

Dakota County Board of Commissioners
Tuesday, January 2, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

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

Present were: Commissioners Bousquet, Engel, Hartnett, Miller, O'Neill and Ted Piepho, Secretary.

Absent: All Present.

Lou Franco appeared before the board. She showed the board a map of the airport Franco Drive, which was orange on the map, and her 50' that she traded Gene Martin for and that was shown by a green line. She illustrated the ingress and egress that she presently uses with a blue line. She had three questions of the County Board.

1. Is the county going to construct a road to the private residence (Angelo Marmo) now Franco? yes or no.
2. The road that the county put in - Does it belong to Martin or the County? Martin or County.
3. The road that the County put in -(now Franco Drive) will that county now maintain it? Yes or no

Ms. Franco asked about these issues.

She called to the board's attention a deposition in a court case with Gene Martin where Mr. Martin said that the county would maintain the road called Franco Drive (Orange Line)

Mr. Martin confirmed that and said that he offered the county ownership to the road know as Franco Drive but they did not want ownership, but the offer was still good.

Ms. Franco also submitted a copy of the December 20, 2004 board minutes where she had appeared to maintain her old address instead of Franco Drive.

She also submitted a June 11, 2001 memo that TM Holdings, LTD, Mr. Martin President of TM Holdings, where he agreed to exchange a 50' wide piece of land at the west edge of the airport property (Shown by a Green Line) for the .62 Triangular piece belonging to Angelo Marmo (shown in yellow).

Also included were copies of county Board minutes of June 11, June 18 and July 9, 2001 and an Estimate of costs, presumably, for the expansion for the Martin Airfield and identified the relocation of access road to private residence on page 9 and on a statement to Relocate access road to private residence - no cost to the Airport because it is to be constructed by Dakota County per Mr. Martin's understanding with the county on page 16.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to table any action requested by Ms. Franco and the County Attorney make a judgment ruling on the issues.

ROLL CALL VOTE: Miller- Yea, Bousquet- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, Unanimous Motion Carried.

Commissioner Miller moved, seconded by Commissioner Bousquet to convene in closed session to discuss threatened litigation.

ROLL CALL VOTE: Bousquet- Yea, O'Neill- No, Hartnett- Yea, Engel- Yea, Miller- Yea, MOTION CARRIED. 2:00 p.m.

Commissioner Bousquet moved, seconded by Commissioner Miller to reconvene in open session.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, Miller- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED 2:48 p.m.

Chair Engel recessed their meeting at 2:48 to host a coffee for the off going board members Miller and Bousquet.

Chair Engel reconvened their meeting at 3:42 p.m.

The board discussed an amended CBM Food Contract.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to approve the CBM Contract as amended and approved by the County Attorney.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, Miller- Yea, Bousquet- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Bill Rohde, Dakota County Road Director, presented Resolution 07C-001

Commissioner Miller moved, seconded by Commissioner Bousquet to adopt Resolution 07C-001 to apply to the State for Re-Classification of said road from Minimum Maintenance to RL3 as follow:

RESOLUTION 07C-001

WHEREAS, The Dakota County Board of Commissioners have decided and voted for the Re-Classification of 260th Street from a Minimum Maintenance road to a RL3 so further improvements can be made to 260th Street as described in our One and Six Year Plan, beginning at Blyburg Road and 260th Street, more particularly described as the S 1/2 Section 22 and N 1/2 Section 27, T-29-N, R-9-E and ending at 260th and the Missouri River more particularly described as the SE 1/4 Section 23 and NE 1/4 of Section 26, T-27-N, R-9-E.

WHEREAS, The regrading and graveling of this road is presently included in our One and Six Year Plan as Project ~ C22-2 12;

BE IT RESOLVED, Dakota County agrees it would be in the publics' best interest to apply to the State for Re-Classification of said road from Minimum Maintenance to RL3.

Adopted this 2nd Day of January, 2007 at Dakota County.

BOARD OF COMMISSIONERS
DAKOTA COUNTY, NEBRASKA

\s\ Bill Engel
Bill Engel, Chairperson

ATTEST

\s\ Theodore A. Piepho

Board Member Miller moved the adoption of said Resolution
Roll Call 5 yea Zero Nay

Resolution adopted, signed and billed as adopted.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, Miller- Yea, Bousquet- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

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

COUNTY GENERAL FUND: Gross salaries- \$104,504.12, General Fund Employees Net Pay- \$73,645.77, Employer deductions paid: Retirement- 7,265.35, Retirement Makeup- 34.44, Social Security Tax- 6,353.49, Medicare- 1,485.91, DC Health Plan- 29,959.52, DC Dental Plan- 774.90, Life Insurance- 176.73.

William Engel- 554.26, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Daniel Christoffers- 444.00, Tracey Corkin- 855.75, Bobbi Jo Harsma- 942.08, Theodore Piepho- 1553.28, Joan Spencer- 1135.00, Darlene Davis- 860.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 920.00, Kimberly Kuehl- 860.00, Phyllis Ridge- 908.60, Lyn Beltz- 170.00, Margaret Rahn- 1142.10, Daniel Christoffers- 444.00, Dennis Reinert- 353.87, Valerie Danielson- 1553.28, Carol Dunham- 1094.15, Dustin Kinsey- 920.00, Joe Flynn- 1779.09, Debra Jensen- 952.00, John Loos, Jr.- 1664.00, Richard Jensen- 1334.41, Duane Kotalik- 1248.00, Tammy Dunn-Peterson- 840.00, Jeremy Bermel- 1476.00, Anthony Bos- 1787.52, Brad Claypool- 1900.41, Sandy Dickens- 1071.28, Brian Ellinger- 2012.04, Penny Epting- 1634.00, Brent Gilster- 2088.40, Todd Hammer- 1670.33, Melvin Harrison III- 1840.00, Rodney Herron- 1691.98, Kimberly Johnson- 608.81, Jared Junge- 1872.73, Michael Kreegar- 1481.20, Gary Powell- 132.00, Gayle Richards- 805.60, Kevin Rohde- 1743.58, James Wagner- 1942.76, Amber Hegarty- 1752.31, Aimee Kennedy- 960.00, Edward Matney III- 2513.07, Debra Schmiedt- 2032.31, Bobbi Strong- 960.00, Kimberly Watson- 1615.38, Amanda Barclay- 1142.41, Joshua Blatchford- 832.00, Dusty Boyd- 1071.05, Rebecca Broer- 1764.31, Chad Clausen- 1077.25, Richard Criss- 1329.44, Anne Cutsinger- 945.50, Toni Duncan- 988.00, Lisa Ford- 1023.00, John Gilles- 1309.00, Alma Gunderson- 1357.57, Paula Harrigfeld- 681.82, Brenda Harrison- 1137.50, Cathy Harsma- 1329.44, Jason James- 1074.15, Sarah Jensen- 493.00, Brett Johnson- 1114.75, Nicholas Kellen- 1074.15, Matthew Mann- 933.10, Colleen McMahon-Levine- 1064.85, Diana Moctezuma- 942.40, Mark Nelson- 988.00, Jeep Phommavong- 1050.90, Joseph Ramirez- 1383.63, Brian Reed- 1086.55, Stephanie Ryan- 1047.80, Linda Schovanec- 1292.88, Heather Skow- 965.65, Alana Smith- 937.63, Justin Smith- 1057.10, Francis Tope- 992.00, Randall Walsh- 1525.20, Daniel Wood- 848.25, Randall Crombie- 177.00, Jolene Gubbels- 852.00, Leon Pies- 569.20, Pamela DeVries- 1512.68, Patricia Glover- 1069.93, Bonnie Kahler- 552.83, Alan Boyd- 970.20. GENERAL FUND: Employee withholding paid to: Federal- 10,340.90, State- 3,616.69, Social Security Tax- 6,353.49, Medicare- 1,485.91, Retirement- 4,925.80, Retirement Makeup- 24.44, DC Health Plan- 543.35, DC Dental Plan- 430.54, Colonial Health- 16.20, Sheriff Union Dues- 85.00, Deferred Comp- 588.00, Garnishments- 1,333.65, Aflac Health- 382.52, Aflac Life/Dsbl- 75.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$15,123.62, Road Employees Net Pay- \$10,831.42, Employer deductions paid: Retirement- 1,020.82, DC Health Plan- 4,384.32, DC Dental Plan- 113.40, Life Insurance- 23.17, Social Security Tax- 918.23, Medicare- 214.75.

Brent Byroad- 1134.40, Randall Crombie- 1146.40, Ronald Harder- 1138.40, Walter Heinemann- 1146.40, Richard Hoesing- 1142.40, Hans Houfek- 1134.40, Robert Jacobsen- 1146.40, Fred Kellogg- 1138.40, Kimon Litras- 1142.40, Arnold Mellick- 1146.40, Leon Pies- 569.20, William Rohde- 2000.01, James Swanson- 1138.41.

ROAD FUND: Employee withholding paid to: Federal- 1,365.06, State- 494.57, Social Security- 918.23, Medicare- 214.75, Retirement- 680.58, DC Health Plan-, DC Dental Plan- 78.28, Reassure America Life- 7.32, Deferred Comp.- 61.68, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 180.00.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, Miller- Yea, Bousquet- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner O'Neill, on behalf of the County Board and the Citizens of Dakota County to recognize and Thank Pam Miller and Rick Bouquet for their work and dedicated service to Dakota County.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, Miller- Abstained, Bousquet- Abstained, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel adjourned their meeting at 4:05 p.m.
Board of Commissioners

ATTEST:

William F. Engel, Chairman

Theodore A. Piepho, County Clerk

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COUNTY BOARD OF COMMISSIONERS
January 16, 2007 PROCEEDINGS
Re-organizational Meeting
COUNTY BOARD MEETING ROOM
DAKOTA COUNTY COURTHOUSE

Chair Engel called their regular scheduled meeting for purposes of re-organization and business to order at 10:00 a.m. with Pledge of Allegiance.

Present were: Commissioners McLarty, Engel, Hartnett, Rohde, O'Neill and Joan Spencer, Deputy County Clerk as acting Secretary.

Absent: All Present.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to approve the minutes of December 18, 2006, with a roll call shown after the motion to approve claims, and to approve the minutes of January 2, 2007 as typed.

ROLL CALL VOTE: Rohde- Yea for Engel, McLarty- Yea for Engel, Engel- Yea for Engel, Hartnett- Yea for Hartnett, O'Neill- Yea for Hartnett.

Chair Engel opened nominations for Chairman. Commissioner Rohde nominated Commissioner Engel, seconded by Commissioner McLarty. Commissioner O'Neill nominated Commissioner Hartnett as Board Chair, seconded by Commissioner Hartnett.

With no further nominations, Chair Engel closed nominations for chair and a voice vote was agreed upon.

ROLL CALL VOTE: Rohde- Yea for Engel, McLarty- Yea for Engel, Engel- Yea for Engel, Hartnett- Yea for Hartnett, O'Neill- Yea for Hartnett.

Chair Engel was re-elected as Board Chair.

Commissioner O'Neill nominated Commissioner Hartnett, seconded by Commissioner Rohde, to serve as the Vice Chair of the Dakota County Board of Commissioners. Commissioner McLarty moved, seconded by Commissioner Hartnett, for a unanimous ballot for Commissioner Hartnett to serve as the board's Vice Chair until the next re-organizational meeting.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner O'Neill, to convene into Closed Executive Session to discuss possible litigation.

ROLL CALL VOTE: Hartnett- Yea, O'Neill- Yea, Rohde- Yea, McLarty- Yea, Engel- Yea. UNANIMOUS MOTION CARRIED 10:07 a.m.

Commissioner McLarty moved, seconded by Commissioner O'Neill to reconvene in open session.

ROLL CALL VOTE: Hartnett- Yea, O'Neill- Yea, Rohde- Yea, McLarty- Yea, Engel- Yea. UNANIMOUS MOTION CARRIED 10:32 a.m.

Commissioner Hartnett moved, seconded by Commissioner O'Neill, to hire legal counsel.

ROLL CALL VOTE: O'Neill- Yea, Rohde- Yea, McLarty- Yea, Engel- Abstain, Hartnett- Yea. MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Hartnett to: (1) 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 Siouxland National Banks in South Sioux City;(2) to hold Commissioner's meetings at 1:30 p.m. on First Monday of the month and every other Monday thereafter. Be it further resolved that claims day be every (third Monday) of the month and the board shall convene at 10:00 a.m. to review claims. And finally be it resolved that the board designate other meetings it deems as necessary to conduct county business provided; one month advance notice shall be given; (3)to retain the present courthouse hours opening at 8:00 a.m. and closing at 4:30 p.m. Monday through Friday; (4) to adopt the holidays and early closings as identified in the Employee Handbook except that non bargaining employees shall observe the full day December 24th (Christmas Eve) and retain 12 hours personal floating holiday; (5) to adopt the Burial Policy as adopted September 19, 1989 and revised January 7, 2002 with typing error tow corrected to two in 'Stillborn to 2 Years Old' section #7A; (6) to appoint the Dakota County Star as the legal newspaper of the county for the calendar year 2007 and (7)

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: O'Neill- Yea, Rohde- Yea, McLarty- Yea, Engel- Yea, Hartnett- Yea. UNANIMOUS MOTION CARRIED.

DAKOTA COUNTY BURIAL POLICY

The purpose of this policy is to establish a standardization of, and a respectable burial for, all welfare burials within Dakota County at a minimum cost to the county.

The Dakota County Board of Commissioners hereby establishes Dakota County Regulations for Dakota County burials to be as follows:

1. All County burials shall be performed by a Funeral Home in Dakota County where possible, and the Dakota County Board of Commissioners, or an individual appointed by said board, shall approve all county funerals prior to the funeral service.
2. The funeral director shall not accept any form of enumeration from any source, except any state or federal funeral benefits that shall be paid to the funeral director and said amounts shall be deducted from the county obligation as stated in the attachments.
3. Dakota County shall not incur any cost for removal for burial to any destination outside Dakota County or, more specifically, a 50-mile radius.
4. Dakota County shall pay a standard fee as stated on the appropriate attachment hereto, for an approved county funeral service should death occur in Dakota County. Should death occur outside of Dakota County, an additional fee may be allowed for mileage in excess of 25 miles one way by shortest route, in the removal of the deceased to the funeral home in charge. If it is necessary to have the body embalmed at a distant point, the county may contract the burial to be performed in the county in which the body lies and reimbursement will be made to said county with prior approval by Dakota County.
5. The funeral director in charge shall furnish wood; cloth covered casket of no lessor type than a flare and square complete with sufficient handles, a burial box, facilities and minimum transportation to cemetery of burial and a lowering device at cemetery.
6. Dakota County will not pay for the setting of a tent at the grave site, nor incur any additional costs for such sundry items as memorial books, acknowledgement cards, newspaper death notices, floral tributes or other related items not deemed necessary for a respectable and dignified burial.
7. If the decedent does not own a lot, the burial must be at the Omaha Valley Cemetery near Homer, Nebraska, and the cost of opening and closing of the graves will be bore by the county. In the case where a family plot has been previously purchased, the burial may take place at said plot. However, a maximum of \$400 will be authorized for opening and closing of the grave.
8. The time and place of the service shall be set at the convenience of the funeral director in charge of the service. The funeral director shall make every effort to secure clothing from the family of the deceased and it is expected that all families shall cooperate.
9. It is the responsibility of the family to reimburse the county with any assets that become available, such as social security, etc. (Excluding any funeral benefits paid to the funeral director in number 2 of these regulations.)
10. The county will not reserve any lot or plot for kin to be buried in a particular lot or plot.

(STILLBORN TO 2 YEARS OLD)

The Funeral Home shall furnish the staff and Professional Services to include;

1. Transfer of the remains to the funeral home within twenty-five miles.
2. Professional core and preparation of the remains, including the facilities of the preparation room.
3. *Embalming
4. Transfer of the remains to the crematory
5. If cremains are to be buried in a cemetery grave, transfer to the cemetery (within twenty-five miles)
6. Securing; recording all necessary forms and permits
7. Minimum Cremation Container

TOTAL ALLOWANCE..... \$ 450.00

When family members request a funeral service with burial the following shall apply:

- A. The funeral home shall furnish a two-hour Visitation Prior To the Scheduled Funeral service at the funeral home.
 - B. The funeral home shall furnish a Minimum Casket/Vault
- For Items A and B ADD\$ 150.00

Dakota County authorizes and pays for the grave space and opening and closing of the grave at the designated cemetery (Omaha Valley Cemetery, Homer, Nebraska).

If the individual has his/her own cemetery space Dakota County will reimburse the funeral home for the opening and closing of the grave (receipt from the cemetery must be attached to the submitted claim) with a maximum not to exceed \$400.00.

(3 YEARS OLD TO 11 YEARS OLD)

The Funeral Home shall furnish the staff and Professional Services to include;

1. Transfer of the remains to the funeral home within twenty-five miles.
 2. Professional care and preparation of the remains, including the facilities of the preparation room.
 3. * Embalming
 4. Transfer of the remains to the crematory
 5. If cremains are to be buried in a cemetery grave, transfer to the cemetery (within twenty-five miles)
 6. Securing; recording all necessary forms and permits
 7. Minimum Cremation Container
- TOTAL ALLOWANCE..... \$ 650.00

When family members request a funeral service with burial the following shall apply;

A. The funeral home shall furnish a two-hour Visitation Prior To the Scheduled Funeral Service at the funeral home

B. The funeral home shall furnish a Minimum Cloth Covered Casket

C. The funeral home shall furnish a Minimum Outside Container if required by cemetery

For Items A & B ADD..... \$ 250.00

For Item C Outside Container ADD..... \$ 380.00

Dakota County authorizes and pays for the grave space and opening and closing of the grave at the designated cemetery (Omaha Valley Cemetery, Homer, Nebraska).

If the individual has his/her own cemetery space Dakota County will reimburse the funeral home for the opening and closing of the grave (receipt from the cemetery must be attached to the submitted claim) with a maximum not to exceed \$400.00

(12 YEARS OR OLDER)

The Funeral Home shall furnish the staff and Professional Services to include;

- 1. Transfer of the remains to the funeral home within twenty- five miles
- 2. Professional care and preparation of the remains, including the facilities of the preparation room
- 3. Embalming
- 4. Transfer of the remains to the crematory
- 5. If cremains are to be buried in a cemetery grave transfer to the cemetery (within twenty-five miles)
- 6. Securing; recording all necessary forms and permits
- 7. Minimum Cremation Container

TOTAL ALLOWANCE \$1050.00

When family members request a funeral service with burial the following shall apply:

A. The funeral home shall furnish a two- Hour Visitation Prior To the Scheduled Funeral Service at the funeral home

B. The funeral home shall furnish a Minimum Cloth Covered Casket

C. The funeral home shall furnish a Minimum Outside Container if required by cemetery

For Items A & B ADD..... \$ 300.00

For Item C Outside Container ADD..... \$ 380.00

Dakota County authorizes and pays for the grave space and opening and closing of the grave at the designated cemetery (Omaha Valley Cemetery, Homer, Nebraska).

If the individual has his/her own cemetery space Dakota County will reimburse the funeral home for the opening and closing of the grow (receipt from the cemetery must be attached to the submitted claim) with a maximum not to exceed \$400.00.

* State of Nebraska

Statutes, Rules and Regulations

Embalming, Funeral Directors, Funeral Establishments

71-4 Embalming Rule 4-1 Unembalmed Bodies.

The body must reach the final destination within twenty-four (24) hours following death, provided, however, that an unembalmed body may be retained in storage at a constant temperature of less than 40 degrees Fahrenheit for not more than seventy-two (72) hours. When such a body is removed from storage within twenty-four hours it must reach final destination.

(NOTE: crematories will not cremate a body until a death certificate has been filed. This usually cannot be done within 24 hours therefore, embalming has been included).

The renewal of the Employee Association Agreement was tabled until a copy of the agreement could be reviewed.

Commissioner Hartnett moved, seconded by Commissioner McLarty to reappoint Alan Boyd as Veteran's Service Officer for calendar year 2007.

ROLL CALL VOTE: Rohde- Yea, McLarty- Yea, Engel- Yea, Hartnett- Yea, O'Neill- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner McLarty to reappoint Randy Crombie as Highway Superintendent/Road Director.

ROLL CALL VOTE: McLarty- Yea, Engel- Yea, Hartnett- Yea, O'Neill- Yea, Rohde- Yea. UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Hartnett to reappoint Dennis Reinert as the Planning & Zoning Administrator.

ROLL CALL VOTE: Engel- Yea, Hartnett- Yea, O'Neill- Yea, Rohde- Yea, McLarty- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Rohde to appoint Leon Pies as Weed superintendent.

ROLL CALL VOTE: Hartnett- Yea, O'Neill- Yea, Rohde- Yea, McLarty- Yea, Engel- Yea. UNANIMOUS MOTION CARRIED.

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

ROLL CALL VOTE: O'Neill- Yea, Rohde- Yea, McLarty- Yea, Engel- Yea, Hartnett- Yea. UNANIMOUS MOTION CARRIED.

Supporting Documentation for county claims needs to be addressed.

The Commissioners agreed that a meeting with all elected officials be put on the January 29th Agenda to discuss the County Handbook, job descriptions for appointed positions and supporting documentation for county claims.

Commissioner Hartnett moved, seconded by O'Neill to accept the Inventories as filed with the County Clerk and asking letters of reminder be sent to the offices not filed--District Judge and Law Enforcement Center.

ROLL CALL VOTE: Rohde- Yea, McLarty- Yea, Engel- Yea, Hartnett- Yea, O'Neill- Yea. UNANIMOUS MOTION CARRIED.

Dennis Reinert appeared before the Board to discuss reappointment of members whose 3-year terms are expiring. He noted that the seniority of his members is between 11 and 25 plus years. He is satisfied with his current members, but noted that new members would bring new ideas, revitalization and more balance geographically to the Planning and Zoning Committee. Questions were asked on the application process. Mr. Reinert did not know which members had terms expiring and was asked to talk with Ted Piepho, County Clerk, regarding the membership list.

The Board asked for the Hiring of an Administrative Assistant to the Board be put on the January 29th agenda.

The Board reviewed the payroll claims submitted by the County Clerk's Office. Commissioner Hartnett moved, seconded by Commissioner O'Neill to refuse the payroll claim of Mary Gamble for sick pay for the payroll weeks December 17, 2006 to January 6, 2007.

COUNTY GENERAL FUND: Gross salaries- \$105,027.00, General Fund Employees Net Pay- \$74,035.74, Employer deductions paid: Retirement- 7,315.82, Retirement Makeup- 34.44, Social Security Tax- 6,388.38, Medicare- 1,494.06, DC Health Plan- 29,594.16, DC Dental Plan- 765.45, Life Insurance- 174.51.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Daniel Christoffers- 448.16, Tracey Corkin- 840.00, Bobbi Jo Harsma- 984.00, Theodore Piepho- 1553.28, Joan Spencer- 1180.40, Darlene Davis- 860.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 920.00, Kimberly Kuehl- 860.00, Phyllis Ridge- 890.90, Margaret Rahn- 1142.10, Daniel Christoffers- 448.16, Dennis Reinert- 203.85, Valerie Danielson- 1553.28, Carol Dunham- 1165.50, Dustin Kinsey- 980.00, Joe Flynn- 1733.50, Debra Jensen- 952.00, John Loos, Jr.- 1868.02, Cheryl Perkins- 504.00, Richard Jensen- 1334.41, Duane Kotalik- 1248.00, Nicholas Walsh- 16.74, Tammy Dunn-Peterson- 893.81, Jeremy Bermel- 1476.00, Anthony Bos- 1691.31, Brad Claypool- 1789.70, Sandy Dickens- 1071.28, Brian Ellinger- 1943.04, Penny Epting- 1624.00, Brent Gilster- 1775.60, Todd Hammer- 1740.30, Melvin Harrison III- 1900.42, Rodney Herron- 1691.98, Kimberly Johnson- 457.22, Jared Junge- 1726.95, Michael Kreegar- 1554.80, Gary Powell- 336.00, Gayle Richards- 805.60, Kevin Rohde- 1641.50, James Wagner- 1942.76, Amber Hegarty- 1752.31, Aimee Kennedy- 960.00, Edward Matney III- 2513.07, Debra Schmiedt- 2032.31, Bobbi Strong- 960.00, Kimberly Watson- 1615.38, Amanda Barclay- 1142.41, Joshua Blatchford- 1040.00, Dusty Boyd- 1012.15, Rebecca Broer- 1469.60, Chad Clausen- 1083.45, Richard Criss- 1329.44, Anne Cutsinger- 644.80, Toni Duncan- 1192.75, Lisa Ford- 1012.15, John Gilles- 1456.00, Alma Gunderson- 1373.88, Paula Harrigfeld- 608.11, Brenda Harrison- 1196.00, Cathy Harsma- 1329.44, Jason James- 971.85, Sarah Jensen- 399.50, Brett Johnson- 1121.25, Nicholas Kellen- 1074.15, Matthew Mann- 1023.00, Colleen McMahon-Levine- 1111.35, Diana Moctezuma- 706.80, Mark Nelson- 1001.00, Jeep Phommavong- 1041.60, Joseph Ramirez- 1481.18, Brian Reed- 1170.25, Stephanie Ryan- 962.55, Linda Schovanec- 1215.95, Heather Skow- 1041.60, Alana Smith- 1239.88, Justin Smith- 1067.95, Francis Tope- 1016.80, Randall Walsh- 1636.80, Daniel Wood- 1119.63, Randall Crombie- 177.00, Jolene Gubbels- 852.00, Leon Pies- 586.00, Pamela DeVries- 1512.68, Patricia Glover- 1112.45, Bonnie Kahler- 567.00, Alan Boyd- 970.20.

GENERAL FUND: Employee withholding paid to: Federal- 10,410.86, State- 3,645.11, Social Security Tax- 6,388.38, Medicare- 1,494.06, Retirement- 4,957.65, Retirement Makeup- 24.44, DC Health Plan- 543.37, DC Dental Plan- 430.76, Colonial Health- 16.20, Sheriff Union Dues- 85.00, Deferred Comp- 588.00, Garnishments- 1,333.65, Aflac Health- 341.92, Aflac Life/Dsbl- 75.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$13,899.81, Road Employees Net Pay- \$9,850.86, Employer deductions paid: Retirement- 938.24, DC Health Plan- 4,384.32, DC Dental Plan- 113.40, Life Insurance- 23.19, Social Security Tax- 842.33, Medicare- 197.00.

Brent Byroad- 1168.00, Randall Crombie- 1420.87, Ronald Harder- 1303.88, Walter Heinemann- 1180.00, Richard Hoelsing- 1176.00, Hans Houfek- 1157.05, Robert Jacobsen- 1180.00, Fred Kellogg- 1200.00, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.01.

ROAD FUND: Employee withholding paid to: Federal- 1,303.05, State- 462.03, Social Security- 842.33, Medicare- 197.00, Retirement- 625.49, DC Health Plan-, DC Dental Plan- 78.32, Reassure America Life- 7.32, Deferred Comp.- 61.68, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 180.00.

SOUTH SIOUX CITY CHAMBER OF COMMERCE: Visitors Promotion lodging tax – 9,645.98.

ROLL CALL VOTE: McLarty- Yea, Engel- Yea, Hartnett- Yea, O'Neill- Yea, Rohde- Yea. UNANIMOUS MOTION CARRIED

Chair Engel 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
SIMP
Region IV Mental Health Board
County Health Board
Region IV Developmental Disabilities
R C & D

Clara Woten
Bill McLarty
Jackie Hartnett
Jackie Hartnett
Bill McLarty
Bill Rohde

Planning & Zoning	Jackie Hartnett
Golden Rod Hills	Bill Engel
Area Agency on Aging Governing Board	Bill Engel
NE Nebraska Joint Housing Authority	Dennis Reinert
<u>Working Committees</u>	
Economic Development	Bill McLarty
Dakota County Economic Development	Bill McLarty
Civil Defense/(LEPC,PEP)	Bill Rohde
Finance/Budget	O'Neill/Rohde
Legislative	Bill McLarty
Personnel/Policies	Hartnett/O'Neill
Property/Space Utilization	Engel/Rohde
Road Committee	Rohde/Engel
Safety	Hartnett/Engel
LEC	Engel/McLarty
ADA	Hartnett/Rick Jensen
Recycling	Jackie Hartnett
Transportation	Bill Engel
Emergency Closings	Wagner/O'Neill/Engel
DCIT	TABLED
DCIT Public Safety	TABLED
Highway 35 Committee	Engel/McLarty
Press Committee	Hartnett/O'Neill
Storm Water Advisory Board	Bill McLarty
Storm Water Planning (working)	Bill McLarty
CJAC	Hartnett/Lyle Todd
Jail Construction Coordinator	Bill Rohde
Merit Commission	Jackie Hartnett

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

NIRMA	Hartnett
Jail Standards	Hartnett

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

Chair Engel welcomed new Board of Commissioner members Bill McLarty and Bill Rohde.

Chair Engel recessed their meeting for lunch at 11:30 a.m.

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

Robert Giese, County Treasurer, appeared before the board and presented the Semi Annual Treasurer's Report for period ending December 31, 2006. Commissioner McLarty moved, seconded by Commissioner O'Neill to acknowledge receipt of and approve the County Treasurer's Semi Annual report for period ending December 31, 2006. Chair Engel signed the report.

ROLL CALL VOTE: Engel- Yea, Hartnett- Yea, O'Neill- Yea, Rohde- Yea, McLarty- Yea. UNANIMOUS MOTION CARRIED

Leon Pies, Weed Superintendent, reviewed the Noxious Weed Control Plan with the Board of Commissioners. Commissioner McLarty asked that the City of South Sioux City be added to the Contact List. Commissioner McLarty moved, seconded by Commissioner Rohde to approve the Noxious Weed Report for year 2006 as presented by Leon Pies.

ROLL CALL VOTE: Hartnett- Yea, O'Neill- Yea, Rohde- Yea, McLarty- Yea, Engel- Yea. UNANIMOUS MOTION CARRIED.

Nancy Cederlind, Director for Haven House, appeared before the Board asking for support for a Grant Request. She is seeking a coordinated community response addressing victim safety and offender accountability.

Commissioner McLarty moved, seconded by Commissioner O'Neill to sign the following Resolution of support for the Haven House Grant Request.

RESOLUTION 07C-002

BE IT RESOLVED BY THE BOARD OF DAKOTA COUNTY COMMISSIONERS THAT on this 16th day of January 2006 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 16th day of January 2007.

ROLL CALL VOTE: O'Neill- Yea, Rohde- Yea, McLarty- Yea, Engel- Yea, Hartnett- Yea. UNANIMOUS MOTION CARRIED.

Rod Herron and Linda Schovanec appeared before the Board on whether to advertise for a Nurse for the new jail. Commissioner McLarty stated the need to see a job description.

Deputies Michael Kreegar and Jarod Junge, representing the Fraternal Order of Police Lodge, asked the Board for permission to purchase a pop machine to be located in the new jail, maintain that machine and use monies from the sale of pop to pay rent to the county for space and utilities and use the remainder of the profit for local activities such as sponsoring a youth t-ball team and etc. Commissioner McLarty asked how the money received and spent for projects would be kept accounted for. Deputy Junge stated that they would do that, but just seeking permission today.

Commissioner O'Neill moved, seconded by Commissioner Hartnett, to leave all pop machine monies with Bob Giese, Dakota County Treasurer, and approve the Employee Association Agreement as 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: Rohde- Yea, McLarty- Yea, Engel- Yea, Hartnett- Yea, O'Neill- Yea. UNANIMOUS MOTION CARRIED.

Commissioner O'Neill moved to establish a Board of Corrections. Motion died for lack of a second.

Discussion was had regarding a Board of Corrections. Rick Bousquet commented that the authority would go to the Board of Commissioners as the Board of Corrections and the jail administrator would be accountable to the Board with no liability to the Sheriff. Rod Herron commented that a policy and procedures manual would be needed, and noted that the radios are shared with the Sheriff's Department. He also questioned if the funds were there to create a new position since his duties were now split between the Jail and the Sheriff's Department. Bill Rohde was concerned with the timing. Jackie Hartnett said the establishment of a Board of Corrections should be given serious consideration, but no decision today. Commissioner McLarty would like to get the viewpoint of the Sheriff and County Attorney.

Commissioner McLarty moved, seconded by Commissioner Rohde, to table the establishment of a Board of Corrections until more input is received from the Sheriff and County Attorney.

ROLL CALL VOTE: McLarty- Yea, Engel- Yea, Hartnett- Yea, O'Neill- Yea, Rohde- Yea. UNANIMOUS MOTION CARRIED.

The Board of Commissioners decided not to appoint a Surveyor, but contract on a case per case basis.

The Board of Commissioners acknowledged receipt of and signed the Officials reports filed with the County Clerk from the County Clerk, Register of Deeds and the Clerk of the District Court for the months of November and December, 2006, and the County Sheriff's Quarterly Report for the period October 1 through and including December 31, 2006, and the 4th Quarter, 2006, Interest Earned Report of the County Clerk's Office.

The dredge and piping on Lou Franco's property was discussed. The Board would like Warren Johnson put on the January 29th agenda for further information on the dredge and piping.

Commissioner Hartnett moved, seconded by Commissioner O'Neill, to appoint Ted Piepho, County Clerk, as the NIRMA contact person.

ROLL CALL VOTE: Rohde- Yea, McLarty- Yea, Engel- Yea, Hartnett- Yea, O'Neill- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Rohde, to table any response to Lou Franco's questions per the advice of the County Attorney to leave tabled until litigation runs its course in the courts.

ROLL CALL VOTE: Engel- Yea, Hartnett- Yea, O'Neill- Yea, Rohde- Yea, McLarty- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner McLarty to approve the Accounts Payable claims as follows:

GENERAL FUND: Dakota County Star, publishing- 56.02; Gretchen Hirschbach, prior yrs- 69.24; Daniel Rhode, prior yrs- 23.08; Charles Rush, prior yrs- 34.62; CitiMastercard, software- 149.00; Des Moines Stamp, stampers- 124.00; Eloise Gormally, prior yrs- 103.86; Perkins, supplies- 202.73; Theodore Piepho, phone- 20.00; DAS Imservice, service- 3.50; Charlotte Doehnhoefer, prior yrs- 10.00; Duggan Forms, supplies- 400.00; Robert Giese, mileage- 101.85; Ruth Jensen, prior yrs- 12.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; Perkins, stamp- 26.95; Commercial Computer Systems, services- 312.50; Todds Storeall, storage- 80.00; Gene Cantrell, mileage/meeting- 45.38; Jim Crosgrove, mileage/meeting- 25.67; Jim Jepsen, mileage/meeting- 31.94; Dick McCabe, mileage/meeting- 53.28; Dick McNear, mileage/meeting- 44.55; Marlan Millard, mileage/meeting- 36.79; Donald Miller, mileage/meeting- 46.49; Joe Oneill, mileage/meeting- 18.40; Dennis Reinert, mileage/phone- 130.88; Martin Rohde, mileage/meeting- 45.52; Clerk of Dist Ct Assoc, workshop- 100.00; Des Moines Stamp, supplies- 230.00; Microtek Solutions, toner- 280.00; Norfolk Printing, binders- 193.57; Notary Public Underwriters, notary seal- 139.15; Staples, supplies- 91.22; Century Business, toner/repair- 128.52; DAS Central Finance, supplies- 109.69; Des Moines Stamp, stampers- 260.00; Lexis Nexis, law books- 86.70; Thompson West, service- 128.50; William Binkard, supplies- 596.65; Clerk of District Court, claims- 904.00; Hurley Law Office, attny fee- 324.00; Valorie Olson, fees- 58.50; Dakota County Sheriff, papers/warrants- 1117.90; Dakota County Court, claims- 1269.55; Tarry Daum, witness fee- 47.16; Daniel Gustafson, witness fee- 33.95; Shelly Horak, counsel- 378.00; Hurley Law Office, counsel- 1602.00; Sandra Inkster, counsel- 660.00; Douglas Roehrich, counsel- 294.00; Richard Thramer, counsel- 489.60; Patrick Tott, counsel- 1290.00; AmSan, rugs- 702.00; Bekins Fire & Safety, fire ext- 410.96; Benstar Packaging, supplies- 298.10; Bomgaars, supplies- 92.32; City of DC, service- 1280.85; Foulk Bros, plumbing- 279.53; Gill Hauling, service- 120.00; Grainger, supplies- 992.30; Hardware Hank, supplies- 26.95; Jackson Glass, repair- 50.00; Richard Jensen, mileage/supplies- 200.91; Menards, supplies- 517.92; MidAmerican, energy- 4311.94; NPPD, energy- 2703.10; Okeefe Elevator, inspection- 136.53; Robertson Imp, salt- 270.00; Sams, supplies- 520.88; Share Corp, supplies- 230.32; Service Master, floors- 556.15; Tool Depot, repair/supplies- 381.71; Klemmett Dean, prior yrs- 84.00; Verizon, phone- 54.07; Dakota County Extension, reimb- 650.80; Cass County Sheriff, security- 258.00; City of SSC, phone/fuel- 3216.77; Dakota County Sheriff, reimb- 80.00; Electronic Engineering, service- 566.25; Fremont Tire, service/repair- 721.02; Harolds, developing- 31.50; Lifeguard MD, defib pads- 261.67; Neva Neal, prior yrs- 103.86; Nebraska Sheriffs Assoc, dues- 930.00; NLETC, investigation- 325.00; Linda Pasewalk, fees/cards- 195.00; RACOM, t1- 687.40; Robertson Implement, food- 19.20; SFCU, postage/aol- 65.60; Siouxland Humane Soc, service- 46.00; Verizon, phone- 66.48; Willis Animal Clinic, service- 54.00; Dakota County Star, publishing- 53.94; Dakota County Treasurer, copies- 2.00; Des Moines Stamp, stamp- 27.35; Document Depot, document destruction- 173.20; H204U, supplies- 17.25; Quill, supplies- 725.17; Sprint, phone- 126.57; Thurston County Court, copies- 2.75; City of SSC, LEC expense- 23868.50; Dodge County, expenses- 7537.65; Bob Barker, supplies- 11766.18; Bort Auto Body, repair- 101.58; Butler County Det Center, boarding- 5570.00; CBM Food Service, service- 7787.19; Cass County Jail, boarding- 35547.51; Dakota Food & Fuel, fuel- 852.15; Dept of Correction Serv, safekeepers/medical- 4760.36; Sandy Dickens, mileage- 97.90; Toni Duncan, uniforms- 68.00; Family Health Care of Siouxland, physical- 122.00; Fremont Tire, service- 23.45; Jacks Uniforms, uniforms- 969.95; Lindblade Photo, ids- 660.00; Louderback Drug, medical- 215.71; Madison Co Sheriff, boarding- 20200.00; Mercy Medical Center, medical- 12099.87; Mercy Business Health, house calls- 1788.00; Nebraska UC Fund, unemployment- 1422.00; NE Nebr Juv Services, boarding- 15014.25; David Noble, medical- 118.00; NW IA Emergency Phys, medical- 786.00; Linda Pasewalk, fees/cards- 420.00; Redlers Pharmacy, medical- 1463.87; Safeguard Business Sys, receipts- 591.26; Sams Club, supplies- 478.51; Signs by Tommorrow, signs- 442.00; SFCU, fuel/meal/supplies- 720.19; Stanard & Associates, tests- 407.00; Staples, supplies- 34.72; Swanson Food Svc, meals- 17.68; Text & Data Tech, database- 1500.00; Verizon, phone- 135.19; Walmart, supplies- 636.41; Woodbury Co Juvenile, boarding- 5000.00; Net Sys Plus, comp work- 1892.00; Walmart, camera- 318.70; Dakota County Star, publishing- 9.25; Verizon, phone- 33.24; AJ Phillips,

medical- 190.00; Dunes Family Medicine, physician- 250.00; Five Star Awards, plaque- 40.36; Pat Glover, supplies/mileage- 208.09; Kids Love Stickers, stickers- 98.95; Nebr Department of Health & Human, licensure- 650.00; Gloria Dwyer, prior yrs- 11.54; Pam Devries, mileage- 91.67; Elite Office products, toner- 59.99; HyVee, catering- 197.95; Dell, converter/laptop/projector- 3703.44; Deanna Beckman, hours/mileage- 1066.90; Richard Criss, hours- 378.00; Alan Boyd, mileage- 424.98; Electronic Engineering, pager- 13.95; Warren Johnston, prior yrs- 11.54; Lexis Nexis, law books- 355.66; AJ Phillips, invitations- 181.24; AT&T, phone- 119.64; Cable One, internet- 274.01; Claritus, ink- 163.95; Dakota City Postmaster, presort fee- 160.00; De Lage Landen, lease- 110.69; FSH Comm, payphone- 58.30; Lazette Gifford, website- 40.00; HyVee, supplies- 266.33; MIPS, support- 366.05; Nebr Dept of Health & Human, space- 6800.00; Theodore Piepho, supplies- 79.40; Betty Oneill, items/prior yrs- 89.66; Qwest, phone- 1337.60; Region IV, svcs- 5320.25; Three Rivers Benefit, admin fee- 85.00; Thompson Pub Group, handbook- 423.50; Madelyn Thorsland, prior yrs- 10.00; US Postal Service, postage- 2500.00;

ROAD FUND: Aqua Soo Water, service- 25.00; Aramark, service- 242.21; Bs Enterprise, culverts/posts- 4104.50; Bomgaars, supplies/parts- 168.48; Campbell Supply, supplies- 23.96; Federal Licensing, book- 119.00; Flaugh's Pronto, fuel- 1525.92; Fremont Tire, supplies/oil- 150.40; Gill Hauling, service- 52.00; Guarantee Oil, oil- 451.00; Higman Sand Gravel, rock- 6865.20; Hubbard Minimart, gas/diesel- 1306.94; IA-NE State Bank, grader pymnt- 15234.75; Joes Dept Store, supplies/salt- 72.78; Kimball Midwest, supply- 185.74; Lamp Construction, office- 1570.00; Linweld, oxy- 59.93; Richard McNear, prior yrs- 57.70; Midwest Lubricants, antifreeze- 505.10; Marlan Millard, prior yrs- 15.00; NAPA, parts/supplies- 547.27; NPPD, service- 57.39; NE Nebr PPD, prepay- 1000.00; NE Nebr Telephone, phone- 173.85; Pomps, tires/repair- 4982.35; Powerplan, parts- 55.19; Rees Mack Sales, d4- 70.09; Willis Roeber, prior yrs- 69.24; Sioux City Iron, tools- 282.75; Siouxland Hydraulics, labor/parts- 416.70; Titan Machinery, part- 71.60; UECO, pipe- 152.80; Warren Oil, diesel- 5834.12; Zieglers, parts- 270.57; **ROAD IMPROVEMENT:** JEO, knox blvd- 571.67; Olsson Assoc, bridge- 10477.21;

STOP FUND: Quill, supplies- 49.99;

PUBLIC SAFETY: City of SSC, sls tax- 5027.63; Jail Bond Fund, sls tax- 36869.28;

JAIL PROJECT FUND: Chief Industries, jail- 27114.90; Complete Floors, flooring- 6318.48; ComTec Security, security- 10872.00; Hander Inc, plumbing- 8117.10; Interstate Mechanical, jail- 20549.70; Jarco Builders, jail- 6790.50; K&P Services, dumpster- 547.66; Lindblom Services, toilet- 227.40; McHan Const, jail- 5358.00; Mobile Storage Group, office- 252.00; Muth Electric, construction- 59085.00; Miller Painting, painting- 27000.00; Star Controls, construction- 3281.40; Tindall Corp, jail- 40490.84;

WEED FUND: De Lage Landen, copier rental- 91.00; Flaugh's Pronto, fuel- 90.00; Heritage Express, fuel- 97.00; Hubbard MiniMart, gas- 118.50; Joes Dept Store, supplies- 56.65; Staples, supplies- 10.57; **ROLL CALL VOTE:** Hartnett- Yea, O'Neill- Yea, Rohde- Yea, McLarty- Yea, Engel- Yea. **UNANIMOUS MOTION CARRIED.**

Commissioner McLarty moved, seconded by Commissioner O'Neill, to adjourn the meeting at 3:02 p.m. **ROLL CALL VOTE:** O'Neill- Yea, Rohde- Yea, McLarty- Yea, Engel- Yea, Hartnett- Yea. **UNANIMOUS MOTION CARRIED.**

Board of Commissioners

ATTEST:

William F. Engel, Chairman

Theodore A. Piepho, County Clerk

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Dakota County Board of Commissioners
Monday, January 29, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

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

Present were: Commissioners McLarty, Rohde, O'Neill, Hartnett, Engel, and Ted Piepho, Secretary.

Absent: All Present.

The agenda for the meeting was as follows:
DAKOTA COUNTY BOARD OF COMMISSIONERS
JANUARY 29, 2007 AGENDA
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

- 1. 1:30 p.m. Call meeting to order
Pledge of Allegiance

Roll Call
Approve minutes of previous meeting
Review Payroll Claims

2. 1:31 p.m. Robert Giese, County Treasurer; Motor Vehicle Exemption Applications

Semi-Annual report - Board to approve and needs signatures
Motion to convene as Board of Equalization
Golden Rod Hills - 2002 Chevrolet Venture Van bearing Serial Number GNDU03E92D292361
St. Michael's Church - 1979 GMC C600 bearing the Serial Number T16A9V619942
Motion to Reconvene as Board of Commissioners

3. 1:35 p.m. Lease Purchase Financing of Motor Grader - John Trecek with Ameritas

4. 1:45 p.m. Don Faber- Three Rivers Insurance

5. 2:00 p.m. Madelyn Thorsland - States Assessor for Dakota County

Approve Tax List Corrections from April 1, 2006 to December 31, 2006

MOTION TO CONVENE AS BOARD OF EQUALIZATION

Approve waiver to extend the deadline for reaffirmation of Tax Exemption and/or Tax Exemption Application.

MOTION TO RECONVENE AS BOARD OF COMMISSIONERS

6. 2:20 p.m. Randy Crombie - Highway Supt.

Discuss Class A License

Update on sign grant

Discuss One & Six Year Road Plan

7. Miscellaneous Agenda Items

Locate and establish Section Corner N^a corner of 25-29-8

Nebraska Apple Seed - Proclamation in support of Food Stamps

County Employee Handbook - Job Descriptions

Hiring of administration Assistant

Ad in the Area Guide, Cost is \$400.00

Individual name to present Jail update - Joint City, County, School meeting March 12th

Knox Blvd. - Change Order, Application for Payment No. 2 Final & Recommendation of Acceptance

Contract for County Surveyor

8. 3.00 p.m. Tabled items

9. Committee Reports

10. Official's Reports

County Clerk, Clerk of the District Court, Register of Deeds, Veteran's Service Officer and County Sheriff

11. Public Comment

12. Mail and/or Emergency Business

13. Adjournment.

Commissioner Hartnett asked that the minutes of January 16 reflect that Commissioner Engel appointed her and Bill Rohde to the Road Committee instead of Mr. Rohde and Mr. Engel.

Chair Engel said that he had appointed himself and Commissioner Rohde to the Road Committee.

Commissioner McLarty asked that the minutes of January 16 be corrected to read that Independent Legal Counsel be hired rather than just legal counsel.

Commissioner McLarty moved, seconded by Commissioner Hartnett to approve the minutes of January 16, 2007 as corrected.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Commissioner O'Neill moved, seconded by Commissioner McLarty to convene as Board of Equalization to consider Motor Vehicle Exemption Applications filed with the County Treasurer.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED. 1:35 p.m.

Robert Giese, County Treasurer presented Motor Vehicle Exemption Applications to the board to consider for approval. They were: Golden Rod Hills on a 2002 Chevrolet Venture Van bearing Serial Number GNDU03E92D292361 and St. Michael's Church on a 1979 GMC C600 bearing the Serial Number T16A9V619942.

Commissioner O'Neill moved, seconded by Commissioner Hartnett to approve the Motor Vehicle Exemption Applications applied for by Golden Rod Hills on a 2002 Chevrolet Venture Van bearing Serial Number GNDU03E92D292361 and St. Michael's Church on a 1979 GMC C600 bearing the Serial Number T16A9V619942.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Rohde to reconvene as Board of Commissioners.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED. 1:38 p.m.

Randy Crombie, Highway Supt., and John Trecek, with Ameritas, appeared before the board to discuss the financing of the new motor grader being purchased by the county.

Commissioner Rohde moved, seconded by Commissioner McLarty to authorize Ameritas to prepare the documents necessary for a 5 year lease/purchase of the new motor grader through Ameritas using the NACO lease-purchase program.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Don Faber and Ron Rapp appeared before the board concerning the renewal of Dakota County's Health Insurance.

Commissioner McLarty moved, seconded by Commissioner Rohde to authorize Three Rivers to renew Dakota County's Health Insurance with a \$35,000 Specific Deductible and \$105,000 Aggregating Specific Deductible.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Madelyn Thorsland, States Assessor for Dakota County, appeared before the board with Tax List Corrections from April to December 31, 2006 and to request that the board approve a waiver to extend the deadline for reaffirmation of Tax Exemption and/or Tax Exemption Application so that she can review a request to consider the tax exempt status of the Nebraska Indian Community College.

Commissioner Hartnett moved, seconded by Commissioner McLarty to convene into Board of Equalization to consider a waiver to extend the deadline for reaffirmation of Tax Exemption and/or Tax Exemption Application so that she can review a request to consider the tax exempt status of the Nebraska Indian Community College.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED. 2:20 p.m.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to approve and extend the deadline for reaffirmation of Tax Exemption and/or Tax Exemption Application so that she can review a request to consider the tax exempt status of the Nebraska Indian Community College.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to reconvene as Board of Commissioners.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED. 2:38 p.m.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to approve the Tax List Corrections as presented by the State's Assessor for Dakota County showing a gain of \$1,380.40, a loss of \$15,452.38 netting a loss of \$14,071.98.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Randy Crombie, Highway Supt., appeared before the board and reported that he met the requirement for a Class A Highway Supt., which is an upgrade from Class B. He said that the County will get about \$10,500 Highway Supt. monies instead of five thousand some we get now.

He also reported that the county was the #2 county in receiving a grant for Bridge markers.

Mr. Crombie gave a brief report on last years one and Six Year Road Plan and said that he would like to have the One and Six Year Road Hearing February 20th.

County Clerk, Ted Piepho, asked him to address the item on the agenda "Knox Blvd. - Change Order, Application for Payment No. 2 Final & Recommendation of Acceptance"

He said that he hadn't had time to look at that and suggested that it be on the next meetings agenda.

Commissioner Rohde moved, seconded by Commissioner McLarty to table the agenda item "Knox Blvd. - Change Order, Application for Payment No. 2 Final & Recommendation of Acceptance".

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Chuck Young addressed the board about the county loosing so much gravel in the road ditches and Hank Hurley echoed the same. In addition Mr. Hurley suggested that it is a waste to gravel County Road #37. He said that the County Board was making the developer for Whispering Meadows Subdivision Rock that road and nothing was ever done. Now when it isn't that subdivision will not develop the county gravels it. He didn't think that made sense and waste of taxpayer dollars.

The County Board considered a Proclamation Proclaiming Dakota County "A Food Stamp Friendly County", as requested by the Nebraska Appleseed Center.

Commissioner Hartnett moved, seconded by Commissioner McLarty to adopt a Proclamation Proclaiming Dakota County "A Food Stamp Friendly County" as follows:

Dakota County, Nebraska Board of Commissioners
Proclamation
Proclaiming Dakota County "A Food Stamp Friendly County"

WHEREAS, Dakota County is committed to healthy families, the full potential of children, support for Nebraska's working population, the promotion of agriculture, the growth of the local economy, and a healthier lifestyle for all of its citizens; and

WHEREAS, 11.40% of Dakota County residents live below the poverty line and 10.70% of Nebraskan households are food insecure, yet only 6.7% of Nebraskans use Food Stamps; and

WHEREAS, the Food Stamp Program, funded by the federal government as the nation's largest feeding program, is America's first line of defense against hunger and provides a crucial safety net for the most vulnerable and needy citizens of Dakota County; and

WHEREAS, Food Stamps act as a "multiplier" in the local economy, generating \$.41 of new food spending for every dollar, \$9.20 in local and community spending for every \$5, and 3,300 farm jobs for every \$1 billion of retail food demanded by Food Stamp recipients; and

WHEREAS, 1,587 individuals and 622 households participated in the Food Stamp Program in Dakota County in CY05, receiving a total of \$1,609,796 for the year in benefits to support local farmers and the local economy; and

WHEREAS, Dakota County has the 14th largest number of people using Food Stamps in the state of Nebraska; and

WHEREAS, less than 6 of 10 eligible Nebraskan households receive Food Stamp benefits; and

WHEREAS, Nebraska could reach an additional 9,000 participants, \$5,100.00 in federal dollars, and \$9,400,000 in total economic activity by raising its Food Stamp participation rate by just 5%; and

WHEREAS, Food Stamp outreach increases the participation rate of eligible families by erasing stigma, alerting working families of their eligibility, and encouraging participation; and

WHEREAS, Food Stamp outreach in Nebraska could include lengthening Food Stamp office hours for working individuals, simplifying the 14 page assistance application, conducting rural and other forms of outreach, or utilizing the federally supported Federal Outreach Option;

Now, THEREFORE, BE IT RESOLVED that Dakota County is a Food Stamp Friendly County. Dakota County calls upon the Nebraska State Department of Health and Human Services to draw down Federal Food Stamp Outreach matching Funds or apply for Federal Food Stamp Participation Grants to increase outreach efforts.

Furthermore, we call upon all of our communities and public policy makers to pursue actions and policies that protect the Food Stamp Program and expand its reach to some of Nebraska's most vulnerable and needy families.

ADOPTED by the Dakota County Board of Commissioners this 29th day of January, 2007.

\s\ William F. Engel
Chair

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

The board discussed hiring an Administrative Assistant and who that person would directly report to.

Commissioner O'Neill moved, seconded by Commissioner Hartnett that the County Clerk hire an administrative assistant to the board and that person would be under the supervision of the County Clerk.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel recessed their meeting at 3:20 p.m. and reconvened at 3:25 p.m.

The County Clerk presented an ad that the County Board has authorized the last two years in the Area Guide printed by the Dakota County Star. He said that it will cost approximately \$400 and asked the board whether they felt it should be placed in the area guide this year.

There was discussion due to the budget restraints this year that the \$400 could be used elsewhere for necessities.

Commissioner McLarty thought that people visiting the area should have a means of knowing who to call and how to reach them.

Commissioner O'Neill moved, seconded by Commissioner Hartnett to discontinue the ad in the Area Guide.

ROLL CALL VOTE: McLarty- Nay, Rohde- Nay, O'Neill- Yea, Hartnett- Yea, Engel- Nay, MOTION FAILED.

Jim Gustin, from the Dakota City Fire & Rescue Department had requested to be on the Agenda, but was not. The board asked him to present what he had intended to present. He said that the DC Rescue has been transporting prisoner without any charges and proposed the following agreement.

AGREEMENT

Dakota County Jail, located in Dakota City, Nebraska, and Dakota City Volunteer Fire Department, propose this agreement concerning billing when Dakota City Volunteer Fire Department transports a prisoner from the Dakota County Jail to a medical facility (hospital ER):

1. Dakota City Volunteer Fire Department will-
 - A. Provide basic life support treatment and stabilization to the patient according to medical control.
 - B. Provide all basic life support equipment and supplies necessary according to medical control.
 - C. Transport patient to nearest medical facility (Mercy Medical or St. Luke's Hospital in Sioux City, Iowa).
 - D. Bill the county jail as per its fee schedule approved by the Dakota County Commissioners and the Dakota City Volunteer Fire Department.

2. Fee Schedule-

- A. Dakota City Fire Department and Dakota County Commissioners on behalf of the Dakota County Jail in Dakota City, Nebraska, agree to a flat annual fee of \$2000. to transport patients from the Dakota County Jail based on the first 25 transports. Any transports after the first 25 transports will be billed at the rate of \$175.00 per transport to a medical facility.

3. Fee Schedule Review-

- A. This rate schedule can be reviewed and changed annually subject to agreement by both parties if so desired.

There was discussion and the board asked him to reconsider the rate for transports after 25 prisoners and come back the next meeting.

Commissioner Rohde moved, seconded by Commissioner O'Neill to take from the table the agenda item "Knox Blvd. - Change Order, Application for Payment No. 2 Final & Recommendation of Acceptance" and to approve the Change Order, Application for Payment No. 2 Final and the Recommendation of Acceptance".

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

The County Clerk asked the board to reconsider their decision last meeting to appoint a County Surveyor for every request that the county has to locate or set section corners. He recommended that the county contract with someone to perform the duties of County Surveyor rather than appoint a County Surveyor for the term. There was discussion as to who the county should appoint and it was the consensus that Fred Franklin from Alpha Land Surveying would be a likely candidate since he had acted at that capacity approximately six years ago.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to approve the establishment or location of the N 1/4 Section Corner of 25-29-8 and to authorize the County Clerk to proceed with contracting Fred Franklin with Alpha Land Surveying to perform the duties of County Surveyor for Dakota County.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty gave a written report on the Legislative committee that he serves on.

