to applicants for employment and employees. All solicitations or advertisements for employees, placed by or on the behalf of the Contract, will state that all qualified applicants will receive

consideration for employment without regard to race, color, sex, national origin, disability, age, height, weight, marital status and religion.

11. INSURANCE REQUIREMENTS

The Contractor whose proposal is accepted must meet and agree to maintain during the term of the contract the following insurance coverage requirements. All coverage's shall be with insurance companies licensed and admitted to do business in the State of Iowa. All coverage's shall be with insurance carriers acceptable to the County.

A. The Contractor shall carry Worker's Compensation and Employer's Liability Insurance Coverage, as required by law. In the event that the Contractor uses subcontractors and sub-subcontractors for the performance of services required under this proposal, the Contractor shall ensure that said subcontractors and sub-subcontractors carry Worker's Compensation and Employer's Liability Insurance coverage, as required by law.

B. The Contractor shall be responsible for insuring all its tools and equipment and all materials which it may use and/or leave at the work site. The County shall not be responsible for any loss or damage to the Contractor's tools and materials.

C. The Contractor shall procure and maintain during the term of the contract. Commercial General Liability Insurance on an "Occurrence basis" with limits of liability of not less than \$1,000,000 per occurrence and/or aggregate combines single limit, for Personal Injury or Bodily Injury and \$1,000,000 per occurrence and/or aggregate for Property Damage.

D. If any of the above coverage's expire during the term of the Agreement, the Contractor's insurer shall deliver renewal certification and/or policies to Dakota County at least thirty (30) days prior to expiration.

12. SELECTION CRITERIA

The primary criteria used in selecting a vendor will be as follows:

A. The vendor's demonstrated experience and expertise in correctional facilities. Experience shall include current service in correctional facilities of similar size and volume, as well as experience of staff, district manager, transition team, and availability or alternative preparation sites.

B. The vendor's demonstrated ability to comply with American Correctional Association (ACA) standards for local detention facilities and to cooperate with Dakota County to attain ACA certification for food services. Vendors will indicate those facilities currently under contract that have attained accreditation as a result of their efforts.

C. The price per meal proposed.

D. Past history and references. Vendors shall include a listing of references with their proposals, indicating facility locations, name, and telephone number of facility contact person. The list should contain at least three (3) current references, preferably of a size comparable to or larger than Dakota County.

E. The Vendor's preliminary Transition plan.

Submitted proposals will be reviewed by staff members from the Dakota County Sheriff's Department and the Dakota County Board of Commissioners and staff. Vendors who are deemed, on a basis of selection criteria, fully qualified and best suited among those submitting proposals may be requested to participate in discussions regarding their proposals. Discussion will cover cost, methods, and all other relevant factors. Dakota County reserves the right to select a bidder based on the quality of the proposal - not necessarily the lowest bidder.

At the conclusion of discussions, the vendors will be ranked on the basis of selection criteria and final negotiations will be conducted with the vendor ranked first. If a satisfactory agreement can be reached, the contract shall be awarded to the vendor; otherwise, negotiations will be conducted with each subsequent vendor until a satisfactory contract can be established or until the determination is made that the rejection of all proposals is in the best interest of Dakota County.

13. QUALIFICATIONS OF BIDDER

To be considered for award of this contract, the vendor must meet the following minimum qualifications:

A. The vendor must be organized for the purpose of providing institutional and/or volume food service and must have five (5) years previous correctional feeding experience with proven effectiveness in administering large scale corrections food service programs.

B. The vendor must have a proven ability for a contract start-up by October 1, 2004.

C. The vendor must have qualified and trained staff with sufficient back-up personnel to successfully complete the contract requirements. Information must be submitted for each employee that will be in supervisory capacity at the Dakota County Jail facility.

D. The vendor must have the central office capability to supervise and monitor the program ensuring satisfactory provision of services. In addition, the vendor must have an alternate emergency preparation site in the surrounding bordering county area.

E. The vendor shall submit a list of three (3) references, including name of institution, address, contact person and phone number.

14. PROPOSAL PACKAGE

Vendors must submit a response in the form of a proposal, which includes the following sections:

A. Completed Signature Page - See attached, Page 1

B. References - See attached, Page 2

C. Technical Proposal

This portion of the proposal must address each item listed below:

1. Introduction

a. Company Profile

(1) Date organized to provide food service management in institutional and correctional facilities.

(2) Corporate background and depth of support - number of employees - number of years doing business

(3) Facilities currently accredited by State or Federal Accreditation Board - name of facility - accrediting agency - list all.

b. Company achievements in providing correctional food service management.

2. Operational Requirements

All proposals must clearly define an action plan for providing jail meals as outlined in the Scope of Services in Section 15 and Transition on Commencement of Contract in Section 16 of this request.

3. Pricing - on a per meal basis.

4. Sample Menu - six week cycle menu. Minimum 2800 calories.

15. SCOPE OF SERVICES

Vendor shall undertake, perform, and complete the following:

A. Operations. Specifically, Vendor shall be responsible for the following:

1. Plan, coordinate, handle, prepare and provide meals for the Jail's inmates. All menus and special diets shall meet the standards for adult holding and detention facilities as established by the American Correctional Association. The Jail Administrator will approve all menus prior to commencement. All meals served shall be in compliance with the most recent Recommended Daily Allowance for adult males as established by the National Academy of Sciences.

2. Ensure that all meals are served at appropriate temperatures (140 degrees hot, 45 degrees cold), and in a manner that makes them palatable and visibly pleasing, complete with condiments (dressing, sugar, salt, pepper, and catsup or mustard, where appropriate).

3. Employment of staff where appropriate.

4. Employees of Vendor assigned to work at the Jail shall submit to periodic health examinations as required by law. Vendor shall submit satisfactory evidence of compliance with all health regulations, including health examinations, to the County upon request.

5. The County shall be responsible for removal of trash and garbage from the loading area.

6. Meet requirements of all federal, state and local health standards and any other applicable standards.

B. Inmate Food Service.

1. Prepare food offsite and deliver three (3) meals for each day of the calendar year. Meals are to be available at the times specified by the Jail Administrator or his designated representative.

2. The Jail Administrator or their designated representative shall provide the Vendor written confirmation of the number of meals required to be served for each meal prior to service of that meal.

3. Adhere to a four (4) or five (5) week menu, at the Vendor's discretion, approved by a registered dietician and accepted by the Jail Administrator.

5. Prepare special meals, approved by a registered dietician, as communicated by the Jail Administrator, including, but not limited to, medical and religious meals.

6. Provide daily meals to staff as requested and at a cost per meal mutually agreed upon between Dakota County and the Vendor.

7. Provide catered meals for special Dakota County events as determined by the Sheriff's Office, with not less than seventy-two (72) hours notice. The cost per meal shall be mutually agreed upon between the Sheriff and the Vendor.

8. Vendor shall make fullest use of the donated commodities when available, wholesome, and appropriate for menu purposes. Vendor may refuse acceptance of any such commodities which are contaminated or in excessive amounts. The utilization/control of donated commodities are subject to the following conditions:

a. Vendor shall properly handle, store, and prepare all commodities.

b. A weekly inventory shall be taken of all commodities by Vendor. The report shall include for each donated commodity, the commodities on hand at the beginning of the week, the quantity used, the quantity lost due to spoilage, theft, or shrinkage, and the balance at the end of the week.

c. Commodities received shall be used solely for the benefit of the persons in the Jail.

9. Cooperate with the County on its submission for accreditation from American Correctional Association.

C. Use of Jail Kitchen and Maintenance of Equipment.

All food will be prepared off-site and the jail kitchen will be used only for delivery of meals.

D. Compensation and Payment Procedure.

The County shall pay the Vendor on a sliding scale cost per meal basis. The Vendor shall submit invoices weekly based upon number of meals served. The County shall reimburse Vendor for services billed pursuant to its procedure for payment of Accounts Payable within thirty (30) days from the date of the Jail Administrators verification that the services billed have been satisfactorily performed.

E. Accounting Procedures.

The accounting procedures and internal financial controls of the Vendor shall conform to generally accepted accounting practices in order that the costs allowed by this request can be readily ascertained and expenditures verified.

F. Reports, Records and Inspection of Records.

Vendor shall keep full and accurate records of the meals served, as well as any receipt of donated commodities. A copy of the records shall be supplied to the Jail Administrator or his designated representative with the monthly invoices. In addition, the successful Vendor shall retain all records related to the services provided for six (6) years after the termination of an agreement. All records related to the service provided under this request shall be available for auditing by the County at any time during regular working hours.

G. Reporting of Accidents or Incidents at the Jail.

Vendor shall ensure that its employees immediately report any accidents or incidents of any unusual nature in writing to the Jail Administrator or his designated representative and the Dakota County Board of Commissioners.

H. Staffing Requirements.

As the kitchen facility is located within the Dakota County Jail, the Vendor shall adhere to the following:

a. Follow all security rules of the Dakota County Jail.

b. Coordinate its shipping and receiving operations with the Jail Administrator.

c. Submit names, dates of birth, social security number and driver's license numbers of all employees who may work within the kitchen facility at least three (3) days prior to the commencement of work.

d. Immediately notify the Jail Administrator of any termination of employment by Vendor in the kitchen or when an employee provides written notification of termination of employment in the kitchen.

e. All Vendor employees and subcontractors shall be provided and shall wear a photographic identification, at the County's expense. The identification is the property of Dakota County and shall be returned upon termination of employment with Vendor.

f. The Sheriff reserves the right to refuse admittance to any person or persons who may constitute a security risk to the Dakota County Jail.

g. The Vendor shall process complaints received from inmates daily as follows:

1. Vendor shall designate one of its employees as the recipient of the complaints and such person shall determine the appropriate manner in which to resolve the complaints daily.

2. Any complaints that Vendor cannot resolve should be provided in writing within twenty-four (24) hours to the Jail Administrator or his designated representative.

I. Inspection of Kitchen and Services Performed.

Meals shall be inspected to ensure they are prepared in compliance to the menu requirements. If during an inspection, the meals, the kitchen or inventory are found not to be in compliance, the Jail Administrator shall inform the Vendor in writing.

16. TRANSITION ON COMMENCEMENT OF CONTRACT

The successful proposer shall assume full operations on October 1, 2004. A preliminary transition plan must be submitted with each proposal. The Vendor shall coordinate and cooperate with the existing food service and employees to assure a smooth and orderly transition with uninterrupted food services. The Jail Administrator may request any additional information determined necessary to assure smooth operation of the facility.

17. Meal Plan Options

Dakota County would like to explore, as a way to help contain costs, any meal plan options that you have available. Include pricing of all meal plan options you provide.

18. Mandatory Pre-Bidders Conference

A mandatory Pre-bidders conference will take place on Tuesday, August 17, 2004, at the Dakota County Jail. Staff members from the Dakota County Sheriff's Office, and County Board will be in attendance to review this request and answer questions. In addition, a tour of the kitchen facilities will

be conducted. Please contact the Dakota County Board of Commissioners at (402) 987-2130 by August 16, 2004, if you will be attending.

DAKOTA COUNTY, NEBRASKA

Inmate Food Service
Signature Sheet

Name of Agency: Address:

Telephone Number:

Fax Number: E-Mail Address: Federal Tax ID Number:

CHECK ONE OF THE FOLLOWING:

_____ Partnership, _____ Non Profit Corporation, _____ Profit Corporation

_____ Other,

Specify: _____

If awarded a contract in response to this proposal, our company:

_____ Will _____ Will not

be able to meet the specifications as required in Section 11: Insurance Requirements.

Signature of Authorized Signatory:

Title and Name of Agency: Name of Authorized Signatory (Print):

Date: The above individual is authorized to sign on behalf of the company submitting this proposal. Proposals must be signed by an official authorized to bind the provider to its provisions for at least a period of 90 days. How did you learn about this bid opportunity?

VENDOR REFERENCE INFORMATION:

City/County Name: Contact Name:

Inmate Population: Contact Phone Number:

Date of Services:

Contact Address:

City/County Name: Contact Name:

Inmate Population: Contact Phone Number:

Date of Services:

Contact Address:

City/County Name: Contact Name:

Inmate Population: Contact Phone Number:

Date of Services:

Contact Address:

Commissioner Miller moved, seconded by Commissioner Bousquet to award the bid to cater the prisoners meals to CBM effective October 1, 2004.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Absent, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

The board received a 2004 update of the Plan of Assessment for Dakota County from the State's Assessor for Dakota County.

Commissioner Miller moved, seconded by Commissioner Engel to approve the 911 agreement as follows:

**INTER-LOCAL COOPERATION AGREEMENT
ENHANCED (E911) EMERGENCY TELEPHONE SERVICE**

Pursuant to Neb. Rev. Stat., Chap. 13, Art. 8, this Inter-local Cooperation Agreement is entered into by, between, and among the County of Dakota, the City of South Sioux City, the City of Dakota City, the Village of Emerson, the Village of Homer, the Village of Hubbard, the Village of Jackson, the Emerson Rural Fire District, the Homer Rural Fire District, Dakota-Covington Rural Fire District, and all applicable subdivisions of the State of Nebraska this _____ day of _____, 2004.

1. Duration: This agreement shall continue for a period of five (5) years expiring September 30, 2009.

2. Separate Legal or Administrative Entity; Delegation. The administration of this agreement is delegated to the Dakota County Board of Commissioners or their appropriate designee or such individual or entity as they may properly designate.

3. Purpose. The purpose of this agreement is to provide for a 911 emergency telephone communications system for the territory consisting of the telephone exchange boundaries of South Sioux City, Dakota City, Homer, Emerson, Jackson, and Hubbard, all of which are located within the jurisdictional boundaries of the parties hereto.

4. Manner of financing and maintaining a Budget. Each party shall continue to impose a one dollar (\$1.00) per line per month surcharge upon all telephone lines within each party's jurisdiction, pursuant to Neb. Rev. Statute. 86-1003 and 86-1006. The Dakota County Board of Commissioners or their appropriate designee shall administer said 911 emergency telephone communications Systems; shall establish and maintain a budget therefore; shall establish and maintain rules and regulation for the operation thereof; and shall acquire, hold, and dispose of real and personal property used in this undertaking solely in its name.

5. Termination. This agreement shall remain in effect and be in force until September 30, 2009. Termination prior to that time shall require the mutual consent of all parties.

6. Administrator. The Dakota County Board of Commissioners or their appropriate designee is hereby appointed administrator for this cooperative undertaking.

7. A Manner of Disposing of Property. It is understood and agreed that all property will be acquired in the name of the Dakota County Board of Commissioners or their appropriate designee. Property shall be disposed of in accordance with the laws and rules applicable to said Department. Proceeds of any such disposal shall be and remain the property of said Department.

Dated this _____ day of _____, 2004.

ATTEST:
County Clerk

County of Dakota,
Chair

ROLL CALL VOTE: Hartnett- Absent, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Miller to table the Tort Claim filed by Arlene Grant on behalf of Cheryl Stabler with the County Clerk.
 ROLL CALL VOTE: Hartnett- Absent, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea,
 UNANIMOUS MOTION CARRIED.

It was the consensus of the board to hire an attorney familiar with Construction Contracts to look at the Architect Construction Manager Agreement for his comments.

Chair Todd opened the Public Hearing concerning the consolidation of Register of Deeds with the County Clerk's Office at 4:18 p.m.
 There was no one in the audience that wished to appear before the board.
 Chair Todd closed the hearing at 4:20 p.m.

Commissioner Miller moved, seconded by Commissioner Bousquet adopt Resolution 04C-024 as follows:

RESOLUTION 04C-024

Whereas, Nebraska Statute 22-417 allows for consolidation of county offices and prescribes the procedures for consolidation of county offices; and,

Whereas, The County Board of Commissioners in Dakota County have held a public hearing on consolidating the Register of Deeds Office with the Office of County Clerk; and,

Whereas, said public hearing was advertised in the Sioux City Journal for three consecutive weeks.

Therefore, it is hereby resolved by the Dakota County Board of Commissioners, that the question of consolidating the Register of Deeds Office with the Office of County Clerk to form the Office of County Clerk be submitted to the voters of Dakota County at the General Election in 2004 with ballot language as follows:

"Shall the Office of Register of Deeds and the Office of the County Clerk be consolidated into one office according to the resolution adopted by the County Board of Dakota County on September 13, 2004? YES or NO"

Passed and adopted this 13th day of September, 2004.

 County Clerk

 Chairman

ROLL CALL VOTE: Miller- Yea, Engel- No, Bousquet- Yea, Hartnett- Absent, Todd- Yea, MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Engel to approve the minutes as typed.
 ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Absent, Todd- Yea, Miller- Yea,
 UNANIMOUS MOTION CARRIED.

Payroll approved and paid

COUNTY GENERAL FUND: Gross salaries- \$81,099.61, General Fund Employees Net Pay- \$56,174.18, Employer deductions paid: Retirement- 5,112.87, Social Security Tax- 4,829.52, Medicare- 1,129.51, Unicare Health- 16,334.60, Delta Dental- 633.15, Unicare Life- 290.97.

Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1073.77, Daniel Christoffers- 370.00, Bobbi Jo Harsma- 904.22, Theodore Piepho- 1407.81, Lora Skow- 840.00, Joan Spencer- 1053.41, Darlene Davis- 777.60, Robert Giese- 1407.81, Ruth Gillaspie- 1032.20, Jolene Heinemann- 832.00, Kimberly Kuehl- 755.20, Phyllis Ridge- 852.80, Mark J. Dorcey- 540.09, Margaret Rahn- 1032.20, Daniel Christoffers- 390.82, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 752.00, Carol Dunham- 976.28, Scott M Dugan- 1760.81, Mary Gamble- 920.00, Dustin Kinsey- 752.00, Andrew Jensen- 28.00, Richard Jensen- 1206.00, Patricia Stingley- 856.00, Sandy Beers- 977.60, Jeremy Bermel- 2418.34, Anthony Bos- 1683.15, Sergio Castillo- 1479.25, Brian Ellinger- 2151.19, Todd Hammer- 1607.61, Melvin Harrison III- 2121.93, Rodney Herron- 1815.86, Kimberly Johnson- 530.40, Jared Junge- 2094.15, Michael Kreegar- 1721.74, Gayle Richards- 728.00, Kevin Rohde- 1052.00, James Wagner- 1760.81, Randall Walsh- 2253.33, Rita Chase- 920.00, Amber Hegarty- 1615.38, Aimee Kennedy- 808.00, John Loos, Jr.- 1538.46, Edward Matney III- 2277.70, Debra Schmiedt- 1807.69, Bobbi Strong- 755.25, Nicole Sims- 1073.77, Rebecca Broer- 1412.40, Richard Criss- 1327.55, Eric Davis- 1175.85, Penny Epting- 1291.68, Ronald Fink Jr.- 1058.85, John Gilles- 1186.45, Michael Gregerson Jr.- 1393.83, Alma Gunderson- 1303.50, Paula Harrigfeld- 435.88, Cathy Harsma- 1152.90, Joseph Ramirez- 1151.33, Linda Schovanec- 1118.80, Margaret Stingley- 844.16, Bradley Uhl- 932.40, Cynthia Purucker- 858.41, Leon Pies- 537.20, Pamela DeVries- 1367.12, Gloria Dwyer- 836.00, Patricia Glover- 982.78, Traci March- 29.25, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 7,735.42, State- 2,730.45, Social Security Tax- 4,829.52, Medicare- 1,129.51, Retirement- 3,474.03, Unicare Health- 1,955.06, Delta Dental- 382.15, Colonial Health- 35.20, Sheriff Union Dues- 40.00, Colonial Life- 3.00, Deferred Comp- 791.22, Garnishments- 964.65, Aflac Health- 491.37, Aflac Life/Dsbl- 128.05, Aflac Flex Plan- 340.00.

COUNTY ROAD PAYROLL: Gross salaries- \$13,673.89, Road Employees Net Pay- \$9,632.43, Employer deductions paid: Retirement- 922.96, Unicare Health- 3,169.40, Delta Dental- 122.85, Unicare Life- 54.67, Social Security Tax- 816.84, Medicare- 191.03.

Joel Broekemeier- 1082.40, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoesing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1186.29, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,123.54, State- 406.82, Social Security- 816.84, Medicare- 191.03, Retirement- 615.34, Unicare Health- 300.70, Delta Dental- 78.32, Reassure America Life- 9.76, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 153.35, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,683.15, Cops Fast Employee Net Pay- 1,130.61, Employer deductions paid: Retirement- 130.44, Unicare Health- 243.80, Delta Dental- 9.45, Unicare Life- 4.43, Social Security- 104.36, Medicare- 24.41, Brent Gilster- 1683.15.
COPS FAST GRANT: Employee withholding paid to: Federal- 250.34, State- 80.86, Social Security- 104.36, Medicare- 24.41, Retirement- 92.57.

Chair Todd adjourned their meeting at 4:48 p.m.

ATTEST:

Lyle Todd, Chairman

Theodore A. Piepho
County Clerk

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COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 20, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chair Todd called their regular scheduled meeting to order at 10:06 a.m.

PRESENT WERE: Commissioners Hartnett, Engel, Todd, Miller and Ted Piepho, Secretary.
ABSENT: Commissioner Bousquet.

The board reviewed the claims filed with the County Clerk for payment.

Commissioner Bousquet arrived at 10:40 a.m.

Chair Todd recessed their meeting at 12:08 for lunch.

Chair Todd reconvened from lunch at 1:30 p.m. with all members present and the County Clerk present.

Kelly King appeared before the board to learn the actual sites that were being considered for the ethanol plant. She said that she had heard a few, but that she didn't want to rely on rumors. She said that she did not have any opposition to the plant being in Dakota County, but was concerned about the location because she did not feel it should be in a populated area and that the truck traffic should weigh heavily in deciding where it would be located. She heard that it would cause two hundred fifty trucks a day in and out of the plant. It was more like one hundred twenty five and she added that still is a huge amount to add to the traffic pattern. Ms. King lives near the Farmsteads and was not excited about it being in that area because of the proximity it would be to the homes out there.

Commissioner Miller moved, seconded by Commissioner Bousquet to approve and authorize the chair to sign the following agreement with Platte County.
PLATTE COUNTY DETENTION FACILITY

Itemization of inmate housing costs and terms of housing agreement:

1. Housing costs are \$50.00 per day. Billing day starts at 12:01 A.M.; an inmate is charged full housing cost if they receive at least one meal in the facility. Inmates brought in after 6:15 P.M. and not served any meal will be charged a reduced cost of \$25.00.
2. If at any time and for any reason, the arresting agency picks up their inmate(s) and Platte County holds the cell open for the arresting agency, the charge is \$50.00.
3. If the arresting agency picks up the inmate(s) and they are booked out of our facility but returned the same billing day, the charge will still be \$50.00.
4. Each county holding any inmates in the Platte County Detention Facility will be responsible for all medical and dental expenses including all prescriptions.
5. Platte County will notify all agencies before any medical treatment is provided except in cases of emergency. If any emergency occurs and the inmate needs treatment, the county will be notified of the situation and the costs incurred.
6. Platte County will not charge for any services provided by the facility nurse.
7. Platte County reserves the right to request the removal of an inmate(s) at any time for medical reasons or for violation of facility rules. This will be done at the expense of the arresting county.
8. Platte County will accept only the inmate and the clothing worn by the inmate upon receipt into the facility. No additional clothing will be accepted due to limited storage. No items considered contraband by this facility will be accepted, which includes but is not limited to: knives, cigarettes, lighters, and

matches. All contraband will be returned to the transporting officer or discarded. Upon release, the inmate will be issued a facility check for any funds in their account if released Monday through Friday, 8:00 A.M. - 4:00 P.M. Any releases after these hours will receive their funds in the form of a check through the mail.

INTERLOCAL AGREEMENT

This agreement is made and entered into the 20th day September, 2004, by the County of Platte, Nebraska by and through the Platte County Sheriff (hereinafter referred to as PLATTE) and the county of Dakota, Nebraska.

Whereas PLATTE desires to contract with Dakota County to receive and house in the Platte County Detention Facility inmate(s) who are under the jurisdiction of Dakota County and Dakota County desires to contract with PLATTE to house Dakota County inmate(s).

NOW THEREFORE, in consideration of the foregoing and pursuant to the terms and conditions herein, the parties agree as follows:

- 1. Inmate Housing: PLATTE shall house Dakota County inmate(s) from time to time at the request of the Dakota County Sheriff.
- 2. Consideration: Dakota County agrees to pay PLATTE the sum of \$50.00 per day per inmate for each day that the inmate(s) are housed by PLATTE. A current list of such inmates housed for Dakota County shall be maintained by the Platte County Sheriff or his designee.
- 3. Miscellaneous Provisions: The parties further agree as follows:
 - a. PLATTE reserves the right to request the removal at Dakota County expense of any inmate determined to have a communicable disease, to be mentally ill and dangerous to themselves or others, or who violate the rules of conduct of the Detention Facility.
 - b. All medical expenses shall be the responsibility of Dakota County. PLATTE shall notify Dakota County as soon as is practical should a medical problem arise.
- 4. Completion of Term: Dakota County agrees that in the event an inmate is required by Dakota County to be returned to custody in Dakota county such inmate(s) housed by PLATTE shall be returned to Dakota County at Dakota County cost upon release from the Platte County Detention Facility.
- 5. Terms of Agreement: The terms of this agreement shall be for a period of one (1) year from the date first signed and shall automatically renew each year for an additional one (1) year period unless either party provides to the other notice of that party's intent to terminate the agreement. Such notice shall be in writing and delivered to the other party no less than thirty (30) days prior to the effective date of said termination.
PLATTE reserves the right to adjust housing rates with a 60 day written notice to all parties involved.
- 6. Completion of Agreement: This agreement shall constitute the full agreement of the parties hereto and may not be modified orally.

PLATTE COUNTY SHERIFF By

Dated

DAKOTA COUNTY SHERIFF By

Dated

Approved:

Platte County Board of Supervisors

By Dated Chairman

Dakota County Commissioners

By Dated Chairman

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller said that they reinstated the 40 hours a week and the 2.3% Cost of Living raise.

Commissioner Miller moved, seconded by Commissioner Hartnett to forgo the raise for the Commissioners that is scheduled January first.

ROLL CALL VOTE: Engel- Abstained, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller moved, seconded by Commissioner Bousquet to adopt Resolution 04C025 the FY 2004/05 County Budget as presented today.

Dakota County

RESOLUTION OF ADOPTION AND APPROPRIATIONS

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2004, to June 30, 2005, prepared by the Budget Making Authority, was transmitted to the County Board.

NOW, THEREFORE BE IT RESOLVED, by the Board of COMMISSIONERS of Dakota County, Nebraska as follows:

SECTION 1. That the budget for the Fiscal Year July 1, 2004, to June 30, 2005, 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 offices, departments, activities and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2004, and ending June 30, 2005.

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

DATED AND PASSED THIS 20th day of September, 2004.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Miller to approve the 1% increase in Restricted Funds in addition to the two and one-half percent allowable by law.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Todd moved, seconded by Commissioner Bousquet to adopt Property Tax Request Resolution 04C-026 as follows.

04C-026

RESOLUTION SETTING PROPERTY TAX REQUEST

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the County of Dakota passes by majority vote a resolution or ordinance setting the tax request a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the County of Dakota that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the Governing Body of the County of Dakota, by a majority vote, resolves that

1. The 2004-2005 property tax request be set at \$4,216,789.16.
2. A copy of this resolution be certified and forwarded to the County Clerk prior to October 13, 2004.

Adopted this 20th day of September, 2004.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Abstained, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Miller to approve the claims filed with the County Clerk and submitted by him as follows:

GENERAL FUND: Cellular One, phone- 27.10; Dakota County Star, publishing- 501.95; Dakota County Treasurer, leader workshop- 199.00; Nebraska Loes Hills RC & D, workshop- 125.00; Perkins, supplies- 240.67; Cellular One, phone- 27.10; Des Moines Stamp, Certified Copy Stamp- 35.75; Galaxy Technical Services LLC, printer maintenance- 287.50; Perkins, supplies- 234.01; RC Booth Enterprises, Plat Maps- 52.50; Robert Giese, mileage- 76.65; Charlotte Doenhoefer, prior yrs- 10.00; Ruth Jensen, prior yrs- 12.00; Nadine Lewon, prior yrs- 17.00; Mardell Sorenson, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; DAS Imservices, data service- 27.50; Ruth Gillaspie, mileage- 92.35; Automated Systems, computer repair- 410.00; Staples, supplies- 329.97; Microfilm Imaging Systems, lease equipment- 240.00; Commercial Computer Systems, software repair- 308.00; Jacob North Companies, real estate transfer statements- 35.96; Dakota County Star, election publishing- 420.57; Craig Dean, election work- 400.00; Election Systems & Software, code stock- 2102.04; INTAB, seals- 56.39; Chris Knudsen, election work- 30.00; Best Western, lodging- 52.00; Ted Piepho, mileage- 111.21; Claritus, digital scale- 599.00; Secretary of State, voter registration cards- 12.50; MIPS, voter registration support- 52.90; Dakota County Star, hearing notice- 6.63; Carol Sue Dunham, mileage- 57.64; Iowa Office Supply, supplies- 84.89; Bear Graphics, envelopes- 170.59; Staples, supplies- 136.69; DAS Material, office supplies- 306.97; Des Moines Stamp Co., stamps- 638.75; General Business Interiors, office equipment- 1599.70; Midwest Office Automations, maintenance contract- 91.02; Nebraska Co. Court Association, dues- 25.00; Sams Club, office supplies- 169.20; Thomson West, CD Rom Service- 110.00; United Bank of Iowa, lease payment- 158.04; Cellular One, phone- 33.43; Scott Dugan, mileage- 180.00; Frank Gonzalez, interpreting- 520.00; Perkins, office supplies- 115.33; United Bank of Iowa, lease payment- 90.40; Maximus, Inc., allocation plan- 1250.73; BenStar, supplies- 116.60; Dakota Food & Fuel, fuel- 90.35; Bomgaars, supplies- 49.08; Cellular One, phone- 26.11; Foulk Bros. Plumbing, jail plumbing- 2710.71; Grainger, supplies- 283.20; Gill Hauling, dumpster service- 125.00; Hardware Hank, supplies- 139.67; H2O4U, softener repair- 428.33; Lowes, supplies- 492.72;

Maintenance Engineering, lights- 572.50; Menards, supplies- 962.08; MidAmerican Energy, gas- 1436.50; NPPD, electric- 3790.24; O'Keefe, elevator inspection- 107.44; Qwest, phone- 39.98; Service Master, cleaning- 3750.00; Trembly Pest Control, pest control- 50.00; Rick Jensen, mileage- 131.03; Share Corp, insecticide- 144.67; Dakota County Extension, mileage/supplies/copier/misc- 652.53; Automotive Electric, vehicle maintenance- 90.50; Sergio Castillo Sr., interpreter- 70.00; Cellular One, phone- 77.96; City of South Sioux City, copies/long distance/fuel- 2911.50; Circle R Frame Aligners, vehicle maintenance- 434.80; Computer SOS, computer repair- 129.00; ConocoPhillips, fuel- 103.51; Crystal Oil, maint/tire repair- 25.20; D & R Service, repair- 25.00; Dakota Avenue Muffler, maintenance- 20.80; Dakota County Sheriff, PC training/tests- 252.90; Dakota County Star, meeting notice- 42.18; Dakota County Treasurer, vehicle maintenance- 113.53; Dakota Food & Fuel, fuel- 567.35; Fremont Tire, vehicle maintenance- 92.70; Economy Transmission, vehicle maintenance- 99.12; Brian Ellinger, supplies- 16.46; Executive Copy Systems, copier contract- 2970.54; Harolds, film developing- 16.95; Amy Hueser, interpreter- 20.00; Jacks Uniforms, equipment- 837.33; NLETC, rifle instructor course- 160.00; Pepperball Technologies, ammunition- 500.98; Pumps Tire Service, tires- 391.40; Racom, phone- 1253.55; Robertson Implement, dog food- 18.95; Siouxland Federal Credit Union, training/cd rom/AOL- 479.42; Siouxland Humane Society, animal control- 228.00; Star Printing & Publishing, Walsh business cards- 53.00; Swanson Corp., academy meals- 805.25; Torco, vehicle maintenance- 105.00; Walmart, surveillance equipment/ammo- 81.16; Willis Animal Clinic, K-9 checkup- 50.40; Cops Fast Grant, budget transfer- 7500.00; Dakota County Sheriff, papers/warrants- 1944.35; Clerk of District Court, court claims- 580.50; Coffee King, coffee for jury- 80.84; William Binkard, counsel- 1262.58; Randy Hisey, counsel- 1284.00; James McGough, counsel- 1702.06; Connie Lee, contractual- 90.75; Sandra Inkster Ehrich, counsel- 450.00; Thomas Fitch, counsel- 972.65; Alexander Esteves, counsel- 338.08; Shelly Horak, counsel- 552.00; Michael P. Schmiedt, counsel- 690.00; Robert J Pierson, counsel- 6154.67; Brian Vakulskas, counsel- 594.00; Jury Payroll, jury trial- 4969.05; Bob Decker, bailiff- 525.00; HyVee, jury meals- 137.77; Hungry's North, jury meals- 948.63; William Binkard, counsel- 312.00; William Binkard, counsel- 186.00; William Binkard, counsel- 246.00; Kelly Burton, witness fees- 23.00; Dakota County Court, court costs- 1410.20; Alexander Esteves, counsel- 130.54; Alexander Esteves, counsel- 370.14; Thomas Fitch, counsel- 630.00; Hurley Law Office, counsel- 312.00; Hurley Law Office, counsel- 414.00; Hurley Law Office, counsel- 984.00; Sandra Inkster Ehrich, counsel- 799.88; Tracy Jones, witness fees- 23.75; Barbara Kueny, counsel- 534.00; David Laumbach, witness fees- 23.75; Martha Martinez, witness fees- 20.00; Mary Renfer, witness fees- 25.62; Richard Thramer, counsel- 257.40; Richard Thramer, counsel- 622.20; Patrick Tott, counsel- 978.00; Brian Vakulskas, counsel- 225.00; Aaron Wingert, witness fee- 25.25; AJ Phillips, stationary- 200.00; Cellular One, phone- 50.98; Douglas County Court, certified copy- 3.00; Douglas Co. Sheriff, St. vs. Raul Torres- 58.51; Family Health Care of Siouxland, Dr. testimony- 653.74; H2O4U, office supplies- 31.50; JW Jones, MD, St. vs. Raul Torres testimony- 1800.00; Connie Lee, contractual- 35.75; Nebraska Dept. of Motor Vehicles, July- 63.00; Netsys+, computer service- 187.50; Pediatric Ophthalmology, St. vs. Raul Torres- 1000.00; Perkins Office Solutions, office supplies- 174.99; George Reynolds, MD, St. vs. Raul Torres- 2328.00; Sarpy Co. Sheriff, St. vs. Raul Torres- 32.40; Nasreen A. Syed, MD, St. vs. Raul Torres- 294.00; Sprint, cellular phones- 155.80; University of Iowa Dept. of Pathology, St. vs. Raul Torres- 104.00; WalMart, supplies- 82.92; City of South Sioux City, LEC operations- 21513.63; Cellular One, phone- 34.00; Nicole Sims, mileage- 24.00; BI Incorporated, house arrest- 3928.71; Bob Barker, inmate supplies- 227.27; Benstar Packaging, supplies- 451.21; Boys & Girls Home, juvenile holding- 750.00; Braunger, food- 2689.69; Sergio Castillo Sr, interpreter- 20.00; Cedar County, out-of-county boarding- 2025.00; Cellular One, phones- 78.78; Coffee King, coffee products- 74.50; Dakota County Sheriff, transport meals- 22.00; Dakota Food & Fuel, fuel- 320.02; Dept. of Correctional Service, safekeepers & inmate medical- 32863.78; Dixon County Sheriff, out of county boarding- 1600.00; Earthgrains, food- 861.34; Executive Copy Systems, copier contract- 495.00; Guard Rite Security, transport juveniles- 781.90; Guard Rite Security, transport- 6045.08; Hall Co. Corrections, out of county boarding- 591.24; HyVee, food products- 2723.09; HyVee, food products- 435.80; Jacks Uniforms, uniforms- 46.00; Jackson Glass, jail visitation glass- 1475.40; Liebers Garage, vehicle maintenance- 178.29; Louderback Drug, inmate meds- 415.18; Madison Co. Sheriff, out of county boarding- 67850.00; Menards, paint- 35.97; MTS Safety Products, non latex gloves- 109.24; Northeast NE Juvenile Services, juvenile holding- 26530.00; Perkins, supplies- 38.59; Physicians Clinic, inmate medical- 12.00; Physicians Clinic, inmate medical- 55.00; Redlers Pharmacy, inmate meds- 1596.98; Robertson Textiles, inmate uniform shirts- 599.11; Safeguard Business Systems, jail receipt cover book- 54.54; St. Lukes Health Resources, inmate medical- 180.00; St. Lukes Health Resources, inmate house calls- 1146.00; Sams Club, food products- 166.62; Siouxland Federal Credit Union, transport fuel/meals/rentals- 724.81; Siouxland Lock & Key, duplicate keys- 4.30; Staples, fax machine & toner- 421.89; Thurston Co. Sheriff, out of county boarding- 675.00; Sandra Townsend, interpreter- 30.00; Walmart, supplies- 155.64; Washington Co. Sheriff, out of county boarding- 6600.00; Woodbury Co. Juvenile Detention, house juveniles- 800.00; Cellular One, phone- 27.10; Perkins, supplies- 114.15; Aventis Pasteur, Flu Vaccine- 3995.26; Pam DeVries, mileage- 78.75; Pam DeVries, mileage- 5.62; Dunes Family Medicine, phys- 450.00; Pat Glover, mileage- 119.25; Moore Medical, supplies- 1200.35; Alan Boyd, mileage- 744.84; Cellular One, phone- 73.77; Aflac, service fees- 35.00; AT&T, phone- 39.42; BenStar Packaging, paper- 1160.00; Business Telecomm Systems Inc., telephone work- 1792.81; Cable One, internet- 265.75; Dex Media Inc, phone book- 13.03; Lazette Gifford, website- 40.00; MIPS, payroll/claims/supplies- 339.65; NetSys+, internet- 1953.00; Qwest, phone- 712.23; Qwest, phone- 65.47; Qwest, phone- 672.80; Region IV Inc., quarterly payments- 11416.00; US Postal Service, postage- 2500.00; WCS Telecom, phone- 460.50.

ROAD FUND: Advance Auto, parts/supplies- 578.22; Aramark, Service- 247.33; ATCO, supplies- 266.00; Ken Beermann, haul rock- 200.00; Cellular One, phone- 28.96; Dakota Co. Star, vehicle bid ad- 33.19; Diesel Specialties, parts- 397.80; Electronic Engineering, pagers- 199.00; Erlandson Transportation, gravel- 2784.39; Gill Hauling, dumpster- 45.00; Higman Sand, road rock- 3904.08; HME Inc, rock hauling- 600.00; Hubbard Mini-Mart, fuel- 3164.29; Hydraulic Sales & Service, parts- 64.97; H2O4U, water- 28.75; Joes Dept Store, supplies- 201.06; Linweld, oxygen tank supplies- 31.78; Mercy Business Health Service, CPR/First Aid Renewals- 240.00; NPPD, service- 23.68; Newman Traffic

Signs, sign- 46.86; Northeast Equipment, tractor rental/parts- 987.01; Northeast Nebraska Telephone, phone- 205.76; Parsons Equipment, patching compound- 92.75; Pilger Sand & Gravel, gravel- 4191.81; Piorier Equipment, parts- 207.84; Poms Tire Svc., tire repair- 215.00; PowerPlan, filters/parts- 849.22; Rees Mack Sales, parts- 126.42; Sams Club, supplies- 63.46; Sioux City Iron, supplies- 296.28; Siouxland Napa, supplies/tools- 599.84; Stephen Welding, repairs- 102.50; Thill Track & Tractor, parts- 175.00; Town & Country Power Product, supplies- 70.07; Tractor Supply, supplies- 35.91; Utility Equipment Co, pipe- 1195.26; Warren Oil, fuel/oil- 529.92; Ziegler, parts- 182.94.

ROAD IMPROVEMENT FUND: JEO, engineering- 1717.29

INSTITUTIONS: Beatrice State Development Center, quarterly payment- 1932.00; Norfolk Regional Center, quarterly payment- 9.59;

VETERANS SERVICE OFFICE: VSO, emergency relief- 1000.00.

STOP FUND/COUNTY ATTORNEY: Laser Technology, Inc., UltraLyte 200 LR- 3895.00.

JUVENILE ACCOUNTABILITY: BI, Inc., grant electronic monitoring- 252.45; Community Justice, drug test reimbursement- 10.00; Dakota County Treasurer, salary reimbursement- 945.00; Nebraska Crime Commission, conference registration- 100.00.

WEED FUND: Advanced Auto, repairs- 26.88; Central Community College, continuing ed. Registration- 80.00; Dakota County Star, fall week ad- 96.00; Hubbard Mini Mart, fuel- 267.85; Northern Tool & Equipment, strobe light- 121.07; Nutra Flo, sprayer parts- 30.26; Leon Pies, meals- 14.03; Siouxland NAPA, parts- 13.18; Town & Country, parts- 10.51.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to approve the minutes of September 13, 2004 as typed.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller moved, seconded by Commissioner Hartnett to acknowledge receipt and approve the Officials reports filed with the County Clerk from the County Clerk, Register of Deeds and the Clerk of the District Court for the month of August, 2004.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd adjourned their meeting at 2:23 p.m.

Lyle Todd, Chairman

ATTEST:

Theodore A. Piepho, County Clerk

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COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 27, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chair Todd called their regular scheduled meeting to order at 1:35 p.m.

PRESENT WERE: Commissioners Hartnett, Engel, Todd, Miller and Ted Piepho, Secretary.

ABSENT: All Present

Commissioner Bousquet moved, seconded by Commissioner Engel to accept the Annual Road Report submitted by Arnold Mellick, Highway Superintendent.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Warren Johnston appeared before the board to discuss Crystal Lake. He complained about the Commissioners not taking advantage of a grant to dredge Crystal Lake.

The board said what they heard was that it would cost \$450,000 for the Corp to do the plans and that they would have to be paid if the plans were ever implemented.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to accept ServiceMaster Agreement for the cleaning of the hallways and restroom at \$959 a month.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

The board discussed who had not turned in the annual inventory yet. They were the LEC and County Attorney's Office that had not filed their inventories with the County Clerk.

Commissioner Bousquet moved, seconded by Commissioner Engel to acknowledge receipt of the inventories filed with the County Clerk

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd asked the Property Committee to review and check the inventories.

The board discussed the contract with CBM and came to the conclusion that the contract was not finalized to agree to.

Chair Todd declared a short recess.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to convene into Closed Executive Session to discuss personnel.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED. 3:12 p.m.

Commissioner Hartnett, moved, seconded by Commissioner Engel to reconvene in Open Session.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED. 3:14 p.m

COUNTY GENERAL FUND: Gross salaries- \$79,408.75, General Fund Employees Net Pay- \$55,490.33, Employer deductions paid: Retirement- 4,994.40, Social Security Tax- 4,724.70, Medicare- 1,105.00, Unicare Health- 16,333.93, Delta Dental- 633.15, Unicare Life- 290.30.

Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1246.67, Daniel Christoffers- 370.00, Bobbi Jo Harsma- 866.25, Theodore Piepho- 1407.81, Lora Skow- 824.25, Joan Spencer- 1053.41, Darlene Davis- 886.72, Robert Giese- 1407.81, Ruth Gillaspie- 1198.38, Jolene Heinemann- 950.68, Kimberly Kuehl- 1003.20, Phyllis Ridge- 974.81, Lyn Beltz- 80.00, Mark J. Dorsey- 540.09, Margaret Rahn- 1198.38, Daniel Christoffers- 418.58, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 857.60, Carol Dunham- 1464.14, Scott M Dugan- 1760.81, Mary Gamble- 1068.80, Dustin Kinsey- 857.60, Richard Jensen- 1400.18, Patricia Stingley- 856.00, Sandy Beers- 1116.56, Jeremy Bermel- 1440.60, Anthony Bos- 1323.00, Sergio Castillo- 1211.69, Brian Ellinger- 1506.52, Todd Hammer- 1330.35, Melvin Harrison III- 1299.78, Rodney Herron- 1755.73, Kimberly Johnson- 646.64, Jared Junge- 1579.54, Michael Kreegar- 1223.78, Gayle Richards- 832.16, Kevin Rohde- 1052.00, James Wagner- 1760.81, Randall Walsh- 1539.70, Rita Chase- 1048.96, Amber Hegarty- 1729.66, Aimee Kennedy- 746.48, John Loos, Jr.- 1652.74, Edward Matney III- 2277.70, Debra Schmiedt- 2283.98, Bobbi Strong- 859.40, Nicole Sims- 1233.60, Rebecca Broer- 1560.90, Richard Criss- 996.00, Eric Davis- 936.00, Penny Epting- 979.05, Ronald Fink Jr.- 971.10, John Gilles- 1000.40, Michael Gregerson Jr.- 1076.33, Alma Gunderson- 1056.00, Paula Harrigfeld- 469.00, Cathy Harsma- 1008.45, Joseph Ramirez- 1014.08, Linda Schovanec- 1155.38, Margaret Stingley- 849.37, Bradley Uhl- 860.25, Judy Vandenberg- 112.00, Arnold Mellick- 1153.90, Cynthia Purucker- 982.40, Leon Pies- 537.20, Pamela DeVries- 1562.79, Gloria Dwyer- 954.38, Patricia Glover- 1039.58, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 7,109.21, State- 2,534.45, Social Security Tax- 4,724.70, Medicare- 1,105.00, Retirement- 3,378.82, Unicare Health- 1,955.00, Delta Dental- 381.95, Colonial Health- 35.20, Sheriff Union Dues- 80.00, Colonial Life- 3.00, Deferred Comp- 791.22, Garnishments- 964.65, Aflac Health- 491.37, Aflac Life/Dsbl- 128.05, Aflac Flex Plan- 340.00.

COUNTY ROAD PAYROLL: Gross salaries- \$13,864.85, Road Employees Net Pay- \$9,763.16, Employer deductions paid: Retirement- 935.85, Unicare Health- 3,169.27, Delta Dental- 122.85, Unicare Life- 54.54, Social Security Tax- 828.68, Medicare- 193.80.

Joel Broekemeier- 1082.40, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoesing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1377.25, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,150.90, State- 416.53, Social Security- 828.68, Medicare- 191.03, Retirement- 623.94, Unicare Health- 300.69, Delta Dental- 78.28, Reassure America Life- 9.76, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 153.35, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,264.20, Cops Fast Employee Net Pay- 893.38, Employer deductions paid: Retirement- 97.98, Unicare Health- 243.79, Delta Dental- 9.45, Unicare Life- 4.42, Social Security- 78.38, Medicare- 18.33, Brent Gilster- 1264.20.

COPS FAST GRANT: Employee withholding paid to: Federal- 151.36, State- 53.22, Social Security- 78.38, Medicare- 18.33, Retirement- 69.53.

SOUTH SIOUX CITY CHAMBER OF COMMERCE: Lodging tax- 14,432.14

The board reviewed the mail. One item of business was a letter from Elaine Menzel, one of NACO's attorneys.

She wrote and identified a court case that said the board could not change an Elected Officials salary once the resolution was adopted.

Commissioner Miller moved, seconded by Commissioner Hartnett to rescind the motion, in their meeting of September 27, 2004, which was to forgo the Commissioner's raise in January.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Abstained, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd adjourned their meeting at 3:40 p.m.

Lyle Todd, Chairman

ATTEST:

Theodore A. Piepho, County Clerk

COUNTY BOARD OF COMMISSIONERS
OCTOBER 11, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chair Todd called their regular scheduled meeting to order at 1:30 p.m.

PRESENT WERE: Commissioners Hartnett, Engel, Todd, Bousquet and Ted Piepho, Secretary.

ABSENT: Commissioner Miller arrived at 1:37 p.m.

Carol with the University of Nebraska Extension Office informed the board that Pat Stingley was retiring the first part of December and about a months vacation to use up. She was requesting permission to advertise and to hire someone for the office secretary position.

Commissioner Bousquet moved, seconded by Commissioner Engel to authorize the University of Nebraska Extension Office to advertise and fill the Office Secretary's position, which will be vacant upon the retirement of Pat Stingley.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

The Board discussed the CBM Contract, which is the company that was selected to provide meals for prisoners.

There were several points in the contract that concerned different board members. They were; Page 5- Employment, Page 10- First Aid Equipment, Page 3- Menu approval, and Page 12- Snacks and Nutrition.

Commissioner Hartnett moved, seconded by Commissioner Miller to approve the contract pending the points mentioned to be subject to negotiation and modification of the contract as discussed.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Dick Erickson, States Appraiser for Dakota County, appeared before the board to discuss possible stipulation to a TERC Case.

Commissioner Hartnett moved, seconded by Commissioner Miller to convene into Closed Executive Session to discuss litigation.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED 1:50 p.m.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to reconvene into open session.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED 2:27 p.m.

Jerry Johnson, possible Construction Manager for the jail project appeared before the board. He presented a proposal from CTS for soil testing.

Commissioner Miller moved, seconded by Commissioner Bousquet to accept the proposal of CTS for soil testing as follows:

October 7, 2004

Attn: Mr. G. A. Jerry Johnson
G. A. Johnson Construction
P.O. Box 90726
Sioux Falls, South Dakota 57109

RE: Geotechnical Exploration Services
Dakota County Jail Expansion
Dakota City, Nebraska
CTS Proposal Number 365

Dear Mr. Johnson,

Introduction

Certified Testing Services, Inc. is pleased to submit this proposal to perform a geotechnical exploration for the above referenced project. This proposal presents our understanding of the furnished project information, scope of work, as well as schedule and fees.

Project Information

Mr. Jerry Johnson presented project information through a telephone call on October 7, 2004. It is understood that the addition will be constructed on the west side of the existing courthouse in Dakota City, Nebraska with a portion of the addition extending across 17th Street. CTS also understands that there was a house with a basement on the west side of 17th Street and this area will need to be explored with a boring. The following is our understanding of the project.

Addition

- * Two story addition without a basement
- * Approximate plan area of 45,000 square feet

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October 7, 2004
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- * Report will be based on maximum column loads of 75 kips and wall loads on the order of 3 kips to 4 kips per lineal foot
- * Report will be based on less than 2 feet of cut/fill in the addition area

Scope of Work

Based on the request of Mr. Johnson, CTS proposes to perform 8 borings to depths of 15 feet to 25 feet below the existing grade in the proposed addition area at locations chosen in conjunction with Mr. Johnson. CTS is proposing a total of 170 lineal feet of drilling. At the completion of the fieldwork, samples collected in the field will be transported to the laboratory and tested to determine select engineering properties that will be used in our analysis. The results of the fieldwork, laboratory testing, project information and other information will be evaluated by a professional engineer familiar with the soil conditions in the project area and presented in a report.

Items that will be addressed in the report will include our understanding of the project information, topographic and subsurface information, review of geologic and subsurface information, review of field and laboratory test procedures, recommendations for site grading, recommendations for type(s) of foundations, bearing capacity recommendations, slab-on-grade recommendations, estimates of settlement, and provide groundwater information.

The scope of services is based on the utilities being located by CTS and the site being accessible to a truck mounted drill rig. Field and laboratory testing will be performed, where applicable, in accordance with ASTM procedures. Our scope of work does not include an evaluation of existing environmental conditions. CTS cannot be held responsible for damage caused accessing the site and settlement in the drill holes once we have left the site.

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Cost

Based on the scope of work discussed above, CTS proposes to perform the work for a lump sum amount of \$3,000.00. It is further proposed to perform the work in accordance with the attached CTS "General Conditions" which are incorporated into this proposal.

Costs associated with accessing the site, such as bulldozer rental and/or wrecker services would be billed at rate of cost plus 15% in addition to our lump sum amount. Standby time required due to access problems and problems caused by conditions outside of CTS's control would also be charged in addition to the lump sum amount.

Boring, sample, and testing requirements are a function of the subsurface conditions encountered. The lump sum amount assumes that adequate bearing materials will be encountered within the planned boring depth. If unsuitable materials are encountered, the borings may need to be extended. We will not exceed the lump sum fee without your prior approval. Our fee estimate covers the activity required to present our findings in report form. Our fee includes up to one hour of engineering services for the review of applicable drawings and specifications, at our office, to determine their compliance with our report. This proposal does not include the preparation of construction specifications, special conferences and other activities requested after submittal of our report.

Schedule and Authorization

Based on our present schedule, we can commence the fieldwork within 5 working days after receiving written notice to proceed, if we are provided with access to the site and weather permits. On-call services require a 48-hour notice prior to performing the work. CTS's written report will follow within two weeks of completion of the fieldwork. The final report would be available within 5 working days of the completion of the fieldwork.

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CTS will proceed with the fieldwork based on the receipt of a signed copy of this proposal. To speed up the process a fixed copy (712-252-0110) of the signature page would serve as written authorization. Please complete as many items as possible on the attached project data sheet.

CTS appreciates the opportunity to submit this proposal and look forward to working with you on this project. If you should have any questions or need additional information, feel free to contact our office.

Sincerely,

CERTIFIED TESTING SERVICES, INC.

James A. Bertsch, P.E.
Geotechnical Engineer

Jack S. Krage, C.E.T.
General Manager

JAB/JSK/jb

Attachment: GEO Schedule of Services
Project Data Sheet
General Conditions

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AGREED TO THIS _____ DAY OF _____, 20_____

SIGNATURE: _____

PRINTED NAME: _____

TITLE: _____

FIRM: _____

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GEO SCHEDULE OF SERVICES AND FEES

Field Services	Unit	Unit Fees
Mobilization	Per Mile	\$3.50
Drilling	Per foot	9.00
Sampling	Each	8.75
Standby	Hour	130.00

Lab Services

Atterberg limits	Each	\$80.00
Moisture content	Each	8.00
Dry Density	Each	10.00
Unconfined compression	Each	15.00
Consolidation tests	Each	200.00
Gradation test	Each	80.00

Report

Senior engineering technician	Hour	\$45.00
Crew chief	Hour	55.00
Staff engineer	Hour	80.00
Senior Engineer	Hour	100.00

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Mr. Johnson presented an agreement for Engineering Services of DeWild Grant Reckert and Associates Company.

There was discussion concerning the legal for the county property across the street and the necessity for having a survey.

The County Clerk was to contact the County Surveyor to inquire whether he could survey the half block to the west of the court house in a timely manner.

Commissioner Hartnett moved, seconded by Commissioner Engel to approve Phase 1 of the agreement for Engineering Services of DeWild Grant Reckert and Associates Company to provide a topographic survey of the proposed site according to the attached Scope of Services for a fee of \$4,200.

Exhibit A

SCOPE OF CONSULTANT SERVICES

for

Dakota County Jail Expansion Survey

Dakota City, Nebraska

I. Project Description

The Dakota County Commissioners intend to construct an addition to the existing county courthouse and jail to provide additional jail space. This addition will be located on the west side of the existing courthouse located at 1601 Broadway in Dakota City, Nebraska.

II. Survey and Site Plan

1. Obtain field survey to identity topographic features on the project and adjacent to the property. The area to be surveyed will be the block bounded by Broadway on the south, Myrtle Street on the north, 16th Street on the east, and 17th Street on the west. Also included will be the east half of the block immediately to the west. The survey will extend to the north side of Myrtle Street, the east side of 16th Street, and the centerline of Broadway. Topographic information collected will include location and elevation of all permanent structures, trees, and bushes on the property (dense tree masses will be shown by outline only); location and materials of adjacent streets and sidewalks; location of private and public utilities, including water main, sanitary sewer, storm sewer, gas main, electric line, telephone lines, and cable tv; and the location of existing near-by structures. Underground utilities will be shown only as marked in the field by utility companies or as shown on plans provided by the utility company. Underground utilities and service lines on private property will be shown based on drawings provided by the Owner or located by a private locating firm hired by the Owner.

2. Show street right-of-way lines and property lines based on platted information and evidence easily found in the field. This proposal does not include a legal survey or plat. Easements and other deed restrictions will not be shown unless a deed abstract or title opinion can be provided by the Owner.

3. Prepare a site drawing showing all features located in the field as described under items no. 1 and 2, as well as showing ground contours at 1 foot intervals and spot elevations at critical locations.

4. Provide a stamped hard copy drawing of the site along with an AutoCAD 2005 file.

III. Engineering and Land Surveying Fee Proposal.

1. For a project of this nature and scope, we agree to perform the surveying services for a lump sum fee of \$4,200.

2. This fee is based on the assumption the Owner will contact the owners of those parcels they do not own to obtain permission for the topographic survey. The Owner will inform the Engineer of those parcels on which they do not have survey permission and which must not be entered.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to convene into Closed Executive Session to discuss contract stuff that was discussed with Rich Mueller.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED 2:58 p.m.

Commissioner Hartnett moved, seconded by Commissioner Engel to reconvene in open session.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED 3:38 p.m.

Commissioner Hartnett moved, seconded by Commissioner Engel to approve the minutes of September 20th and September 27, 2004.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

The board discussed the Exacutrack Service Agreement for Electronic Monitoring but did not take action because of the training clause in Exhibit A of the agreement and Nicole could not be reached for clarification.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to transfer Dakota County Abandoned Vehicle Title Number 04275700011 on a 1991 Mercury Tracer bearing the serial number 3MAPM10JMR609482 to Axles & Gears dba C & H Truck parts for consideration of the storage and towing charges due against said vehicles.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

The board discussed purchasing a pup trailer and using the monies from the dozer they sold for \$24,000.

Commissioner Miller moved, seconded by Commissioner Bousquet to direct the County Treasurer to issue Tax Sale Certificates for all parcels, which are delinquent two years or more, as of October 1, 2004.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

COUNTY GENERAL FUND: Gross salaries- \$75,704.42, General Fund Employees Net Pay- \$52,842.06, Employer deductions paid: Retirement- 4,859.35, Social Security Tax- 4,510.11, Medicare- 1,054.82, Unicare Health- 15,359.43, Delta Dental- 595.35, Unicare Life- 273.28.

Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1098.47, Daniel Christoffers- 370.00, Bobbi Jo Harsma- 888.75, Theodore Piepho- 1407.81, Lora Skow- 832.13, Joan Spencer- 1053.41, Darlene Davis- 795.20, Robert Giese- 1407.81, Ruth Gillaspie- 1055.94, Jolene Heinemann- 851.20, Kimberly Kuehl- 795.20, Phyllis Ridge- 872.80, Mark J. Dorcey- 540.09, Margaret Rahn- 1055.94, Daniel Christoffers- 370.00, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 769.60, Carol Dunham- 1055.94, Scott M Dugan- 1760.81, Mary Gamble- 944.00, Dustin Kinsey- 769.60, Richard Jensen- 1233.74, Patricia Stingley- 856.00, Sandy Beers- 1000.08, Jeremy Bermel- 1406.30, Anthony Bos- 1286.25, Sergio Castillo- 1108.56, Brian Ellinger- 1583.47, Todd Hammer- 1176.00, Melvin Harrison III- 1252.80, Rodney Herron- 1564.33, Kimberly Johnson- 551.44, Jared Junge- 1406.30, Michael Kreegar- 1550.34, Gayle Richards- 744.81, Kevin Rohde- 1052.00, James Wagner- 1760.81, Randall Walsh- 1557.00, Rita Chase- 940.80, Amber Hegarty- 1633.98, Aimee Kennedy- 826.40, John Loos, Jr.- 1557.06, Edward Matney III- 2277.70, Debra Schmiedt- 1884.62, Bobbi Strong- 777.60, Nicole Sims- 1098.47, Rebecca Broer- 1900.80, Richard Criss- 1005.34, Eric Davis- 1322.10, Penny Epting- 994.30, Ronald Fink Jr.- 1058.85, John Gilles- 1177.30, Michael Gregerson Jr.- 1379.54, Alma Gunderson- 1610.40, Paula Harrigfeld- 293.66, Cathy Harsma- 1108.07, Joseph Ramirez- 983.58, Linda Schovanec- 1142.08, Margaret Stingley- 1226.85, Arnold Mellick- 115.39, Cynthia Purucker- 878.40, Leon Pies- 537.20, Pamela DeVries- 1398.56, Gloria Dwyer- 856.00, Patricia Glover- 943.80, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 6,783.94, State- 2,406.62, Social Security Tax- 4,510.11, Medicare- 1,054.82, Retirement- 3,288.04, Unicare Health- 1,712.39, Delta Dental- 382.15, Colonial Health- 35.20, Sheriff Union Dues- 75.00, Colonial Life- 3.00, Deferred Comp- 791.22, Garnishments- 964.65, Aflac Health- 491.37, Aflac Life/Dsbl- 128.05, Aflac Flex Plan- 340.00.

COUNTY ROAD PAYROLL: Gross salaries- \$13,701.17, Road Employees Net Pay- \$9,651.10, Employer deductions paid: Retirement- 924.81, Unicare Health- 3,169.40, Delta Dental- 122.85, Unicare Life- 54.67, Social Security Tax- 818.54, Medicare- 191.43.