Commissioner Hartnett moved, seconded by Commissioner McLarty to approve the payroll claims submitted by the county clerk as follows:

COUNTY GENERAL FUND: Gross salaries- \$108,131.91, General Fund Employees Net Pay- \$75,845.92, Employer deductions paid: Retirement- 7,528.66, Retirement Makeup- 34.44, Social Security Tax- 6,579.66, Medicare- 1,538.82, DC Health Plan- 30,324.88, DC Dental Plan- 784.35, Life Insurance- 178.98.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Daniel Christoffers- 464.81, Tracey Corkin- 840.00, Bobbi Jo Harsma- 984.00, Theodore Piepho- 1553.28, Joan Spencer- 1180.40, Darlene Davis- 860.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 905.63, Kimberly Kuehl- 860.00, Phyllis Ridge- 855.50, Lyn Beltz- 45.00, Margaret Rahn- 1142.10, Daniel Christoffers- 448.16, Dennis Reinert- 203.85, Valerie Danielson- 1553.28, Carol Dunham- 1165.42, Dustin Kinsey- 980.00, Joe Flynn- 1664.00, Debra Jensen- 952.00, John Loos, Jr.- 1942.76, Cheryl Perkins- 648.00, Richard Jensen- 1334.41, Duane Kotalik- 1248.00, Tammy Dunn-Peterson- 840.00, Jeremy Bermel- 1549.80, Anthony Bos- 1673.81, Brad Claypool- 1881.96, Sandy Dickens- 1071.28, Brian Ellinger- 1841.84, Penny Epting- 1600.00, Brent Gilster- 1886.00, Todd Hammer- 1823.41, Melvin Harrison III- 1725.11, Rodney Herron- 1691.98, Kimberly Johnson- 342.30, Jared Junge- 1920.71, Michael Kreegar- 1752.60, Gayle Richards- 805.60, Kevin Rohde- 1692.55, James Wagner- 1942.76, Amber Hegarty- 1752.31, Aimee Kennedy- 960.00, Edward Matney III- 2513.07, Debra Schmiedt- 2032.31, Bobbi Strong- 960.00, Kimberly Watson- 1615.38, Amanda Barclay- 1142.41, Joshua Blatchford- 1394.25, Dusty Boyd- 1148.55, Rebecca Broer- 1960.78, Chad Clausen- 1258.60, Richard Criss- 1365.57, Anne Cutsinger- 483.60, Toni Duncan-

1111.50, Lisa Ford- 1215.20, John Gilles- 1603.00, Alma Gunderson- 1424.63, Paula Harrigfeld- 1026.28, Brenda Harrison- 1459.25, Cathy Harsma- 1336.67, Jason James- 1343.85, Sarah Jensen- 612.00, Brett Johnson- 1251.25, Nicholas Kellen- 1277.20, Matthew Mann- 1150.10, Colleen McMahon-Levine- 993.55, Diana Moctezuma- 1137.70, Mark Nelson- 1005.88, Jeep Phommavong- 911.40, Joseph Ramirez- 1452.27, Brian Reed- 1416.70, Stephanie Ryan- 1227.60, Linda Schovanec- 1230.60, Heather Skow- 1117.55, Alana Smith- 321.75, Justin Smith- 1083.45, Francis Tope- 1041.60, Randall Walsh- 1669.35, Daniel Wood- 1101.75, Randall Crombie- 177.00, Jolene Gubbels- 852.00, Leon Pies- 586.00, Pamela DeVries- 1512.68, Patricia Glover- 1125.21, Bonnie Kahler- 552.83, Alan Boyd- 970.20. GENERAL FUND: Employee withholding paid to: Federal- 10,972.94, State- 3,843.78, Social Security Tax- 6,579.66, Medicare- 1,538.82, Retirement- 5,101.26, Retirement Makeup- 24.44, DC Health Plan- 543.35, DC Dental Plan- 450.11, Colonial Health- 16.20, Sheriff Union Dues- 220.00, Deferred Comp- 588.00, Garnishments- 1,333.65, Aflac Health- 341.92, Aflac Life/Dsbl- 75.70, Flex Plan- 656.16. COUNTY ROAD PAYROLL: Gross salaries- \$17,219.59, Road Employees Net Pay- \$12,069.76, Employer deductions paid: Retirement- 1,162.32, DC Health Plan- 4,384.32, DC Dental Plan- 113.40, Life Insurance- 23.17, Social Security Tax- 1,049.37, Medicare- 245.42. Brent Byroad- 1551.25, Randall Crombie- 1538.46, Ronald Harder- 1551.16, Walter Heinemann- 1500.89, Richard Hoelsing- 1528.80, Hans Houfek- 1297.58, Robert Jacobsen- 1556.21, Fred Kellogg- 1643.87, Kimon Litras- 1385.48, Arnold Mellick- 1556.21, Leon Pies- 586.00, James Swanson- 1523.68. ROAD FUND: Employee withholding paid to: Federal- 1,825.88, State- 654.83, Social Security- 1,049.37, Medicare- 245.42, Retirement- 774.89, DC Health Plan-, DC Dental Plan- 58.71, Reassure America Life- 7.32, Deferred Comp.- 61.68, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 180.00. ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel adjourned their meeting at 4:12 p.m.

Board of Commissioners

ATTEST:

 William F. Engel, Chairman

 Theodore A. Piepho, County Clerk

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Dakota County Board of Commissioners
 Tuesday, February 12, 2007
 Dakota County Courthouse
 County Board Basement Meeting Room
 Dakota City, NE 68731

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

Present were: Commissioners McLarty, Rohde, O'Neill, Hartnett, Engel, and Ted Piepho, Secretary.

Absent: All Present.

The agenda for the meeting was as follows:

DAKOTA COUNTY BOARD OF COMMISSIONERS
 FEBRUARY 12, 2007 AGENDA
 COUNTY BOARD ROOM
 DAKOTA COUNTY COURTHOUSE
 DAKOTA CITY, NEBRASKA

BOARD CHAIR - PLEASE READ UPON OPENING THE MEETING

A current copy of the Open Meeting Act is posted on the back wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.

1. 1:30 p.m. Call meeting to order
 - Pledge of Allegiance
 - Roll Call
 - Approve minutes of previous meeting
 - Review Payroll Claims
2. 1:31 p.m. Warren Johnston - Information on the Old Crystal Lake Committee, Dredge and Piping.
3. 1:50 p.m. John Trecek, Ameritas - Motor Grader Lease Purchase 18776584700 John's telephone number
 - Olsson Associates Approach on Martinek Bridge
5. 2:20 p.m. Jim Gustin - Agreement with Dakota Covington Fire and Rescue - trip charge for prisoners
6. 2:30 p.m. John Loos Jr. - Public Defender's Report

7. 2:45 p.m. Kelly Brandon - Independent Counsel, possible litigation Closed Session
8. 3:10 p.m. Rick Jensen - Mileage and overtime
9. 3:15 p.m. Rod Herron, Jail Administrator - Jail Report (any problems), Final Cost for Completion, Costs of maintaining old Jail, Anticipated revenues from Federal prisoners, is transition complete
10. Rod Herron - Hire Health Nurse for the Jail
11. 3:30 p.m. Miscellaneous Agenda Items
 - Administrative Assistant to the Board
 - Board of Equalization - Approve Referee System
 - Tape Recorder for Board of Commissioner Meetings
 - Union Bank & Trust - investment of Highway Allocation Funds Bonds Series 2002
12. Tabled items
 - Lou Franco - Franco Drive No discussion or action is anticipated
 - Establishment of Board of Corrections - no action is anticipated
 - The tabled items are listed primarily to be a reminder of items tabled.
13. Committee Reports
14. Official's Reports
15. Public Comment
16. Mail and/or Emergency Business
17. Adjournment

Warren Johnston appeared before the board and discussed the Old Crystal Lake Project. He gave a brief overview from the beginning of the Crystal Lake Committee. He brought up the lease where Tony Gomez leased the property after the county leased it.

It read in part as follows:

NOTICE OF DAKOTA COUNTY SCHOOL LAND LEASE SALE

Notice is hereby given that the Board of Educational Lands and Funds of the State of Nebraska, or its authorized representative, will offer for lease at public auction on the day and time set forth below, at the office of the County Treasurer of Dakota County in Dakota City, Nebraska, the following educational lands within said County:

DATE: February 23, 1999 TIME: 10:00 A.M.

In the event of inclement weather and/or bad roads the sale will be held on February 26, 1999

TRACT DESCRIPTION SECJWP.RGE 1999 RENTAL LEASE EXPIRATION

3A	That part of the NE4NW4 36-29-08E lying north of Hwy #20 (26.94 acres more or less)	1,077.60	December 31, 2003
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Predominant Land Use: Grassland

This tract is located 2 miles west of South Sioux City on Hwy #20.

There are no improvements to be sold.

3B	See Below	36-29-OBE	\$1,392.80	December 31, 2003
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DESCRIPTION: That part of the E2NW4 lying south of Hwy #20 except the approximately 517 acres lying southwest of Crystal Lake
(34.82 acres)

Predominant Land Use: Recreational lake/park

This tract is located 2 miles west of South Sioux City on Hwy #20.

Improvements to be sold include: Picnic shelter, restroom building and security lights. Total Value: \$20,000.00

STIPULATION: The picnic shelter, restroom building and security lights, all located south of Highway 20, will continue to be appraisal improvements except that if no one bids on the next lease of this land with these items appraised then, and in such event, these items will no longer be appraisable but may be removed by Lessee, if all amounts due to the Board have been paid in full and to the extent that removal does not damage the real estate. All items not so removed will be owned by the School Trust and Lessee will not be compensated for any of them.

Rental is subject to change by the Board semi-annually according to classification and any time upon reclassification.

The purchaser shall, within thirty days of the date of Board approval, pay the amount of the value of the improvements as stated above, to the Dakota County Treasurer. If such payment is not made on time and in full, all payments made by the purchaser to the Board may be declared forfeited and a new lease or sale of the land may be authorized. All improvements affixed to the land, which are not listed above are and shall remain owned by the School Trust.

In order for anyone to be eligible to bid on a school land lease, they must be able to contract in accordance with Nebraska Law and have deposited with the County Treasurer of the County in which the land is located or with a representative of the Board a bank draft, cash, cashier's check or a certified check made payable to the Board of Educational Lands and Funds equivalent to the 1999 rental of said tract. Said rental deposit may be submitted at any time until the tract is announced "Sold". The purchaser of each lease must furnish one social security number or other federal taxpayer ID. number that will apply to that lease.

Mr. Johnston made special reference to the paragraph "The purchaser shall, within thirty days of the date of Board approval, pay the amount of the value of the improvements as stated above, to the Dakota County Treasurer. If such payment is not made on time and in full, all payments made by the purchaser to the Board may be declared forfeited and a new lease or sale of the land may be authorized. All improvements affixed to the land, which are not listed above are and shall remain owned by the School Trust."

Commissioner McLarty moved, seconded by Commissioner Hartnett to place Tony Gomez, the Parks and Recreation Director for South Sioux City and Warren Johnston on one of the future agendas and ask them to be present.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Rohde to approve the Lease-purchase agreements drawn up by Ameritas and subject to the County Attorney's approval, for the purchase of the new John Deere Motor Grader and to authorize the chair and the County Clerk to attach their signatures to complete same.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Rod Hansen, from Olsson and Associates, appeared before the board with two options for the Martinek Bridge Project. Option one would provide more Right-of-Way being purchased by the County, but they would be more outside the hill.

Option 2 provided that the County would have to purchase less Right-of-Way, but they would have to locate the road more into the hill.

Olsson & Associates recommended Option 1.

Commissioner Rohde moved, seconded by Commissioner Hartnett to authorize Olsson and Associates to proceed with Option 1, which would provide more Right-of-Way being purchased by the County, but they would be more outside the hill on the Martinek Bridge Project.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Jim Gustin, with the Dakota City Fire and Rescue presented an amended agreement to the county for transporting prisoners to the Hospital. The amendment was reducing the cost of transports after the initial 25 transports from \$175 to \$100.

It was agreed that another amendment was necessary and that was for the agreement to be between the Dakota City Volunteer Fire Department and the County rather than the Jail Department.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to approve the agreement with Dakota City Fire Volunteer Fire Department as follows:

AGREEMENT

The County Board of Commissioners and the Dakota City Volunteer Fire Department, propose this agreement concerning billing when Dakota City Volunteer Fire Department transports a prisoner from the Dakota County Jail to a medical facility (hospital ER):

1. Dakota City Volunteer Fire Department will-

A. Provide basic life support treatment and stabilization to the patient according to medical control.

B. Provide all basic life support equipment and supplies necessary according to medical control.

C. Transport patient to nearest medical facility (Mercy Medical or St. Luke's Hospital in Sioux City, Iowa).

D. Bill the county jail as per its fee schedule approved by the Dakota County Commissioners and the Dakota City Volunteer Fire Department.

2. Fee Schedule-

A. Dakota City Fire Department and Dakota County Commissioners on behalf of the Dakota County Jail in Dakota City, Nebraska, agree to a flat annual fee of \$2000 to transport patients from the Dakota County Jail based on the first 25 transports. Any transports after the first 25 transports will be billed at the rate of \$100.00 per transport to a medical facility.

3. Fee Schedule Review-

A. This rate schedule can be reviewed and changed annually subject to agreement by both parties if so desired.

Dated this 12th day of February, 2007, at Dakota City, Nebraska.

DAKOTA CITY VOLUNTEER FIRE DEPARTMENT

Authorized Signature

COUNTY OF DAKOTA

ATTEST:

William F. Engel, Chair

Theodore A. Piepho
County Clerk

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

John Loos Jr., Public Defender, appeared before the board and reported what his office has been doing to expedite getting people through the system.

Commissioner McLarty departed the room at 2:18 and returned at 2:21.

Ron Rapp appeared before the board and didn't have anything special but the board asked me how the Citizens Committee came about.

He said that he and Eric Bertness basically started the committee and it eventually consisted of the two of them, Dr. Phil Slavens, Vincent Krampfer, Dave Heck, Arlen Kuehn and Doug Garwood. They had not been appointed by the Board of Commissioners.

Commissioner McLarty moved, seconded by Commissioner O'Neill to convene into Closed Session to discuss possible litigation.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED. 2:38 p.m.

Commissioner McLarty moved, seconded by Commissioner Hartnett to reconvene in open session.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED. 3:20 p.m.

Chair Engel declared a 5 minute recess at 3:20 and reconvened at 3:25 p.m.

Rod Herron gave a jail report and reported that they had 89 inmates. 41 in the old jail and 48 in the new.

He thought that March 1 they would start housing Federal prisoners at a rate of \$60 per day and would be receiving 25 inmates

Mr. Herron handed the board 4 resumes from individuals applying to be the nurse in the jail. He thought that it would be around 20 hours a week.

Commissioner McLarty moved, seconded by Commissioner O'Neill to hire a Part Time Nurse not to exceed 20 hours a week.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Engel to approve the minutes as written.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to approve the payroll claims submitted as follows:

COUNTY GENERAL FUND: Gross salaries- \$105,360.67, General Fund Employees Net Pay- \$74,201.23, Employer deductions paid: Retirement- 7,329.64, Retirement Makeup- 34.44, Social Security Tax- 6,407.83, Medicare- 1,498.63, DC Health Plan- 31,055.60, DC Dental Plan- 803.25, Life Insurance- 183.51.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Daniel Christoffers- 452.33, Tracey Corkin- 840.01, Bobbi Jo Harsma- 984.00, Theodore Piepho- 1553.28, Joan Spencer- 1180.40, Darlene Davis- 860.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 920.00, Kimberly Kuehl- 774.00, Phyllis Ridge- 837.80, Margaret Rahn- 1142.10, Daniel Christoffers- 444.00, Dennis Reinert- 203.85, Valerie Danielson- 1553.28, Carol Dunham- 1165.42, Dustin Kinsey- 1800.75, Joe Flynn- 1664.00, Debra Jensen- 952.00, John Loos, Jr.- 1942.76, Cheryl Perkins- 720.00, Richard Jensen- 1334.41, Duane Kotalik- 1248.00, Nicholas Walsh- 5.15, Tammy Dunn-Peterson- 887.25, Jeremy Bermel- 1623.61, Anthony Bos- 1630.08, Brad Claypool- 1559.03, Sandy Dickens- 1071.28, Brian Ellinger- 1565.84, Penny Epting- 1412.00, Brent Gilster- 2290.80, Todd Hammer- 1416.69, Melvin Harrison III- 1595.93, Rodney Herron- 1691.98, Kimberly Johnson- 489.00, Jared Junge- 1782.30, Michael Kreegar- 1481.20, Gayle Richards- 805.60, Kevin Rohde- 1411.83, James Wagner- 1942.76, Amber Hegarty- 1752.31, Aimee Kennedy- 960.00, Edward Matney III- 2513.07, Debra Schmiedt- 2032.31, Bobbi Strong- 960.00, Kimberly Watson- 1615.38, Amanda Barclay- 1142.41, Ermelinda Ballesteros- 471.20, Joshua Blatchford- 1059.50, Dusty Boyd- 1066.40, Rebecca Broer- 1917.12, Chad Clausen- 1044.70, Richard Criss- 1199.35, Toni Duncan- 1179.75, Lisa Ford- 858.70, John Gilles- 1282.75, Alma Gunderson- 1384.76,

Paula Harrigfeld- 885.94, Brenda Harrison- 1361.75, Cathy Harsma- 1237.29, Jason James- 1198.15, Sarah Jensen- 680.00, Brett Johnson- 1079.00, Nicholas Kellen- 1038.50, Matthew Mann- 1257.05, Colleen McMahon-Levine- 1050.90, Diana Moctezuma- 1004.40, Mark Nelson- 1079.00, Jeep Phommavong- 1004.40, Joseph Ramirez- 1549.84, Brian Reed- 1108.25, Stephanie Ryan- 1215.20, Linda Schovanec- 1230.60, Heather Skow- 1035.40, Justin Smith- 1035.40, Francis Tope- 1035.40, Randall Walsh- 1780.95, Charvette Williams- 598.30, Daniel Wood- 1079.00, Randall Crombie- 177.00, Jolene Gubbels- 852.00, Leon Pies- 586.00, Pamela DeVries- 1512.68, Patricia Glover- 1054.62, Bonnie Kahler- 614.25, Alan Boyd- 970.20.

GENERAL FUND: Employee withholding paid to: Federal- 10,382.24, State- 3,657.27, Social Security Tax- 6,407.83, Medicare- 1,498.63, Retirement- 4,963.69, Retirement Makeup- 24.44, DC Health Plan- 543.37, DC Dental Plan- 450.34, Colonial Health- 16.20, Sheriff Union Dues- 220.00, Deferred Comp- 588.00, Garnishments- 1,333.65, Aflac Health- 341.92, Aflac Life/Dsbl- 75.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$13,930.44, Road Employees Net Pay- \$9,885.89, Employer deductions paid: Retirement- 940.31, DC Health Plan- 4,384.32, DC Dental Plan- 113.40, Life Insurance- 23.19, Social Security Tax- 845.44, Medicare- 197.74.

Brent Byroad- 1168.00, Randall Crombie- 1538.46, Ronald Harder- 1193.98, Walter Heinemann- 1180.00, Richard Hoelsing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1212.00, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,310.37, State- 464.66, Social Security- 845.44, Medicare- 197.74, Retirement- 626.87, DC Health Plan-, DC Dental Plan- 58.74, Reassure America Life- 7.32, Deferred Comp. - 61.68, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 180.00.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Rohde that Rod Herron conduct interviews for the nurse position for the jail and to come back with a recommendation.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

The County Clerk advised the board that he was going to promote Joan Spencer to the position to the Board. He would continue her under his supervision and added that if the Board ever wanted to change that and make the Assistant directly responsible to them that Joan Spencer would come back to his office at the salary she was drawing.

Commissioner McLarty moved, seconded by Commissioner Hartnett to confirm the promotion of Joan Spencer to the position of Administrative Assistant to the Board.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Engel moved, seconded by Commissioner McLarty that the County Board of Equalization be the Referee form of hearings in 2007.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner McLarty that the Commissioners Meeting be recorded and the chair responsible to direct the turning on and off of the recorder.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner McLarty to authorize the County Clerk to sign the Authorization Form Letter from Union Bank and Trust to select the JPMorgan U.S. Treasury Plus Money Market Fund as the sweep option for the investment of cash in our account for the Dakota County Highway Allocation Funds Bond Series 2002.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Bill McLarty and Jackie Hartnett offered committee reports.

Mr. McLarty reported on purchasing and the open meetings discussed at the County Board Workshop this month.

Commissioner Harnett reported that NIRMA refunded the county \$7,451 as a dividend return from our insurance premiums.

Lyle Todd appeared before the board under public comment to ask the board to support a bill that would make the taxes approved under the Homestead exemption option payable upon the death of the owner.

Chair Engel adjourned their meeting at 4:02 p.m.

ATTEST:

William F. Engel,

Chairman

Theodore A. Piepho, County Clerk

Dakota County Board of Commissioners
Tuesday, February 20, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel opened their regular scheduled meeting to order at 10:02 a.m. with the Pledge of Allegiance.

Present were: Commissioners McLarty, Rohde, O'Neill, Hartnett, Engel, and Ted Piepho, Secretary.

Absent: All Present.

The agenda for the meeting was as follows:

DAKOTA COUNTY BOARD OF COMMISSIONERS
FEBRUARY 20, 2007 AGENDA
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

1. 10:00 a.m. Meeting Called to Order at 10:00 a.m.
 - * Pledge of Allegiance
 - * Roll Call
 - * Approve Minutes of previous meeting
 - * Review and Approve Accounts Payable and payroll claims, Employee Handbook
 - * Board to discuss documentation needed for mileage claims
 - * Transfer \$450,000 from Inheritance Tax to General Fund
 - * Transfer \$28,246.03 from Inheritance Tax to Jail Bond Construction Fund
 - * Authorize Treasurer to borrow money for March Claims if Necessary

Recess for lunch.

2. 1:30 p.m. Reconvene meeting from morning session
3. 1:31 p.m. Public Hearing on One and Six Year Road Plan
4. 2:00 p.m. Rick Jensen - Mileage
5. 2:15 p.m. Dennis Reinert - Planning and Zoning
 - * Increase Building Permit Fees
 - * Board member appointments
6. Miscellaneous Agenda Items
 - * Authorize Independent Counsel to draft and send letter *
 - * Appoint Joan Spencer Contact person for NIRMA
 - * Jake Brakes
7. Committee Reports
8. Official's Reports for January. County Clerk, Register of Deeds and Clerk of the District Court
9. Public Comment
10. Mail and/or Emergency Business
11. Adjournment.

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

The board discussed what documentation was necessary for mileage claims. It was the opinion of the board members that the date, destination, miles and purpose would be desired for documentation on claims for mileage.

Dennis Reinert appeared and said that he just submitted the mileage claims for his board based on the meeting that they attend in a quarter and wanted to know if he could continue do that. No one on the board had a problem with him continuing to do that.

Commissioner McLarty moved, seconded by Commissioner O'Neill to table the transfer of \$450,000 from Inheritance Tax to General Fund and \$28,246.03 from Inheritance Tax to Jail Bond Construction Fund along with Authorizing the Treasurer to borrow money for March Claims.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel recessed their meeting at 11:45 a.m.

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

All present as was the morning session.

Chair Engel opened the Public Hearing for the One and Six Year Road Plan at 1:30 p.m.

Randy Crombie, Highway Supt., explained the projects listed under the One Year Plan and then proceeded into the projects under the Six Year Plan. The One year projects included Projects C22-216, C22-200, C22-188, C22-187 and the projects included in the Six Year Plan were; C22-217, C22-218, C22-211, C22-184, C22-213, C22-193, C22-190, C22-194, C22-214, C22-183, C22-215, C22-185, C22-186, C22-119, C22-212, C22-199, C22-179, C22-124

No one in the audience had any comments.

Chair Engel closed the hearing at 1:53 p.m.

Commissioner Rohde moved, seconded by Commissioner McLarty, Whereas; a Public Hearing for the One and Six Year Road Plan was properly advertised, BE IT RESOLVED by the Board of Commissioners for Dakota County, Nebraska, that the One and Six Year Road Program as prepared by Randy Crombie, Dakota Highway Superintendent, and attached hereto, be adopted.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Rick Jensen, Bldg and Grounds Supt., appeared before the board concerning documenting his mileage on claims.

It was not clear to me what if anything was suggested.

Dennis Reinert, Planning and Zoning Administrator, appeared before the Board and said there were no fees for construction of Commercial structures.

He suggested a fee schedule.

The board felt that he should take it back to the P & Z Board because they had not considered what he was proposing.

The terms and number of P & Z Board Members was briefly discussed. Commissioner Hartnett reported that it was the recommendation of the Planning and Zoning Board to leave the number of board members serving on the board the terms the same with no maximum terms.

Commissioner Hartnett moved, seconded by Commissioner Rohde to leave the number of Planning and Zoning Board members at a 9 member board and to reappoint Dick McNear, Gene Cantrell and Joe O'Neill to a three year term expiring in 2010.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner O'Neill moved, seconded by Commissioner Hartnett to authorize the Independent Legal Counsel of Spencer, Fane, Britt and Browne LLP, to draft a letter pertaining to the subject matter discussed in Closed Session in the February 12th meeting and for it to be hand delivered by Mark McQueen and Commissioner McLarty.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner O'Neill to appoint Joan Spencer as the designated NIRMA Contact Person.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

The Board discussed the issue of Jake Brakes as result of the state removing signs on Highway 35.

Commissioner Rohde moved, seconded by Commissioner Hartnett to request the State to install the No Engine Braking Sign that was removed on Highway 35.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner O'Neill moved, seconded by Commissioner McLarty to approve the minutes of February 20, 2007 as typed.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Rohde to approve the Accounts Payable Claims submitted by the County Clerk as follows:

GENERAL FUND: Dakota County Star, publishing- 535.42; Five Star Awards, payphone- 33.08; Bill McLarty, mileage/lodging- 769.53; SSC Chamber, registration- 100.00; AJ Phillips, envelopes- 350.00; Bear Graphics, security paper- 131.90; Daniel Christoffers, reimburse- 21.19; Dakota County Star, publishing- 72.60; MIPS, vendor checks- 9.97; Net Sys Plus, comp work- 336.25; Perkins, supplies- 107.66; Theodore Piepho, mileage/phone- 68.69; Platte Co Election Comm, dues- 10.00; Redfield, supplies- 342.00; Staples, supplies- 514.39; AJ Phillips, supplies- 155.00; Automated Systems, support- 600.00; Dakota County Star, report- 84.42; DAS Imservices, data- 3.50; Charlotte Doenhoefer, prior yrs- 10.00; Robert Giese, mileage- 52.38; Ruth Jensen, prior yrs- 12.00; Nebr Assoc of Co Treasurers, dues- 75.00; Mardell Sorenson, prior yrs- 26.00; Staples, supplies- 154.82; Irene Van Lent, prior yrs-

16.00; Microfilm Imaging, rent- 240.00; Staples, supplies- 51.32; Net Sys Plus, computer- 1815.00; Secretary of State, voter cards- 10.00; Todds Storeall, storage- 80.00; Dakota County Star, publishing- 21.94; De Lage Landen, copier rental- 91.00; Holiday Inn, lodging- 180.00; Dennis Reinert, phone- 30.00; Sams Club, supplies- 29.08; Valerie Danielson, mileage- 364.45; Des Moines Stamp, stamp pads- 80.15; Carol Sue Dunham, mileage- 81.48; Executive Copy Systems, agreement- 354.95; Holiday Inn, lodging/parking- 198.00; Norfolk Printing, supplies- 105.00; Romans Wiemer, audit- 650.00; Staples, supplies- 221.55; DAS Central Finance, supplies- 210.60; Data Source Media, supplies- 347.17; Platte County Court, transcribe- 8.50; Kurt Rager, supplies- 10.67; Thomson West, service- 264.50; William Binkard, reimburse- 162.91; Erica Gonzalez, interpret- 40.00; Frank Gonzalez, interpret- 480.00; Debbie Jensen, supplies- 7.48; Net Sys Plus, comp repair- 95.00; Perkins, supplies- 155.17; Dakota County Sheriff, papers/warrants- 1758.87; Dakota County Court, costs- 1385.20; Dana Dick, witness fee- 55.89; David Garcia, witness fee- 20.97; Maggie Hale, witness fee- 22.91; Jenny Hamilton, witness fee- 20.00; Shelly Horak, counsel- 772.00; Hurley Law Office, counsel- 2333.25; Sandra Inkster, counsel- 585.00; Barbara Kueny, counsel- 2740.62; Andy Lira, witness fee- 22.91; Douglas Roehrich, counsel- 996.00; Richard Thrumer, counsel- 1336.80; Patrick Tott, counsel- 954.00; Coffee King, coffee- 42.70; Dixon County Sheriff, fees- 67.13; Frank Gonzalez, interpret- 120.00; Randy Hisey, counsel- 732.00; Dennis Hurley, counsel- 1416.00; K&M Reporting, transcribe- 91.80; Madison County Sheriff, fees- 5.00; Nebr Supreme Court, appeals- 122.00; Richard Thrumer, counsel- 762.00; Nebr Notary Assoc, application- 139.15; Cheryl Perkins, meals- 66.13; Holiday Inn, lodging- 180.00; Amsan, vacuum- 561.00; Ateam, repair- 1057.60; Benstar Packaging, supplies- 631.62; Bomgaars, repair- 105.26; Dakota Food & Fuel, supplies- 48.00; Foulk Bros, plumbing- 1178.58; Gill Hauling, service- 240.00; Hardware Hank, supplies- 144.73; Richard Jensen, mileage- 137.37; Menards, repair/supplies- 994.31; Midamerican Energy, energy- 6288.58; New Ideas Foundation, repair/keys- 136.20; NPPD, energy- 3626.97; RotoRooter, repair- 68.90; Sams Club, supplies- 1351.47; Share Corp, supplies- 280.06; Trembly Pest Control, service- 85.00; Verizon Wireless, phone- 54.07; Walmart, supplies- 5.49; Dakota County Extension, reimburse- 420.26; Ammunition, ammunition- 219.00; City of SSC, phone/fuel- 3230.54; Crystal Oil, repair/supplies- 261.52; D&R Service, service- 737.65; Dakota County Sheriff, reimburse- 25.78; Dakota Food & Fuel, fuel- 22.74; Electronic Engineering, lightbar- 250.00; First State Bank, lease- 5799.35; Fremont Tire, service/repair- 777.57; Harolds, film- 22.59; Heartland Services, keys- 40.00; Jacks Uniforms, repair/clothing- 1634.85; NLETC, training- 375.00; Racom, t1- 912.40; Robertson Implement, food- 19.20; SFCU, ammunition/aol- 392.34; Verizon, phone- 67.90; Walmart, supplies- 53.61; DMV, transcripts- 8.00; Edward Matney, mileage/postage/meals- 185.04; H204U, water- 17.25; Mercy Medical, medical- 230.00; MM Court Reporting, deposition- 147.60; Quill, supplies- 94.82; Secretary of State, copies- 20.00; Sprint, phone- 200.00; City of SSC, lec- 23868.50; BI Inc, house arrest- 2513.80; Bob Barker, supplies- 938.94; Butler County Det Center, boarding- 10450.00; CBM Food Service, meals- 16072.96; Cass County Jail, boarding- 23350.00; ConocoPhillips, fuel- 39.22; Dakota Business Systems, copier- 552.00; Dakota County Sheriff, printing/transport- 134.92; Dakota Food & Fuel, fuel- 913.76; David City Discount, medical- 102.86; De Lage Landen, contract- 106.91; Dept of Correctional Svcs, safekeepers/medical- 6640.20; Sandy Dickens, mileage- 129.94; Family Health Care, medical- 103.00; General Surgery, medical- 2910.00; Jacks Uniforms, uniforms- 461.40; Janitor Depot, supplies- 918.40; Louderback Drug, medical- 129.86; MTS Safety, medical- 783.53; Madison Co Sheriff, boarding- 11300.00; Mercy Business Health, medical- 1415.00; Mercy Home Care, medical- 1074.01; Mercy Medical Center, medical- 4128.58; NE Nebr Juvenile Serv, boarding- 13870.00; New Idea Fabricator, supplies- 72.00; David Noble, medical- 50.00; NW Iowa Emerg, medical- 1418.00; Redlers Pharmacy, medical- 1993.21; Redfield, record sheets- 300.22; Ruffner Pharmacy, medical- 149.17; Safeguard Business Systems, supplies- 397.17; Sams Club, supplies- 943.32; SFCU, fuel/meals/supplies- 1110.81; Siouxland Lock & Key, keys- 276.20; Siouxland Pathology, medical- 70.00; Sirchie Fingerprint Lab, pads- 121.54; Staples, supplies- 645.63; Verizon, phone- 137.74; Walmart, supplies- 674.95; Woodbury Co Juvenile, boarding- 500.00; Net Sys Plus, computers/printers- 5959.60; Nebr Assoc of Cnty Eng, dues- 25.00; Nebr Assn of Co Officials, workshop- 17.00; Verizon Wireless, phone- 50.80; Dunes Family Medicine, physician- 250.00; Pam Devries, mileage/reimburse- 226.66; Pat Glover, mileage- 114.41; Perkins, supplies- 51.14; Sanofi Pasteur, medical- 202.36; Alltel, phone- 210.00; Deanna Beckman, hours/mileage- 1229.15; Claritus, maint- 323.50; Pam Devries, registration/mileage- 80.79; Pat Glover, registration- 65.00; Hyvee, supplies- 185.00; Alan Boyd, mileage- 387.60; American Legion, markers- 1017.60; Electronic Engineering, pager- 13.95; Perkins, supplies- 58.34; Lexis Nexis, books- 47.59; Thompson West, supplies- 603.76; Amsterdam Printing, folders- 87.04; Shirley Bentz, prior yrs- 92.32; Business Telecomm Systems, phone- 9883.00; Cableone, internet- 268.00; C&H Heavy Duty, contract- 750.00; Claritus, fluid- 10.50; De Lage Landen, lease- 110.69; FSH Comm, payphone- 58.30; Lazette Gifford, website- 40.00; IBM Corp, server- 205.71; MIPS, support- 366.05; NACO, dues- 1105.00; NE Nebr Assn of Co Officials, registration- 34.00; Qwest, phone- 1518.15; Register of Deeds, survey- 5.50; Madelyn Thorsland, prior yrs- 10.00; Three Rivers, admin fee- 65.00; US Postal Service, postage- 2500.00; WCS Telecom, long distance- 49.78;

ROAD: Aqua Soo, service- 41.50; Aramark, service- 186.92; Ateam, repair- 85.00; Bierschbach, supplies- 97.94; Bomgaars, supplies/parts- 143.90; City of SSC, salt- 1508.09; Dakota County Petty Cash, pictures/testing/supplies- 171.01; Daum Tree Svc, tree removal- 625.00; First State Bank, grader- 15559.03; Flaugh's Pronto, fuel- 1098.24; Fremont Tire, repair- 34.00; Gill Hauling, service- 52.00; Green Light Truck Wash, maint- 291.95; Guarantee Oil, oil- 489.50; Higman Sand, rock- 11240.07; Hubbard Minimart, gas- 2871.29; Joes Dept Store, supplies- 39.44; Linweld, oxy- 36.50; Marx Distro, chemicals- 200.00; Midwest Svc & Sales, signs/blades- 5987.68; Marland Millard, prior yrs- 15.00; NPPD, service- 87.70; Napa, supplies- 188.54; NE Nebr Telephone, phone- 156.69; Powerplan, supplies- 66.00; Rees Mack Sales, supplies- 170.82; Rogers Electric, supplies- 106.00; Sapp Bros Petroleum, propane- 907.50; Sioux City Iron, supplies- 152.32; Siouxland Hydraulics, parts- 37.48; Staples, printing- 114.67; Stephan Welding, parts- 120.00; Titan Machinery, parts- 43.12; Tractor Supply, parts- 169.96; Verizon Wireless, phone- 42.57; Warren Oil, fuel- 6074.32; Hardware Hank, supplies- 5.99; Zieglers, blades- 1987.94; Nirma, insurance- 6951.00;

ROAD IMPROVEMENT: Olsson Associates, bridge- 4955.35;

POOR RELIEF: Becker Hunt Funeral Home, burial- 1730.00; Nebr Dept of Social Svcs, admin fee- 28.50;

PUBLIC SAFETY: City of SSC, sls tax- 3190.15; Jail Bond Fund, sls tax- 23394.42;

JAIL PROJECT FUND: Avery Brothers, stencil jail- 1394.00; B&S Masonry, jail- 23233.60; Chief Industries, construction- 10827.30; Complete Floors, flooring- 3886.16; ComTec Security, security- 35942.40; GA Johnson, construction- 10000.00; Hander Inc Plumbing, jail- 2814.30; K&P Services dumpster- 542.69; Lindblom Svcs, toilet- 35.76; McHan Construction, jail- 55001.00; Mobile Storage Group, office- 225.00; Muth Electric, construction- 90708.22; Total Fire Protection, jail- 10850.00; United Rentals, heat- 215.59;

WEED: Flaugh's Pronto, fuel- 163.50; Hubbard Minimart, gas- 213.00; Nebr Weed Cont Assoc, conference- 75.00; NE Nebr Assn of County Officials, registration- 17.00; Ramada Inn, lodging- 165.00;

Commissioner McLarty handed out a very informative spreadsheet showing the status of the various bills before the Legislature.

Commissioner Hartnett reported on the Public Hearing that Planning and Zoning on the Conditional Use Permit necessary for Prime Solutions to build and said that Planning and Zoning had approved it.

Under Public Comment, Dick McNear and Terry Dolezal addressed issues on Fiddler Creek Road. Mr. McNear provided numbers of a traffic study that he conducted and those figures reflected that per day traffic on given months were as follows: 258 in June, 268 in July, 230 in August and 310 in September. He noted that the September traffic count was driven by a Homer football game.

Terry Dolezal sited concern over the increased traffic in the last 16 years. She also said that the road was getting in worse condition and that it is dangerous because of that increased traffic.

She felt that at the very minimum a speed limit sign should be put up reminding people of the speed limit on county roads.

The board agreed to do that.

Chair Engel adjourned their meeting at 3:23 p.m.

ATTEST:

William F. Engel, Chairman

Theodore A. Piepho, County Clerk

* * * * *

Dakota County Board of Commissioners
Monday, February 26, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel opened their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance.

Present were: Commissioners McLarty, Rohde, Hartnett, Engel, and Ted Piepho, Secretary.

Absent: Commissioner O'Neill.

The agenda for the meeting was as follows:

DAKOTA COUNTY BOARD OF COMMISSIONERS
MONDAY, FEBRUARY 26, 2007 AGENDA AMENDED
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

William F. Engel, Chair Theodore A. Piepho, Secretary

1. 1:30 p.m. Call to Order with reciting the Pledge of Allegiance
Roll Call

* Approve Minutes of last meeting

* Review and approve AP and Payroll claims submitted by County Clerk for payment

* Employee Handbook and Personnel Policies - Sick Leave, Vacation and benefits.

2. 1:31 p.m. Table Mary Gamble tort claim

3. 1:40 p.m. Rod Herron - Recommendation for Health Nurse
Jail Report

4. Tabled Items -

- * Transfer \$450,000 from Inheritance Tax to General Fund
- * Transfer \$28,246.03 from Inheritance Tax to Jail Bond Construction Fund

5. Miscellaneous Agenda Items

- * Authorize County to borrow \$500,000, which was budgeted for cash flow purposes.

6. 2:00 p.m. Public Hearing

The purpose of this hearing is to take oral and/or written testimony concerning the approval of a conditional use permit for Prime Bio Solutions livestock feeding operation and ethanol production facility. The proposed location is an approximately 400 acre tract owned by Beermann Farms, Inc., legally described as:

NW1/4 NW1/4 INCLUDING EASEMENTS OF ACCESS 16-28-8, E1/2 NW1/4 EXCEPT HWY 35 R.O.W. 16-28-8, NE1/4 EXCEPT HWY 35 R.O.W. 16-28-8, SW1/4 EXCEPT NW1/4 SW1/4 & EXCEPT PART OF SW1/4 SW1/4 SOUTH, EAST OF RR R.O.W. 9-28-8, SE1/4 9-28-8. The area is located on the Beermann property on Hwy 35.

6. Committee Reports

7. Public Comment

8. Mail and/or Emergency Business

9. 2:45 p.m. Adjournment

Commissioner McLarty moved, seconded by Commissioner Hartnett to table the Tort Claim filed by Mary Gamble on November 21, 2006.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Absent, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner O'Neill arrived at 1:35 p.m.

The County Clerk discussed the cash flow problems that the county will be faced with the payment of February claims and March payroll and claims. He said that a loan of \$500,000 was budget for the County's 2006/2007 Budget Year. It was the recommendation of the accountant to borrow that money rather than transfer from inheritance tax since it was budgeted. He also suggested transferring \$150,000 from Fund 3301 Jail Property Bond Fund to Fund 4200, which is the Jail Project Fund.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to authorize and direct the County Treasurer, Robert Giese to process loan papers for the county to borrow \$500,000 from Iowa-Nebraska State Bank payable on or before June 15, 2007 at a rate of 5.80 percent with no penalty for early payment for the purpose of cash flow.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Commissioner O'Neill moved, seconded by Commissioner Rohde to authorize and direct the County Clerk and the County Treasurer to transfer \$150,000 from the Jail Property Bond Fund (3301) to Fund the Jail Project Fund (4200).

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Commissioner O'Neill has expressed a desire to see the applications for a jail nurse. She reported that Linda Schovanec had not had a chance to interview two of the applicants.

Commissioner McLarty moved, seconded by Commissioner O'Neill to table the hiring of a nurse for the jail.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to authorize Commissioner Bill McLarty to go to Lincoln and offer opposition to the Legislature to LB 587, which is being proposed to reduce payment to the counties for holding inmates convicted on state charges and that the following letter be presented.

February 27, 2007 **Motion Corrected in the March 12, 2007 minutes**

Appropriations Committee
Lavon Heidemann, Chairperson
State Capitol
Lincoln NE 68509

RE: LB 587

Dear Chairperson Heidemann:

The Dakota County Board of Commissioners would like to convey their support of LB 587 which would remove a statutory cap that prohibits appropriations to the County Jail Reimbursement program in excess of the amount budgeted in that year.

Dakota County's second quarter reimbursement request is prorated as requests for fund reimbursement have already exceeded the amount budgeted for this fiscal year.

Your effort to change provisions relating to state prisoner reimbursement is greatly appreciated.

Sincerely,

Dakota County Board of Commissioners

William McLarty

William Engel

Jackie Hartnett

Betty O'Neill

William Rohde

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel recessed their meeting at 1:50 p.m.

Chair Engel reconvened their meeting at 2:00 p.m. at which time he called the Public Hearing to order to consider a Conditional Use Permit for Prime Bio Solutions, Inc.

Chair Engel asked if there was anyone in the audience that would like to speak in favor of the issuance of a Conditional Use Permit should come forward first and those opposed will be given an opportunity to speak after hearing the proponents.

Lance Hedquist, City Administrator for the City of South Sioux City, came forward and said that this is a great opportunity to get good well paying jobs in the county, expand the tax base for a value added firm. He said that they were very pleased with Bio Solutions to stick with Dakota County to consider this a site for this ethanol facility and cattle facility.

The Dakota County Economic Group has done an outstanding job, if this project proceeds today, Dakota County through the Dakota County Economic Committee's efforts will be the site of the two most energy ethanol plants in the state. One fueled by the gas off the landfill and this one from the cattle in the enclosed pens.

Prime Bio Solutions, I have seen their operations in Meade Nebraska. It is a quality firm, quality people and we certainly feel very comfortable with this particular firm.

You will find that the Planning and Zoning Commission voted unanimously in favor of this project and site and they had many people there to speak in favor of the site and this particular project.

Pat Tracy, Vice President with Prime Bio Solutions, said that they had been to the Planning and Zoning Board and talked in great detail about the aspects of the project and offered to answer and questions anybody had in that regard. It is the same project that they presented to the board earlier, but moved the site to any area in western Dakota County that we thinks fits very well and we think it would be very adequate.

Dennis Reinert, Dakota County Planning and Zoning Administrator, said that the Planning and Zoning Commission met on February 13th to take testimony for or against Prime Bio Solutions. He said the majority of the ones in the audience were in favor of issuing Prime Bio Solution this permit. There were very few in disfavor of the issuance of a permit.

The Planning Commission is recommending, to the Board of Commissioners, that a Conditional Use Permit be issued to Prime Bio Solution with attachment stating that all animal waste be processed through anaerobic digestion.

Mr. Reinert then offered his personal comments concerning Prime Bio Solutions. It's very rare that we can have an employer such as this, that has very good paying jobs and of course I look at all business rather critically. This one I look at making real money for people, rather than changing or shuffling money around from a retail business to another person. This business is going to bring money to the county. That's not even taking into consideration the expansion of the tax base in the rural area.

Dan O'Neill has questions on the obvious; the smell, the odor, fly problem. This is going to be just somewhat south of where I live. This is a concern of mine because their going to be living next to me.

Pat Tracy shared hard copies of a power point presentation at meetings earlier. This facility is designed to be very environmentally friendly. All the animal waste is treated through anaerobic digestions system, which will basically eliminate the odors as it converts the odors to methane gas, which is then used at the ethanol plant. It's all maintained under ground, the cattle are on slatted floors, the waste is gather in gutters underneath the barns, pumped to the anaerobic digestion system. As far as flies go, normally flies will gather in areas where there is standing waste. This particular facility will not have standing waste. There will be no manure on site. It is environmentally controlled as you can possibly be. The cattle again are on slatted floors so there is not dust. The only dust is whatever created by the feed truck driving back and forth to the feed lots. We took people at the zoning meeting to the Meade plant and we understand they were very please with what they saw.

Mr. O'Neill said after it's there we are stuck with it. He made reference that the people did not want it at the prior site.

Mr. Tracy said this was a little different because there it was necessary to change the zoning laws. We are not proposing and Zoning laws. We are abiding by the laws presently in existence.

Commissioner Rohde said that he had made a surprise visit to the Meade area and there was not one bad word against it.

Mr. Tracy said they were handling a sewage system of a city of 350,000 people and you would not have a city that large without a waste management system.

Ms. O'Neill said that she would have to disagree with that because Sioux City stinks like crazy. Ms. O'Neill asked why it could not be located in a part of the state that there are not many homes.

Mr. Tracy said that wherever you located someone would live around in that area.

Commissioner McLarty pointed out that Sioux City was an open lagoon system.

Mr. Tracy explained the Anaerobic System.

Bob Peters said that these people would be good neighbors and he thought that these are the type of people we want in the county. Said that this was his personal views and he was not speaking on behalf of Dakota County Economic Development or the City of Dakota City.

Chair Engel closed the Public Hearing at 2:22 p.m.

Commissioner McLarty moved, seconded by Commissioner Hartnett to approve a conditional use permit for Prime Bio Solutions livestock feeding operation and ethanol production facility. The proposed location is an approximately 400 acre tract owned by Beermann Farms, Inc., legally described as: NW1/4 NW1/4 INCLUDING EASEMENTS OF ACCESS 16-28-8, E1/2 NW1/4 EXCEPT HWY 35 R.O.W. 16-28-8, NE1/4 EXCEPT HWY 35 R.O.W. 16-28-8, SW1/4 EXCEPT NW1/4 SW1/4 & EXCEPT PART OF SW1/4 SW1/4 SOUTH, EAST OF RR R.O.W. 9-28-8, SE1/4 9-28-8. The area is located on the Beermann property on Hwy 35.

Be it further resolved that this approve be subject to all other permits being issued.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED. **Motion Corrected in March 12, 2007 minutes.**

Rick Bousquet appeared before the board and suggested that the Planning and Zoning meeting be held at the Dakota County Courthouse.

Commissioner McLarty moved, seconded by Commissioner Rohde to approve the minutes of February 20, 2007 as typed.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

The County Clerk discussed hiring Marisol Curiel at \$10.85 and implementing raise for his other staff.

The board and the County Clerk discussed what budget the Administrative Assistant's salary should come out of.

Commissioner Hartnett moved, seconded by Commissioner McLarty to approve the payroll submitted by the County Clerk as follows:

COUNTY GENERAL FUND: Gross salaries- \$113,321.28, General Fund Employees Net Pay- \$78,989.01, Employer deductions paid: Retirement- 7,923.14, Retirement Makeup- 34.44, Social Security Tax- 6,903.70, Medicare- 1,614.57, DC Health Plan- 30,690.24, DC Dental Plan- 793.80, Life Insurance- 181.23.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Daniel Christoffers- 444.00, Tracey Corkin- 843.94, Bobbi Jo Harsma- 977.85, Theodore Piepho- 1553.28, Joan Spencer- 1215.68, Darlene Davis- 860.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 920.00, Kimberly Kuehl- 860.00, Phyllis Ridge- 855.50, Lyn Beltz- 135.00, Margaret Rahn- 1142.10, Daniel Christoffers- 448.16, Dennis Reinert- 203.85, Valerie Danielson- 1553.28, Carol Dunham- 1165.42, Cheryl Perkins- 720.00, Joe Flynn- 1664.00, Debra Jensen- 952.00, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 72.00, Jordon Corkin- 21.89, Richard Jensen- 1334.41, Duane Kotalik- 1248.00, Tammy Dunn-Peterson- 847.88, Jeremy Bermel- 2361.75, Anthony Bos- 2268.58, Brad Claypool- 2158.76, Sandy Dickens- 1071.28, Brian Ellinger- 2449.00, Penny Epting- 2072.00, Brent Gilster- 2327.60, Todd Hammer- 1679.09, Melvin Harrison III- 2389.43, Rodney Herron- 1691.98, Kimberly Johnson- 533.01, Jared Junge- 2737.26, Michael Kreegar- 1692.80, Gayle Richards- 805.60, Kevin Rohde- 2190.18, James Wagner- 1942.76, Amber Hegarty- 1752.31, Aimee Kennedy- 960.00, Edward Matney III- 2513.07, Debra Schmiedt- 2032.31, Bobbi Strong- 960.00, Kimberly Watson- 1615.38, Amanda Barclay- 1142.41, Ermelinda Ballesteros- 1054.00, Joshua Blatchford- 1092.00, Dusty Boyd- 1044.70, Rebecca Broer- 1862.54, Chad Clausen- 1322.15, Richard Criss- 1790.12, Toni Duncan- 1424.25, Lisa Ford- 1154.75, John Gilles- 1492.75, Alma Gunderson- 1877.75, Paula Harrigfeld- 680.40, Brenda Harrison- 1181.38, Cathy Harsma- 1416.15, Jason James- 1086.55, Sarah Jensen- 622.63, Brett Johnson- 1259.38, Nicholas Kellen- 1165.60, Matthew Mann- 1111.35, Colleen McMahon-Levine- 1071.05, Diana Moctezuma- 892.80, Mark Nelson- 1028.63, Jeep Phommavong- 1007.50, Joseph Ramirez- 1520.93, Brian Reed- 1041.60, Stephanie Ryan- 1185.75, Linda Schovanec- 1267.23, Heather Skow- 1055.55, Justin Smith- 728.50, Francis Tope- 1153.20, Randall Walsh- 1864.65, Charvette Williams- 1089.65, Daniel Wood- 1314.56, Randall Crombie- 177.00, Jolene Gubbels- 852.00, Leon Pies- 586.00, Pamela DeVries- 1512.68, Patricia Glover- 1108.20, Bonnie Kahler- 552.83, Alan Boyd- 970.20.

GENERAL FUND: Employee withholding paid to: Federal- 12,070.10, State- 4,164.98, Social Security Tax- 6,903.70, Medicare- 1,614.57, Retirement- 5,381.51, Retirement Makeup- 24.44, DC Health Plan- 543.35, DC Dental Plan- 430.54, Colonial Health- 16.20, Sheriff Union Dues- 220.00, Deferred Comp- 588.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$15,792.31, Road Employees Net Pay- \$11,149.81, Employer deductions paid: Retirement- 1,066.00, DC Health Plan- 4,384.32, DC Dental Plan- 113.40, Life Insurance- 23.17, Social Security Tax- 960.89, Medicare- 224.74.

Brent Byroad- 1332.25, Randall Crombie- 1538.46, Ronald Harder- 1336.85, Walter Heinemann- 1379.17, Richard Hoelsing- 1390.99, Hans Houfek- 1306.70, Robert Jacobsen- 1368.11, Fred Kellogg- 1507.49, Kimon Litras- 1374.45, Arnold Mellick- 1345.98, Leon Pies- 586.00, James Swanson- 1325.86.

ROAD FUND: Employee withholding paid to: Federal- 1,576.06, State- 570.73, Social Security- 960.89, Medicare- 224.74, Retirement- 710.64, DC Health Plan-, DC Dental Plan- 58.71, Reassure America Life- 7.32, Deferred Comp.- 61.68, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 180.00.

VISITORS PROMOTION: South Sioux City Chamber of Commerce- Lodging Tax, 8,179.60.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Dennis Reinert, Planning and Zoning Administrator, appeared before the board and said that the Planning and Zoning Board was very adamant that a Conditional Use Permit issued to Prime Bio Solutions include the language that animal waste had to be processed through the anaerobic digester.

Commissioner Hartnett moved, seconded by Commissioner McLarty that the motion to approve a conditional use permit for Prime Bio Solutions livestock feeding operation and ethanol production facility. The proposed location is an approximately 400 acre tract owned by Beermann Farms; stipulate that all animal waste be processed through the Anaerobic Digester.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

The board discussed having the Administrative Assistant Joan Spencer getting with Sheriff's office, to try and come up with a cost of what it actually cost house a prisoner per day. It was the consensus of the board for her to do that.

Engel adjourned their meeting at 2:47 p.m.

Board of Commissioners

ATTEST:

William F. Engel, Chairman

Theodore A. Piepho, County Clerk

* * * * *

Dakota County Board of Commissioners
Monday, March 12, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel opened their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance.

Present were: Commissioners McLarty, Rohde, O'Neill, Hartnett, Engel, and Ted Piepho, Secretary.

The agenda for the meeting was as follows:

DAKOTA COUNTY BOARD OF COMMISSIONERS
MONDAY, MARCH 12, 2007 AGENDA
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

William F. Engel, Chair

Theodore A. Piepho, Secretary

- 1. 1:30 p.m. Call to Order with reciting the Pledge of Allegiance
Roll Call

- * Approve Minutes of last meeting
- * Review and approve Payroll claims submitted by County Clerk for payment
- * Employee Handbook and Personnel Policies - Sick Leave, Vacation and benefits.

2. 1:31 p.m. Rod Herron - Jail Administrator
 - * Recommendation for Health Nurse
 - * Jail Report
3. 1:50 p.m. CBM, Inc. Contract
 - * Authorization to sign a "Notification of Assignment of Account"
4. 2:00 p.m. Jerry Johnson - Information for joint meeting
5. Tabled Items
6. Miscellaneous Agenda Items
 - * Budget discussion - Jackie Hartnett
 - * Education courses through Community Colleges
7. Committee Reports
 - * Legislative Report - Governor's Day April 2
 - * Government Day - Position on Legislative Bills
8. Public Comment
9. Mail and/or Emergency Business
10. 2:45 p.m. Recess to Joint Meeting at the Marina Inn
 - * 6:00 p.m. Marina Inn Joint Meeting

Commissioner McLarty moved, seconded by Commissioner O'Neill to approve the minutes of April 26, 2007 as typed.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Linda Schovanec said that they had three applications and that she recommended one. She has worked in a nursing home and Social Services. Commissioner Hartnett asked if she was an LPN or an RN.

Ms. Schovanec said that she was an LPN and Mr. Herron added that she worked in a Doctor's Office.

Pam DeVries, County Health Nurse, said that she highly recommended the applicant that was being recommended. She has Social Services background and worked with inmates before and also a private Doctor.

Mr. Herron said that they had checked references and did a back ground check on all applicants.

Commissioner McLarty moved, seconded by Commissioner Rohde to approve the recommendation of Rod Herron to Hire Jackie Heaton as Jail Nurse and to be considered approximately 20 hours a week and Be it further resolved that the Dakota County Health Department has no responsibility for the implementation of health policy or procedures connected with the jail in any way, that the Dakota County Health Department be disassociated from any responsibility or liability with the administration of Health Care for the Dakota County Jail/Correctional facility.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Mr. Herron gave a jail report. He said that they have 25 inmates in the old facility and 58 in the new. He said he had contacted the Marshall's Office weekly and they were waiting on federal main office for the amount. He reported that they were going to start out with contracting 25 federal inmates and will take a few more if they are able too.

Mr. Herron said that they thought they had a roof leak, but that it ended up that snow was just being blown through the vents.

Commissioner Hartnett asked about the transition or how it was determined who would be where. Mr. Herron said that they will hold the sentenced and minimum security in the old jail and that is the 25. 58 include the non sentenced, work release and the trustees in the new jail and Mr. Herron said that is where the federal prisoners will be held.

Commissioner Hartnett said that she was of the opinion that we had signed contracts.

Mr. Herron reported that they have agreed that we are going to get the prisoners and the paperwork is in federal main office waiting for their final approval and how much. Mr. Wagner submitted the request and that Mr. Herron was told the contract would be for 25 beds at \$60.00 per day per bed.

Discussion led into Mr. Herron's Report that he came up with a per prisoner per day cost and this was done by using strataVision's formulas based on budget.

Ms. Spencer, Assistant to the Board, said that Sandy had explained that every time there was an employee expense she used 27% of the budget and she got that by comparing the number of employees in the old jail, which is 9, and there are 33 total employees so that is the 27%.

Then every time there was an inmate expense she used 31% and she got that by taking 43 inmates in the old and 93 in the new and coming up with a percent and they based it on how strataVision did theirs. No overtime was figured in either Mr. Herron's Report or StrataVision's.

Mr. Herron said that it figures out that it only cost 24 dollars a day to house an inmate.

Ms. Spencer noted that her figure reflected \$33.00 a day.

Commissioner McLarty moved, seconded by Commissioner Hartnett to authorize the Chair to sign the "Notification of Assignment of Account" subject to the further information contained in Todd Biederstedt's 05 March 2007 letter to the County Attorney.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

The correspondence for the above motion was as follows:
(County Attorney's letter to Assistant to the board)
12 March 2007

Ms. Joan Spencer
Assistant to the Dakota County Board of Commissioners
P0 Box 338
Dakota City NE 68731

Dear Joan:

Enclosed are copies of the "Notification of Assignment of Account" and the 05 March 2007 letter that I received from Todd Biederstedt of First State Bank. I have had calls from both Marlin of CBM and Todd of First State Bank about this matter. It appears that CBM has sought financing from the bank, and the bank would like Dakota County basically to verify the existence of the contract between CBM and Dakota County.

I planned to be down in the Board room for today's meeting. However, because of the homicide that took place this past weekend, I am occupied with some other matters. Therefore, recommend that the Board authorize Chairman Engel to sign the "Notification of Assignment of Account" subject to the further information contained in Todd Biederstedt's 05 March 2007 letter to me. Then, I can attach that letter to the original "Notification of Assignment of Account" and contact Chairman Engel for his signature.