Joel Broekemeier- 1082.40, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1213.57, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,127.44, State- 408.20, Social Security- 818.54, Medicare- 191.43, Retirement- 616.57, Unicare Health- 300.70, Delta Dental- 78.32, Reassure America Life- 9.76, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 153.35, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,205.40, Cops Fast Employee Net Pay- 855.52, Employer deductions paid: Retirement- 93.42, Unicare Health- 243.80, Delta Dental- 9.45, Unicare Life- 4.43, Social Security- 74.73, Medicare- 17.48, Brent Gilster- 1205.40.

COPS FAST GRANT: Employee withholding paid to: Federal- 142.02, State- 49.35, Social Security- 74.73, Medicare- 17.48, Retirement- 66.30.

JURY PAYROLL: TOTAL-\$2,112.16

Chair Todd recessed their October 11, 2004 meeting until 10:00 a.m. Tuesday, October 12, 2004 at 4:18 p.m.

Lyle Todd, Chairman

ATTEST:

Theodore A. Piepho, County Clerk

Chair Todd reconvened their meeting at 10:03 a.m.

PRESENT WERE: Commissioners Hartnett, Engel, Todd, Miller and Ted Piepho, Secretary.
 ABSENT: Commissioner Miller arrived during the executive session.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to convene into Closed Executive Session.

ROLL CALL VOTE: Miller- Absent, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea,
 UNANIMOUS MOTION CARRIED 10:03 a.m.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to reconvene in open session.
 ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

The board discussed the levies with Ms. Walsh.
 The County Clerk asked if the ESU Levy shouldn't be set at one and a half cents per hundred.
 Ms. Walsh said that they have some exemptions.
 Commissioner Bousquet moved, seconded by Commissioner Hartnett to convene into Board of Equalization.
 ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED 12:37 p.m.

Commissioner Miller moved, seconded by Commissioner Engel to set 2005 levies for the various political subdivisions as follows:

DAKOTA COUNTY LEVIES -2004-05
DAKOTA COUNTY VALUATION -\$934,626,079

POLITICAL SUBDIVISIONS TAX RATE PER ONE HUNDRED DOLLARS VALUATION

	2004-2005	2003-2004
County General Fund	0.436100	0.363533
Major Rd (Road Improvement)	NONE	NONE
County Road	NONE	NONE
County Relief Medical	0.000999	0.001691
Institutions Fund	0.000923	0.001153
Soldiers/Sailors (Veteran's)	0.001383	0.001747
Noxious Weed Control	NONE	NONE
E911	NONE	NONE
LEC Bond	NONE	NONE
Road Hard Surface	0.011769	0.012590
Total County Tax Rate	0.451174	0.380714

All Dakota County Residents pay the Total County Tax Rate

CITY/VILLAGE	General	Bond	Police Ret.	Fire	Library	2004-2005	2003-2004
						TOTAL	TOTAL
Dakota City	0.251896	0.297926			0.047513	0.597335	0.656425
*Emerson	0.448872	0.31227				0.761142	0.763050
Homer	0.155058	0.233922				0.388980	0.381989
Hubbard	0.142824					0.142824	0.143348
Jackson	0.111913					0.111913	0.111133
South Sioux City	0.256274	0.008385	0.020669	0.029500	0.051506	0.366334	0.367694

All residents living within the incorporated limits of a city or village pay the respective tax rate for said city or village.

SCHOOL DISTRICT	GENERAL	BOND	SINKING	BUILDING	Quality CPU/haz mat	2004-2005	2003-2004
						TOTAL	TOTAL
#4 Jackson	AFFILIATED WITH CLASS THREE S.D. #1						0.946150
#4 Jackson	0.953900	AFFILIATED WITH CLASS THREE S.D. #11				0.953900	0.944215
#4 Jackson	1.045341	0.012652	AFFILIATED WITH CLASS III S.D. #31R			1.057993	1.017699
#11 So. Sioux City	0.953900	0.223400		0.100000		1.277300	1.292162
#31R Homer	1.045341	0.084347		0.02399	0.002601	1.156279	1.172353
*#561 Emerson Hubbard							1.074190
*#70 Allen							1.269760
*#1 Ponca							1.114410

Residents pay the tax levy to the school district in which they reside or affiliate with.

SUBDIVISION					2004-2005	2003-2004	
	GENERAL	PROJECT	CAPITOL	ADA	INTRNT	TOTAL	TOTAL
Agricultural Society	0.007088		0.004280			0.011368	0.012161
Educational Service Unit #1	0.017822					0.017822	0.018000
Historical Society	NONE					NONE	0.002136
*Lower Elkhorn NRD	0.0333536					0.0333536	0.0348255
*Papio Missouri NRD	0.040620					0.040620	0.030637
*NE Tech. Comm College	0.072711		0.010000			0.082711	0.081123

Each resident pays the respective rate to each of the political subdivision in this class except for the Lower Elkhorn and Papio Missouri NRD. Individual living in the Village of Emerson pay the Lower Elkhorn Tax Rate and other taxpayers in Dakota County pay the Papio Missouri NRD Tax Rate.

RURAL FIRE PROTECTION	GENERAL	BOND	SINKING	AMBULANCE	2004-2005	2003-2004
					TOTAL	TOTAL
Dakota Covington	0.029500				0.029500	0.029500
Emerson	0.029500				0.029500	0.029500
Homer	0.029500				0.029500	0.029500
*Ponca Rural						0.046770
*Waterbury Rural						0.029500

City and Village residents (except Hubbard and Jackson) do not pay the tax rates within this class. All rural residents pay the tax rate for the tax rate for the respective Rural Fire Protection District That they reside in.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller moved, seconded by Commissioner Bousquet to Reconvene as Board of Commissioners.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller said she had made a phone call to a Construction Manager and said it was appropriate to charge a percentage of the project or an hourly rate, not both.

The board discussed that scenario.

Commissioner Bousquet said that Jerry Johnson's contract was that Jerry was going to get 4.75% of the project and then an hourly wage in addition to that fee.

There was discussion concerning Jerry Johnson's contract.

Chair Todd adjourned their meeting at 12:55 p.m.

Lyle Todd, Chairman

ATTEST:

Theodore A. Piepho, County Clerk

* * * *

COUNTY BOARD OF COMMISSIONERS
OCTOBER 18, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chair Todd called their regular scheduled meeting to order at 10:00 a.m.

PRESENT WERE: Commissioners Hartnett, Engel, Miller, Todd, Bousquet and Ted Piepho, Secretary.

The board reviewed the claims submitted by County Clerk for payment.

The board commenced their quarterly jail tour at 10:47 a.m.

The board returned to their meeting room at 11:15 a.m.

The board departed on their Road Tour at 11:17 a.m.

Chair Todd reconvened their meeting at 1:30 p.m.

PRESENT WERE: Commissioners Hartnett, Engel, Todd, Miller, Bousquet and Ted Piepho, Secretary.

Madelyn Thorsland, State's Assessor for Dakota County, appeared before the board and presented a list of all properties owned by political subdivisions.

Ms. Thorsland also presented a list of Tax List Corrections.

Commissioner Hartnett moved, seconded by Commissioner Engel to approve the Tax List Corrections as presented by Ms. Thorsland and to authorize the chair to sign the Tax List Corrections.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller moved, seconded by Commissioner Bousquet to acknowledge receipt of and approve the Officials reports filed with the County Clerk from the County Clerk, Register of Deeds and the Clerk of the District Court for the month of September, 2004 and the County Clerk's interest report for Quarter ending September 30, 2004.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller moved, seconded by Commissioner Hartnett to accept ServiceMaster's Agreement to clean the hallways and bathrooms as follows:

SERVICEMASTER CONTRACT CLEANING SERVICES AGREEMENT

THIS AGREEMENT made this 18th day of October, 2004 by Manley Enterprises dba. ServiceMaster of Sooland ("ServiceMaster") and Dakota County ("Client").

Whereas, ServiceMaster conducts a janitorial service rendered on an individual contract basis in commercial facilities, office buildings, schools, stores and other locations, as an independent business licensed by ServiceMaster Company Inc. ("Franchisor") and not as an agent or partner of its Franchisor.

Whereas, Client desires ServiceMaster to supply contract cleaning services to the property commonly known as the Dakota County Courthouse located at: 1601 Broadway, Dakota City, Nebraska

NOW THEREFORE, the Parties agree as follows:

1. Task Schedule. Beginning on November 1, 2004, ServiceMaster will provide contract-cleaning services for the areas to be serviced described in the "Task Schedule: a true and accurate copy of which is attached as Exhibit A to this Agreement. ServiceMaster agrees that the janitorial services to be provided shall be conducted according to the guidelines agreed upon between the Client and ServiceMaster.

2. Personnel. All personnel furnished by ServiceMaster are employees of ServiceMaster, and ServiceMaster will pay all salaries and expenses of, and all applicable federal and state taxes relating to such personnel. For all purposes of this contract, ServiceMaster will be considered an independent contractor of the Client, and will not act as an agent, servant, or employee of the Client, or make any commitments or incur any obligations on behalf of the Client without its express written consent. Client may request the removal of any ServiceMaster employee whose conduct is unsatisfactory to Client.

3. Covenants. During the term of this Agreement and for one (1) year thereafter, the Client shall not directly or indirectly, hire any person employed by ServiceMaster. Client shall not, at any time disclose to any competitor any pricing or bid information designated as confidential by ServiceMaster.

4. Terms. The terms of the Task Schedule or of the price stated in paragraph 5, may be modified at any time by mutual execution of written change orders by the parties. All executed change orders shall become part of this Agreement. ServiceMaster will give the Client thirty (30) days prior notice of any price change for services rendered pursuant to the Task Schedule. Client will notify ServiceMaster of any changes in service times, any alterations to the furnishings, floor, wall or ceiling surfaces at the Client's premises, or any other change, which affects the Task Schedule and consequently the contract price. This Agreement shall continue in effect from the date services are to begin, for a period of (1) year, and shall automatically renew for (1) one-year periods unless terminated.

5. Payment. The Client shall make payment to ServiceMaster for services rendered at the rate of \$959.00 per month. The first billing will be made on the first day services are rendered and shall be payable in fourteen (14) days. Subsequent billings and due dates will be monthly. Client's failure to pay the full amount due within thirty (30) days of any invoice shall, at the election of ServiceMaster, be deemed to be a default and termination without notice by Client. A late charge calculated at 1 « % per month will be charged to Client on any overdue unpaid balance. Client shall pay ServiceMaster its costs and expenses, including reasonable attorneys fees paid or incurred in enforcing the terms of this Agreement.

6. ServiceMaster will perform all services required under this Agreement, except when prevented by strike, lockout, act of God, accident or other circumstances beyond its control.

7. Insurance. ServiceMaster shall provide the insurance coverage set forth below, and deliver to Client certificates of insurance upon request:

* Comprehensive Liability

Bodily Injury Liability: \$500,00.00 per person and \$500,000.00 per occurrence.

Property Damage Liability: \$500,000.00 per occurrence and \$1,000,000.00 aggregate.

* Workers Compensation Coverage: \$100,000.00 or as required by law.

* Umbrella Coverage: \$1,000,000.00 each occurrence and \$1,000,000.00 aggregate

1. Termination. This Agreement may be terminated by either party by giving ninety (90) days written notice by certified mail, return receipt requested, addressed to the other party at the address indicated below. In the event ninety (90) days notice is not given, or if Client is deemed to have terminated by default by failing to tender payment when due, or by Client's conduct, which makes ServiceMaster's performance impossible (including a demand for the return of all Client's keys) then ServiceMaster shall have no obligation to continue its performance, and Client shall pay ServiceMaster an amount equal to an additional ninety (90) days of billing as liquidated damages. This additional ninety (90) days of billing shall be calculated from: a) the date upon which Contract Services are last performed; or b) the last date of the billing period during which any default or improper termination occurs, whichever is later.

2. This Agreement contains all of the covenants and agreements between the parties, and may not be modified except in writing, signed by both parties.

CLIENT

SERVICEMASTER

By: _____

By: _____

Authorized Agent

Authorized Agent

Address: 1905 A Street South Sioux City, Ne 68776

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Miller to approve the agreement with Executech as follows:

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller moved, seconded by Commissioner Bousquet to approve the Letter of agreement with Barb Pridie to be consultant to help the county bid their health insurance.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

The board considered the Guard-rite agreement for transporting prisoners.
The board did not take any action.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to accept the proposal of CTS for soil testing and to approve Phase 1 of the agreement for Engineering Services of DeWild Grant Reckert and Associates Company to provide a topographic survey of the proposed site according to the attached Scope of Services for a fee of \$4,200.as follows:
October 7, 2004

Attn: Mr. G. A. Jerry Johnson
G. A. Johnson Construction
P.O. Box 90726
Sioux Falls, South Dakota 57109

RE: Geotechnical Exploration Services
Dakota County Jail Expansion
Dakota City, Nebraska
CTS Proposal Number 365

Dear Mr. Johnson,

Introduction

Certified Testing Services, Inc. is pleased to submit this proposal to perform a geotechnical exploration for the above referenced project. This proposal presents our understanding of the furnished project information, scope of work, as well as schedule and fees.

Project Information

Mr. Jerry Johnson presented project information through a telephone call on October 7, 2004. It is understood that the addition will be constructed on the west side of the existing courthouse in Dakota City, Nebraska with a portion of the addition extending across 17th Street. CTS also understands that there was a house with a basement on the west side of 17th Street and this area will need to be explored with a boring. The following is our understanding of the project.

Addition

- * Two story addition without a basement
- * Approximate plan area of 45,000 square feet

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October 7, 2004
CTS Proposal No. 365
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* Report will be based on maximum column loads of 75 kips and wall loads on the order of 3 kips to 4 kips per lineal foot

* Report will be based on less than 2 feet of cut/fill in the addition area

Scope of Work

Based on the request of Mr. Johnson, CTS proposes to perform 8 borings to depths of 15 feet to 25 feet below the existing grade in the proposed addition area at locations chosen in conjunction with Mr. Johnson. CTS is proposing a total of 170 lineal feet of drilling. At the completion of the fieldwork, samples collected in the field will be transported to the laboratory and tested to determine select engineering properties that will be used in our analysis. The results of the fieldwork, laboratory testing, project information and other information will be evaluated by a professional engineer familiar with the soil conditions in the project area and presented in a report.

Items that will be addressed in the report will include our understanding of the project information, topographic and subsurface information, review of geologic and subsurface information, review of field and laboratory test procedures, recommendations for site grading, recommendations for type(s) of foundations, bearing capacity recommendations, slab-on-grade recommendations, estimates of settlement, and provide groundwater information.

The scope of services is based on the utilities being located by CTS and the site being accessible to a truck mounted drill rig. Field and laboratory testing will be performed, where applicable, in accordance with ASTM procedures. Our scope of work does not include an evaluation of existing environmental conditions. CTS cannot be held responsible for damage caused accessing the site and settlement in the drill holes once we have left the site.

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Cost

Based on the scope of work discussed above, CTS proposes to perform the work for a lump sum amount of \$3,000.00. It is further proposed to perform the work in accordance with the attached CTS "General Conditions" which are incorporated into this proposal.

Costs associated with accessing the site, such as bulldozer rental and/or wrecker services would be billed at rate of cost plus 15% in addition to our lump sum amount. Standby time required due to access problems and problems caused by conditions outside of CTS's control would also be charged in addition to the lump sum amount.

Boring, sample, and testing requirements are a function of the subsurface conditions encountered. The lump sum amount assumes that adequate bearing materials will be encountered within the planned boring depth. If unsuitable materials are encountered, the borings may need to be extended. We will not exceed the lump sum fee without your prior approval. Our fee estimate covers the activity required to present our findings in report form. Our fee includes up to one hour of engineering services for the review of applicable drawings and specifications, at our office, to determine their compliance with our report. This proposal does not include the preparation of construction specifications, special conferences and other activities requested after submittal of our report.

Schedule and Authorization

Based on our present schedule, we can commence the fieldwork within 5 working days after receiving written notice to proceed, if we are provided with access to the site and weather permits. On-call services require a 48-hour notice prior to performing the work. CTS's written report will follow within two weeks of completion of the fieldwork. The final report would be available within 5 working days of the completion of the fieldwork.

G. A. Johnson Construction
October 7, 2004
CTS Proposal No. 365
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CTS will proceed with the fieldwork based on the receipt of a signed copy of this proposal. To speed up the process a fixed copy (712-252-0110) of the signature page would serve as written authorization. Please complete as many items as possible on the attached project data sheet.

CTS appreciates the opportunity to submit this proposal and look forward to working with you on this project. If you should have any questions or need additional information, feel free to contact our office.

Sincerely,

CERTIFIED TESTING SERVICES, INC.

James A. Bertsch, P.E.
Geotechnical Engineer

Jack S. Krage, C.E.T.
General Manager

JAB/JSK/jb

Attachment: GEO Schedule of Services
Project Data Sheet
General Conditions

G. A. Johnson Construction
October 7, 2004
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AGREED TO THIS _____ DAY OF _____, 20_____

SIGNATURE: _____

PRINTED NAME: _____

TITLE: _____

FIRM: _____

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GEO SCHEDULE OF SERVICES AND FEES

Field Services	Unit	Unit Fees
Mobilization	Per Mile	\$3.50
Drilling	Per foot	9.00
Sampling	Each	8.75
Standby	Hour	130.00

Lab Services

Atterberg limits	Each	\$80.00
Moisture content	Each	8.00
Dry Density	Each	10.00
Unconfined compression	Each	15.00
Consolidation tests	Each	200.00
Gradation test	Each	80.00

Report

Senior engineering technician	Hour	\$45.00
Crew chief	Hour	55.00
Staff engineer	Hour	80.00
Senior Engineer	Hour	100.00

Exhibit A

SCOPE OF CONSULTANT SERVICES

for

Dakota County Jail Expansion Survey

Dakota City, Nebraska

I. Project Description

The Dakota County Commissioners intend to construct an addition to the existing county courthouse and jail to provide additional jail space. This addition will be located on the west side of the existing courthouse located at 1601 Broadway in Dakota City, Nebraska.

II. Survey and Site Plan

1. Obtain field survey to identify topographic features on the project and adjacent to the property. The area to be surveyed will be the block bounded by Broadway on the south, Myrtle Street on the north, 16th Street on the east, and 17th Street on the west. Also included will be the east half of the block immediately to the west. The survey will extend to the north side of Myrtle Street, the east side of 16th Street, and the centerline of Broadway. Topographic information collected will include location and elevation of all permanent structures, trees, and bushes on the property (dense tree masses will be shown by outline only); location and materials of adjacent streets and sidewalks; location of private and public utilities, including water main, sanitary sewer, storm sewer, gas main, electric line, telephone lines, and cable tv; and the location of existing near-by structures. Underground utilities will be shown only as marked in the field by utility companies or as shown on plans provided by the utility company. Underground utilities and service lines on private property will be shown based on drawings provided by the Owner or located by a private locating firm hired by the Owner.

2. Show street right-of-way lines and property lines based on platted information and evidence easily found in the field. This proposal does not include a legal survey or plat. Easements and other deed restrictions will not be shown unless a deed abstract or title opinion can be provided by the Owner.

3. Prepare a site drawing showing all features located in the field as described under items no. 1 and 2, as well as showing ground contours at 1 foot intervals and spot elevations at critical locations.

4. Provide a stamped hard copy drawing of the site along with an AutoCAD 2005 file.

III. Engineering and Land Surveying Fee Proposal.

1. For a project of this nature and scope, we agree to perform the surveying services for a lump sum fee of \$4,200.

2. This fee is based on the assumption the Owner will contact the owners of those parcels they do not own to obtain permission for the topographic survey. The Owner will inform the Engineer of those parcels on which they do not have survey permission and which must not be entered.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to convene into Closed Executive Session to discuss contract stuff with Jerry Johnson.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED 2:45 p.m.

Commissioner Hartnett moved, seconded by Commissioner Engel to reconvene in open session.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED 4:10 p.m.

The board discussed whether to hire Jerry Johnson as Construction Manager for the Jail Project. They discussed that he would get 4.75% of the project plus expenses, which could amount to \$180,000.

Commissioner Miller moved, seconded by Commissioner Hartnett to advertise RFP's for the county to hire a Construction Manager for the Jail Project.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

The Board placed a conference call with Steve Davis to find out how crucial it was to have Jerry Johnson as part of the team for the jail project.

The board discussed Jerry Johnson to be the Construction Manager and decided that they would go along with the 4.75%, but to cap the expenses at \$100,000.

The Board placed a conference call to Jerry Johnson to offer him the above arrangement and Mr. Johnson accepted.

Commissioner Miller moved, seconded by Commissioner Hartnett to rescind the earlier motion to advertise RFP's for the county to hire a Construction Manager for the Jail Project.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Engel to approve the minutes of October 11, 2004, as typed.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to approve the claims submitted by the County Clerk as follows:

GENERAL FUND: Cellular One, phone- 28.05; Dakota County Star, publishing- 1931.18; Sioux City Journal, publishing- 300.33; Cellular One, phone- 27.10; Des Moines Stamp, Certified Copy Stamp- 5.00; Perkins, supplies- 42.18; Secretary of State, Notary- 30.00; Staples, computer monitors- 719.13; Walmart, supplies- 15.66; Robert Giese, mileage- 76.65; Charlotte Doenhofer, prior yrs- 10.00; Ruth Jensen, prior yrs- 12.00; Nadine Lewon, prior yrs- 17.00; Mardell Sorenson, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; DAS Imservices, data service- 27.50; Automated Systems, computer repair- 65.20; Microfilm Imaging Systems, lease equipment- 240.00; Perkins, printer ribbon- 44.00; Dakota County Star, election publishing- 2060.01; Election Systems & Software, boxes/coding- 449.17; Five Star Awards, laminating- 135.00; MIPS, voter extracts- 150.00; Perkins, supplies- 72.26; Tyler Graphics, ballot printing- 4054.55; Claritus, shipping & handling- 10.00; Carol Sue Dunham, mileage- 57.64; Iowa Office Supply, supplies- 91.89; Norfolk Printing Co., Office Supplies- 306.75; Staples, office supplies- 180.92; Executive Copy System, base rate charges- 237.50; Des Moines Stamp Co., stamps- 26.75; General Business Interiors, office equipment- 214.20; Sams Club, office supplies- 32.88; Thomson West, CD Rom Services- 110.00; United Bank of Iowa, lease payment- 158.04; Cellular One, phone- 31.22; Scott Dugan, mileage- 255.00; NCDAA, seminar- 120.00; Perkins, office supplies- 35.66; United Bank of Iowa, lease payment- 90.40; Clerk of District Court, district court costs- 806.50; Lynette Beermann, reimbursement- 61.48; HyVee Food Store, Jury- 79.90; Hungrys, jury- 221.19; Robert Decker, jury bailiff- 25.00; Patrick Tott, counsel- 1554.50; William Binkard, counsel- 114.00; William Binkard, counsel- 144.00; William Binkard, counsel- 240.00; William Binkard, counsel- 66.00; William Binkard, counsel- 132.00; Dakota County Court, court costs- 1499.20; Alexander Esteves, counsel- 72.00; Alexander Esteves, counsel- 116.20; Hurley Law Office, counsel- 582.00; Hurley Law Office, counsel- 1176.00; Sandra K Inkster Ehrich, counsel- 405.00; Travis Logan, witness fee- 23.75; Jim McGough, counsel- 1053.94; Jim McGough, counsel- 562.77; Douglas Roehrich, counsel- 318.00; Richard Thramer, counsel- 182.40; Patrick Tott, counsel- 2241.00; Bekins Fire & Safety, extinguisher inspection- 88.00; Cellular One, phone- 28.26; Cellular One, charger- 29.99; City of Dakota City, water/sewer services- 1221.67; Electronic Engineering, pager- 95.78; Gill Hauling, dumpster service- 125.00; Grainger, supplies- 417.15; Hardware Hank, supplies- 63.66; Rick Jensen, mileage- 123.57; Lowes, supplies- 67.59; Maintenance Engineering, lights- 790.70; Menards, supplies- 222.88; MidAmerican Energy, gas- 1438.82; NPPD, electric- 2813.35; Qwest, phone- 40.05; Robertson Implement, softener salt- 222.50; Sams Club, supplies- 336.21; Service Master, cleaning- 3750.00; Trembly Pest Control, pest control- 100.00; Siouxland Lock & Key, repair- 47.50; Dakota County Extension, mileage/supplies/copier/misc- 899.83; Bluestern Technology Partners, video transfer to cd- 143.50; Bobbers Car Wash, wash tokens- 125.00; Sergio Castillo Jr., interpreter- 20.00; Cellular One, phone- 79.05; City of South Sioux City, copies/long distance/fuel- 2799.39; ConocoPhillips, fuel- 196.02; Dakota County Treasurer, vehicle maintenance- 257.34; Dell Financial Services, computer- 1169.00; Five Star Awards, plaque- 32.15; Fremont Tire, vehicle maintenance- 878.32; Jacks Uniforms, uniforms- 175.90; Perkins, supplies- 50.68; Racom, phone- 977.00; Robertson Implement, dog food- 18.95; Siouxland Federal Credit Union, training/AOL- 88.90; Siouxland Napa, vehicle parts- 136.77; Stanard & Associates, law enforcement officer tests- 247.50; Star Printing & Publishing, Walsh business cards- 53.00; Torco, battery- 113.00; Walmart, notebooks- 7.88; Dakota County Sheriff, papers/warrants- 1220.10; Cornhusker Hotel, lodging- 85.00; Dakota County Treasurer, certified Copies- 2.90; Department of Motor Vehicles- 59.00; Document Depot, document destruction- 40.00; Douglas County Court, certified copies- 5.50; General Reporting, Elliot Pedroza, 145.61; H2O4U, office supplies- 15.75; Iowa Office Supplies, maintenance agreement- 50.80; Lancaster County, certified copies- 2.75; Pathology Medical Services, autopsy costs- 1859.49; Pathology Medical Services, state vs Raul Torres- 2142.57; Perkins Office Solutions, office supplies- 76.02; Secretary of State, certified copy- 20.00; Sprint, cellular phones- 369.89; St. Lukes Home Health, blood draw- 500.00; Thurston County Court, certified transcript- 5.25; Invision, LEC Roof- 661.00; Cellular One, phone- 26.11; Nicole Sims, mileage- 23.25; Anytime Lock & Key, duplicate key- 6.60; BI Incorporated, house arrest- 4152.54; Bob Barker, inmate supplies- 524.31; Benstar Packaging, supplies- 155.13; Blair West Pharmacy, inmate medical- 8065; Boys & Girls Home, juvenile holding- 150.00; Braunger, food- 480.82; Gary Bring, DDS, inmate medical- 129.00; Butler County Detention Center, out of county boarding- 5775.00; Butler Co. Clinic PC, inmate medical- 235.50; Cardiovascular Associated, inmate medical- 30.00; Cedar County Sheriff, out of county boarding- 4050.00; Cellular One, phones- 105.07; Coffee King, coffee products- 37.83; David City Pharmacy, inmate medical- 32.18; Dept. of Correctional Service, safekeepers & inmate medical- 36875.09; Dixon County Sheriff, out of county boarding- 1680.00; Earthgrains, food- 521.99; Faith Regional Health Services, inmate medical- 906.89; Guard Rite Security, transport 3790.90; Raymond Hansen, MD, inmate medical- 42.00; Amy Hueser, interpreter- 20.00; HyVee, food products- 2398.06; HyVee, inmate medical- 1116.60; Jacks Uniforms, uniforms- 83.50; Louderback Drug, inmate meds- 764.56; Tom Lovan, interpreter- 85.00; MCH Health, inmate medical- 316.70; Madison Co. Sheriff, out of county boarding- 37150.00; Mercy Medical Center, inmate medical- 1079.13; Midwest Special Services, transports- 29.75; Northeast NE Juvenile Services, juvenile holding- 14594.54; NW Iowa Emergency Phys, inmate medical- 503.00; Pioneer Overhead Door, fix gate- 180.00; Quest Diagnostics, inmate medical- 283.10; Redlers Pharmacy, inmate meds- 810.50; St. Lukes Health Resources, inmate medical- 366.00; Sams Club, food products- 118.49; Siouxland Federal Credit Union, transport fuel/meals/rentals- 71.73; Siouxland Radiology Partners, inmate medical- 42.92; Staples, toner/disks- 143.06; Thurston Co. Sheriff, out of county boarding- 4140.00; Walmart, supplies- 213.76; Woodbury

Co. Juvenile Detention, house juveniles- 22700.00; York General Hospital, inmate medical- 142.50; Cellular One, phone- 27.10; Des Moines Stamp, stamps- 56.60; NACO, convention registration- 110.00; Perkins, supplies- 14.87; AJ Phillips, business cards- 35.00; Briggs, needles/syringes- 335.85; Claritus, printer/scanner- 4610.00; Dakota County Clerk, vehicle title- 10.00; Pam DeVries, mileage- 31.50; Pam DeVries, mileage- 129.94; Dunes Family Medicine, phys- 250.00; Gloria Dwyer, meal- 8.86; Pat Glover, mileage- 128.62; Marx Truck Trailer Sales, B/T- 14.25; Midwest Office, quarterly contract- 29.24; Perkins, office supplies- 139.07; Perkins, supplies for B/T- 620.71; Sign Master, lettering on trailer- 325.00; Alan Boyd, mileage- 167.04; Cellular One, phone- 46.60; Sams Club, supplies- 124.98; Thompson West, law books- 1826.50; Aflac, service fees- 35.00; AT&T, phone- 36.16; Business Telecomm Systems Inc., telephone work- 244.04; Cable One, internet- 259.15; Claritus, postage supplies- 172.40; AsyneTech, website renewal fee- 14.95; Lazette Gifford, website- 40.00; IBM, annual fee AS400- 747.47; Pam Miller, reimbursement- 437.28; MIPS, payroll/claims/supplies- 339.65; NetSys+, internet- 55.00; Qwest, phone- 712.23; Qwest, phone- 65.54; Qwest, phone- 633.20; Region IV Inc., quarterly payments- 5320.25; South Ridge Golf Dome, conference- 100.00; US Postal Service, postage- 2500.00; WCS Telecom, phone- 428.45.