I thank you for talking with me about this earlier today, Joan, and also for relaying this information to the Board. Please let the Commissioners know that I am sorry am unable to attend the meeting personally to discuss this with them. However, if there are any questions, please feel free to call. Thank you.

Sincerely,
Edward H. Matney III
Edward H. Matney III
Dakota County Attorney

NOTIFICATION OF ASSIGNMENT OF ACCOUNT
TO: Dakota County, Nebraska Date 2-5-07
1601 Broadway, PG Box 117
Dakota City, NE 68731

Notification: You have been designated as an obligor under contract rights with CBM, Inc., 2219 E. Benson Road, Sioux Falls, SD 57104.

This is to notify you that under Assignment of Contract dated 2-5-07, debtor has assigned all of debtor's rights to payments under contracts executed between debtor and you to First State Bank, Box 610, Armour, SD 57313 (assignee). The Contract Rights that have been assigned are as follows:

Contract between CBM, Inc. and Dakota County, Nebraska in the amount of \$275,000.00 dated February 21, 2007

The Assignee requests that you remit all payments required under the aforementioned contract to the following address:

First State Bank
Box 610
Armour, SD 57313

Payments to Assignee will commence on immediately and continue for each payment period thereafter until you are otherwise notified in writing by Assignee.

Assignee

First State Bank
By
Todd Biederstedt, VP

Authorization: By signing below, Debtor acknowledges the existence and effectiveness of the Contract indicated above. Debtor hereby authorizes you to make payments directly to Assignee as provided in this notification.

CBM, Inc.
By Date 2-5-07

Acceptance: By signing and returning this copy of this notification to Assignee, you acknowledge receipt of this notice and agree to its terms.

Dakota County Nebraska

By _____ Date _____

Recipient: Please sign and return copy to Assignee at the address indicated above for remitting payments under the contract.

March 5, 2007

Edward H. Matney
Dakota County Attorney
Dakota County, Nebraska
PG Box 117
Dakota City, NE 68731

Dear Mr. Matney:

Enclosed please find a Notification of Assignment of Account form, pertaining to the contract Dakota County has with CBM, Inc. of Sioux Falls, SD. I would like a county representative sign the form, accepting the assignment. However, at this time, we do not want the payments sent directly to First State Bank. We still wish to have them sent to CBM, Inc. and they will forward them to us. When completed, return the form to me.

If you have any questions, feel free to contact me.

Sincerely,
/s/ Todd Biederstedt
Todd Biederstedt
VP

Enc.

Commissioner Hartnett said that most of her questions had been answered by Mr. Herron, but that her main concern is that we have had to borrow a half million dollars on this year's budget. Some of our revenue sources have not been coming in as we projected and our fiscal year ends May 31st (she meant June 30) so she was concerned about the expenses that are still out there.

The County Clerk asked the County Board what their position was on County employees taking courses that benefited the county. Whether the county would fund any part of the tuition. It was the consensus of the board that the county would not pay for tuition for continuing education.

Commissioner McLarty mentioned that he had passed out forms to sign up for attending Governor's Day April 2nd. Mr. McLarty and Commissioner Engel were planning on attending Governor's Day and Commissioner Rohde was considering it.

Mr. McLarty also passed out a spread sheet identifying where Legislative Bills were in the Legislature and asked that the board members to try and come up with what they thought were the most important five for the board to support.

Chair Engel declared a 5 minute break at 2:15 p.m.
Chair Engel reconvened their meeting at 2:20 p.m.

Public Comment: Dan McNamara thanked the board to give Prime Bio Solutions another chance to locate in the county.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to approve the payroll claims submitted by the County Clerk as follows:

COUNTY GENERAL FUND: Gross salaries- \$100,463.87, General Fund Employees Net Pay- \$71,021.82, Employer deductions paid: Retirement- 6,988.20, Retirement Makeup- 34.44, Social Security Tax- 6,106.56, Medicare- 1,428.15, DC Health Plan- 30,690.24, DC Dental Plan- 793.80, Life Insurance- 181.26.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 454.00, Tracey Corkin- 895.13, Bobbi Jo Harsma- 1004.00, Theodore Piepho- 1553.28, Darlene Davis- 817.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 816.50, Kimberly Kuehl- 731.00, Phyllis Ridge- 713.90, Margaret Rahn- 1142.10, Daniel Christoffers- 454.00, Dennis Reinert- 203.85, Valerie Danielson- 1553.28, Carol Dunham- 1165.42, Cheryl Perkins- 560.00, Joe Flynn- 1664.00, Debra Jensen- 952.00, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 648.00, Jordon Corkin- 27.04, Richard Jensen- 1334.41, Duane Kotalik- 1248.00, Tammy Dunn-Peterson- 871.50, Jeremy Bermel- 1476.00, Anthony Bos- 1796.35, Brad Claypool- 1494.45, Sandy Dickens- 1071.28, Brian Ellinger- 1592.52, Penny Epting- 1600.00, Brent Gilster- 1527.20, Todd Hammer- 1499.78, Melvin Harrison III- 1734.33, Rodney Herron- 1691.98, Kimberly Johnson- 359.42, Jared Junge- 1570.09, Michael Kreegar- 1453.60, Gayle Richards- 805.60, Kevin Rohde- 1360.80, James Wagner- 1942.76, Amber Hegarty- 1752.31, Aimee Kennedy- 942.00, Edward Matney III- 2513.07, Debra Schmiedt- 2032.31, Bobbi Strong- 1199.88, Kimberly Watson- 1615.38, Amanda Barclay- 1142.41, Ermelinda Ballesteros- 1013.70, Joshua Blatchford- 1176.50, Dusty Boyd- 620.00, Rebecca Broer- 1404.11, Chad Clausen- 1055.55, Richard Criss-

1156.00, Toni Duncan- 1096.88, Lisa Ford- 1023.00, John Gilles- 1120.00, Alma Gunderson- 1192.63, Paula Harrigfeld- 555.66, Brenda Harrison- 1072.50, Cathy Harsma- 1156.00, Jason James- 1023.00, Sarah Jensen- 563.13, Brett Johnson- 1059.50, Nicholas Kellen- 1026.10, Matthew Mann- 1038.50, Colleen McMahon-Levine- 923.80, Diana Moctezuma- 961.00, Mark Nelson- 1069.25, Jeep Phommavong- 1019.90, Joseph Ramirez- 1269.80, Brian Reed- 1032.30, Stephanie Ryan- 1044.70, Linda Schovanec- 1230.60, Heather Skow- 818.40, Justin Smith- 1023.00, Francis Tope- 793.60, Randall Walsh- 1506.60, Charvette Williams- 1044.70, Daniel Wood- 1113.75, Randall Crombie- 177.00, Jolene Gubbels- 833.36, Leon Pies- 695.90, Pamela DeVries- 1512.68, Patricia Glover- 1020.60, Bonnie Kahler- 519.75, Alan Boyd- 970.20.

GENERAL FUND: Employee withholding paid to: Federal- 9,576.47, State- 3,370.24, Social Security Tax- 6,106.56, Medicare- 1,428.15, Retirement- 4,732.97, Retirement Makeup- 24.44, DC Health Plan- 543.37, DC Dental Plan- 430.77, Colonial Health- 16.20, Sheriff Union Dues- 250.00, Deferred Comp- 588.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$21,704.82, Road Employees Net Pay- \$14,883.29, Employer deductions paid: Retirement- 1,465.09, DC Health Plan- 4,384.32, DC Dental Plan- 113.40, Life Insurance- 23.19, Social Security Tax- 1,327.48, Medicare- 310.47.

Brent Byroad- 1912.60, Randall Crombie- 1538.46, Ronald Harder- 1842.39, Walter Heinemann- 1888.16, Richard Hoesing- 2085.56, Hans Houfek- 1671.70, Robert Jacobsen- 1810.71, Fred Kellogg- 2212.12, Kimon Litras- 1958.78, Arnold Mellick- 1993.28, Leon Pies- 948.67, James Swanson- 1842.39.

ROAD FUND: Employee withholding paid to: Federal- 2,667.37, State- 940.00, Social Security- 1,327.48, Medicare- 310.47, Retirement- 976.74, DC Health Plan-, DC Dental Plan- 58.74, Reassure America Life- 7.32, Deferred Comp.- 61.68, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 180.00.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Hartnett to rescind the earlier motion to approve the minutes of February 26, 2007 as typed and to correct the following motion of February 26th as follows: "Commissioner Hartnett moved, seconded by Commissioner O'Neill to authorize Commissioner Bill McLarty to go to Lincoln and offer ~~opposition~~ support to the Legislature to LB 587, which is being proposed to ~~reduce~~ remove the lid on payments to the counties for holding inmates convicted on state charges" and BE IT FURTHER RESOLVED to correct the motion "Commissioner McLarty moved, seconded by Commissioner Hartnett to approve a conditional use permit for Prime Bio Solutions livestock feeding operation and ethanol production facility. The proposed location is an approximately 400 acre tract owned by Beermann Farms, Inc., legally described as:

NW1/4 NW1/4 INCLUDING EASEMENTS OF ACCESS 16-28-8, E1/2 NW1/4 EXCEPT HWY 35 R.O.W. 16-28-8, NE1/4 EXCE~T HWY 35 R.O.W. 16-28-8, SW1/4 EXCEPT NW1/4 SW1/4 & EXCEPT PART OF SW1/4 SW1/4 SOUTH, EAST OF RR R.O.W. 9-28-8, SE1/4 9-28-8. The area is located on the Beermann property on Hwy 35.

BE IT FURTHER RESOLVED that this approval be subject to all other ~~permits~~ waivers required to ~~being~~ issued signed." and BE IT FURTHER RESOLVED to adopt the minutes of February 26, 2007 as herein corrected.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Hartnett to recess until 6:00 p.m. and to meet at the Marina Inn for 30th annual Joint City, County, School Meeting.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED. 2:36 p.m.

Marina Inn
South Sioux City

The City of Dakota City hosted the 30th Annual Joint City School County Meeting at the Marina Inn Carlisle Room, South Sioux City, Nebraska.

Charmaine Cantrell, Mayor of Dakota City, welcomed everyone at 6:15 p.m. Introductions were made and roll call taken. Dakota County Board members present were William Engel, William McLarty and Betty O'Neill. William Rohde arrived at 6:37 p.m. and Jackie Hartnett was absent. Elected Officials in attendance were Ed Matney, County Attorney and John Loos, Public Defender. Joan Spencer, Administrative Assistant recorded the minutes.

Bob Krause, Dakota City, was presented with the Volunteer of the Year award. A slide presentation celebrating 30 years of intergovernmental cooperation was shown by Lance Hedquist, Mayor of South Sioux City and Sue Murray, South Sioux City Clerk.

State of the County/Cities/Schools addresses were given by Bill Engel, Dakota County Commissioner Chair, Charmaine Cantrell, Dakota City Mayor, Robert Giese, South Sioux City Mayor and Jerry Bobier, South Sioux City School Board President.

Dinner was served at 7:00 p.m. The following partnership updates were given:

Dakota County Correctional Facility	Jerry Johnson, Johnson Construction
Siouxland Y	Mary Brady, Executive Director
Joint Entity Water Planning	Lance Hedquist, City Administrator
Safe Schools Grant	Brent Brown, SSC Parks Director
Vietnam Wall	Donna Goodier

City County Sales Tax
Dakota City Landfill
NECC & Wayne State
County-Wide Economic Development
Highway 35

Nanci Walsh, City Treasurer
Robert Peters, City Administrator
Dr. Bill Path & Dr. Rick Collings
Dan McNamara, Director
Kristine Winter, Dist. Engineer, NDOR

Dakota County will host the 2008 Annual Joint Meeting. The meeting was adjourned at 8:30 p.m.

Board of Commissioners

ATTEST:

William F. Engel, Chairman

Theodore A. Piepho, County Clerk

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Dakota County Board of Commissioners
Monday, March 19, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel opened their regular scheduled meeting to order at 10:02 a.m. with the Pledge of Allegiance.

Present were: Commissioners McLarty, Hartnett, Engel, and Ted Piepho, Secretary.
Absent were: Commissioners O'Neill and Rohde

Commissioner McLarty moved, seconded by Commissioner Engel to excuse Commissioners O'Neill and Rohde for being absent:
ROLL CALL VOTE: McLarty- Yea, Rohde- Absent, O'Neill- Absent, Hartnett- Yea, Engel- Yea,
UNANIMOUS MOTION CARRIED.

The agenda for the meeting was as follows:

DAKOTA COUNTY BOARD OF COMMISSIONERS
MONDAY, MARCH 19, 2007 AGENDA
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

William F. Engel, Chair Theodore A. Piepho, Secretary

1. 10:00 a.m. Call to Order with reciting the Pledge of Allegiance
Roll Call
 - * Approve Minutes of last meeting
 - * Review AP and Payroll claims submitted by County Clerk for payment
 - * Employee Handbook and Personnel Policies - Sick Leave, Vacation and benefits.
2. 11:45 p.m. Recess for lunch
3. 1:30 p.m. Randy Crombie - Open Gravel Bids
4. 1:45 p.m. Tony Gomez - Special designated Liquor License for Old Crystal Lake
May 27 (11), June 17 (10), July 15 (10), August 12 (10), Sept 2 (11), Sept 16(1-8)
5. Tabled Items
6. 1:45 p.m. Miscellaneous Agenda Items
 - * Letter of Grant Application Support for Simpco
 - * Officials Reports
7. Committee Reports
8. Public Comment
9. Mail and/or Emergency Business
10. 2:15 p.m. Adjournment

Commissioner Hartnett moved, seconded by Commissioner McLarty to approve the minutes of March 12, 2007 as typed.

ROLL CALL VOTE: Rohde- Absent, O'Neill- Absent, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

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

Commissioner Rohde arrived at 10:30 a.m.

Rick Jensen, Bldg and Grounds Supt., appeared before the board and said that the handlers for the faucets in the jail were bad and they were having problems with them. He said the handlers installed by Tindel inside pods were good but the ones used outside the pods were not.

The board felt that \$5,000 should be withheld from Hander Inc. Plumbing's check.

Commissioner Hartnett departed the meeting at 11:25 a.m.

Chair Engel recessed their meeting at 11:42 a.m.

Chair Engel reconvened their meeting at 1:29 p.m.

Present were: Commissioners McLarty, Hartnett, Engel, O'Neill, Rohde and Ted Piepho, Secretary.

Absent were: All present

Randy Crombie, Highway Supt., appeared before the board to open the gravel bids submitted.

Randy Crombie, Highway Supt., opened the bids submitted by vendors to supply the county with gravel. The bids opened were as follows; Stalp Sand & Gravel, \$5.75 FOB Pit and \$11.00 Delivered for Schedule 4; Higman Sand and Gravel, \$6.25 FOB Pit for Schedule 1, \$7.25 FOB Pit Schedule 2, \$8.75 FOB Pit Schedule 3, \$5.25 FOB Pit Schedule 4; Erlandson Trans, Inc., \$5.00 FOB Pit for Schedule 4; S&S Willers Pilger, \$5.00 FOB Pit and \$12.13 delivered for Schedule 4; Nebraska Sand and Gravel, \$5.75 FOB Pit for Schedule 4.

Commissioner Hartnett moved, seconded by Commissioner McLarty to refer the bids to the Road Committee for a recommendation which is the lowest and best bid.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Rohde to approve the claims submitted by the County Clerk for payment as follows:

GENERAL FUND: Dakota County Star, publishing- 514.30; Betty O'Neill, room- 22.40; William McLarty, mileage/trip/workshop- 207.66; Perkins, supplies- 186.90; Sioux City Wintronics, ties- 31.21; Joan Spencer, workshop- 17.00; CitiMastercard, software- 48.06; Perkins, supplies- 39.37; Theodore Piepho, recorder/phone- 55.58; Staples, supplies- 175.40; Hardware Hank, filter- 16.47; Dakota County Star, publishing- 1920.08; DAS Imservices, service- 3.50; Charlotte Doenhoefler, prior yrs- 10.00; Robert Giese, notary/mileage- 151.85; Ruth Jensen, prior yrs- 12.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; Microfilm Imaging, equipment- 240.00; Todds Storeall, storage- 80.00; Theodore Piepho, mileage- 15.04; Dakota County Star, publishing- 21.94; Marlan Millard, mileage- 165.87; Dennis Reinert, phone- 30.00; Anytime Lock & Key, keys- 34.14; Valerie Danielson, key- 5.65; Carol Sue Dunham, mileage- 73.72; Norfolk Printing, supplies- 420.29; Perkins, supplies- 87.30; Sioux City Journal, publishing- 291.92; Staples, supplies- 406.27; DAS Central Finance, supplies- 946.44; Paula Jensen, supplies- 45.29; Perkins, supplies- 43.99; Kurt Rager, reimburse- 5.68; Thomson West, service- 128.50; William Binkard, reimburse- 125.00; Frank Gonzalez, interpret- 240.00; Perkins, supplies- 357.55; Dakota County Sheriff, papers/warrants- 585.40; [Kenneth Adams, Bennie Bolton, Shayna Bruggeman, Jack Bossow, Keith Claypool, Connie Dorcey, Bruce Davis, Ruth Diegnan, Dale Durant, Randy Engel, Charlotte Flaugh, Allan Gentrup, Sherry Ingalls, Nicole Jones, James Kellen, Marlene LaCroix, Tamara Lane, Jennifer McCulloch, Sigourney McDonald, Tim McNear, Robert Malcom, Sheila Matney, Paula Medbourn, David Mellick, Tracy Mitchell, Richard Moret, Derek Morris, Mary Nelson, David O'Dell, Neal Pitts, Linda Roost, Amy Slaughter, Lorna Stamp, Brian VanBerkum, William Watson, Robert Decker], jury fees- 2753.91; Clerk of Supreme Court, case- 122.00; Coffee King, coffee- 42.70; Dixon County Sheriff, subpoenas- 67.13; Nancy Hines, mileage/hearing- 61.78; Randy Hisey, counsel- 60.00; Hungrys, meals- 291.61; HyVee, bakery- 87.78; Stuart Mills, counsel- 1260.00; Shirley Sides, hearing- 60.00; Thurston County Court, court cost- 8.18; Patrick Tott, counsel- 444.00; Joellen VanTuyl, ct reporter- 60.00; Jason Craig, witness fee- 22.42; Dakota County Court, costs- 856.60; Stephanie Fernandez, witness fee- 20.00; Hurley Law Office, counsel- 1214.00; Sandra Inkster, counsel- 300.00; Andy Kassing, witness fee- 24.85; Barbara Kueny, counsel- 528.05; Andy Lira, counsel- 22.91; Alejandro Medina, witness fee- 24.85; Emmanuel Oviedo, witness fee- 24.85; Lisa Payer, witness fee- 24.85; Karen Ramos, witness fee- 27.76; Robert Rehan, counsel- 1312.50; Rosa Reyes, witness fee- 24.85; Roberto Rocha-Contreras, witness fee- 24.85; John Stephans, witness fee- 29.70; Thurston County Sheriff, service- 46.78; Patrick Tott, counsel- 1218.00; Meliza Trevino, witness fee- 20.00; Samuel Valdivia, witness fee- 20.00; Omar Vazquez, witness fee- 27.76; Amsan, supplies- 1382.79; Benstar Packaging, supplies- 150.53; Bunkers Feed & Supply, salt- 399.12; Dakota Food & Fuel, supplies- 25.00; Foulk Bros Plumbing, plumbing- 335.00; Gill Hauling, service- 240.00; G&R Electric, repair- 1239.05; Hardware Hank, repair/supplies- 128.66; Richard Jensen, mileage- 189.68; Menards, supplies- 959.53; Midamerican, energy- 6032.13; NPPD, energy- 3463.40; Sams Club, supplies- 910.90; Share Corp, supplies- 883.00; Tool Depot, repair- 112.34; Trembly Pest Control, pest control- 85.00; Universal, bags- 55.00; Verizon, phone- 54.07; Walmart, repair- 111.66; Dakota County Extension, reimburse- 476.33; City of SSC, phone/fuel- 2527.86; Crystal Oil, fuel- 332.43; D&R Service, repair- 445.43; Dakota Food & Fuel, fuel- 698.23; Fremont Tire, service/repair- 472.60; Harolds, film-

59.38; HyVee, bakery- 11.98; Jacks Uniforms, clothes- 265.90; Joes Dept Store, flares- 298.98; Joes Towing, towing- 120.00; Racom, t1- 687.40; Robertson Implement, food- 19.20; SFCU, fuel/aol/supplies- 164.16; Siouxland Humane Soc, animal control- 46.00; Staples, ribbons- 53.88; Verizon, phone- 66.75; Walmart, supplies- 29.15; Hardware Hank, hooks- 8.88; Dakota County Treasurer, mileage- 109.62; Debra Fergen, keys- 67.50; DMV, transcripts- 35.00; Edward Matney, supplies/postage- 83.21; Perkins, supplies- 300.00; Quill, supplies- 222.86; Sprint, phone- 150.00; City of SSC, lec- 23868.50; Amsan, supplies- 563.68; BI Inc, house arrest- 1978.80; Bob Barker, supplies- 1027.12; CBM Food Service, meals- 19925.02; Dakota Business Systems, contract- 261.00; Dakota County Sheriff, supplies/uniform/fuel- 72.09; Dakota Food & Fuel, fuel- 519.58; Dept of Correction Services, safekeepers/medical- 7244.59; Sandy Dickens, mileage- 103.24; Fremont Tire, service- 46.25; Amy Hueser, interpret- 70.00; ISECUREtrac, house arrest- 161.00; Jacks Uniforms, clothes- 271.20; Kreisers, medical- 57.50; Madison Co Sheriff, boarding- 2350.00; Mercy Business Health, medical- 1265.00; Mercy Medical Center, medical- 144.00; NMG, medical- 258.00; NE Nebr Juvenile Svcs, boarding- 22360.00; David Noble, medical- 69.00; RACOM, radios- 4193.40; Redlers Pharmacy, medical- 2588.60; Sams Club, supplies/fee- 302.06; SFCU, fuel/meal- 254.53; Staples, supplies- 133.11; Verizon, phone- 138.83; Walmart, supplies- 48.66; Woodbury County Juv Det, boarding- 2700.00; Net Sys Plus, computer work- 779.00; De Lage Landen, copier rental- 91.00; Verizon, phone- 85.82; Dunes Family Medicine, contract- 250.00; Perkins, supplies- 6.23; Kreisers, medical- 57.50; Redlers, medical- 31.25; Pam Devries, mileage- 84.39; Pat Glover, mileage- 113.49; Pam Devries, education/mileage- 46.79; Richard Criss, hours- 728.00; Deanna Beckman, hours/mileage- 1175.80; Elite Office Products, flash drive- 29.98; Alan Boyd, mileage- 659.60; Electronic Engineering, pager- 13.95; Thomson West, service- 603.76; AT&T, long distance- 1713.14; Benstar, paper- 1206.00; Cableone, internet- 274.01; Dakota County Star, publishing- 92.64; De Lage Landen, lease- 110.69; Executive Copy Systems, copier- 262.50; FSH Comm, payphone- 63.60; Lazette Gifford, website upkeep- 40.00; Hasler, meter- 150.00; MIPS, support- 366.05; NACO, handbook- 82.00; Qwest, phone- 1421.82; Spencer Fane Britt, investigation- 7491.50; Madelyn Thorsland, prior yrs- 10.00; Three Rivers, admin fees- 1075.00; US Postal Service, postage- 2500.00; WCS Telecom, phone- 388.96; BI Inc, em- 924.00; AJ Phillips, supplies- 20.60;

ROAD FUND: Ateam Heating & cooling, setup- 1570.83; AquaSoo Water, service- 8.50; Aramark, service- 175.33; Bomgaars, supplies/parts- 173.30; CircleR, supplies- 5.15; City of SSC, salt- 1393.52; Fremont Tire, oil- 20.70; Gill Hauling, service- 52.00; Green Light Truck Wash, maint- 102.00; Guarantee oil, supplies- 92.80; Heritage Express, fuel- 20.00; Higman Sand, rock- 8572.93; Hubbard Minimart, fuel- 1758.62; Jackson Glass, window- 116.91; Joes Dept Store, parts/supplies- 171.83; Linweld, oxy- 33.50; Medical Enterprises, medical- 59.80; Menards, repair- 61.46; Marlan Millard, prior yrs- 15.00; Marx Truck, parts- 33.49; NAPA, parts/supplies- 333.25; NPPD, energy- 94.91; Newman Traffic, signs- 266.23; NE Nebr Telephone, phone- 176.69; Pumps, tires- 239.34; Ponca Coop, oil- 702.00; Rees Mack, supplies- 305.52; Ricks Radiator, repair- 65.00; Sapp Bros, propane- 1028.50; Sioux City Ford, repair- 133.17; Siouxland Hydraulics, parts- 65.00; Stephan Welding, parts- 48.50; Titan Machinery, misc- 59.55; TriState Comm, equip- 6.00; Verizon, phone- 42.84; Warren Oil, diesel- 9178.02; Zieglers, parts- 689.79;

ROAD IMPROVEMENT: Gill Construction, knoxblvd- 18550.39;

POOR RELIEF: Becker Hunt Funeral Home, burial- 2130.00;

INSTITUTIONS: Beatrice State Dev Center, qtrly payment- 1887.00; Norfolk Regional Center, qtrly payment- 6.00;

VETERANS AID: Veterans Service Office, relief- 670.00;

PUBLIC SAFETY: City of SSC, Sales tax- 4998.48; JailBond Fund, Sales tax- 36655.56;

TITLE II JJDP: Perkins, supplies- 19.03;

JAIL PROJECT FUND: Chief Ind, retainage- 39503.20; Comtec Sec, security- 253.80; Hander Inc, plumbing- 33317.10; HCI Const, construction- 25019.81; Jomac Const, retainage- 6455.10; K&P Services, dumpster- 224.65; Mobile Storage, storage- 225.00; RJ Kool, retainage- 1325.50; United Rentals, heat- 215.59;

WEED FUND: Central Comm College, training- 90.00; Hubbard Minimart, fuel- 123.96; Leon Pies, meals/mileage- 278.95; Quality Inn, lodging- 120.00; Ramada Inn, meals- 8.51;

E911: Dakota County General Fund, lec- 1.83; City of SSC, 911 monies- 34385.03;

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to approve a letter and to authorize the same in support of SIMPCO's grant application requesting funds for the Community Beautification and Economic Development Program, as follows:

March 19, 2007

To Whom It May Concern:

As the Chair of the Dakota County Board of Commissioners, I am writing in support of SIMPCO's grant application requesting funds for the Community Beautification and Economic Development Program. We realize nuisance abatement / community beautifications goes hand-in-hand with economic development and appreciate SIMPCO's continued effort to be a key partner in bettering the Siouxland region.

We are very enthusiastic about SIMPCO's Community Beautification and Economic Development Program and support the grant application. The resources that this partnership program could bring to the area would be extremely beneficial.

Thank you for your consideration.

Sincerely,

William Engel

Board of Commissioner Chair

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Tony Gomez appeared before the board to request that the County Board to make application for a Special Designated Liquor License for the old school land that he is leasing.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to approve a letter of support and approve any application for a Special Designated Liquor License in 2007 applied by Tony Gomez for events to be held May 27, 2007 and September 2, 2007 from 3 p.m. to 11 p.m., June 17, 2007, July 15, 2007, August 12, 2007 from 3 p.m. to 10 p.m. and September 16, 2007 from 1 p.m. to 8 p.m.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Bill McLarty reminded the board members of Governor's Day April 2nd and that Legislative day was April 12th.

Mr. McLarty also suggested that a letter of thanks should be sent to Sent to Senator Fortenberry for thanking him for his support and helping with a temporary Contract to board Federal prisoners as follows:

March 19, 2007

The Honorable Jeff Fortenberry

1517 Longworth

Hart Senate Office Building

Washington DC 20515

Dear Senator Fortenberry:

A huge thank you from the Dakota County Board of Commissioners for your support in expediting the contract with the US Federal Marshals Office for Dakota County to house Federal Prisoners in their new correctional facility.

We are already housing 3 federal prisoners and have a promise for a full 25 prisoners within 60 days.

Thanks again for the efforts of you and your staff!

Sincerely,

William F. Engel

Chair, Board of Commissioners

Under Public Comment, Tom Reed appeared to discuss Prime Bio Solutions putting an ethanol plant as approved by the board authorizing a conditional use permit.

Mr. Reed stated that he lives north of the facility and that his daughter has purchased the property to the east.

Mr. Reed stated that they have tried to negotiate with Prime Bio Solutions and that they are not willing to negotiate.

He was objecting to the ethanol plant and said they were in violation of Planning and zoning regulations and he cited the definition of a feed lot stated in the zoning regulations as follows:

FEEDLOT: The confined feeding of food, fur or pleasure animals in buildings, lots, pens, pools or ponds, which normally are not used for the raising of crops or for the grazing of animals. The area of the confined feeding operation shall include the pens, corrals, sheds, buildings, feed storage areas, waste disposal ponds and related facilities. Such facilities shall be constructed and operated in conformance with applicable county, state, and federal regulations. Further, such operations shall provide an operation and maintenance plan including a site plan and other such information as required by the county. For the purpose of these regulations, the term feedlot shall include the confined feeding of one-hundred-fifty (150) or more feeder or fat cattle, one hundred (100) or more beef cows, one-hundred (100) or more dairy cattle, five-hundred (500) or more swine, two-thousand (2,000) or more sheep, three-thousand (3,000) or more turkeys, or ten-thousand (10,000) or more chickens, ducks or geese.

He said that the ethanol plant was a related facility to the feed lot and therefore it has to meet the setback from a residential dwelling as the feedlot does.

They have not gotten a waiver signed by his daughter and therefore would be in violation as soon as they start to build it.

Marlin Millard spoke supporting the integrity of Prime Bio Solutions and suggested that Mr. Reed visit the plant in Meade, NE.

Chuck Young appeared before the board complaining that there is not a crown on the roads; therefore, water does not drain off them.

Commissioner Hartnett moved, seconded by Commissioner O'Neill 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 months of January and February, 2007,
ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel adjourned their meeting at 2:20 p.m.

Board of Commissioners

ATTEST:

William F. Engel, Chairman

Theodore A. Piepho, County Clerk

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Dakota County Board of Commissioners
Monday, March 26, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance.

Present were: Commissioners McLarty, Engel, Rohde, O'Neill and Danny Christoffers, Acting Secretary.

Absent: Commissioner Harnett

Commissioner McLarty moved, seconded by Commissioner O'Neill to excuse Jackie Hartnett from the meeting.
ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Absent, Engel- Yea, UNANIMOUS MOTION CARRIED

Commissioner McLarty moved, seconded by Commissioner Engel to approve the minutes of March 19, 2007 as typed.
ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Absent, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED

Commissioner McLarty moved, seconded by O'Neill to convene into closed executive session to discuss possible litigation.
ROLL CALL VOTE: O'Neill- Yea, Hartnett-absent, Engel- Yea, McLarty- Yea, Rohde- Yea UNANIMOUS MOTION CARRIED 1:38 p.m.

Commissioner McLarty moved, seconded by Rohde to reconvene in open session.
ROLL CALL VOTE: Hartnett- Absent, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea UNANIMOUS MOTION CARRIED 2:40 p.m.

Dennis Reinert appeared before the board to discuss Planning and Zoning fees for Commercial Building Permits. He stated that the Planning and Zoning Commission is recommending to adopt the original fee sheet that was presented before the Board of Commissioners and the vote was 4-3 by the Planning and Zoning Commission.

TOTAL VALUATION	PERMIT FEES
\$1.00 TO \$1000.00	\$10.00
\$1,001 TO \$2000.00	\$10.00 for the first \$1,000.00 plus \$1.00 for each additional \$100.00 to and including \$2,000.00 TOPS OUT AT \$20.00
\$2,001.00 TO \$25,000.00	\$20.00 for the first \$2,000.00 plus \$2.00 for each additional \$1,000.00 to and including \$25,000.00. TOPS OUT AT \$66.00
\$25,001.00 TO \$50,000.00	\$112.00 for the first \$25,000.00 plus \$1.50 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00 TOPS OUT AT \$149.00
\$50,001.00 TO \$100,000.00	\$187.00 for the first \$50,000.00 plus \$1.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00 TOPS OUT AT \$237.00
\$100,001.00 TO \$500,000.00	\$287.00 for the first \$100,000.00 plus \$.75 for each additional \$1,000.00, to and including \$500,000.00. TOPS OUT AT \$587.00
\$500,001.00 AND UP	\$887.00 for the first \$500,000.00 plus \$.50 for each additional \$1,000.00 to and thereof.

Conditional Use Permit Fee: \$100.00

Discussion was had on when a property was designated commercial or farm. Dennis Reinert said in his opinion, it was determined when a farmer had commercial license plates on his vehicle. Dennis stated that the Planning & Zoning Commission has not come up with a definition as of yet, he is planning on proposing this idea.

Commissioner Rohde moved, seconded by McLarty to adopt the Planning and Zoning Commissions building permit fees and raise the conditional use permit fee from \$70 to \$100 as follows:

TOTAL VALUATION	PERMIT FEES
\$1.00 TO \$1000.00	\$10.00
\$1,001 TO \$2000.00	\$10.00 for the first \$1,000.00 plus \$1.00 for each additional \$100.00 to and including \$2,000.00 TOPS OUT AT \$20.00
\$2,001.00 TO \$25,000.00	\$20.00 for the first \$2,000.00 plus \$2.00 for each additional \$1,000.00 to and including \$25,000.00. TOPS OUT AT \$66.00
\$25,001.00 TO \$50,000.00	\$112.00 for the first \$25,000.00 plus \$1.50 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00 TOPS OUT AT \$149.00
\$50,001.00 TO \$100,000.00	\$187.00 for the first \$50,000.00 plus \$1.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00 TOPS OUT AT \$237.00
\$100,001.00 TO \$500,000.00	\$287.00 for the first \$100,000.00 plus \$.75 for each additional \$1,000.00, to and including \$500,000.00. TOPS OUT AT \$587.00
\$500,001.00 AND UP	\$887.00 for the first \$500,000.00 plus \$.50 for each additional \$1,000.00 to and thereof.

Conditional Use Permit Fee: \$100.00
ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Absent, Engel- Yea
UNANIMOUS MOTION CARRIED 2:45 p.m.

Jerry Johnson and Stan Wheelock appeared before the board to present closeout items for the jail.

The board was informed that several binders were put together and placed in the jail that contained manuals for maintenance, repair, and warranty's for items in the jail.

McLarty left at 3:02
McLarty returned at 3:05

Bid Package change orders were presented to the board for approval, which totaled \$86,387.00 a total increase in project cost of 1.2%

Jerry Johnson said that in the design process they used a 60,000 BTU heater in the vehicle sally port. The heater in the colder weather was not sufficient, it allowed the sprinkler heads to freeze and burst. It was recommended that they upgrade to a 200,000 BTU heater. Commissioner O'Neill mentioned some issues with leaking in the jail. Jerry and Stan believed it was limited to the bad weather we had recently. Commissioner O'Neill asked that in the case that this would be a re-occurring problem, for something on a letter that would address this issue and be fixed in that scenario.

Stan Wheelock explained several of the bid package change orders that needed action by the board.

Building and Grounds Supervisor, Rick Jensen, mentioned some problems that needed to be resolved with calking, water heater, pipes on the roof, and heat issues.

Commissioner Rohde moved, seconded by McLarty to upgrade the furnace in the Sally Port Garage from a 60,000 BTU furnace to a 200,000 BTU furnace and approve change orders to the original bid specification as recommended by Stan Wheelock and to authorize the chair to sign same.
ROLL CALL VOTE: O'Neill- Yea, Hartnett- Absent, Engel- Yea, McLarty- Yea, Rohde- yea.
UNANIMOUS MOTION CARRIED

Discussion was had on the issue of pipes in the new jail. It was thought that they were leaking but it was a case where snow had blown in the vents and when that melted the water ran down the pipes.

Commissioner Rohde moved, seconded by O'Neill to retain \$5,000.00 from the Hander Inc claim that was approved in the last meeting of March 19, 2007.
ROLL CALL VOTE: Hartnett- Absent, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea
UNANIMOUS MOTION CARRIED 3:40 p.m.

Commissioner McLarty moved, seconded by O'Neill to approve the payroll claims as follows.
COUNTY GENERAL FUND: Gross salaries- \$102,074.09, General Fund Employees Net Pay- \$74,719.88, Employer deductions paid: Retirement- 7,095.64, Retirement Makeup- 34.44, Social Security Tax- 6,328.58, Medicare- 1,480.02.
William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 458.26, Tracey Corkin- 792.00, Marisol Curiel- 876.14, Bobbi Jo Harsma- 1004.01, Theodore Piepho- 1553.28, Darlene Davis- 860.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 920.00, Kimberly Kuehl- 860.00, Phyllis Ridge- 837.80, Lyn Beltz- 100.00, Margaret Rahn- 1142.10, Daniel Christoffers- 466.77, Dennis Reinert- 203.85, Valerie Danielson- 1553.28, Carol Dunham- 1165.42, Cheryl Perkins- 800.00, Joe Flynn- 1664.00, Debra Jensen- 952.00, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 720.00, Jordon Corkin-

27.04, Richard Jensen- 1334.41, Duane Kotalik- 1248.00, Tammy Dunn-Peterson- 829.50, Jeremy Bermel- 1771.24, Anthony Bos- 1568.85, Brad Claypool- 1559.03, Sandy Dickens- 1071.28, Brian Ellinger- 1860.24, Penny Epting- 1312.00, Brent Gilster- 1651.40, Todd Hammer- 1451.67, Melvin Harrison III- 1669.75, Rodney Herron- 1691.98, Kimberly Johnson- 400.98, Jared Junge- 1726.94, Michael Kreegar- 1472.00, Gayle Richards- 805.60, Kevin Rohde- 1445.85, James Wagner- 1942.76, Amber Hegarty- 1752.31, Aimee Kennedy- 1092.67, Edward Matney III- 2513.07, Debra Schmiedt- 2032.31, Kimberly Watson- 1615.38, Amanda Barclay- 1142.41, Ermelinda Ballesteros- 1026.10, Joshua Blatchford- 1040.00, Dusty Boyd- 920.70, Rebecca Broer- 1324.05, Chad Clausen- 1029.20, Richard Criss- 1156.00, Toni Duncan- 1059.75, Lisa Ford- 1023.00, John Gilles- 1148.00, Alma Gunderson- 1199.88, Paula Harrigfeld- 652.05, Brenda Harrison- 1075.75, Cathy Harsma- 1163.23, Jason James- 1032.30, Sarah Jensen- 565.25, Brett Johnson- 1059.50, Nicholas Kellen- 1010.60, Matthew Mann- 1013.70, Colleen McMahon-Levine- 1023.00, Diana Moctezuma- 979.60, Mark Nelson- 1079.00, Jeep Phommavong- 1029.20, Joseph Ramirez- 1239.09, Brian Reed- 933.10, Stephanie Ryan- 988.90, Linda Schovanec- 1193.98, Heather Skow- 942.40, Justin Smith- 1023.00, Francis Tope- 1091.20, Randall Walsh- 1674.00, Charvette Williams- 1061.75, Daniel Wood- 1076.63, Randall Crombie- 177.00, Jolene Gubbels- 852.00, Leon Pies- 586.00, Pamela DeVries- 1512.68, Patricia Glover- 1071.63, Bonnie Kahler- 604.80, Alan Boyd- 970.20.

GENERAL FUND: Employee withholding paid to: Federal- 9,977.09, State- 3,527.49, Social Security Tax- 6,328.58, Medicare- 1,480.02, Retirement- 4,806.44, Retirement Makeup- 24.44, DC Health Plan-, DC Dental Plan-, Colonial Health-, Sheriff Union Dues-, Deferred Comp- 588.00, and Garnishments- 622.15.

COUNTY ROAD PAYROLL: Gross salaries- \$13,908.46, Road Employees Net Pay- \$10,326.81, Employer deductions paid: Retirement- 938.83, Social Security Tax- 862.31, Medicare- 201.67.

Brent Byroad- 1168.00, Randall Crombie- 1538.46, Ronald Harder- 1172.00, Walter Heinemann- 1180.00, Richard Hoesing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1212.00, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,349.57, State- 480.54, Social Security- 862.31, Medicare- 201.67, Retirement- 625.88, Deferred Comp. - 61.68.

VISITOR'S PROMOTION: South Sioux City Chamber of Commerce- Lodging tax, 9,440.18.

INHERITANCE TAX: General Fund- 60,000.00.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Absent, Engel- Yea

UNANIMOUS MOTION CARRIED.

Joan Spencer, Administrative Assistant to the board brought up that Bob Giese, Treasurer, was concerned about the General Fund running short.

Commissioner McLarty moved, seconded by O'Neill to transfer 60,000.00 from Inheritance tax to General Fund for operating cash.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Absent, Engel- Yea, McLarty- Yea

UNANIMOUS MOTION CARRIED

Commissioner McLarty said he was pleased with how the meeting with the County Officials went concerning updating the Employee Handbook.

Chair Engel adjourned their meeting at 3:47 p.m.

Board of Commissioners

ATTEST:

William F. Engel, Chairman

Theodore A. Piepho, County Clerk

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Dakota County Board of Commissioners
Monday, April 9, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel opened their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance.

Present were: Commissioners McLarty, Rohde, O'Neill, Hartnett, Engel, and Ted Piepho, Secretary.

Absent were: All present

DAKOTA COUNTY BOARD OF COMMISSIONERS
MONDAY, APRIL 9, 2007 AGENDA
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

William F. Engel, Chair Theodore A. Piepho, Secretary

1. 1:30 p.m. Call to Order with reciting the Pledge of Allegiance
 - * Roll Call
 - * Approve Minutes of last meeting
 - * Review and approve Payroll claims submitted by County Clerk for payment
 - * Employee Handbook and Personnel Policies - Sick Leave, Vacation and benefits.
2. 1:31 p.m. Robert Giese - Employee Association Pop fund
3. 1:40 p.m. Resolution - Engine Braking
3. 1:45 p.m. Hander Check - When to release \$5000 retained check
4. 1:46 p.m. Formalize Dakota County's employment of Omaha law firm of Spencer, Fane, Britt & Browne, L.L.P.
 - * Scope of employment
 - * Financial commitment
5. Tabled Items - no tabled items to consider
6. Miscellaneous Agenda Items - no misc items to act on
7. Committee Reports
8. Public Comment
9. Mail and/or Emergency Business
10. 2:00 p.m. Adjournment

Commissioner Rohde moved, seconded by Commissioner McLarty to approve the minutes of March 26, 2007, as typed.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Bob Giese appeared before the board on behalf of the Employee's Association concerning the Pop Fund. He said that the wrong products got put in another pop vendor's machine so they can not buy pop from HyVee any longer and that all pop must be purchased through the distributor's. He said that pop would have to raise 25 cents a can to make the same profit as the present and to be able to continue help supporting the Christmas Party and flowers for employee's under the current policy.

Commissioner McLarty moved, seconded by Commissioner O'Neill to authorize an increase from 50 cents per can of pop to 75 cents per can and to set the price of 20 oz. bottled pop at \$1.25.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Rohde to adopt Resolution 07C-003 agreeing to purchase three Engine Braking Prohibited Signs to be placed; one on Highway #35 facing West, approaching Highway #75 and #77 Section 8, T-28-N, R-9-E; and two to be placed at the Highway #35, #75, and #77 Junction with one being for the North bound traffic and the other for South bound traffic both located in Section 8, T-28-N, R-9-E.

BE IT FURTHER RESOLVED that Resolution 07C-003 read as follows:

Resolution 07C-003

WHEREAS, Dakota County agrees to purchase three Engine Braking Prohibited signs to be placed as follows: one on Highway #35 facing West, approaching Highway #75 and #77 Section 8, T-28-N, R-9-E; and two to be placed at the Highway #35, #75, and #77 Junction with one being for the North bound traffic and the other for South bound traffic both located in Section 8, T-28-N, R-9-E.

WHEREAS, The Nebraska Department of Roads would agree to installing the Engine Braking Prohibited - County Ordinance signs after receiving proper notification.

BE FURTHER RESOLVED, the Dakota County Commissioners and the Nebraska Department of Roads agree to the terms described above.

Adopted this 9th day of April, 2007 at Dakota County.

BOARD OF COMMISSIONERS

DAKOTA COUNTY, NEBRASKA

/s/ Bill Engel

Chairperson

ATTEST

/s/ Theodore Piepho, County Clerk

Board Member Hartnett moved the adoption of said Resolution.

Roll Call 5-yea 0-Nay

Resolution adopted, signed and billed as adopted

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

County Clerk, Ted Piepho, asked when and who could authorize him to release the \$5,000 check withheld from Handers claim March 19th. It was the consensus of the Board that Jerry Johnson be authorized to direct the release of that check.

The chair called for the agenda item FORMALIZE DAKOTA COUNTY'S EMPLOYMENT OF OMAHA LAW FIRM OF SPENCER, FANE, BRITT & BROWNE, L.L.P.

Commissioner Engel said. "I'll make a motion to stop this legal team, as everything is going along fine. We had a Senator here the other day and everything is going along so good and we can't afford them. The motion died for a lack of second."

Commissioner Engel asked how much we have already spent and the County Clerk thought about seven thousand something paid to date. Commissioner Engel said this could escalate to \$100,000.

Commissioner McLarty said his feeling was that they don't know where they are until they have heard both sides of the story and we have not heard both sides of the story. I am reluctant to drop it because we have just as much legal backlash as we do on this side, so until we get all the full facts I don't think we can afford to drop it.

Commissioner Engel asked for a second to his motion.

With no second, Mr. Engel said we are in such financial trouble right now that this could break the county and really stir up things.

Ed Matney, County Attorney said that he had met with Commissioner O'Neill last week and they discussed a little bit about what this law firm charges for an hourly rate.

Commissioner O'Neill thought that the board discussed hours in the last meeting and Mr. Matney said we discussed that as well.

Mr. Matney mentioned that this firms rates are from \$150 an hour to \$270 an hour.

Commissioner Hartnett asked if that was market and Mr. Matney said that they are an Omaha firm and would assume so for that area.

Mr. Matney: "and in regard for the other item SCOPE OF EMPLOYMENT Commissioner O'Neill is the primary commissioner aware of this situation at least as far as I know."

Ms. O'Neill said, "not the primary. I gave it to all the other commissioners at the same time and they were in this together with me."

Mr. Matney said that the board is in the best position to determine what course of action, obviously it has to do with personnel complaints and if the board wants to determine specifically what the firm is to look into.

Commissioner McLarty moved that Dakota County employ the law firm of Spencer, Fane, Britt and Browne L.L.P. to do an investigation into possible litigation that would involve the county and will pay the going rate of \$150 to \$270 an hour, as far as financial commitment back to January 16, 2007 forward to do an investigation and legal work in reference to possible litigation in which the county is involved.

Commissioner Hartnett seconded the motion.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yes, Hartnett- Yea, Engel- No, McLarty- Yea, MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner Hartnett to approve the payroll claims submitted by the County Clerk as follows:

COUNTY GENERAL FUND: Gross salaries- \$104,635.76, General Fund Employees Net Pay- \$74,141.63, Employer deductions paid: Retirement- 7,253.91, Retirement Makeup- 34.44, Social Security Tax- 6,366.42, Medicare- 1,488.90, DC Health Plan- 30,690.44, DC Dental Plan- 793.80, Life Insurance- 181.23.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 458.26, Tracey Corkin- 888.25, Marisol Curiel- 855.80, Bobbi Jo Harsma- 991.45, Theodore Piepho- 1553.28, Darlene Davis- 860.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 920.00, Kimberly Kuehl- 860.00, Phyllis Ridge- 837.80, Margaret Rahn- 1142.10, Daniel Christoffers- 458.26, Dennis Reinert- 203.85, Valerie Danielson- 1553.28, Carol Dunham- 1165.42, Cheryl Perkins- 800.00, Joe Flynn- 1664.00, Debra Jensen- 952.00, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 720.00, Richard Jensen- 1334.41, Duane Kotalik- 1248.00, Tammy Dunn-Peterson- 931.88, Jeremy Bermel- 1642.07, Anthony Bos- 1588.55, Brad Claypool- 1512.90, Sandy Dickens- 1071.28, Brian Ellinger- 1584.24, Penny Epting- 1280.00, Brent Gilster- 1637.60, Todd Hammer- 1451.67, Melvin Harrison III- 1586.71, Rodney Herron- 1691.98, Kimberly Johnson- 435.21, Jared Junge- 2443.86, Michael Kreegar- 1476.60, Gayle Richards- 805.60, Kevin Rohde- 1377.81, James Wagner- 1942.76, Erin Bartels- 880.00, Elisha Doyle- 704.00, Amber Hegarty- 1752.31, Aimee Kennedy- 1138.98, Edward Matney III- 2513.07, Debra Schmiedt-

2032.31, Kimberly Watson- 1615.38, Amanda Barclay- 1856.41, Ermelinda Ballesteros- 1023.00, Joshua Blatchford- 1059.50, Dusty Boyd- 1041.60, Rebecca Broer- 1287.68, Chad Clausen- 1023.00, Richard Criss- 1347.90, Toni Duncan- 1080.00, Lisa Ford- 1035.40, John Gilles- 1170.45, Alma Gunderson- 1203.50, Paula Harrigfeld- 561.33, Brenda Harrison- 1072.50, Cathy Harsma- 1156.00, Jackie Heaton- 368.00, Jason James- 1050.90, Sarah Jensen- 680.00, Brett Johnson- 1085.50, Nicholas Kellen- 1050.90, Matthew Mann- 976.50, Colleen McMahon-Levine- 1038.50, Diana Moctezuma- 1004.40, Mark Nelson- 893.75, Jeep Phommavong- 1026.10, Joseph Ramirez- 1249.93, Brian Reed- 409.20, Stephanie Ryan- 1035.40, Linda Schovanec- 1172.00, Heather Skow- 840.10, Justin Smith- 1023.00, Francis Tope- 992.00, Randall Walsh- 1739.10, Charvette Williams- 1035.40, Daniel Wood- 1269.01, Randall Crombie- 177.00, Jolene Gubbels- 852.00, Leon Pies- 586.00, Pamela DeVries- 1512.68, Patricia Glover- 1020.60, Bonnie Kahler- 548.10, Alan Boyd- 970.20.

GENERAL FUND: Employee withholding paid to: Federal- 10,001.50, State- 3,537.05, Social Security Tax- 6,366.42, Medicare- 1,488.90, Retirement- 4,912.42, Retirement Makeup- 24.44, DC Health Plan- 543.35, DC Dental Plan- 410.97, Colonial Health- 16.20, Sheriff Union Dues- 230.00, Deferred Comp- 588.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$13,908.46, Road Employees Net Pay- \$9,853.17, Employer deductions paid: Retirement- 938.83, DC Health Plan- 4,384.32, DC Dental Plan- 113.40, Life Insurance- 23.17, Social Security Tax- 844.08, Medicare- 197.42.

Brent Byroad- 1168.00, Randall Crombie- 1538.46, Ronald Harder- 1172.00, Walter Heinemann- 1180.00, Richard Hoesing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1212.00, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00. ROAD FUND: Employee withholding paid to: Federal- 1,307.23, State- 463.24, Social Security- 844.08, Medicare- 197.42, Retirement- 625.88, DC Health Plan-, DC Dental Plan- 58.71, Reassure America Life- 7.32, Deferred Comp.- 61.68, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 198.00.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

The board discussed the position of the Community Corrections/Pretrial Release Officer.

Mr. Matney, County Attorney said that Amanda Barclay had resigned and that she has agreed to monitor defendants on a part time basis on nights and weekends until a replacement is found.

Her position is half grant funded and if the money is not spent we have to return the money to the Crime Commission.

The Chief Deputy County Attorney, Sheriff and Mike Carlson, from Probation, have served on a panel and have interviewed for the position in the past and Mr. Matney suggested Joan Spencer and someone from the Public Defender's Office be added to the panel.

This position is funded through a grant and her salary is 50/50 state and county.

It was discussed that the county has received warning letters because the county has missed deadlines and Mr. Matney said that would be stressed with the new replacement the importance of filing reports on time.

Commissioner O'Neill asked Mr. Matney when she could ask Randy Walsh the question that she had previously spoke to Mr. Matney about. Mr. Matney said he supposed that she could any time.

Ms. O'Neill told the chair that she would like to ask Randy Walsh a question and he said go ahead.

Commissioner O'Neill asked Randy Walsh who authorized him to be here?

Mr. Walsh said, "the Sheriff and Chief Deputy."

Commissioner O'Neill asked, "and are you getting paid?" and Mr. Walsh's reply was, "yes mam."

Commissioner O'Neill asked, "to sit here and take the minutes, right?"

Commissioner O'Neill asked Mr. Matney if this was normal procedure that we have a deputy down here listening in on the minutes, and taking the minutes, and being here at every meeting, when he is on pay?

Mr. Matney said, "Ms. O'Neill, I don't see that on the agenda and we are in the middle of a Community Corrections discussion."

Chair Engel ruled Ms. O'Neill out of order.

The Board continued discussion with the Community Correction position.

Commissioner McLarty moved, seconded by Commissioner Rohde to proceed with interviews for the Community Corrections Officer and that Amanda Barclay be paid based on an hourly rate prorated from her previous annual salary and that Joan Spencer and a person from the Public Defenders Office be added to the panel that will interview to fill the vacancy.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty gave a Legislative Report as follows:

Dakota County Commissioners
Legislative Committee

Review of Legislation

LB 33 Fischer, 33 On General File This bill will appropriate funds for County Property Tax relief. We SUPPORT this legislation. No progress during this past two weeks.

LB 255 Rogers, 16 On Final Reading This bill will change the Wage and Payment and Collection Act. We SUPPORT this legislation. This bill moved from General File to Final Reading in the last two weeks,

LB 391 Mines, 18 On General File This bill would change provisions relating to public meetings and public records. We OPPOSE this bill. This bill has not moved in the last two weeks.

LB 502 Mines, 18 On Final Reading This bill change the rate system of collection fees relating to Inheritance Taxes. We OPPOSED this bill. An amendment was added to change the fee from \$100,000 to \$40,000 at Level one and adjust Levels two and three. Most believe this to make the bill tax neutral. The bill moved from Select File to Final Reading (only the final vote remains to be taken).

LB 587 Comett, 45 Remains in Committee. This bill would remove the cap on appropriations relating to the Jail Reimbursement Funding, We SUPPORT this bill. This bill has NOT moved in the passed two weeks.

Chairman Engel read two letters. One from Pat Engel on the Noxious Weed Program and the other being a letter from Wayne Boyd written to Kris Winter District Engineer for the Nebraska Dept. of Revenue concerning Warren Hoesing's problem with tubes being installed in conjunction with ethanol plant causing water to back up on his property.

The Jail Administrator called back with the inmate population. There were 64 in the new jail, 22 in the old jail and 40 pretrial and 5 federal prisoners.

Chair Engel adjourned their meeting at 2:33 p.m.

Board of Commissioners

ATTEST:

William F. Engel, Chairman

Theodore A. Piepho, County Clerk

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Dakota County Board of Commissioners
Monday, April 16, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel opened their regular scheduled meeting to order at 10:03 a.m. with the Pledge of Allegiance. Chair Engel announced that the meeting was open at 10:12 a.m.

Present were: Commissioners McLarty, O'Neill, Hartnett, Engel, and Ted Piepho, Secretary.

Absent were: Commissioner Rohde.

The agenda for the meeting was as follows:

DAKOTA COUNTY BOARD OF COMMISSIONERS
MONDAY, APRIL 16, 2007 AGENDA
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

William F. Engel, Chair Theodore A. Piepho, Secretary

1. 10:00 a.m. Call to Order with reciting the Pledge of Allegiance
 - * Roll Call
 - * Approve Minutes of last meeting
 - * Review and approve Accounts Payable claims submitted by County Clerk for payment
2. 11:15 a.m. Jail Tour
3. 11:45 a.m. Recess for Lunch
4. 1:30 p.m. Reconvene meeting from morning session
 - * Carol Larvick - Appointment of members to County Ext. Board

5. 1:45 p.m. Gravel Bid Agreements
6. 1:46 p.m. FSA Consolidation
7. Tabled Items - no tabled items to consider
8. Miscellaneous Agenda Items
 - * Deputy - attendance in meetings
 - * CDBG requests requesting \$7,977 and \$540 Federal Monies on Project 05-ED-015
 - * Officials Reports
 - * Jail Report
9. Committee Reports
10. Public Comment
11. Mail and/or Emergency Business
12. 2:15 p.m. Adjournment

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

Commissioner Hartnett departed the meeting at 10:18 a.m.

Commissioner Rohde arrived at 10:22 a.m.

Valerie Danielson, Clerk of District Court reported that she purchased a used copier.

The board commenced to tour the old and new jail at 11:15 and the chair recessed from touring the new jail at 11:55 a.m.

Chair Engel reconvened their meeting from the morning session at 1:30 p.m.

Present were: Commissioners McLarty, O'Neill, Rohde, Hartnett, Engel, and Ted Piepho, Secretary.

Absent: All present

Carol Larvick with the Extension Office appeared before the board to request that the County Board appoint Chris Fathke, Larry Armbright and Van Phillips, all to serve a three year term on the Dakota County Extension Board.

Commissioner Hartnett moved, seconded by Commissioner McLarty to appoint Chris Fathke, Larry Armbright and Van Phillips, all to serve a three year term on the Dakota County Extension Board.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Rohde recommended that the County Board sign agreements with all who submitted bids to furnish the County with gravel as advertised.

Commissioner Hartnett moved, seconded by Commissioner Engel to accept, approve and authorize the chair to sign the gravel Agreements with S&S Willer, Inc dba Pilger Sand & Gravel, Higman Sand & Gravel and Erlandson Transportation to furnish gravel and rock for the county.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Kelly Fravel, with Nebraska Farm Services Agency gave a report on the agency's consolidation of offices and said there present plan was to keep Dakota City's Office here in Dakota City and Ponca would be consolidated into this office. She suggested that the County Board write a letter support that.

Commissioner Hartnett moved, seconded by Commissioner McLarty to draft a letter to USDA Nebraska Farm Service Agency (FSA) c/o State Review Plan to express our support in your initial decision to consolidate the Dixon and Dakota County FSA offices in Dakota City, as follows:

April 17, 2007

USDA Nebraska Farm Service Agency (FSA)
c/o State Review Plan
7131 A Street
Lincoln NE 68510-4202

Dear Mr. Rogers and Committee Members:

In response to the USDA Farm Service Agency's (FSA) State Review Plan proposal announced March 27, 2007, the Dakota County Board of Commissioners voted unanimously to express our support in your initial decision to consolidate the Dixon and Dakota County FSA offices in Dakota City.

Program Delivery: Location of the Dakota City office is in the normal flow of traffic and a destination point for producers in the region to take care of other business while also visiting the FSA office; landowners travel to the Dakota City/South Sioux City area for grain elevators, shopping, medical, banking and other agri-business needs. The office is a "one-stop-service-center" that provides convenience and efficiency to customers as well as to the three agencies housed in the building (FSA, NRCS and NRD). The office is also located next door to City Hall and within a block of the Dakota County Courthouse, UN-L Extension and other County Offices making it very convenient to do business with several agencies in one trip.

Improve Training: The facility has a large meeting room (55 person capacity) with state-of-the art computer networking capabilities, overhead projector for power point presentations, white board and speaker system for training or meetings. The office also has a smaller conference room (10-12 persons) that could be used for small group meetings or training sessions.

Utilize Technology: The facility was built with additional office space that could easily be converted to accommodate additional FSA staff as well as twice the needed computer networking capabilities. The building was built with energy efficiency in mind and is in full compliance with the Americans with Disabilities Standards (ADS) guidelines.

We appreciate your time and consideration in making these very difficult decisions of office consolidations.

Sincerely,

William F. Engel
Dakota County Board Chair
Dakota City, Nebraska

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item of Deputy - attendance in meetings.

Commissioner O'Neill commented that she had this agenda item put on as result of last meeting. Hearing comments from other board members and her thoughts why there is a deputy in all the board meetings taking minutes when the secretary is taking minutes.

There was some discussion and Commissioner McLarty appreciated that he was down there for security. He said that they always had a police officer at their council meeting in So. Sioux City.

Chair Engel called for the agenda item CDBG requests requesting \$7,977 and \$540 Federal Monies on Project 05-ED-015

Commissioner McLarty said he talked with Jane Gilbert, from SIMPCO at the legislative meeting over the lunch hour and said that \$7,977 was in error and that the board should table this until Jane Gilbert can be here to explain.

Commissioner McLarty moved, seconded by Commissioner Rohde to table the CDBG grant requests drawing down \$7,977 and \$540 Federal Monies on Project 05-ED-015.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Engel called for the agenda item Jail Report.

Rod Herron appeared before the board on the jail report. He reported 63 inmates in the new jail and 19 in the old. They are cleaning the old jail as there was a lot of gang graffiti. After that they will bring some of the minimum security people over.

He reported that he had called the Marshall's Office again to ask that they bring more prisoners. Presently there are seven federal inmates. Counting those 7 they have a total of 82 people in both jails.

Mr. Herron said that as soon as the Marshall's Office gets the paperwork back they will bring more people. He said that they have 40 people at Fort Dodge that they would like to bring here although they have agreed to contract 25.

Commissioner McLarty asked how many federal inmates there are in this area that could be potentially housed.

Mr. Herron said there were 40 in Fort Dodge that they would like to get closer and Woodbury County's Contract will be up in the next year and they don't know that they will be allowed to operate that way according to their jail standards. That would give Dakota County another 15.

This information pertained only to the Federal Marshall's Office and did not take INS and Bureau of Indian affairs into consideration.

For Committee reports, Mr. McLarty had passed out a report of the Legislative Bills as follows:

Dakota County Commissioners
Legislative Committee

Review of Legislation

LB 33 Fischer, 33 On General File. This bill will appropriate funds for County Property Tax relief. We SUPPORT this legislation. No progress during this past three weeks.

LB 255 Rogert, 16 On Final Reading. This bill will change the Wage and Payment and Collection Act. We SUPPORT this legislation. This bill was signed by the Governor,

LB 391 Mines, 18 On General File. This bill would change provisions relating to public meetings and public records. We OPPOSE this bill. This bill has not moved in the last three weeks.

LB 502 Mines, 18 On Final Reading. This bill will change the rate system of collection fees relating to Inheritance Taxes. We OPPOSED this bill.

An amendment was added to change the fee from \$100,000 to \$40,000 at Level one and adjust Levels two and three. Most believe this to make the bill tax neutral. The bill remains on Final Reading (only the final vote remains to be taken).

LB 587 Cornett, 45 Remains in Committee. This bill would remove the cap on appropriations relating to the Jail Reimbursement Funding, We SUPPORT this bill.

This bill has NOT moved in the passed three weeks.

Commissioner McLarty moved, seconded by Commissioner O'Neill to approve the minutes of April 9, 2007 as corrected.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Rohde to approve the claims submitted by the County Clerk for payment as follows:

GENERAL FUND: B&C Office Tech, copier clean- 71.25; City of DC, meeting/meal- 150.00; Dakota County Star, publishing- 547.73; Net Sys Plus, comp work- 41.00; Perkins, supplies- 24.66; Dakota County State Bank, dep box- 35.00; B&C Office Tech, copier clean- 71.25; Des Moines Stamp, stamps- 52.10; Net Sys Plus, comp work- 485.69; OSDI Midwest, lektriever- 895.00; Perkins, supplies- 465.76; Theodore Piepho, phone/reimb- 61.73; Staples, software/hardware- 224.65; Theodore Piepho, mileage- 28.13; DAS Imservices, data- 3.50; Charlotte Doenhoefer, prior yrs- 10.00; Robert Giese, mileage- 116.40; Ruth Jensen, prior yrs- 12.00; Perkins, repair- 128.84; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; Mark Dorcey, prior yrs- 4.00; Jacob North Co, real estate- 39.99; Microfilm Imaging, lease- 240.00; Five Star Awards, svc- 20.33; Theodore Piepho, toner- 229.93; Secretary of State, voter- 208.97; Todds Storeall, storage- 80.00; Gene Cantrell, mileage/meeting- 43.58; Jim Crosgrove, mileage/meeting- 25.67; Jim Jepsen, mileage/meeting- 31.94; Dick McCabe, mileage/meeting- 53.28; Dick McNear, mileage/meeting- 44.55; Marlan Millard, mileage/meeting- 36.79; Joe O'Neill, mileage/meeting- 36.79; Perkins, supplies- 29.60; Dennis Reinert, mileage/phone- 159.01; Martin Rohde, mileage/meeting- 45.52; Perkins, supplies- 29.10; MicroTek, toner- 720.00; Nebr Notary Assoc, stamp- 137.50; Carol Sue Dunham, mileage- 101.85; Dakota County Court, chk order- 82.25; Dell, toner- 269.97; Midwest Office Automations, contract- 349.76; Thomson West, svc- 128.50; Thurston County Court, transcribe- 12.78; William Binkard, supplies- 121.54; Frank Gonzalez, interpret- 120.00; John Loos, supplies- 65.26; Thomson West, books- 90.00; Nebraska UC Fund, unemp- 254.00; AJ Phillips, supplies- 616.50; Clerk of Dist Court, claims- 1210.00; Coffee King, coffee- 42.70; Valerie Danielson, re Fridg- 98.88; Thomas Fitch, counsel- 1032.00; Nancy Hines, hearing- 61.78; Randy Hisey, counsel- 1560.00; Shelly Horak, counsel- 390.00; Hungry's, food- 243.24; HyVee, water- 79.90; Stuart Mills, counsel- 945.00; Michael Schmiedt, counsel- 847.50; Shirley Sides, hearing- 60.00; Joellen Van Tuyl, ct report- 60.00; Dakota County Court, costs- 854.30; Thomas Fitch, counsel- 1479.00; Randy Hisey, counsel- 264.00; Hurley Law, counsel- 1854.00; Sandra Inkster, counsel- 300.00; Brian Kennedy, witness fee- 26.79; Douglas Roehrich, counsel- 468.00; Richard Thramer, counsel- 257.40; Patrick Tott, counsel- 1008.00; Dakota County Sheriff, papers/warrants- 1867.99; Net Sys Plus, comp work- 165.00; Amsan, supplies- 101.30; Barone Security, inspection- 270.00; Benstar, supplies- 200.66; Bomgaars, supplies/repair- 391.94; Bunkers Feed, salt- 458.27; City of DC, service- 1571.50; Dakota Food & Fuel, supplies- 29.00; Gill Hauling, service- 240.00; Grainger, repair- 478.52; Hardware Hank, repair- 159.50; Richard Jensen, mileage- 129.93; Menards, repair/supplies- 1608.22; MidAmerican, energy- 3050.04; NPPD, energy- 3001.13; Okeefe, maint- 136.53; Robertson Imp, repair- 34.80; Pemc, maint- 345.50; Sams Club, repair/supplies- 1797.11; Stateline Elec, supplies- 451.05; Trembly Pest Control, pest- 85.00; Verizon, phone- 62.90; Dakota County Extension, reimb- 1091.28; City of SSC, phone/fuel- 3637.58; D&R Service, service- 370.14; Dakota County Star, publishing- 9.63; Dakota Food & Fuel, fuel- 126.03; Fremont Tire, service/repair- 1887.48; Jacks Uniforms, sewing- 16.90; PepperBall Tech, supplies- 1192.98; RACOM, t1- 687.40; SFCU, meals/aol/service- 523.55; TorcoRemfg, repair- 345.40; Verizon, phone- 85.99; Walmart, supplies- 16.56; Willis Animal Clinic, animal- 302.85; Dakota County Treasurer, mileage- 54.81; Des Moines Stamp, stamp- 84.80; H204U, supplies- 17.25; Kim Watson, supplies- 39.88; Quill, supplies- 83.41; Sioux City Journal, publishing- 757.27; Sprint, phone- 75.21; City of SSC, lec- 23868.50; Amsan, supplies- 26.56; AJ Phillips, supplies- 12.50; BI Inc, house arrest- 2052.30; CBM Food Service, meals- 14093.94; CashWa Distributing, service- 54.35; Cass County Jail, boarding- 1241.70; Dakota Food & Fuel, fuel- 746.90; Dept of Corr Services, safekeeper- 642.60; Dialysis Center of Lincoln, medical- 2109.60; Sandy Dickens, mileage- 85.44; FiveStar Awards, plaque- 48.61; HyVee, bakery- 22.98; ISECUREtrac Corp, house arrest- 178.25; Kreislers Inc, test- 71.85; Mercy Bus Health, medical- 1640.00; Mercy Medical Center, medical- 650.59; NE Nebr Juvenile, boarding- 3081.25; Nebr UC Fund, unemp- 3062.00; David Noble, medical- 233.00; NW Iowa Emerg, medical- 165.00; Quest Diag, medical- 27.82; Redlers Pharmacy, medical- 4262.55; Sams Club, supplies- 325.08; Satellite Laboratory, medical- 1925.00; Signs By Tomorrow, signs- 144.00; SFCU,

fuel/motel/meal- 505.64; Staples, supplies- 883.95; Verizon, phone- 155.62; Walmart, supplies 159.67; Woodbury Co Juv, boarding- 1800.00; Dodge County Clerk, reimb- 7537.65; Net Sys Plus, comp work- 685.00; Alpha Land Surveying, surveying- 1550.00; Perkins, supplies- 40.48; Dunes Family Med, medical- 250.00; Pam Devries, mileage- 76.63; Pat Glover, mileage- 124.64; Elite Office Products, toner- 59.99; Deanna Beckman, hours/mileage- 1036.10; Pam Devries, mileage- 24.73; Alan Boyd, mileage- 726.34; Army Times, subscrip- 55.00; CVSOAN Treasurer, dues- 115.00; Electronic Engineering, pager- 13.95; Navy Times, subscrip- 55.00; Office Systems Co, contract- 121.00; Perkins, supplies- 107.74; Thompson West, svc- 602.51; Lexis Nexis, books- 221.40; Cableone, internet- 81.37; C&H Heavy Duty, contract- 750.00; Dakota County Treasurer, taxes- 7800.00; Executive Copy Systems, toner- 55.00; FSH Comm, payphone- 63.60; Lazette Gifford, website- 40.00; MIPS, support- 366.05; Net Sys Plus, comp work- 440.00; Qwest, phone- 1371.69; Region IV Inc, qtrly- 5320.25; Spencer Fane Britt, legal- 5361.50; Three Rivers, admin fee- 75.00; Madelyn Thorland, prior yrs- 10.00; US Postal Service, postage- 2500.00; WCS Telecom, phone- 363.29; Boone Brothers, roofing- 4948.00;

ROAD FUND: AquaSoo Water, service- 30.50; Aramark, service- 214.74; Bomgaars, parts/supplies- 191.46; C&H Truck Parts, labor/repair- 927.56; City of SSC, salt- 993.64; Dakota County Star, publishing- 24.31; Diesel Specialties, repair- 95.02; Filter Care of NE, clean- 20.75; Five Star Awards, supplies- 33.36; Flaugh's Pronto, fuel- 2464.37; Gill Hauling, service- 52.00; Guarantee Oil, oil- 494.40; Higman Sand & Gravel, rock- 10125.03; Hubbard Minimart, gas/diesel- 4728.95; Inland Truck Parts, parts- 475.04; Joes Dept Store, supplies- 234.17; Knoepfler Chev, service- 30.16; Linweld, oxy- 112.38; Marlan Millard, prior yrs- 15.00; NAPA, parts/supplies- 117.61; NPPD, energy- 76.21; Pilger Sand & Gravel, gravel- 412.09; Pumps, tires- 1136.00; Powerplan Murphy, parts- 11038.12; Presco Sales, sign- 165.00; QPR, asphalt- 80.25; RC Customs, parts/labor- 113.53; Rees Mack Sales, parts- 32.84; Ricks Radiator, labor- 65.00; Sams Club, supplies- 39.28; Sapp Bros, propane- 605.00; Sioux City Ford, parts/labor- 109.20; Sioux City Iron, supplies- 275.38; Sioux City Tarp, parts- 24.00; Siouxland Hydraulics, svc- 181.38; Stalp Gravel, rock- 1942.06; Stephan Welding, parts- 11.50; Titan Machinery, parts- 351.45; UECO, pipe- 1155.20; Verizon, phone- 43.18; Zieglers, parts/labor- 2381.55; Warren Oil, fuel- 7576.79;

HARD SURFACE: Union Bank & Trust, bond- 103779.96;

ROAD IMPROVEMENT: Nebr Dept of Road, interest- 166.58; Olsson Associates, bridge- 7285.77; Village of Jackson, concrete- 8822.80;

VETERANS AID: Veterans Service Office, relief- 350.00;

LE EQUIPMENT GRANT: Dakota County Sheriff, reimb- 363.95;

JUVENILE SERVICES: Nebraska Crime Commission, balance of grant- 2367.35; Dakota County Treasurer, electric monitoring- 924.00;

INHERITANCE TAX: Union Bank & Trust, hard surface- 74790.18; Bradley Kellogg, refund- 451.90;

PUBLIC SAFETY: City of SSC, sls tax- 4393.22; Jail Bond Fund, sls tax- 32216.92;

JAIL PROJECT: Brower Construction, patching- 3531.40; Interstate Medical, retainage- 32083.00; Mobile Storage, storage- 225.00; Modern Glass, retainage- 1848.00; Muth Electric, retainage- 5000.00; Overhead Door, retainage- 1026.49; Wells Concrete, retainage- 51473.55;

WEED FUND: De Lage Landen, copier- 91.00; Flaugh's Pronto, fuel- 114.00; Heritage Express, fuel- 169.00; NAPA, oil/parts- 54.88; Quality Inn, lodging- 20.26; Hubbard Minimart, gas- 59.00; Leon Pies, fuel- 30.01;

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Engel moved, seconded by Commissioner O'Neill 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 March, 2007. BE IT FURTHER RESOLVED to acknowledge receipt of and approve the County Clerk's Quarterly Interest Report and the County Sheriff's Quarterly Report for the period January 1, through and including March 31, 2007.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel adjourned their meeting at 2:33 p.m.

Board of Commissioners

ATTEST:

William F. Engel,

Chairman

Theodore A. Piepho, County Clerk

Dakota County Board of Commissioners
Monday, April 23, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel opened their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance.

Present were: Commissioners Rohde, O'Neill, Hartnett, Engel, and Ted Piepho, Secretary.
Absent: Commissioner McLarty.

The Agenda for this meeting was as follows:

**DAKOTA COUNTY BOARD OF COMMISSIONERS
MONDAY, APRIL 23, 2007 AGENDA
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA**

William F. Engel, Chair Theodore A. Piepho, Secretary

- 1. 1:30 p.m. Call to Order with reciting the Pledge of Allegiance
Roll Call
 - * Approve Minutes of last meeting
 - * Review and approve Payroll claims submitted by County Clerk for payment
 - * Employee Handbook and Personnel Policies - Sick Leave, Vacation and benefits.
- 2. 1:31 p.m. Dick Erickson- Appraiser for Dept. of Property Assessment & Taxation
 - * 2007 Valuations
 - * Property Valuation Protest procedures
- 3. Tabled Items - No tabled items
- 4. Miscellaneous Agenda Items
 - * Requests for CDBG Funds
 - * Jail Report
- 5. Committee Reports
- 6. Public Comment
- 7. Mail and/or Emergency Business

**8. PUBLIC HEARING PER ADVERTISEMENT APRIL 19, 2007
NOTICE OF SUPPLEMENTAL BUDGET HEARING AND BUDGET SUMMARY
Statement of Publication
Dakota County, Nebraska**

Public Notice is hereby given, in compliance with the provisions of Section 13-511, R.R.S., 1943, that the governing body will meet on the 23rd day of April, 2007 at 2:00 p.m. in the County Board Meeting Room, Dakota County Courthouse, Dakota City, Nebraska, for the purpose of hearing support, opposition, criticism, suggestions, or observations of taxpayers relating to the following proposed changes in the budget of the Jail Project Fund 4200. The budget detail is available at the Office of the County Clerk in the Dakota County Courthouse, Dakota City, NE.

The purpose of this hearing is to increase the revenues and budget expenditures of the Jail Project Fund to enable the county to meet project correction and safety change orders.

_____ County Clerk

JAIL PROJECT FUND 4200

ACTUAL EXPENSE:

1. Prior Year 2004-2005	\$	0.00
2. Last Year 2005-2006	\$	4,096,179.02

REQUIREMENTS:

	ADOPTED	INCREASE	TOTAL
3. Current Year 2006-2007	+\$3,229,089.48	\$137,000.00	\$3,366,089.48
4. Necessary Cash Reserve	+\$ 0.00	0.00	0.00
5. Cash on Hand and Estimated other Revenues	-\$3,229,089.48	\$137,000.00	\$3,366,089.48
6. Collection Fee & Delinquent Allowance	+\$ 0.00	0.00	0.00
7. Total Property Tax Requirement	=\$ 0.00	0.00	0.00

2: 15 p.m. Adjournment

Dick Erickson, Appraiser for Dept. of Property Assessment & Taxation appeared before the board to give the board a comparison of what happened in 2006 values versus 2007 values. In 2006 the residential value was 456,011,860 and there was \$5,382,985 in growth for a total value of \$471,303,881. If you back the growth out that is not much of an increase.

The Commercial was \$169,213,865 in 2006, had a 3,165,245 growth for a total of 179,379,110.00.

The Industrial was \$79,863,390 in 2006 with 2,274,380 growth for a total of 82,137,770. Ag Land value went from \$182,945,760 in 2006 to 204,954,700 in 2007. That is about a 15% increase in Ag. land. The total value in 2006 was 928,415,465 and the 2007 tentative value is 981,232,026.

Mr. Erickson said that there were 71 tiff properties and tiff is not included in the above figures. The tiff base is \$3,966,485 and the excess on the tiff is \$36,022,140.

Mr. Erickson reported that the level of value for residential is 96%, Commercial is at 95%. He said that he split area 2 Ag. Land into two areas so now area 2 and 3 make up the old area 2.

Mr. Erickson said that the level of value for area 1 is at 73.58%, area 2 is 70.75% and area 3 is at 70.03%.

Mr. Erickson talked about protests. He said he did not expect many residential protests but did expect a lot for the Ag. land.

The County Clerk reported that the Assessor's Office will change the information that they will be reporting on their Valuation Notices. Instead of breaking the land and improvement value out they are going to report just the total value. He said that, in meeting with the Assessor's Office, it was suggested that it would be better if the Land and Improvements on Ag. Land values were broken out and Mr. Erickson said that would take a letter from the board.

Chair Engel called for the Agenda item REQUESTS FOR CDBG FUNDS. The County Clerk said that this was tabled from the last meeting because of an incorrect amount.

These have been prepared by SIMPCO using the correct amount and that is \$5,439 for streets and \$540 for General Administration Only.

Commissioner Hartnett moved, seconded by Commissioner Rohde to approve the requests for CDBG Project Funds in the amount of \$5,439 for Streets and \$540 for General Administration for CDBG Grant Number 05-ED-015 and to authorize the chair to sign same. Be it further resolved to take from the table the two requests tabled in the meeting of April 16, 2007 and to remove them from further consideration.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Absent, UNANIMOUS MOTION CARRIED.

Chair Engel said that there is a letter in the board's mail from jail standards and they gave a very good report after going through the jail.

We also have a report that there are 69 inmates in the new jail and 16 in the old and 7 feds.

Mr. Engel asked Jerry Johnson, with G.A. Johnson Construction, if he would like to say a few words.

Mr. Johnson said that he went over some things with Randy Walsh and Rod Herron on some items to follow up on. Randy reported that there are some cell block doors sticking. There is also some problems with the two computer systems. The climate control software between the two buildings are not compatible. He thought that everything was working excellent, however.

The locks are working fine, but it appears that the closures need some adjustment and Jerry will show Rick Jensen how to adjust them.

Commissioner Rohde said that it appears that there is an alignment problem with the doors and they maybe need shims or something.

Jerry asked that they send copies of correspondence for work to be done.

Mr. Johnson said that they will tour the new jail during the 11th month of operation and identify any warranty issues. One of the warranty issues is the Metcalf fixtures. Just to put your questions at ease, anything that can be identified as warranty before that one year warranty will be in our overview in that 11th month and anything now identified as warranty will extend that warranty.

Chair Engel asked if there were any committee reports. There were none.

Chair Engel asked for public comment.

Pat Foust, LEC Director, appeared before the board and informed the board that when the communication system was installed, it cost of \$100,762 and they were told by the Public Service Commission that they would be fully reimbursed for it. It started out that they were going to pay up front and then it changed five or six times and then it ended up that they would reimburse them some amount, some day. They ended up getting about 18% or about \$19,000 reimbursement and that was based upon 18% of the 911 calls during their survey period being wireless. He thought that the cell phone calls range from 17 to 22 or 23% per month. He and other jurisdictions across the state complained because they had already reimbursed three jurisdictions 100% early on. About three weeks ago the Public Service Commissioner entered an order that Dakota County will receive the other 84% bringing the total reimbursement to \$100,762.

Dean Stolze living at 615 Likuwanta Drive appeared before the board concerning Mark Albenesius grinding concrete from 5 a.m. to 10 p.m.

The County Board was not sure whether that was in South Sioux City's Zoning jurisdiction or Dakota County.

Commissioner O'Neill reported that she had contacted Dennis Reinert and he said that he and Kent Zimmerman, South Sioux City's Building Inspector, need to go out there and find out who is responsible. Chair Engel told him that he came to the right place, we'll get something done.

Chair Engel appointed himself and Commissioner Rohde to resolve this issue.

Don Albertson, Sumac Sporting Clays, asked for help on Ridge Road, which has a 40 to 48 inch hole in the road going up the hill. He asked for some rock on the road, which is minimum maintenance. He has competition up there every Wednesday and Sunday and a big tournament once a month.

Commissioner Rohde said that they are going to grind the asphalt on Highway 20, from Highway 110 to Jackson. Commissioner Rohde is checking into whether we can get the millings for nothing. He wasn't promising that they will get this but it would be good there.

Commissioner Hartnett asked Mr. Albertson if the County would supply the rock whether he would furnish the transportation.

Mr. Albertson thought that he and the neighbors would and that maybe they could work something out.

Commissioner Rohde moved, seconded by Commissioner Hartnett to approve the minutes of April 16, 2007 as typed.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Absent, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Rohde to approve the claims as follows:

COUNTY GENERAL FUND: Gross salaries- \$104,521.64, General Fund Employees Net Pay- \$74,288.41, Employer deductions paid: Retirement- 7,205.78, Retirement Makeup- 34.44, Social Security Tax- 6,359.34, Medicare- 1,487.23, DC Health Plan- 30,690.24, DC Dental Plan- 793.80, Life Insurance- 181.26.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 462.52, Tracey Corkin- 888.25, Marisol Curiel- 868.00, Bobbi Jo Harsma- 991.45, Theodore Piepho- 1553.28, Darlene Davis- 860.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 908.50, Kimberly Kuehl- 860.00, Phyllis Ridge- 858.45, Lyn Beltz- 110.00, Margaret Rahn- 1142.10, Daniel Christoffers- 454.00, Dennis Reinert- 203.85, Valerie Danielson- 1553.28, Carol Dunham- 1165.42, Cheryl Perkins- 880.00, Joe Flynn- 1664.00, Debra Jensen- 952.00, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 720.00, Jordon Corkin- 15.45, Richard Jensen- 1334.41, Duane Kotalik- 1248.00, Tammy Dunn-Peterson- 798.00, Patricia Stingley- 105.00, Jeremy Bermel- 1476.00, Anthony Bos- 1662.36, Brad Claypool- 1476.00, Sandy Dickens- 1071.28, Brian Ellinger- 1597.12, Penny Epting- 1312.00, Brent Gilster- 1748.00, Todd Hammer- 1530.39, Melvin Harrison III- 1614.39, Rodney Herron- 1691.98, Kimberly Johnson- 442.55, Jared Junge- 1572.50, Michael Kreegar- 1481.20, Gayle Richards- 805.60, Kevin Rohde- 1394.82, James Wagner- 1942.76, Erin Bartels- 880.00, Elisha Doyle- 880.00, Amber Hegarty- 2698.20, Aimee Kennedy- 1012.00, Edward Matney III- 2513.07, Sara Meadows- 630.76, Debra Schmiedt- 2032.31, Kimberly Watson- 1615.38, Amanda Barclay- 185.64, Ermelinda Ballesteros- 1224.50, Joshua Blatchford- 1079.00, Dusty Boyd- 914.50, Rebecca Broer- 1229.48, Chad Clausen- 920.70, Toni Duncan- 1083.38, Lisa Ford- 1019.90, John Gilles- 1202.96, Alma Gunderson- 1189.00, Paula Harrigfeld- 748.44, Brenda Harrison- 1216.69, Cathy Harsma- 1156.00, Deanna Haukap- 1004.40, Jackie Heaton- 612.00, Jason James- 1029.20, Sarah Jensen- 567.38, Brett Johnson- 1107.00, Nicholas Kellen- 1023.00, Matthew Mann- 1029.20, Colleen McMahon-Levine- 920.70, Diana Moctezuma- 595.20, Mark Nelson- 1186.25, Jeep Phommavong- 1023.00, Joseph Ramirez- 1412.53, Cara Reinders- 876.56, Stephanie Ryan- 1066.40, Linda Schovanec- 1193.98, Heather Skow- 1010.60, Justin Smith- 1019.90, Francis Tope- 1029.20, Randall Walsh- 1613.55, Charvette Williams- 920.70, Daniel Wood- 1117.13, Randall Crombie- 177.00, Jolene Gubbels- 852.00, Leon Pies- 586.00, Pamela DeVries- 1512.68, Patricia Glover- 1080.14, Bonnie Kahler- 590.63, Alan Boyd- 970.20.

GENERAL FUND: Employee withholding paid to: Federal- 9,781.46, State- 3,488.59, Social Security Tax- 6,359.34, Medicare- 1,487.23, Retirement- 4,877.54, Retirement Makeup- 24.44, DC Health Plan- 543.37, DC Dental Plan- 411.18, Colonial Health- 16.20, Sheriff Union Dues- 230.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$13,962.05, Road Employees Net Pay- \$9,890.14, Employer deductions paid: Retirement- 942.44, DC Health Plan- 4,384.32, DC Dental Plan- 113.40, Life Insurance- 23.19, Social Security Tax- 847.40, Medicare- 198.19.

Brent Byroad- 1168.00, Randall Crombie- 1538.46, Ronald Harder- 1172.00, Walter Heinemann- 1180.00, Richard Hoelsing- 1176.00, Hans Houfek- 1153.40, Robert Jacobsen- 1180.00, Fred Kellogg- 1280.19, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,314.90, State- 465.66, Social Security- 847.40, Medicare- 198.19, Retirement- 628.29, DC Health Plan-, DC Dental Plan- 58.74, Reassure America Life- 7.32, Deferred Comp.- 61.68, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 198.00.

INHERITANCE TAX: Jail Project Fund 4200, transfer to cover April, 2007 claims- 82,970.93.

VISITORS PROMOTION: South Sioux City Chamber of Commerce, lodging tax- 8,827.85.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Absent, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel adjourned their meeting at 2:20 p.m.

Board of Commissioners

ATTEST:

William F. Engel, Chairman

Theodore A. Piepho, County Clerk

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Dakota County Board of Commissioners
SPECIAL MEETING Monday, April 30, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel opened their special meeting to order at 2:00 p.m. with the Pledge of Allegiance.

Present were: Commissioners McLarty, Rohde, O'Neill, Hartnett, Engel, and Ted Piepho, Secretary.
Absent: All present

The Agenda for this meeting was as follows:

DAKOTA COUNTY BOARD OF COMMISSIONERS
SPECIAL MEETING
MONDAY, APRIL 30, 2007 AGENDA
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

William F. Engel, Chair Theodore A. Piepho, Secretary

- 1. 2:00 p.m. Call to Order with reciting the Pledge of Allegiance
- Roll Call
- * Approve Minutes of last meeting

Public Hearing - for the purpose of hearing support, opposition, criticism, suggestions, or observations of taxpayers relating to the following proposed changes in the budget of the Jail Project Fund 4200.

**JAIL PROJECT FUND 4200
ACTUAL EXPENSE:**

Prior Year 2004-2005	\$	0.00
Last Year 2005-2006		\$ 4,096,179.02

REQUIREMENTS:	ADOPTED	INCREASE	TOTAL
Current Year 2006-2007	+\$3,229,089.48	\$137,000.00	\$3,366,089.48
Necessary Cash Reserve	+\$ 0.00	0.00	0.00
Cash on Hand & Estimated other Revenues	-\$3,229,089.48	\$137,000.00	\$3,366,089.48
Collection Fee & Delinquent Allowance	+\$ 0.00	0.00	0.00
Total Property Tax Requirement	=\$ 0.00	0.00	0.00

2:15 p.m. Adoption of amended Jail Project Fund 4200 Budget
2:20 p.m. Adjournment

Commissioner Hartnett moved, seconded by Commissioner Rohde to approve the minutes of April 23, 2007, as presented.
ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel opened the Public Hearing for the purpose of hearing support, opposition, criticism, suggestions, or observations of taxpayers relating to the following proposed changes in the budget of the Jail Project Fund 4200 at 2:01 p.m.

Joan Spencer, Assistant to the Board, presented the budget of the JAIL PROJECT FUND 4200 as follows:

REQUIREMENTS:	ADOPTED	INCREASE	TOTAL
Current Year 2006-2007	+\$3,229,089.48	\$137,000.00	\$3,366,089.48
Necessary Cash Reserve	+\$ 0.00	0.00	0.00
Cash on Hand and Estimated other Revenues	-\$3,229,089.48	\$137,000.00	3,366,089.48
Collection Fee & Delinquent Allowance	+\$ 0.00	0.00	0.00
Total Property Tax Requirement	=\$ 0.00	0.00	0.00

Ms. Spencer said that there is no impact on property taxes.

Commissioner Hartnett commented that there is no impact on the taxes, but the County is taking from the inheritance taxes and asked if our current balance is \$69,488.

Ms. Spencer said that there was \$152,459.27 and we are taking \$137,000 from that, leaving a balance \$15,459.27.

Commissioner Hartnett said that is the lowest we have been in years and she finds it troubling that the jail was suppose to cost seven million dollars and adding theses figures it is seven million four hundred sixty two thousand two hundred sixty eight.

The County Clerk mentioned that there was money that had to be repaid to the Inheritance Tax Fund.

Commissioner Hartnett said she finds it regrettable that we are bleeding red ink.

Chair Engel asked if there were any more comments. Being none he asked if there was anyone in the audience that had any comments in favor of or in opposition to the proposed budget changes. Being none, Chair Engel closed the Public Hearing at 2:08 p.m.

Commissioner McLarty moved, seconded by Commissioner Rohde to amend the JAIL PROJECT FUND Budget 4200 by adding \$137,000 to both the Expenditures and Revenue to the previous budget of \$3,229,089.48, making the total FY2006-2007 budget \$3,366,089.48.

BE IT FURTHER RESOLVED that the \$137,000 be transferred from the Inheritance Tax Fund to the Jail Project Fund.

AND FINALLY BE IT FURTHER RESOLVED to direct Joan Spencer, Board's Assistant, to transfer money, to the Jail Project Fund, as needed, to pay claims.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- No, Engel- Yea, McLarty- Yea, MOTION CARRIED.

Chair Engel adjourned their meeting at 2:12 p.m.

Board of Commissioners

ATTEST:

William F. Engel, Chairman

Theodore A. Piepho, County Clerk

* * * * *

Dakota County Board of Commissioners
Monday, May 7, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance was recited.

Present were: Commissioners McLarty, Engel, Rohde, O'Neill, Hartnett and Danny Christoffers, Acting Secretary.

Absent: All present.

The agenda for the meeting was as follows:

Dakota County Board of Commissioners
Monday, May 7, 2007 AGENDA
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

William F. Engel, Chair

Theodore A. Piepho, Secretary

1. 1:30 p.m. Call to Order with reciting the Pledge of Allegiance
 - Roll Call
 - Approve Minutes of last meeting
 - Review and approve Payroll claims submitted by County Clerk for payment
 - Employee Handbook and Personnel Policies – Sick Leave, Vacation and benefits.
2. 1:31 p.m. Dennis Reinert – Planning and Zoning Administrator
 - Accepting or rejecting new Planning and Zoning Map for Dakota County.
 - ◊ Reason is that Village of Jackson's Boundaries have changed.
3. 1:35 p.m. Larry Albenesius – Old Saw Mill Road
 - Would like the county to pave the first 260' from where the black top ends in Tompkins and then would like gravel and/or rock on the remaining 1100' to Highway 20 so that he can apply mag water.
4. Tabled Items – No tabled items to consider
5. Miscellaneous Agenda Items
 - Courthouse parking
 - Construction trailer, tarps, etc
 - Jail Report
 - Discuss having a night meeting for Roads
6. Committee Reports
7. Public Comment
8. Mail and/or Emergency Business
9. 2:30 p.m. Recess to 5:00 p.m.
10. 5:00 pm. Reconvene meeting from afternoon session with Roll Call
Dakota County Extension Board hosting supper for the Dakota County Commissioners – Supper will start between 5:00 - 5:10 PM. During dessert Commence short program
 - I. Welcome address by Mary Ann Lussier, Dakota County Extension Board President
 - II. UNL Extension in Dakota County - who we (Extension) are and what we do by Carol Larvick, Del Hemsath, and Tammy Peterson -.
 - III. 4-H: What it Means to Me - Catherine Duerksen (11) Mother's Helpers 4-H Club and Becky Vraspir (15), Emerson Guys and Gals 4-H Club
 - IV. Comments by Mary Ann Lussier, Dakota County Extension Board President
11. 6:00 p.m. Adjournment

Commissioner Rohde moved, seconded by Hartnett to approve the minutes of April 30, 2007 as typed.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea

UNANIMOUS MOTION CARRIED

Dennis Reinert, Planning and Zoning Administrator appeared before the board and presented the new Planning and Zoning Map of Dakota County for approval.

Dennis explained that Jackson has increased in size from annexation. He presented the proposed map to the Planning and Zoning board in March and also presented it to the Village of Jackson and had received approval in April.

Jackie Harnett verified with Dennis that the Planning and Zoning board approved the new boundaries.

Commissioner Hartnett moved, seconded by Commissioner Rohde to accept the new Planning and Zoning map as approved by the Planning and Zoning board of Dakota County.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea

UNANIMOUS MOTION CARRIED

Commissioner McLarty asked Dennis Reinert who had jurisdiction over the area concerning the rock crushing. Dennis Reinert said it was in the zoning control of South Sioux City.

Larry Albenesius appeared before the board and presented a map of the area that he would like paved by the county. The area Mr. Albenesius was proposing to be paved was the first 260 feet from where the black top ends in Tompkins and then would like the county to gravel/rock on the remaining 1100' to Highway 20.

Commissioner Hartnett asked about the potential development in the area and it was determined there would be around 60 lots with ½ to 2 acres each. Dennis Reinert said this was a rural subdivision.

County Attorney, Ed Matney, advised that we should accept 3 informal bids on the project.

Commissioner McLarty was concerned about whether the county had the funds for the project.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to authorize Randy Crombie to take in bids for the paving and graveling of the first 260 feet from where the black top ends in Tompkins and then to gravel/rock on the remaining 1100' to Highway 20.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde-Yea
UNANIMOUS MOTION CARRIED.

The Commissioners commented that they have had several complaints that they have received about parking being limited at the courthouse. Discussion was had that an area west of the jail could provide employee parking if graveled.

Commissioner McLarty moved, seconded by Commissioner Rohde to direct the Department of Roads to determine the amount of space needed and the cost of graveling/development of parking area and report back to the Dakota County Commissioners.

ROLL CALL VOTE: Hartnett- Yea, Engel – Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea
UNANIMOUS MOTION CARRIED.

It was the consensus of some of the Board members that a letter be written to the County employees informing them of the potential change in parking procedure.

Joan Spencer, Administrative Assistant to the Board informed the Commissioners that it was costing \$225.00 a month for the jail construction trailer to remain in place. She had asked GA Johnson Construction Inc to move the trailer by the 20th of April. GA Johnson was waiting to see if Phase II was a possibility before removing the office trailer.

Commissioner McLarty moved, seconded by Commissioner Hartnett to direct the Dakota County Attorney, Ed Matney to write a letter to GA Johnson Construction Inc asking them to remove the trailer.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea
UNANIMOUS MOTION CARRIED.

The board discussed the issue of housing federal prisoners in the jail. It was believed that there were only 7 federal prisoners in there so far. The board was concerned with the cost of keeping the old jail open and the new without more federal prisoners to produce some incoming funds. Commissioner Rohde stated that he would speak to the Jail Administrator about pursuing getting more federal prisoners.

Commissioner Rohde said that he had heard of a petition in Homer to request the board to hold an evening meeting to discuss issues with the county roads.

The board requested Ed Matney, County Attorney, to attend the evening meeting.

Commissioner Hartnett moved, seconded by Commissioner McLarty to recess the regularly scheduled meeting of May 21, 2007 and reconvene at 7:00 p.m. in the Dakota County Courtroom to discuss the county road conditions and for it to be advertised in the paper.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea
UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Rohde to approve the payroll claims submitted by the County Clerk for payment as follows:

COUNTY GENERAL FUND: Gross salaries- \$106,329.91, General Fund Employees Net Pay- \$75,306.43, Employer deductions paid: Retirement- 7,347.90, Retirement Makeup- 34.44, Social Security Tax- 6,469.06, Medicare- 1,512.96, DC Health Plan- 31,786.32, DC Dental Plan- 822.15, Life Insurance- 187.98.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 454.00, Tracey Corkin- 941.88, Marisol Curiel- 865.29, Bobbi Jo Harsma- 997.73, Theodore Piepho- 1553.28, Darlene Davis- 860.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 920.00, Kimberly Kuehl- 860.00, Phyllis Ridge- 890.90, Margaret Rahn- 1142.10, Daniel Christoffers- 456.84, Dennis Reinert- 203.85, Valerie Danielson- 1553.28, Carol Dunham- 1165.42, Cheryl Perkins- 880.00, Joe Flynn- 1664.00, Debra Jensen- 952.00, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 720.00, Tracey Corkin- 32.00, Richard Jensen- 1334.41, Duane Kotalik- 1248.00, Tammy Dunn-Peterson- 840.00, Patricia Stingley- 80.00, Jeremy Bermel- 1614.38, Anthony Bos- 2208.57, Brad Claypool- 1439.11, Sandy Dickens- 1071.28, Brian Ellinger- 2244.80, Penny Epting- 1344.00, Brent Gilster- 1545.60, Todd Hammer- 1512.89, Melvin Harrison III- 1891.18, Rodney Herron- 1691.98, Kimberly Johnson- 457.22, Jared Junge- 2009.11, Michael Kreegar- 1481.20, Gayle Richards- 805.60, Kevin Rohde- 1586.21, James Wagner- 1942.76, Erin Bartels- 880.00, Elisha Doyle- 880.00, Aimee Kennedy- 1012.00, Edward Matney III- 2513.07, Sara Meadows- 946.14, Debra Schmiedt- 2032.31, Kimberly Watson- 1615.38, Amanda Barclay- 321.30, Caterina Chapman- 52.43, Ermelinda Ballesteros- 1097.40, Joshua Blatchford- 1069.25, Dusty Boyd- 1129.95, Rebecca Broer- 1338.61, Chad Clausen- 204.60, Toni Duncan- 1086.76, Lisa Ford- 1021.45, John Gilles- 1331.23, Alma Gunderson- 1268.75, Paula Harrigfeld- 439.43, Brenda Harrison- 1090.13, Cathy Harsma- 1156.00, Deanna Haukap- 1103.60, Jackie Heaton- 768.00, Jason James- 1137.70, Sarah Jensen- 629.00, Brett Johnson- 1236.94, Nicholas Kellen- 1123.75, Matthew Mann- 1187.30, Colleen McMahon-Levine- 874.20, Diana Moctezuma- 868.00, Mark Nelson- 1226.88, Jeep

Phommavong- 1041.60, Joseph Ramirez- 1318.59, Cara Reinders- 1000.00, Daniel Rodasky- 1133.05, Stephanie Ryan- 1023.00, Linda Schovanec- 1201.30, Heather Skow- 1123.75, Justin Smith- 1129.95, Francis Tope- 1085.00, Randall Walsh- 1650.75, Charvette Williams- 1119.10, Daniel Wood- 1113.75, Randall Crombie- 177.00, Jolene Gubbels- 852.00, Leon Pies- 586.00, Pamela DeVries- 1512.68, Patricia Glover- 1088.64, Bonnie Kahler- 552.83, Alan Boyd- 970.20.

GENERAL FUND: Employee withholding paid to: Federal- 10,173.79, State- 3,610.51, Social Security Tax- 6,469.06, Medicare- 1,512.96, Retirement- 4,979.18, Retirement Makeup- 24.44, DC Health Plan- 543.35, DC Dental Plan- 450.11, Colonial Health- 16.20, Sheriff Union Dues- 230.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$15,704.61, Road Employees Net Pay- \$11,120.73, Employer deductions paid: Retirement- 1,060.08, DC Health Plan-4,749.68, DC Dental Plan- 122.85, Life Insurance- 25.42, Social Security Tax- 955.45, Medicare- 223.45.

Brent Byroad- 1606.00, Randall Crombie- 1538.46, Robert Hacker- 544.00, Ronald Harder- 1180.00, Walter Heinemann- 1180.00, Richard Hoelsing- 1617.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 12112.00, Kimon Litras- 1176.00, Arnold Mellick- 1545.15, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,531.24, State- 549.59, Social Security- 955.45, Medicare- 223.45, Retirement- 706.71, DC Health Plan-, DC Dental Plan- 58.71, Reassure America Life- 7.32, Deferred Comp.- 61.68, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 198.00.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea
UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Rohde to designate Joan Spencer, Administrative Assistant to the Board, to review submitted claims prior to the each meeting and report on any irregularities.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea.
UNANIMOUS MOTION CARRIED.

Chair Engel recessed their meeting until 5 p.m. at 2:30 p.m.

Chair Engel reconvened at the meeting at 5:08 p.m. in the Dakota County Board Room.

Present were: Commissioners McLarty, Engel, O'Neill, Hartnett and Danny Christoffers, Acting Secretary.

Absent: Rohde

Dakota County Extension hosted a supper for the Dakota County Commissioners.

Mary Ann Lussier, Dakota County Extension Board President addressed the board, and handed it over to Carol Larvick to discuss some of the things that Extension does.

A powerpoint presentation was given to demonstrate many of the various ways extension teaches and educates people in areas of agriculture, horticulture, child care, community development, nutrition education, food safety, and 'kids college' with speakers Carol Larvick, Del Hemsath, and Tammy Peterson.

Becky Vraspir, a 4-H club member, spoke about what being a member has meant for her and what it has taught her.

Mary Ann Lussier presented to the board, the possibility of exploring moving their office to the Northeast Nebraska College when it is built. She believed this might put them in a more visible place in the community and give them a greater ability to interact.

Several of the board members expressed their thanks for all their efforts and the good things Extension does.

Chair Engel adjourned the meeting at 6:15 p.m.

Board of Commissioners

ATTEST:

William F. Engel,

Chairman

Theodore A. Piepho, County Clerk

Dakota County Board of Commissioners
Monday, May 21, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 10:03 a.m. with the Pledge of Allegiance being recited.

Present were: Commissioners Engel, O'Neill, Hartnett and Ted Piepho, Secretary.

Absent: Commissioners McLarty and Rohde.

The agenda for the meeting was as follows:

DAKOTA COUNTY BOARD OF COMMISSIONERS
MONDAY, MAY 21, 2007 AGENDA
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

William F. Engel, Chair Theodore A. Piepho, Secretary

1. 10:00 a.m. Call to Order with reciting the Pledge of Allegiance
 - * Roll Call
 - * Approve Minutes of last meeting May 7, 2007
 - * Betty O'Neill - Correction of April 9th and April 16, 2007 minutes
 - * Review and approve Accounts Payable claims submitted by County Clerk for payment
2. 11:15 a.m. Review claims filed with the County Clerk and submitted by County Clerk for payment
3. Quarterly Jail Tour conducted in March, June, Sept and December
4. 11:45 a.m. Recess for Lunch
5. 1:30 p.m. Reconvene meeting from morning session
6. 1:40 p.m. Budget Hearing to amend & adopt the Visitor's Promotion Fund Budget
7. 1:45 p.m. Budget Hearing to amend & adopt the Public Safety Fund Budget
8. 1:50 p.m. Budget Hearing to amend & adopt the Veteran's Soldiers & Sailors Budget
9. 1:55 p.m. Merit Commission Appointment to replace Commissioner Hartnett, who resigned from said Commission
10. 2:00 p.m. Val Danielson - Clerk of the District Court
 - * Need for installation of ATM machine in the courthouse
11. 2:10 p.m. Tony Bos - FOP Fraternal Order of Police Lodge #49 Union Contract negotiations for Sheriff's Union.
12. 2:15 p.m. Randy Crombie and Larry Albenesius
 - * Paving Old Saw Mill Road
 - * Courthouse Employee Parking
13. 3:00 p.m. Mark Queen - Closed Executive Session
 - * Pending litigation against Dakota County
 - * Pending employment investigation
14. Tabled Items - no tabled items to consider
15. Miscellaneous Agenda Items (Chair is expected to move take up these items between 2:30 and 3:00 p.m.)
 - * Officials Reports
 - * Jail Report
 - * Release of \$5,000 check
 - * Engine Braking Resolution
 - * Court appointed Attorney Fees
 - * Juvenile Diversion
 - * Farm Service Agency (FSA) NRCS Considering closing Dakota City's Office
16. Committee Reports
17. Public Comment
18. Mail and/or Emergency Business

19. 4:00 p.m. Recess until 7:00 p.m. in the County Court Room
20. 7:00 p.m. Reconvene in County Court Room - Public invited to discuss county roads with the County Board.
21. 8:00 p.m. Adjournment

Commissioner O'Neill addressed the minutes of April 9, 2007 where they reflect that the chair ruled her out of order. She said that she listened to 5 hours of minutes and that she did not hear that. The chair confirmed to the members present that he had not called her out of order. Discussion was had and the County Clerk said this came about the following meeting when the County Attorney was identifying corrections to the minutes he included that phrase.

The board proceeded to review the claims submitted by the County Clerk for payment.

Commissioner McLarty arrived at 10:20 a.m.
The board had special discussion on the claim of Carol Sue Dunham for back pay of 2006 salary.

Chair Engel recessed their meeting at 11:32 a.m.

Chair Engel reconvened their meeting at 1:35 p.m.

Present were: Commissioners Engel, McLarty, Rohde, O'Neill, Hartnett and Ted Piepho, Secretary.

Absent: All present

Commissioner O'Neill moved, seconded by Commissioner Hartnett to strike the phrase "Chair Engel ruled Ms. O'Neill out of order" from the minutes of April 9, 2007, because the chair did not rule her out of order.

Discussion - Commissioner McLarty said that he was not in favor of changing the minutes if that did happen, but if he did not rule her out of order, then it should not be in there.

Chair Engel said that he had not declared Ms. O'Neill out of order.
ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Board Chair Engel opened the Public Hearing for the VISITORS PROMOTION FUND (0990) at 1:40 p.m. The purpose of the Public Hearing was to hear testimony whether to increase the budget expenditures of the Visitors Promotion Fund to allow for all the collected lodging tax to be disbursed to the South Sioux Chamber of Commerce for the Visitors Bureau.

Joan Spencer, Assistant to the Board, provided the board and public with the following information. The purpose of the budget hearing for Visitor Promotion Fund 990 is to increase the budget expenditures to allow all the collected lodging tax to be disbursed to the South Sioux City Chamber of Commerce for the Visitors Bureau. The estimated budget expenditure of \$152,000 fell short of the actual lodging tax collected and increasing the budget expenditure by \$15,000 to a total of \$167,000 will allow said lodging tax to be disbursed.

There was no one in the audience that wished to speak to the proposed budget.

Chair Engel closed the Public Hearing for the Visitor's Promotion Fund at 1:42 p.m.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to ask that someone from the Visitor's Bureau appear before the board to explain how their funds are being spent.
ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Rohde to increase the Visitor's Bureau budget of revenue from \$152,000 to \$167,000 and to increase the budget of expenditures from \$152,000 to \$167,000 to allow for the increased revenue for the 2006/2007 Budget.
ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Board Chair Engel opened the Public Safety Public Sales Tax Fund hearing at 1:45 p.m. to hear testimony whether to increase the budget expenditures for that Fund to allow all the collected sales tax to be disbursed per percentage allocation to the City of South Sioux City for the Law Enforcement Center and Dakota County Jail Bond Fund 3300.

No one was in the audience to offer testimony before the board.

Joan Spencer, Assistant to the Board explained that the purpose of the budget hearing for Public Safety Sales Tax Fund 2960 is to increase the budget expenditures to allow the collected sales tax to be disbursed per percentage allocation to the City of South Sioux City for the Law Enforcement Center and Dakota County Jail Bond Fund 3300. The estimated budget expenditure of \$388,636.21 fell short of the actual sales tax received and increasing the budget expenditure by \$45,000 for a total budget authority of \$433,636.21 will allow said sales tax to be disbursed.

Chair Engel closed the Public Hearing for the PUBLIC SAFETY SALES TAX (2960) Fund at 1:47 p.m.

Commissioner O'Neill moved, seconded by Commissioner Hartnett to increase the Public Safety Sales Tax Fund budget from \$388,636.21 to \$433,636.21 and to increase the budget of expenditures from \$388,636.21 to \$433,636.21 to allow for the increased sales tax receipts for the 2006/2007 Budget.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel opened the Public Hearing to hear testimony regarding the proposal to increase the budget expenditures of the Veteran's Aid 1900 to allow money transferred from Inheritance Tax Fund for cash flow, to be transferred back to Inheritance Tax Fund.

Joan Spencer, Assistant to the Board explained that the purpose of the budget hearing for Veteran's Aid Fund 1900 is to increase the budget expenditures to allow money transferred from Inheritance Tax Fund to be transferred back into said fund. The need for aid was felt with high fuel bills in December and tax dollar revenues to date fell short creating the need for the loan in December. Increasing the expenditures by \$1500 allows the Veterans Aid Fund to spend the adopted budget of \$15,000 and with a new budget authority of \$16,500 also allows Inheritance Tax to be reimbursed.

There was no one in the audience that wished to speak on the proposed budget.

Chair Engel closed the Public Hearing for the Veteran's Aid Fund at 1:52 p.m.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to adopt the proposed budget increasing the budget authority of \$16,500 to allow for the repayment of \$1,500 to the Inheritance Tax Fund and to direct the County Clerk and the County Treasurer to transfer said amount.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Rohde to accept Commissioner Hartnett's resignation on the Merit Commission.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- No, Hartnett- Yea, MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner McLarty to nominate and appoint Chair Bill Engel to sit and serve the Commissioner seat on the Merit Commission.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Valerie Danielson, Clerk of the District Court, asked about getting an ATM machine in the courthouse. The Board told her to explore it and the advantages of getting one and to report back to the board.

Tony Bos, representative for the Fraternal Order of Police Lodge #49 appeared before the board and said that they would like to start negotiations. June 7th and 14th worked for them and added that they would like to have a new contract in place by July 1 so that they don't get into a situation like last year where back pay had to be paid out.

Chairman Engel appointed Commissioners McLarty and Rohde to be on the negotiating committee for the county.

Randy Crombie, Highway Supt., and Larry Albenesius appeared before the board and requested that the county pay Mr. Albenesius \$19,503.81 as that is the cost of paving a 260 foot section of Old Saw Mill Road.

Mr. Albenesius said that he had solicited three bids. Gill Construction was \$19,503.81, which was low bid. Concrete Specialty's bid was \$23,469.55 and T.R. Harris Construction's bid was \$21,573.80. Commissioner Hartnett said that she did not approve of the fact that the board is approving this after the fact.

Commissioner McLarty moved, seconded by Commissioner Rohde to pay Larry Albenesius \$19,503.81, which is the cost of paving 260 feet of Old Saw Mill Road. BE IT FURTHER RESOLVED that this be paid as soon as the County receives the \$100,000 reimbursement from the state for paving Knox Blvd.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Randy Crombie, Highway Supt., discussed the cost of making a parking lot west of the new jail for employee parking. He said that a parking area for 28 cars with 4 inches of rock would cost about \$2,652. Discussion was had whether a lot capable of parking 28 vehicles would be large enough.

It was reported that there were a total of 92 inmates in both jails and 17 of those are Federal inmates.

Commissioner Rohde reported that he had been in contact with the state and they asked for something to be passed by the board concerning engine braking.

Commissioner Rohde moved, seconded by Commissioner O'Neill to convene into closed Executive Session to discuss pending litigation against Dakota County and pending employment investigation.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED 3:00 p.m.

Commissioner McLarty moved, seconded by Commissioner O'Neill to reconvene into open session.
ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS
MOTION CARRIED 4:23 p.m.

Wes Johnston appeared before the board and supported that the board write a letter to USDA Natural Resources Conservation Service ATTN: Steve Chick, State Conservationist and request them and impress upon them the importance of keeping the Dakota County NRCS office in Dakota City.

Commissioner Hartnett moved, seconded by Commissioner McLarty to draft a letter, as follows; to USDA Natural Resources Conservation Service ATTN: Steve Chick, State Conservationist that the Dakota County Board of Commissioners would like to unanimously express their support and impress the importance of keeping the Dakota County NRCS office in Dakota City.

May 22, 2007

USDA Natural Resources Conservation Service
ATTN: Steve Chick, State Conservationist
100 Centennial Mall North
Federal Building, Rm 152
Lincoln NE 68508-3866

Dear Mr. Chick:

In response to the revised USDA Natural Resources Conservation Service (NRCS) Business Analysis Plan announced April 26, 2007, the Dakota County Board of Commissioners would like to unanimously express their support and impress the importance of keeping the Dakota County NRCS office in Dakota City.

Program Delivery: Location of the Dakota City office is in the normal flow of traffic and a destination point for producers in the region to take care of other business while also visiting the NRCS and FSA offices; landowners travel to the Dakota City/South Sioux City area for grain elevators, shopping, medical, banking and other agri-business needs. The office is a "one-stop-service-center" that provides convenience and efficiency to customers as well as to the four agencies housed in the building (NRCS, FSA, NRD and Rural Water). The office is also located next door to City Hall and within a block of the Dakota County Courthouse, UN-L Extension and other County Offices making it very convenient to do business with several agencies in one trip.

Improve Training: The facility has a large meeting room (55 person capacity) with state-of-the art computer networking capabilities, overhead projector for power point presentations, white board and speaker system for training or meetings. The office also has a smaller conference room (10-12 persons) that could be used for small group meetings or training sessions.

Utilize Technology: The facility was built with additional office space that could easily be converted to accommodate additional NRCS or FSA staff as well as twice the needed computer networking capabilities. The building was built with energy efficiency in mind and is in full compliance with the Americans with Disabilities Standards (ADS) guidelines.

We appreciate your time and consideration in making these very difficult decisions of office consolidations.

Sincerely,

William F. Engel
Dakota County Board Chair
Dakota City, Nebraska

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS
MOTION CARRIED.

Mr. Matney informed the board that the Supreme Court is contemplating raising the fees for court appointed attorneys, which he thought would add financial responsibility to the County.

Commissioner Hartnett moved, seconded by Commissioner McLarty to draft a letter to the Supreme Court expressing that the County Board opposes them setting a per hour rate for attorneys acting in the capacity of County Appointed attorneys

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS
MOTION CARRIED.

Mr. Matney also addressed the board concerning the Juvenile Diversion. He said that he had been thinking about utilizing the teen courts more relieving the Community Correction Officer of some responsibility. The consensus was that the teen courts are good.