ROAD FUND: A-Team Heating & Cooling, furnace maintenance- 234.00; Ace Industrial Supply, safety equipment- 124.00; Aramark, towel service- 289.46; Bomgaars, supplies- 14.85; Cellular One, phone- 27.42; Gill Hauling, dumpster- 45.00; Great Plains Intl., parts- 9.48; Guarantee Oil, starting fluid- 12.00; Higman Sand, road rock- 9084.51; HME Inc, rock hauling- 780.00; Hubbard Mini-Mart, fuel- 3594.85; Hydraulic Sales & Service, parts- 131.78; H2O4U, water- 28.75; Inland Truck Parts, parts- 6.75; Joes Dept Store, supplies- 169.67; Linweld, oxygen tank supplies- 30.90; Midwest Svc & Sales, channel posts- 835.00; Midwest Striping, blacktop striping- 5843.75; NPPD, service- 23.68; Northeast Coop, fuel/oil- 2591.50; Northeast Equipment, tractor rental/parts- 949.96; Northeast Nebraska Telephone, phone- 187.52; NOSEC, grader payment- 33332.81; Pilger Sand & Gravel, gravel- 1543.81; PowerPlan, filters/parts- 306.32; Presco Sales & Svc., chain- 3055.00; Rinker, road rock- 219.03; Sioux City Iron, supplies- 67.82; Siouxland Hydraulics, parts/labor- 469.04; Siouxland Napa, supplies/tools- 469.79; Stephen Welding, repairs- 91.25; Tractor Supply, supplies- 31.96; Utility Equipment Co, pipe- 411.20; Warren Oil, fuel/oil- 2655.50; Ziegler, parts- 447.56.

ROAD IMPROVEMENT FUND: Sta-bilt Construction, seal coat- 63457.36; Utility Equipment Co., pipe- 416.00.

POOR RELIEF: Becker Hunt Funeral Home, burial expenses L. Hanson- 1500.00.

VETERANS SERVICE OFFICE: VSO, emergency relief- 1500.00.

STOP FUND/COUNTY ATTORNEY: NetSys+, computer repair- 75.00.

JUVENILE ACCOUNTABILITY: BI, Inc., grant electronic monitoring- 69.30; BI, Inc., adult electronic monitoring- 14.85.

INHERITANCE TAX: HMN Architects, jail project- 12.38.

WEED FUND: Dakota County Star, subscription- 35.00; Heritage Express, fuel- 35.19; Hubbard Mini Mart, fuel- 229.44; Menards, chemical supplies- 21.12; NACO, convention registration- 110.00; Marlin Schlutter, miscellaneous plant books- 82.14.

E911: City of South Sioux City, e911 surcharge- 22573.79.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Chair Todd adjourned their meeting 5:05 p.m.

Lyle Todd, Chairman

ATTEST:

Theodore A. Piepho, County Clerk

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DAKOTA COUNTY BOARD OF COMMISSIONERS
OCTOBER 25, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chairman Todd called the meeting to order at 1:35 p.m.

Present: Commissioners Todd, Miller, Bousquet, Hartnett, and Engel. Nanci Walsh, Administrative Assistant recorded the minutes.

Absent: None.

Commissioner Hartnett moved, seconded by Commissioner Miller, to approve the bond interest payment on the Jackson-Hubbard Road Bonds in the amount of \$50,267.61 to Union Bank and Trust.

ROLL CALL VOTE: Miller-Yea, Engel-Yea, Bousquet-Yea, Hartnett-Yea, Todd-Yea; UNANIMOUS MOTION CARRIED.

Arnold Mellick presented a Development Permit for the Hubbard Northeast Bridge BRO 7022(15) known as the Martinek Bridge. This permit is to be submitted to the Corp of Engineers for approval.

Commissioner Miller moved, seconded by Commissioner Engel to submit the permit to the Corp of Engineers on the Hubbard Northeast Bridge.

ROLL CALL VOTE: Engel-Yea, Bousquet-Yea, Hartnett-Yea, Todd-Yea, Miller-Yea; UNANIMOUS MOTION CARRIED.

Arnold Mellick spoke to the Board about the Gravel Pup Trailer. Mr. Mellick had a bid on a used 1997 Testco for \$14,500 from Chris Meyers. It has been sandblasted and the frame painted. Box in great shape. Commissioner Hartnett suggested that Mr. Mellick try counter offering \$14,000. Discussion was had on Road Budget.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to purchase the pup trailer from Chris Meyers.

ROLL CALL VOTE: Bousquet-Yea, Hartnett-Yea, Todd-Yea, Miller-Yea, Engel-Yea; UNANIMOUS MOTION CARRIED.

Pat Foust, Director of Communications at the City-County Law Enforcement Center addressed the board regarding the participation of the LEC in a grant that the City of South Sioux City had received. This grant is an ITEP grant for security of critical infrastructure. The LEC would need \$25,000 for match to participate in this grant, which could provide new locks and cameras for interior and exterior surveillance. The \$25,000 would come from the LEC share of the sales tax bonding.

Commissioner Miller moved, seconded by Commissioner Hartnett, to allow the LEC to match the ITEP grant with \$25,000.

ROLL CALL VOTE: Hartnett-Yea, Todd-Yea, Miller-Yea, Engel-Yea, Bousquet-Yea; UNANIMOUS MOTION CARRIED.

The Jail Project was discussed. Steve and Bill Garnos are working on the prearchitectural program. Bill plans on having that to Dan Evans at Jail Standards by mid November.

Commissioner Miller moved, seconded by Commissioner Engel, to approve the minutes of October 18, 2004 at typed in the official record.

ROLL CALL VOTE: Todd-Yea, Miller-Yea, Engel-Yea, Bousquet-Yea, Hartnett-Yea; UNANIMOUS MOTION CARRIED.

The board reviewed the mail.

Payroll approved and paid

COUNTY GENERAL FUND: Gross salaries- \$72,966.36, General Fund Employees Net Pay- \$53,653.16, Employer deductions paid: Retirement- 4,704.45, Social Security Tax- 4,523.90, Medicare- 1,057.96, Unicare Health-, Delta Dental-, Unicare Life-.

Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1098.47, Daniel Christoffers- 373.47, Bobbi Jo Harsma- 795.94, Theodore Piepho- 1407.81, Lora Skow- 819.00, Joan Spencer- 1053.41, Darlene Davis- 795.20, Robert Giese- 1407.81, Ruth Gillaspie- 1055.94, Jolene Heinemann- 840.56, Kimberly Kuehl- 795.20, Phyllis Ridge- 872.80, Lyn Beltz- 80.00, Mark J. Dorsey- 540.09, Margaret Rahn- 1055.94, Daniel Christoffers- 401.23, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 769.60, Carol Dunham- 1055.94, Scott M Dugan- 1760.81, Mary Gamble- 944.00, Dustin Kinsey- 769.60, Richard Jensen- 1233.74, Patricia Stingley- 856.00, Sandy Beers- 1000.08, Jeremy Bermel- 1740.76, Anthony Bos- 1176.00, Sergio Castillo- 1044.09, Brian Ellinger- 1651.87, Todd Hammer- 1260.53, Melvin Harrison III- 1495.53, Rodney Herron- 1564.33, Kimberly Johnson- 442.96, Jared Junge- 1470.63, Michael Kreegar- 1280.21, Gayle Richards- 744.80, Kevin Rohde- 1052.00, James Wagner- 1760.81, Randall Walsh- 1660.80, Rita Chase- 940.80, Amber Hegarty- 1633.98, Aimee Kennedy- 774.75, John Loos, Jr.- 1557.06, Edward Matney III- 2277.70, Debra Schmiedt- 1884.62, Bobbi Strong- 544.32, Nicole Sims- 1098.47, Rebecca Broer- 1551.00, Richard Criss- 996.00, Eric Davis- 947.70, Penny Epting- 946.00, Ronald Fink Jr.- 936.00, John Gilles- 985.15, Michael Gregerson Jr.- 1085.85, Alma Gunderson- 1056.00, Paula Harrigfeld- 592.69, Cathy Harsma- 996.00, Joseph Ramirez- 1047.28, Linda Schovanec- 1181.98, Arnold Mellick- 115.39, Cynthia Purucker- 878.40, Leon Pies- 537.20, Pamela DeVries- 1398.56, Gloria Dwyer- 856.00, Patricia Glover- 998.86, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 6,800.14, State- 2,410.54, Social Security Tax- 4,523.90, Medicare- 1,057.96, Retirement- 3,186.49, Unicare Health-, Delta Dental-, Colonial Health-, Sheriff Union Dues-, Colonial Life-, Deferred Comp- 791.22, Garnishments- 647.15, Aflac Health-, Aflac Life/Dsbl-, Aflac Flex Plan-.

COUNTY ROAD PAYROLL: Gross salaries- \$13,701.17, Road Employees Net Pay- \$10,328.75, Employer deductions paid: Retirement- 924.81, Unicare Health-, Delta Dental-, Unicare Life-, Social Security Tax- 849.49, Medicare- 198.65.

Joel Broekemeier- 1082.40, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoesing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1213.57, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,193.56, State- 432.47, Social Security- 849.49, Medicare- 198.65, Retirement- 616.57, Unicare Health-, Delta Dental-, Reassure America Life-, Union Dues-, Deferred Comp.- 81.68, Aflac Health-, Aflac Life/Dsbl-.

COPS FAST GRANT: Gross salaries- 1,352.40, Cops Fast Employee Net Pay- 943.32, Employer deductions paid: Retirement- 104.81, Unicare Health-, Delta Dental-, Unicare Life-, Social Security- 83.85, Medicare- 19.61, Brent Gilster- 1,352.40.

COPS FAST GRANT: Employee withholding paid to: Federal- 172.20, State- 59.04, Social Security- 83.85, Medicare- 19.61, Retirement- 74.38.
VISITORS PROMOTION: SSC Chamber of Commerce, lodging tax- \$12,446.93
HARD SURFACE ROAD: Union Bank & Trust, interest of bond- 50,267.61

Chairman Todd adjourned the meeting at 2:37 p.m.

Lyle Todd, Chairman

ATTEST:

Theodore A. Piepho, County Clerk

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DAKOTA COUNTY BOARD OF COMMISSIONERS
NOVEMBER 8, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chairman Todd called the meeting to order at 1:30 p.m.

Present: Commissioners Todd, Bousquet, Hartnett, Engel and Ted Piepho Secretary.

Absent: Commissioner Miller.

Lance Martin, Glen Sedivy and Pat Foust presented a Power Point presentation on the Towers owned by StarrComm, Siouxland Tri County Communications.

Commissioner Miller arrived at 1:38 p.m.

Commissioner Miller moved, seconded by Commissioner Hartnett to convene as Board of Equalization.
ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED. 1:51 p.m.

Don Brockberg and his wife entered the Commissioners Room.

Dick Erickson, State's Appraiser for Dakota County, appeared before the board and informed the board that the O'Neill appeals before the TERC were dropped and that they had IBP left. He said they had negotiated a settlement with IBP/Tyson as discussed in a prior executive session.

Mr. Erickson said that IBP wanted 18,200,000 for 2002, 18,600,028 for 2003 and 2004. He said that they ended up negotiating at 22,000,028 for 2002, 22,325,000 for 2003 and 23,543,000 for 2004. The requested value for the three years was 55,400,000 and the negotiated value over the three years is 67,896,000 for a net increase of 12,496,000 over what IBP requested.

Chair Todd made mention that the main office building was not included in that value and was separate from that value.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to approve and accept the negotiated value of 22,000,028 for 2002, 22,325,000 for 2003 and 23,543,000 for 2004.

ROLL CALL VOTE: Miller- Yea, Engel- No, Bousquet- Yea, Hartnett- Yea, Todd- Yea, MOTION CARRIED.

A Protest on Donald and Annette Brockberg had not been filed with the County Clerk, however, the board reviewed a complaint received by the board's assistant from Donald Brockberg suggesting that their value was too high.

Mr. Erickson said that the house and land was valued at \$106,000. The Brockberg's are suggesting \$87,000 would be more appropriate.

Dick said that they have \$22,500 on the land and \$83,900 on the house. The parcel number is 220019371 and located at 2900 G Street.

This parcel originally had a land value in excess of \$1,000,000 and the board corrected an error. With notice of that, that gave Mr. Brockberg 30 days in which to protest that.

Lyle familiar with the neighborhood more inclined to agree with Mr Brockberg.

Mr. Brockberg said that the house was 900 and some square feet.

Dick thought that might be the inside measurements and thought the house was just over 1000 sq feet.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to set the value on Brockberg's Parcel Number 220019371 at \$87,000.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Engel to reconvene as Board of Commissioners.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED 2:09 p.m.

Commissioner Bousquet moved, seconded by Commissioner Miller to convene into Closed Executive Session to discuss a contract.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED 2:09 p.m.

Commissioner Hartnett moved, seconded by Commissioner Engel to reconvene in open session.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED 3:21 p.m.

Commissioner Hartnett asked for a letter from the board recommending that she be placed on the ballot for the NIRMA Board.

It was suggested that Nancy write a letter to that effect.

The board discussed the jail project. Nothing was discussed that will require a decision.

Commissioner Engel moved, seconded by Commissioner Miller to accept the proposal of A Team to move the Air Conditioner Units outside the West side of the present courthouse to the North Side of the courthouse for \$2,850.00.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

The Board discussed the cleaning of the courthouse. Nanci was in receipt of a letter from the Court Administrators Office that said that the Courts and the Clerk of District Court, since that office is an office of the court will not be dumping their office trash containers.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to convene into Closed Executive Session to discuss personnel.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED 3:49 p.m.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to reconvene into open session.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED 4:12 p.m.

Commissioner Engel moved, seconded by Commissioner Bousquet to approve the minutes of November 25, 2004 as typed.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

Payroll approved and paid

COUNTY GENERAL FUND: Gross salaries- \$76,315.00, General Fund Employees Net Pay- \$53,041.71, Employer deductions paid: Retirement- 5,061.72, Social Security Tax- 4,547.99, Medicare- 1,063.65, Unicare Health- 16,090.14, Delta Dental- 623.70, Unicare Life- 285.88.

Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1098.47, Daniel Christoffers- 376.94, Bobbi Jo Harsma- 995.68, Theodore Piepho- 1407.81, Lora Skow- 981.75, Joan Spencer- 1053.41, Darlene Davis- 795.20, Robert Giese- 1407.81, Ruth Gillaspie- 1055.94, Jolene Heinemann- 851.20, Kimberly Kuehl- 795.20, Phyllis Ridge- 872.80, Lyn Beltz- 40.00, Mark J. Dorcey- 540.09, Margaret Rahn- 1055.94, Daniel Christoffers- 477.57, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 769.60, Carol Dunham- 1055.94, Scott M Dugan- 1760.81, Joe Flynn- 1538.46, Mary Gamble- 944.00, Dustin Kinsey- 769.60, Richard Jensen- 1233.74, Patricia Stingley- 856.00, Sandy Beers- 1000.08, Jeremy Bermel- 1534.93, Anthony Bos- 1176.00, Sergio Castillo- 1127.89, Brian Ellinger- 1752.75, Todd Hammer- 1242.15, Melvin Harrison III- 2020.14, Rodney Herron- 1564.33, Kimberly Johnson- 422.62, Jared Junge- 1694.48, Michael Kreegar- 1507.28, Gayle Richards- 744.80, Kevin Rohde- 1052.00, James Wagner- 1760.81, Randall Walsh- 1877.05, Rita Chase- 940.80, Amber Hegarty- 1633.98, Aimee Kennedy- 728.27, John Loos, Jr.- 1557.06, Edward Matney III- 2277.70, Debra Schmiedt- 1884.62, Bobbi Strong- 777.60, Nicole Sims- 1098.47, Rebecca Broer- 1481.70, Richard Criss- 983.55, Eric Davis- 1074.94, Penny Epting- 979.05, Ronald Fink Jr.- 947.70, John Gilles- 1003.45, Michael Gregerson Jr.- 1158.88, Alma Gunderson- 1069.20, Paula Harrigfeld- 483.53, Cathy Harsma- 1020.90, Joseph Ramirez- 1126.67, Linda Schovanec- 1175.33, Arnold Mellick- 115.39, Cynthia Purucker- 878.40, Leon Pies- 537.20, Pamela DeVries- 1398.56, Gloria Dwyer- 856.00, Patricia Glover- 924.14, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 6,937.69, State- 2,452.11, Social Security Tax- 4,547.99, Medicare- 1,063.65, Retirement- 3,428.27, Unicare Health- 1,712.34, Delta Dental- 381.95, Colonial Health- 35.00, Sheriff Union Dues- 75.00, Colonial Life- 3.00, Deferred Comp- 791.22, Garnishments- 989.65, Aflac Health- 491.37, Aflac Life/Dsbl- 128.05, Aflac Flex Plan- 340.00.

COUNTY ROAD PAYROLL: Gross salaries- \$13,701.17, Road Employees Net Pay- \$9,651.13, Employer deductions paid: Retirement- 924.81, Unicare Health- 3,169.27, Delta Dental- 122.85, Unicare Life- 54.54, Social Security Tax- 818.54, Medicare- 191.43.

Joel Broekemeier- 1082.40, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras-

1122.40, Richard McNear- 1086.40, Arnold Mellick- 1213.57, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,127.45, State- 408.21, Social Security- 818.54, Medicare- 191.43, Retirement- 616.57, Unicare Health- 300.69, Delta Dental- 78.28, Reassure America Life- 9.76, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 153.35, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,231.13, Cops Fast Employee Net Pay- 867.53, Employer deductions paid: Retirement- 95.41, Unicare Health- 243.74, Delta Dental- 9.45, Unicare Life- 4.42, Social Security- 76.33, Medicare- 17.85, Brent Gilster- 1231.13.

COPS FAST GRANT: Employee withholding paid to: Federal- 145.67, State- 51.04, Social Security- 76.33, Medicare- 17.85, Retirement- 67.71.

Chair Todd adjourned their meeting at 4:50 p.m.

Lyle Todd, Chairman

ATTEST:

Theodore A. Piepho, County Clerk

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DAKOTA COUNTY BOARD OF COMMISSIONERS
NOVEMBER 15, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chairman Todd called the meeting to order at 10:00 a.m. with the Pledge of Allegiance.

Present: Commissioners Todd, Hartnett, Engel, Miller and Ted Piepho Secretary.

Absent: Commissioner Bousquet.

The board discussed the cleaning of the courthouse. The Court Administrators office had sent the county a letter advising the County Board that it was not an option to have their employees clean offices and empty trash cans.

It was discussed to have a part time person (approximately 20 hrs) come in and vacuum offices and empty the trash in all the offices.

Commissioner Hartnett moved, seconded by Commissioner Miller to authorize and hire a part-time person to empty trash containers in each office and to vacuum the offices.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Absent, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet arrived at 10:15 p.m.

The board explained that they had just authorized hiring a part time person to empty trash containers in each office and to vacuum the offices and Mr. Bousquet asked the record to show that he was against such action.

The board reviewed the claims submitted by the County Clerk for payment.

It was noted that the tape was not working. Someone had unplugged the mixer and it was noticed about 63 minutes into the meeting.

Commissioner Hartnett moved, seconded by Commissioner Engel to approve the minutes of November 8, 2004 as typed.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Pat Foust appeared before the board and asked the board to pass the LOCAL EMERGENCY OPERATIONS PLAN Resolution.

Commissioner Hartnett moved, seconded by Commissioner Miller to adopt the following Resolution.

DAKOTA COUNTY LEOP
RESOLUTION

WHEREAS, the Board of Commissioners of Dakota County, Nebraska, pursuant to Nebraska Statute, is vested with the authority of administering the affairs of Dakota County, Nebraska; and it has been determined that a Dakota County Local Emergency Operations Plan has been developed in order to provide for a coordinated response to a disaster or emergency in Dakota County, the City of and other cities and villages in Dakota County; and

WHEREAS, the Board of Commissioners of Dakota County, deems it advisable and in the best interest of Dakota County to approve said Local Emergency Operations Plan:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Dakota County, Nebraska, that the Dakota County Local Emergency Operations Plan be, and hereby is, approved.

WHEREAS PASSED AND APPROVED THIS 15th DAY OF NOVEMBER, 2004.

Board of County Commissioners,

\s\Lyle Todd, \s\Pam Miller, \s\Bill Engel,
\s\Rick Bousquet, \s\Jacqueline Hartnett

ATTEST: Dakota County, Nebraska

\S\Theodore A. Piepho
County Clerk

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Mr. Foust advised the board that there is a change order to the Telephone System for the LEC. He thought that it was going to come in less than budgeted and that would be about \$20,000.

Alan Boyd, Veteran's Service Office, appeared before the board and said that he was going on vacation November 22 through the 1st. Warren Johnston will be handling any emergencies dealing with the Veteran Service Office.

He also said that he was working on the quarterly reports.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to acknowledge receipt of and approve the Officials reports filed with the County Clerk from the County Clerk, Register of Deeds and the Clerk of the District Court for the month of October, 2004.

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller moved, seconded by Commissioner Bousquet to approve the Contract with BI as follows:

ADDENDUM NO.1
GUARDWARE ON THE WEB ADDENDUM
TO THE
MONITORING SERVICE AGREEMENT
AGREEMENT NO. 030300TC1, DATED March 15, 2000
BETWEEN
BI INCORPORATED ("BI")
AND
DAKOTA COUNTY ("Agency")

This Guardware on the Web Addendum (the "Addendum") is entered into by and between Agency and BI effective as of November 5, 2004.

This Addendum is made to that certain Monitoring Service Agreement dated March 15, 2000 between BI and Agency (the "Agreement" for the provision of Guardware on the Web remote access service to the BI GuardCenter GuardWare Computer System, as further described herein.

In consideration of the promises contained herein, and for other good and valuable consideration, receipt of which is hereby acknowledged, the parties hereto, desiring legally to be bound, hereby agree as follows:

1 DEFINITIONS

Capitalized terms used herein, and not otherwise defined shall have the meaning as set forth in the Agreement:

- 1.1. "Client" means a person who is subject to Agency's electronic monitoring program.
 - 1.2. "Documentation" means the on-line help, including but not limited to the Officer's Reference Manual, accessible through GWOTW regarding proper use of GWOTW.
 - 1.3. "GuardWare on the Web" or "GWOTW" means the service described in Section 2.
 - 1.4. "Software" means the set of machine instructions consisting of symbolic languages, processes, and logic routines used in the operation of specific tasks in GWOTW.
 - 1.5. "System" means BI's host monitoring computer system, which is located and maintained at BI's offices.
 - 1.6. "Use" means utilization of the GWOTW for the purpose of accessing the System.
2. GuardWare on the Web

* GWOTW allows the Agency's personnel to access BI's proprietary GuardWare software through the Internet for the purpose of entering and managing client data and schedules as described in the Documentation.

3. GUARDWARE(r) TRAINING

BI will provide an initial training session at no cost to the Agency and additional training upon request in accordance with Exhibit A. All training sessions shall be conducted via a remote service such as web conferencing.

4. AGENCY'S OBLIGATIONS

Agency agrees as follows:

- 4.1. To retain complete authority and responsibility for Client selection and management, including, but not limited to, inputting, modifying and viewing of Client schedules and selling the transmitter range for each Client;
- 4.2. to protect and secure Agency access codes;
- 4.3. to use GWOTW in accordance with the terms of this Addendum.

5. DISCLAIMER OF WARRANTIES, LIMITATION OF LIABILITY

5.1. IN NO EVENT WILL BI BE LIABLE FOR ANY DIRECT, INDIRECT, SPECIAL, CONSEQUENTIAL OR INCIDENTAL DAMAGES IN CONNECTION WITH OR ARISING OUT OF THE PROVIDING, PERFORMANCE OR USE OF THE SERVICES OR THE SYSTEM PROVIDED UNDER THIS AGREEMENT. BI EXPRESSLY DISCLAIMS ANY WARRANTY THAT THE SERVICE OR EQUIPMENT IS COMPLETE, ACCURATE, RELIABLE, ERROR FREE OR FREE FROM VIRUSES OR OTHER HARMFUL COMPONENTS, THAT THE PRODUCTS AND SERVICES WILL BE CONTINUOUSLY AVAILABLE, OR THAT DATA ENTERED ARE SECURE FROM UNAUTHORIZED ACCESS. IN NO EVENT DOES BI ASSUME ANY RESPONSIBILITY FOR ACTS THAT MAY BE COMMITTED BY PERSONS SUBJECT TO OR USING THE SYSTEM. AGENCY ASSUMES FULL RESPONSIBILITY FOR ALL COSTS ASSOCIATED WITH ALL NECESSARY SERVICING OR REPAIRS OF ANY AGENCY-OWNED EQUIPMENT AGENCY USES IN CONNECTION WITH ITS USE OF THE SYSTEM.

5.2. Agency recognizes and acknowledges that information conveyed in connection with the services and on the System is transmitted using third-parties. BI makes no representations or warranties regarding carriage of this information over any communications medium which is not directly controlled by BI, including, but not limited to, wireless and land-based telecommunications infrastructures. Further, BI shall not be liable for any interruption of service or non-transfer of information due to interruptions, temporary downage or failure to any system which is not directly in BI's control.

6. OWNERSHIP-CONFIDENTIALITY/NONDISCLOSURE OBLIGATIONS

6.1. The Software, Documentation, and any and all copies thereof, whether in whole or in part, whether made by BI or anyone else, and all rights, powers and privileges which arise out of this Agreement are, and shall remain at all times, the sole and exclusive property of BI. Nothing contained in this Agreement shall be deemed to convey to Agency any title or ownership interest in the Software, Documentation and rights, powers and privileges that arise out of this Agreement. Agency shall not directly or indirectly dispute or contest the validity of BI's rights to the Software and Documentation.

6.2. Agency further understands, acknowledges, and agrees that certain aspects of the Software are BI's trade secrets. These include, but are not limited to, the following: system design, modular program structure, system logic flow, file content, video and report format, coding techniques and routines, file handling, video screen and data entry handling, web content, and report and/or form generation. Agency agrees to hold in confidence and not disclose to any party, other than authorized employees, the Software, Documentation or any trade secrets of BI.

6.3. BI will issue Agency a password for use in accessing the System and the specific Client information for that Agency. Agency agrees to take all reasonable measures to maintain the careful control and security of the password and the Software, and shall not allow parties, except authorized employees or contractors of the Agency, access to the Software or any of its component parts. In this regard, Agency agrees that each employee or contractor, to be authorized to work with or to have access in any way to the Software, Documentation, or trade secrets hereunder, shall agree to be bound by the confidentiality, nondisclosure, use, and copying restrictions of this Agreement.

6.4. Agency agrees to notify BI immediately of the existence of any circumstances surrounding any unauthorized knowledge, possession, or use of the password, Software or any part thereof by any person or entity. BI cannot be responsible for breaches in security resulting from third party access to Agency's password.

6.5. Agency shall not itself and also shall not knowingly permit any of its employees, subcontractors, or sublicensees to alter, maintain, enhance, or otherwise modify the Service or the System, other than strictly to input, access and update information relating to Clients, as permitted by this Addendum. Agency shall not reverse compile or reverse assemble or do any other operation or analysis with the Service or the System or associated software, hardware, and technology that would reveal any of BI's confidential information, trade secrets, or technology.

6.6. Agency agrees not to make any attempt to gain any unauthorized access to any other Agency's or user's account or to the systems, networks or databases of System other than Agency's specific Client information as specifically permitted herein. Violations of the System security system are prohibited and could result in criminal and civil liability.

7. TERMINATION

This Addendum may be terminated for convenience by either party upon sixty (60) days prior written notification to the other party. Cessation of services and responsibilities defined in this Addendum may not take place less than sixty (60) days from the receipt of notification except in the event of neglect of responsibility by either party. No termination may take place without this notification procedure.

All notifications with respect to this Addendum shall be in writing and signed by a duly authorized representative of the party. Notification documents shall be sent to the address stated at the beginning of the Agreement or such other address as provided by such party, and sent by certified mail or delivered by messenger, including overnight delivery and shall be deemed to have been given when received by the other party.

Rev.12-10-02

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Upon proper notification neither party shall be obligated to the other in any way outside those responsibilities defined in this Addendum and the Agreement. Notwithstanding, upon completion of BI services, Agency shall immediately return all property due to BI. In the event BI's Equipment, including the Software, the Documentation and other such property, which are rented from BI, are not returned within seven (7) days, Agency shall pay to BI, five dollars (\$5.00) per Unit per day until BI has all such Units and other property in its possession. BI is entitled to full payment for services rendered and accepted by Agency whether during the term of this Addendum or thereafter.

BI may terminate the license to the Software granted in Section 4, above, immediately upon the occurrence of the following events:

- 7.1. Unauthorized disclosure or copying of the Software by Agency.
- 7.2. Any attempt by Agency to transfer the Software to another party.

7.3. Any attempt by or on behalf of Agency to modify, decompile, disassemble, decrypt, extract or otherwise reverse engineer the Software.

7.4. Any attempt by the Agency to prepare derivative works from the Software.

7.5. Any other breach of this Addendum.

Termination of the license to the Software shall immediately terminate this Addendum.

B. RIGHTS AND OBLIGATIONS UPON TERMINATION.

The termination or expiration of this Agreement shall in no way alter or modify the Agency's duty and obligation to maintain the confidentiality of the Software, Documentation and trade secrets of BI, nor alter Agency's obligation to pay for any license, maintenance, or service fees outstanding. Upon termination of this Addendum, all rights in the Software, Documentation, and other rights herein granted to Agency shall revert to BI and the license granted to Agency in this Addendum shall terminate.

9. FORCE MAJEURE

I shall not be liable for any delay in performance or nonperformance which is due to causes beyond BI's reasonable control, including, but not limited to, war, fire, floods, sabotage, civil unrest, strikes, embargoes or delays, acts of God, acts of third parties, acts of governmental authority or any agent or commission thereof, accident, breakdown of equipment, telecommunications services - both wireless and wire systems, including cell phones, pagers, and the like, differences with employees or similar or dissimilar causes beyond BI's reasonable control.

10. SOFTWARE INDEMNIFICATION

10.1. BI shall indemnify Agency against the liabilities and costs including reasonable attorneys' fees, based on defending any claim or suit arising from the alleged infringement by the Software of any United States copyright or patent, or from the trademark, trade secret, or unfair competition rights of a third party, provided that Agency promptly notifies BI in writing of the suit or any claim of infringement and that BI is permitted to control fully the defense and settlement of any claim or suit Agency shall have the right, at its own expense, to appear through counsel of its own choosing.

10.2. BI shall have the right to settle any such claim or suit on a basis requiring BI to substitute alternative substantially equivalent, computer programs and supporting documentation.

10.3. BI shall have no liability for any claim or suit based on any United States copyright or patent, or the trademark, trade secret, or unfair competition rights of a third party based on any modification done to the Software by the Agency.

10.4. Agency agrees to indemnify and hold BI harmless from any and all claims of third parties resulting from or incidental to the Agency's use or operation of the Software. Capitalized terms used herein, and not otherwise defined shall have the meaning as set forth in the Agreement. All other terms and conditions of the Agreement, except as expressly amended herein, shall remain in full force and effect.

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IN WITNESS WHEREOF, the parties hereto have executed this Addendum by then duly authorized representatives, as of the date set forth above.