Commissioner Hartnett moved, seconded by Commissioner McLarty to approve the minutes of May 7, 2007 as typed.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner McLarty to deny the claim of Carol Sue Dunham for salary back pay in calendar year 2006 and to approve all other claims submitted by the County Clerk as follows:

GENERAL FUND: William Engel, Gov's day reg fee- 35.00; William McLarty, Mileage- 77.60; NACO, 2handbooks- 60.00; Dakota County Star, publishing- 282.79; Net System Plus, office updates 2,020.25; Joan Spencer, Mileage- 58.20; Advanta Bank Corp, registry fix- 32.05; Des Moines Stamp, 2 perma stamps- 57.10; Net System Plus, activated DHCP/set up Qwest DSL- 112.50; Perkins, office supplies- 275.91; Theodore A. Piepho, cell phone- 20.00; Robert Giese, mileage- 133.86; Charlotte Doenhoefer, prior yrs srvc- 10.00; Ruth Jensen, prior yrs srvc- 12.00; Mardell Sorensen, prior yrs srvc- 26.00; Irene van Lent, prior yrs srvc- 16.00; Staples, supplies- 153.21; Das Central Finance, data storage- 3.50; Duggan Forms, office supplies- 340.20; Monroe Systems, office supplies- 58.14; Microfilm Imaging Systems, lease equipment rent- 240.00; Mark Dorcey, prior yrs srvc- 4.00; Perkins, office supplies- 212.75; Todds Storeall, may storage rent- 80.00; De Lage Landen Finan Service, qtrly copier rental/doc fees- 125.14; Hubbard Post Office, postage- 125.00; Staples, office supplies- 135.70; Carol Sue Dunham, mileage- 61.11; Das Central Finance, ink cartridges- 180.44; Des Moines Stamp, perma stamp- 101.15; Kurt Rager, reimbursement office supplies-93.10; Star Printing/Studio B Graphics, envelopes- 500.00; Thomson West, cd rom service- 128.50; Thurston Co Court, reimbursement transcribing supplies- 9.51; William L. Binkard, postage/speaker phone for courtroom- 266.40; Dakota County Bar Assn, bar dues for John and Joe- 50.00; John Loos, Jr, mileage- 67.90; Net System Plus, 2 dell computers/set up fees- 2,633.50; Perkins, office supplies- 75.06; Dakota County Court, court costs- 1,192.26; Ryan Derr, witness fee- 29.70; Randy Hisey, court appointed- 1,194.00; Shelly A. Horak, court appointed- 810.00; Sandra K Inkster Ehrich, court appointed- 495.00; Barbara Kueny, court appointed- 1,210.51; Lancaster County Sheriff Office, sheriff fees- 18.12; Stuart Mills, court appointed- 1,440.00; Douglas Roehrich, court appointed-1.908.00; Patrick H. Tott, court appointed- 786.00; Norfolk Printing, trial dockets sheets- 55.00; Dakota County Sheriff, warrants- 702.60; Dennis Hurley, court appointed-330.00; Frank Gonzalez, interpreter- 80.00; Clerk of District Court, civil/criminal claim list- 797.00; Michael P. Schmiedt, mental health- 105.00; Nebraska Supreme Court, legal fees- 122.00; Lupe Kennedy, mileage- 165.22; Holiday Inn, lodging- 180.00; Executive Technologies, maintenance- 2,624.45; Net Systems Plus, computer maintenance- 840.19; AmSan, supplies- 281.47; A-Team, bldg repair- 85.00; Benstar Pack & Dist, janitorial supplies- 417.70; Bomgaars, bldg repair/supplies- 790.08; Dakota Food & Fuel, ground supplies- 38.00; Foulk Bros Plumbing, plumbing repair- 456.16; Gill Hauling Inc, dumpster service- 240.00; Wilmes Hardware Hank, bldg repair/supplies- 78.61; Richard Jensen, mileage- 151.65; Menards, bldg supplies- 1,604.56; Midamerican Energy, gas bill- 2,915.98; New Ideas Fabrication Inc, lawn equipment repair- 60.00; NPPD, electric bill- 3,553.00; O'Keefe Elevator, maintenance- 136.53; Sams Club, bldg supplies- 268.38; Share Corporation, janitorial supplies- 352.42; Trembly Pest Control, pest control- 85.00; Verizon Wireless, cell phone bill- 58.28; Dakota County Extension, reimbursement- 2593.13; C & H Heavy Duty Specialists Inc, tow car- 140.00; Circle R Frame Aligners, vehicle service- 489.30; City of South Sioux City, fuel/phone/copies- 4,152.54; Dakota County Sheriff, reimbursement-339.70; Dakota Food & Fuel, fuel- 129.21; Five Star Awards & More, plaques- 221.00; Fremont Tire, tire services- 1,640.18; Harolds, film developing- 27.00; Jack's Uniforms Equip, uniforms- 772.65; Omaha world Herald, corrections advertisement- 247.20; Pacific City Graphics, vehicle inspec forms- 761.25; Racom Corp, edacs access/monthly phone line- 687.40; Robertson implement Co, dog food- 19.20; Sign Masters Inc, repair/replace decals- 75.00; Sioux City Ford, vehicle repair- 780.57; Sioux City Journal, merit comm app request- 595.12; Sioux Sales Company, tactical ear piece- 85.00; Siouxland FCU, training/meals/ammunition- 741.90; Siouxland Humane Soc, 4 day hold animal control- 46.00; Treat America Food Services, training meals- 124.06; WatchGuard Video, dvd/wireless mic- 386.16; Verizon Wireless, cell phone bill- 76.81; AJ Phillips, business cards- 45.00; Dakota County Bar Assn, dues for EHM/DJF/KMW/SMM- 100.00; Dakota County Treasurer, annual banquet/cert copies/notary- 139.50; Dept. of Motor Vehicles, driving records/transcripts- 84.00; Dodge County Court, certified copies- 2.75; Edward Matney, reimbursement- 572.61; H2O4U, water- 17.25; NE County Attorney Assoc, training/reg/dues- 1,695.60; Net Systems Plus, Computer repair- 112.50; Perkins, office supplies- 25.68; Quill, office supplies- 161.37; Sprint, phone bill- 56.95; Staples, office supplies- 79.99; Boone Brothers Roofing, 50% retainage- 1,250.84; City of South Sioux, LEC expense May- 23,868.50; City of South Sioux, LEC roof- 14,471.68; Caterina Chapman, reimbursement for supplies- 6.41; AJ Phillips, business cards- 30.00; BI Incorporated, electronic monitoring- 2,608.55; Adirondack Direct, reversible board w/markers- 303.72; American Bio Medica Corp, drug test- 99.45; AmSan, supplies- 419.28; BI Incorporated, electronic monitoring serv- 1,628.85; Bob Parker Company, shampoo/soap- 173.59; Butler County Clinic, medical services- 98.00; CBM Food Service, food services- 23,832.00; Cash-Wa Distributing, food services- 223.10; Dakota Business Systems, copier contract Ap/May- 522.00; Dakota County Sheriff, reimbursement toll bridge- 2.50; Dakota Food & Fuel, fuel- 665.32; Dept. of Correctional Serv, safekeepers/medical for inmates- 4,989.42; Dialysis Center of Lincoln, medical services- 7,797.75; Sandy Dickens, mileage- 117.48; Fremont Tire, vehicle maint- 37.25; ISECUREtrac Corp, house arrest- 172.50; Jack's Uniforms Equip, uniforms- 723.45; Kleen Solutions Inc, dishwasher cleaners- 298.98; Kreislers Inc, abdominal binder- 23.50; Mercy Bus. Health/Urg Care, medical services- 1,927.00; Mercy Medical Center, medical services- 634.26; MTS Safety Products Inc, medical gloves- 569.83; Midwest Office Automations, copier maintenance- 523.65; N.E NE. Juvenile Serv, boarding- 5,162.50; NW Iowa Emergency Phys, medical serv for inmate- 215.00; David A. Noble DDS, medical services- 84.00; Joaquin Orduno, interpreter- 20.00; Redlers Pharmacy, medication for inmates- 3,449.34; Satellite Laboratory Services LLC, medical services- 91.00; Sams Club, supplies- 297.96; Siouxland FCU, fuel/lodging/meals- 825.41; Siouxland Lock & Key, duplicate key- 1.75; Siouxland Pathology Group, medical services- 70.00; Staples, 40

pocket card holder- 33.99; Text 7 Data Tech, jail management software support- 1,900.00; Verizon Wireless, cell phone bill- 138.46; Walmart, supplies-63.62; Woodbury Co Juvenile Det, detained inmates- 2,200.00; Com-Tec Security LLC, 100 indenti cards/prox cards- 818.35; Net Systems Plus, computer repair- 356.25; RACOM Corp, install remote adaptors- 3,505.36; Hubbard Post Office, postage- 120.00; Verizon Wireless, cell phone bill- 65.20; Alpha Land Surveying, surveying services- 1000.00; Dunes Family Medicine, consulting physician- 250.00; Pat Glover, reimbursement food/gifts for volunteer luncheon- 182.50; Pam DeVries, reimbursements food/mileage- 488.68; Perkins, office supplies- 69.78; Deanna Beckman, hrs for April/mileage- 1,181.60; Alan Boyd, mileage- 646.51; Electronic Eng, pager bill- 13.95; Midtown holiday Inn, meals/lodging- 422.00; Thompson West, reporter- 546.51; AT&T, long dist bill- 175.94; Cable One, internet service- 200.55; City of South Sioux, library contribution 1yr- 40,000.00; Claritus, rate change usps- 237.00; Dakota County Star, publishing- 118.40; De Lage Landen Financial Services, copier lease 2months/property tax per lease- 292.18; Executive Technologies, toners- 28.50; FSH Communications, payphone- 63.60; Hasler Inc, postage meter rental- 150.00; IBM Corp, annual fee for AS/400- 205.71; Lazette Gifford, website upkeep- 40.00; MIPS, payroll/claims/budget support- 366.05; Net System Plus, set up cable one- 412.50; Qwest, phone bill- 2960.34; Madelyn Thorsland, prior yrs srvc- 10.00; Region IV Mental Health, 4th qrt srvc- 7,313.00; So Sioux City Area Chamber, sponsorship fee- 355.00; Three Rivers Benefit, flex plan admin fees- 75.00; US Postal Service, monthly postage for meter- 2,500.00; WCS Telecom, long dist charges- 325.13; Spencer Fane Britt & Browne, legal fees- 6,152.00;

ROAD FUND: Advance Auto, vehicle supplies- 32.11; Aqua-Soo Water Treatment, water service- 8.50; Aramark, towel service- 190.19; Barclay Long Haul Inc, rock- 344.54; Bomgaars, supplies- 34.32; Filter Care of NE, filter cleaning- 22.85; Gill Hauling Inc, dumpster- 52.00; Green Light Truck Wash, maintenance- 402.22; Guarantee Oil, oil- 494.40; Higman Sand & Gravel, road rock- 1,674.02; HME Inc, haul rock- 436.39; Hubbard Mini Mart, gas/diesel- 7,474.74; Joe's Dept Store, supplies- 50.35; Linweld, oxy/acetylene- 35.50; Medical Enterprises, drug testing- 59.80; Midwest SVC & Sales, traffic signs- 892.56; Marlan Millard, prior yrs srvc- 15.00; NAPA, supplies- 678.74; NPPD, homer electric service- 23.88; Northeast Equip, tractor rental- 6.00; Northeast NE Telephone, phone bill- 183.82; Pilger Sand & Gravel Inc, road gravel- 5,348.59; Power Plan/Murphy, tractor parts- 55.25; QPR, Asphalt- 746.25; Rinker material Corp, road rock- 516.82; Sams Club, membership- 70.00; The New Sioux City Iron, supplies- 11.86; Siouxland Hydraulics, service- 75.58; St Lukes Center for Occupational Health, drug testing- 30.00; Stalp Service Co, road rock for April- 7,592.00; Verizon Wireless, cell phone- 42.58; Warren Oil, diesel- 4,265.37; Wilmes Hardware Hank, mower parts- 15.33; Zieglers, parts/labor- 1,787.13;

HARD SURFACE: Union Bank & Trust, bond- 500.00;

ROAD IMPROVEMENT: JEO, misc research/site visit- 180.83; Olsson Associates, professional services- 8,833.12;

POOR RELIEF: Nebraska Dept of Health & Human, admin cost- 47.50; Becker Hunt Funeral Home, burial expenses- 1,050.00;

VETERANS AID: Veterans Service Office, relief- 280.00;

S.T.O.P FUND: Dakota County Sheriffs Dept, law enforcement equip-1,495.00;

INHERITANCE TAX: Jail Project Fund 4200, transfer for May claims- 106,479.01

HANDICAP ACCESSIBILITY: City of South Sioux City, 12% tax for Feb 07 for LEC- 2,575.95; Jail Bond Fund 3300, 88% sale tax for Feb 07- 18,890.31;

JAIL PROJECT: Com-Tec Security LLC, retainage- 31,193.20; Jarco Builders LTD, retainage- 15,517.90; Miller Painting, retainage- 4,485.00; Mobile Storage Group, storage rental- 225.00; Quad States Caulking, caulking and change order- 24,413.00; Star Controls, retainage- 7,057.30; Tindall Corp, retainage- 9,347.21; Wells Concrete Products, Winkler Roofing, retainage- 14,170.40;

WEED FUND: Advance Auto Parts, parts/grease- 28.48; Auto Sound Solutions Inc, radio repair- 10.00; Central Valley AG, chemicals- 95.40; Dakota Co Star, noxious weed ad- 144.00; FIMCO, sprayer parts- 700.96; Grainger, safety supplies- 120.81; Hubbard Mini Mart, gas- 288.00; Hubbard Post Office, postage- 100.00; Joes Dept Store, sprayer parts- 133.55; Napa, sprayer parts- 123.75; Nutra-Flo Equipment Co., sprayer parts- 79.16; Van Diest Supply Co, chemical prepay- 3,500.00;

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Rohde 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, 2007.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel recessed their meeting until 7:00 p.m. in the County Courtroom when they will bear opinions and observations and comments concerning the condition of the county roads.

Chair Engel reconvened their meeting at 7:00 p.m. in the County Courtroom.

Present were: Commissioners Engel, McLarty, Rohde, O'Neill, Hartnett and Ted Piepho, Secretary.

Absent: All present

Chair Engel welcomed everyone for coming to this portion of the meeting, which was held for the public to appear and offer opinions, observations and comments concerning the maintenance of the county roads.

Commissioner Rohde opened the forum with a map and identifying what roads have received gravel and how often.

Many present offered their ideas and input as to how the county could better maintain the county roads.

Chair Engel adjourned the meeting at 8:23 p.m.

Board of Commissioners

ATTEST:

William F. Engel, Chairman

Theodore A. Piepho, County Clerk

* * * * *

Dakota County Board of Commissioners
Monday, June 4, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance being recited.

Present were: Commissioners Engel, O'Neill, Hartnett, Rohde and Ted Piepho, Secretary.

Absent: Commissioner McLarty arrived at 1:33 p.m.

The agenda for the meeting was as follows:
DAKOTA COUNTY BOARD OF COMMISSIONERS
MONDAY, JUNE 04, 2007 AGENDA
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

William F. Engel, Chair Theodore A. Piepho, Secretary

- 1. 1:30 p.m. Call to Order with reciting the Pledge of Allegiance
 - * Roll Call
 - * Approve Minutes of last meeting
 - * Review and approve Payroll claims submitted by County Clerk for payment
 - * Employee Handbook and Personnel Policies - Sick Leave, Vacation and benefits.

- 2. 1:31 p.m. Victims Assistance - Amber 494-7550
 - * Explanation of program

- 3. 1:35 p.m. Omaha Exposition & Racing Inc. (Horseman's Atokad Downs)
 - Manager application for Gary L. Johnson
 - Application for Special Designated License Sept. 14 - 16

- 4. Tabled Items - No tabled items to consider

- 5. Miscellaneous Agenda Items
 - * Jail Report
 - * Courthouse Parking & Street Parking / One way
 - * Prescription card for non insured county residents
 - * Engine Braking Resolution
 - * County Road Maintenance
 - * ATM or debit machine
 - * Juvenile Diversion Program
 - * Juvenile detention
 - * Resolution to designate County Official to receive report from Spencer, Fane, Britt & Browne, L.L.P.
 - * Resolution for County Board of Commissioner to serve as County Board of Corrections.

- 6. Committee Reports

- 7. Public Comment

- 8. Mail and/or Emergency Business

- 9. 2:45 p.m. Recess to 10:00 a.m. June 7, 2007. If a majority, of the board can not meet at that time, they will recess until 10:00 a.m. on June 8th or June 9th.

Amber Hupe-Monney, with Dakota County Victim Assistance, presented the following information to the board.

PROGRAM ORIGIN

Some of you may already be familiar with the program but for those of you who are not the program was established in Dakota County in 1989, with its main goal to provide advocacy and information to victim's crime.

PURPOSE OF THE PROGRAM

The purpose of the program is to assist victims of violent crime which include survivors of homicide victims, domestic violence, assault, sexual assault, child abuse, burglary, robbery and elderly victims of crime. We also provide assistance to victims of property crimes, such as, larceny, theft, vandalism, and harassment. The program provides services and information to all crime victims. Further, presentations are provided to local schools, civic groups and organizations about the program and services to the community.

ADMINISTRATION, STAFF HOURS & LOCATION

The program is comprised of a Director, interns from local colleges, and volunteers. Our office is located in the Law Enforcement Center. The office hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday.

I'm on call 24 hours a day, seven days a week, so in case of an emergency all a person would do is contact the Law Enforcement Center.

STATISTICS

For calendar year 2006, 409 victims were provided services through our program.

The Victim Assistance Program provides about 1,700 services to victims on an annual basis. Some of these services include crisis intervention, protection order assistance, information and referral, criminal justice advocacy, etc. All services are free and confidential.

The program contacts victims by phone or letter offering our services and explaining the program.

The Program is funded by the Victim's of Crime Act or what is commonly referred to as VOCA for short. These funds are disbursed to the states based on population and the crime level within the state. For our state the funds are provided through the Nebraska Crime Commission. The funds are made up of federal criminal fines, penalties, and bond forfeitures and are not tax payer based. The program is also funded by the City of South Sioux City and Dakota County.

VOCA funds provide approximately 80% of the program budget such as consultants/contracts, travel expenses, & supplies. The remaining 20% is a match provided by SSC and Dakota County. This includes office space, copying, postage, and telephone fees.

For the last 18 years the program has relied on VOCA funds and has not drawn any funding from the city or county except for matching funds. The matching funds are run through the LEC and the city and county split the matching funds 50/50.

A part of my grant application requires sustainability in which the City and County are kept aware of VOCA funding in the unlikely event the funds would be reduced, rescinded, or eliminated. The program would be dependent on both the City and County's support to sustain the program.

CONCLUSION

To sum up my presentation, with a small quote by Margaret Mead she stated "Never doubt that a small group of thoughtful, committed citizens can change the world."

She thanks the board for their time.

Chair Engel Called for the agenda item "Omaha Exposition & Racing Inc. d/b/a Horseman's Atokad Downs, in which they are making application for a Special Designated Liquor License to have beer tents during their live meet September 14th through the 16th.

Commissioner Engel moved, seconded by Commissioner Hartnett to approve and recommend that the Nebraska Liquor Control Commission approve the "Omaha Exposition & Racing Inc. d/b/a Horseman's Atokad Downs, 1524 Atokad Drive, South Sioux City, Nebraska, 68776 Dakota County request for a Special Designated Liquor License for a beer tent during their live horse racing event September 14 through September 16, 2007. BE IT FURTHER RESOLVED to recommend to the Nebraska Liquor Control Commission that they likewise approve said Special Designated Liquor License.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item "Manager Application for Gary L. Johnson"

The County Clerk informed the board that Omaha Exposition & Racing, Inc. d/b/a Horseman's Atokad Downs, 1524 Atokad Drive, South Sioux City, Nebraska, Dakota County, 68776, has made application

for a Liquor License Manager change. That request was to name Gary Johnson as the Licensee manager.

Commissioner Engel moved, seconded by Commissioner Rohde to approve Gary Johnson to be named as the Licensee Manager for Omaha Exposition & Racing, Inc. d/b/a Horseman's Atokad Downs, located at 1524 Atokad Drive, South Sioux City, Nebraska, Dakota County, 68776.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Randy Walsh handed Commissioner McLarty the following Jail Report as Mr. McLarty entered the room.
June 4, 2007

Population:

New Jail 72 with 23 being Federal Prisoners

Old Jail 38

Juveniles 03

Woodbury 03)

(Madison 00)

House Arrest 01

Work Release 02

TOTALS: 116

Update:

Spoke with Rich Greenwold who is affiliated with the B.I.A. and he advised that the paperwork has been forwarded to the appropriate people concerning a possible contract.

The reason for the delay may be that they are waiting to see how much money they are getting for the next budget year for housing costs. He again expressed that they are extremely interested in utilizing our facility and he will do some checking and attempt to keep us updated as to what is happening.

Attached to that report was a billing to the US Marshall's Office for \$28,600.00 for boarding Federal Prisoners for 440 bed days. In addition to those charges there was a charge for wages and mileage totaling \$376.11 for a total billing of \$28,976.11.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to have a written Jail Report for each meeting and that a copy is made and distributed to each member of the County Board.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item "courthouse parking".

The County Clerk informed the board that he had asked the City of Dakota City to do a feasibility study whether lines should be painted marking parking stalls on Walnut Street north of the courthouse and also to do a feasibility study whether it should be a one way.

He asked that if the board was still considering a parking lot west of the jail, that they should really reconsider making it a gravel lot.

Commissioner Rohde said that they were looking at asphaltting it now.

Joan Spencer reminded the board that the Prescription discount is available to counties belonging to NACO, who enrolled in the program. There was a short discussion, but it was decided to ask someone to come and explain the program.

The resolution on Engine braking was discussed and Mr. Matney said that he needs to do a little more research and draft a resolution.

Commissioner O'Neill said she had some complaints on roads. She said that Jeff Anderson had called her about pot holes in Fair Oaks Drive and she drove that and Blyburg Road. She said that these roads are not good.

Chuck Young said that he traveled Elgin Road and Golf Road by the old Walker Island School and was really bad.

Commissioner McLarty asked how much training was given to the motor grader operators before turning them loose on their own and when Mr. Crombie answered, not much; he thought that we should have a training program in place and that a standard should be set for these operators. He also talked about reclaiming the gravel out of the ditches and bringing dirt with it.

Mr. McLarty also suggested that magnets should be installed on the motor graders to pick up the debris.

Bob Giese spoke on the issue of an ATM or debit machine. He did not think either of these were an option as the county could not charge customers for the use of these.

County Attorney, Ed Matney, informed the board that he was contemplating to incorporate team court into some County Diversion Program and would do it in conjunction with the Community Correction Officer, who has traditionally done pre-trial diversion. He asked the Board to vote in concurrence with that and state law requires that the board be in concurrence if Dakota County would use it in this capacity.

Commissioner Hartnett moved, seconded by Commissioner McLarty that this Board of Commissioners concurs with establishing team court as a Pre-Trial Diversion Program for Dakota County.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

County Attorney, Ed Matney, said that at one time the he, the City of SSC and the SSC Schools discussed looking at options to establish a juvenile facility in Dakota County. He thought that it would be worth looking into it again.

The board agreed that we should look into it and to see if it would be feasible to staff such a facility.

Mr. Matney said that he had drafted a resolution that has to do with the law firm Spencer, Fane, Britt & Browne, L.L.P. He reminded the board that this is the firm that Dakota County hired to investigate possible litigation with Dakota County. Mr. McQueen, an attorney for that firm, requested that the board pass the resolution.

Commissioner Rohde moved, seconded by Commissioner McLarty to Adopt Resolution 07C-004 designating County Attorney Ed Matney, as the County Official who shall receive any and all reports and recommendations concerning the pending employment investigation reports from Spencer, Fane, Britt and Browne L.L.P. as follows:

RESOLUTION

A RESOLUTION BY THE DAKOTA COUNTY BOARD OF COMMISSIONERS TO DESIGNATE COUNTY OFFICIAL TO RECEIVE REPORT FROM SPENCER, FANE, BRITT & BROWNE, L.L.P.

WHEREAS the Dakota County Board of Commissioners (hereinafter "the Board") has hired the law firm of Spencer, Fane, Britt & Browne, L.L.P., hereinafter "Spencer-Fane") to conduct an investigation into possible litigation concerning Dakota County and

WHEREAS Spencer-Fane, in an effort to preserve confidentiality, desires the Board to designate one county official to receive its factual report(s) and legal recommendations concerning the investigation;

NOW, THEREFORE, BE IT RESOLVED by the Dakota County Board of Commissioners that Dakota County Attorney Ed Matney be, and hereby is, designated as the county official who shall receive any and all reports and recommendations concerning this matter, who shall then report back to the Board of Commissioners.

DATED this ____ day of June, 2007.

Commissioner Bill Engel, Chair

Commissioner Jackie Hartnett

Commissioner Betty O'Neill

Commissioner Bill McLarty

Commissioner Bill Rohde

APPROVED AS TO FORM: _____
Edward Matney, County Attorney

ATTEST: _____
Ted Piepho, County Clerk

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

County Attorney, Ed Matney, presented and read the following resolution. With exception to a couple of changes, this is a resolution used by Hall County when they created a Board of Corrections.

A RESOLUTION BY THE DAKOTA COUNTY BOARD OF COMMISSIONERS FOR THE DAKOTA COUNTY BOARD OF COMMISSIONERS TO SERVE AS THE DAKOTA COUNTY BOARD OF CORRECTIONS

WHEREAS, each county board in counties having a population of less than one hundred fifty thousand inhabitants may choose to serve as the county board of corrections and as such have charge of the county jail and correctional facilities and of all persons by law confined in such jail or correctional facility; and

WHEREAS, the County of Dakota County is a county having less than one hundred fifty thousand inhabitants; and

WHEREAS, the County Board of Dakota County finds that the formation of itself as the Dakota County Board of Corrections would promote the proper administration of the Dakota County Jail and further benefit the public by releasing the County Sheriff from such responsibility to pursue more fully the sheriff's primary duties as a law enforcement officer.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS.

1. That the Dakota County Board of Commissioners does hereby elect, by majority vote of its members, to serve as the Dakota County Board of Corrections.
2. That the initial meeting of the Dakota County Board of Corrections shall be held on _____, 2007, at _____ o'clock ____m.

3. That the Dakota County Board of Corrections shall assume charge of the Dakota County Jail and Correctional Facilities and of all persons by law confined in the jail and correctional facilities on the _____ day of _____, 2007, at _____ o'clock _____ .m

4. That there is hereby established the Dakota County Division of Corrections under the jurisdiction of the Dakota County Board of Corrections. The administrative officer of the division shall be the Dakota County Director of Corrections, who will be qualified by education, training, and experience to perform the duties of such position.

5. That the Dakota County Director of Corrections shall be appointed by and shall serve at will and discretion of the Dakota County Board of Corrections. The Dakota County Director of Corrections shall have direct administrative responsibility for the facilities and employees of the Dakota County Division of Corrections and of the persons lawfully confined in such facilities.

6. That the Dakota County Board of Corrections shall elect a chairperson and vice-chairperson, shall adopt such rules and by-laws as it deems advisable, and shall meet at least once every sixty days. A quorum shall require the presence of at least two-thirds of its members and all questions shall be decided by majority vote of the members present. The Dakota County Board of Corrections shall hear arguments and make recommendations for the maintenance, supervision, control, and direction of the Dakota County Jail and Correctional Facilities.

DATED this _____ day of June, 2007.

Commissioner Bill Engel, Chair

Commissioner Jackie Hartnett

Commissioner Betty O'Neill

Commissioner Bill McLarty

Commissioner Bill Rohde

APPROVED AS TO FORM: _____
Edward Matney, County Attorney

ATTEST: _____
Ted Piepho, County Clerk

Mr. Matney said that it may be appropriate to recess and get some input on the Board of Corrections. The Board did not act on the above resolution.

Commissioner McLarty moved, seconded by Commissioner Rohde to approve the minutes of May 21, 2007, as typed.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

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

Commissioner Rohde moved, seconded by Commissioner Engel to approve the payroll claims submitted by the County Clerk, as follows, taking exception to the claims of Gary Powell and Paula Harrigfeld and the exception is that they be paid regular time instead of overtime for working the holiday of Memorial Day.

COUNTY GENERAL FUND: Gross salaries- \$112,500.01, General Fund Employees Net Pay- \$79,276.29, Employer deductions paid: Retirement- 7,785.55, Retirement Makeup- 34.44, Social Security Tax- 6,852.80, Medicare- 1,602.64, DC Health Plan- 31,786.32, DC Dental Plan- 822.15, Life Insurance- 187.98.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 458.26, Tracey Corkin- 888.25, Marisol Curiel- 775.78, Bobbi Jo Harsma- 1004.00, Theodore Piepho- 1553.28, Darlene Davis- 860.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 920.00, Kimberly Kuehl- 860.00, Phyllis Ridge- 908.60, Margaret Rahn- 1142.10, Daniel Christoffers- 458.26, Dennis Reinert- 203.85, Valerie Danielson- 1553.28, Carol Dunham- 1165.42, Cheryl Perkins- 880.00, Joe Flynn- 1664.00, Debra Jensen- 952.00, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 820.00, Tracey Corkin- 45.33, Richard Jensen- 1334.41, Duane Kotalik- 1248.00, Tammy Dunn-Peterson- 829.50, Jeremy Bermel- 1794.32, Anthony Bos- 2157.83, Brad Claypool- 1960.39, Sandy Dickens- 1071.28, Brian Ellinger- 2232.84, Penny Epting- 1796.00, Brent Gilster- 1996.40, Todd Hammer- 1766.56, Melvin Harrison III- 2084.96, Rodney Herron- 2041.01, Kimberly Johnson- 220.05, Jared Junge- 2279.22, Michael Kreegar- 1702.00, Gary Powell- 222.00, Gayle Richards- 805.60, Kevin Rohde- 1994.55, James Wagner- 1942.76, Erin Bartels- 792.00, Elisha Doyle- 792.00, Aimee Kennedy- 1012.00, Edward Matney III- 2513.07, Sara Meadows- 1419.21, Debra Schmiedt- 2032.31, Kimberly Watson- 1615.38, Caterina Chapman- 1006.38, Nicole Sims- 57.12, Ermelinda Ballesteros- 1306.65, Joshua Blatchford- 1292.63, Dusty Boyd- 1223.63, Rebecca Broer- 1284.05, Toni Duncan- 1252.13, Lisa Ford- 1171.63, John Gilles- 1336.67, Alma Gunderson- 1411.94, Paula Harrigfeld- 649.22, Brenda Harrison- 1262.25, Cathy Harsma- 1271.60, Deanna Haukap- 1074.15, Jackie Heaton- 960.00, Jason James- 1278.88, Sarah Jensen- 562.28, Brett Johnson- 1100.25, Nicholas Kellen- 1174.88, Matthew Mann- 1231.75, Colleen McMahon- Levine- 1205.75, Diana Moctezuma- 1134.25, Mark Nelson- 1294.31, Jeep Phommavong- 1204.13, Joseph Ramirez- 1210.19, Cara Reinders- 1028.13, Daniel Rodasky- 207.70, Stephanie Ryan-

1126.13, Linda Schovanec- 1186.65, Heather Skow- 1226.88, Justin Smith- 1243.13, Francis Tope- 1196.00, Randall Walsh- 1669.35, Charvette Williams- 1071.05, Daniel Wood- 1405.69, Randall Crombie- 177.00, Jolene Gubbels- 852.00, Leon Pies- 651.94, Pamela DeVries- 1512.68, Patricia Glover- 1023.16, Bonnie Kahler- 679.25, Alan Boyd- 970.20.

GENERAL FUND: Employee withholding paid to: Federal- 11,241.07, State- 3,977.04, Social Security Tax- 6,852.80, Medicare- 1,602.64, Retirement- 5,281.76, Retirement Makeup- 24.44, DC Health Plan- 543.35, DC Dental Plan- 430.54, Colonial Health- 16.20, Sheriff Union Dues- 240.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$15,000.46, Road Employees Net Pay- \$10,621.50, Employer deductions paid: Retirement- 1,012.54, DC Health Plan-4,749.68, DC Dental Plan- 122.85, Life Insurance- 25.42, Social Security Tax- 911.79, Medicare- 213.26.

Brent Byroad- 1168.00, Randall Crombie- 1538.46, Robert Hacker- 1088.00, Ronald Harder- 1176.00, Walter Heinemann- 1180.00, Richard Hoelsing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1212.00, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,394.78, State- 497.43, Social Security- 911.79, Medicare- 213.26, Retirement- 675.02, DC Health Plan-, DC Dental Plan- 58.71, Reassure America Life- 7.32, Deferred Comp.- 61.68, Garnishments- 69.24, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 198.00.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty passed out a Legislative Report for the Board's information.

Chair Engel recessed their meeting to 10:00 a.m. Friday, June 8, 2007 at 3:10 p.m., June 4, 2007.

Chair Engel reconvened their meeting of June 4, 2007 at 10:03 a.m. on June 8, 2007.

Present were: Commissioners Engel, O'Neill, McLarty, Hartnett, Rohde and Ted Piepho, Secretary.

Absent: All present.

Ed Matney, County Attorney, presented the information at hand. He had put together an alternate plan to the Board serving as Board of Corrections. That was to have the Sheriff and the Board to be over the Jail and to have the Citizens Committee as a recommendations Committee.

Many Sheriff and Jail employees were in attendance and some spoke against the Board creating a Board of Corrections.

Commissioner McLarty moved, seconded by Commissioner Hartnett to table the formation of Board of Corrections for no more than 90 days, which means the deadline being the first meeting in September, to study these facts and come back with a sound decision and we will look at the transport costs, all additional costs, study it with Merit Commission what the relationship is, we will look at the union relationship, we will look at the statutes and then come back and whoever is doing this study, the chair to appoint somebody or committee to do the research and come back with a full report no later than the first meeting of September so we can resolve this issue.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty then recommended that this committee be members made up as follows; one member from the Board of Commissioners, one member from the Sheriff's Office, one member from the Jail and one member from the Citizen's Committee.

Chair Engel adjourned their meeting at 11:37 a.m.

Board of Commissioners

ATTEST:

William F. Engel,

Chairman

Theodore A. Piepho, County Clerk

Dakota County Board of Commissioners
Monday, June 18, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 10:05 a.m. with the Pledge of Allegiance being recited.

Present were: Commissioners Engel, O'Neill, Hartnett, and Ted Piepho, Secretary.

Absent: Commissioner Rohde. Commissioner Rohde arrived at 10:47 a.m.

The agenda for the meeting was as follows:

DAKOTA COUNTY BOARD OF COMMISSIONERS
MONDAY, JUNE 18, 2007 AGENDA AMENDED
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

William F. Engel, Chair

Theodore A. Piepho, Secretary

1. 10:00 a.m. Call to Order with reciting the Pledge of Allegiance
 - * Roll Call
 - * Approve Minutes of last meeting
 - * Review and approve Payroll and Accounts Payable claims submitted by County Clerk for payment
2. 10:03 a.m. Review claims Filed with the County Clerk and submitted by for payment
3. 11:00 a.m. Recess for Board of Equalization
4. 11:10 a.m. Reconvene from Board of Commissioners
5. 11:35 a.m. Quarterly Jail Tour conducted in March, June, Sept and December
6. 12:00 Noon Recess for Lunch
7. 1:30 p.m. Reconvene meeting from morning session
 - Visitor's Tourism Bureau - Present 2007-08 Budget
8. 1:45 p.m. Budget Hearing to amend & adopt the Road and Bridge Fund (0300)
9. 1:50 p.m. Budget Hearing to amend & adopt the Road Improvement Fund (0802)
10. Resolutions for amending over expended office budgets.
 - * Surveyor
 - * Probation
 - * Clerk of the District Court
 - * Weed
11. 2:00 p.m. Public Hearing - Adam Beermann Livestock Swine Feeding Operation Conditional Use Permit
 - Approve or Disapprove Conditional Use Permit
12. Tabled Items - Board of Corrections - tabled last meeting no action anticipated.
13. 2:30 p.m. Tony Bos - FOP Fraternal Order of Police Lodge #49 Union Contract - negotiations for Sheriff's Union
14. Randy Crombie to present resolution to amend the 1 & 6 on the Albenesius Project
15. 2:45 p.m. Dick McNear, Fair Board - tractor purchase
16. Miscellaneous Agenda Items
 - * Officials Reports
 - * Jail Report
 - * Appoint Committee to study Board of Corrections
 - * "Hire Crary Huff law firm to represent Dakota County and co-defendant county officials in Schlotman lawsuit"
 - * Engine Braking Resolution
17. Committee Reports
18. Public Comment
19. Mail and/or Emergency Business

20. 3:10 p.m. Adjournment

SPECIAL NOTE FOR PROPERTY COMMITTEE.
PROPERTY COMMITTEE TO MEET AT 1:00 P.M. IN THE COUNTY BOARD ROOM

The board reviewed the claims.

Joan Spencer, Board's assistant, called the board's attention to the following claims: NIRMA claim for the \$10,000 deductible for the Mary Gamble law suit, Road Department clothing allowance, Albenesius claim for 19 thousand some for the road and the 75,000 transfer repay from 0802 to Inheritance tax, both which are dependent upon receiving the \$100,000 from State for Knox Blvd., Lincoln Regional has two people there and although we have not had to pay them in years, we will continue to get quarterly billings there, the \$1,500 is there to repay Inheritance Tax from Veteran's Fund, the Jail Bond Fund \$530,400 paying the first payment of principle and there is a claim for the Jail Construction Fund 4200 paying Steve Harris retainage. There was one claim that a company was suppose to file, but they never did, so Joan was not sure what would happen there. He added that she noticed that employees are still claiming tips on meals and charging the county.

She noted that we paid \$8,936 in Juvenile boarding and \$5,624 in prescription cost and then she mentioned that we had boarding cost for inmates in the jail.

Commissioner O'Neill asked about the letter from JEO and read as follows:
June 6, 2007

Dakota County
Attn: Ted Piepho
P0 Box 39
Dakota City, NE 68731-0039

RE: Dakota County, Nebraska Knox Boulevard Paving
JEO Project No. 022M106

Dear Ted;

The 'Knox Boulevard Paving', constructed by Gill Construction, Inc. was accepted on or about December 10, 2006. The project Plans, Specifications and Contract documents require a one-year warranty for materials and workmanship.

The purpose of this letter is to advise you that the one (1) year warranty period is half over. If you have anything that should be brought to the Contractors attention, please advise us as soon as possible. If JEO can assist you in this matter, please call.

Sincerely,
Brian E. McDonald, P.E.
Project Engineer

BEM:skw
pc: Gill Construction, Inc.

Ms. Spencer suggested that they ask Randy Crombie Highway Supt., this afternoon.

Commissioner O'Neill asked about the letter in their packets concerning Hiring Crary Huff, to represent the County in the Schlotman lawsuit. She asked if this was not something he could represent the County.

Paying tips was briefly discussed.

Commissioner Rohde arrived at 10:47 a.m.

Chair Engel recessed their meeting at 11:00 a.m. to convene as Board of Equalization.

Dakota County Board of Equalization
Monday, June 18, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 10:05 a.m. with the Pledge of Allegiance being recited.

Present were: Commissioners Engel, O'Neill, Hartnett, Rohde, McLarty and Ted Piepho, Secretary.

Absent: All present.

Madelyn Thorsland, Assessment Administrative Manager for Dakota County, explained that most all the Notices of Valuation that went out in the first part of June had a post mark date of June 4th. She noted that everything the state did was timely and postmarked June 1, but the Independent contractor did not get them to the post office until June 4.

The State was suggesting that the Board of Equalization send out Notice of Change in Value to all those parcels that had a value change between 2006 tax year and 2007. She said these would be mailed out June 28th and that would open up another 30 day window for the owners of these parcels to protest their value.

Commissioner McLarty moved, seconded by Commissioner Hartnett to send Notices of Change in Valuation to all parcels who received a change in value from the year 2006 and 2007.
ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Ms. Thorsland also informed the board that there were 5 parcels that were undervalued that Notices of Change in Valuation should go out because the computer did not roll them over. She noted that with exception to Mari's, these would not be added to the total County Tax Base, but would add value to the TIF District. The parcels were as follows: parcels 220156670, 220156751, 220156166 in the name of Walmart, parcel 220180261 in the name of Timber South Properties and parcel 220077622 in the name of Edward Eugene and Tami D Mari.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to send notices to send Notices of Change in Valuation for the overvalued / undervalued properties as follows: parcels 220156670, 220156751, 220156166 in the name of Walmart, parcel 220180261 in the name of Timber South Properties and parcel 220077622 in the name of Edward Eugene and Tami D Mari. BE IT FURTHER RESOLVED that said notices be sent out June 28, 2008 to coincide with all other notices mentioned in preceding action of this board, this day.
ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

With no further business. Chair Engel recessed this meeting at 11:22 a.m. until July 16, 2007, at 2:30 p.m.

Chair Engel reconvened the Board of Commissioners Meeting at 11:22 a.m.
Present were: Commissioners Engel, O'Neill, Hartnett, Rohde, McLarty and Ted Piepho, Secretary.

Absent: Commissioner Hartnett.

The board continued to review claims.
Commissioner O'Neill departed the meeting at 11:27 a.m.
Commissioner O'Neill Returned to her seat at 11:32 a.m.

The following Jail Report was distributed to the board members:

JAIL REPORT, JUNE 18TH, 2007

Current Populations: as of 0930 hours 6-18-07

New Jail: 80 inmates, Male: 53, Female: 27 Federal Inmates: 23
included in those numbers.

Old Jail: 48 inmates, Male: 48, Female: 00
Juveniles: 1 in Madison Juvenile Center and none in Woodbury Co.

House Arrest: 0
Work Release: 02

Comments:

Nebraska State Patrol held a selective enforcement on Friday 6-15-07 and on Saturday 6-16-07, which resulted in numerous arrests
6-15-07 13 booked into the facility
6-16-07 11 booked into the facility

Commissioner Engel called for the Jail tour at 11:38 p.m.

Commissioners O'Neill and Engel were the only members that toured the jail, therefore, the meeting was recessed at that point.

Chair Engel reconvened their meeting at 1:30 p.m.
Present were: Commissioners Rohde, McLarty, Engel, O'Neill, Hartnett, and Ted Piepho, Secretary.

Donna Goodier from the Visitor's and Tourism Bureau and Pat Anderson from the SSC Chamber appeared before the board to present the Visitor's and Tourism Bureau 2007-2008 budget. The proposed budget of the 2007- 08 year was \$154,400.

Commissioner Rohde moved, seconded by Commissioner Hartnett to approve the Visitor's and Tourism 2007-2008 budget of expenditures of \$154,400 as presented.
ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel opened the Road/Bridge 0300 Fund Budget Public Hearing at 1:45 p.m.

Joan Spencer, Assistant to the Board said that the purpose of this hearing to increase the budget expenditures of the Road/Bridge Fund 300 and decrease the cash reserve to allow the claims submitted in June to be paid.

ROAD/BRIDGE FUND 300

ACTUAL EXPENSE:

1.	Prior Year 2003-2004	\$	985,019.42
2.	Prior Year 2004-2005	\$	1,000,602.89
3.	Last Year 2005-2006	\$	1,060,402.06

REQUIREMENTS:

	ADOPTED	CHANGE	TOTAL
4.	Current Year 2006-2007 +\$ 1,194,520.72	\$ 45,000.00	\$ 1,239,520.72
5.	Necessary Cash Reserve +\$ 100,000.00	- 45,000.00	55,000.00
6.	Cash on Hand and Estimated other Revenues -\$ 1,294,520.72	0.00	\$ 1,294,520.72
7.	Collection Fee & Delinquent Allowance +\$ 0.00	0.00	0.00
8.	Total Property Tax Requirement =\$ 0.00	0.00	\$ 0.00

Lance Hedquist presented the following memo to the board.

DATE: JUNE 18, 2007

TO: Chairman Engel and Members of the Dakota County Board of Commissioners

FROM : Lance Hedquist, City Administrator ~

The City of South Sioux City would request that the agreement with the City of South Sioux City be complied with. As you know, the citizens and businesses pay 50% of the property taxes that are used for the county roads' operations. The provision of \$2,000 in gravel and to do the grading of the few city gravel roads seems to be a VERY small fraction of what is contributed to the county budget. That awareness was part of the discussion that led to this 10 year agreement.

Chair Engel closed the Road/Bridge 0300 Fund Budget Public Hearing at 1:48 p.m.

Commissioner Rohde moved, seconded by Commissioner Hartnett to adopt and amend the proposed Road/ Bridge Fund as advertised adding \$45,000 to the expenditures making a total budget of expenditures of \$1,239,520.72 and reducing the Necessary Cash Reserve by said amount keeping the tax asking the same.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel opened the Road Improvement 0802 Fund Budget Public Hearing at 1:50 p.m.

Joan Spencer, Assistant to the Board said that the purpose to increase the budget expenditures of the Road Improvement Fund 802 to allow money transferred from Inheritance Tax Fund that facilitated cash flow be transferred back to the Inheritance Tax Fund.

ROAD IMPROVEMENT 802

ACTUAL EXPENSE:

1.	Prior Year 2003-2004	\$	119,204.16
2.	Prior Year 2004-2005	\$	590,388.56
3.	Last Year 2005-2006	\$	142,000.00

REQUIREMENTS:

	ADOPTED	CHANGE	TOTAL
4.	Current Year 2006-2007 +\$ 326,000.00	\$ 75,000.00	\$ 401,000.00
5.	Necessary Cash Reserve +\$ 0.00	0.00	0.00
6.	Cash on Hand and Estimated other Revenues - \$ 326,000.00	\$ 75,000.00	\$ 401,000.00
7.	Collection Fee & Delinquent Allowance +\$ 0.00	0.00	0.00
8.	Total Property Tax Requirement =\$ 0.00	0.00	0.00

Chair Engel closed the Road Improvement 0802 Fund Budget Public Hearing at 1:53 p.m.

Commissioner Hartnett moved, seconded by Commissioner McLarty to wait until the County gets the \$100,000 from the state for the Knox Blvd. project, which will carry transfer of monies to the Inheritance Tax Fund, therefore not requiring a change in the Road Improvement 0802 Fund Budget 2006/07 budget.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Commissioner O'Neill asked Randy Crombie about the letter from JEO advising the county that the one (1) year warranty period is half over for Knox Blvd.

It was decided to wait to pursue damages because it would hold up the one hundred thousand payment from the state. Mr. Crombie thought that we might pursue damages from JEO after receipt of the money.

Chair Engel opened the Public Hearing, in which Adam Beermann Livestock Swine Feeding Operation was needing a Conditional Use Permit for their operations, at 2:03 p.m.

Chair Engel closed the Public Hearing at 2:17 p.m.

Commissioner Hartnett moved, seconded by Commissioner Rohde to approve the Conditional Use permit applied for by Adam Beermann Livestock Swine Feeding Operation.
ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Joan Spencer, Administrative Assistant to the board, presented four resolutions amending department budgets because they would go over budget.
She presented a resolution that would increase the Surveyor's Budget by \$1500 increasing his budget from \$3000 to \$4500. The next resolution was increasing the Clerk of District Court's Budget by \$100. The last two resolutions were for the District Probation Office raising their budget \$112.95 and the other increase the Weed Budget \$500.

Commissioner McLarty moved, seconded by Commissioner Rohde to adopt Resolution 07C-005 authorizing the un-appropriated moneys of the Register of Deeds Budget of the General Fund to be utilized for the payment of the over expended budget of County Surveyor Office and that said budget be increased by \$1,500.00 to \$4,500.00 for fiscal year 2006-2007.

RESOLUTION 07C-005

WHEREAS, the Office of County Surveyor will exceed its budget with the payment of the submitted June, 2007, accounts payable claim; and,

WHEREAS, an emergency exists; and,

WHEREAS, the office of Register of Deeds of the General Fund has un-appropriated moneys left.

BE IT THEREFORE RESOLVED, that the Dakota County Board of Commissioners hereby authorize the un-appropriated moneys of the Register of Deeds Budget of the General Fund to be utilized for the payment of the over expended budget of County Surveyor Office and that said budget be increased by \$1,500.00 to \$4,500.00 for fiscal year 2006-2007.

BE IT FURTHER RESOLVED, that the Register of Deeds Budget be reduced by \$1,500.00 to \$66,677.21 for fiscal year 2006-2007.

Passed and adopted this 18th day of June, 2007.

ATTEST:

William Engel, Chairman
Dakota County Board of Commissioners

County Clerk

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner O'Neill to adopt Resolution 07C-006 authorizing the un-appropriated moneys of the District Judge Budget of the General Fund to be utilized for the payment of the over expended budget of Clerk of District Court and that said budget be increased by \$100.00 to \$143,270.88 for fiscal year 2006-2007.

RESOLUTION 07C-006

WHEREAS, the office of Clerk of District Court will exceed its budget with the payment of the submitted June, 2007, accounts payable and payroll claims; and,

WHEREAS, an emergency exists; and,

WHEREAS, the office of District Judge of the General Fund has un-appropriated moneys left.

BE IT THEREFORE RESOLVED, that the Dakota County Board of Commissioners hereby authorize the un-appropriated moneys of the District Judge Budget of the General Fund to be utilized for the payment of the over expended budget of Clerk of District Court and that said budget be increased by \$100.00 to \$143,270.88 for fiscal year 2006-2007.

BE IT FURTHER RESOLVED, that the District Judge Budget be reduced by \$100.00 to \$7,400.00 for fiscal year 2006-2007.

Passed and adopted this 18th day of June, 2007.

ATTEST:

William Engel, Chairman
Dakota County Board of Commissioners

County Clerk

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner O'Neill to adopt Resolution 007-007 authorize the un-appropriated moneys of the Highway Superintendent Budget of the General Fund to be utilized for the payment of the over expended budget of Weed Personnel and that said budget be increased by \$500.00 to \$18,252.14 for fiscal year 2006-2007.

RESOLUTION 07C-008

WHEREAS, the office of Weed Personnel will exceed its budget with the payment of the submitted June, 2007, payroll claims; and,

WHEREAS, an emergency exists; and,

WHEREAS, the office of Highway Superintendent of the General Fund has un-appropriated moneys left.

BE IT THEREFORE RESOLVED, that the Dakota County Board of Commissioners hereby authorize the un-appropriated moneys of the Highway Superintendent Budget of the General Fund to be utilized for the payment of the over expended budget of Weed Personnel and that said budget be increased by \$500.00 to \$18,252.14 for fiscal year 2006-2007.

BE IT FURTHER RESOLVED, that the Highway Superintendent Budget be reduced by \$500.00 to \$42,294.54 for fiscal year 2006-2007.

Passed and adopted this 18th day of June, 2007.

ATTEST:

William Engel, Chairman
Dakota County Board of Commissioners

County Clerk

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- No, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Rohde to adopt Resolution 07C-008 authorizing the un-appropriated moneys of the County Commissioners Budget of the General Fund to be utilized for the payment of the over expended budget of District Probation Office and that said budget be increased by \$112.95 to \$42,500.69 for fiscal year 2006-2007.

RESOLUTION 07C-008

WHEREAS, the District Probation Office will exceed its budget with the payment of the submitted June, 2007, accounts payable claim; and,

WHEREAS, an emergency exists; and,

WHEREAS, the office of County Commissioner of the General Fund has un-appropriated moneys left.

BE IT THEREFORE RESOLVED, that the Dakota County Board of Commissioners hereby authorize the un-appropriated moneys of the County Commissioners Budget of the General Fund to be utilized for the payment of the over expended budget of District Probation Office and that said budget be increased by \$112.95 to \$42,500.69 for fiscal year 2006-2007.

BE IT FURTHER RESOLVED, that the County Commissioners Budget be reduced by \$112.95 to \$182,657.14 for fiscal year 2006-2007.

Passed and adopted this 18th day of June, 2007.

ATTEST:

William Engel, Chairman
Dakota County Board of Commissioners

County Clerk

ROLL CALL VOTE: Engel- Yea, McLarty- No, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Tony Bos appeared before the board and informed them that the county and the union had agreed on contract.

Bill McLarty confirmed that but that the County's Labor Attorney has not typed the new contract. He provided the board with a list of differences between the old contract and the newly negotiated contract as follows:

DAKOTA COUNTY COMMISSIONERS

Dakota County, Nebraska

Master Contract Changes

Article 5, Section 4:

Employees shall be paid every other Friday by direct deposit, one week following the last day of the pay period. (Other language was deleted in reference to paycheck).

Article 5, Section 8:

All overtime is to be determined by the Sheriff, Chief Deputy or Jail Administrator, and must be authorized by the Sheriff, Chief Deputy or Jail Administrator before it is paid.

Article 7, Section 4:

Regular Full-Time Employees eligible for holiday pay shall be granted up to a maximum of 8 or 10 hours based on the employees regular workday.

Article 9, Section 2 (a):

Except that an employee may carry over up to 40 hours of earned vacation from one vacation year to the next ... must take at least 40 hours of vacation during each vacation year. Change 10 days to "80 hours".

Article 10, Section 1:

Additional bereavement leave under this paragraph shall be charged to vacation leave, compensatory time, sick leave or shall be granted on an unpaid basis.

Article 13, Section 3:

Salaries shall increase a rate of 3% across the board for each of the two-year period of this contract.

Article 14, Section 1

DELETE SENTENCE: "The deductible for such insurance shall not be increased to more than the \$500.00 deductible with the prescription co-pay to be increased to more than 15/35/70 dollars."

INSERT SENTENCE: "The employer shall have the discretion to select the carrier and determine the benefit level, provided that the benefits are mutually agreed by the employer and the union to be at least comparable to the benefits on June 30, 2007."

Article 27, Section 1:

CHANGE TO READ: "This contract shall be for a two-year period, June 30, 2009.

Side Letters:

1. Letter will state that the County will provide a basic issue and replacements as approved by the Sheriff Chief Deputy, or Jail Administrator.

2. Letter will state that the Jail employees will remain covered by this contract should a Board of Corrections be created by the Dakota County Board of Commissioners.

Randy Crombie, Highway Supt., appeared before the board asking that the paving of Old Saw Mill Road done by Gill Construction be added to the ONE and SIX YEAR Road Plan.

McLarty moved, seconded by Commissioner Hartnett, to assist the County Fair Board in procuring a loan through Iowa-Nebraska Sate Bank in the amount of \$10,000, payable at 5.99% for a period of five years. Furthermore the Board Chair be authorized to sign any and all documents in conjunction with processing said load and the County Clerk be authorized to attest or witness any and all documents necessary to obtain said loan.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner O'Neill to adopt Resolution 07C-009 amending the One and Six Year Road Plan to include the Paving of Old Saw Mill Road, Project C22-219, as follows:

RESOLUTION 07C-009

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Dick McNear and Kim Knecht, with the Fair Board, appeared before the board to request permission to purchase a tractor to replace their existing one.

Commissioner McLarty moved, seconded by Commissioner Hartnett to authorize the Fair Board to purchase another tractor and to trade their existing tractor in for a difference of \$10,000 and to assist the Fair Board in the purchase of said tractor.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item to appoint a committee to study the County Board to establishing a Board of Corrections as authorized by Nebraska Revised Statutes, Section 23-2801 and 2802.

Commissioner O'Neill asked for discussion.

Chair Engel gave her permission.

Commissioner O'Neill said "We had the resolution for the Board of Commissioners to become the Board of Corrections ready to sign on June 4, 2007 as Mr. McQueen suggested we do.

I believe the purpose of the June 8, 2007 meeting was for the Commissioners to sign the resolution for the Board of Commissioners to become the Board of Corrections.

I make a motion to nullify the meeting of June 8, 2007 for the following reasons:

1. The only thing we recessed to do on June 8, 2007 was to sign the resolution for the Board of Commissioners to become the Board of Corrections.
2. It was not advertised as a public hearing, therefore, all that should have been done was to sign the resolution.
3. Persons requesting the floor did not come to the table and identify themselves. Mr. Chairman, I believe that in all other meetings you have had the person come to the table and give their name.
4. A person who has already had the floor is not entitled to it again on the same day, on the same topic. This happened quite frequently.
5. The chairman should alternate pro and con or else call for all those against and then all for. This did not happen
6. The chair should not agree or disagree with person who has the floor. This happened with the Chair agreeing with all the people who were talking against the resolution.
7. If the Chair is going to participate he must relinquish the chair. This did not happen."

She added that the is not plan a, b, c, d or e. The Board of Corrections is set out by State Statute and that's what I agree with.

Commissioner Hartnett said that I will second that motion and she also had point of discussion from a citizen, who attended the meeting and the citizen compiled these points.

1. On Monday afternoon , June 11,2007, Bill Rohde moved to recess and resume discussion on adoption of Board of Corrections proposal to Friday, June 15 at 10:00 a.m.
2. If you recall-4 Dakota County Commissioners originally voted to pursue the adoption of the Board of Corrections proposal as suggested by legal counsel in Omaha, Nebraska.
3. Plan B as offered on June 25,2007, is NOT a valid option because this structure is not approved by statute of the State of Nebraska. Plan A as offered on June 15,2007 is governed by State Statute in Nebraska.
4. If some support for input from the Citizens Committee is desired-then the simplest manner to accomplish this would be to have a "small" committee that would be advisory only to the Director of Corrections under Plan A.
5. The County Board of Commissioners cannot wait 90 days to act on the Board of Corrections proposal. The only step necessary as stated in #4 above is to have a "small" committee from the Citizens Committee to be advisory to the Director of Corrections under Plan A.
In conclusion, the vote of the Dakota County Board of Commissioners was four (4) to one (1) approving the hiring of outside Legal Counsel to assist with the Board of Corrections proposal. It would seem wise and prudent to follow the advice of legal counsel.

Commissioner Rohde said that he thought a lot of good points in that meeting and that thought it would be good to go to Holt County to see why they had gone to the Board of Corrections and back to the Sheriff's Department. I thought that was one thing and I did not call them but I thought I would wait to see what the committee come up with and surely that will be something they will check out and talk to other counties under 150,000 that have formed a Board of Corrections and get some pro's and con's.

Commissioner McClarty said that he thought that he felt that they need to look at it more clearly to make sure the they are following the statue and I think I understand the statute just as you Betty think you do, but I am not sure where it fits into our particular situation so I am in favor of the chair appointing a

committee to explore the questions we have. I think we need to study it and do what's right the first time rather than to come back later and keep changing it to make it right cause we didn't think it through the first time.

ROLL CALL VOTE: Rohde- No, O'Neill- Yea, Hartnett- Yea, Engel- No, McLarty- No, MOTION DEFEATED.

Chair Engel said that he would like to appoint Bill Rohde as the Commissioner and to chair the Committee, Tony Bos to the Road Deputy, Tony Duncan to be the Jailer, Vincent Kramper and Ron Rapp from the Citizen's Committee, and Bob Giese Mayor of South Sioux City.

Commissioner Rohde thought there needed to be two commissioners, therefore, Chair Engel asked Commissioner McLarty to also serve on the Committee to study the Board of Corrections.

Chair Engel called for the agenda item to Hire Crary Huff law firm to represent Dakota County and co-defendant county officials in Schlotman lawsuit.

Commissioner O'Neill asked why the County Attorney was not representing the County rather than hiring Crary Huff.

The chair concurred and asked Debra Fergen, Deputy County Attorney about that.

Debra Fergen, Deputy County Attorney, this is specialized litigation and often time the county hires legal counsel for specialized litigation, such as you did in the Gamble case and like you have done in a few other matters that are pending. She felt that this is specialize litigation and it would be better handled by a private law firm. He and his office specialized in criminal prosecution and advising the board on certain issues. This is above and beyond his specialty, if you direct him to do that, by all means he would do that, as your attorney, but he felt that Crary Huff or similarity situated attorney, and he decided on Crary Huff because that is the firm that you guys use in other NACO type issues and would be better to handle this type of lawsuit because it is specialized litigation.

Commissioner McLarty said that apparently the County Attorney feels that his background and experience is not in this area and if you go into a fight you want to get the best fighter that you can. If you end up loosing, you can loose more money and I have to appreciate the County Attorney's opinion and hire legal counsel. I, like many of you, am concerned about finance costs, but on the other side of it, if you loose how much is that going to cost you? So I would prefer to go with Crary Huff Law Firm to represent Dakota County in the Schlotman law suit. (THE ABOUT 5 PARAGRAPHS WERE ADDED BY CORRECTION IN JULY 2ND, 2007 MEETING)

Commissioner McLarty moved, seconded by Commissioner Rohde to hire Crary Huff law firm to represent Dakota County and co-defendant county officials in Schlotman lawsuit.

ROLL CALL VOTE: O'Neill- No, Hartnett- Abstained, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item Engine Brake Resolution and that item was not ready for adoption of a resolution.

Commissioner Hartnett moved, seconded by Commissioner McLarty 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, 2007 through and including May 31, 2007.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Rohde to approve the Payroll submitted by the County Clerk according to the Employee Handbook and to approve the Accounts Payables claims with exception to the Albenesious Claim for paving Old Saw Mill Road and the transfer of \$75,000 as follows:

GENERAL FUND: Citimastercard, microphone- 90.64; Dakota County Star, publishing- 659.95; Midwest Office, supplies- 70.00; NACO, handbooks- 164.00; Advanta, software- 118.39; Des Moines Stamp, stamp- 26.70; General Business Interiors, chair supplies- 461.71; MIPS, forms- 185.76; Perkins, supplies- 259.14; Theodore Piepho, phone- 20.00; Staples, supplies- 353.06; Robert Giese, mileage- 116.40; Charlotte Doenhoefer, prior yrs- 10.00; Ruth Jensen, prior yrs- 12.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; DAS Imservices, data- 3.50; Office Systems, supplies- 595.00; Net Sys Plus, repair- 168.75; Microfilm, lease- 240.00; Mark Dorcey, prior yrs- 4.00; Midwest Office, copier- 1100.00; Todds Storeall, storage- 80.00; Dakota County Star, publishing- 12.30; Perkins, supplies- 73.86; Dennis Reinert, phone- 60.00; Carol Sue Dunham, mileage- 85.36; Paula Jensen, reimburse- 32.01; Microfilm, microfilm- 396.21; Midwest Office, contract- 423.20; Thompson west, service- 154.25; William Binkard, reimburse- 37.43; Joe Flynn, mileage/permit- 126.57; Frank Gonzalez, interpret- 120.00; Midwest Office, contract- 122.89; NCDAA, seminar- 135.00; Perkins, supplies- 37.35; Sioux City Journal, subscription- 156.00; Dakota County Sheriff, papers/warrants- 1269.42; Dakota County Court, costs- 3382.35; Randy Hisey, counsel- 702.00; Shelly Horak, counsel- 186.00; Hurley Law Offices, counsel- 2490.00; Sandra Inkster, counsel- 180.00; Patrick Tott, counsel- 636.00; Robert Decker, mileage- 153.99; Amsan, supplies- 101.74; Display Sales, supplies- 156.00; Ateam, supplies- 266.00; Bomgaars, supplies- 86.12; Foulk Bros, plumbing- 130.00; Gill Hauling, service- 120.00; Grainger, supplies- 420.21; Hardware Hank, supplies- 50.91; Richard Jensen, mileage- 167.03; Menards, supplies- 1383.24; Midamerican, energy- 2545.77; NPPD, electric- 4345.00; Sams Club, supplies- 661.07; Share Corp, supplies- 297.23; Stateline, supplies- 100.00; Trembly Pest Control, control- 85.00; Universal Inc, bags- 735.61; Verizon, phone- 58.56; Dakota County Extension, reimburse- 2900.85; Abramo, animal control- 120.00; Ammunition, ammunition- 428.50; City of SSC,

phone/fuel- 4717.12; Crystal Oil, bulbs- 3.98; Fremont Tire, repair- 1606.98; Jackson Glass, windshield- 210.88; Omaha World Herald, advertisement- 247.20; RACOM, t1- 687.40; Robertson, food- 19.20; SFCU, fuel- 43.47; Siouxland Humane, animal control- 46.00; Torco Remfg, battery- 113.00; Treat America, meals- 16.26; Verizon, phone- 93.51; Walmart, supplies- 43.58; Willis Animal Clinic, appointments- 47.00; Dakota County Star, publishing- 109.49; Dakota County Treasurer, copies- 2.00; Des Moines Stamp, stamps- 89.60; Ed Matney, postage- 3.56; Electronic Engineering, pager- 99.50; H204U, supplies- 34.50; Hampton Inn, lodging- 389.70; Kim Watson, meals- 51.59; Quill, supplies- 2244.85; Sarah Meadows, meals/mileage- 334.48; Sprint, phone- 119.57; Thurston County Court, copies- 2.50; City of SSC, lec- 23868.50; Amsan, supplies- 248.61; BI Inc, house arrest- 1697.55; Bob Barker, supplies- 791.57; CBM Food Service, meals- 16221.99; CashWa Distro, supplies- 144.30; Dakota Business Systems, contract- 261.00; Dakota County Sheriff, fuel/boots- 110.00; Dakota Food & Fuel, fuel- 1059.26; Sandy Dickens, mileage- 97.90; Fairmont Fire Systems, inspection- 153.00; Fremont Tire, service- 23.85; Jacks Uniforms, supplies- 798.50; DW Johnson, training- 120.00; Kreislers, medical- 263.95; Lincoln Nephrology, medical- 555.00; Mercy Bus Care, medical- 2699.00; Mercy Medical Center, medical- 1761.77; Midwest Office, contract- 125.21; Moore Medical, medical- 98.18; NE Nebr Juvenile, boarding- 8996.25; David Noble, medical- 397.00; NW Iowa Emerg, medical- 726.00; Redlers Pharmacy, medical- 5624.81; RX Systems, medical- 1250.00; Sams Club, supplies- 119.24; SFCU, fuel/meal- 342.44; Staples, supplies- 509.16; Text & Data Technologies, supplies- 1500.00; Verizon, phone- 137.04; Walmart, supplies- 90.44; Woodbury Co Juv Det, boarding- 2800.00; Net Sys Plus, comp work- 800.00; De Lage Landen, copier- 91.00; Verizon, phone- 98.19; Pam Devries, mileage- 105.24; Pat Glover, mileage/food- 196.87; Dunes Family Medicine, contract- 250.00; Future Visions, software- 495.00; Midwest Office, maint- 53.54; Pam Devries, mileage- 10.67; Deanna Beckman, hours/mileage- 1166.10; Richard Criss, hours- 833.00; Alan Boyd, mileage- 623.65; Electronic Engineering, pager- 13.95; Thompson West, service- 1021.27; AT&T, phone- 17.44; Business Telecomm Systems, phone- 248.00; Cableone, internet- 208.90; Claritus, ink/freight- 249.00; Dakota City Postmaster, box rental- 820.00; De Lage Landen, lease- 110.69; FSH Comm, payphone- 63.60; Lazette Gifford, website- 40.00; MIPS, support- 366.05; Net Sys Plus, network repair- 490.00; Nirma, deductible- 10000.00; Qwest, phone- 2117.46; Region 4, qtrly svcs- 7313.00; Spencer Fane Britt Browne, legal- 295.95; Madelyn Thorsland, prior yrs- 10.00; Three Rivers, admin fee- 75.00; US Postal Service, postage- 2500.00; WCS Telecom, long dist- 397.39;

ROAD FUND: Ace Engine Parts, parts- 45.24; AquaSoo Water, water- 30.50; Aramark, service- 179.68; Bomgaars, supplies- 9.98; Circle R, parts/labor- 458.78; Filter Care of NE, filter- 41.50; First State Bank, tractor interest- 12502.87; Fremont Tire, repair- 36.00; Gill Hauling, service- 52.00; Great Plains, parts- 126.77; Guarantee Oil, oil- 494.40; Scott Gubbels, cleanup- 176.00; Robert Hacker, cleanup- 88.00; Ron Harder, clothing- 75.00; Heritage Express, gas- 43.01; Higman Sand & Gravel, rock- 1,606.82; HME, rock- 815.87; Hubbard Minimart, gas/diesel- 6844.90; Inland Truck Parts, parts- 62.26; Jackson Glass, window- 225.26; Joes Dept Store, supplies/tools- 79.43; LG Everist, rock- 16329.88; Linweld, oxy- 36.50; Kimon Litras, cleanup- 88.00; Dick McNear, cleanup- 88.00; Medical Enterprises, medical- 29.90; Midwest Svcs, blades- 2718.30; Marlan Millard, prior yrs- 15.00; Selena Miller, cleanup- 88.00; NAPA, supplies- 53.32; NPPD, energy- 23.96; Northeast Equip, tractor/supplies- 917.00; NE Nebr PPD, prepay- 250.00; Leon Pies, cleanup- 176.00; Pilger Sand & Gravel, gravel- 1062.01; Pomps, repair- 35.50; Powerplan, supplies- 117.91; Rees Mack Sales, d4- 224.45; Sioux City Bolt, supplies- 143.00; Stalp Gravel, rock- 14428.20; St Lukes Regional, testing- 29.00; Tractor Supply, supplies- 20.53; UECO, pipe- 893.60; Verizon, phone- 47.78; Warren Oil, fuel- 6590.07; Zieglers, parts/labor- 353.73;

ROAD IMPROVEMENT: JEO, knox blvd- 425.00; Olsson Assoc, bridge- 9303.84; Simpcoc, knox blvd- 540.00;

INSTITUTIONS: Beatrice State Dev Center, qtrly- 1923.00; Lincoln Regional Center, qtrly- 1017.00;

VETERANS AID: Inheritance Tax, borrow money- 1500.00; Veterans Serv Office, relief- 200.00;

TITLE II JJDP: General Fund, unexpended- 559.11;

INHERITANCE TAX: Jail Project Fund, transfer- 3933.61;

PUBLIC SAFETY: Jail Bond Fund, sls tax- 31708.64; City of SSC, sls tax- 4323.91;

JAIL BOND FUND: Fremont National Bank, interest/principal- 530400.00;

JAIL PROJECT: Steve Harris Construction, retainage- 5547.90;

WEED FUND: Bomgaars, supplies- 116.98; Central Valley Ag, chemicals- 2024.35; David Dyke, pickup pymnt- 2995.05; GCR Tire Cntr, repair- 250.38; Hubbard Minimart, fuel- 612.60; Nutra Flo, parts- 16.24; Leon Pies, convention- 10.00; Steffen, parts- 3.97;

COUNTY GENERAL FUND: Gross salaries- \$104,781.35, General Fund Employees Net Pay- \$74,461.76, Employer deductions paid: Retirement- 7,195.19, Retirement Makeup- 34.44, Social Security Tax- 6,374.24, Medicare- 1,490.69, DC Health Plan- 31,786.32, DC Dental Plan- 822.15, Life Insurance- 188.01.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 475.29, Tracey Corkin- 882.75, Marisol Curiel- 735.09, Bobbi Jo Harsma- 1004.00, Theodore Piepho- 1553.28, Darlene Davis- 860.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 920.00, Kimberly Kuehl- 860.00, Phyllis Ridge- 837.80, Lyn Beltz- 125.00, Margaret Rahn- 1142.10, Daniel Christoffers- 458.26, Dennis Reinert- 203.85, Valerie Danielson- 1553.28, Carol Dunham- 1165.42, Cheryl Perkins- 880.00, Joe Flynn- 1664.00, Debra Jensen- 952.00, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 820.00, Richard Jensen- 1334.41, Duane Kotalik- 1248.00, Tammy Dunn-Peterson- 863.63, Jeremy Bermel- 1476.00, Anthony Bos- 1535.03, Brad Claypool- 876.40, Sandy Dickens- 1071.28, Brian Ellinger- 1699.24, Penny Epting- 1344.00, Brent Gilster- 1619.20, Todd Hammer- 1451.67, Melvin Harrison III- 1559.03, Rodney Herron- 1691.98, Kimberly Johnson- 391.20, Jared Junge- 1631.72, Michael Kreegar- 1545.19, Gary Powell- 288.00, Gayle Richards- 805.60, Kevin Rohde- 1471.37, James Wagner- 1942.76, Erin Bartels- 880.00, Elisha Doyle- 396.00, Aimee Kennedy- 1012.00, Edward Matney III- 2513.07, Sara Meadows- 1576.92, Debra Schmiedt- 2032.31, Kimberly Watson- 1615.38, Caterina Chapman- 1118.18, Ermelinda Ballesteros- 1004.40, Joshua Blatchford- 1201.50, Dusty Boyd- 1075.75, Rebecca Broer- 1294.96, Toni Duncan- 972.00, Lisa Ford- 1200.88, John Gilles- 1159.61, Alma Gunderson- 1477.19, Paula Harrigfeld- 280.67, Brenda Harrison- 1198.13, Cathy Harsma- 1264.39, Deanna Haukap-

1023.00, Jackie Heaton- 1032.00, Jason James- 1181.38, Sarah Jensen- 664.28, Brett Johnson- 1127.25, Nicholas Kellen- 1098.50, Matthew Mann- 1425.13, Colleen McMahon-Levine- 1155.38, Diana Moctezuma- 913.25, Mark Nelson- 1066.50, Jeep Phommavong- 1088.75, Joseph Ramirez- 1163.23, Cara Reinders- 1031.25, Daniel Rodasky- 1044.70, Stephanie Ryan- 1040.00, Linda Schovanec- 1193.98, Heather Skow- 1069.25, Justin Smith- 1075.75, Francis Tope- 1040.00, Randall Walsh- 1585.65, Charvette Williams- 942.40, Daniel Wood- 1228.51, Randall Crombie- 177.00, Jolene Gubbels- 852.00, Leon Pies- 586.00, Pamela DeVries- 1512.68, Patricia Glover- 1054.62, Bonnie Kahler- 679.25, Alan Boyd- 970.20.

GENERAL FUND: Employee withholding paid to: Federal- 9,825.74, State- 3,492.03, Social Security Tax- 6,374.24, Medicare- 1,490.69, Retirement- 4,868.24, Retirement Makeup- 24.44, DC Health Plan- 543.37, DC Dental Plan- 430.76, Colonial Health- 16.20, Sheriff Union Dues- 240.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$15,000.47, Road Employees Net Pay- \$10,621.50, Employer deductions paid: Retirement- 1,012.54, DC Health Plan-4,749.68, DC Dental Plan- 122.85, Life Insurance- 25.44, Social Security Tax- 911.79, Medicare- 213.26.

Brent Byroad- 1168.00, Randall Crombie- 1538.46, Robert Hacker- 1088.00, Ronald Harder- 1176.00, Walter Heinemann- 1180.00, Richard Hoelsing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1212.00, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.01.

ROAD FUND: Employee withholding paid to: Federal- 1,394.77, State- 497.42, Social Security- 911.79, Medicare- 213.26, Retirement- 675.02, DC Health Plan-, DC Dental Plan- 58.74, Reassure America Life- 7.32, Deferred Comp.- 61.68, Garnishments- 69.24, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 198.00.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner McLarty to direct that a memo be sent to all department heads that the County Board will not authorize any tips for meals to be reimbursed by the county. Be it further resolved that the individual be responsible for any tips if they desire to tip.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel adjourned their meeting at 3:25 p.m.

County Board of Commissioners

ATTEST:

William F. Engel, Chairman

Theodore A. Piepho, County Clerk

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Dakota County Board of Commissioners
Monday, July 2, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance being recited.

Present were: Commissioners Engel, McLarty, Rohde, O'Neill, Hartnett, and Ted Piepho, Secretary.

Absent: All Present.

The agenda for the meeting was as follows:
DAKOTA COUNTY BOARD OF COMMISSIONERS
MONDAY, JULY 02, 2007 AGENDA
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

William F. Engel, Chair Theodore A. Piepho, Secretary

- 1. 1:30 p.m. Call to Order with reciting the Pledge of Allegiance
- * Roll Call
- * Approve Minutes of last meeting
- * Review and approve Payroll claims submitted by County Clerk for payment

* Employee Handbook and Personnel Policies, Sick Leave, Vacation and benefits.

2. 1:31 p.m. Probation Office, Bob Denton 2006/07 Budget expenditures
3. 1:35 p.m. Pat Foust and Eric Bertness, Sinking fund for needs not covered in Operating budget.
4. Tabled Items, Board of Corrections is a tabled item
5. Miscellaneous Agenda Items
 - * Jail Report
 - * Surplus Property Sale
 - * Approve and sign Union FOP Fraternal Order of Police Lodge #49 Union Contract
6. Committee Reports
7. Public Comment
8. Mail and/or Emergency Business
9. 2:00 p.m. Adjournment

Chair called for the agenda item to correct the minutes of the last meeting.

Commissioner O'Neill moved, seconded by Commissioner McLarty to incorporate the following discussion into the minutes of June 18, 2007.

Commissioner O'Neill asked for discussion why the County Attorney was not representing the County rather than hiring Crary Huff.

The chair concurred and asked Debra Fergen, Deputy County Attorney about that.

Debra Fergen, Deputy County Attorney, this is specialized litigation and often time the county hires legal counsel for specialized litigation, such as you did in the Gamble case and like you have done in a few other matters that are pending. She felt that this is specialize litigation and it would be better handled by a private law firm. He and his office specialized in criminal prosecution and advising the board on certain issues. This is above and beyond his specialty, if you direct him to do that, by all means he would do that, as your attorney, but he felt that Crary Huff or similarity situated attorney, and he decided on Crary Huff because that is the firm that you guys use in other NACO type issues and would be better to handle this type of lawsuit because it is specialized litigation.

Commissioner McLarty said that apparently the County Attorney feels that his background and experience is not in this area and if you go into a fight you want to get the best fighter that you can. If you end up loosing, you can loose more money and I have to appreciate the County Attorney's opinion and hire legal counsel. I, like many of you, am concerned about finance costs, but on the other side of it, if you loose how much is that going to cost you? So I would prefer to go with Crary Huff Law Firm to represent Dakota County in the Schlotman law suit.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Bob Denton, from the State Probation Office, offered handouts trying to support his position that they did not go over their budget for fiscal year 2006/2008.

Pat Foust and Eric Bertness appeared before the board to ask that a Sinking Fund be set up for replacement of office machines Communications Equipment etc.

Commissioner McLarty moved, seconded by Commissioner Hartnett to do whatever necessary to establish a sinking fund or set aside fund, whatever you want to call it, to maintain setting back monies for replacement of new equipment when it is necessary to replace it.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

The following jail report was distributed to the Commissioners.

JAIL REPORT
JULY 2, 2007

Current Population: as of 0944 hours 07-02-07

New Jail: 81 inmates

Male: 51

Female: 30

Old Jail: 39 inmates

Male: 39

Female: 00

Juveniles: 3

Madison Juvenile Facility 01

Woodbury Co. Juvenile 02

House Arrest: 01

Work Release: 02

Comments:

Current June Billing to USMS 44,777.70

Total Received from USMS so far \$45,844.87

March \$4,713.76

April \$12,155.00

May \$28,976.11

Under Committee Reports Ms. O'Neill Offered the following as part of the report on the Committee appointed to study the Board of Corrections.

On Monday afternoon June 11, 2007, Bill Rohde moved to RECESS the County Commissioners' meeting and RESUME discussion on the adoption of the Board of Corrections proposal "A" to Friday, June 15 at 10:00 a.m. When the meeting resumed on June 15, County Attorney Ed Matney introduced another plan, "Plan B," which had not been mentioned in the June 11 meeting. This plan is not in compliance with Nebraska state statutes regarding Board of Corrections. His introduction of a new proposal in a meeting that was resumed for the specific purpose of adopting Plan A is unauthorized and questionable.

Bill Rohde talked about Holt County when they went to a Board of Corrections because the Sheriff was not competent to run the jail and as soon as a new Sheriff was elected, they are giving those duties back to the Sheriff.

He noted that Vince Kramper came up with a modified Plan B and that Ed Matney was contacting the Attorney General for clarification whether there could be a Plan B.

Chair Engel called for the agenda item to approve and sign Union FOP Fraternal Order of Police Lodge #49 Union Contract.

Commissioner McLarty moved, seconded by Commissioner Rohde to approve the FOP Fraternal Order of Police Lodge #49 Union Contract as presented by the County Clerk and to authorize the chair to sign. ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Engel to approve the payroll claims presented by the County Clerk as follows:

COUNTY GENERAL FUND: Gross salaries- \$105,487.00, General Fund Employees Net Pay- \$74,916.65, Employer deductions paid: Retirement- 7,240.74, Retirement Makeup- 34.44, Social Security Tax- 6,418.05, Medicare- 1,501.00, DC Health Plan- 31,786.32, DC Dental Plan- 822.15, Life Insurance- 187.98.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 462.52, Tracey Corkin- 891.00, Marisol Curiel- 884.28, Bobbi Jo Harsma- 1004.00, Theodore Piepho- 1553.28, Darlene Davis- 860.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 920.00, Kimberly Kuehl- 860.01, Phyllis Ridge- 837.80, Lyn Beltz- 125.00, Margaret Rahn- 1142.10, Daniel Christoffers- 466.77, Dennis Reinert- 203.85, Valerie Danielson- 1553.28, Carol Dunham- 1165.42, Cheryl Perkins- 880.00, Joe Flynn- 1664.00, Debra Jensen- 952.00, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 820.00, Tracey Corkin- 22.00, Richard Jensen- 1334.41, Duane Kotalik- 1248.00, Tammy Dunn-Peterson- 812.44, Jeremy Bermel- 1669.75, Anthony Bos- 1479.68, Brad Claypool- 756.45, Sandy Dickens- 1071.28, Brian Ellinger- 1716.72, Penny Epting- 1428.00, Brent Gilster- 1628.40, Todd Hammer- 1539.13, Melvin Harrison III- 1817.37, Rodney Herron- 1691.98, Kimberly Johnson- 425.43, Jared Junge- 1566.97, Michael Kreegar- 1476.00, Gary Powell- 390.00, Gayle Richards- 805.60, Kevin Rohde- 1488.38, James Wagner- 1942.76, Erin Bartels- 704.00, Elisha Doyle- 880.00, Aimee Kennedy- 1012.01, Edward Matney III- 2513.07, Sara Meadows- 1576.92, Debra Schmiedt- 2032.31, Kimberly Watson- 1615.38, Caterina Chapman- 1118.18, Ermelinda Ballesteros- 1148.55, Joshua Blatchford- 1113.75, Dusty Boyd- 1010.75, Rebecca Broer- 1400.47, Toni Duncan- 1100.25, Lisa Ford- 1069.25, John Gilles- 1361.95, Alma Gunderson- 1263.31, Paula Harrigfeld- 748.44, Brenda Harrison- 1139.06, Cathy Harsma- 1156.00, Deanna Haukap- 1063.30, Jackie Heaton- 1124.00, Jason James- 1239.88, Sarah Jensen- 732.28, Brett Johnson- 1096.88, Nicholas Kellen- 1088.75, Matthew Mann- 1085.50, Colleen McMahon-Levine- 1053.00, Diana Moctezuma- 1066.00, Mark Nelson- 1127.25, Jeep Phommavong- 1088.75, Joseph Ramirez- 578.00, Cara Reinders- 1037.50, Daniel Rodasky- 1041.60, Stephanie Ryan- 1145.63, Linda Schovanec- 1215.95, Heather Skow- 1075.75, Justin Smith- 1072.50, Francis Tope- 1027.00, Randall Walsh- 1636.80, Charvette Williams- 1026.10, Daniel Wood- 1002.38, Randall Crombie- 177.00, Jolene Gubbels- 852.00, Leon Pies- 586.00, Pamela DeVries- 1512.68, Patricia Glover- 1058.87, Bonnie Kahler- 637.45, Alan Boyd- 970.20.

GENERAL FUND: Employee withholding paid to: Federal- 9,925.11, State- 3,507.87, Social Security Tax- 6,418.05, Medicare- 1,501.00, Retirement- 4,899.91, Retirement Makeup- 24.44, DC Health Plan- 543.35, DC Dental Plan- 430.54, Colonial Health- 16.20, Sheriff Union Dues- 290.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$15,000.46, Road Employees Net Pay- \$10,621.50, Employer deductions paid: Retirement- 1,012.54, DC Health Plan- 4,749.68, DC Dental Plan- 122.85, Life Insurance- 25.42, Social Security Tax- 911.79, Medicare- 213.26.

Brent Byroad- 1168.00, Randall Crombie- 1538.46, Robert Hacker- 1088.00, Ronald Harder- 1176.00, Walter Heinemann- 1180.00, Richard Hoesing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen-

1180.00, Fred Kellogg- 1212.00, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,394.78, State- 497.43, Social Security- 911.79, Medicare- 213.26, Retirement- 675.02, DC Health Plan-, DC Dental Plan- 58.71, Reassure America Life- 7.32, Deferred Comp.- 61.68, Garnishments- 69.24, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 198.00.

VISITORS PROMOTION: South Sioux City Chamber of Commerce, Lodging Tax: 11,075.53

JURY PAYROLL: TOTAL: \$2,428.40

Mark Baker- 36.45, Jeraldine Balke- 44.70, Donna Beach- 41.79, Paul Beekman- 109.35, Robin Boyd- 122.46, Wayne Buehler- 119.55, Laci Chytka- 35.97, Douglas Eriksen- 44.70, Jessica Heisinger- 38.88, Bradley Hoch- 39.85, Janice Huisenga- 116.64, Ronald King- 119.55, Tracey Klassen- 112.26, Roxanna Lake- 113.73, Deborah Letchoe- 38.88, Kenneth Moore- 79.70, Amber Neal- 35.97, Tiffany Noreen- 1109.35, Charles Oorlog- 38.88, Michael Owens- 39.85, Patty Parrish- 107.91, Kristi Quinn- 35.48, Joseph Rieger- 39.85, Dennis Rohde- 54.40, Terry Schorg- 40.82, Steven Schreier- 110.82, Shari Stanwick- 142.83, Shawn Sullivan- 38.88, Kevin Timothy- 38.88, Deborah Webster- 39.85, Tammy Wendte- 115.17, Robert Decker/Bailiff- 225.00.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Hartnett to declare the following surplus property and to authorize Joan Spencer to advertise for a silent auction and sell the items to the highest bidder.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty handed out a legislative report and highlighted several bills that passed and that he felt were important.

Chair Engel adjourned their meeting at 3:43 p.m.

County Board of Commissioners

ATTEST:

William F. Engel, Chairman

Theodore A. Piepho, County Clerk

* * * * *

Dakota County Board of Commissioners
Monday, July 16, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 10:12 a.m. with the Pledge of Allegiance being recited.

Present were: Commissioners Engel, O'Neill, McLarty and Ted Piepho, Secretary.

Absent: Commissioner Hartnett arrived at 10:44 a.m. and Commissioner Rohde arrived at 11:10 a.m.

The agenda for the meeting was as follows:
DAKOTA COUNTY BOARD OF COMMISSIONERS
MONDAY, JULY 16, 2007 AGENDA
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

William F. Engel, Chair Theodore A. Piepho, Secretary

1. 10:00 a.m. Call to Order with reciting the Pledge of Allegiance
 - * Roll Call
 - * Approve Minutes of last meeting
 - * Review and approve Accounts Payable and payroll claims submitted by County Clerk for payment
2. Quarterly Jail Tour conducted in March, June, Sept 17 and December 17.
3. 11:45 a.m. Recess for Lunch

4. 1:30 p.m. Reconvene meeting from morning session
5. 1:31 p.m. Dr. Bill Path, NECC President - Provide information on the College of Nursing project. (30 minutes)
6. 2:00 p.m. Randy Crombie - Open bids for paving projects.
7. 2:15 p.m. Robert Giese, County Treasurer - Semi Annual Report
8. 2:30 p.m. Recess for Board of Equalization - Reconvene from June 18, 2007.
9. 2:35 p.m. Reconvene from Board of Equalization.
10. Tabled Items - Board of Corrections is on the table
11. Miscellaneous Agenda Items
 - o Officials Reports
 - o Jail Report
 - o Approve and sign Romans, Wiemer & Associates Engagement letter for Dakota County's Audit June 30, 2007.
 - o Approve and sign Romans, Wiemer & Associates Contract to do the audit for Dakota County for fiscal years ending June 30th, 2007, 2008 and 2009.
 - o Close Inactive Funds - 2500, 2501, 2502, 2506, 2598, 2509, 2605, 2606 and 4200.
12. Committee Reports
13. Public Comment
14. Mail and/or Emergency Business
15. 3:00 p.m. Adjournment

Commissioner O'Neill brought up that she had two calls over the weekend complaining that the music was too loud at the Rodeo held on the Educational grounds leased by Tony Gomez.

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

Commissioner Hartnett arrived at 10:44 a.m.
Commissioner Rohde arrived at 11:10 a.m.

Chair Engel recessed their meeting at 11:34 a.m. for lunch.

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

Present were: Commissioners Engel, O'Neill, McLarty, Hartnett, Rohde and Ted Piepho, Secretary.

Absent: All present

Commissioner Rohde asked that the agenda item Board of Corrections be addressed first as a Committee Report because County Attorney, Ed Matney, had to leave the meeting later. Commissioner Rohde said that he did not have much because they did not meet last Wednesday as scheduled because a couple members could not make it and asked Mr. Matney to give a report.

Mr. Matney reported that in the first meeting of June 28th everybody was in attendance and he thought everybody was in agreement for him to request an Attorney General's Opinion and they referred him, to an opinion to a 1988 opinion which says that this really isn't something they would give an opinion about because they try and limit their opinions to things of Criminal matter or in matters relating to public revenue. So he followed up with Commissioner Rohde about that and there was another meeting under discussion and a number of people expressed an interest in having it in more of a public forum.

Mr. Matney had spoken to Mrs. Reinert and Mr. Krogh and that that at least one other Commissioner, who was not on the committee had expressed a desire to be in attendance, but the problem with that is that it would create a quorum and an unscheduled meeting so he thought it would be more appropriate to make this into a more public hearing and Mr. Matney thought that the board could do that by just scheduling a public hearing on the question of establishing a Board of Corrections or to continue the administrative administration of the jail the way it is or to go with either of the plans that the citizens group has proposed. Vince Kramper had another modified version of the original item that had been proposed by the citizens group, but if the public hearing is advertised in that way and all those issues are placed on there, then he thought that would help resolve a lot of questions and let all the commissioners be present without worry of an unscheduled Board of Commissioners meeting and will let everyone have a say.

Commissioner Hartnett moved, seconded by Commissioner Rohde that we should have a public hearing before a subsequent meeting of the committee that is studying the Board of Corrections.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Abstain, Hartnett- Yea, Engel- Abstain, MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Hartnett to hold a public hearing in the Dakota City Council Chambers providing it is available, and if it is not, the County Board will hold said hearing in the District Court, or County Court.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Abstain, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item "Dr. Bill Path, NECC President - Provide information on the College of Nursing project."

Dr. Bill Path addressed the board and spoke on the subject matter that they were adding instruction and education in nurse's training and to be able to offer degrees in nursing. He distributed a packet of information and spoke for approximately 23 minutes.

Vince Kramper, Natural Resources Commission, gave a report on the recreational part of the dam that is scheduled for construction at Hubbard.

Randy Crombie appeared before the board for the opening of the bids for the bids advertised as follows:
Bid Notice

Dakota County will accept sealed bids to re-grade and blacktop a section of Atokad Drive from the entrance of Atokad Race Track to Stable Drive. The length of the project is 510' feet with a 24 foot width. The blacktop will have a minimum depth of 6" inches and all driveways will have fillets.

Project must be completed by Sept. 1, 2007. Bids will be accepted until 12:00 p.m. on July 13, 2007 at the Dakota County Clerks office, P.O. Box 39, Dakota City, NE 68731. Bids will be opened at 2:00 p.m. at the Dakota County Commissioners meeting in the basement of the courthouse in the commissioner's boardroom.

Dakota County reserves the right to reject any and all bids, and to waive any or all technicalities and irregularities. Bidders must be approved by the Nebraska Department of Roads.

The lone bid submitted for the project was received from Knife River at a cost of \$32,040.00.

Commissioner Hartnett moved, seconded by Commissioner Rohde to accept the bid of Knife River and to award said bid to re-grade and blacktop a section of Atokad Drive from the entrance of Atokad Race Track to Stable Drive, a distance of 510' feet with a 24'foot width, with a minimum depth of 6" inches.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Robert Giese, County Treasurer, appeared before the board and offered the 2007 first half Semi-Annual Treasurer's Report. The board chair signed the report and the County Clerk attested the signature. The beginning and ending balances were as follow:

DAKOTA COUNTY TREASURER'S OFFICE
Paper's Semi-Annual Treasurer's Statement printed on 07/10/2007 02:34:04P
Statement created for 01/01/2007 to 06/30/2007

Fund	Description	Beginning Balance	Ending
Balance			
100	COUNTY GENERAL	"440,806.87"	"821,229.69"
300	ROAD/BRIDGE	"177,586.14"	"43,254.79"
302	HARD SURFACE ROAD	"90,916.78"	"64,246.08"
802	ROAD/BRIDGE IMPROVEMENT	"132.32"	"5,570.96"
990	VISITOR PROMOTION	"0.00"	"11,075.53"
1500	RELIEF/MEDICAL	"23,888.65"	"21,184.36"
1700	INSTITUTIONS	"14,178.89"	"13,746.30"
1900	SOLDIERS & SAILORS RELIEF (VETS AID)	"172.46"	"5,304.57"
2350	STOP FUND	"6,546.81"	"7,601.82"
2360	COUNTY DRUG LAW ENFORCEMENT	"1,909.25"	"1,909.25"
2410	FEDERAL DRUG LAW ENFORCEMENT	"915.63"	"915.63"
2505	LAW ENFORCEMENT EQUIPMENT GRANT	"1,427.24"	"1,427.24"
2507	TITLE II JJDP FORM-GRANT	"3,834.49"	"0.00"
2509	COMMUNITY JUSTICE GRANT-PRETRIAL	"0.00"	"0.00"
2510	LEC GRANT FUND	"0.00"	"0.00"
2700	INHERITANCE TAX	"436,444.99"	"229,703.16"
2940	LAW ENFORCEMENT CENTER	"102.50"	"108.02"
2960	PUBLIC SAFETY SALES TAX	"41,896.91"	"27,709.59"
2990	HUNT MEMORIAL FUND	"466.57"	"466.57"
3300	JAIL BOND SALES TAX	"960,096.73"	"972,102.66"
3301	JAIL PROPERTY BOND	"164,317.58"	"98,953.63"
3910	ELK/PIGEON CREEK DRAINAGE PROJECT	"7,365.10"	"17.39"
3911	OMADI DRAINAGE	"23,060.63"	"12,680.10"
4010	HANDICAPPED ACCESSIBILITY FUND	"2,150.26"	"2,150.26"
4200	JAIL PROJECT FUND	"430,621.18"	"0.00"
5400	WEED FUND	"23,583.05"	"10,240.95"
5900	CASH ADVANCE FUND	"3,998.00"	"3,998.00"

5907	911 EMERGENCY SERVICES	"25,133.29"	"40,224.41"
6001	STATE TREASURER IN LIEU 1957 PRIOR	"0.00"	"0.00"
6003	OVERLOAD FINES STATE 75%	"450.00"	"0.00"
6005	HIGHWAY TRUST FUNDS	"30,656.42"	"30,460.74"
6006	DRIVERS LICENSE	"4,252.00"	"5,710.25"
6007	STATE REC ROAD FEES	"2,475.00"	"3,162.00"
6009	MOTOR VEHICLE SALES TAX	"108,152.10"	"154,297.41"
6010	SNOWMOBILE TRAIL	"35.43"	"0.00"
6014	BOAT REGISTRATION	"1,420.57"	"1,506.31"
6016	COUNTY SALES TAX	"5,403.81"	"6,605.07"
6017	PLATE FUND	"2,154.75"	"2,613.00"
6019	CITY SALES TAX	"13,425.23"	"23,751.45"
6020	SNOWMOBILE STATE GENERAL	"11.82"	"0.00"
6021	TIRE FEE	"232.00"	"351.00"
6026	BOAT SALES TAX	"839.90"	"6,309.01"
6028	SPIRIT PLATES	"210.00"	565.79"
6029	MOTOR VEHICLE FEE	"14,137.43"	"17,244.99"
6032	MESSAGE PLATE FEES	"592.50"	"872.50"
6033	MV EMERGENCY MEDICAL SYSTEM	"825.00"	"1,054.00"
6040	ORGAN AWARENESS FUND	"76.00"	"92.00"
6050	COMPUTERIZATION & OPERATIONS	"6,338.00"	"8,600.25"
6100	SCHOOL DISTRICTS	"844,405.79"	255,219.61"
6500	FINES AND LICENSE	"44,048.97"	"42,544.59"
6899	EDUCATIONAL SERVICE UNIT ONE	"10,869.88"	2,062.68"
7000	NORTHEAST COMMUNITY COLLEGE	"57,770.30"	"11,086.41"
7300	LOWER ELKHORN NRD	"1,022.11"	"75.05"
7301	PAPIO-MISSOURI NRD	"24,597.82"	"4,635.67"
7700	FIRE DISTRICTS	"24,727.05"	"34,192.73"
8600	CITIES AND VILLAGES	"370,005.83"	"327,558.35"
9000	AGRICULTURAL SOCIETY	"6,890.86"	"1,308.89"
9300	HISTORICAL SOCIETY	"1,381.40"	"237.70"
9502	PARTIAL PAYMENT	"1,138.79"	"3,017.79"
9701	CENTENNIAL TRUST FUND	"421.02"	"421.02"
	GRAND TOTAL	"4,460,520.10"	"3,341,377.22"

The Board Chair recessed the Board of Commissioners Meeting at 2:34 p.m. to call the Board of Equalization Meeting to order.

Chair Engel reconvened their meeting to order at 2:36 p.m.

The following Jail Report was offered to the board.

JAIL REPORT July 16, 2007
Current Populations: as of 0930 hours 7-16-07

New Jail: 72 inmates
 Male: 51
 Female: 21
 Federal Inmates: 19
 Old Jail: 28 inmates
 Male: 28
 Female: 00
 Juveniles: 11
 Madison Juvenile Center 05
 Woodbury Co. Juvenile 06
 House Arrest: 0 Work Release: 02

Comments: Currently working on the agreement with BIA. Contract for 10, will hold up to 30 with the understanding that our prisoners come first before any above the ten on contract. This would be \$95.00 per inmate per day.

Have had a couple of agencies contact us regarding possibly working out something to house some prisoners for them on an as needed basis in the future. Nothing finalized as of yet.

Chair Engel called for the agenda item to "Approve and sign Romans, Wiemer & Associates Engagement letter for Dakota County's Audit June 30, 2007."
 Commissioner Hartnett moved, seconded by Commissioner McLarty to accept and approve the County's 2006 Audit prepared by Romans, Wiemer & Associates.
 ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item to "Approve and sign Romans, Wiemer & Associates Contract to do the audit for Dakota County for fiscal years ending June 30th, 2007, 2008 and 2009."
 It was discussed by the board and it was felt that the audit for subsequent years should be bid.

Commissioner Hartnett moved, seconded by Commissioner McLarty to advertise and let bids soliciting firms to complete Dakota County's Audits for fiscal years 2007, 2008 and 2009.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item to close Inactive Funds.

Ms. Spencer explain that after Funds have been inactive with a zero balance long enough that they do not appear as a budget, the County Board can and should close these funds.

Commissioner McLarty moved, seconded by Commissioner Rohde to close Inactive Funds 2500, 2501, 2502, 2506, 2598, 2509, 2605, 2606 and 4200.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Hartnett to approve the minutes of July 2, 2007, as typed.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Rohde to approve the Accounts Payable and Payroll claims submitted by the County Clerk as follows:

GENERAL FUND: Dakota County Star, publishing- 635.96; Hungrys North, lunch- 38.09; Perkins, supplies- 16.98; Joan Spencer, mileage- 58.20; Dakota County Star, publishing- 35.00; Dakota County State Bank, deposit slips- 29.25; Des Moines Stamp, stamps- 60.75; Midwest Office Automation, maintenance- 433.58; Net Sys Plus, comp work- 318.75; Northern Battery, battery- 75.07; Perkins, supplies- 196.82; Theodore Piepho, phone- 20.00; Staples, supplies- 230.81; Robert Giese, mileage- 110.58; Charlotte Doenhoefler, prior yrs- 10.00; Ruth Jensen, prior yrs- 12.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; DAS Imservices, service- 3.50; Staples, supplies- 75.70; Microfilm Imaging, equipment/supplies- 368.85; Mark Dorcey, prior yrs- 4.00; Comm Comp Systems, comp work- 522.85; Todds Storeall, storage- 80.00; Gene Cantrell, mileage/meeting- 21.79; Jim Crosgrove, mileage/meeting- 25.67; Dakota County Star, publishing- 17.20; Jim Jepsen, mileage/meeting- 31.94; Dick McCabe, mileage/meeting- 53.28; Dick McNear, mileage/meeting- 44.55; Marlan Millard, mileage/meeting- 36.79; Donald Miller, mileage/meeting- 23.25; Dennis Reinert, mileage/meeting- 222.06; Martin Rohde, mileage/meeting- 45.52; Holiday Inn, lodging- 268.00; Carol Sue Dunham, mileage- 81.48; Des Moines Stamp, stamps- 73.65; Cheryl Perkins, meals- 59.85; Valerie Danielson, mileage/meals- 238.76; Executive Technologies, copier- 2150.00; Staples, supplies- 211.12; Dakota County Star, subscription- 35.00; DAS Central Finance, supplies- 393.63; Dell Marketing, supplies- 686.79; Paula Jensen, supplies- 12.84; Thompson West, service- 154.25; Thurston Co Court, supplies- 9.33; University of NE, book- 69.63; William Binkard, reimburse- 207.99; Frank Gonzalez, interpret- 80.00; Perkins, supplies- 82.42; Clerk of Dist Ct, claim- 1281.00; Coffee king, coffee- 38.00; Robert Decker, training- 75.00; Frank Gonzalez, interpret- 240.00; HyVee, food- 103.96; Hungrys, food- 371.00; Nebraska State Bar Assoc, directory- 31.50; Nebr Supreme Court, appeals- 294.00; Dakota County Sheriff, papers/warrants- 1473.26; Dakota County Court, costs- 6165.17; Sandra Inkster, counsel- 450.00; Stuart Mills, counsel- 570.00; Douglas Roehrich, counsel- 696.00; Bryan Smith, counsel- 827.82; Patrick Tott, counsel- 630.00; Maximus, cost- 567.43; NetSys, repair- 128.21; Amsan, supplies- 815.54; Ateam, repair- 701.42; Barone Security, inspection- 370.00; Benstar, supplies- 337.70; City of Dakota City, service- 1168.05; Gill Hauling, service- 240.00; Hardware hank, repair/supplies- 61.83; Richard Jensen, mileage- 99.52; Menards, supplies- 726.22; MidAmerican Energy, energy- 2585.72; NPPD, electric- 7947.31; Okeefe Elevator, maint- 136.53; Sams Club, supplies- 846.50; Stalp, gravel- 837.59; Thompson Electric, supplies- 77.26; Trembly Pest Control, service- 85.00; Walmart, supplies- 135.94; United Rentals, repair- 203.93; Universal Inc, repair/supplies- 745.94; Dakota County Extension, reimburse- 534.60; Verizon, phone- 58.23; AJ Phillips, reports- 597.00; Ahlers & Cooney, counsel- 2214.54; Circle R Frame, repair- 4504.46; City of SSC, phone/fuel- 4185.19; D&R Service, service- 144.07; Dakota County Sheriff, reimb- 679.40; Dakota Food & Fuel, fuel- 69.94; Fremont Tire,, service/repair- 1323.05; Harolds, film- 25.68; Jacks Uniforms, supplies- 752.68; Moore Wallace, books- 492.23; NLETC, lodging- 165.00; Pepperball Tech, spray- 211.40; RACOM, t1- 687.40; Sams Club, supplies- 456.86; Sioux City Ford, repair- 418.60; Sioux Sales, spray- 22.95; Siouxland Humane Soc, animal control- 184.00; Sirchie Finger Print, spray- 57.71; Verizon, phone- 90.40; Cedar County Court, copies- 3.75; Dakota County Treasurer, copies- 4.00; Dept of Motor Vehicles, transcripts- 20.00; Edward Matney, postage- 22.36; H204U, supplies- 34.50; Pathology, autopsy- 5949.17; Sprint, phone- 71.14; Thurston County Court, copies- 2.75; City of SSC, lec- 23868.50; AJ Phillips, cards- 36.00; American Bio Medical, drug tests- 339.20; BI Inc, electric monitoring- 839.30; Nebraska Crime Commission, funds- 59.74; Verizon, phone- 187.67; Amsan, supplies- 341.24; BI Inc, house arrest- 564.30; Bob Barker, supplies- 2056.30; CBM Food Service, supplies- 18348.21; CashWa Distro, food supplies- 482.21; Dakota Business Systems, contract- 261.00; Dakota County Sheriff, supplies/notary- 100.30; Dakota Food & Fuel, fuel- 761.86; Sandy Dickens, mileage- 105.47; Fremont Tire, van- 364.94; Isecuretrac, house arrest- 57.50; JP Cook Company, stamp- 28.30; Mercy Bus Health, medical- 1961.00; Mercy Home Care, medical- 451.99; Mercy Medical Center, medical- 6709.72; Midwest Office Auto, copies- 129.06; Moore Medical, medical- 86.71; MTS Safety Products, supplies- 348.07; NE Nebr Juvenile, boarding- 10052.50; David Noble, medical- 226.00; Redlers Pharmacy, medical- 5394.88; SFCU, fuel/meal/transport- 498.40; Siouxland Radiology, medical- 469.15; Sirchie Finger, supplies- 66.64; Staples, supplies- 980.13; Verizon, phone- 134.36; Walmart, supplies- 112.50; Woodbury Co Juv, boarding- 900.00; Dodge County Clerk, reimburse- 7537.65; Verizon, phone- 32.94; Pat Glover, mileage- 111.55; Pam Devries, mileage- 126.58; Dunes Family Medicine, physician- 250.00; Sanofi Pasteur, medical- 281.51; Deanna Beckman, hours/mileage- 877.00; Richard Criss, hours- 280.00; HyVee, catering- 172.50; Perkins, supplies- 7.90; Alan Boyd, mileage- 621.77; Electronic Engineering, pager- 13.95; Business Telecom, phone- 296.16; Cable One, internet- 208.90; FSH Comm, payphone- 63.60; Lazette Gifford, website- 400.00; Justice Benefits, scaap fee- 4559.94; MIPS, support- 380.97; NACO, dues- 1239.66; NE Nebr Area Agency, fiscal match- 5172.00; NE Dept of Health, space- 6800.00; NIRMA, comp/liability- 95615.84; Qwest, phone- 1360.96;

Region IV, services- 5320.25; Romans Wiemer, audit- 12450.00; Simpcos, dues- 3565.00; Spencer Fane, legal- 13375.50; Madelyn Thorsland, prior yrs- 10.00; Three Rivers, flex plan- 75.00; US Postal Service, postage- 2500.00; WCS Telecom, phone- 383.97; Xpedx, paper- 1787.20;

ROAD FUND: A1 Auto Salvage, parts- 5.00; Aramark, service- 233.10; Butler County Landfill, hauling- 7498.05; Bomgaars, supplies- 17.45; Circle R, parts/labor- 664.40; Dakota County Star, publishing- 82.02; Fastenal, supplies- 33.03; Filter Care of NE, cleaning- 59.55; Flaugh's Pronto, fuel- 1320.39; GCR Tire, magnet- 40.00; Gill Hauling, service- 52.00; Green Light Truck, maintenance- 475.90; Guarantee Oil, oil- 494.40; Higman Sand & Gravel, rock- 9099.69; HME, rock- 339.64; Hubbard, fuel- 5280.89; H204U, service- 25.75; Inland Truck Parts, parts- 346.00; IA-NE State Bank, grader- 15234.76; Joes Dept Store, parts/supplies- 79.11; Knoepfler, service- 25.16; LG Everist, rock- 2499.66; Linweld, oxy- 35.50; Midwest Svc, flag- 56.00; Marlan Millard, prior yrs- 15.00; NPPD, service- 23.91; Nirma, gen liab/comp- 60019.16; Northeast Equip, tractor- 900.00; NE Nebr PPD, prepay- 1000.00; Northeast NE Telephone- 163.07; Pilger Sand & Gravel, gravel- 617.38; Powerplan, supply- 69.98; QPR, asphalt- 100.31; Rees Mack Sales, service- 225.25; Ricks Radiator, labor- 65.00; Sams Club, supplies- 56.52; Sioux City Iron, supplies- 13.03; Stalp Gravel, road rock- 7563.88; Stephan Welding, magnet- 71.25; Tractor Supply, supplies- 95.14; UECO, pipe- 577.60; Verizon, phone- 42.68; Warren Oil, fuel- 6722.45; Zieglers, supplies- 48.90;

ROAD IMPROVEMENT: Olsson Assoc, bridge- 5605.22;

VETERANS AID: Veterans Office, relief- 1500.00;

LEC DEBT: General Fund, transfer- 108.02;

PUBLIC SAFETY: City of SSC, sls tax- 3325.16; Jail Bond Fund, sls tax- 24384.53;

WEED FUND: De Lage Landen, copier- 91.00; Flaugh's Pronto, fuel- 114.00; Heritage Express, fuel- 189.02; Hubbard minimart, fuel- 502.05;

COUNTY GENERAL FUND: Gross salaries- \$112,429.70, General Fund Employees Net Pay- \$79,424.99, Employer deductions paid: Retirement- 7,745.19, Retirement Makeup- 34.44, Social Security Tax- 6,848.45, Medicare- 1,601.67, DC Health Plan- 31,786.32, DC Dental Plan- 822.15, Life Insurance- 188.01.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 454.00, Tracey Corkin- 917.13, Marisol Curiel- 857.15, Bobbi Jo Harsma- 1004.00, Theodore Piepho- 1553.28, Darlene Davis- 860.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 920.00, Kimberly Kuehl- 860.00, Phyllis Ridge- 855.50, Margaret Rahn- 1142.10, Daniel Christoffers- 456.84, Dennis Reinert- 203.85, Valerie Danielson- 1553.28, Carol Dunham- 1165.42, Cheryl Perkins- 880.00, Joe Flynn- 1664.00, Debra Jensen- 952.00, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 820.00, Richard Jensen- 1334.41, Duane Kotalik- 1248.00, Tammy Dunn-Peterson- 819.00, Jeremy Bermel- 1520.00, Anthony Bos- 1884.80, Brad Claypool- 1767.00, Sandy Dickens- 1071.28, Brian Ellinger- 1859.06, Penny Epting- 1606.80, Brent Gilster- 1942.44, Todd Hammer- 1738.02, Melvin Harrison III- 1776.50, Rodney Herron- 1691.98, Kimberly Johnson- 425.43, Jared Junge- 2037.45, Michael Kreegar- 1776.50, Gary Powell- 300.00, Gayle Richards- 805.60, Kevin Rohde- 1611.84, James Wagner- 1942.76, Erin Bartels- 880.00, Elisha Doyle- 836.00, Aimee Kennedy- 1012.00, Edward Matney III- 2513.07, Sara Meadows- 1419.21, Debra Schmiedt- 2032.31, Kimberly Watson- 1615.38, Caterina Chapman- 1118.18, Ermelinda Ballesteros- 1088.68, Joshua Blatchford- 1330.19, Dusty Boyd- 1263.72, Rebecca Broer- 1501.75, Toni Duncan- 1324.97, Lisa Ford- 1267.07, John Gilles- 1415.46, Alma Gunderson- 1429.59, Paula Harrigfeld- 561.33, Brenda Harrison- 1444.97, Cathy Harsma- 1346.64, Deanna Haukap- 1000.89, Jackie Heaton- 1148.00, Jason James- 1220.20, Sarah Jensen- 646.00, Brett Johnson- 1300.62, Nicholas Kellen- 1298.88, Matthew Mann- 1292.18, Colleen McMahon-Levine- 1253.68, Diana Moctezuma- 1148.23, Mark Nelson- 1304.10, Jeep Phommavong- 1278.79, Joseph Ramirez- 1136.46, Cara Reinders- 1106.24, Daniel Rodasky- 1072.68, Stephanie Ryan- 1206.81, Linda Schovanec- 1206.40, Heather Skow- 1228.56, Justin Smith- 1283.81, Francis Tope- 1339.04, Randall Walsh- 1579.88, Charvette Williams- 1205.21, Daniel Wood- 1316.28, Randall Crombie- 177.00, Jolene Gubbels- 852.00, Leon Pies- 586.00, Pamela DeVries- 1512.68, Patricia Glover- 1057.17, Bonnie Kahler- 475.48, Alan Boyd- 970.20.

GENERAL FUND: Employee withholding paid to: Federal- 11,045.40, State- 3,944.67, Social Security Tax- 6,848.45, Medicare- 1,601.67, Retirement- 5,245.87, Retirement Makeup- 24.44, DC Health Plan- 543.37, DC Dental Plan- 430.76, Colonial Health- 16.20, Sheriff Union Dues- 290.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$15,000.46, Road Employees Net Pay- \$10,621.49, Employer deductions paid: Retirement- 1,012.54, DC Health Plan- 4,749.68, DC Dental Plan- 122.85, Life Insurance- 25.44, Social Security Tax- 911.79, Medicare- 213.26.

Brent Byroad- 1168.00, Randall Crombie- 1538.46, Robert Hacker- 1088.00, Ronald Harder- 1176.00, Walter Heinemann- 1180.00, Richard Hoelsing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1212.00, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,394.77, State- 497.42, Social Security- 911.79, Medicare- 213.26, Retirement- 675.02, DC Health Plan-, DC Dental Plan- 58.74, Reassure America Life- 7.32, Deferred Comp.- 61.68, Garnishments- 69.24, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 198.00.

VISITORS PROMOTION: South Sioux City Chamber of Commerce, Lodging Tax: 14,863.86

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- 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 June, 2007 and the County Sheriff's Quarterly Report for the period April 1, through and including June 30, 2007.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, Engel- Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Rohde reported on the Parking Lot under Committee Reports and said that it would not be feasible to do a parking lot, but felt that a memo should go around to employees and ask them to refrain from parking in the North Parking Lot and asked that to be on the agenda for next meeting.

Chair Engel adjourned their meeting at 2:58 p.m.

County Board of Commissioners

ATTEST:

William F. Engel, Chairman

Theodore A. Piepho, County Clerk

* * * * *

Dakota County Board of Commissioners
Monday, July 30, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance being recited.

Present were: Commissioners McLarty, Rohde, Engel, O'Neill, Hartnett and Ted Piepho, Secretary.

Absent: None

The agenda for the meeting was as follows:

DAKOTA COUNTY BOARD OF COMMISSIONERS
MONDAY, JULY 30, 2007 AGENDA
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

1. 1:30 p.m. Call to Order with reciting the Pledge of Allegiance
 - * Roll Call
 - * Approve Minutes of last meeting
 - * Review and approve Payroll claims submitted by County Clerk for payment
 - * Employee Handbook and Personnel Policies - Sick Leave, Vacation and benefits.
 2. 1:31 p.m. Miscellaneous Agenda Items
 - * Motion to Amend Resolution 07C-004 to direct Spencer, Fane, Britt & Browne L.L.P. to provide a complete copy of their investigative report including witness statement, tape recorded interviews, documentary evidence and all correspondence to and from the County Attorney to the Dakota County Board of Commissioners.
 - * Discontinue employment of Omaha law firm of Spencer, Fane, Britt & Browne, L.L.P. and to seal report
 - * Resolution/Ordinance concerning Engine-Braking
 - * Jail Report
 - * Surplus Property
 - * Parking Lot
 - * Employee Handbook
 3. 1:55 p.m. Kyle Krumwiede - Special Designated Liquor License for Dakota County Ag. Society to have a Beer stand at the Fair's Rodeo.
 4. 2:00 p.m. Don Faber and Ron Rapp - Health Insurance Report
 5. Tabled Items - Board of Correction is on the table
 6. Committee Reports
 7. Public Comment
- Mail and/or Emergency Business
8. 2:30 p.m. Recess to 7:00 p.m. Dakota City Council Chambers
 9. 7:00 p.m. Public Hearing - Board of Corrections
 10. Close Public Hearing
 11. 7:45 p.m. Adjournment

Commissioner McLarty moved, seconded by Commissioner O'Neill to approve the minutes of July 16, 2007, with "None" stated under the heading "Absent" rather than stating all present.
ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel called for the first agenda item "Motion to Amend Resolution 07C-004 to direct Spencer, Fane, Britt & Browne L.L.P. to provide a complete copy of their investigative report including witness statement, tape recorded interviews, documentary evidence and all correspondence to and from the County Attorney to the Dakota County Board of Commissioners."