BI: AGENCY:

BI INCORPORATED DAKOTA COUNTY

By: By

Printed Name: Michael E. Hankerd

Printed Name:

Printed Title: Corporate Controller Printed Title:

DATE: DATE:

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EXHIBIT A
TO THE
GUARDWARE(r) ON THE WEB ADDENDUM
TO THE
MONITORING SERVICE AGREEMENT
AGREEMENT NO. 030300TC1, DATED March 15, 2000
BETWEEN
BI INCORPORATED ("BI")
AND
DAKOTA.COUNTY ("Agency")

CHARGES:

No Charge

Additional Training Costs:

Additional remote training: From 8:00 a.m. to 5:00 p.m. Mountain Standard Time, \$120 per hour. Minimum charge of 1/2 hour; thereafter billed in fifteen minute increments. During all other hours, \$180 per hour; minimum charge of 1/2 hour; thereafter billed in fifteen minute increments.

Additional on-site training: \$1500 per day, 2 day minimum, plus actual out of pocket expenses for on-site training including one BI staff person's travel, room, board, and miscellaneous expenses.

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The board discussed Snow Removal and it was the consensus of the board that the road department does the snow removal at the courthouse this year.

Nanci Walsh opened the Health Insurance bids and the chair referred them to a Committee.

Commissioner Bousquet moved, seconded by Commissioner Miller to approve the Accounts Payable Claims filed with the County Clerk and Submitted by the County Clerk as follows:

GENERAL FUND: Cellular One, phone- 27.84; Dakota County Star, publishing- 360.74; Perkins, supplies- 228.50; Cellular One, phone- 27.10; Capital One Visa, software- 24.99; Perkins, supplies- 335.56; Staples, computer monitors- 42.68; Redfield & Co., mobile home transfer sheets- 31.76; Robert Giese, mileage- 69.35; Charlotte Doenhoefer, prior yrs- 10.00; Ruth Jensen, prior yrs- 12.00; Nadine Lewon, prior yrs- 17.00; Mardell Sorenson, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; AJ Phillips, office supplies- 267.00; DAS Imservices, data service- 27.50; Staples, office supplies- 378.35; Terra Scan Inc., data system- 3500.00; Microfilm Imaging Systems, lease equipment- 240.00; Dakota County Star, election publishing- 1983.00; Election Systems & Software, coding- 1849.29; Bobbi Jo Harsma, mileage- 9.38; MIPS, voter support- 5.70; Perkins, supplies- 520.28; Ted Piepho, mileage/supplies- 64.53; Security Shredding Svc., shredding- 50.40; Staples, supplies- 23.52; Election Training/Work/Mileage; Jeanne Barnes- 72.10; DelRae Beermann- 117.76; Lynette Beermann- 20.63; Betty Bliven- 84.53; Bev Bliven- 84.53; Robert Boals- 85.28; Lillian Bossow- 88.60; Alan Boyd- 30.00; Dusty Boyd- 18.75; L. Irene Buck- 83.78; Jannette Burns- 81.53; Wilma Burns-90.32; Josephine Cain- 79.53; Linda Carson- 15.00; Bettie Cooper- 86.03; Judy Curry- 109.60; Craig Dean- 400.00; Peggy Demke- 88.60; Connie Denker- 69.53; Catherine Eriksen- 83.41; Art Eslick- 87.16; Pharyce Eslick- 81.53; Aloise Ferris- 87.03; Myra Gentrup- 100.28; Patricia Giese- 84.53; Ruth Gillaspie- 48.75; Sharon Greenleaf- 91.82; Eunice Hansen- 84.53; Elaine Harris- 89.35; Sharon Hartnett- 82.82; Jolene Heinemann- 22.50; Bertha Hines- 84.53; Claudia Horner- 69.53; Ginger Huggenberger- 117.03; Honore Huse- 90.32; Marjorie Jarvill- 85.10; Charlene Jensen- 9053; Jan Johansen- 84.53; Trudy Jepsen- 93.03; Betty Jorgensen- 102.41; Mary Ellen Kelley- 84.53; Joan Koch- 85.98; Helmet Koch- 72.10; Dorothy Kramper- 69.53; Chris Knudsen- 30.00; Carol Krieger- 83.97; Mary Jo Kurmel- 87.10; Lois Larson- 82.28; Shirley Luehr- 84.53; Marvel Lukens- 100.28; Randy Lussier- 92.03; Jean Lynch- 107.82; Joanne Mast- 87.10; Vergean Matney- 69.53; Clara Maurice- 72.10; Mary McGowen- 90.53; Brandi McManigal- 15.00; Janet Merchant- 69.53; Frank Morse- 103.85; Darlene Nielsen- 88.60; Rosemary Nieto- 86.60; Mary O Dell- 91.91; Richard Peltz- 102.68; Fred Penner- 87.10; Delores Porter- 84.53; Shirley Rager- 84.53; Margie Rahn- 30.00; Sarah Reinert- 84.53; Janice Roeber- 100.28; Ellen Rohde- 109.85; Shirley Sides- 97.50; Margaret Teager- 85.28; Colleen Tighe- 89.17; Harry Tomek- 15.00; Hazel Tomek- 81.91; Geraldine Tramp- 83.03; Irene Van Lent- 81.53; Nanci Walsh- 22.50; Karilyn Watkins- 100.53; Mary Wolf- 129.53; Clara Woten- 102.78; Polling Place Rentals: Emerson Fire Hall- 40.00; First Lutheran Church- 60.00; Homer Legion Hall- 40.00; Hubbard Community Center- 40.00; Jackson Legion Hall- 40.00; Knights of Columbus Hall- 70.00; Salem Lutheran Church- 40.00; South Sioux City Fire Hall- 40.00; South Sioux City Legion Hall- 60.00; Gene Cantrell, mileage- 21.00; Jim Crosgrove, mileage- 16.50; Dakota County Star, publishing- 15.14; Hubbard Post Office, postage- 75.00; Jim Jepsen, mileage- 2.25; Dick McCabe, mileage- 36.00; Dick McNear, mileage- 22.50; Marlan Millard, mileage- 13.13; Neil Miller, mileage- 31.88; Joe O Neill, mileage- 7.88; Perkins, supplies- 55.55; Martin Rohde, mileage- 30.00; Carol Sue Dunham, mileage- 57.64; Iowa Office Supply, supplies- 46.44; Norfolk Printing Co., Criminal Case Binders- 85.77; Office System Company, Service on typewriter- 108.00; Staples, office supplies- 86.64; Perkins Office Supplies, toner- 174.99; Century Business Products, fax machine- 395.00; DAS Material, office supplies- 184.41; Des Moines Stamp Co., stamps- 13.85; General Reporting Service, transcripts- 151.76; Nebraska Law Review, law books- 59.08; Thomson West, CD Rom Services- 110.00; Thurston County Court, transcript reimbursement- 21.81; Betty O Neill- Reimburse for food Election Night- 71.78, Thurston County Court, transcript reimbursement- 21.51; United Bank of Iowa, lease payment- 158.04; Cellular One, phone- 39.47; Lexis Nexis, law books- 452.45; Record Printing, calendar cards- 82.01; Iowa Office Supply, office supplies- 40.56; University of Nebraska, law review- 84.40; Scott Dugan, mileage- 660.00; Frank Gonzalez, interpreting- 480.00; Omaha World Harold, attorney ads- 167.37; Perkins, office supplies- 44.16; Security Shredding, shredding- 301.65; Sioux City Journal, attorney ads- 44.17; Thomson West, jury instructions- 99.00; United Bank of Iowa, lease payment- 90.40; Clerk of District Court, district court costs- 535.50; Coffee King, coffee- 81.84; Mahaska County Sheriff Office, service fees- 17.50; William Binkard, counsel- 234.00; William Binkard, counsel- 222.00; William Binkard, counsel- 252.00; Dakota County Court, court costs- 1343.10; Alexander Esteves, counsel- 202.90; Alexander Esteves, counsel- 375.85; Randy Hisey, counsel- 330.00; Randy Hisey, counsel- 354.00; Shelly Horak, counsel- 99.00; Shelly Horak, counsel- 99.00; Hurley Law Office, counsel- 930.00; Hurley Law Office, counsel- 492.00; Sandra K Inkster Ehrich, counsel- 1005.00; Mandy Peers, witness fee- 31.25; Mandy Peers, witness fee- 33.12; Teri Severson, witness fee- 29.37; Richard Thramer, counsel- 454.80; Tenenbaum, TERC attorney- 15520.00; Bomgaars, supplies- 147.83; Cellular One, phone- 26.93; Dakota Food & Fuel, mower gas- 60.00; Gill Hauling, dumpster service- 110.00; Grainger, supplies- 271.57; Hardware Hank, supplies- 67.51; Jackson Glass, install lock- 65.00; Rick Jensen, mileage- 140.36; Lowes, supplies- 87.21; Menards, supplies- 673.60; MidAmerican Energy, gas- 1449.02; Nebraska Department of Labor, inspection- 75.00; NPPD, electric- 1431.60; O Keefe Elevator, maintenance- 117.64; Qwest, phone- 40.58; Sams Club, supplies- 423.58; Service Master, cleaning- 959.00; Siouxland Lock & Key, repair- 10.70; Speedy Rooter, jail sewer- 90.00; Stateline Electric, breaker repair- 51.88; Dakota County Extension, mileage/supplies/copier/misc- 1126.96; Access Data Corp, software support- 500.00; Bort Auto Body, vehicle maintenance- 250.00; Cellular One, phone- 80.54; Cenex, fuel- 24.50; Circle R Frame Aligners, vehicle maintenance- 212.00; City of South Sioux City, copies/long distance/fuel- 2869.44; ConocoPhillips, fuel- 48.57; Crystal Oil, service- 2.99; Dakota County Sheriff, reimburse petty cash- 555.24; Dakota County Star, publishing- 8.68; Dakota County Treasurer, vehicle maintenance- 144.42; Dakota Food & Fuel, fuel- 71.06; Harolds, film developing- 3.99; HyVee, postage- 11.75; Jacks Uniforms, uniforms- 564.04; Jackson Glass, windshield- 209.66; Lexis Nexis, law books- 85.61; Lindblade Photography, deputy id- 40.00; Racom, phone- 893.85; Robertson Implement, dog food-

18.95; SignMasters, replace unit stripes- 35.00; Siouxland Federal Credit Union, training/AOL- 23.90; Siouxland Humane Society, animal control- 190.00; Siouxland Napa, vehicle parts- 66.97; Torco, vehicle maintenance- 223.00; Willis Animal Clinic, k-9 bill- 46.80; Dakota County Sheriff, papers/warrants- 1600.05; Department of Motor Vehicles, transcripts- 137.00; Debra Fergen, meals/mileage- 27.98; Amerber Hegarty, mileage/meals- 132.58; Hilton Omaha, lodging for CA training- 880.00; John Loos, Jr., meals- 41.60; Edward Matney, meals/mileage- 131.09; Pathology Medical Services, autopsy costs- 1402.90; Secretary of State, certified copy- 20.00; Staples, office supplies- 333.45; Walmart, office supplies- 1.10; City of South Sioux City, LEC Oct/Nov- 44569.16; Cellular One, phone- 26.11; Anytime Lock & Key, duplicate key- 5.95; Avera Sacred Heart, inmate medical- 96.00; Blair West Pharmacy, inmate medical- 148.02; Bob Barker, inmate supplies- 35.06; Butler County Clinic, inmate medical- 491.25; Butler County Detention Center, out of county boarding- 13530.00; Butler Co. Health Care, inmate medical- 342.05; CBM Food Service, food service- 11366.71; Cardiovascular Associated, inmate medical- 30.00; Cedar County Sheriff, out of county boarding- 4545.00; Cellular One, phones- 90.89; Century Business Products, copier toner- 93.17; Dakota County Sheriff, reimburse petty cash- 5.51; Dakota Food & Fuel, fuel- 515.55; David City Pharmacy, inmate medical- 489.46; Dept. of Correctional Service, safekeepers & inmate medical- 22676.40; Dixon County Sheriff, out of county boarding- 2840.00; Guard-Rite Security, transports- 5701.45; HyVee, inmate medical- 157.23; Jacks Uniforms, uniforms- 55.95; Karls, washer repairs- 501.57; Liebers Garage, vehicle maintenance- 238.68; Louderback Drug, inmate meds- 88.30; Madison County Sheriff, out of county boarding- 18000.00; MCH Health, inmate medical- 66.80; Mercy Medical Center, inmate medical- 646.95; David Noble, DDS, inmate medical- 144.00; Northeast NE Juvenile Services, juvenile holding- 7815.00; Nebraska Correctional Assoc., conference- 20.00; Nebraska Crime Commission, tape rentals- 6.00; NW Iowa Emergency Phys, inmate medical- 942.00; Physicians Clinic, inmate medical- 29.60; Physicians Clinic, inmate medical- 30.00; Platte County Detention, out of county boarding- 28600.00; Quest Diagnostics, inmate medical- 1055.00; Redlers Pharmacy, inmate meds- 712.20; Robinson Textiles, inmate uniform shirts- 95.25; St. Lukes Health Resources, inmate medical- 642.00; St. Lukes Health Resources, inmate medical- 165.00; Sarpy Co. Sheriff Department, out of county boarding- 170.00; Siouxland Federal Credit Union, transport fuel/meals/rentals- 319.13; Staples, supplies- 121.79; Steffen Drug Store, inmate medical- 18.19; Thurston Co. Sheriff, out of county boarding- 1035.00; Melanie Trudeau, sewing- 312.00; Walmart, supplies- 170.97; Washington Co. Sheriff, out of county boarding- 6435.00; Woodbury Co. Juvenile Detention, house juveniles- 11500.00; Cellular One, phone- 27.10; Nebraska Department of Roads, GPS Receiver- 53.63; Pacific City Graphics, door hangers- 38.74; Adventis Pasteur, pneumovax/tubersol- 219.14; Briggs, needles/syringes- 49.46; CellularOne, phone- 192.00; Pam DeVries, mileage- 92.62; Pam DeVries, mileage- 14.62; Dunes Family Medicine, phys- 250.00; Pat Glover, mileage- 103.87; Pacific City Graphics, envelopes- 86.00; Cellular One, phone- 46.60; Office Systems Co., copier contract- 98.00; Aflac, service fees- 35.00; AT&T, phone- 38.72; Cable One, internet- 262.10; Claritus, postage supplies- 763.00; Lazette Gifford, website- 40.00; Hassler, meter rental- 150.00; MIPS, payroll/claims/supplies- 339.65; NetSys+, internet- 797.50; Qwest, phone- 712.23; Qwest, phone- 65.54; Qwest, phone- 628.02; Thompson Publishing Group, fair labor standards update- 359.00; US Postal Service, postage- 5000.00; WCS Telecom, phone- 415.69.

ROAD FUND: Advance Auto, parts/supplies/tools- 413.18; Aramark, towel service- 200.41; ATCO, shop supplies- 286.70; Barkley Asphalt, hot mix- 147.70; Bomgaars, supplies- 79.59; Cellular One, phone- 28.42; Circle R, parts/labor- 165.95; Dakota County Road Petty Cash, drug test/supplies- 97.95; The Feed Shed, erosion control- 169.90; Fremont Tire, tire repair- 684.95; Gill Hauling, dumpster- 45.00; Great Plains Intl., parts- 6.13; Guarantee Oil, filters- 6.50; Higan Sand, road rock- 7114.28; HME Inc, rock hauling- 600.00; Hubbard Mini-Mart, fuel- 3333.89; Hydraulic Sales & Service, parts- 316.93; H2O4U, water- 39.25; Jackson Glass, parts/labor- 480.85; Joes Dept Store, supplies- 310.27; Kimball Midwest, supplies- 118.75; Linweld, oxygen tank supplies- 330.70; Medical Enterprises, drug test- 29.90; Menards, supplies- 25.99; NPPD, service- 23.68; Nebraska Salt & Grain, ice control- 813.98; Northeast Coop, fuel/oil- 1276.19; Northeast Nebraska PPD, radio tower/security light- 297.60; Northeast Nebraska Telephone, phone- 179.66; Parsons Equipment, supplies- 40.65; Pilger Sand & Gravel, gravel- 3282.00; PowerPlan, filters/parts- 627.14; Rees Mack, parts- 575.57; Sioux City Ford, parts/labor- 322.01; Sioux City Iron, supplies- 119.99; Siouxland Hydraulics, parts/labor- 200.00; Siouxland Napa, supplies/tools- 1442.18; Stephen Welding, parts- 88.00; Tri State Communications, radio repair- 60.00; Tucker Glass, parts/labor- 98.00; UBC, lumber- 29.85; Utility Equipment Co, pipe- 958.40; Dennis Victor, erosion control- 50.00; Warren Oil, fuel/oil- 4722.66; Ziegler, parts- 3186.77.

ROAD IMPROVEMENT FUND: The Feed Shed, erosion control- 169.90; JEO, Hubbard, NE engineering- 4000.00; Utility Equipment Co., pipe- 208.00.

POOR RELIEF: Nebraska Department of Social Services, administration fees- 35.63..

VETERANS SERVICE OFFICE: VSO, emergency relief- 1500.00.

STOP FUND/COUNTY ATTORNEY: NetSys+, computer repair- 75.00.

JUVENILE ACCOUNTABILITY: BI, Inc., grant electronic monitoring- 69.30; BI, Inc., adult electronic monitoring- 14.85.

INHERITANCE TAX: HMN Architects, jail project- 12.38.

WEED FUND: Dakota County Star, subscription- 35.00; Heritage Express, fuel- 35.19; Hubbard Mini Mart, fuel- 229.44; Menards, chemical supplies- 21.12; NACO, convention registration- 110.00; Marlin Schlutter, miscellaneous plant books- 82.14.

E911: City of South Sioux City, e911 surcharge- 22573.79.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to convene into Closed Executive Session to discuss Jail Contract.

ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED 3:10 p.m.

Commissioner Engel moved, seconded by Commissioner Miller to reconvene in open session.
ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS
MOTION CARRIED 3:30 p.m.

The County Clerk informed the board that they should look at the plans for the new bridge on Omaha Avenue just South of the Corner of Wigle Creek Road and Omaha Avenue. He said that the bridge was built two feet too high and plans were to raise Wigle Creek Road two feet and taper it down moving in a westerly direction. He said that vehicles turning left onto Omaha Avenue onto the bridge will be turning on a slanted bridge away from the turn and possibly a safety problem.
It was the consensus to send the following letter, which was drafted by the County Clerk to JEO and copy it to the state.
November 15, 2004

JEO Consulting Group
803 W. Norfolk Ave.
Po Box 1424
Norfolk, NE 68702-1424

RE: Homer South
BRO-7022(11)

Dear Mr. McDonald:

The board of Commissioners has heard from people that travel Wigle Creek Road daily and they have expressed a safety concern about turning onto the bridge from Wigle Creek Road.

It was their thought the road should be moved to the South from the existing road to make it easier and safer to turn onto the bridge from Wigle Creek. We, the board, feel that it would be better to address that issue now rather than to wait until after the road is elevated. Therefore, we would appreciate it if you would review this concern and address it with us.

We would also appreciate it that this issue be addressed in the final acceptance of the project if you feel that the present road location is not an issue.

Thank you,

Lyle Todd, Chair
Dakota County Board of Commissioners

Cc: Mr. Leland Pavel

Chair Todd adjourned their meeting at 3:45 p.m.

Lyle Todd, Chairman

ATTEST:

Theodore A. Piepho, County Clerk

* * * *

DAKOTA COUNTY BOARD OF COMMISSIONERS
NOVEMBER 22, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Vice Chair Jacqueline Hartnett called the meeting to order at 1:33 p.m. with the Pledge of Allegiance.

Present: Commissioners Miller, Hartnett, Engel, Bousquet and Ted Piepho Secretary.

Absent: Commissioner Todd.

Dick Moeller, Duane Rohde, interested in the bridge South of Homer and Myron Franzin, Platte County Board of Commissioners were in the audience.

Commissioner Bousquet moved, seconded by Commissioner Engel to convene into Closed Executive Session. No reason stated.
ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Absent,
UNANIMOUS MOTION CARRIED 1:36 p.m.

Commissioner Bousquet moved, seconded by Commissioner Engel to reconvene in open session.
ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Absent, Miller- Yea,
UNANIMOUS MOTION CARRIED 2:20 p.m.

Myron Franzin appeared before the board. He talked about the Platte County Jail and some of the things Platte County Board considered in construction of their jail.

Mr. Franzin said that they had a 27 bed facility and when spending 400 to 600 thousand dollars for out boarding of prisoners, they went to a vote of the people who authorized them to build an eight million dollar facility, Seven million dollars out of tax money and one million out of inheritance tax for 137 bed facility plus 7 in the booking area. They bought a site to allow for expansion. They purchased 7.5 acres for approximately \$55,000. They had invited Jail Standards to every meeting and they attended a good percentage of the meetings and that was an asset. Without their approval of the jail, you will not open the jail.

He said one of their recommendations that worked out well was an outside door leading to an area for bonding people out so that people did not have to enter the courthouse and it has something like a bank drive up to pass money etc. back and forth between employees and the people that are bonding people out. Also, they got permission from Jail Standards to locate the Kitchen and Laundry behind locked doors. That way they can use inmates to help with those duties. The meals are cooked on site with a catering service. They have a couple rooms for medical and have contracted with the regional health group for a nurse to work eight hours a day.

They are looking at the cost in video arraignment, which will be in the \$30,000 range.

They do not have a contract for Federal Prisoners. They talked to them and they have also talked with INS and their rules have changed to where they do not qualify to house INS prisoners, even though their facility is new.

They basically built their facility at what their projected needs would be.

He mentioned that he wished that they would have had sound proofing the jail area as an option. He said when you built a large area with four cement walls you get an echoing effect. He said that there is a need to sound proof high and out of reach of the prisoners so they can't destroy it. Sound proofing cost them about sixteen thousand dollars to put sound proofing in the day rooms.

Myron recommends something more permanent outside shower stalls because that area is a high maintenance problem.

Commissioner Hartnett asked if they as a board could build a smaller facility and then add bunks or something at a later time.

Myron said that you have to be careful. Jail Standards would dictate how many square feet per cell but couldn't speak to the issue if they would let us put a single bed in an area that meets the criteria for a double bunk. Platte county has seven maximum security cells for the men and 3 for the females. Their jail consists of 102 beds for the males and 35 for the females.

In the male section they have a Maximum section, secure, medium secure and work release area and in the ladies there are a maximum security, secure and then the work release area, one less stage than the male section.

Platte County did not go with a Construction Manager because they felt that the subcontractor would be more loyal to the Contractor because they would have an opportunity for future jobs under the Contractor.

Myron said that something he wished they had done is to ask for longer warranties on motor, etc. He said warranties most generally are one year under a contract as such. He illustrated that as soon as you start using the equipment is when your warranty starts and you most likely will not be in operation when those warranties start.

Myron said that they do have a Jail Administrator and that the Jail Administrator is under the Sheriff, but everybody is aware that the board could change that at any time to be under the County Board. He said that this is working very well. The Sheriff is located in the courthouse and the administrator is at the jail.

Commissioner Bousquet pointed out that the Sheriff has to be at the county seat.

Myron was asked what the salary was of the Jail Administrator and he thought it was very close to \$40,000 annually. Then they have what he would call Lieutenants so they have someone in upper management around at all times.

Myron also spent time describing their security system. In his closing he mentioned that they were happy that they spent extra for wells for Hydro heat and air conditioning. They had to drill 32 wells but heating and air conditioning is very reasonable. Myron thought the geothermal heat cost them about \$150,000 to install and hopes that it will be cost effective.

Brian McDonald and Arnie Mellick appeared before the board to discuss the Homer South Bridge. Mr. McDonald went to Aashto Manual, which defines the specifications for projects such as this. They say that from 14 feet back to the middle of that lane, you draw a triangle out from there and they have a distance how far back you can go where you can see basically half of the lane. The line that I have on the right, the longer dash line is the minimum Aashto requirement. The smaller dash line to the left of that is what you have so you can see that we have exceeded the minimum design standard.

We had a problem with the bridge. We had one elevation in our plan for the bridge and we had another elevation for the grading. It is about a two feet bust in those. It's two feet higher at the south end of that bridge. We are going to have to grade that up where Wagle Creek Road will be. Basically it will have to be about a foot higher than the bridge just to get our curve to fit. JEO is going to have to take care of the change order on that. We are in the process of getting everything finalized, but that doesn't change things on the site distance. It actually improves that a little bit. He wasn't sure but he thought the original design was lower than the bridge, but now you are going to be higher than the bridge and you're going to be looking down.

Commissioner Miller said that sounds a little better, doesn't it? So you going to bring in dirt?

Brian said yea it's going to be raised about three feet from what the existing is, so when you are out there now it is not going to be what you see when you're driving. It is going to look quite a bit different. When you're at a stop sign there you probably won't have the distance to see, but the Aashto minimum starts as you enter the driving lane and it would not have mattered either way where that point was with or without the mistake that we have. It was still the same measurement.

Duane Rohde mentioned the issue of raising the road. We, meaning him and Duane Barclay, have been getting ready in putting up a new building and getting ready to put in a landing spot for semi trailers where the old barn sits.

Brian said that they should have everything tied back in. I have to get some surveys that go back a little further, but with a 3 percent grade off that road, would be about 100 feet back on Wigle Creek Road. I think you are beyond that, are you not? (addressing Duane Rohde)

Mr. Rohde didn't think it would work raising the road three feet and the slope you have on the bridge from the east side to the west side. Semi's turning that corner, I don't know if a truck is going to stay standing up. (meaning he thought it would roll) I think if it is a load of hay, it is going to topple off and if it is icy, you know where the truck is going to end up. You won't have any speed to carry you around that slope he added.

Brian said as far as the speed and slope across that road that is defined by the same manual that I was talking about.

Mr. Rohde was addressing the turn off Wigle Creek Road onto the bridge headed North. Mr. McDonald said that he didn't think that there would be a problem with trucks turning off Wigle Creek Road on the area Mr. Rohde was talking about.

Mr. Bousquet explained that he thought that Mr. Rohde was concerned about having speed built up to make it across the bridge and pointed on the map where he would lose the load.

Mr. Rohde said that trucks now days have load levelers and try and level the load. You're going to be leaning one way and the truck is going to try and level the other way and it will throw you. He said it you move this road back (meaning moving Wigle Creek to the south) then you could have the trailer sitting straight coming on the bridge, and a person would have alot better chance of staying out of trouble, but you would have to move your road back aways.

Brian thought that the slope would be short of where their driveway would be. He said he needs to get out there and shoot it. (County Clerk Note: Brian was talking about going west on Wigle Creek Road) There was discussion having the distance needed for Barclay to straighten the truck and trailer before turning.

Commissioner Engel said it makes sense to make it right if like he says a truck is going to tip over.

Brian said that overlays and stuff that show the turning radius and things. This is not the first time you have a road turn into a super ah...its not ideal but not the first spot its been done in and we have met the design criteria.

Commissioner Hartnett asked Arnie if he had a dirt supply and Brian said that was one concern they have--with a Federal Aid Project the dirt has to be approved by the state.

Jackie informed Ron Rapp that the Insurance Committee met this morning and we are meeting again.

The board discussed having a separate Jail Administrator outside the Sheriff's jurisdiction.

Mr. Matney advised some of the things that would have to take place if the board chose that direction. One thing that was mentioned was that the Board would have to have a Board of Corrections.

The board discussed the Contract with Moeller. The board was concerned about the letter that they received from the Builders Association. Commissioner Bousquet moved, seconded by Commissioner Miller to approve the Contracts with HMN Architects and Jerry Johnson (G.A. Johnson Construction) as they are written contingent on the information that Ed Matney, County Attorney gets from Dean Kratz, attorney for the Builders Association.

Standard Form of Agreement Between Owner and Architect where the Construction Manager is NOT a Constructor

AGREEMENT made as of the First (1st) day of October in the year of Two Thousand and Four (2004).
(In words, indicate day, month and year.)

BETWEEN the Owner
(Name and address):
Dakota County Board of Commissioners
P.O. Box 388
Dakota City, NE 68731

and the Architect
(Name and address):
HMN Architects, Inc.
10901 Lowell, Suite 280
Overland Park, KS 66210

for the following Project
(Include detailed description of Project, location, address and scope):
Dakota County Detention Center
P.O. Box 338
Dakota City, NE 68731

Design and Construction of a new 170-200 bed full-services jail in Dakota City, Nebraska, including: Inmate housing, Intake/Release, Vehicular Sallyport, Kitchen, Laundry, Visitation, Control Stations, and Connecting link (to courthouse). Construction is planned to be phased with Phase I being the construction of approximately 116 beds and support facility (with shell space for future beds). Phase II would be the build-out of final beds. No remodeling work is included, with the exception of remodeling associated with the connecting link to the existing courthouse. Phase I construction budget is approximately \$6,000,000 (six million and no cents). Phase I and II combined construction cost is estimated to be approximately \$9,000,000.00 (nine million dollars and no cents).

The Construction Manager is
(Name and address):
G.A. Johnson Construction, Inc.
3409 W. 47th Street Suite 101
Sioux Falls, SD 57106
605.361.8800

The Owner and Architect agree as set forth below. (PAGE 1)

ARTICLE 1 ARCHITECT'S RESPONSIBILITIES

* 1.1 ARCHITECT'S SERVICES

* 1.1.1 The Architect's services consist of those services performed by the Architect, Architect's employees and Architect's consultants as enumerated in Articles 2 and 3 of this Agreement and any other services included in Article 12.

* 1.1.2 The Architect's services shall be provided in conjunction with the services of a Construction Manager as described in the edition of AIA Document B801/CMA, Standard Form of Agreement Between Owner and Construction Manager, current as of the date of this Agreement.

* 1.1.3 The Architect's services shall be performed as expeditiously as is consistent with professional skill and care and the orderly progress of the Work. The Architect shall submit for the Owner's approval and the Construction Manager's information a schedule for the performance of the Architect's services which may be adjusted as the Project proceeds, and shall include allowances for periods of time required for the Owner's and Construction Manager's review and for approval of submissions by authorities having jurisdiction over the Project. Time limits established by this schedule approved by the Owner shall not, except for reasonable cause, be exceeded by the Architect or Owner.

The only services covered by this Agreement are those associated with Phase I of the Project and those phases of Basic Services associated with Phase II as requested by the Owner.

* 1.1.4 The services covered by this Agreement are subject to the time limitations contained in Section 11.5.1.

ARTICLE 2 SCOPE OF ARCHITECT'S BASIC SERVICES

* 2.1 DEFINITION

* 2.1.1 The Architect's Basic Services consist of those described in Sections 2.2 through 2.6 and any other services identified in Article 12 as part of Basic Services, and include normal structural, mechanical and electrical engineering services.

* 2.2 SCHEMATIC DESIGN PHASE

* 2.2.1 The Architect shall review the program, schedule and construction budget furnished by the Owner to ascertain the requirements of the Project and shall arrive at a mutual understanding of such requirements with the Owner.

* 2.2.2 The Architect shall review with the Owner and Construction Manager proposed site use and improvements; selection of materials, building systems and equipment; and methods of Project delivery.

* 2.2.3 The Architect shall review with the Owner and Construction Manager alternative approaches to design and construction of the Project.

* 2.2.4 Based on the mutually agreed-upon program, schedule and construction budget requirements, the Architect shall prepare, for approval by the Owner, Schematic Design Documents consisting of drawings and other documents illustrating the scale and relationship of Project components.

* 2.2.5 At intervals appropriate to the progress of the Schematic Design Phase and mutually agreeable to the Owner, Construction Manager and Architect, the Architect shall provide schematic design studies for the Owner's review and the Construction Manager's information.

* 2.2.6 In the further development of the drawings and specifications during this and subsequent phases of design, the Architect shall be entitled to assume the accuracy of the estimates of Construction Cost which are to be provided by the Construction Manager under the Construction Manager's agreement with the Owner.

* 2.2.7 Upon completion of the Schematic Design Phase, the Architect shall provide drawings, outline specifications and other documents for the Owner's approval and the Construction Manager's information.

* 2.3 DESIGN DEVELOPMENT PHASE

* 2.3.1 Based on the approved Schematic Design Documents and any adjustments authorized by the Owner in the program, schedule or construction budget, the Architect shall prepare Design Development Documents for the Construction Manager's review and the Owner's approval. The Design Development Documents shall be based upon data and estimates prepared by the Construction Manager and shall consist of drawings and other documents that establish and describe the size and character of (Page 2) the Project as to architectural, structural, mechanical and electrical systems, materials and such other elements as may be appropriate.

* 2.3.2 At intervals mutually agreeable to the Owner, Construction Manager and Architect, the Architect shall provide drawings and other documents which depict the current status of design development for the Owner's review and the Construction Manager's information.

* 2.3.3 Upon completion of the Design Development Phase, the Architect shall provide drawings, outline specifications and other documents for the Owner's approval and the Construction Manager's information.

* 2.4 CONSTRUCTION DOCUMENTS PHASE

* 2.4.1 Based on the approved Design Development Documents and any further adjustments authorized by the Owner in the scope or quality of the Project or in the construction budget, the Architect, utilizing data and estimates prepared by the Construction Manager, shall prepare, for approval by the Owner, Construction Documents consisting of Drawings and Specifications setting forth in detail the requirements for the construction of the Project.

* 2.4.2 At intervals mutually agreeable to the Owner, Construction Manager and Architect, the Architect shall provide Drawings and Specifications for the Owner's and the Construction Manager's review.

* 2.4.3 Upon completion of the Construction Documents Phase, the Architect shall provide Construction Documents for the Owner's approval and the Construction Manager's information.

* 2.4.4 The Architect shall assist the Owner and Construction Manager in the preparation of the necessary bidding information, bidding forms, the Conditions of the Contracts, and the forms of Agreement between the Owner and the Contractors. The Architect shall assist the Construction Manager in issuing bidding documents to bidders and conducting prebid conferences with prospective bidders. The Architect, with the assistance of the Construction Manager, shall respond to questions from bidders, and shall issue addenda.

* 2.4.5 The Architect shall assist the Owner and Construction Manager in connection with the Owner's responsibility for filing documents required for the approval of governmental authorities having jurisdiction over the Project.

* 2.5 BIDDING OR NEGOTIATION PHASE

* 2.5.1 The Architect, following the Owner's approval of the Construction Documents and of the Construction Manager's latest estimate of Construction Cost, shall assist the Construction Manager in obtaining bids or negotiated proposals and assist in preparing contracts for construction.

* 2.6 CONSTRUCTION PHASE-ADMINISTRATION OF THE CONSTRUCTION CONTRACT

* 2.6.1 The Architect's responsibility to provide Basic Services for the Construction Phase under this Agreement commences with the award of the Contract for construction and terminates at the earlier of the issuance to the Owner of the final Project Certificate for Payment or 60 days after the date of Substantial Completion of the Work.

* 2.6.2 The Architect shall provide administration of the Contract for construction in cooperation with the Construction Manager as set forth below and in the edition of AIA Document A201/CMA, General Conditions of the Contract for Construction, Construction Manager-Adviser Edition, current as of the date of this Agreement.

* 2.6.3 Duties, responsibilities and limitations of authority of the Architect shall not be restricted, modified or extended without written agreement of the Owner and Architect with consent of the Contractors and the Construction Manager, which consent shall not be unreasonably withheld.

* 2.6.4 The Architect shall be a representative of and shall advise and consult with the Owner (1) during construction until final payment to the Contractors is due, and (2) as an Additional Service at the Owner's direction from time to time during the correction period described in the Contracts for Construction. The Architect shall have authority to act on behalf of the Owner only to the extent provided in this Agreement unless otherwise modified by written instrument.

* 2.6.5 The Architect shall visit the site at intervals appropriate to the stage of construction or as otherwise agreed by the Owner and Architect in writing to become generally familiar with the progress and quality of the Work completed and to determine in general if the Work is being performed in a manner indicating that the Work when completed will be in accordance with the (PAGE 3) Contract Documents. However, the Architect shall not be required to make exhaustive or continuous on-site inspections to check the quality or quantity of the Work. On the basis of on-site observations as an architect, the Architect shall keep the Owner informed of the progress and quality of the Work, and shall endeavor to guard the Owner against defects and deficiencies in the Work. (More extensive site representation may be agreed to as an Additional Service, as described in Section 3.2.)

- * 2.6.6 The Architect shall not have control over or charge of and shall not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Work, since these are the Contractors' responsibility under the Contracts for Construction. The Architect shall not be responsible for the Contractors' schedules or failure to carry out the Work in accordance With the Contract Documents. The Architect shall not be responsible for the performance by the Construction Manager of the services required by the Construction Manager's agreement with the Owner. The Architect shall not have control over or charge of acts or omissions of the Contractors, Subcontractors, or their agents or employees, or of any other persons performing services or portions of the Work.
- * 2.6.7 The Architect shall at all times have access to the Work wherever it is in preparation or progress.
- * 2.6.8 Communications by and with the Architect's consultants shall be through the Architect.
- * 2.6.9 Based on the Architect's observations and evaluations of each Contractor's Application for Payment, the Architect shall review and certify the amounts due the respective Contractors.
- * 2.6.9.1 The Architect's certification for payment shall constitute a representation to the Owner, based on the Architect's observations at the site as provided in Section 2.6.5, on the recommendations of the Construction Manager and on the data comprising the Contractors' Applications for Payment, that, to the best of the Architect's knowledge, information and belief, the Work has progressed to the point indicated and the quality of the Work is in accordance with the Contract Documents. The foregoing representations are subject to an evaluation of the Work for conformance with the Contract Documents upon Substantial Completion, to results of subsequent tests and inspections, to minor deviations from the Contract Documents correctable prior to completion and to specific qualifications expressed by the Architect. The issuance of a Certificate for Payment shall further constitute a representation that the Contractor is entitled to payment in the amount certified.
- * 2.6.9.2 The issuance of a Certificate for Payment shall not be a representation that the Architect has (1) made exhaustive or continuous on-site inspections to check the quality or quantity of the Work, (2) reviewed construction means, methods, techniques, sequences or procedures, (3) reviewed copies of requisitions received from Subcontractors and material suppliers and other data requested by the Owner to substantiate the Contractor's right to payment or (4) ascertained how or for what purpose the Contractor has used money previously paid on account of the Contract Sum.
- * 2.6.10 The Architect shall have authority, after notification to the Construction Manager, to reject Work which does not conform to the Contract Documents. Whenever the Architect considers it necessary or advisable for implementation of the intent of the Contract Documents, the Architect will have authority, upon written authorization from the Owner, to require additional inspection or testing of the Work in accordance with the provisions of the Contract Documents, whether or not such Work is fabricated, installed or completed. However, neither this authority of the Architect nor a decision made in good faith either to exercise or not to exercise such authority shall give rise to a duty or responsibility of the Architect to the Construction Manager, Contractors, Subcontractors, material and equipment suppliers, their agents or employees or other persons performing portions of the Work.
- * 2.6.11 The Architect shall review and approve or take other appropriate action upon Contractors' submittals such as Shop Drawings, Product Data and Samples, but only for the limited purpose of checking for conformance with information given and the design concept expressed in the Contract Documents. The Architect's action shall be taken with such reasonable promptness as to cause no delay in the Contractors' Work or in construction by the Owner's own forces, while allowing sufficient time in the Architect's professional judgment to permit adequate review. Review of such submittals is not conducted for the purpose of determining the accuracy and completeness of other details such as dimensions and quantities or for substantiating instructions for installation or performance of equipment or systems designed by the Contractors, all of which remain the responsibility of the Contractors to the extent required by the Contract Documents. The Architect's review shall not constitute approval of safety precautions or, unless otherwise specifically stated by the Architect, of construction means, methods, techniques, sequences or procedures. The Architect's approval of a specific item shall not indicate approval of an assembly of which the item is a component. When professional certification of performance characteristics of materials, systems or equipment is required by the Contract Documents, the Architect shall be entitled to rely upon such certification to establish that the materials, systems or equipment will meet the performance criteria required by the Contract Documents. (PAGE 4)
- * 2.6.12 The Architect shall review and sign or take other appropriate action on Change Orders and Construction Change Directives prepared by the Construction Manager for the Owner's approval and execution in accordance with the Contract Documents.
- * 2.6.13 The Architect may authorize minor changes in Work not involving an adjustment in a Contract Sum or an extension of a Contract Time which are not inconsistent with the intent of the Contract Documents. Such changes shall be effected by written order issued through the Construction Manager.

* 2.6.14 The Architect, assisted by the Construction Manager, shall conduct inspections to determine the date or dates of Substantial Completion and the date of final completion. The Architect shall forward to the Owner warranties and similar submittals required by the Contract Documents which have been received from the Construction Manager. The Architect shall issue a final Project Certificate for Payment upon compliance with the requirements of the Contract Documents.

* 2.6.15 The Architect shall interpret and decide matters concerning performance of the Owner and Contractor under the requirements of the Contract Documents on written request of either the Owner or Contractor. The Architect's response to such requests shall be made with reasonable promptness and within any time limits agreed upon.

* 2.6.16 Interpretations and decisions of the Architect shall be consistent with the intent of and reasonably inferable from the Contract Documents and shall be in writing or in the form of drawings. When making such interpretations and initial decisions, the Architect shall endeavor to secure faithful performance by both Owner and Contractors, shall not show partiality to either, and shall not be liable for results of interpretations or decisions so rendered in good faith.

* 2.6.17 The Architect's decisions on matters relating to an esthetic effect shall be final if consistent with the intent expressed in the Contract Documents.

* 2.6.18 The Architect shall render written decisions within a reasonable time on all claims, disputes or other matters in question between the Owner and Contractors relating to the execution or progress of the Work as provided in the Contract Documents.

* 2.6.19 The Architect's decisions on claims, disputes or other matters, including those in question between the Owner and Contractors, except for those relating to an esthetic effect as provided in Section 2.6.17, shall be subject to arbitration as provided in this Agreement and in the Contract Documents.

ARTICLE 3 ADDITIONAL SERVICES

* 3.1 GENERAL

* 3.1.1 The services described in this Article 3 are not included in Basic Services unless so identified in Article 12, and they shall be paid for by the Owner as provided in this Agreement, in addition to the compensation for Basic Services. The services described under Sections 3.2 and 3.4 shall only be provided if authorized or confirmed in writing by the Owner. If services described under Contingent Additional Services in Section 3.3 are required due to circumstances beyond the Architect's control, the Architect shall notify the Owner prior to commencing such services. If the Owner deems that such services described under Section 3.3 are not required, the Owner shall give prompt written notice to the Architect. If the Owner indicates in writing that all or part of such Contingent Additional Services are not required, the Architect shall have no obligation to provide those services.

* 3.2 PROJECT REPRESENTATION BEYOND BASIC SERVICES

* 3.2.1 If more extensive representation at the site than is described in Section 2.6.5 is required, the Architect shall provide one or more Project Representatives to assist in carrying out such additional on-site responsibilities.

* 3.2.2 Project Representatives shall be selected, employed and directed by the Architect, and the Architect shall be compensated therefore as agreed by the Owner and Architect. The duties, responsibilities and limitations of authority of Project Representatives shall be as described in the edition of AIA Document B352 current as of the date of this Agreement, unless otherwise agreed.

* 3.2.3 Through the observations by such Project Representatives, the Architect shall endeavor to provide further protection for the Owner against defects and deficiencies in the Work, but the furnishing of such project representation shall not modify the rights, responsibilities or obligations of the Architect as described elsewhere in this Agreement. (PAGE 5)

* 3.3 CONTINGENT ADDITIONAL SERVICES

* 3.3.1 Making revisions in Drawings, Specifications, or other documents when such revisions are:
.1 inconsistent with approvals or instructions previously given by the Owner, including revisions made necessary by adjustments in the Owner's program or Project budget;

.2 requested by the Owner because the Construction Manager's estimate of Construction Cost exceeds the Owner's budget, except where such excess is due to changes initiated by the Architect in scope, capacities of basic systems, or the kinds and quality of materials, finishes or equipment;

.3 required by the enactment or revision of codes, laws or regulations subsequent to the preparation of such documents; or

.4 due to changes required as a result of the Owner's failure to render decisions in a timely manner.

* 3.3.2 Providing services required because of significant changes in the Project including, but not limited to, changes in size, quality, complexity, the Owner's or Construction Manager's schedule, or the method of bidding or negotiating and contracting for construction, except for services required under Section 5.2.3.

* 3.3.3 Preparing Drawings, Specifications, and other documentation and supporting data, evaluating Contractors proposals, and providing other services in connection with Change Orders and Construction Change Directives.

- * 3.3.4 Providing services in connection with evaluating substitutions proposed by Contractors and making subsequent revisions to Drawings, Specifications and other documentation resulting there from.
- * 3.3.5 Providing consultation concerning replacement of Work damaged by fire or other cause during construction, and furnishing services required in connection with the replacement of such Work.
- * 3.3.6 Providing services made necessary by the termination or default of the Construction Manager or a Contractor, by major defects or deficiencies in the Work of a Contractor, or by failure of performance of either the Owner or a Contractor under a Contract for Construction.
- * 3.3.7 Providing services in evaluating an extensive number of claims submitted by a Contractor or others in connection with the Work.
- * 3.3.8 Providing services in connection with a public hearing, arbitration proceeding or legal proceeding except where the Architect is party thereto.
- * 3.3.9 Preparing documents for alternate, separate or sequential bids or providing services in connection with bidding, negotiation or construction prior to the completion of the Construction Documents Phase.
- * 3.4 OPTIONAL ADDITIONAL SERVICES
- * 3.4.1 Providing analyses of the Owner's needs and programming the requirements of the Project.
- * 3.4.2 Providing financial feasibility or other special studies.
- * 3.4.3 Providing planning surveys, site evaluations or comparative studies of prospective sites.
- * 3.4.4 Providing special surveys, environmental studies and submissions required for approvals of governmental authorities or others having jurisdiction over the Project.
- * 3.4.5 Providing services relative to future facilities, systems and equipment.
- * 3.4.6 Providing services to investigate existing conditions or facilities or to make measured drawings thereof.
- * 3.4.7 Providing services to verify the accuracy of drawings or other information furnished by the Owner. (PAGE 6)
- * 3.4.8 Providing coordination of construction performed by the Owner's own forces and coordination of services required in connection with construction performed and equipment supplied by the Owner.
- * 3.4.9 Providing services in connection with the work of separate consultants retained by the Owner.
- * 3.4.10 Providing estimates of Construction Cost.
- * 3.4.11 Providing detailed quantity surveys or inventories of material and equipment.
- * 3.4.12 Providing analyses of owning and operating costs.
- * 3.4.13 Providing interior design and other similar services required for or in connection with the selection, procurement or installation of furniture, furnishings and related equipment.
- * 3.4.14 Providing services for planning tenant or rental spaces.
- * 3.4.15 Making investigations, inventories of materials or equipment, or valuations and detailed appraisals of existing facilities.
- * 3.4.16 Preparing a set of reproducible record drawings showing significant changes in the Work made during construction based on marked-up prints, drawings and other data furnished by Contractors.
- * 3.4.17 Providing assistance in the utilization of equipment or systems such as testing, adjusting and balancing, preparation of operation and maintenance manuals, training personnel for operation and maintenance, and consultation during operation.
- * 3.4.18 Providing services after issuance to the Owner of the final Project Certificate for Payment, or in the absence of a final Project Certificate for Payment, more than 60 days after the date of Substantial Completion of the Work.
- * 3.4.19 Providing services of consultants for other than architectural, structural, mechanical and electrical engineering portions of the Project provided as a part of Basic Services.
- * 3.4.20 Providing any other services not otherwise included in this Agreement or not customarily furnished in accordance with generally accepted architectural practice.

ARTICLE 4 OWNER'S RESPONSIBILITIES

* 4.1 The Owner shall provide full information regarding requirements for the Project, including a program which shall set forth the Owner's objectives, schedule, constraints and criteria, including space requirements and relationships, flexibility, expandability, special equipment, systems, and site requirements.

* 4.2 The Owner shall establish and update an overall budget for the Project based on consultation with the Construction Manager and the Architect, which shall include the Construction Cost, the Owner's other costs and reasonable contingencies related to all of these costs.

* 4.3 If requested by the Architect, the Owner shall furnish evidence that financial arrangements have been made to fulfill the Owner's obligations under this Agreement.

* 4.4 The Owner shall designate a representative authorized to act on the Owner's behalf with respect to the Project. The Owner or such authorized representative shall render decisions in a timely manner pertaining to documents submitted by the Architect in order to avoid unreasonable delay in the orderly and sequential progress of the Architect's services.

* 4.5 The Owner shall retain a construction manager to administer the Project. The Construction Manager's services, duties and responsibilities will be as described in the edition of AIA Document B801/CMA, Standard Form of Agreement Between Owner and Construction Manager, current as of the date of this Agreement. The Terms and Conditions of the Agreement between Owner and Construction Manager shall be furnished to the Architect and shall not be modified without written consent of the Architect, which consent shall not be unreasonably withheld. The Architect shall not be responsible for actions taken by the Construction Manager. (PAGE 7)

* 4.6 The Owner shall furnish surveys describing physical characteristics, legal limitations and utility locations for the site of the Project, and a written legal description of the site. The surveys and legal information shall include, as applicable, grades and lines of streets, alleys, pavements and adjoining property and structures; adjacent drainage; rights-of-way, restrictions, easements, encroachments, zoning, deed restrictions, boundaries and contours of the site; locations, dimensions and necessary data pertaining to existing buildings, other improvements and trees; and information concerning available utility services and lines, both public and private, above and below grade, including inverts and depths. All the information on the survey shall be referenced to a Project benchmark.

* 4.7 The Owner shall furnish the services of geotechnical engineers when such services are requested by the Architect. Such services may include but are not limited to test borings, test pits, determinations of soil bearing values, percolation tests, evaluations of hazardous materials, and ground corrosion and resistivity tests, including necessary operations for anticipating subsoil conditions, with reports and appropriate professional recommendations.

* 4.7.1 The Owner shall furnish the services of other consultants when such services are reasonably required by the scope of the Project and are requested by the Architect.

* 4.8 The Owner shall furnish structural, mechanical, chemical, air and water pollution tests, tests for hazardous materials, and other laboratory and environmental tests, inspections and reports required by law or the Contract Documents.

* 4.9 The Owner shall furnish all legal, accounting, and insurance counseling services as may be necessary at any time for the Project, including auditing services the Owner may require to verify the Contractor's Application for Payment or to ascertain how or for what purposes the Contractor has used the money paid by or on behalf of the Owner.

* 4.10 The services, information, surveys and reports required by Sections 4.6 through 4.9 shall be furnished at the Owner's expense, and the Architect shall be entitled to rely upon the accuracy and completeness thereof.

* 4.11 Prompt written notice shall be given by the Owner to the Architect and Construction Manager if the Owner becomes aware of any fault or defect in the Project or nonconformance with the Contract Documents.

* 4.12 The proposed language of certificates or certifications requested of the Architect or Architect's consultants shall be submitted to the Architect for review and approval at least 14 days prior to execution. The Owner shall not request certifications that would require knowledge or services beyond the scope of this Agreement.

* 4.13 The Owner shall furnish the required information and services and shall render approvals and decisions as expeditiously as necessary for the orderly progress of the Architect's services and Work of the Contractors.

* 4.14 The Owner shall furnish the Architect copies of written communications with the Construction Manager and Contractors.

ARTICLE 5 CONSTRUCTION COST*** 5.1 DEFINITION**

* 5.1.1 The Construction Cost shall be the total cost or estimated cost to the Owner of all elements of the Project designed or specified by the Architect.

* 5.1.2 The Construction Cost shall include the cost at current market rates of labor and materials furnished by the Owner and equipment designed, specified, selected or specially provided for by the Architect, plus a reasonable allowance for the Contractors' overhead and profit. In addition, a reasonable allowance for contingencies shall be included for market conditions at the time of bidding and for changes in the Work during construction. Construction Cost shall also include the compensation of the Construction Manager and Construction Manager's consultants, consultants and field superintendent.

* 5.1.3 Construction Cost does not include the compensation of the Architect and Architect's consultants, the costs of the land, rights-of-way, financing or other costs which are the responsibility of the Owner as provided in Sections 4.1 through 4.4 and 4.6 through 4.14.

* 5.2 RESPONSIBILITY FOR CONSTRUCTION COST

* 5.2.1 The Architect's review of the Owner's Project budget and of preliminary estimates of Construction Cost or detailed estimates of Construction Cost prepared by the Construction Manager is solely for the Architect's guidance in the Architect's preparation of the Construction Documents. Accordingly, the Architect cannot and does not warrant the accuracy of the (PAGE 8) estimates of the Construction Manager, or warrant or represent that bids or negotiated prices will not vary from the Owner's Project budget or from any estimate of Construction Cost or evaluation reviewed by the Architect. However, notwithstanding any other agreement relating to the same, as long as the Owner has performed as required under this Agreement, the Owner shall hereafter have a nonexclusive license to use the Architect's Drawings, Specifications or other documents prepared for this Project in connection with future additions or alterations to the Project, including Phase II, regardless of whether the Architect is retained to perform services for the Owner thereunder. In that event, the use of such Drawings, Specifications and other documents shall be at the Owner's sole risk and without liability to the Architect and the Architect's Consultants.

* 5.2.2 No fixed limit of Construction Cost shall be established as a condition of this Agreement.

* 5.2.3 In the event that the Construction Manager's estimate or the lowest bona fide bid or negotiated proposal received by the Owner exceeds the Owner's budget for reasons other than those described in Section 3.3, the modification of Contract Documents shall be the limit of the Architect's responsibility. The Architect shall be entitled to compensation in accordance with this Agreement for all services performed whether or not the Construction Phase is commenced.

ARTICLE 6 USE OF ARCHITECT'S DRAWINGS, SPECIFICATIONS AND OTHER DOCUMENTS

* 6.1 The Drawings, Specifications and other documents prepared by the Architect for this Project are instruments of the Architect's service for use solely with respect to this Project and, unless otherwise provided, the Architect shall be deemed the author of these documents and shall retain all common law, statutory and other reserved rights, including the copyright. The Owner shall be permitted to retain copies, including reproducible copies, of the Architect's Drawings, Specifications and other documents for information and reference in connection with the Owner's use and occupancy of the Project. The Architect's Drawings, Specifications or other documents shall not be used by the Owner or others on other projects, for additions to this Project or for completion of this Project by others, unless the Architect is adjudged to be in default under this Agreement, except by agreement in writing and with appropriate compensation to the Architect.

* 6.2 Submission or distribution of documents to meet official regulatory requirements or for similar purposes in connection with The Project is not to be construed as publication in derogation of the Architect's reserved rights.

ARTICLE 7 ARBITRATION

* 7.1 Claims, disputes or other matters in question between the parties to the Agreement arising out of or relating to this Agreement of breach thereof shall be subject to and decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association currently in effect unless the parties mutually agree otherwise.

* 7.2 Demand for arbitration shall be filed in writing with the other party to this Agreement and with the American Arbitration Association. A demand for arbitration shall be made within a reasonable time after the claim, dispute or other matter in question has arisen. In no event shall the demand for arbitration be made after the date when institution of legal or equitable proceedings based on such claim, dispute or other matter in question would be barred by the applicable statutes of limitations.

* 7.3 No arbitration arising out of or relating to this Agreement shall include by consolidation, joinder or in any other manner, an additional person or entity not a party to the Agreement, except by written consent containing a specific reference to the Agreement signed by the Owner, Architect, and any other person or entity sought to be joined. Consent to arbitration involving an additional person or entity shall not constitute consent to arbitration of any claim, dispute or other matter in question not described in the written consent or with a person or entity not named or described therein. The foregoing agreement to arbitrate and other agreements to arbitrate with an additional person or entity duly consented to by the parties to the Agreement shall be specifically enforceable in accordance with applicable law in any court having jurisdiction thereof.

* 7.4 The award rendered by the arbitrator or arbitrators shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof.

ARTICLE 8 TERMINATION, SUSPENSION OR ABANDONMENT

* 8.1 This Agreement may be terminated by either party upon not less than seven days' written notice should the other party fail substantially to perform in accordance with the terms of this Agreement through no fault of the party initiating the termination.

(PAGE 9)

* 8.2 If the Project is suspended by the Owner for more than 30 consecutive days, the Architect shall be compensated for services performed prior to notice of such suspension. When the Project is resumed, the Architect's compensation shall be equitably adjusted to provide for expenses incurred in the interruption and resumption of the Architect's services.

* 8.3 This Agreement may be terminated by the Owner upon not less than seven days' written notice to the Architect in the event that the Project is permanently abandoned. If the Project is abandoned by the Owner for more than 90 consecutive days, the Architect may terminate this Agreement by giving written notice.

* 8.4 Failure of the Owner to make payments to the Architect in accordance with this Agreement shall be considered substantial nonperformance and cause for termination.

* 8.5 If the Owner fails to make payment when due the Architect for services and expenses, the Architect may, upon seven days' written notice to the Owner, suspend performance of services under this Agreement. Unless payment in full is received by the Architect within seven days of the date of the notice, the suspension shall take effect without further notice. In the event of a suspension of services, the Architect shall have no liability to the Owner for delay or damage caused the Owner because of such suspension of services.

* 8.6 In the event of termination not the fault of the Architect, the Architect shall be compensated for services performed prior to termination, together with Reimbursable Expenses then due and all Termination Expenses as defined in Section 8.7.

* 8.7 Termination Expenses are in addition to compensation for Basic and Additional Services, and include expenses which are directly attributable to termination. Termination Expenses shall be computed as a percentage of the total compensation for Basic Services and Additional Services earned to the time of termination, as follows:

.1 Twenty percent of the total compensation for Basic and Additional Services earned to date if termination occurs before or during the predesign, site analysis, or Schematic Design Phases; or

.2 Ten percent of the total compensation for Basic and Additional Services earned to date if termination occurs during the Design Development Phase; or

.3 Five percent of the total compensation for Basic and Additional Services earned to date if termination occurs during any subsequent phase.

* 8.8 Notwithstanding any other provision to the contrary, this Agreement may be terminated by the Owner if the Project does not receive the approval of the Nebraska Commission on Law Enforcement and Criminal Justice. In the event, the Architect shall be compensated for services performed prior to termination or prior to notification of rejection of the Project, which ever is earlier, together with Reimbursable Expenses but not Termination Expenses, and this Agreement shall thereafter be null and void. The Architect shall endeavor to minimize its services and expenses prior to approval. If such approval is granted with conditions requiring changes to the terms and conditions of the Agreement, the parties shall endeavor to agree to those changes to conform to the approval granted.

ARTICLE 9 MISCELLANEOUS PROVISIONS

* 9.1 Unless otherwise provided, this Agreement shall be governed by the law of the place where the Project is located.

* 9.2 Terms in this Agreement shall have the same meaning as those in the edition of AIA Document A201/CMA, General Conditions of the Contract for Construction, Construction Manager-Adviser Edition, current as of the date of this Agreement.

* 9.3 Causes of action between the parties to this Agreement pertaining to acts or failures to act shall be deemed to have accrued and the applicable statutes of limitations shall commence to run not later than either the date of Substantial Completion for acts or failures to act occurring prior to Substantial Completion, or the date of issuance of the final Project Certificate for Payment for acts or failures to act occurring after Substantial Completion.

* 9.4 The Owner and Architect waive all rights against each other and against the Construction Manager, Contractors, and the consultants, agents and employees of any of them for damages, but only to the extent covered by property insurance during construction, except such rights as they may have to the proceeds of such insurance as set forth in the edition of AIA Document A201/Cma, General Conditions of the Contract for Construction, Construction Manager-Adviser Edition, current as of the date of (PAGE 10) this Agreement. The Owner and Architect each shall require similar waivers from their Construction Manager, Contractors, consultants, agents, and persons or entities awarded separate contracts administered under the Owner's own forces.

* 9.5 The Owner and Architect, respectively, bind themselves, their partners, successors, assigns and legal representatives to the other party to this Agreement and to the partners, successors, assigns and legal representatives of such other party with respect to all covenants of this Agreement. Neither Owner nor Architect shall assign this Agreement without the written consent of the other.

* 9.6 This Agreement represents the entire and integrated agreement between the Owner and Architect and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be amended only by written instrument signed by both Owner and Architect.

* 9.7 Nothing contained in the Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Owner or Architect.

* 9.8 Unless otherwise provided in this Agreement, the Architect and Architect's consultants shall have no responsibility for the discovery, presence, handling, removal or disposal of or exposure of persons to hazardous materials in any form at the Project site, including but not limited to asbestos, asbestos products, polychlorinated biphenyl (PCB) or other toxic substances.

* 9.9 The Architect shall have the right to include representations of the design of the Project, including photographs of the exterior and interior, among the Architect's promotional and professional materials. The Architect's materials shall not include the Owner's confidential or proprietary information if the Owner has previously advised the Architect in writing of the specific information considered by the Owner to be confidential or proprietary. The Owner shall provide professional credit for the Architect on the construction sign and in the promotional materials for the Project.

ARTICLE 10 PAYMENTS TO THE ARCHITECT

* 10.1 DIRECT PERSONNEL EXPENSE

* 10.1.1 Direct Personnel Expense is defined as the direct salaries of the Architect's personnel engaged on the Project and the portion of the cost of their mandatory and customary contributions and benefits related thereto, such as employment taxes and other statutory employee benefits, insurance, sick leave, holidays, vacations, pensions and similar contributions and benefits.