Commissioner O'Neill moved to Amend Resolution 07C-004 to direct Spencer, Fane, Britt & Browne L.L.P. to provide a complete copy of their investigative report including witness statement, tape recorded interviews, documentary evidence and all correspondence to and from the County Attorney to the Dakota County Board of Commissioners.

County Attorney, Ed Matney, distributed a letter to the board members in regards to the board hiring Spencer, Fane, Britt & Browne L.L.P. He explained that they were to conduct an investigation and that the law firm was directed with an earlier resolution by the board to send a copy of the report to him. He received a package from Spencer, Fane, Britt & Brown L.L.P. on July 25th and declared that he did not open that package and he put a letter with it and sent it overnight to Attorney General Bruning's Office in Lincoln and specifically asked the Attorney General to have his office open and review the materials and determine if any charges or other action would be warranted. He thought that this was best given the circumstances where there is a group of county officials on one side, that is the Board of Commissioners and another group on the other side, that is the Sheriff's Office. Mr. Matney thought that it is better to have the Attorney General's Office to first look at those materials and make a decision.

Commissioner O'Neill read the "Be it therefore resolved section" of Resolution 07C-004 and asked if the board would get a report from you (meaning Mr. Matney) at some point?

Mr. Matney explained that this is part of it here. He said, he wanted to let the Board know, first and foremost, that he thought it was appropriate, that if there's any allegation of a violation of criminal law or anything of that nature, that the Attorney General's Office look at it. Mr. Matney felt that anytime there is a conflict between this board and another county official, whether it is the Sheriff, the Clerk, the Treasurer, or something like that, it is better to have someone outside the county, who is also empowered under the law to take action, to ascertain if there is any sort of improper activity.

Commissioner McLarty asked Mr. Matney if he had received anything oral or written since this resolution was passed from Spencer, Fane.

Mr. Matney explained that he had heard that their was not going to be a report and that it was his understanding that there were some things on hold pending the resolution on Board of Corrections. He further explained that he received a package from Spencer, Fane, Britt & Browne and he forwarded the package on to the Attorney General's Office without opening it first.

Commissioner McLarty asked Mr. Matney if he had received any information from them (meaning Spencer, Fane...) one way or the other on the investigation.

Mr. Matney said he had not and Commissioner McLarty said, then there was nothing to report until now.

Commissioner O'Neill said that she had called Mr. Matney last Wednesday to see if he had gotten the report that was coming and he said he got a package.

There was discussion between Commissioner McLarty and O'Neill concerning the board getting a report once he receives a report from the Attorney General. Ms. O'Neill wanted a report and Commissioner McLarty opposed that because there may be things that people said in the investigation that were in complete confidence to them and they gave their word that it would be in confidence. Commissioner McLarty thought that the board should honor that confidence and did not think any of the board members should see it until it goes through the proper channels.

The chair asked Ms. O'Neill to restate her motion and she did.

The motion died for a lack of second.

Chair Engel called for the next agenda item to discontinue employment of the Omaha law firm of Spencer, Fane, Britt & Browne, L.L.P. and to seal report.

Commissioner McLarty moved to discontinue the employment of the Omaha Law Firm Spencer, Fane, Britt & Browne and forward whatever they have to the County Attorney, who will then send it to the Attorney General to investigate it and if there is anything criminal, for the Attorney General to take whatever action is necessary, and that the report be sealed.

Ms. O'Neill wanted to just leave everything as is and not to terminate their employment, because we are not getting any bills, but the board may need them later.

Mr. McLarty thought they had what they hired them for. The board has the report and forwarded it to the Attorney General's Office and any thing that needs legal action will come from the Attorney General's Office.

There was continued discussion between Commissioners McLarty and O'Neill discussing the termination of the law firm Spencer, Fane, Britt and Browne. Ms. O'Neill wanted to leave them standing by and Mr. McLarty took the position that they were not needed any longer.

Commissioner Rohde thought that it should be terminated and if the board needs to rehire them, that can be done at a later time. He mentioned that he and McLarty have been looking at the budget and the money is not there. He thought , by turning it over to the Attorney General it would be handled properly.

Chair Engel asked if there was a second to the motion on the floor.
Commissioner Rohde seconded.

Commissioner Hartnett asked for discussion and said that she would like to see two motions on this. She said if it goes to the Attorney General and nothing criminal or civil is found, she felt that the

taxpayers should have a report. Therefore she would like to see two motions. She did not want to continue with Spencer, Fane at this time, but did not want the report sealed either. She said that she does not need to see it, but wanted to know a synopsis of what was in it.

Commissioner Rohde agreed with that.

Chair asked if there was a second to that motion.

Commissioner McLarty said the motion on the floor included to seal the report and with the second's approval I will withdraw that part of my motion and just leave it to the termination of the employment of Spencer, Fane, Britt and Browne L.L.C.

Commissioner Rohde agreed with the amendment.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Nay, Hartnett- Yea, Engel- Yea, McLarty- Yea, MOTION CARRIED.

Commissioner McLarty asked if it was necessary for the board to take action for the County Attorney to send the report to the Attorney General.

Mr. Matney did not feel that was necessary, but said, what the board may want to think about, is if the Attorney General wishes to contact Spencer, Fane for additional information. Spencer Fane will require the Board's permission to talk to the Attorney General's Office. He said that, when he called the Attorney General's Office to forewarn them that they would be receiving the package from him, they said preceding them following up on it, they may need the board's consent and may have to advise Spencer, Fane that it is ok for them to speak to the Attorney General's Office about this matter since Spencer, Fane was privately retained by the board.

Commissioner Hartnett moved, seconded by Commissioner McLarty to notify Spencer, Fane, Britt and Brown L.L.P. that the County Board authorizes them to talk with the Attorney General's Office about this matter.

ROLL CALL VOTE: O'Neill- Nay, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, MOTION CARRIED.

Commissioner O'Neill asked Mr. Matney about sending the report to the Attorney General before the board directed him too.

Mr. Matney said that he did everything right and proper.

Chair Engel called for the next agenda item, which was a Resolution/Ordinance Concerning Engine-Braking.

County Attorney, Ed Matney, said that Commissioner Rohde had talked with him about this issue. He said that the City of Sioux City already has an ordinance in place and there is interest in having it county wide. Sometimes this is referred to as Jake Breaking. Mr. Matney read the Ordinance that the City has and it was as follows:

"It shall be unlawful for any person in any part of the city to make or cause to be made loud or disturbing noises with any mechanical devices operated by compressed air and used for purposes of assisting braking on any semi-tractor, commonly referred to as Jake braking. The governing body shall cause notices to be posted or erect signs indicating such prohibition."

Mr. Matney recommended that the board hear it three times to give the public an opportunity to voice their opinion.

Mr. Rohde did not think the breaking was necessary in the bottom part of the county and said that is where the complaints are coming from.

Marlin Millard spoke from the back.

Commissioner Rohde said they have had some complaints from the residents along Highway 35 and 77 about the noise and repeated that he did not feel that engine breaking was necessary on the bottom.

Mr. Millard argued that is part of the breaking system.

Commissioner Hartnett moved, seconded by Commissioner Rohde to hear the Engine Breaking Resolution three times.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, UNANIMOUS MOTION CARRIED.

Joan Spencer, Board's Assistant, presented the board with a jail report that had been emailed to her by the jail as follows:

Total Inmates as of 7/30/07 = 114

Old Jail 28 Males
New Jail 52 Males
26 Females
Juveniles 3 Madison
4 Woodbury

Thurston Co. 1 Male Work Release - We are not being charged - he is paying them direct for the Work Release

114 Total

Federal 19 Males
3 Females

Work Release 2 Males
2 Females

Commissioner Hartnett asked about the feasibility of keeping the old jail open with these numbers and Commissioner Rohde said the budget committee was looking at that.

Discussion was had concerning BIA prisoners. Commissioner Rohde said that their fiscal year ends October first and we probably won't hear much until then.

Joan Spencer, Board's Assistant, presented a surplus property list and asked the board to authorize a public sale on the following property:

Commissioner Rohde moved, seconded by Commissioner O'Neill to authorize a public sale on the surplus property, as listed, Thursday, August 2nd, and to authorize the disposition of the items that that do not sell.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item on the Parking Lot.

Commissioner Rohde suggested that they scrap the idea of adding a parking lot at this time and just ask the employees not to park on the north side of the parking lot leaving it for customers.

Discussion was had concerning employee parking.

Commissioner McLarty suggested that the parking stalls along the north side of the building be designated 30 minutes only. That would allow patrons to park close to the building.

Commissioner McLarty moved, seconded by Commissioner Hartnett to designate all parking stalls along the north side of the courthouse in the north parking as 30 minute parking, with exception to the handicapped stalls, and to direct that a memo be sent to all employees.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Kyle Krumwiede, with the Ag. Society appeared before the board to request authorization from the County Board to permit them to have a Special Designated Liquor License to operate a beer stand at the County Fair Rodeo.

Commissioner Hartnett moved, seconded by Commissioner McLarty to authorize and approve the issuance of a Special Designated Liquor License to the Ag. Society for the fair: Friday, August 3, 2007, Saturday August 4, 2007 and Sunday August 5, 2007. BE IT FURTHER RESOLVED to recommend that the State Liquor Control Commission approve the same.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Ron Rapp and Don Faber appeared before the board to inform the board how our self funded Insurance account is doing.

Under Public Comment the County Clerk said that he has had several citizens' comment that they can not hear when sitting in the audience and asked the county board if he should look at possibilities of the installation of a sound system.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to approve the payroll claims submitted but the County Clerk as follows:

COUNTY GENERAL FUND: Gross salaries- \$107,568.50, General Fund Employees Net Pay- \$76,215.22, Employer deductions paid: Retirement- 7,399.28, Retirement Makeup- 34.44, Social Security Tax- 6,547.10, Medicare- 1,531.21, DC Health Plan- 31,786.32, DC Dental Plan- 822.15, Life Insurance- 187.98.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 454.00, Tracey Corkin- 913.00, Marisol Curiel- 849.01, Bobbi Jo Harsma- 1004.00, Theodore Piepho- 1553.28, Darlene Davis- 860.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 920.00, Kimberly Kuehl- 860.01, Phyllis Ridge- 873.20, Margaret Rahn- 1142.10, Daniel Christoffers- 539.15, Dennis Reinert- 203.85, Valerie Danielson- 1553.28, Carol Dunham- 1165.42, Cheryl Perkins- 880.00, Joe Flynn- 1664.00, Debra Jensen- 952.00, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 820.00, Richard Jensen- 1334.41, Matthew Klassen- 50.75, Duane Kotalik- 1248.00, Tammy Dunn-Peterson- 908.25, Jeremy Bermel- 1558.00, Anthony Bos- 1561.80, Brad Claypool- 1719.50, Sandy Dickens- 1071.28, Brian Ellinger- 1648.65, Penny Epting- 1392.56, Brent Gilster- 1516.00, Todd Hammer- 1738.00, Melvin Harrison III- 1558.00, Rodney Herron- 1691.98, Kimberly Johnson- 337.41, Jared Junge- 1584.95, Michael Kreegar- 1572.25, Gary Powell- 264.00, Gayle Richards- 805.60, Kevin Rohde- 1572.42, James Wagner- 1942.76, Erin Bartels- 880.00, Elisha Doyle- 880.00, Aimee Kennedy- 1012.00, Edward Matney III- 2513.07, Sara Meadows- 1576.92, Debra Schmiedt- 2032.31, Kimberly Watson- 1615.38, Caterina Chapman- 852.78, Ermelinda Ballesteros- 1088.65, Joshua Blatchford- 1632.80, Dusty Boyd- 1084.60, Rebecca Broer- 1659.04, Toni Duncan- 1116.28, Lisa Ford- 1183.35, John Gilles- 1227.60, Alma Gunderson- 1250.39, Paula Harrigfeld- 464.94, Brenda Harrison- 1161.49, Cathy Harsma- 1205.28, Deanna Haukap- 1178.03, Jackie Heaton- 1048.00, Jason James- 1231.89, Sarah Jensen- 675.75,

Brett Johnson- 1158.01, Nicholas Kellen- 1173.31, Matthew Mann- 1168.29, Colleen McMahon-Levine- 1077.90, Diana Moctezuma- 1047.77, Mark Nelson- 1140.62, Jeep Phommavong- 706.32, Joseph Ramirez- 1205.28, Cara Reinders- 1072.68, Daniel Rodasky- 1194.02, Stephanie Ryan- 1163.26, Linda Schovanec- 1206.40, Heather Skow- 1121.41, Justin Smith- 1121.41, Francis Tope- 997.56, Randall Walsh- 1570.30, Charvette Williams- 1056.72, Daniel Wood- 1119.76, Randall Crombie- 177.00, Jolene Gubbels- 852.00, Leon Pies- 586.00, Pamela DeVries- 1512.68, Patricia Glover- 1088.64, Bonnie Kahler- 679.25, Alan Boyd- 970.20.

GENERAL FUND: Employee withholding paid to: Federal- 10,295.74, State- 3,652.56, Social Security Tax- 6,547.10, Medicare- 1,531.21, Retirement- 5,008.26, Retirement Makeup- 24.44, DC Health Plan- 543.35, DC Dental Plan- 430.54, Colonial Health- 16.20, Sheriff Union Dues- 290.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$15,000.46, Road Employees Net Pay- \$10,621.50, Employer deductions paid: Retirement- 1,012.54, DC Health Plan-4,749.68, DC Dental Plan- 122.85, Life Insurance- 25.42, Social Security Tax- 911.79, Medicare- 213.26.

Brent Byroad- 1168.00, Randall Crombie- 1538.46, Robert Hacker- 1088.00, Ronald Harder- 1176.00, Walter Heinemann- 1180.00, Richard Hoelsing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1212.00, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,394.78, State- 497.43, Social Security- 911.79, Medicare- 213.26, Retirement- 675.02, DC Health Plan-, DC Dental Plan- 58.71, Reassure America Life- 7.32, Deferred Comp.- 61.68, Garnishments- 69.24, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 198.00.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel recessed their meeting at 2:25 and declared that they would reconvene at 7:00 p.m., at the Dakota City Council Chambers for the Public Hearing whether to consider establishing a Board of Corrections and/or to consider one of the plans proposed in conjunction with the Board of Corrections.

Chair Engel reconvened their meeting at the Dakota City Council Chamber at 7:00 p.m.

Present were: Commissioners McLarty, Rohde, Engel, O'Neill, Hartnett and Ted Piepho, Secretary.

Absent: None

Chair Engel opened the Public Hearing whether to consider establishing a Board of Corrections and/or to consider one of the plans proposed in conjunction with the Board of Corrections to order at 7:02 p.m.

He read the rules of the public hearing.

He informed the audience that they would take those who are in favor first and the citizen's against after that.

Sally Reinert spoke and said that about two months ago she learned that there were some underlying issues and met with people from the jail and supported the board establishing a Board of Corrections.

Michael O'Brien asked several questions as to why something hasn't been done before now and whether there would be anything new.

Gordon Krogh spoke in favor of Plan A and offered some statistics as to where Dakota County stood in population with all counties in Nebraska and where they stood in relation to other Counties in Nebraska as to Jail Capacity.

Martin Rohde asked several questions relating to the number of inmates, particularly Federal inmates and asked why no one was appointed to the committee that opposed Plan B of the proposal.

Commissioner McLarty drew a chain of command on the marking board as it is presently and what it would be if they created a Board of Corrections.

A county board may, by a majority vote of its members, elect to serve as the county board of corrections or dissolve it. A county board that chooses to serve as the county's board of corrections must meet as the county board of corrections within sixty days after such election and at least once every sixty days thereafter. Such board of corrections hears arguments and makes recommendations for the maintenance, supervision, control, and direction of the county jail and correctional facilities. A county board that elects to dissolve the county board of corrections must do so at least sixty days before the beginning of the fiscal year in which the sheriff would resume responsibility for the jail. Section 23-2803. Each county board of corrections is required to carry out the functions, duties, and responsibilities as provided in Chapter 47, article 1. Section 23-2804.

Mr. Mike O'Brien asked several questions from the audience, which is not permitted according to the boards Public hearing rules.

Robert Lane approached the podium and said that he felt they should leave it as it is because he didn't think the board could run it.

Mike Storm from Homer felt that they should establish a Board of Corrections.

Frank Lemere, South Sioux City, thought that the County could provide services to the Tribals.

Commissioner McLarty informed him that they are trying to negotiate a contract with the BIA.

Commissioner Hartnett expressed that she would like to see the Board meet in a Special Meeting, August 7, 2007 to consider a Board of Correction and that be the only item on the agenda.

Chair Engel closed the Public Hearing at 7:42 p.m.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to have a Special Meeting of the County Board on August 7th at 1:30 p.m. and that the consideration of establishing a Board of Corrections be the item for discussion and/or approval.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel adjourned their meeting at 7:43 p.m.

County Board of Commissioners

ATTEST:

William F. Engel, Chairman

Date

Theodore A. Piepho, County Clerk

* * * * *

Dakota County Board of Commissioners
Tuesday, August 7, 2007
Special Meeting
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance being recited.

Present were: Commissioners McLarty, Rohde, Engel, O'Neill, Hartnett and Ted Piepho, Secretary.

Absent: None

The agenda for the meeting was as follows:

NOTICE OF SPECIAL MEETING
DAKOTA COUNTY COMMISSIONERS
MEETING ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

Notice is hereby given that the Dakota County Board of Commissioners will hold a special meeting beginning at 1:30 p.m., Tuesday, August 7, 2007, to consider and/or to adopt a Resolution for the Dakota County Board of Commissioners to serve as Dakota County Board of Corrections.

I, THEODORE A. PIEPHO, COUNTY CLERK IN AND FOR
THE COUNTY OF DAKOTA, DO HEREBY CERTIFY THAT
THIS NOTICE WAS POSTED IN THE FOLLOWING
THREE PUBLIC PLACES IN DAKOTA COUNTY,

NEBRASKA THIS 2nd DAY OF AUGUST, 2007.

DAKOTA COUNTY COURTHOUSE
DAKOTA CITY POSTOFFICE
DAKOTA CITY HALL

IN WITNESS WHEREOF I set my hand and affix the seal of my office this 2nd day of August, 2007 at Dakota City, Nebraska. Signature and Seal followed.

Commissioner Rohde gave a brief report of the fact finding committee. He reported that it was the consensus of the committee to go with a spin off of plan A. It still has an advisory committee, but that it would be the Board of Corrections and then the Jail Administrator and added that this was the most efficient and effective plan available today.

Commissioner McLarty explained the organizational chart of the plan, as recommended by the committee to study the Board of Corrections issue. The County Board of Commissioners would

establish the Board of Corrections, who would be responsible for administrating the jail. Under them would be the Jail Administrator, and under that person would be the correction officers. There would be a Jail Advisory Committee, whose members would be as follows: County Board member, who would chair the committee, So. Sioux City Council Member and a citizen from the Homer area, Jackson area and the South Sioux City area. These would be voting members. Also on the advisory committee serving as non voting members would be the Sheriff, So. Sioux City Police Chief, County Attorney, and the administrative assistant to the board, as secretary.

The Board of Corrections could contract with the County Sheriff to provide two officers to jail duty and to provide officers for transport as needed.

Commissioner McLarty pointed to the Jail Administrator position on the marking board and said this is the person that would be running the jail. He pointed to just above that and said this is where the board was going today meaning that all they were looking at doing was to create a Board of Corrections.

Commissioner Hartnett asked if the duties of the Jail administrator and the Advisory Committee are equal since they are connected by a dotted line. She also asked if the Jail administrator would give reports to the Board of Corrections more often.

Commissioner McLarty said that the Advisory Committee would not have any power or authority and said that providing the Board of Corrections with information would be up to that board.

Commissioner McLarty thought it was necessary to contract with the sheriff.

County Attorney, Ed Matney, presented a resolution that he thought conformed to what the County Board had called the special meeting for and that was to call for an up or down vote on this issue. Commissioner Hartnett confirmed that.

He added that according to the agenda that was posted, the board could do that today.

He had presented a resolution that was similar to the one he prepared in June except for names and dates. He said that he did not make mention to an advisory committee because that is an informal advisory arrangement.

Vincent Kramper asked to explain the organizational chart again as he could not see it.

Lance Hedquist, City Administrator for South Sioux City, felt that the proposal was logical and well thought out. He asked if the county could contract with a private firm to operate the jail.

Mr. Matney mentioned Section Nebraska Statute 23-2809 and thought that they could contract

Mr. Engel voiced his personal opinion. He said the jail was running very smoothly right now. He said that we paid out over 700 thousand dollars last year and now we have all our people back plus we are getting federal money in and it is running so smoothly.

He then questioned where the money was coming from.

Commissioner Hartnett commended the committee for all the hard work that they have done on this issue.

Bob Giese, Mayor South Sioux City said that the goal is to arrive at the best possible solution and if it wasn't arrived today, he would support Lance's suggestion of looking into a private entity running the jail.

Commissioner McLarty said in regards to Mr. Engel's comment, he said that the Sheriff is burdened with running the Sheriff's Office and the Jail. By creating this, the Jail burden is off the Sheriff and would allow him to spend more time with law enforcement on the street. We have some people that are running it very effectively and it puts them totally in control of the jail.

Mr. McLarty did not see that it would make a big impact on the budget. At most he felt that the increased cost would be the cost of hiring a jail administrator.

Toni Duncan asked how the three members from the villages and city would be appointed.

Commissioner McLarty thought that the Board of Corrections would appoint people who show interest in serving on the committee. He added that this was his idea, but would have to go through the Board of Corrections, which has not been established.

Mr. Matney said that the committee to research the Board of Corrections felt that the advisory committee could help with research along with contacting other governmental bodies to promote the use of our jail.

Commissioner Rohde moved, seconded by Commissioner McLarty that the Dakota County Board of Commissioners would serve as the Dakota County Board of Corrections to administer the jail.

There was discussion as to the dates to complete the resolution.

It was decided that the initial meeting of the Dakota County Board of Corrections should be held on August 20, 2007, at 2:00 p.m. and that the County Board of Corrections shall assume charge of the Dakota County Jail and Correctional facilities on the 1st day of September, 2007, at 12:01 o'clock a.m. as follows:

RESOLUTION 07c-010

A RESOLUTION BY THE DAKOTA COUNTY BOARD OF
COMMISSIONERS FOR THE DAKOTA COUNTY BOARD

OF COMMISSIONERS TO SERVE AS THE DAKOTA
COUNTY BOARD OF CORRECTIONS

WHEREAS, each county board in counties having a population of less than one hundred fifty thousand inhabitants may choose to serve as the county board of corrections and as such have charge of the county jail and correctional facilities and of all persons by law confined in such jail or correctional facility; and

WHEREAS, the County of Dakota County is a county having less than one hundred fifty thousand inhabitants; and

WHEREAS, the County Board of Dakota County finds that the formation of itself as the Dakota County Board of Corrections would promote the proper administration of the Dakota County Jail and further benefit the public by releasing the County Sheriff from such responsibility to pursue more fully the sheriff's primary duties as a law enforcement officer.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Dakota County Board of Commissioners does hereby elect, by majority vote of its members, to serve as the Dakota County Board of Corrections.
2. That the initial meeting of the Dakota County Board of Corrections shall be held on August 20, 2007, at 2:00 o'clock p.m.
3. That the Dakota County Board of Corrections shall assume charge of the Dakota County Jail and Correctional Facilities and of all persons by law confined in the jail and correctional facilities on the 1st day of September, 2007, at 12:01 o'clock a.m.
4. That there is hereby established the Dakota County Division of Corrections under the jurisdiction of the Dakota County Board of Corrections. The administrative officer of the division shall be the Dakota County Director of Corrections, who will be qualified by education, training, and experience to perform the duties of such position.
5. That the Dakota County Director of Corrections shall be appointed by and shall serve at will and discretion of the Dakota County Board of Corrections. The Dakota County Director of Corrections shall have direct administrative responsibility for the facilities and employees of the Dakota County Division of Corrections and of the persons lawfully confined in such facilities.
6. That the Dakota County Board of Corrections shall elect a chairperson and vice-chairperson, shall adopt such rules and by-laws as it deems advisable, and shall meet at least once every sixty days. A quorum shall require the presence of at least two-thirds of its members and all questions shall be decided by majority vote of the members present. The Dakota County Board of Corrections shall hear arguments and make recommendations for the maintenance, supervision, control, and direction of the Dakota County Jail and Correctional Facilities.

DATED this 7th day of August, 2007.

Chair voted NO and did not sign William F. Engel, Chair Dakota County Commissioner	\s\ Jacqueline M. Hartnett Jacqueline M. Hartnett, Vice Chair Dakota County Commissioner
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\s\ Betty O'Neill Betty O'Neill Dakota County Commissioner	\s\ William I. McLarty William I. McLarty Dakota County Commissioner
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\s\ Bill B. Rohde
Bill Rohde
Dakota County Commissioner

APPROVED AS TO FORM:	\s\ Edward H Matney III Edward H Matney III Dakota County Attorney
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ATTEST: SEAL	\s\ Theodore Piepho Theodore A. Piepho Dakota County Clerk
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Commissioner Engel did not sign the petition because he voted no.

ROLL CALL VOTE: McLarty- Yes, Rohde- Yes, O'Neill- Yes, Hartnett- Yes and Engel- No Motion Carried.

Chair Engel adjourned the meeting at 2:05 p.m.

County Board of Commissioners

ATTEST:

_____	_____
William F. Engel, Chairman	Date

Theodore A. Piepho, County Clerk

Dakota County Board of Commissioners
Monday August 13, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance being recited.

Present were: Commissioners McLarty, Rohde, Engel, O'Neill, Hartnett and Ted Piepho, Secretary.

Absent: None

The agenda for the meeting was as follows:
DAKOTA COUNTY BOARD OF COMMISSIONERS
MONDAY, AUGUST 13, 2007 AGENDA
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

The numbers for the agenda items were inadvertently altered by Microsoft Word when printed. All agenda items are shown here. Arrangement of agenda items remained the same and items 1 - 9 did not exist for this board

William F. Engel, Chair

Theodore A. Piepho, Secretary

- 10. 1:30 p.m. Call to Order with reciting the Pledge of Allegiance
 - Roll Call
 - Approve Minutes of last meeting July 30th.
 - Discuss June 18, July 2 and July 16, 2007 minutes.
 - Review and approve Payroll claims submitted by County Clerk for payment
 - Employee Handbook and Personnel Policies – Sick Leave, Vacation and benefits.
- 11. 1:35 p.m. Randy Crombie, Highway Supt.
 - Sick Leave
 - Present Sign Grant Resolution and sign
 - Speed Resolution on Atokad Drive for signing
- 12. Tabled Items – No tabled items to consider
- 13. Miscellaneous Agenda Items
 - Jail Report
 - Engine Braking Resolution 2nd reading
 - Surplus property – items sold
 - Discussion of work – Spencer, Fane, Law Firm work/relationship
 - Closed Session – Anticipated litigation
- 14. Committee Reports
- 15. Public Comment
- 16. Mail and/or Emergency Business
- 17. 2:30 p.m. Adjournment

Commissioner Rohde moved, seconded by Commissioner Hartnett to approve the minutes of August 7, 2007 as typed and to approve the minutes of July 30, 2007, replacing the word city, with the word county in the first sentence of the engine braking resolution.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED.

Randy Crombie, Highway Supt. appeared before the board and asked that he be able to make up time spent with getting radiation treatments, by working extra time, rather than using sick leave.

Commissioner O'Neill moved, seconded by Commissioner Hartnett to authorize the Highway Supt. to make up time spent getting radiation treatments by working extra hours outside his normal scheduled work hours.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, UNANIMOUS MOTION CARRIED.

Randy Crombie, Highway Superintendent, asked the board to approve a speed limit change to Atokad Drive west of the city limits. He said that a 25 mph speed limit there was too low for the area.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to adopt Resolution 07C-011 increasing the speed limit on Atokad Drive west of the city limits from 25 mph to 40 mph, as follows:

Resolution No. 07C-011

In accordance with the standards set forth in the Manual on Uniform Traffic Control Devices, as from time to time amended, and

Whereas it is in the best interest of Dakota County, Nebraska, to establish and maintain proper and consistent signing in conformity with said manual,

The Dakota County Highway Department therefore requests formal approval to place, erect and maintain traffic control devices on Dakota County roads, at the following locations:

TYPE OF DEVICE	LOCATION	PURPOSE
40 mph Speed Sign	Atokad Drive	Control traffic speed

Reduce Speed Ahead
40 mph Speed Sign

Atokad Drive
Atokad Drive

Warn people of changing speed
Control traffic speed

ENGINEERING STUDY:

Legal description of Atokad Drive to be signed SE1/4 Sec 32, T29N, R9E

Traffic study was conducted August 7, 2007 for 8 hours. The result being that a 40mph Speed Limit is acceptable on this portion of Atokad Drive

_____ County Board
by: _____ its Chairman

ATTEST:
County Clerk
(Seal)

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea,
UNANIMOUS MOTION CARRIED.

Mr. Crombie asked the board if they would like for him to make application for a sign grant. This grant covers different signs than the previous sign grant and he felt it would be to the county's benefit to make application for said grant.

Commissioner Hartnett moved, seconded by Commissioner Rohde adopt Resolution 07C-012 and to make application for a sign grant for signs the county needs and that the State of Nebraska is hereby requested to act on behalf of Dakota County to program the project for the purchase and distribution of the signing materials shown on Exhibit "A".

Resolution
Resolution No. 07C-012

County of Dakota
Project No. HRRR-STWD(79) — Horizontal Curve Signage

Whereas: The Hazard Elimination Program is a "core safety program" for Highway Safety Construction. This program is provided for in *Title 23, Section 148 of U.S. Code*, and is part of the Highway Safety Improvement Program (HSIP) which is provided for in *23 CFR, Par 924*, which is administered by the Federal Highway Administration,

Whereas: The State of Nebraska maintains a Multi-Disciplinary High Risk Rural Road Committee to oversee facets of the HSIP,

Whereas: The High Risk Rural Road Committee has determined that it is desirable to erect signage warning motorists on county roads of horizontal curves in the State of Nebraska.,

Whereas: The High Risk Rural Road Committee on July 9, 2007, approved a project known as HRRR-STWD(79) - Horizontal Curve Signage to accomplish the following:

1) Install appropriate horizontal curve warning signage in advance of, and/or throughout, horizontal curves which are not currently marked.

Or

2) Install appropriate horizontal curve warning signage in advance of, and/or throughout, horizontal curves which are improperly marked.

Or

3) Replace existing horizontal curve warning signage which has been damaged or doesn't meet current retro-reflectivity standards.

And

4) All sign installations will be in accordance with the applicable sections of the Manual of Uniform Traffic Control Devices. The installation work will be done by County forces, and will be viewed as the 20% local match.

And

5) The County will certify to the State of Nebraska that all signage was properly erected and will be maintained by said County.

Be It Resolved: That the State of Nebraska is hereby requested to act on behalf of said County to program the project for the purchase and distribution of the signing materials shown on Exhibit "A" attached,

The estimated cost to the County is \$0.

Be It Further Resolved: That sufficient labor material, equipment, and supervision, are now available, or will be made available to complete the signing work using County forces within an 18 month period. Said period will begin when the signing materials are received by the County.

Be It Further Resolved: That the Chairman of the County Board is authorized to sign this Resolution on behalf of said Board. In addition the Chairman and the Highway Superintendent are hereby authorized to sign the Certificate of Compliance after completion of the work.
Adopted this 13 th day of August, 2007, at Dakota City, NE

By Board of Commissioners of Dakota County, Nebraska.

ATTEST:

County Clerk

Chairman

Board Member Hartnett moved the adoption of said Resolution.

Roll Call: 5-Yes 0-Nay

Resolution adopted, signed, and billed as adopted.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

The following jail report was submitted:

JAIL REPORT
08/13/07

NEW FACILITY:	86	MALE:	FEMALE
		59	27
	Federal	19	02
	County	40	25
OLD FACILITY:	36	MALE:	FEMALE
		36	00
	Federal	00	00
	County	36	00
JUVENILES:	06		
	Woodbury	00	03
	Madison	02	01
WORK RELEASE	04		
HOUSE ARREST	00		
TOTAL POPULATION	128		

COMMENTS:

Inmate broke sprinkler head in Pod A causing damages. Inmate was charged and damage estimates forwarded to County Attorneys office for restitution purposes.

Commissioner McLarty moved, seconded by Commissioner O'Neill to approve and adopt the second reading of the Engine Braking, commonly know as Jake braking, Resolution as follows:

"It shall be unlawful for any person in any part of the county to make or cause to be made loud or disturbing noises with any mechanical devices operated by compressed air and used for purposes of assisting braking on any semi-tractor, commonly referred to as Jake braking. The governing body shall cause notices to be posted or erect signs indicating such prohibition."

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED

Commissioner Hartnett moved, seconded by Commissioner O'Neill to approve the sale of the surplus property as follows:

Dakota County Surplus Sale - Board Report 2-Aug-07

Item Sold	Name/Address	Amt. Paid
Dehumidifier	"Rick Jensen, RR!, Box 207A, Ponca NE 68770"	\$0.50
Dehumidifier	"Rick Jensen, RR!, Box 207A, Ponca NE 68770"	\$0.50
HP Ink Cartridge	"Randy Crombie, Box 95, Hubbard NE 68741"	\$3.00
Sharp Calculator	"Randy Crombie, Box 95, Hubbard NE 68741"	\$3.00
Sharp Calculator	"Jolene Gubbels, Box 99, Hubbard NE 68741"	\$3.00
Dell Flat Screen	"Jolene Gubbels, Box 99, Hubbard NE 68741"	\$30.00
Elec Pencil Sharpener	"Jennifer Swanson, 2228 Ireton Ave., Homer 68030"	\$0.50
Chalkboard	"Jennifer Swanson, 2228 Ireton Ave., Homer 68030"	\$0.50
Easel Stand	"Jennifer Swanson, 2228 Ireton Ave., Homer 68030"	\$0.50
Gray Swivel Chair	"Dave Launsby, Box 354, Homer NE 68030"	\$1.00
Grey Metal Desk	"Dave Launsby, Box 354, Homer NE 68030"	\$5.00
HP Fax	"Dave Launsby, Box 354, Homer NE 68030"	\$5.00
Gateway Monitor	"Dave Launsby, Box 354, Homer NE 68030"	\$5.00
Gateway Tower	"Dave Launsby, Box 354, Homer NE 68030"	\$4.00
Cannon Multipass C5500	"Dave Launsby, Box 354, Homer NE 68030"	\$5.00

Stacking Chair (Blue)	"Donna Jordan, Elkpoint, SD"	\$1.00
Stacking Chair (Red)	"Donna Jordan, Elkpoint, SD"	\$1.00
Stacking Chair (Red)	"Donna Jordan, Elkpoint, SD"	\$1.00
Stacking Chair (Red)	"Donna Jordan, Elkpoint, SD"	\$1.00
Stacking Chair (Maroon)	"Donna Jordan, Elkpoint, SD"	\$1.00
Stacking Chair (Maroon)	"Donna Jordan, Elkpoint, SD"	\$1.00
Wooden Chair	"Donna Jordan, Elkpoint, SD"	\$1.00
Wooden Chair	"Donna Jordan, Elkpoint, SD"	\$1.00
Paper Shredder	"Donna Jordan, Elkpoint, SD"	\$1.00
Orange Metal Chair	"Della Jordan, Plainfield, IA"	\$1.00
Orange Metal Chair	"Della Jordan, Plainfield, IA"	\$1.00
Orange Metal Chair	"Della Jordan, Plainfield, IA"	\$1.00
Orange Metal Chair	"Della Jordan, Plainfield, IA"	\$1.00
Orange Metal Chair	"Della Jordan, Plainfield, IA"	\$1.00
Orange Metal Chair	"Della Jordan, Plainfield, IA"	\$1.00
Copier Cart	"Fred Kellogg, PO Box 121, Emerson NE 68733"	\$1.00
Tan Swivel Chair	"Dan Garvin, 559 Old Hwy 20 W, SSC NE 68776"	\$1.00
Desk (Probation)	Leon Pies, 2271 L Avenue, Hubbard NE 68741"	\$1.00
Keyboard	"Leon Pies, 2271 L Avenue, Hubbard NE 68741"	\$1.00
Monitor	"Leon Pies, 2271 L Avenue, Hubbard NE 68741"	\$1.00
Gateway GP6-350	"Theodore Piepho, PO Box 474, Homer NE 68030"	\$6.00
Gateway EV700 Monitor	"Theodore Piepho, PO Box 474, Homer NE 68030"	\$3.00
Gateway E-3200	"Theodore Piepho, PO Box 474, Homer NE 68030"	\$6.00
Gateway GP6-350	"Theodore Piepho, PO Box 474, Homer NE 68030"	\$6.00
Gateway keyboard	"Theodore Piepho, PO Box 474, Homer NE 68030"	\$3.00
Gateway keyboard	"Theodore Piepho, PO Box 474, Homer NE 68030"	\$3.00
Gateway keyboard	"Theodore Piepho, PO Box 474, Homer NE 68030"	\$3.00
Dehumidifier	"Hans Houfek, PO Box 432, Homer NE 68030"	\$5.00
2001 Ford Crown Vic	Garvins Salvage	\$125.00
1996 Ford F150 Pickup	Garvins Salvage	\$410.00
	Remaining Surplus after sale of items w/ metal	\$40.00
	" * metal desks, drawers, chairs, dividers, printers "	
	and miscellaneous computer equipment	

Pickup Box \$75.00
 TOTAL \$650.00

TOTAL GENERAL FUND \$286.50
 TOTAL ROAD FUND \$485.00
 \$771.50

- *Cannon L80 Fax
 - Room Dividers (Probation)
 - Cash Drawer
 - Eight chairs
 - Gateway laptop
 - Tan metal desk
 - Five chairs
 - Toshiba 2860 Photo copier
 - Microsoft computer
 - HP Desk Jet 890C
 - Sharp copier
 - Gateway 2000 P5
 - HP laser Jet printer
 - Gateway 2000 4DX-33
 - IBM typewriter
 - Gateway 2000 4DX2-66Y
 - Two Gateway EV700
 - Gateway P56
 - HP scanner
 - Compaq contura 4/25
 - Integrity computer
 - Three Gateway computers
 - Cannon Copier
 - Six room dividers
 - paymaster
 - 2-drawer file
 - ballot counter
 - HP printer
- ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea,
 UNANIMOUS MOTION CARRIED

Commissioner Hartnett moved, seconded by Commissioner Rohde to convene into closed session to discuss anticipated litigation.
 ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea,
 UNANIMOUS MOTION CARRIED 1:58 p.m.

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

ROLL CALL: Rohde- yea, O'Neill-yea, Hartnett- yea, Engel- yea, McLarty- yea. UNANIMOUS MOTION CARRIED at 2:27 p.m.

Ed Matney, County Attorney, asked for clarification on the Board's wishes regarding further correspondence with the Spencer, Fane Law Firm.

Commissioner Hartnett moved, seconded by Commissioner McLarty, that all correspondence and invoices go directly to the County Attorney and that Spencer, Fane be made aware of that.

ROLL CALL: McLarty- yea, Engel- yea, Hartnett-yea, O'Neill-yea, Rohde-yea. UNANIMOUS MOTION CARRIED.

Chairman Engel asked if there were any Committee Reports. There were none.

Chairman Engel asked if anyone wished to make Public Comment. No comments were made.

Commissioner Hartnett moved, seconded by Commissioner O'Neill, to approve the payroll claims submitted by the County Clerk as follows:

COUNTY GENERAL FUND: Gross salaries- \$107,397.80, General Fund Employees Net Pay- \$76,126.51, Employer deductions paid: Retirement- 7,383.54, Retirement Makeup- 34.44, Social Security Tax- 6,536.52, Medicare- 1,528.73, DC Health Plan- 31,055.60, DC Dental Plan- 803.25, Life Insurance- 183.51.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 462.52, Tracey Corkin- 941.88, Marisol Curiel- 775.78, Bobbi Jo Harsma- 1004.00, Theodore Piepho- 1553.28, Darlene Davis- 860.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 920.00, Kimberly Kuehl- 446.13, Phyllis Ridge- 855.50, Lyn Beltz- 110.00, Margaret Rahn- 1142.10, Daniel Christoffers- 462.52, Dennis Reinert- 203.85, Valerie Danielson- 1553.28, Carol Dunham- 1165.42, Cheryl Perkins- 880.00, Joe Flynn- 1664.00, Debra Jensen- 952.00, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 820.00, Tracey Corkin- 12.00, Richard Jensen- 1334.41, Duane Kotalik- 1248.00, Tammy Dunn-Peterson- 1363.69, Amy Lofland- 94.00, Jeremy Bermel- 1605.50, Anthony Bos- 1704.30, Brad Claypool- 1520.00, Sandy Dickens- 1071.28, Brian Ellinger- 1859.04, Penny Epting- 1351.36, Brent Gilster- 1842.93, Todd Hammer- 1449.81, Melvin Harrison III- 1719.50, Rodney Herron- 1691.98, Kimberly Johnson- 273.84, Jared Junge- 1675.45, Michael Kreegar- 1558.00, Gary Powell- 468.00, Gayle Richards- 818.19, Kevin Rohde- 1554.90, James Wagner- 1942.76, Erin Bartels- 264.00, Elisha Doyle- 880.00, Aimee Kennedy- 1012.00, Edward Matney III- 2513.07, Sara Meadows- 1576.92, Debra Schmiedt- 2032.31, Kimberly Watson- 1615.38, Caterina Chapman- 1118.18, Ermelinda Ballesteros- 1053.53, Joshua Blatchford- 1318.01, Dusty Boyd- 1156.57, Rebecca Broer- 1318.24, Toni Duncan- 1158.01, Lisa Ford- 1114.72, John Gilles- 1281.54, Alma Gunderson- 1272.78, Paula Harrigfeld- 470.61, Brenda Harrison- 1158.01, Cathy Harsma- 1190.40, Deanna Haukap- 1056.72, Jackie Heaton- 1060.00, Jason James- 1148.20, Sarah Jensen- 680.00, Brett Johnson- 1324.97, Nicholas Kellen- 1118.07, Matthew Mann- 1104.68, Colleen McMahon-Levine- 1104.68, Diana Moctezuma- 917.22, Mark Nelson- 1112.80, Jeep Phommavong- 1014.29, Joseph Ramirez- 1197.84, Cara Reinders- 944.98, Daniel Rodasky- 976.91, Stephanie Ryan- 1258.70, Linda Schovanec- 1206.40, Heather Skow- 1101.33, Justin Smith- 1108.02, Francis Tope- 1071.20, Randall Walsh- 1848.02, Charvette Williams- 1101.33, Daniel Wood- 1112.80, Randall Crombie- 177.00, Jolene Gubbels- 852.00, Leon Pies- 586.00, Pamela DeVries- 1512.68, Patricia Glover- 1088.64, Bonnie Kahler- 658.35, Alan Boyd- 970.20.

GENERAL FUND: Employee withholding paid to: Federal- 10,246.36, State- 3,640.95, Social Security Tax- 6,536.52, Medicare- 1,528.73, Retirement- 5,000.08, Retirement Makeup- 24.44, DC Health Plan- 543.37, DC Dental Plan- 430.76, Colonial Health- 16.20, Sheriff Union Dues- 290.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$15,066.16, Road Employees Net Pay- \$10,665.69, Employer deductions paid: Retirement- 1,016.97, DC Health Plan- 4,749.68, DC Dental Plan- 122.85, Life Insurance- 25.44, Social Security Tax- 915.87, Medicare- 214.21.

Brent Byroad- 1233.70, Randall Crombie- 1538.46, Robert Hacker- 1088.00, Ronald Harder- 1176.00, Walter Heinemann- 1180.00, Richard Hoising- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1212.00, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,404.18, State- 501.52, Social Security- 915.87, Medicare- 214.21, Retirement- 677.98, DC Health Plan-, DC Dental Plan- 58.74, Reassure America Life- 7.32, Deferred Comp.- 61.68, Garnishments- 69.24, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 198.00.

Roll Call Vote: McLarty- Yes, Rohde- Yes, O'Neill- Yes, Hartnett- Yes and Engel- Yes. Unanimous Motion Carried

The County Clerk presented the County Board members with a copy of the June 18, 2007, July 2, 2007 and the July 16, 2007, board minutes.

He explained that the June 18, 2007 meeting originally did not include any comments by Ms. Fergen, Deputy County Attorney, as to why it would be better for the county to hire Crary Huff law firm to defend the county in the Schlotman vs. Dakota County law suit rather than asking Mr. Matney to.

The County Clerk said that when the board approved the minutes of June 18, 2007, in their July 2nd meeting, Commissioner O'Neill brought up the fact she wished for that conversation to be included in the minutes of June 18, 2007, and moved that said minutes be corrected to include that discussion. That was seconded by Commissioner McLarty and passed unanimously.

The original motion on June 18, 2007, to hire Crary Huff to represent the County in the Schlotman vs. Dakota County law suit, over a zoning issue, was the motion that caused Ms. Deb Fergen's discussion.

That motion did not pass unanimously and roll call was: McLarty, Rohde and Engel Voting yes, O'Neill voting no and Commissioner Hartnett abstaining. The motion to correct the June 18th minutes to include Ms. Fergen's comments was made July 2, 2007, and passed unanimously.

The County Clerk further explained that when the board approved the July 2, 2007, minutes in their July 16, 2007 meeting, the actual motion was to approve the July 2, 2007, minutes was to correct said minutes to show the roll call vote that O'Neill voted no and Hartnett abstained. In writing the minutes for the July 16 meeting the County Clerk discovered that the motion to approve the minutes of July the 2nd was in error, as it was a unanimous vote in favor of correcting the minutes of June 18, minutes. He explained that when the board approved the July 2nd minutes they were assuming that was the original motion to hire Crary Huff and confused the two motions, therefore thinking they were correcting the original vote to hire Crary Huff. Upon learning that information, the county clerk called Commissioner McLarty, who had made the motion, and he asked the County Clerk how to straighten it out. County Clerk, Ted Piepho thought that rather than writing the minutes as the motion was stated, he could write the motion as approving the minutes of July 2 as typed and then by the board approving them as such, would resolve the issue rather than typing the motion wrong and then go back and correct both sets of minutes.

This was done and the County Clerk intended to explain this situation to the full board in their July 30, 2007 meeting before the board approved the minutes of July 16. He said that he did not remember to do that so that is the purpose of him explaining at this time.

The County Clerk asked the board to resolve the issue by approving the minutes of the three meetings as they appear in the Official Record of the County Board Proceedings.

County Attorney, Ed Matney, marked one copy as Exhibit 1.

Commissioner McLarty moved, seconded by Commissioner Hartnett, to approve the minutes of June 18, 2007, July 2, 2007 and July 16, 2007 as presented by the County Clerk and as they appear in Book P, pages 721 through and including page 740 of the Official Record of the County Board Proceedings.

Roll Call Vote: McLarty- Yes, Rohde- No, O'Neill- Yes, Hartnett- Yes and Engel- No. Motion Carried.

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

County Board of Commissioners

ATTEST:

William F. Engel, Chairman

Date

Theodore A. Piepho, County Clerk

Dakota County Board of Commissioners
Monday, August 20, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

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

Present were: Commissioners Engel, McLarty, O'Neill, Hartnett, and Ted Piepho, Secretary.

Absent: Commissioner Rohde arrived at 10:22 a.m.

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

Gary Smith, residing at 1125 122nd Street, Jackson, NE 68743 and Beverly Hoch, owner of the Buzz Saw in Waterbury appeared before the board and requested the board to approve a Special Designated Liquor License to serve beer at a rodeo to be held September 16, 2007 at Mr. Smith's address. They provided a copy from Sheriff Wagner stating that his office was aware of the event and had personnel to cover the event.

Commissioner Hartnett moved, seconded by Commissioner McLarty to approve Mr. Smith's and Ms. Hoch's, owner of the Buzz Saw in Waterbury, request to have a Special Designated Liquor License to serve alcoholic beverages at a rodeo event to be held September 16, 2007, at 1125 122nd Street, Jackson, NE and to recommend that the State Liquor Commission likewise approve said license.

BE IT FURTHER RESOLVED that the County Board of Dakota County hereby approves any other permit required by the county, if applicable.

Roll Call Vote: Hartnett- Yes, Engel- Yes, McLarty- Yes, Rohde- Yes, O'Neill- Yes. Unanimous Motion Carried.

Chair Engel recessed their meeting for lunch at 11:28 a.m.

Chair Engel reconvened their meeting from lunch at 1:30 p.m. with all members present.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to accept and approve the official's reports filed by the County Clerk, Register of Deeds and the Clerk of the District Court for the period of July 1 through and including July 31, 2007 and to authorize the chair to sign same.

Roll Call Vote: Hartnett- Yes, Engel- Yes, McLarty- Yes, Rohde- Yes, O'Neill- Yes. Unanimous Motion Carried.

Commissioner McLarty moved, seconded by Commissioner Rohde to approve the minutes of August 13, 2007, as typed.

Roll Call Vote: Engel- Yes, McLarty Yes, Rohde- Yes, O'Neill- Yes, Hartnett- yes. Unanimous Motion Carried.

Commissioner Engel asked for the agenda item of Committee Reports and there were none.

Commissioner Engel asked for the agenda item of Public Comment and there was none.

Commissioner McLarty moved, seconded by Commissioner Rohde, to approve the claims submitted by the County Clerk.

Commissioner O'Neill stated that she would not approve the Spencer, Fane claim because there was no itemized statement attached.

There was a discussion on parliamentary procedure as to how to proceed since Ms. O'Neill did not want to approve Spencer Fane claim.

Commissioner McLarty withdrew his motion.

Commissioner Rohde withdrew his second.

Commissioner O'Neill moved to pay all the claims except for the Spencer Fane, Britt and Browne bill and that it is voted on separately. Commissioner Hartnett seconded the motion.

There was discussion had as to where the bills were received and confirmed that the bills had come to Ms. O'Neill's house.

There was discussion concerning attaching the itemized statement to the claim and Mr. McLarty said that he could not support that because there may be some confidentiality issue.

Roll Call Vote: Hartnett- No, Engel- Yes, McLarty- No, Rohde- No, O'Neill- Yes. Motion failed

Commissioner McLarty moved, seconded by Commissioner Engel to withdraw the Spencer Fane claim from the claims and to vote on it separate from the stack.

Roll Call Vote: Engel- No, McLarty Yes, Rohde- Yes, O'Neill- No, Hartnett- yes. Motion Carried.

Commissioner O'Neill moved not to pay the Spencer Fane claim until there is an itemized statement attached to it.

Motion died for a lack of second.

Commissioner McLarty moved, seconded by Commissioner Rohde to pay all claims submitted by the County Clerk for payment, as follows:

GENERAL FUND: Dakota County Star, publishing- 261.79; Perkins, supplies- 40.71; Midwest Office Automation, annual maint-324.00; Betina Perkins, BOE interpreter-30.00; Dakota County Star, publishing & renewal subscription-67.38; Dakota County State Bank, stop payment fee-30.00; Midwest

Office Automation, annual maint- 290.13; Net Systems, maint service-213.00; Sioux City Journal, publishing & subscription-250.00; Staples, supplies – 148.25; Theodore Piepho, cell phone- 20.00; Robert H. Giese, mileage- 145.50; Charlotte Doenhoefer, prior yrs service- 10.00; Ruth Jensen, prior yrs service- 12.00; Mardell Sorensen, prior yrs service- 26.00; Irene Vanlent, prior yrs service- 16.00; Staples, office supplies- 106.77; Net Systems, office equip- 1052.22; Das Imservices, data storage- 3.50; Dakota Count Star, semi annual report- 92.95; Microfilm Imaging Systems, lease equip rent- 240.00; Mark J. Dorcey, prior yrs service- 4.00; Microfilm Imaging Systems, film, processing and handling charges- 252.20; Daniel Christoffers, mileage- 150.35; Citi MasterCard, scanner parts- 19.17; Todds Storeall, August rent- 80.00; Dakota County Star, publishing- 8.52; Delage Landen Fin Service, copier rental- 91.00, Dennis Reinert, cell phone- 30.00; Norfolk Printing, trial dockets- 105.00; Staples, office supplies- 110.11; Carol Sue Dunham, mileage- 81.48; Absolute, Screen Art Inc, pens- 151.87; DAS Material, office supplies- 36.70; Paula J. Jensen, reimbursement- 22.71; Perkins Office Solutions, office supplies- 84.00; Kurt T. Rager, reimbursement- 11.77; Star Printing/Studio B Graphics, stationery- 180.00; Thomson West, CD rom service- 154.25; Mario Ahumada, witness fee- 21.94; Burt County Sheriff, subpoena- 23.02; Creighton Law Review, law review- 25.00, Dakota County Court, court costs- 3828.46; Lana Gayton, witness fee- 78.20; Amber L Hegarty , special prosecutor- 840.00; Derek Herron, witness fee- 20.48; Randy S. Hisey, court appointed counsel- 102.00; Shelley A. Horak, court appointed counsel- 240.00; Sandra Inkster-Ehrich, court appointed counsel- 960.00; Hurley Law Office, court appointed counsel- 2610.00; Emily Kassing, witness fee- 20.48; Barbara Kueny, court appointed counsel- 3390.46; Jill Laughhunn, witness fee- 23.88; Stuart Mills, court appointed counsel- 1155.00; Sonya Rivera, witness fee- 20.00; Conichita Rodriguez, witness fee- 20.00; Douglas Roehrich, court appointed counsel- 774.00; Unnida J Sayasone, witness fee- 23.88; Michael P. Schmiedt, special prosecutor- 90.00; Joey Sierra, witness fee- 21.94; Abdiwali Siyad, witness fee- 24.85; Bryan E. Smith Jr., court appointed counsel- 672.00; Sharon Starzl, witness fee- 39.40; Patrick Tott, court appointed counsel- 672.00; Justin Wagner, witness fee- 156.40; William L Binkard, reimbursement- 545.93; Erica Gonzalez, interpreter fee- 200.00; Frank Gonzalez, interpreter fee- 550.00; NCDAA, membership fee- 180.00; Nebraska Workforce Development, unemployment for Mary Gamble- 2286.00; Perkins Office Solutions, office supplies- 53.71; Ne Supreme Court, Trosheim & Ozuna court of appeal- 244.00; Shelly A. Horak, court appointed fee- 786.00; Stuart Mills, court appointed fee- 495.00; Dennis Hurley, court appointed fee- 1602.00; Clerk of District Court, claim list- 1078.00; Frank Gonzalez, interpreter- 100.00; Coffee King, coffee- 38.00; Maximus, quartly cost allocations- 659.15; Executive Technologies, maint for copier- 162.75; AmSan, janitorial supplies- 510.24; A-Team Heating & Cooling, AC repair- 127.50; Ben Star, janitorial- 310.03; Bunkers Feed, softner salt- 56.00; City of Dakota City, sewer and water bill- 582.19; Gill Hauling, garbage hauling- 240.00; Grainger, supplies- 685.64; Hardware Hank, supplies- 11.80; Rick Jensen, mileage- 156.55; Menards, supplies- 1228.95; MidAmerican Energy, gas bill- 2457.03; Nebraska Public Power District, electric bill- 7455.76; Sams Club, supplies- 601.35; Tool Depot, supplies- 178.68; Trembly, pest control- 85.00; Verizon, cell phone bill- 58.23; Share, janitorial supplies- 633.80; Dakota County Extension, reimbursement for supplies- 940.34; Ahlers & Cooney, attorney fees- 280.00; City of South Sioux, fuel- 4012.64; Crystal Oil, vehicle maint- 409.52; D & R Service, vehicle maint- 678.52; Dakota County Star, publishing- 139.73; Dakota County Sheriff, reimbursement for fees and supplies-507.00; Dakota Food & Fuel, fuel- 103.01; Economy Transmission, vehicle maint- 1600.00; Fremont Tire, vehicle maint-2060.72; Harold's, film developing-81.35; HyVee, floral for Gilster- 29.96; Jacks Uniforms, uniforms/equipment- 2392.73; Racom, phone access line- 694.20; Siouxland Fed Cr Un, reimbursement for training meals & fuel- 587.45; Sioux City Ford, vehicle maint- 316.85; So Sioux Animal Hospital, K-9 grooming- 37.00; Verizon, cell phone bill- 66.19; Willis Animal Clinic, K-9- 37.80; Dakota County Sheriff, warrants- 1044.12; Dakota County Star, certified copies- 60.00; Dakota County Treasurer, certified copies- 33.00; Dept. of Motor Vehicles, transcripts/driving records- 43.00; Dodge County, certified copies- 3.25; Edward H. Matney, reimbursement/postage- 119.72; Electronic Engineering, pager bill- 39.95; H2O4U, water supply- 17.25; Sprint, cell phone bill- 145.33; Story County Clerk, certified copies- 11.00; Thurston County Court, certified copies- 3.00; City of South Sioux, electric bill-23868.50; Caterina Chapman, mileage & supplies- 87.62; Nebraska Crime Commission, grant refund- 153.52; Verizon, cell phone bill- 55.04; BI, electronic monitoring- 1390.40; AmSan, kitchen supplies/laundry- 504.47; Arthur J Gallagher Rick Mgmt, notary bonds- 250.00; B & S Surgical Company, suture removal kits- 11.00; BI Inc, house arrest- 545.60; Bob Barker, inmate personal supplies- 1398.44; CBM Foodservice, meals- 17541.69; Cardiovascular Associates, inmate medical- 245.00; Cash-Wa Distributing, food service- 200.50; Dakota Business Systems, copier contract- 261.00; Dakota Food & Fuel, fuel- 952.14; Sandy Dickens, mileage- 138.84; Family Health Care of Siouxland, jailer school physical- 77.00; Jacks Uniforms, uniforms- 144.40; Lincoln Nephrology & Hypertension, inmate medical- 4826.31; Midwest Office Automations, copier contract- 137.20;NCS Pearson, merit commission tests- 875.50; N.E. NE Juvenile Services, house juveniles- 6655.00; NW Iowa Emergency Phys, inmate medical- 2227.00; Net Systems, computer work- 551.25; David Noble DDS, inmate medical- 187.00; Office Systems Company, typewriter contract- 560.00; Redlers Pharmacy, inmate medical- 4994.93; Secretary of State Notary Division, notary apps- 150.00; Signs my Tomorrow, signs- 54.00; Siouxland Federal CR UN, reimbursement meals/rentals/fuel-571.50; Siouxland Lock & Key, duplicate keys- 18.85; Siouxland Pathology, inmate medical- 179.00; Siouxland Radiology Partners, inmate medical- 634.00; South Sioux City Police, CPR training- 7.50; Staples, supplies- 556.32; Verizon, cell phone bill- 136.30; Walmart, supplies- 268.11; Woodbury Co Juvenile Detention, house juveniles- 17600.00; NE Nebraska Association of Co Officials, fall workshop- 17.00; Verizon, cell phone bill- 33.21; Carex Health Brands, medical- 79.08; Dunes Family Medicine, consulting physician- 25.00; Sanofi Pasteur Inc, medical supplies- 48.66; Pam DeVries, mileage- 160.53; Pat Glover, mileage- 99.42;Deanna Beckman, hrs worked/mileage- 657.75; Pam Devries, mileage- 6.79; Mercy Medical Center, registration fee- 150.00; Alan Boyd, mileage- 593.16; Electronic Engineering, pager bill- 13.95; Office System Company, copier contract- 121.00; Staples, supplies- 253.10; Thompson West, law books- 643.01; CableOne, internet service- 205.95; Dakota County Court, reimbursement- 725.00; DeLage Landen Financial Services, pymnt 2mnths lease- 221.38; FSH Communications, payphone bill- 63.60; Hasler, postage meter rental- 249.00; IBM Corp, annual fee of AS400- 137.14; Lazette Gifford, website upkeep- 40.00; Madelyn Thorsland prior

yrs service- 10.00; Mips, budget support- 401.78; NIRMA, restitution- 545.47; Region 4 Behavioral, quarterly service- 7655.50; Qwest, phone service-715.32; Sioux Air Inc, spray backwaters- 1240.00; Three Rivers Benefit, admin fees- 75.00; Qwest, phone service- 644.52; US Postal Service, monthly postage- 2500.00; WCS Telecom, phone service-376.43; Spencer Fane Britt, legal fees- 2657.42; Todd Realty, referee for BOE – 3204.75; Road Fund 300, budgeted transfer- 100,128.53; Road Improvement Fund 802, budget transfer- 35.00

ROAD FUND: Ace Industrial Supply, supplies- 143.85; Advanced Auto Parts, parts- 68.16; Aramark, towel service- 143.26; Atco, supplies- 387.20; Auto Sound Solutions, radio equipment- 70.48; Bank of Dixon County, grader payment- 16386.41; Bomgaars, supplies- 43.74; Butler County Landfill, scrap tire hauling- 357.05; Circle R, parts/labor- 916.85; Dakota County Petty Cash, reimbursement for drug testing/printing/supplies-98.73; Dakota County Star, publishing- 47.28; Erlandson Trans Inc, gravel- 6565.30; Filter Care of Nebraska, supplies- 20.75; First State Bank, grader payment- 15559.03; Fremont Tire Center, tire repair- 17.00; GCR Tire Center, supplies/labor-479.03; Gill Hauling, dumpster service- 52.00; Guarantee Oil, oil- 579.31; Higman Sand & Gravel, gravel- 7318.74; HME Inc, fuel-gravel hauling- 1457.15; Hubbard Mini Mart, fuel- 5818.61; H2O4U, water service- 25.75; J and J's Pronto, fuel- 124.95; Joes Dept Store, tools/supplies-10.78; Linweld, oxy/acetylene- 36.50; Medical Enterprises, drug testing- 59.80; Midwest Svcs & Sales, blades- 3395.70; Marlan Millard, prior yrs service- 15.00; NAPA, supplies- 592.85; Nebraska Public Power District, homer service- 23.89; Northeast Equipment, parts/tractor rental- 900.00; Ne Nebraska PPD, highway lighting- 192.95; Northeast NE Telephone Co, phone service- 168.20; Pilgar Sand and Gravel, gravel- 2257.64; Pumps, tires- 2128.50; Ponca Cooperative LLC, hydraulic oil- 1086.88; Power Plan/Murphy, supplies- 284.30; Rees Mack, parts- 1128.99; Sioux City Iron, supplies- 70.97; Siouxland Hydrolics, parts- 165.37; Stalp Gravel Inc, gravel- 4703.53; Stan Houston Equipment Co Inc, supplies- 31.95; Titan Machinery, parts- 50.37; Ueco, pipe- 290.40; Verizon, cell phone bill- 43.17; Warren Oil, fuel- 7062.46

POOR RELIEF 1500: Nebraska Department of Health & Human Services, admin qtrly cost- 14.25

VETERANS AID 1900: veterans office, aid- 3000.00

PUBLIC SAFETY: City of South Sioux, sales tax- 3410.09; Jail Bond Fund, sales tax- 25007.32;

LE EQUIPMENT FUND 2505: Dakota County Sheriff, ½ vest grant- 404.45

WEED FUND 5400: Advance Auto Parts, grease/oil- 8.56; Central Valley AG, chemicals- 991.80; Edwards Top line, sprayer equip repair- 1500.00; Hubbard Mini Mart, fuel- 301.00; Joes Department Store, parts- 1.74; NAPA, parts- 10.36; Ne Neb Association of Co Officials, fall workshop- 17.00; Sioux City Wintronics Co, repair- 159.94; Warne Chem & Equip Co, repair- 159.94

E911 FUND: City of South Sioux, E911 surcharge- 40218.49

Roll Call Vote: McLarty Yes, Rohde- Yes, O'Neill- No, Hartnett- yes, Engel- Yes. Motion Carried.