* 10.2 REIMBURSABLE EXPENSES

* 10.2.1 Reimbursable Expenses are in addition to compensation for Basic and Additional Services and include expenses incurred by the Architect and Architect's employees and consultants in the interest of the Project, as identified in the following Clauses.

* 10.2.1.1 Expense of transportation in connection with the Project; expenses in connection with authorized out-of-town travel; long-distance communications; and fees paid for securing approval of authorities having jurisdiction over the Project.

* 10.2.1.2 Expense of reproductions, postage, express deliveries, electronic facsimile transmissions and handling of Drawings, Specifications and other documents.

* 10.2.1.3 If authorized in advance by the Owner, expense of overtime work requiring higher than regular rates.

* 10.2.1.4 Expense of renderings, models and mock-ups requested by the Owner.

* 10.2.1.5 Expense of additional insurance coverage or limits, including professional liability insurance, requested by the Owner in excess of that normally carried by the Architect and Architect's consultants.

* 10.2.1.6 Expense of computer aided design and drafting equipment time when used in connection with the Project.

* 10.3 PAYMENTS ON ACCOUNT OF BASIC SERVICES

* 10.3.1 An initial payment as set forth in Section 11.1 is the minimum payment under this Agreement.

* 10.3.2 Subsequent payments for Basic Services shall be made monthly and, where applicable, shall be in proportion to services performed within each phase of service, on the basis set forth in Section 11.2.2. (PAGE 11)

* 10.3.3 If and to the extent that the time initially established in Section 11.5.1 of this Agreement is exceeded or extended through no fault of the Architect, compensation for any services rendered during the additional period of time shall be computed in the manner set forth in Section 11.3.2.

* 10.3.4 When compensation is based on a percentage of Construction Cost and any portions of the Project are deleted or otherwise not constructed, compensation for those portions of the Project shall be payable to the extent services are performed on those portions, in accordance with the schedule set forth in Section 11.2.2, based on (1) the lowest bona fide bids or negotiated proposals, or (2) if no such bids or proposals are received, the most recent estimate of Construction Cost prepared by the Construction Manager for such portions of the Project.

* 10.4 PAYMENTS ON ACCOUNT OF ADDITIONAL SERVICES AND REIMBURSABLE EXPENSES

* 10.4.1 Payments on account of the Architect's Additional Services and for Reimbursable Expenses shall be made monthly upon presentation of the Architect's statement of services rendered or expenses incurred.

* 10.5 PAYMENTS WITHHELD

* 10.5.1 No deductions shall be made from the Architect's compensation on account of penalty, liquidated damages or other sums withheld from payments to Contractors, or on account of the cost of changes in the Work other than those for which the Architect has been found to be liable.

* 10.6 ARCHITECT'S ACCOUNTING RECORDS

* 10.6.1 Records of Reimbursable Expenses and expenses pertaining to Additional Services and services performed on the basis of a multiple of Direct Personnel Expense shall be available to the Owner or the Owner's authorized representative at mutually convenient times.

ARTICLE 11 BASIS OF COMPENSATION

The Owner shall compensate the Architect as follows:

* 11.1 AN INITIAL PAYMENT of Zero Dollars and Zero Cents (\$0.00) shall be made upon execution of this Agreement and credited to the Owner's account at final payment.

* 11.2 BASIC COMPENSATION

* 11.2.1 FOR BASIC SERVICES, as described in Article 2, and any other services included in Article 12 as part of a Basic Services, Basic Compensation shall be computed as follows:

(Insert basis of compensation, including stipulated sums, multiples or percentages, and identify phases to which particular methods of compensation apply, if necessary.)

Phase(s) to which applicable
Basis of compensation

Basis of compensation:

At the completion of the Design Development Phase, the Construction Manager shall provide the Owner with the detailed estimate of the Construction Cost which will be broken down between the Construction Cost associated With Phase I and the Construction Cost associated with Phase II. After the Owner's approval of the Design Development Documents and the detailed estimates of the Construction Cost, the Architect's total Basic Compensation shall consist of two components: (1)7% of the detailed estimate of the Construction Cost associated with Phase 1 and (2) 7% of the detailed estimate of the Construction Cost associated With Phase II. Once so fixed, each component of the Architect's total Basic Compensation shall not change, unless

The Project scope changes, regardless of changes in the Construction Cost. The Owner shall pay the Phase I component of the Basic Compensation according to the schedule set forth in Section 11.2.2 below. The Owner shall pay the Phase II component of the Basic Compensation according to the schedule set forth in Section 11.2.2 below only to the extent, if at all, each Phase of Basic Services as identified therein is requested by the Owner and provided by the Architect. The parties acknowledge and agree that at this time the Architect's services may include services associated with Phase II of the Project up through the Construction Documents Phase, but only those authorized in advance and to the extent approved by the Owner. The Architect's services and compensation for the Bidding and or Negotiation Phase and the Construction Phase of Phase II of the Project shall be fixed by a separate agreement between the parties, but that neither Owner nor Architect shall be obligated to enter into such agreement. (PAGE 12)

* 11.2.2 Where compensation is based on a stipulated sum or percentage of Construction Cost, progress payments for Basic Services in each phase shall total the following percentages of the total Basic Compensation payable:

(Insert additional phases as appropriate.)

Schematic Design Phase:	percent	(%)
Schematic Design Phase:	Fifteen percent	(15 %)
Design Development Phase	percent	(%)
Design Development Phase:	Twenty percent	(20 %)
Construction Documents Phase:	percent	(%)
Construction Documents Phase:	Forty percent	(40 %)
Bidding or Negotiation Phase:	percent	(%)
Bidding or Negotiation Phase:	Five percent	(5 %)
Construction Phase:	percent	(%)
Construction Phase:	Twenty percent	(20 %)
<hr/>		
Total Basic Compensation	one hundred percent	(100%)

* 11.3 COMPENSATION FOR ADDITIONAL SERVICES

* 11.3.1 FOR PROJECT REPRESENTATION BEYOND BASIC SERVICES, as described in Section 3.2, compensation shall be computed as follows:
To be negotiated if requested.

* 11.3.2 FOR ADDITIONAL SERVICES OF THE ARCHITECT, as described in Articles 3 and 12, other than (1) Additional Project Representation, as described in Section 3.2, and (2) services included in Article 12 as part of Basic Services, but excluding services of consultants, compensation shall be computed as follows:

(Insert basis of compensation, including rates and/or multiples or Direct Personnel Expense for Principals and employees, and identify Principals and classify employees, if required. Identity specific services to which particular methods or compensation apply, if necessary.)

* 11.3.3 FOR ADDITIONAL SERVICES OF CONSULTANTS, including additional structural, mechanical and electrical engineering services and those provided under Section 3.4.19 or identified in Article 12 as part of Additional Services, a multiple of One and one hundredth (1.01) times the amounts billed to the Architect for such services.

(Identify specific types of consultants in Article 12, if required.)

* 11.4 REIMBURSABLE EXPENSES

* 11.4.1 FOR REIMBURSABLE EXPENSES, as described in Section 10.2, and any other items included in Article 12 as Reimbursable Expenses, a multiple of One (1.00) times the expenses incurred by the Architect, the Architect's employees and consultants in the interest of the Project.

* 11.5 ADDITIONAL PROVISIONS

* 11.5.1 IF THE BASIC SERVICES covered by this Agreement have not been completed within eighteen (18) months of the date hereof, through no fault of the Architect, extension of the Architect's services beyond that time shall he compensated as provided in Sections 10.3.3 and 11.3.2.

* 11.5.2 Payments are due and payable Thirty (30) days from the date of the Architect's invoice. Amounts unpaid { } days after the invoice date shall bear interest at the rate entered below, or in the absence thereof at the legal rate prevailing from time to time at the principal place of business of the Architect. Sixty (60) days after the invoice date shall bear interest at the rate entered below, or in the absence thereof at the legal rate prevailing from time to time at the principal place of business of Architect.

(Insert rate of interest agreed upon.)

1.50% monthly

(Usury laws and requirements under the Federal Truth in Lending Act, similar state and local consumer credit laws and other regulations at the Owner's and Architect's principal places of business, the location of the Project and elsewhere may affect the validity of this provision. Specific legal advice should be obtained with respect to deletions or modifications, and also regarding requirements such as written disclosures or waivers.)

* 11.5.3 The rates and multiples set forth for Additional Services shall be annually adjusted in accordance with normal salary review practices of the Architect.

ARTICLE 12 OTHER CONDITIONS OR SERVICES

(Insert descriptions of other services, identify Additional Services included within Basic Compensation, and insert modifications to the payment and compensation terms included in this Agreement.)

* 12.1 The consultants retained at the Architect's expense are:

Associate Architect.
Cannon Moss Brygger and Associates
401 Douglas Street, Suite 500A
Sioux Falls, IA 51102-3689

Structural Engineer:
Johnston Burkholder
930 Central
Kansas City. MO 64105-1607

Mechanical. Electrical. and Plumbing Engineer:
Associated Consulting Engineers, Inc.
110 East 12th Street
Sioux Falls, SD

Civil Engineer:
To be determined

Planner:
CSG/Facility Group
2204 NE 75th Street
Kansas City, MO 64118

Food Service Consultant:
To be determined.

Continued on next page

* 12.2 The parties' rights and obligations under this Agreement shall be subject to the condition precedent that the Project receives the approval of the Nebraska Commission on Law Enforcement and Criminal Justice. If such approval is granted with conditions requiring changes to the terms and conditions of this Agreement, the parties shall endeavor to agree to those changes to conform to the approval granted.

This Agreement entered into as of the day and year first written above

OWNER ARCHITECT

(Signature)

(Signature)

(Printed name and title)

(Printed name and title)

Certification of Document's Authenticity
AIA Document D401 - 2003

I, Steve Davis, hereby certify, to the best of my knowledge, information and belief that I created the attached final document simultaneously with this certification 14:10:41 on 11/15/2004 under Order No. 1000126860_1 from AIA Contract Documents software and that in preparing the attached final document I made no changes to the original text of AIA Document B141/CMA - 1992 - Standard Form of Agreement Between Owner and Architect where the Construction Manager is NOT a Constructor, as published by the AIA in its software, other than changes shown in the attached final document by underscoring added text and striking over deleted text.

(Signed)

(Title)

(Dated)

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Absent, Miller- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Miller moved, seconded by Commissioner Engel to approve the minutes of November 15, 2004 as written.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Absent, Miller- Yea, UNANIMOUS MOTION CARRIED.

The County Clerk asked to address the subject of Jail Administrator and he said that his vision down the road when hiring a Jail Administrator is that a jail administrator would need an Assistant and they are going to have a supervisor for each shift and with the budget restrictions that we have today, felt the board should be aware of that.

Payroll approved and paid

COUNTY GENERAL FUND: Gross salaries- \$77,548.22, General Fund Employees Net Pay- \$53,939.16, Employer deductions paid: Retirement- 5,122.25, Social Security Tax- 4,625.45, Medicare- 1,081.55, Unicare Health- 16,090.80, Delta Dental- 623.70, Unicare Life- 286.54.

Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 518.15, Nanci Walsh- 1098.47, Daniel Christoffers- 370.00, Bobbi Jo Harsma- 863.44, Theodore Piepho- 1407.81, Lora Skow- 840.00, Joan Spencer- 1053.41, Darlene Davis- 795.20, Robert Giese- 1407.81, Ruth Gillaspie- 1055.94, Jolene Heinemann- 851.20, Kimberly Kuehl- 795.20, Phyllis Ridge- 872.80, Lyn Beltz- 480.00, Mark J. Dorcey- 540.09, Margaret Rahn- 1055.94, Daniel Christoffers- 370.00, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 769.60, Carol Dunham- 1055.94, Scott M Dugan- 1760.81, Joe Flynn- 1384.61, Mary Gamble- 944.00, Dustin Kinsey- 769.60, Richard Jensen- 1233.74, Franklin Morse- 45.00, Patricia Stingley- 856.00, Sandy Beers- 1000.08, Jeremy Bermel- 2169.62, Anthony Bos- 1418.55, Sergio Castillo- 1185.92, Brian Ellinger- 1795.50, Todd Hammer- 1447.95, Melvin Harrison III- 1440.72, Rodney Herron- 1564.33, Kimberly Johnson- 390.98, Jared Junge- 1613.86, Michael Kreegar- 1507.28, Gayle Richards- 744.80, Kevin Rohde- 1209.84, James Wagner- 1760.81, Randall Walsh- 1678.10, Rita Chase- 940.80, Amber Hegarty- 1633.98, Aimee Kennedy- 717.94, John Loos, Jr.- 1557.06, Edward Matney III- 2277.70, Debra Schmiedt- 1884.62, Bobbi Strong- 777.60, Nicole Sims- 1098.47, Rebecca Broer- 1293.60, Richard Criss- 1263.74, Eric Davis- 1165.61, Penny Epting- 1149.85, Ronald Fink Jr.- 889.20, John Gilles- 1248.98, Michael Gregerson Jr.- 1308.10, Alma Gunderson- 1197.90, Paula Harrigfeld- 466.81, Cathy Harsma- 1145.44, Joseph Ramirez- 1034.83, Linda Schovanec- 1132.10, Arnold Mellick- 115.39, Cynthia Purucker- 878.40, Leon Pies- 537.20, Pamela DeVries- 1398.56, Gloria Dwyer- 856.00, Patricia Glover- 969.75, Judi Neswick- 13.00, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 7,075.30, State- 2,514.47, Social Security Tax- 4,624.45, Medicare- 1,081.55, Retirement- 3,469.46, Unicare Health- 1,712.39, Delta Dental- 382.15, Colonial Health- 35.20, Sheriff Union Dues- 75.00, Colonial Life- 3.00, Deferred Comp- 791.22, Garnishments- 989.65, Aflac Health- 491.37, Aflac Life/Dsbl- 128.05, Aflac Flex Plan- 340.00.

COUNTY ROAD PAYROLL: Gross salaries- \$13,701.17, Road Employees Net Pay- \$9,651.10, Employer deductions paid: Retirement- 924.81, Unicare Health- 3,169.40, Delta Dental- 122.85, Unicare Life- 54.67, Social Security Tax- 818.54, Medicare- 191.43.

Joel Broekemeier- 1082.40, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1213.57, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,127.44, State- 408.20, Social Security- 818.54, Medicare- 191.43, Retirement- 616.57, Unicare Health- 300.70, Delta Dental- 78.32, Reassure America Life- 9.76, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 153.35, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,425.90, Cops Fast Employee Net Pay- 979.94, Employer deductions paid: Retirement- 110.51, Unicare Health- 243.80, Delta Dental- 9.45, Unicare Life- 4.43, Social Security- 88.41, Medicare- 20.68, Brent Gilster- 1425.90.

COPS FAST GRANT: Employee withholding paid to: Federal- 189.56, State- 63.89, Social Security- 88.41, Medicare- 20.68, Retirement- 78.42, Sheriff Union Dues- 5.00.

VISITORS PROMOTION: South Sioux City Chamber of Commerce: Lodging Tax- 13,867.70.

Vice Chair Hartnett adjourned their meeting at 3:48 p.m.

Jacqueline Hartnett, Chairman

ATTEST:

Theodore A. Piepho, County Clerk

* * * *

DAKOTA COUNTY BOARD OF COMMISSIONERS
DECEMBER 6, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chairman Todd called the meeting to order at 1:37 p.m. Roll call was taken with the following members present: Miller, Engel, Bousquet, Hartnett, and Todd, recording secretary Lora Skow. The Pledge of Allegiance was recited.

Payroll Claims.

COUNTY GENERAL FUND: Gross salaries- \$81,206.79, General Fund Employees Net Pay- \$56,644.58, Employer deductions paid: Retirement- 5,388.06, Social Security Tax- 4,878.82, Medicare- 1,141.01, Unicare Health- 15,846.35, Delta Dental- 614.25, Unicare Life- 281.46.

Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 341.70, Nanci Walsh- 1098.47, Daniel Christoffers- 373.47, Bobbi Jo Harsma- 900.00, Theodore Piepho- 1407.81, Lora Skow- 847.88, Joan Spencer- 1053.41, Darlene Davis- 795.20, Robert Giese- 1407.81, Ruth Gillaspie- 1055.94, Jolene Heinemann- 851.20, Kimberly Kuehl- 795.20, Phyllis Ridge- 872.80, Lyn Beltz- 360.00, Mark J. Dorsey- 540.09, Margaret Rahn- 1055.94, Daniel Christoffers- 373.47, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 769.60, Carol Dunham- 1055.94, Scott M Dugan- 1760.81, Joe Flynn- 1230.76, Mary Gamble- 944.00, Dustin Kinsey- 769.60, Richard Jensen- 1233.74, Patricia Stingley- 684.80, Sandy Beers- 1000.08, Jeremy Bermel- 1989.49, Anthony Bos- 2102.10, Sergio Castillo- 1447.00, Brian Ellinger- 2291.40, Todd Hammer- 1425.90, Melvin Harrison III- 1863.54, Rodney Herron- 1857.63, Kimberly Johnson- 499.46, Jared Junge- 2195.36, Michael Kreegar- 1930.10, Gayle Richards- 744.80, Kevin Rohde- 1052.00, James Wagner- 1760.81, Randall Walsh- 1928.95, Rita Chase- 940.80, Amber Hegarty- 1633.98, Aimee Kennedy- 826.40, John Loos, Jr.- 1557.06, Edward Matney III- 2277.70, Debra Schmiedt- 1884.62, Bobbi Strong- 777.60, Nicole Sims- 1098.47, Rebecca Broer- 1458.60, Richard Criss- 1294.88, Eric Davis- 1265.06, Penny Epting- 1268.80, Ronald Fink Jr.- 1278.23, John Gilles- 1270.33, Michael Gregerson Jr.- 1041.40, Alma Gunderson- 1353.00, Paula Harrigfeld- 435.34, Cathy Harsma- 1336.90, Joseph Ramirez- 1146.88, Linda Schovanec- 1181.98, Arnold Mellick- 115.39, Cynthia Purucker- 878.40, Leon Pies- 537.20, Pamela DeVries- 1398.56, Gloria Dwyer- 856.00, Patricia Glover- 952.46, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 7,799.99, State- 2,767.91, Social Security Tax- 4,878.82, Medicare- 1,141.01, Retirement- 3,656.56, Unicare Health- 1,306.64, Delta Dental- 362.38, Colonial Health- 35.20, Sheriff Union Dues- 75.00, Colonial Life- 3.00, Deferred Comp- 712.78, Garnishments- 989.65, Aflac Health- 472.42, Aflac Life/Dsbl- 128.05, Aflac Flex Plan- 340.00.

COUNTY ROAD PAYROLL: Gross salaries- \$13,711.32, Road Employees Net Pay- \$9,658.08, Employer deductions paid: Retirement- 925.50, Unicare Health- 3,169.27, Delta Dental- 122.85, Unicare Life- 54.54, Social Security Tax- 819.17, Medicare- 191.58.

Joel Broekemeier- 1092.55, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1213.57, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,128.90, State- 408.73, Social Security- 819.17, Medicare- 191.58, Retirement- 617.02, Unicare Health- 300.69, Delta Dental- 78.28, Reassure America Life- 9.76, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 153.35, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,793.40, Cops Fast Employee Net Pay- 1,188.06, Employer deductions paid: Retirement- 138.99, Unicare Health- 243.79, Delta Dental- 9.45, Unicare Life- 4.42, Social Security- 111.19, Medicare- 26.00, Brent Gilster- 1793.40.

COPS FAST GRANT: Employee withholding paid to: Federal- 276.38, State- 88.13, Social Security- 111.19, Medicare- 26.00, Retirement- 98.64, Sheriff Union Dues- 5.00.

The insurance committee met with the County Officials, Sheriff's Department Union Representatives, and the Road's Union Representatives to discuss insurance benefits. Many questions were asked and unanswered. Employees are asking if there is any provision for opting out of the county insurance if they are covered by their spouse's plan and are required to pay any amount of the county premium for insurance benefits. If those employees denied coverage by the county's insurance company, what would that do to the insurance premiums and the rates per employee. The County's elected officials are gathering information to bring back to the insurance committee before any decisions will be made. Union contracts have yet to be adopted and may have an affect on the proposed insurance benefits also. Ron Rapp and Don Faber attended the commissioners meeting and discussed self-funding insurance. The Insurance Benefit item will be on the December 20, 2004 regular meeting for more discussion.

Chief Deputy, Rod Herron discussed the purchase of a vehicle for the Sheriff's Department. Several bids were obtained.

Motion by Miller, second by Engel to purchase a 2001 Chevy Blazer with 20,000 miles for \$13,600 from Knoepfler Chevrolet.

Roll Call Vote: Ayes; Engel, Bousquet, Hartnett, Todd, Miller. Nays; none. Motion carried.

Chief Deputy Herron also gave the commissioners a pamphlet on transport vans. The transport vehicles that the sheriff's department has now are over 200,000 miles and are unreliable for long transport trips. The van would cost in low to mid twenties. It would be cheaper to buy a transport van and do the transports by the sheriff's department personnel than to keep paying Guard-rite, the service that transports inmates to and from court dates and physician appointments. Bills to Guard-rite, in some months, have been over \$5000.00. They are very expensive and have not gotten inmates to their court dates on time. In meetings with the US Marshall's Service, they indicated that they might help purchase a transport van and pay for man hours it is used to transport their prisoners which would help with cash flow and keeping costs under control.

Sheriff Jim Wagner stepped down from the position of Jail Administrator for the past 21 years and appointed Chief Deputy Rod Herron to fill the position. Motion by Bousquet, second by Miller to accept the appointment. Roll call vote: Ayes; Bousquet, Hartnett, Todd, Miller, Engel. Nays; none. Motion carried.

Ed Matney recommended changing Item J of the Ameritas Bonding Agreement by taking out the words, "for cause." Bousquet wants a set schedule and cost per bond with no open-endedness in the contract. Architect and contractor contracts are ready to be signed.

A lengthy discussion was held about the Homer South Bridge with JEO representative, Brian McDonald. According to Mr. McDonald, the bridge meets all design standards for a 60" truck and so JEO's contractual agreement with the county has been fulfilled. The Commissioners have some safety and feasibility concerns about the intersection and approach to the bridge as constructed. The commissioners feel that now is the time to address the need to have an intersection that is safe and adequate for a long period of time. Redesign of the intersection and approach needs to be done now not when the final grading is done and the project is finished. Commissioners Miller and Bousquet, Mr. McDonald, and Arnie Mellick met with several concerned citizens at the bridge site. They feel that the intersection needs to be moved further south in order for a 75" semi truck and trailer to turn into the northbound lane and be completely straight before entering the bridge. Commissioners and citizens would like to have the approach to the bridge straight and level so that oncoming traffic can be seen and loads on the semi trailers do not shift and turn the trucks over or throw them into the guardrail of the bridge. Mr. McDonald agreed to do some redesign work on the intersection and approach at no charge to the county while the County will be responsible for purchase of approximately six tenths of an acre and building the road further to the south. Rough grading of the intersection and approach will be done now to make the bridge usable for the winter. Elevation stakes will be put up as soon as the redesign work is completed so that citizens can see the proposed changes before the road is built in the spring.

Motion by Bousquet, second by Miller to purchase approximately 6/10 of an acre and to move Wigle Creek Road to the south an adequate distance so that a 75' semi truck/trailer can approach the bridge straight on and level.

Roll call vote: Ayes; Hartnett, Todd, Miller, Engel, Bousquet. Nays; none. Motion carried.

An appraisal needs to be completed, the landowner approached, a purchase agreement drawn up, and the electric company contacted to move electrical poles in order for construction progress to continue in the spring. Miller would like to see the redesign plans before the road work is started to make sure it is going to work.

Motion by Todd, second by Miller, to enter executive session at 2:50 p.m. for Union negotiations. Roll call vote: Ayes; Todd, Miller, Engel, Bousquet, and Hartnett. Nays; none. Motion carried.

Motion by Bousquet, second by Hartnett to exit executive session at 3:50 p.m. Roll call vote: Ayes; Todd, Miller, Engel, Bousquet, Hartnett. Nays; none. Motion carried. Hartnett was excused to continue union negotiations.

Linda Dahl asked the board about the progress of her tort claim. Chairman Todd explained that the issue was turned over to the insurance company and that they gave the board two recommendations: 1) to deny the claim or 2) to table the claim indefinitely. Motion by Miller, second by Bousquet to deny the claim. Roll call vote: Ayes; Miller, Engel, Bousquet, Todd. Nays; none. Absent; Hartnett. Motion carried.

Motion by Bousquet, second by Engel to approve minutes of the November 22, 2004 meeting as written. Roll Call Vote; Engel, Bousquet, Miller, Todd. Absent; Hartnett. Motion carried.

Commissioner Miller moved, seconded by Commissioner Bousquet to transfer Dakota County Abandoned Vehicle Title Number 04324700034 on a 1921 Pontiac Grand Am SE two door bearing the serial number 1G2NE1439NC298933 to Axles & Gears dba C & H Truck parts for consideration of the storage and towing charges due against said vehicles. Roll call vote: Ayes; Bousquet, Todd, Miller, Engel. Nays; none. Absent; Harnett. Motion carried.

Bousquet gave a jail project update. The county road department has removed all the trees. Don Evans will be at the courthouse on December 7, 2004 to get the signed contracts. Bousquet mentioned that he would need board permission to go to Shawnee, Oklahoma with Dan Evans, Steve Davis, and the jail administrator to show them a pod style jail. It was suggested that they make a trip to Elk Point, South Dakota and view that jail.

Chairman Todd talked about correspondence from NIRMA. NIRMA is working with an insurance company to cover 'catastrophic' medical expenses of inmates. The cost is between 20 and 90 cents per day, per inmate. This would be a set budgeted amount. Chairman Todd also suggested looking into a company called Demandstar. This company is a bid service for products. Nanci Walsh will look into both of these issues.

Chairman Todd adjourned the meeting at 4:25 p.m.

Lyle Todd, Chairman

ATTEST:

Theodore A. Piepho, County Clerk

* * * *

DAKOTA COUNTY BOARD OF COMMISSIONERS
DECEMBER 20, 2004 PROCEEDINGS
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chairman Todd called the meeting to order at 10:09 a.m. Roll call was taken with the following members present: Miller, Engel, Hartnett, and Todd and Ted Piepho secretary. Commissioner Bousquet absent. The Pledge of Allegiance was recited.

Commissioner Hartnett reported on union negotiations and that the last offer by the sheriff's union was 55 cents the first year, 65 cents the second year and 75 cents the third year. The county's latest offer was 30, 40 and 50. The road union and county have agreed to 2 percent the first year (2005) and three percent for the second and third years.

Commissioner Bousquet arrived at 10:45 a.m.

The board reviewed the claims submitted by the County Clerk, which were filed with him for payment.

Chair Todd recessed their meeting at 11:59 a.m. for lunch.

Chair Todd reconvened their meeting from lunch at 1:30 p.m.

Members present: Miller, Engel, Hartnett, Bousquet, Todd and Ted Piepho secretary.

Madelyn Thorsland, from the Assessor's Office, present the board with a list of Tax List Corrections. The list included the following:

Parcel number	Tax Change	Notes
220154937	-210.10	Spirk TERC #03R-983
220022216	-463.92	Kavanaugh TERC #03R-312
220007241	-445.20	Krause TERC #03R-152
220027080	-249.80	BRALDA TERC #03C-20
220219123	108.24	Graves Equipment filed after tax roll run
220205655	-569.86	Bradley TERC 03C-1
220205922	-13,145.24	Bradley TERC 03C-2
220205922	-12,727.04	Bradley TERC 02C-12
220205655	-551.72	Bradley TERC 02C-13
220068860	-41,903.24	IBP TERC 02C-46
220068860	-38,565.06	IBP TERC 03C-110
220068860	-33,662.16	IBP TERC 04C-212

Value lost \$7,550,975 over three years (2002, 2003, 2004 Tax Rolls)

Value added 6,246

Net value lost: \$7,544,729

Tax Lost \$142,493.44

Tax added 108.24

Net Tax lost \$142,385.20

Commissioner Miller moved, seconded by Commissioner Bousquet to approve the Tax List Correction as presented by the Assessor's Office itemized above and to authorize the Chair to sign same.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED.

Lou Franco appeared before the board and requested that she be able to maintain her old address instead of her new address on Franco Drive. She said that Franco Drive is not through to her house and that she still uses the old drive to gain entrance to her house.

The board referred her to Pat Foust, LEC Director since his department assigns addresses.

Commissioner Hartnett moved, seconded by Commissioner Engel to approve the acquisition of One (1)2005 Mack Truck, by the County of Dakota through a Lease-Purchase Agreement with NACO Leasing Corporation as follows:

IN THE COUNTY OF DAKOTA
IN THE STATE OF NEBRASKA

RESOLUTION NO. _____

A RESOLUTION APPROVING THE EXECUTION AND PERFORMANCE OF A LEASE-PURCHASE AGREEMENT WITH NACO LEASING CORPORATION FOR ACQUISITION OF PROPERTY.

BE IT RESOLVED by the Board of Commissioners of the County of Dakota, in the State of Nebraska, that this Board hereby approves and authorizes the acquisition of One (1)2005 Mack Truck, by the County of Dakota through a Lease-Purchase Agreement with NACO Leasing Corporation. The Lease-Purchase Agreement shall include the following terms, with such changes as are deemed reasonable or necessary by the Chairman of the Board of Commissioners.

1. Principal Amount: \$71,616.00
2. Interest Rate: 2.650%
3. Payment Amount: \$12,502.87
4. Term: December 23,2004, through January 1, 2008
5. Payment Frequency: Semiannually

Settlement and closing of the Lease-Purchase Agreement shall be on or about December 23, 2004. NACO Leasing Corporation shall send payment to the equipment vendor or owner for acquisition of the property on the date on which NACO Leasing Corporation receives the signed Lease-Purchase Agreement and accompanying documents from the County.

BE IT FURTHER RESOLVED, that the Chairman or Vice Chairman of the Board of Commissioners and the County Clerk are hereby authorized and directed to sign the Lease-Purchase Agreement and related certificates and documents.

This Resolution shall be in full force and effect from and after its passage.

Passed and adopted this 20th day of December, 2004.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED.

Dave Rasmussen presented a petition containing 154 signatures to replace the bridge under construction south of Homer

David Rasmussen appeared before the County Board of Commissioners and presented a petition with 154 signatures calling for replacement of the new bridge south of Homer, Project BRO 7022 (11) because it was engineered two feet too high on the South end and 6" to high on the North end.

Mr. Rasmussen said that his concern with the new bridge is and that everybody in the area feels the bridge needs to be torn down and reconstructed. Nobody feels that there needs to be a curve or slope

in the bridge, which creates unsafe conditions. It should have been placed in there straight at the proper level, since we have the property to do that and I have a list of 154 people in the area that feel the same as I do. What is going to be done about meins situation just north of the bridge?

Commissioner Bousquet asked Mr. Rasmussen if he was familiar with all the things that they were going to do in that area to correct the situation.

Mr. Rasmussen said, partially yes.

Commissioner Bousquet said that they were planning to move Wigle Creek to the South 90 feet, which will allow a lot more distance to get straight before entering on the bridge. Also, all the grade will be brought up to the new bridge so that it is flat. You're not going to come up on any grade to enter on to the bridge. You're going to have a flat surface before entering on to the bridge. As far as tearing a bridge down and reconstructing, I think that would be a court battle that we would never win.

Mr. Rasmussen , but there was a safety concern. He said that somebody is going to slide into that rail. Along with that, I have a letter from Paul Heller from the Homer School District expressing his concern. December 20, 2004

Dakota County Commissioners
Dakota County Court House
Dakota City, NE 68731

Dear Ladies and Gentlemen:

I am writing to express my concern for the new bridge constructed one mile south of the school in Homer.

My first concern is for the safety of my students and employees. The angle of the bridge will cause problems for my buses, especially in the morning hours. I doubt that any sanding or salting will take place before 7 a.m. when our buses start out. The extra height of the road will probably result in extremely deep and steep ditches on both sides of the bridge.

My second concern is for the expense of the extensive road work this bridge will need to become even remotely useable, not to mention the possibility of a new bridge being installed. If the bridge were to be replaced, I am concerned about the additional time of a needed detour.

Please be realistic about the safety concerns, as I have heard that the bridge will be salted/sanded constantly in the winter, but we all know that this will not be done before 7:00 a.m.

I appreciate your consideration of the matter on behalf of my students and employees that need to utilize this road.

Sincerely,
Paul Heller,
Superintendent

Commissioner Todd said that the engineering firm confirmed that the bridge is too high, and I think we all know that but they have also expressed that there is not a safety concern because the bridge is too high and the bridge as it is now meets all state guidelines and safety guidelines and design guidelines.

Commissioner Bousquet said that Brian from JEO brought us a layout for that bridge for site distance and everything and it meets the guidelines. Our hands are kind of tied.

Commissioner Todd said that it looks like we're going to have to just let the letter project be finished and then evaluate the project.

Mr. Rasmussen said, that's a little late, isn't it.

Mr. Rasmussen asked how far north the road would be.

Mr. Meins was concerned about water running down through his buildings.

Mr. Mellick said no. I'm thinking we're going to have to put a tube in your driveway.

The board did not address the agenda item of Health Insurance.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to approve and enter into an Agreement with Woodbury County to House our juveniles as follows:

DAKOTA COUNTY JUVENILE COURT RESPONSIBILITIES:

A. Will contact Juvenile Detention to determine if the current population will allow the admittance of the juvenile.

B. Provide 24 hour Intake services in order to authorize placement of the child in Detention.

C. Provide transportation arrangements for the child to be taken to Juvenile Court, routine medical treatment, i.e. Doctor or Dentist Appointment, and/or psychological or psychiatric evaluation.

D. Provide social information about the child, and his/her family to the Detention Center as deemed necessary to assist Detention in providing services to the child.

- E. Provide payment of costs for evaluations, medical exams/treatment, medication or psychiatric care not otherwise paid by family, Title XIX, medical insurance or Family Centered Services.
- F. Provide assistance to the Detention Staff in arranging for emergency psychiatric treatment.
- G. Provide information/Court Order to the Detention staff regarding visitation/phone contact restrictions for the child with family, guardian, or legal custodian.
- H. Maintain contact with the Detention Caseworker at least once a week to determine the progress of the child.
- I. Provide information about the child where there exists probable cause to believe the child is likely to harm himself/herself, or others.
- J. If the population of the facility nears capacity, the juvenile will be removed from the facility within 24 hours.
- K. Payment at the rate of \$100.00 per day per juvenile.

WOODBURY COUNTY JUVENILE DETENTION RESPONSIBILITIES:

- A. Complete an Intake/Informal Checklist on the child.
- B. The Detention Caseworker will obtain from Dakota County Juvenile Court Services, Social Histories on those children held four (4) days or longer, and will develop a caseplan outlining the immediate short term goals of Detention for the child prior to his/her placement in a more permanent placement.
- C. The Detention Center will provide well balanced meals and snacks, appropriate sleeping facilities, personal hygiene products, and adequate clothing.
- D. The Detention Caseworker will notify the Juvenile Court Staff, and The Dakota County Attorney's Office of any serious behavioral incidents involving the juvenile within 24 hours excluding weekends and holidays following the incident.
- E. Provide crisis counseling to the child.
- F. Provide educational and recreational services to the child.
- G. Provide transportation to the hospital in an emergency medical situation.
- H. Attempt to obtain all necessary medical and other released from the family and child

 Mark Olsen, Detention Director Date

 Board of Commissioners, Chairman Date

Interlocal Agreement
 Responsibility/Service Agreement
 Between Woodbury County Juvenile Detention Center
 And Dakota County Juvenile Court
 ROLL CALL VOTE: Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, UNANIMOUS
 MOTION CARRIED.

The Board briefly discussed Electronic Monitoring.
 Nikki Simms will be under Rod Herron instead of the County Attorney. Nikki, Ed Matney and Rod Herron were all in agreement with that.

Commissioner Hartnett moved to convene into Closed Executive Session.
 The board decided to do a couple items of business before executive session.

Commissioner Miller moved, seconded by Commissioner Hartnett to approve the tax refund as specified in Deputy Treasurer's letter as follows:
 DECEMBER 14, 2004

COUNTY OF DAKOTA COUNTY
 ATTN NANJI WALSH
 P.O. BOX 338
 DAKOTA CITY, NE 68731

DEAR NANJI,

THIS IS TO NOTIFY YOU OF A TAX REFUND FOR SOUTH SIOUX CITY PLAZA ADDITION AND IBP, INC. FOR TAX YEARS 2002 and 2003 FOR BOTH COMPANIES.

ACCORDING TO STATE STATUTE 77-1736.06 WHEN A REFUND IS DUE AND MORE THAN \$200.00, THE TREASURE MUST NOTIFY THE SUBDIVISIONS. THE SUBDIVISIONS THEN WOULD HAVE 30 DAYS TO FILE A HARDSHIP LETTER WITH THE COUNTY TREASURER.

THESE REFUNDS WERE GRANTED BY THE NEBRASKA TAX EQUALIZATION AND REVIEW COMMISSION. THE AMOUNT FOR SOUTH SIOUX CITY PLAZA FOR DAKOTA COUNTY FOR 2002 IS \$1837.17 AND 2003 IS \$2290.82 FOR A TOTAL OF \$4127.99.

THE AMOUNT FOR IBP, INC. FOR DAKOTA COUNTY FOR TAX YEAR 2002 IS \$7,283.81 AND FOR 2003 IT IS \$7,951.69 FOR A TOTAL OF \$15,235.50.

IF AT ALL POSSIBLE, MAYBE WE COULD DO THE SOUTH SIOUX CITY PLAZA REFUND OUT OF THE DECEMBER COLLECTIONS AND THE IBP, INC. REFUND OUT OF THE APRIL COLLECTIONS.

AGAIN, IF THIS WILL CAUSE A HARDSHIP, YOU MUST FILE A LETTER WITH THE COUNTY TREASURER WITHIN 30 DAYS OF THIS NOTICE.

CORDIALLY YOURS,

RUTH GILLASPIE
DEPUTY COUNTY TREASURER

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Engel to moved, to approve the
SIOUXLAND HUMANE SOCIETY, INC.
AGREEMENT WITH THE
COUNTY OF DAKOTA COUNTY, NEBRASKA

This Agreement effective the ___ day of January, 20__ is entered into by and between the SIOUXLAND HUMANE SOCIETY, INC. (hereinafter "SHS"), and the COUNTY OF DAKOTA, state of Nebraska (hereinafter "County").

WHEREAS, SHS is a nonprofit corporation which maintains facilities for humane shelter, care and disposal of dogs, cats and other animals; and

WHEREAS, the County has certain responsibilities to enforce its Resolutions and state laws pertaining to stray or unleashed animals; and

WHEREAS, the County wishes to use the services and facilities of SHS, from time to time, to assist the County in the enforcement of said ordinances and state laws and in the humane treatment of animals.

IT IS THEREFORE AGREED as follows:

1. Impoundment. Upon delivery of any animal to SHS by any authorized representative of the County, SHS shall provide humane shelter services, including feeding and medical care and, if necessary, isolation, for a period of at least three (3) days. If the animal has not been retrieved by its rightful owner by the end of such period, the animal shall be disposed of as determined by SHS, in its sole discretion.
2. Authorized Representative. For purposes of this Agreement, an authorized representative of the County shall mean any sheriff or sheriffs deputy, any police officer, any animal control officer or any person authorized by telephone by County personnel.
3. Fees for Services. SHS shall be paid the following fees for its services:
 - a. For each animal brought to the shelter, an incoming fee of \$10.00;
 - b. For housing each animal, \$7.00 per day, for a maximum period of 4 days. (In accordance with SHS policy, each animal will be held for a minimum of three (3) days for a minimum housing fee of \$18.00.
4. Responsibility for Fees.
 - a. In the event the rightful owner of the animal retrieves the animal from SHS, all fees shall be collected from the owner prior to release of the animal. In addition, SHS reserves the right to charge additional fees to such owner. SHS shall make a report to the County of all animals retrieved by their owners.
 - b. In the event the rightful owner does not retrieve the animal within 4 days, the County shall be responsible for such fees upon submission of an itemized statement from SHS. Fees are due within ten (10) days of billing.
5. Animals Captured or Impounded by County- The County agrees to turn over to SHS for adoption or disposal any animals impounded by the County which are not claimed by the rightful owner within the time period provided by County Resolution.
6. Right to Euthanize. Notwithstanding any minimum holding period provided herein, SHS reserves the right to euthanize at any time any animal which SHS determines, in its sole discretion, is suffering needlessly and will not benefit from medical treatment.
7. Hold Harmless. The County agrees to hold SHS and its employees, volunteers and directors harmless from any right, demand, claim or cause of action arising from any wrongful receipt, impounding or disposition of any animal which is sheltered, retrieved, euthanized or disposed of under this Agreement, so long as SHS complies with the terms of this Agreement.

8. Representations. The County represents that it has been duly authorized to enter into this agreement by the proper body and that the person executing the same on behalf of the County is authorized to do so. SHS represents that it has been duly authorized to enter into this agreement by its board of directors.

9. Term of Agreement. This agreement shall remain in force until properly terminated by either party. Termination shall be effected by either party giving written notice to the other at least thirty (30) days prior to the date of termination. For the purpose of giving notice, the addresses of the parties stated below are sufficient until such time as a party notifies the other of a change in address.

SIouxLAND HUMANE SOCIETY, INC. COUNTY OF DAKOTA

By: _____
Executive Director

By: _____
Chairperson, County Board

Signed: _____, 2004
Date

Signed: _____, 2004
ATTEST: Date

Theodore A. Piepho,
County Clerk

Address:
1665 18th Street
Sioux City, Iowa

Address:
Dakota County Board of Commissioners
%Dakota County Clerk
P.O. Box 39
Dakota City, NE 68731-0039

ROLL CALL VOTE: Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Engel to convene into Closed Executive Session to discuss union negotiations with Rod Herron.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, UNANIMOUS MOTION CARRIED 3:12 p.m.

Commissioner Hartnett moved, seconded by Commissioner Todd to reconvene into Open Session.

ROLL CALL VOTE: Engel- Yea, Bousquet- Yea, Hartnett- Yea, Todd- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED 3:51 p.m.

Commissioner Engel moved, seconded by Commissioner Hartnett to approve the claims submitted by the County Clerk to be paid as follows:

GENERAL FUND: Cellular One, phone- 29.32; Dakota County Star, publishing- 392.94; Myron Franzen, mileage- 78.75; Jackie Hartnett, mileage- 90.72; Perkins, supplies- 28.35; BearGraphics, security paper/title envelopes- 648.64; Ben Star Packaging, printer paper- 195.15; Cellular One, phone- 27.57; Des Moines Stamp, lien stamps- 59.80; MIPS, backup tapes- 256.81; NetSys+, computer work- 386.25; Perkins, supplies- 151.33; Staples, software- 85.54; Ted Piepho, mileage- 82.50; Robert Giese, mileage- 76.65; Charlotte Doenhoefer, prior yrs- 10.00; Ruth Jensen, prior yrs- 12.00; Nadine Lewon, prior yrs- 17.00; Mardell Sorenson, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; AJ Phillips, office supplies- 142.00; DAS Imservices, data service- 24.00; Microfilm Imaging Systems, lease equipment- 240.00; Dakota City Postmaster, stamps- 123.00; Vince Kramper, folding chairs- 90.00; Carol Sue Dunham, mileage- 57.64; Iowa Office Supply, toner- 100.99; Staples, office supplies- 127.98; BenStar Packaging, computer paper- 252.70; DAS Material, office supplies- 177.05; Office System Company, typewriter contract- 98.75; Sams Club, wall clock- 39.26; Star Printing & Publishing Co., envelopes- 485.00; Thomson West, CD Rom Services- 110.00; Thurston County Court, transcript reimbursement- 39.84; United Bank of Iowa, lease payment- 158.04; Lexis Nexis, law books- 153.05; Iowa Office Supply, calendar- 19.09; Clerk of Legislature, LB History- 14.08; Cellular One, phone- 32.39; Scott Dugan, mileage- 112.50; Frank Gonzalez, interpreting- 360.00; NSBA, dues- 320.00; Perkins, office supplies- 93.66; United Bank of Iowa, lease- 90.40; Clerk of District Court, district court costs- 1159.00; Clerk of Supreme Court, appeal- 66.50; Coffee King, coffee- 40.72; William Binkard, counsel- 2236.84; Alexander Esteves, counsel- 837.96; Michael Schmiedt, counsel- 315.00; Richard Thramer, counsel- 1329.00; William Binkard, counsel- 870.68; John Carpenter, witness fees- 22.25; Dakota County Court, court costs- 1864.15; Shelley A. Horak, counsel- 174.00; Hurley Law Office, counsel- 1044.00; Sandra K Inkster Ehrich, counsel- 933.00; Barbara Kueny, counsel- 222.00; Tesa Newsom, witness fee- 27.50; Lloyd A Petersen, witness fee- 23.75; Douglas Roehrich, counsel- 1506.00; William St. Cyr, witness fees- 21.87; Richard Thramer, counsel- 969.60; Patrick Tott, counsel- 720.00; Nathan Tucker, counsel- 610.80; Berenstien, Moore, Berenstien, architect service- 3157.00; Maximus, preparation of cost allocation plan- 1158.41; A-Team, air conditioner service- 1505.84; BenStar Packaging, paper supplies- 200.36; State Fire Marshall, inspection- 120.00; Foulk Bros. Plumbing- install water heater- 2476.32; Gill Hauling, dumpster service- 110.00; Grainger, supplies- 742.79; Hardware Hank, supplies- 130.65; Rick Jensen, mileage- 116.21; Lowes, supplies- 1054.89; Menards, supplies- 125.40; MidAmerican Energy, gas- 1523.01; NPPD, electric- 1536.14; Qwest, phone- 40.05; Sams Club, supplies- 539.21; Service Master, cleaning- 1334.00; Cellular One, phone- 27.10; Trembly, pest control- 50.00; Dakota County Extension, mileage/supplies/copier/misc- 1000.92; Bio Key International, MDT software- 3811.50; Cellular One, phone- 82.25; Circle R Frame Aligners, vehicle maintenance- 657.20; City of South Sioux City, communications- 2851.49; ConocoPhillips, fuel- 313.20; Dakota County Star, publication- 9.63; Dakota County Sheriff, reimburse petty cash- 200.00; Dakota County Treasurer, vehicle maintenance-

216.86; Fremont Tire, tire repair- 25.75; Harolds, film developing- 238.65; HyVee, postage- 19.41; Jacks Uniforms, two light bars- 3559.90; Knoepfler Chevrolet, 2000 blazer- 10900.00; Liebers Garage, vehicle maintenance- 306.25; Midwest Radar & Equipment, 9 radar certifications- 405.00; Moore Wallace, uniform citations- 472.81; National Public Safety Information, law enforcement directory- 129.00; Poms tire service, tires- 412.65; Racom, phone- 592.00; Robertson Implement, dog food- 18.95; Secretary of State, notary renewal- 120.00; Sioux City Ford, 2-99 Explorers- 19529.00; Siouxland Federal Credit Union, training/AOL- 49.90; Siouxland Humane Society, animal control- 76.00; Siouxland Napa, vehicle parts- 266.74; The Swanson Corp, Academy meals- 815.39; Walmart, supplies- 160.61; Dakota County Sheriff, papers/warrants- 1908.59; Department of Motor Vehicles, transcripts- 7.00; General Reporting, transcript- 6.15; H2O4U, supplies- 15.75; NSBA, state bar dues- 1090.00; Sprint, phone- 123.91; St. Lukes Home Health, blood draws- 200.00; City of South Sioux City, LEC roof/Dec- 25595.13; Cellular One, phone- 27.10; Perkins, office supplies- 42.85; BI Inc, house arrest- 9280.89; BenStar Packaging, laundry detergent- 101.65; Blair West Pharmacy, inmate medical- 83.43; Bob Barker, inmate supplies- 589.72; Michael Burwell DDS, inmate medical- 116.00; Butler County Clinic, inmate medical- 230.00; Butler County Health Care Center, inmate medical- 1490.90; Butler County Detention Center, out of county boarding- 16390.00; CBM Food Service, food service- 11794.88; Jesse Castillo, interpreting- 20.00; Cedar County Sheriff, out of county boarding- 2655.00 Cellular One, phone- 116.99; Dakota County Sheriff, reimburse petty cash- 4.66; Dept. of Correctional Service, safekeepers & inmate medical- 52455.68; Dixon County Sheriff, out of county boarding- 7720.00; Gentle Dental Care, inmate medical- 126.00; Guard-Rite Security, transports- 6163.41; JP Cooke Co., notary stamp- 26.60; Keller Pharmacy, inmate medical- 63.18; Stefan Kosmowski, inmate medical- 133.28; Tom Luedtke DDS, inmate medical- 331.00; Madison County Sheriff, out of county boarding- 5450.00; MCH Health, inmate medical- 55.70; MTS Safety Products Inc, latex gloves- 180.97; Medical Imaging Physicians, inmate medical- 72.00; Mercy Medical Center, inmate medical- 1745.25; David Noble, DDS, inmate medical- 167.00; Northeast NE Juvenile Services, juvenile holding- 24223.75; Netsys+, install software- 93.75; NW Iowa Emergency Phys, inmate medical- 215.00; Physicians Clinic, inmate medical- 1506.70; Platte County Detention, out of county boarding- 18750.00; Ponca Medical Clinic, inmate medical- 250.00; Quest Diagnostics, inmate medical- 233.30; Redlers Pharmacy, inmate meds- 779.86; St. Lukes Health Resources, inmate medical- 197.00; Sams Club, food products/supplies- 48.19; Sarpy Co. Sheriff Department, out of county boarding- 170.00; Sioux City Journal, newspaper- 192.00; Siouxland Federal Credit Union, transport fuel/meals/rental- 258.67; Torco-Remfg, vehicle maintenance- 307.50; Urology PC, inmate medical- 181.00; Walmart, supplies- 71.14; Washington Co. Sheriff, out of county boarding- 17160.00; Woodbury Co. Juvenile Detention, house juveniles- 3900.00; Cellular One, phone- 27.10; Arnold Mellick, mileage- 101.25; Apex Carex Healthcare, medical chests- 55.00; Pam DeVries, mileage- 51.37; Pam DeVries, mileage- 93.00; Dunes Family Medicine, phys- 250.00; Pat Glover, mileage- 106.50; Lowes, crates- 413.96; Perkins, supplies- 170.95; Stephan Welding, paint/shelves/countertop- 2800.00; Nebraska Dept. of Health, licensure- 500.00; Cellular One, phone- 82.56; American Legion, marker- 594.50; Nebraska Notary Association, notary- 139.15; Matthew Bender, law books- 190.85; Thomson West, law books- 759.00; Aflac, service fees- 35.00; AT&T, phone- 29.37; Shirley Bentz, prior years service- 56.00; Cable One, internet- 287.80; Dakota City Postmaster, first class permit fee- 125.00; Executive copy systems, work on copier/toner- 331.39; Lazette Gifford, website- 40.00; NACO, dues- 983.00; Midwest Office Automations, copier repair- 497.70; MIPS, monthly support- 339.65; Netsys+, work on internet- 2365.63; Qwest, phone- 712.23; Qwest, phone- 65.54; Qwest, phone- 649.85; C & H, towing- 2250.00; US Postal Service, postage- 2500.00; Cy Wakeman, Inc., attorney- 250.00; WCS Telecom, phone- 415.85.

ROAD FUND: Advance Auto, parts/supplies/tools- 137.24; Air Filter Cleaning Service, clean filters- 151.56; Aramark, towel service- 125.56; ATCO, shop supplies- 334.00; Bekins Fire & Safety, extinguisher inspections- 261.37; Bomgaars, supplies- 64.71; Bridgestone, tire repair- 981.89; Cellular One, phone- 27.10; Concrete Products, concrete repair- 37.80; Coyote Chemical, pressure washer repairs- 30.22; Crane Sales & Svc, hoist repair- 127.95; Gill Hauling, dumpster service- 45.00; Great Plains Intl., parts- 154.39; Guarantee Oil, anitfreeze- 325.25; Higman Sand, road rock- 5559.69; HME Inc, rock hauling- 480.00; Hubbard Mini-Mart, fuel- 2738.01; Hydraulic Sales & Service, parts- 78.48; H2O4U, water- 13.00; Jackson Glass, parts/labor- 175.79; Joes Dept Store, supplies- 327.22; Linweld, oxygen tank supplies- 31.90; Lux Bros Trucking, haul rock- 123.65; Menards, supplies- 7.28; NPPD, service- 23.68; Newman Signs, signs- 360.00; Northeast Coop, fuel- 2387.20; Northeast Nebraska PPD, radio tower/security light- 750.00; Northeast Nebraska Telephone, phone- 181.49; Northern Truck Equipment, parts- 191.81; Parsons Equipment, supplies- 45.08; Pilger Sand & Gravel, gravel- 868.97; Piorier Equipment, parts- 94.95; PowerPlan, parts- 1014.74; Presco, blades- 1750.00; RD Customs, iron- 52.70; Rees Mack, parts/labor- 1340.36; Ricks Radiator, repairs- 68.00; Rinker, road rock- 220.10; Sioux City Iron, supplies- 142.28; Siouxland Napa, supplies/tools- 187.81; Stephen Welding, parts- 20.25; Torco, parts- 115.00; Warren Oil, fuel- 1783.90; Wilmes Hardware Hank, supplies- 51.36; Ziegler, parts/oil/credit- 627.48.

ROAD IMPROVEMENT FUND: JEO, engineering- 4695.00.

INSTITUTIONS: Beatrice State Development Center, quarterly payment- 1905.00; Norfolk Regional Center, quarterly payment- 696.00.

VETERANS SERVICE OFFICE: VSO, emergency relief- 2500.00.

STOP FUND/COUNTY ATTORNEY: NetSys+, computer repair- 75.00.

JUVENILE ACCOUNTABILITY: BI, Inc., grant electronic monitoring- 273.90; Community Justice, drug test reimbursement- 20.00; SASSI, juvenile assessments- 612.00; Nicole Sims, mileage, meal, cell reimburse- 170.92.

COMMUNITY JUSTICE: American Bio Medical, drug tests- 170.77; BI, Inc, adult electronic monitoring- 577.95.

INHERITANCE TAX: Certified Testing, geotechnical report- 3000.00; Dewild Grant Reckert & Assoc.- jail survey- 4200.00; HMN Architects, architect- 3730.36.

WEED FUND: Advance Auto Parts, filter- 5.86; Hubbard Mini Mart, fuel- 251.28; Nebraska Weed Control Assoc., 2005 membership- 106.00; Leo Pies, registration/meal- 20.97.

Payroll: COUNTY GENERAL FUND: Gross salaries- \$77,097.90, General Fund Employees Net Pay- \$53,975.16, Employer deductions paid: Retirement- 5,091.03, Social Security Tax- 4,624.04, Medicare- 1,081.44, Unicare Health- 15,846.35, Delta Dental- 614.25, Unicare Life- 281.46.

Richard Bousquet- 481.50, William Engel- 481.50, Jackie Hartnett- 481.50, Pamela Miller- 481.50, Lyle Todd- 341.70, Nanci Walsh- 1098.47, Daniel Christoffers- 370.00, Bobbi Jo Harsma- 855.01, Theodore Piepho- 1407.81, Lora Skow- 824.25, Joan Spencer- 1053.41, Darlene Davis- 795.20, Robert Giese- 1407.81, Ruth Gillaspie- 1055.94, Jolene Heinemann- 851.20, Kimberly Kuehl- 750.47, Phyllis Ridge- 872.80, Mark J. Dorcey- 540.09, Margaret Rahn- 1055.94, Daniel Christoffers- 370.00, Arnold Mellick- 242.68, Lynette Beermann- 1407.81, Michelle Criss- 769.60, Carol Dunham- 1055.94, Scott M Dugan- 1760.81, Joe Flynn- 1538.46, Mary Gamble- 944.00, Dustin Kinsey- 769.60, Richard Jensen- 1233.74, Duane Kotalik- 345.00, Sandy Beers- 1000.08, Jeremy Bermel- 2195.34, Anthony Bos- 1462.65, Sergio Castillo- 1224.57, Brian Ellinger- 1455.22, Todd Hammer- 1396.50, Melvin Harrison III- 1675.62, Rodney Herron- 1564.33, Kimberly Johnson- 567.26, Jared Junge- 1669.60, Michael Kreegar- 1667.79, Gayle Richards- 744.80, Kevin Rohde- 1084.88, James Wagner- 1760.81, Randall Walsh- 1479.15, Rita Chase- 940.80, Amber Hegarty- 1633.98, Aimee Kennedy- 826.40, John Loos, Jr.- 1557.06, Edward Matney III- 2277.70, Debra Schmiedt- 1884.62, Bobbi Strong- 777.60, Nicole Sims- 1098.47, Rebecca Broer- 1386.00, Richard Criss- 1167.20, Eric Davis- 1093.95, Penny Epting- 1168.15, Ronald Fink Jr.- 1001.81, John Gilles- 1204.75, Michael Gregerson Jr.- 1438.28, Alma Gunderson- 1224.30, Paula Harrigfeld- 516.63, Cathy Harsma- 1201.46, Joseph Ramirez- 1140.68, Linda Schovanec- 1305.00, Arnold Mellick- 115.39, Cynthia Purucker- 878.40, Leon Pies- 537.20, Pamela DeVries- 1398.56, Gloria Dwyer- 856.00, Patricia Glover- 979.19, Alan Boyd- 896.00.

GENERAL FUND: Employee withholding paid to: Federal- 7,119.38, State- 2,531.53, Social Security Tax- 4,624.04, Medicare- 1,081.44, Retirement- 3,448.45, Unicare Health- 1,306.64, Delta Dental- 362.38, Colonial Health- 35.20, Sheriff Union Dues- 75.00, Deferred Comp- 712.78, Garnishments- 989.65, Aflac Health- 472.42, Aflac Life/Dsbl- 128.05, Aflac Flex Plan- 340.00.

COUNTY ROAD PAYROLL: Gross salaries- \$13,701.17, Road Employees Net Pay- \$9,651.13, Employer deductions paid: Retirement- 924.81, Unicare Health- 3,169.27, Delta Dental- 122.85, Unicare Life- 54.54, Social Security Tax- 818.54, Medicare- 191.43.

Joel Broekemeier- 1082.40, Randall Crombie- 1086.40, Ronald Harder- 1078.40, Walter Heinemann- 1086.40, Richard Hoelsing- 1082.40, Robert Jacobsen- 1086.40, Fred Kellogg- 1078.40, Kimon Litras- 1122.40, Richard McNear- 1086.40, Arnold Mellick- 1213.57, Marlan Millard- 1086.40, Leon Pies- 537.20, James Swanson- 1074.40.

ROAD FUND: Employee withholding paid to: Federal- 1,127.45, State- 408.21, Social Security- 818.54, Medicare- 191.43, Retirement- 616.57, Unicare Health- 300.69, Delta Dental- 78.28, Reassure America Life- 9.76, Union Dues- 200.00, Deferred Comp.- 81.68, Aflac Health- 153.35, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,517.78, Cops Fast Employee Net Pay- 1,031.97, Employer deductions paid: Retirement- 117.63, Unicare Health- 243.79, Delta Dental- 9.45, Unicare Life- 4.42, Social Security- 94.10, Medicare- 22.01, Brent Gilster- 1517.78.

COPS FAST GRANT: Employee withholding paid to: Federal- 211.27, State- 69.95, Social Security- 94.10, Medicare- 22.01, Retirement- 83.48, Sheriff Union Dues- 5.00.

ROLL CALL VOTE: Miller- Yea, Engel- Yea, Bousquet- Yea, Hartnett- Yea and Todd- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Engel to recess until 2:30 p.m., Tuesday, December 21, 2004, to have an informal meeting with the architect.

ROLL CALL VOTE: Hartnett- Yea, Todd- Yea, Miller- Yea, Engel- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

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DAKOTA COUNTY BOARD OF COMMISSIONERS
 DECEMBER 21, 2004
 COUNTY BOARD ROOM
 DAKOTA COUNTY COURTHOUSE
 DAKOTA CITY, NEBRASKA

Chairman Todd reconvened the meeting to order at 2:38 p.m. Roll call was taken with the following members present: Miller, Engel, Bousquet, Hartnett, and Todd, recording secretary Lora Skow. The Pledge of Allegiance was recited.

Others present at the meeting were as follows: Nanci Walsh, Steve Davis of HMN Architects, Bill Garnes of CSG Consultants, Jerry Johnson, and Jail Administrator, Rod Herron.

Handouts were given to the Commissioners updating information from a 2002 Jail Needs Assessment done by CSG Consultants.

Jerry Johnson is working on a full-scale plan of the jail and putting construction cost estimates together. Bill Garnes is finishing up the final report on the Jail Needs Assessment. Steve Davis is going to send preliminary plans, the Jail Needs Assessment, and today's discussion notes to Dan Evans asking for a response or any red flags that he may see before final plans are submitted in January for approval.

Chairman Todd adjourned the meeting at 3:56 p.m.

 Lyle Todd, Chairman

ATTEST:

 Theodore A. Piepho, County Clerk