Milo Birkley said he had a parcel of land in 1989 and he does not have access with farm machinery. He asked that the county provide access to those 105 acres.

Commissioner McLarty moved, seconded by Commissioner Rohde to table consideration to provide Milo Birkley access until September 10, 2007.

Roll Call Vote: Rohde- Yes, O'Neill- Yes, Hartnett- yes, Engel- Yes McLarty Yes. Unanimous Motion Carried.

County Attorney, Ed Matney, read the 3rd and final reading of the Engine Braking Resolution as follows: "It shall be unlawful for any person in any part of the county to make or cause to be made loud or disturbing noises with any mechanical devices operated by compressed air and used for purposes of assisting braking on any semi-tractor, commonly referred to as Jake braking. The governing body shall cause notices to be posted or erect signs indicating such prohibition."

There was discussion whether the Resolution was county wide and it was Mr. Matney's opinion that it was.

Commissioner Rohde withdrew his second.

Commissioner McLarty withdrew his motion.

Commissioner Rohde moved, seconded by Hartnett to amend the Engine Braking Resolution to read only in areas of the county where posted.

Roll Call Vote: Rohde- Yes, O'Neill- Yes, Hartnett- yes, Engel- Yes McLarty Yes. Unanimous Motion Carried.

Chair Engel adjourned their meeting at 2:13 p.m.

ATTEST:

Theodore A. Piepho, County Clerk Date

County Board of Commissioners

William F. Engel, Chairman Date

Dakota County Board of Commissioners
Monday, August 27 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance being recited.

Present were: Commissioners Engel, McLarty, Rohde, O'Neill, Hartnett, and Ted Piepho, Secretary.

Absent: None

DAKOTA COUNTY BOARD OF COMMISSIONERS
AUGUST 27, 2007 AGENDA
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

1. 1:30 p.m. Call to Order – 1:30 p.m.
 - Roll Call
 - Pledge of Allegiance
 - Approve Minutes of August 20, 2007
2. 1:30 p.m. Dan Hartnett – Re-issue or Revision of Conditional Use Permit for Prime-Bio
3. 1:40 p.m. Carol Larvick– Microwave purchase from pop fund
4. 1:45 p.m. Review and Approve Payroll Claims
5. 1:47 p.m. County Clerk – Budgetary concerns- overtime
6. 1:50 p.m. Resolutions
 - Levy Allocation for Historical Society
 - Levy Allocation for Fire Districts
 - Levy Allocation for Dak. Co. Ag. Society
7. 2:00 p.m. Board of Corrections
 - Roll Call and recess until 2:15 p.m.
8. 2:00 p.m. Reconvene Board of Commissioners - Open Public hearing Change to Zoning - Ordinance Section 515, Zoning Change Forms
9. Public Comment
10. Mail and/or Emergency Business
11. 2:15 p.m. Adjourn

Chair Engel called for the first agenda item “Re-issue or Revision of Conditional Use Permit for Prime-Bio.”

Mike Schmiedt appeared before the board concerning the re-issue revision of a Conditional Use permit that was previously issued to Prime Bio Solutions. He said that the Schlotman’s case has been settled and dismissed and they have executed a waiver, which has been filed with the County Clerk. That waiver was regard to the set backs.

Mr. Schmiedt said that the re-issue of the Conditional Use Permit was approved last week by Planning and Zoning on the 21st.

Commissioner Rohde moved, seconded by Commissioner McLarty to approve and re-issue the Conditional Use Permit that was previously issued to Prime Bio Solutions as follows:

DAKOTA COUNTY, NEBRASKA
CONDITIONAL USE PERMIT

All conditions and requirements having been met by the applicant, a Special Use Permit is hereby granted to:

Prime Bio Solutions

To establish Livestock feeding operation and ethanol production facility

Remarks: All animal solid waste must be processed through the anaerobic digester

On the following described property, to wit:

Beermann Farms, Inc. located on the Beermann property on Hwy 35. Legally described as *NW1/4 NW1/4 INCLUDING EASEMENTS OF ACCESS 16-28-8, E1/2 NW1/4 EXCEPT HWY 35 R.O.W. 16-28-8, NE1/4 EXCEPT HWY 35 R.O.W. 16-28-8, SW1/4 EXCEPT NW1/4 SW1/4 9-28-8, SE1/4 9-28-8*

Date: August 21, 2007

Chairperson, County Board of Commissioners
Dakota County, Nebraska

Planning/Zoning Administrator

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea and Engel- Yea.
UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item to purchase a microwave using pop fund monies. Carol Larvick appeared before the board and asked if they could purchase a microwave, using the monies from the pop fund. Commissioner Hartnett moved, seconded by Commissioner McLarty to authorize the purchase of a microwave using pop fund monies to purchase said microwave for employees to use in the basement lunchroom. ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea. UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item "County Clerk – Budgetary concerns- overtime." The County Clerk advised the County Board that he could very well go over budget this year as his office is striving to get signatures scanned into the new voter registration system. He said that they had planned on doing that during normal office hours but that with paperwork possibly coming into the office in the next couple of weeks, it is necessary to have these scanned prior to that. Commissioner McLarty moved, seconded by Commissioner Rohde to authorize the County Clerk to pay overtime to scan signatures into the voter registration system. ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item for levy allocations. Commissioner Hartnett moved, seconded by Commissioner O'Neill to adopt and allocate the levy authority of .001943 for the Dakota Co. Historical Society as follows:

**RESOLUTION
LEVY ALLOCATIONS FOR MISCELLANEOUS SUBDIVISIONS**

Whereas, LB 1114 provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,
Whereas, the miscellaneous subdivisions have failed to file 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 Historical Society	20,584.00	20,584.00	.001943

*Levy Allocation is the rate per \$100 valuation.
Passed and adopted this 27th day of August 2007.

County Clerk

Board Chair

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea and O'Neill- Yea. UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Hartnett to adopt and allocate the levy authority of .0300 for the Homer Fire Protection District #1, Dakota Covington Rural Fire and the Emerson Rural Fire Districts, as follows:

**RESOLUTION
LEVY ALLOCATIONS FOR MISCELLANEOUS SUBDIVISIONS**

Whereas, LB 1114 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	31,973.71	31,928.11	.0300
Dakota Covington Rural Fire			
Total	74,773.63	71,696.32	.0300
Emerson Rural Fire			
Total	61,200.00	37,658.22	.0300

*Levy Allocation is the rate per \$100 valuation.
Passed and adopted this 27th day of August 2007.

County Clerk

Board Chair

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea and Hartnett- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to adopt and allocate the total levy authority of .010400 for the Dakota Co. Ag. Society, as follows:

**RESOLUTION
LEVY ALLOCATIONS FOR MISCELLANEOUS SUBDIVISIONS**

Whereas, LB 1114 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	\$ 70,195.00	\$ 70,195.00	.006625
Capital Improvement	40,000.00	40,000.00	.003775
Total	110,195.00	110,195.00	.010400

*Levy Allocation is the rate per \$100 valuation.

Passed and adopted this 27th day of August 2007.

County Clerk

Board Chair

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea and Engel- Yea.

UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item to approve payroll claims.

Commissioner Rohde moved, seconded by Commissioner Hartnett to approve the Payroll Claims submitted by the County Clerk as follows:

COUNTY GENERAL FUND: Gross salaries- \$107,553.58, General Fund Employees Net Pay- \$78,463.64, Employer deductions paid: Retirement- 7,408.32, Retirement Makeup- 34.44, Social Security Tax- 6,668.32, Medicare- 1,559.52, DC Health Plan-, DC Dental Plan-, Life Insurance-

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Tracey Corkin- 918.50, Marisol Curiel- 888.35, Bobbi Jo Harsma- 1004.00, Theodore Piepho- 1553.28, Darlene Davis- 860.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 920.00, Phyllis Ridge- 837.80, Margaret Rahn- 1142.10, Daniel Christoffers- 1193.25, Dennis Reinert- 203.85, Valerie Danielson- 1553.28, Carol Dunham- 1165.42, Cheryl Perkins- 880.00, Joe Flynn- 1664.00, Debra Jensen- 952.00, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 820.00, Richard Jensen- 1334.41, Duane Kotalik- 1248.00, Tammy Dunn- Peterson- 837.38, Jeremy Bermel- 1634.00, Anthony Bos- 1723.30, Brad Claypool- 1577.00, Sandy Dickens- 1071.28, Brian Ellinger- 1745.33, Penny Epting- 1747.06, Brent Gilster- 1516.00, Todd Hammer- 1837.10, Melvin Harrison III- 1520.00, Rodney Herron- 2167.93, Kimberly Johnson- 498.78, Jared Junge- 1638.32, Michael Kreegar- 1805.00, Gary Powell- 144.00, Gayle Richards- 805.60, Kevin Rohde- 1401.60, James Wagner- 1942.76, Aimee Kennedy- 1012.00, Edward Matney III- 2513.07, Sara Meadows- 1576.92, Debra Schmiedt- 2032.31, Mary Spurlock- 252.00, Kimberly Watson- 1615.38, Caterina Chapman- 1118.18, Ermelinda Ballesteros- 1739.17, Joshua Blatchford- 1133.67, Dusty Boyd- 1118.07, Rebecca Broer- 1423.10, Toni Duncan- 1132.80, Lisa Ford- 1221.87, John Gilles- 1223.88, Alma Gunderson- 1293.32, Paula Harrigfeld- 558.50, Cathy Harsma- 1197.84, Deanna Haukap- 1002.45, Jackie Heaton- 1144.00, Jason James- 1154.90, Sarah Jensen- 558.88, Brett Johnson- 1293.66, Nicholas Kellen- 1148.19, Breanda Kelly- 1119.76, Matthew Mann- 1094.63, Colleen McMahon-Levine- 1124.76, Diana Moctezuma- 1084.59, Mark Nelson- 1144.10, Jeep Phommavong- 1124.76, Joseph Ramirez- 1231.32, Cara Reinders- 1021.60, Daniel Rodasky- 1160.50, Stephanie Ryan- 1168.29, Linda Schovanec- 1206.40, Heather Skow- 1067.85, Justin Smith- 1128.11, Francis Tope- 1372.53, Randall Walsh- 1685.21, Charvette Williams- 1071.20, Daniel Wood- 1157.58, Randall Crombie- 177.00, Jolene Gubbels- 852.00, Leon Pies- 586.00, Pamela DeVries- 1512.68, Patricia Glover- 1097.15, Bonnie Kahler- 632.23, Alan Boyd- 970.20.

GENERAL FUND: Employee withholding paid to: Federal- 10,722.14, State- 3,835.72, Social Security Tax- 6,668.32, Medicare- 1,559.52, Retirement- 5,018.65, Retirement Makeup- 24.44, DC Health Plan-, DC Dental Plan-, Colonial Health-, Sheriff Union Dues-, Deferred Comp- 639.00, Garnishments- 622.15, Aflac Health-, Aflac Life/Dsbl-, Flex Plan-.

COUNTY ROAD PAYROLL: Gross salaries- \$15,000.46, Road Employees Net Pay- \$11,095.15, Employer deductions paid: Retirement- 1,012.54, DC Health Plan-, DC Dental Plan-, Life Insurance-, Social Security Tax- 930.02, Medicare- 217.51.

Brent Byroad- 1168.00, Randall Crombie- 1538.46, Robert Hacker- 1088.00, Ronald Harder- 1176.00, Walter Heinemann- 1180.00, Richard Hoelsing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1212.00, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,437.11, State- 514.73, Social Security- 930.02, Medicare- 217.51, Retirement- 675.02, DC Health Plan-, DC Dental Plan-, Reassure America Life-, Deferred Comp.- 61.68, Garnishments- 69.24, Aflac Health-, Aflac Life/Dsbl-, Flex Plan-, Union Dues-.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea.

UNANIMOUS MOTION CARRIED.

Chair Engel recessed their meeting at 1:48 p.m.

Chair Engel reconvened their meeting at 2:00 p.m.

Chair Engel opened the Public hearing to consider Zoning Change Forms advertised as follows:

NOTICE OF PUBLIC HEARING
DAKOTA COUNTY PLANNING & ZONING

Notice is hereby given that the Dakota County Joint Planning & Zoning Commission will hold a Public Hearing on Tuesday, August 21, 2007 at 7:00 PM at the County Road Dept, 1863 N Bluff Road, Hubbard, NE,

If approved, this request will be sent to the County Board of Commissioners for approval/disapproval. That public hearing will be August 27, 2007 at 2:00pm in the Board of Commissioners meeting room, Courthouse, 1601 Broadway, Dakota City, NE.

A full agenda is on file at the Planning/Zoning office, 1863 N. Bluff Rd., Hubbard NE.
The changes proposed are underlined as follows:

Section 515. Zoning Change Forms. The Dakota County Administrator shall make forms available for individuals wishing to petition the Dakota County Planning and Zoning Commission for zoning change, which shall also be approved/disapproved by Dakota County Board of Commissioners after each body has a public hearing. Said petitions shall only be valid after all fees have been paid and the form is completed and signed. (revised 8-27-07).

There were no comments in favor of or against the changes.

Chair Engel closed the hearing at 2:03 p.m.

Dennis Reinert, Planning and Zoning Administrator, appeared and said that the Planning and Zoning Board approved the change to Planning and Zoning Regulation as stated above.

Commissioner McLarty moved, seconded by Commissioner Hartnett to approve and adopt changes to Section 515. Zoning Change Forms by adding, which shall also be approved/disapproved by Dakota County Board of Commissioners after each body has a public hearing, to said section of the Dakota County Planning and Zoning Regulations as follows:

Section 515. Zoning Change Forms. The Dakota County Administrator shall make forms available for individuals wishing to petition the Dakota County Planning and Zoning Commission for zoning change, which shall also be approved/disapproved by Dakota County Board of Commissioners after each body has a public hearing. Said petitions shall only be valid after all fees have been paid and the form is completed and signed. (revised 8-27-07)

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea and O'Neill- Yea.

UNANIMOUS MOTION CARRIED.

Chair Engel recessed their meeting at 2:04 p.m.

Chair Engel reconvened their meeting at 2:33 p.m.

Chair Engel called for the agenda item Public Comment.

Commissioner O'Neill asked if she could comment under public comment and was granted permission by the chair.

Commissioner O'Neill read from a written statement that she had prepared and requested that procedure and policy be established concerning adding items to the County Board's Agenda.

Chair Engel said that he thought this was all resolved by the board.

A few more comments were made and Commissioner O'Neill said that the Board of Correction was adjourned but the Board of Commissioners was never adjourned. Therefore she said she would like to have these pages that I have entered into the minutes and all of the Ed Matney's comments entered into the minutes.

Chair Engel asked what meeting was not closed and Ms. O'Neill responded that the Board of Commissioners was not closed last Monday. (referring to the meeting of August 20th)

Comments were conveyed to Ms. O'Neill from Rohde, McLarty and Engel that the meeting was closed and the minutes indicate that. Ms. O'Neill invited them to listen to the tape.

Commissioner Engel asked if there was anything else for the board today.

Chair Engel called for the agenda item Mail and Emergency business.

There were none so stated.

Mr. Engel: "If not we adjourn" and this was said at 1 hour, 5 minutes and 52 seconds after the meeting started, or at 2:35:52.

Commissioner O'Neill said, here are my comments to be put into the minutes.

County Clerk asked for which date.

Commissioner O'Neill said last meeting.

County Clerk said, "Hmm..., Did I hear a motion to correct the minutes to include that?"

Mr. Engel said, "No you didn't."

County Clerk said, "Ok."

Mr. Engel said, "The meeting is Closed."

County Board of Commissioners

ATTEST:

William F. Engel, Chairman Date

Theodore A. Piepho, County Clerk Date

Dakota County Board of Commissioners
Monday, September 10, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance being recited.

Present: Commissioners Engel, McLarty, Rohde, O'Neill, Hartnett, and Ted Piepho, Secretary.

Absent: None

The Agenda for the meeting was as follows:

1:30 p.m. Call to Order

- Roll Call.
- Pledge of Allegiance.
- Approve Minutes of August 20, 2007 and August 27, 2007.
- Review and approve payroll claims.

1:30 p.m. Pat Foust – Adopt National Incident Management System (NIMS).

1:40 p.m. Miscellaneous Agenda Items

- Agenda Responsibility – Designate person responsible for adding items to the agenda.
- Consider contribution pledge to Northeast Community College of Nursing.
- Engine Braking Resolution.
 - Motion to suspend the three readings of the Engine Braking Resolution.
 - Motion to adopt Engine Braking Resolution.
- Milo Birkley - Land locked acres. (Take from the table)

1:55 p.m. Rod Herron – Purchase vehicles

2:00 p.m. Recess to Board of Corrections and reconvene after Board of Corrections adjourns.

2:30 p.m. Public Hearings

- Budget Public Hearing – Open Public Hearing at 2:30 p.m.
- Public Hearing to adopt Resolution of Adoption and Appropriations – Open Public Hearing at 2:40 p.m.
- Close Public Hearing to adopt Resolution of Adoption and Appropriations
- Close Budget Public Hearing
- School Liaison Officer
- Motion to exceed the restricted funds limit by an additional 1%
- Motion to adopt Resolution of Adoption and Appropriations
- Motion to adopt Resolution setting property tax request as a different amount than last year

Public Comment

Mail and/or Emergency Business

3:15 p.m. Adjournment

Chair Engel called for the agenda item to approve the minutes of August 20, 2007, and August 27, 2007.

The County Clerk identified a couple of minor changes that he had made since sending them draft copies of the minutes and said that he had incorporated them into the official minutes.

Commissioner McLarty moved, seconded by Commissioner Hartnett to approve the minutes of August 20th and August 27th, 2007 as prepared for the official record.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea and Engel- Yea.
UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to approve the Payroll Claims submitted for payment by the County Clerk as follows:

COUNTY GENERAL FUND: Gross salaries- \$116,774.53, General Fund Employees Net Pay- \$81,907.35, Employer deductions paid: Retirement- 8,077.84, Retirement Makeup- 34.44, Social Security Tax- 7,121.85, Medicare- 1,665.62, DC Health Plan- 30,690.24, DC Dental Plan- 793.80, and Life Insurance- 176.75.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 454.00, Tracey Corkin- 900.63, Marisol Curiel- 868.00, Bobbi Jo Harsma- 1004.00, Theodore Piepho- 1553.28, Darlene Davis- 860.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 920.00, Phyllis Ridge- 890.90, Margaret Rahn- 1142.10, Daniel Christoffers- 837.18, Dennis Reinert- 203.85, Valerie Danielson- 1553.28, Carol Dunham- 2097.76, Cheryl Perkins- 880.00, Joe Flynn- 1664.00, Debra Jensen- 952.00, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 820.00, Richard Jensen- 1334.41, Matthew Klassen- 24.50, Duane Kotalik- 1248.00, Tammy Dunn-Peterson- 999.48, Jeremy Bermel- 1814.50, Anthony Bos- 1786.00, Brad Claypool- 1539.00, Sandy Dickens- 428.51, Brian Ellinger- 2370.78, Penny Epting- 1869.37, Brent Gilster- 2416.24, Todd Hammer- 1927.14, Melvin Harrison III- 2441.50, Rodney Herron- 1691.98, Kimberly Johnson- 586.80, Jared Junge- 2242.28, Michael Kreegar- 1790.75, Gayle Richards- 805.60, Kevin Rohde- 2049.84, James Wagner- 1942.76, Kerry Johnson- 252.00, Aimee Kennedy- 1012.00, Edward Matney III- 2513.07, Sara Meadows- 1576.92, Debra Schmiedt- 2032.31, Mary Spurlock- 756.00, Kimberly Watson- 1615.38, Caterina Chapman- 1118.18, Ermelinda Ballesteros- 1267.07,

Joshua Blatchford- 1319.76, Dusty Boyd- 1280.46, Rebecca Broer- 1546.69, Sandy Dickens- 642.77, Toni Duncan- 1267.32, Lisa Ford- 1270.42, John Gilles- 1389.42, Alma Gunderson- 1461.32, Paula Harrigfeld- 467.78, Cathy Harsma- 1491.72, Deanna Haukap- 1053.53, Jackie Heaton- 1064.00, Jason James- 1598.54, Sarah Jensen- 603.50, Brett Johnson- 1351.05, Nicholas Kellen- 1397.64, Breanda Kelly- 1314.54, Matthew Mann- 1323.99, Colleen McMahon-Levine- 1267.07, Diana Moctezuma- 1064.51, Mark Nelson- 1147.58, Jeep Phommavong- 1282.14, Joseph Ramirez- 1614.48, Cara Reinders- 997.70, Daniel Rodasky- 1150.94, Stephanie Ryan- 1094.63, Linda Schovanec- 1206.40, Heather Skow- 1143.21, Justin Smith- 1292.18, Francis Tope- 1332.36, Randall Walsh- 2393.88, Charvette Williams- 1267.07, Daniel Wood- 1329.27, Randall Crombie- 177.00, Jolene Gubbels- 852.00, Leon Pies- 586.00, Pamela DeVries- 1512.68, Patricia Glover- 967.87, Bonnie Kahler- 679.26, Alan Boyd- 970.20.

GENERAL FUND: Employee withholding paid to: Federal- 12,096.50, State- 4,262.85, Social Security Tax- 7,121.85, Medicare- 1,665.62, Retirement- 5,479.47, Retirement Makeup- 24.44, DC Health Plan- 543.35, DC Dental Plan- 410.97, Colonial Health- 16.20, Sheriff Union Dues- 290.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 294.92, Aflac Life/Dsbl- 47.20, Flex Plan- 641.16.

COUNTY ROAD PAYROLL: Gross salaries- \$15,000.46, Road Employees Net Pay- \$10,621.50, Employer deductions paid: Retirement- 1,012.54, DC Health Plan- 4,749.68, DC Dental Plan- 122.85, Life Insurance- 25.42, Social Security Tax- 911.79, and Medicare- 213.26.

Brent Byroad- 1168.00, Randall Crombie- 1538.46, Robert Hacker- 1088.00, Ronald Harder- 1176.00, Walter Heinemann- 1180.00, Richard Hoesing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1212.00, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,394.78, State- 497.43, Social Security- 911.79, Medicare- 213.26, Retirement- 675.02, DC Health Plan-, DC Dental Plan- 58.71, Reassure America Life- 7.32, Deferred Comp. - 61.68, Garnishments- 69.24, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 198.00.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea. UNANIMOUS MOTION CARRIED.

Pat Foust, Director of the City/County Law Enforcement Center, asked for the approval of a resolution that is brought about by a mandate from the Department of Homeland Security that the National Incidents Management System is mandated to the control vehicle when we have a major disaster or emergency event.

Commissioner Rohde moved, seconded by Commissioner McLarty to adopt a resolution that the Dakota County Board of Commissioners hereby adopts the National Incidents Management System concept of emergency planning, training, response and unified command, as follows.

Resolution

Adoption of the National Incident Management System

Be It Resolved by the Dakota County Board of Commissioners that:

WHEREAS, the President of the United States of America, in Homeland Security Presidential Directive (HSPD) – 5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System which would provide a consistent nationwide approach for Federal, State, local and tribal governments to work together more effectively and efficiently to prepare for, prevent, respond to and recover from domestic incidents, regardless of cause, size or complexity, and

WHEREAS, HSPD-5 requires Federal departments and agencies to make adoption of the NIMS by state, tribal and local organizations a condition for Federal preparedness assistance beginning in fiscal year 2005, and

WHEREAS, the State of Nebraska has adopted the National Incident Management System through Executive Order 05-02 of Governor Dave Heineman; and under the authority and provisions of RRS 81-829.40 as the accepted standard guide to emergency and disaster response by all first responders with adherence expected, and

WHEREAS, emergency response to critical incidents, whether natural or manmade, requires integrated professional management, and

WHEREAS, unified command of such incidents is recognized as the management model to maximize the public safety response, and

WHEREAS, the National Incident Management System, herein referred to as NIMS, has been identified by the federal government as being the requisite emergency management system for all political subdivisions, and

WHEREAS, failure to adopt NIMS as the requisite emergency management system may preclude reimbursement to the political subdivisions for costs during and after a declared emergency or disaster and for training and preparation for such disasters emergencies, and

WHEREAS, the County of Dakota has a responsibility to assure coordinated and efficient emergency and disaster response for its citizens, it is

THEREFORE the Dakota County Board of Commissioners hereby adopts the National Incidents Management System concept of emergency planning, training, response and unified command.

PASSED AND APPROVED THIS 10th DAY OF September, 2007

Board of County Commissioners

Dakota County, Nebraska

\s\ William F. Engel

William Engel, Board Chair

ATTEST:

\s\ Theodore A. Piepho

Theodore Piepho, County Clerk

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea and Rohde- Yea.

UNANIMOUS MOTION CARRIED.

The board briefly discussed Agenda Responsibility and it was the consensus of the Board that they did not want to change the present procedure that the chairman has the ultimate responsibility and decides

if items are to be placed on the agenda.

Ms. O'Neill asked why the change because we have always gone to the Clerk to add agenda items. The consensus of the other board members was that there was no change.

The board briefly discussed the letter, as follows, from NE Community College asking for contribution or pledge to the NE Community College earmarked for their Nursing Program as follow:

August 23, 2007

Ms. Jackie Hartnett
Dakota County Board of Commissioners
P.O. Box 106
Hubbard, NE 68741

Dear Jackie:

This letter is part of the follow-up that I promised from our earlier discussions regarding the proposed College of Nursing-North Division, a groundbreaking initiative that will address the nursing shortage in our counties and increase the quality of health care across our entire region.

Over the past four months, I have visited with commissioners and supervisors from all twenty counties in Northeast's service area. In fact, it was my honor to be accompanied by a few of your fellow commissioners and supervisors including Hank Thieman of Boone County; Kermit Schweers of Cuming County; Donna Ziems of Holt County; Jerry McCallum, Rick Uhler, and Lee Klein of Madison County; and Jim Maas of Pierce County, who volunteered their time to travel with me to discuss this project with their peers in neighboring counties. The reception we received was incredible. It is obvious to me that officials in every county understand that we face a severe nursing shortage in our region and that the College of Nursing-North Division will have a direct and positive impact on this growing issue, while indirectly enhancing economic development in the region.

Northeast Community College has partnered with the University of Nebraska Medical Center to make this vision a reality. As you may know, Northeast will not be using any property taxes to construct this building---it will be entirely funded by a capital campaign. This summer we hired a consulting firm, The Clements Group, who conducted a feasibility study to determine whether such a campaign would be successful. I have enclosed a copy of the executive summary of the study results, which clearly shows that there is tremendous regional support for this project.

Northeast is now beginning the initial silent phase of a capital campaign to raise the \$10 to \$12 million needed to construct this state-of-the-art facility by August 2010. A partnership of the private and public sector will be essential to acquire the needed funding. Many of you have indicated to me that your county wishes to invest in the future of our region by financially supporting the College of Nursing project. To assist me in the planning process as this capital campaign moves forward, I would appreciate it if you could share your planned contribution with me, as well as the anticipated timeline if you plan to make pledges over a period of years.

Three and five year pledges can be accepted for this purpose. Pledges of less than \$100,000 can be accepted over three years; pledges of \$100,000 and over can be accepted over a five year period. Any county wishing to contribute to an endowment fund for ongoing maintenance of this facility may extend their pledges beyond five years. Please select someone from your county to communicate your intentions to me either by phone, fax, mail, or email.

Let me assure you that I fully understand the sensitivity of this type of information. Any preliminary information that you might share with me will be regarded as highly confidential and will not be shared with the public. I am only requesting this information to allow me to more accurately plan the scope of the campaign. While I believe that county support for this project will be exceptionally strong, I am of the opinion that news of any investments made by counties should be released only toward the very end of the campaign, so as not to stifle private donations. It is my intention to work closely with area commissioners and supervisors on the timing of a joint press conference to ensure that the project and each of our twenty counties receive only positive press coverage.

Thank you again for your assistance in this matter. I look forward to keeping you apprised of this project and our progress. My business card is enclosed for your use and future reference.

Sincerely,

\s\ Dr. Bill R. Path

President

Enclosures

Chair Engel called for the consideration of the Engine Braking Resolution.

Mr. Matney, County Attorney, read the wording of the proposed language to the resolution concerning SEMI-TRACTOR BRAKING as follows:

A RESOLUTION BY THE DAKOTA
COUNTY BOARD OF COMMISSIONERS
CONCERNING SEMI-TRACTOR BRAKING

It shall be unlawful for any person in any part of the county where signs have been posted indicating the prohibition to make or cause to be made loud or disturbing noises with any mechanical devices operated by compressed air and used for purposes of assisting braking on any semi-tractor. The governing body shall cause notices to be posted or signs to be erected indicating such prohibition.

Commissioner Hartnett moved, seconded by Commissioner McLarty to adopt the first reading of the proposed resolution CONCERNING SEMI-TRACTOR BRAKING as follows:

It shall be unlawful for any person in any part of the county where signs have been posted indicating the prohibition to make or cause to be made loud or disturbing noises with any mechanical devices operated by compressed air and used for purposes of assisting braking on any semi-tractor. The governing body shall cause notices to be posted or signs to be erected indicating such prohibition.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea and O'Neill- Yea.
UNANIMOUS MOTION CARRIED.

Randy Crombie, Highway Supt., addressed the board on the Milo Birkley low water crossing. He said that he was not sure if the county had responsibility or not to provide Mr. Birkley with access to his property, but that he had referred the matter to the County Attorney for his opinion.

Chair Engel recessed their meeting to convene as Board of Corrections at 1:46 p.m.

The County Attorney advised the Chair of the Board of Corrections that they must wait until 2:00 p.m., as advertised, to call the meeting to order.

Chair Engel reconvened the Board of Commissioners at 1:48 p.m.

Rod Herron, Deputy Sheriff, appeared before the board requesting to purchase several vehicles for the Sheriff's Office, as several vehicles they now have exceed 100,000 miles on them.

He reported soliciting bids from several places for used vehicles and said that Woodhouse provided the best offer, offering four vehicles (two pickups and two cars) for \$60,000. Each vehicle has approximately 20,000 miles on them.

Commissioner McLarty asked Mr. Herron if he had looked at the state bids and it was the consensus of the board to wait for the state bids to come out.

Milo Birkley appeared before the board to inquire about his situation with land locked property. He was told that the County Attorney was looking at that and Mr. Matney said that he should have an answer in about a week

Chair Engel recessed their meeting at 1:58 p.m.

Chair Engel reconvened their meeting at 2:34 p.m.

Chair Engel opened the Public Hearing for the County's 2007/08 budget at 2:35 p.m.

Ms. Spencer, Boards Assistant, reported that the Property Tax Request to support the County's Budget as presented was \$4,769,398.70 and that salary raises were held at three percent.

The budget supports both the old and new jail operations. It also included revenue for housing Federal and BIA inmates.

She said that the Sales Tax is meeting the Bond payment, so no property tax was being levied for that.

County Attorney, Ed Matney, read a letter that he had prepared for the Board. It read as follows:

10 September 2007 (delivered during Board's budget hearing)

Dakota County Board of Commissioners

P0 Box 338

Dakota City NE 68731

Re: 2007-2008 Budget

Dear Commissioners:

I write in regard to the Board's 2007-2008 proposed budget. Earlier in this process, I submitted my budget proposal. With the exception of the usual cost-of-living increases for my staff members, my

proposal was for zero-percent growth. The Board's proposed budget that is before you now contemplates further cuts into my office's budget.

I want to call several items to the Board's attention. First, coroner expenses are on the rise; as you know, we experienced two homicides earlier in the year. Second, I anticipate that grand-jury proceedings and possible trial proceedings will take place in the coming budget year with regard to a child-death case that is now under review. Such expenses are difficult to calculate and, in light of the proposed cuts, I want to make the Board aware of the situation.

I appreciate the hard work of Commissioners McLarty and Rohde on the budget committee. I know that they did not have an easy task this year. I also appreciate the full Board's time today to allow me to address these concerns. Thank you.

Sincerely,

/s/

Edward H. Matney III
Dakota County Attorney

Ms. O'Neill brought up a letter that she received from the Clerk of the District Court and wished to read it.

Commissioner McLarty did not think that this was the right time to read it.

It was discussed that the budget included revenue for Federal and BIA prisoners.

Mr. Rohde commented that if the county does not have BIA prisoners by the first of the year, the county may have to look at closing the old jail.

The question was asked what the county value was in comparison to last year's value. Ms. Spencer reported that the County's value increased by 3.2 %.

Chair Engel closed the public hearing for the County's Budget at 2:42 p.m.

Chair Engel opened the Public Hearing to adopt a Resolution of Adoption and Appropriations at 2:42 p.m.

No one had any questions or comments, but Ms. Spencer informed the board that there was an error in the Notice of Budget Hearing and Public Summary. She said that the notice of hearing to set the tax request had a box for the 2006 tax rate. She said that this figure was published wrong and a correction has been sent to the paper. She added that it does not affect the budget, but it is a comparison of this year and the year before. The rate published was .481180 and it should have been .487807 and reiterated that the correction has been sent to the paper.

Chair Engel closed the Public Hearing to adopt a Resolution of Adoption and Appropriations at 2:43 p.m.

Commissioner Rohde said that he had requested for the subject of the School Liaison Officer to be on the agenda. He thought that the school should pick up the salary and benefits on a pro-rata basis since their duties are mainly in the school. Dakota County's School Liaison Officer splits his time between the Homer (2 days) and South Sioux City Schools (3 days).

He said in talking to Mr. Herron there appears to be some issues because the Sheriff's Office utilizes these people on occasion during that time, but felt there could be arrangements for the county reimburse the school for any days used during that period.

Ms. Joan Spencer was asked to write the schools to inquire whether they would be interested in funding the cost of the School Liaison Officer for the time they actually spend working in the schools.

Commissioner McLarty moved, seconded by Commissioner Rohde to exceed the restricted funds limit in the 2007/08 budget by an additional one (1) percent.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea and Rohde- Yea.
UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner McLarty to adopt the Resolution of Adoption and Appropriations as follows:

Dakota County

RESOLUTION OF ADOPTION AND APPROPRIATIONS

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2007, to June 30, 2008, prepared by the Budget Making Authority, was transmitted to the County Board on the 27th day of August, 2007.

NOW, THEREFORE, BE IT RESOLVED, by the Board of COMMISSIONERS Dakota County, Nebraska as follows:

SECTION 1. That the budget for the Fiscal Year July 1, 2007, to June 30, 2008, 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, 2007, and ending June 30, 2008.

SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than

taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

DATED AND PASSED THIS 10th DAY OF SEPTEMBER, 2007.

COUNTY BOARD

\s\ William F. Engel

\s\ Betty O'Neill

\s\ William B. Rohde

\s\ Jacqueline Hartnett

\s\ William I McLarty

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea.

UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Rohde to adopt Resolution setting the Property Tax Request differently than what last years was, as follows:

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 2007-2008 property tax request be set at \$4,769,398.70
2. A copy of this resolution be certified and forwarded to the County Clerk prior to October 13, 2007.

Adopted this 10th day of September, 2007.

Attest:

\s\ Theodore A. Piepho

County Clerk

\s\ William F. Engel

Chair

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea and Engel- Yea.

UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda Item Public Comment.

Ms. O'Neill said that she sent an email to Kelly Brandon, an attorney with Spencer Fane, requesting why the statements from them were addressed to her, at her home address, and she read Ms. Brandon's reply.

She then wanted to share other information with the taxpayers and the chair thought Ms. O'Neill was out of order.

Pat Anderson, with the South Sioux City Chamber, asked to be heard under public comment. She expressed her frustration with how the county was being portrayed in the media. She felt that our county was looking foolish in the media. She felt we have made great strides in recent years and continue to attract new businesses to our community and asked that the elected offices do what's right for the betterment of the county.

She said that they have received numerous letters in the office that want to see all the foolishness stopped and that the letters have great support for County Attorney, Ed Matney.

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

County Board of Commissioners

ATTEST:

William F. Engel, Chairman

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

Dakota County Board of Commissioners
Monday, September 17, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance being recited.

Present: Commissioners Engel, McLarty, Rohde, O'Neill, Hartnett, and County Clerk Ted Piepho, Secretary.

Absent: None

The Agenda for the meeting was as follows:

12. 1:30 p.m. Call to Order

- Roll Call.
- Pledge of Allegiance.
- Approve Minutes of September 10, 2007.
- Review and approve accounts payable claims.

13. 1:31 p.m. Miscellaneous Agenda Items

- Purchase vehicles for Sheriff's Office
- Second reading of Engine Braking Resolution
Semi-Truck Braking
- Milo Birkley - land locked acres. (Take from the table)
Report on low water crossing.
- Present Letter of Compliance pertaining to bridge marker signs to Board
Chair for signing.
- Present Knox Blvd cost sheet for reimbursement from JEO

14. Public Comment

15. Mail and/or Emergency Business

16. 1:45 p.m. Adjournment

The numbers for the agenda items were inadvertently altered by Microsoft Word when printed. All agenda items are shown here. Arrangement of agenda items remained the same and items 1 - 11 did not exist for this board meeting.

Chair Engel called for the agenda item to approve the minutes.

Ms. O'Neill said that she wanted her comments that she sent an email to Kelly Brandon, an attorney with Spencer Fane, requesting why the statements from them were addressed to her, at her home address, and Ms. Brandon's reply read in the minutes.

Chairman Engel denied the request. There was not a motion on the minutes.

Ms. Spencer, Assistant to the board, said that all things had been resolved with the claims.

Bill Rohde explained that he and Randy Crombie had approved the paving of the curve on Stable Drive. The part from the entrance to Atokad to the beginning of Rogers's property was an approved project and that paving of the curve should have been part of that project. The cost to add that was approximately \$11,000.

Commissioner McLarty moved, seconded by Commissioner Hartnett, to approve the Accounts Payable claims submitted by the County Clerk for payment as follows:

GENERAL FUND: Dakota County Star, publishing- 565.57; Perkins, supplies- 37.95; Des Moines Stamp, stamp-31.80; Net Systems, maint service/troubleshooting-1,131.25; Perkins, supplies-121.28; Redfield Co, Commissioners rec copy-128.20; Staples, hard drive/supplies- 138.77; Theodore Piepho, cell phone- 20.00; Notary Public Underwriters, notary renewal-81.00; Robert H. Giese, mileage- 110.58; Charlotte Doenhoefer, prior yrs service- 10.00; Ruth Jensen, prior yrs service- 12.00; Mardell Sorensen, prior yrs service- 26.00; Irene Vanlent, prior yrs service- 16.00; Staples, office supplies- 355.99; Perkins, off equip repair- 85.00; Das lmservices, data storage- 3.50; Dakota Count Star, advertisement- 34.00; Microfilm Imaging Systems, lease equip rent- 240.00; Mark J. Dorcey, prior yrs service- 4.00; Commercial Computer Systems, login & research issue- 250.00; Ne Public Power Dist, payment for over charge- 5.00; Daniel Christoffers, mileage- 146.96; Todds Storeall, Sept. rent- 80.00; Dakota County Star, publishing- 20.83; Dennis Reinert, phone- 30.00; Sams Club, off supplies- 70.33; Anytime Lock and Key, change doors & dup keys- 87.50; Janet Wiechelman, mileage- 53.35; Des Moines Stamp, HD dater- 67.00; Lori Jessip, contract labor- 560.00; Staples, office supplies- 122.07; Carol Sue Dunham, mileage- 67.90; Century Business Products, toner-fax machine-174.25; DAS Material, office supplies-112.05; Des Moines Stamp, stamp- 156.70; Midwest Office Automations, Qrt contract- 351.77; Office Systems Co, typewriter contract- 590.00; Thomson West, CD rom service- 154.25; Maria Ahumada, witness fee- 23.88; Dakota County Court, court cost- 1,429.92; Thomas Fitch,crt appointed counsel- 615.00; Shelley A. Horak, crt appointed counsel- 336.00; Sandra Inkster-Ehrich, crt appointed counsel- 165.00; Stuart Mills, crt appointed counsel- 135.00; Bob Prokop, witness fee- 39.40; Douglas Roehrich, crt appointed counsel- 360.00; Michael P. Schmiedt, special prosecutor- 102.00; Joseph Sierra, witness fee- 21.94; Richard Thramer, crt appointed counsel- 197.91; Patrick Tott, crt appointed counsel- 858.00; William L. Binkard, reimbursement for supplies- 164.39; Frank Gonzalez, interpreter fee- 150.00; Midwest Office Automations, semi-annual contract- 173.07; Perkins, office supplies- 161.71; NE State Historical, file- 5.00; AJ Phillips, printing trial envelopes- 95.00; Clerk of District Court, claim civil & criminal- 869.00; Stuart Mills, crt appointed counsel- 375.00; Richard Thramer, crt appointed counsel- 260.82; Maximus, cost allocations child support- 557.47; Net Systems, computer

work- 80.25; Custom Legal Software, child support calculations program- 134.00; Amsan, janitorial- 984.90; Bekins Fire & Safety,-291.84; Bomgaars, supplies- 140.72; Bunkers Feed & Supply, softener salt- 55.65; Dakota Food & Fuel, fuel- 113.00; Gill Hauling Inc, dumpster- 240.00; Rick Jensen, mileage- 76.29; Menards, supplies- 529.79; MidAmerican Energy, gas bill- 1,994.22; Okeefe Elevator, inspection- 100.00; Sams Club, jail supplies- 661.73; Midwest Sales & Service, signs- 129.20; Trembly, pest control- 85.00; Walmart, supplies- 49.35; Verizon, cell phone- 58.23; NPPD, electric bill- 7,765.74; Dakota County Extension, reimbursement- 801.08; Abramo Animal Services, animal control- 100.00; Brendas Creations, security shirts- 525.01; City of South Sioux, communications/fuel- 3,945.67; Crystal Oil, vehicle maint/tires- 657.72; Dakota County Star, publications- 21.43; First State Bank, lease payment- 5,799.34; HyVee, floral- 35.31; Jacks Uniforms, uniforms/equipment- 200.55; NLETC, training- 50.00; RACOM, phone-694.20; Sams Club, supplies- 29.52; Sioux City Journal, publications- 539.21; Sioux Muffler, vehicle maint- 85.00; Siouxland Humane Society, animal control- 92.00; Siouxland FCU, reimburse fuel,meals & training- 476.05; Torco Remfg, vehicle maint- 536.89; Verizon, cell phones- 75.27; Willis Animal Clinic, k-9 appts- 65.00; Dakota County Treasurer, notary/mileage- 124.81; Dixon County Sheriffs Dept, subpoena fees- 23.76; Edward H. Matney, postage- 11.14; H2O4U, water supply- 17.25; Pathology Medical Services, autopsy- 3,784.11; Sioux City Journal, advertisement- 358.81; Sprint, cell phone- 160.70; City of South Sioux, LEC expense- 23,868.50; Mark Kinney, law enforce. Equip- 449.97; Caterina Chapman, mileage- 179.45; Verizon, cell phone- 55.04; BI Corp, electronic monitoring- 720.50; Amsan, supplies & laundry- 206.63; Bob Barker, inmate supplies- 572.09; CBM Food Service, food service- 23,029.86; Cash-Wa Distributing, food service meals products- 176.95; Dakota Business Systems, copier contract- 261.00; Dakota County Sheriff, reimburse fuel- 96.64; Dakota Count Star, advertisement- 54.00; Dakota Food & Fuel, fuel- 831.06; Sandy Dickens, mileage- 108.58; Family Health Care of Siouxland, jail school physical- 25.00; Jacks Uniforms, uniforms- 796.15; Kleen Solutions, food service supplies- 88.96; Mercy Bus Health, inmate house calls- 1,575.00; Mercy Medical Center, inmate medical- 813.77; Midwest Office Automations, copier contract- 168.96; NE NE Juvenile Services, house juveniles- 21,085.50; David Noble, inmate medical- 69.00; NW Iowa Emergency Phys, inmate medical- 137.00; Net Systems, computer issues- 1,494.43; Redlers Pharmacy, inmate medical- 4,544.64; Cara Reinders, mileage- 180.42; Dan Rodasky, mileage- 180.42; Sams Club, food/supplies- 215.72; Siouxland FCU, reimburse fuel/meals- 1,622.37; Stanard, corrections tests- 676.50; Staples, supplies/toner- 686.83; Treat America Food Service, jail school meals- 380.17; Verizon, cell phones- 147.81; Charvette Williams, mileage- 180.42; Woodbury Co Juvenile Detention, house juveniles- 3,000.00; Delage Landen Finance Service, copier rental- 91.00; Verizon, cell phone- 33.49; Alpha Land Surveying, set corners for Bossow & City of SSC- 1,475.00; Dunes Family Med, consulting physician- 250.00; Pat Glover, mileage- 119.31; Pam DeVries, mileage- 277.42; Sanofi Pasteur Inc, flu doses- 3,450.18; Midwest Office Automations, copier- 49.23; Deanna Beckman, hrs/mileage- 997.75; Pam DeVries, reimb CPR/mileage- 15.82; Midwest Office Automations, copier equipmnt- 500.00; Alan Boyd, mileage- 739.14; Electronic Engineering, pager- 13.95; Thompson West, law books- 618.26; Cable One, internet- 208.90; C & H Heavy Duty, contract- 750.00; Claritus, postage label/ink- 166.95; De Lage Landen, copier lease- 1,15.34; FSH Communications, payphone- 63.60; Helvig Argricultural, work for BOE- 1,012.50; IBM Corp, annual fee AS400- 68.57; Lazaette Gifford, website keep- 40.00; Madelyn Thorsland, prior yrs serv- 10.00; MIPS, payroll/claims/budget supp- 371.00; Qwest, phone- 628.26; Sioux Air Inc, spray backwaters- 1,240.00; Three Rivers Benefit, flex plan- 75.00; US Postal Service, monthly postage- 2,500.00; Citi Mastercard, renewal for domain- 24.87; WCS Tel, long distance phone serv- 413.71; Qwest, phone- 715.32; Road fund, budget transfer- 85,000.00; Road Improvements Fund, budget transfer- 50,000.00
ROAD FUND: Aramark, towel service- 180.82; Barkley Asphalt, asphalt- 984.60; Bierschbach, equipment rental- 112.75; Bomgaars, supplies- 221.87; Filter Care of Nebraska, shop supplies- 69.25; GCR Tire Center, tires/supplies/labor- 838.58; Gill Hauling, dumpster service- 52.00; Great Plains International, parts- 126.77; Guarantee Oil, oil- 504.34; Green Light Truck, maintenance- 415.90;Higman San d & Gravel, gravel- 11,755.23; HME Inc, gravel hauling- 1,080.61; Hubbard Mini Mart, fuel- 6,854.33; H2O2U, water supply- 43.00; J and J's Pronto, fuel- 449.19; Linweld, oxy/acetylene- 36.50; Marlan Millard, prior yrs serv-15.00; Motion Industries, parts- 81.96; NPPD, homer service- 23.91; Northeast NE Telephone Co, phone service- 23.91; Northeast Equipment, parts/tractor rental- 1174.39; Pilgar Sand and Gravel. Gravel- 1,345.21; Pomps, tires- 94.50; Power Plan/ Murpy, supplies- 161.00; Rees Mack, parts- 88.56; Siouxland Trailer Sales, parts- 114.01; Stalp Gravel Inc, gravel- 5,715.80; St Lukes Center for OC Health, drug testing- 90.00; Superior Lamp Inc, supplies- 154.63; Verizon, cell phone- 44.03; Warren Oil, fuel- 8,996.90; Ziegler, parts/loader rental- 847.00
HARD SURFACE FUND 302: Inheritance Tax Fund, reimburse borrowed funds- 74,790.18
ROAD IMPROVEMENT FUND 802: Albenesius Contracting Inc, paving- 19,503.81; Knife River, asphalt atokad drive/blacktop patching- 46,675.19; Inheritance Tax , funds pay back- 75,000.00
INSTITUTIONS 1700: Beatrice State Dev Center, qrtly payment- 1,932.00; Lincoln Regional Center, qrtly payment- 42.00
VETERANS AID 1900: veterans office, aid- 1,500.00
PUBLIC SAFETY 2960: City of South Sioux, sales tax- 3,446.09; Jail Bond Fund, sales tax- 25,271.33;
WEED FUND 5400: Dakota County Star, publishing- 144.00; Fremont Tire, parts/labor- 382.84; Heritage Express, fuel- 45.01; Hubbard Mini Mart, fuel- 215.00; J and J's Pronto, Fuel- 145.00; Midwest office Automations, copier- 40.28; NAPA, parts- 24.94
ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea and Engel- Yea.
UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item "Engine Braking Resolution".

Mr. Matney, County Attorney, read the wording of the proposed language to the resolution concerning SEMI-TRACTOR BRAKING as follows:

A RESOLUTION BY THE DAKOTA
COUNTY BOARD OF COMMISSIONERS
CONCERNING SEMI-TRACTOR BRAKING

It shall be unlawful for any person in any part of the county where signs have been posted indicating the

prohibition to make or cause to be made loud or disturbing noises with any mechanical devices operated by compressed air and used for purposes of assisting braking on any semi-tractor. The governing body shall cause notices to be posted or signs to be erected indicating such prohibition.

Commissioner Hartnett moved, seconded by Commissioner McLarty to adopt the second reading of the proposed resolution CONCERNING SEMI-TRACTOR BRAKING as follows:

It shall be unlawful for any person in any part of the county where signs have been posted indicating the prohibition to make or cause to be made loud or disturbing noises with any mechanical devices operated by compressed air and used for purposes of assisting braking on any semi-tractor. The governing body shall cause notices to be posted or signs to be erected indicating such prohibition.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea.

UNANIMOUS MOTION CARRIED.

Randy Crombie, Highway Supt., addressed the board on Milo Birkley's request for a low water crossing. It was reported that the County Attorney was meeting with Mr. Birkley tomorrow, September 18, 2007.

The Board briefly talked about recovering the extra cost (approximately \$5,100) from JEO that the county experienced with the drainage problem developing from the completion of the Knox Blvd Project. Upon completion of said project, Warren Hoising experienced water drainage problems and Mr. Crombie stated that he felt the drainage had been resolved because there was not a problem with the last significant rainfall.

The board asked Mr. Matney, County Attorney, to send a letter to JEO on behalf of the county to try and recoup the county's cost for resolving the drainage problem, since they were the engineers for the Knox Blvd. Project.

The Chair called for the agenda item "Letter of Compliance pertaining to bridge marker signs to Board." Chair Engel signed the Certification of Compliance that all signing materials have been installed in accordance with the applicable section of the manual of Uniform Traffic Control Devices and that the County agrees to maintain the object markers specified in the Resolution 06C-011. (No Motion)

CERTIFICATION OF COMPLIANCE

County of Dakota

Project No. STPP-STWD-(67) - Object Markers

Dakota County, Nebraska does hereby certify to the State of Nebraska that it has received the signing materials referenced *in* Resolution No. 06C-011 passed the 5th day of June, 2006, by the Dakota County Board of Commissioners; That all signing materials have been installed in accordance with the applicable section of the manual of Uniform Traffic Control Devices; Finally that the County does hereby agree to maintain the object markers specified in the Resolution referenced above.

\S\ Randy Crombie

\s\ William F. Engel

County Highway Superintendent Chairperson

Before me, a Notary Public qualified for said County, personally came the identical person or persons who signed the foregoing instrument, they acknowledged the execution thereof to be their voluntary act and deed.

Witness my hand and Notary Seal on this 17th day of September 2007.

\s\ Joan C. Spencer

Notary Public

My Commission Expires on the 30th day of June, 2008.

Chair Engel called for the agenda Item Public Comment.

Vincent Kramper, with Papio Middle Missouri NRD, updated the County Board with the P-MRNRD Pigeon / Jones Creek Project Site 15 Master Plan.

Commissioner O'Neill asked Mr. Matney if he had gotten the Spencer, Fane, Britt and Browne report back from the Attorney General. Mr. Matney said that he had planned on making a statement on this very soon. He added that during Public Comment, Commissioners do not generally make comments during public comment.

Commissioner Rohde moved, seconded by Commissioner McLarty to approve the minutes of September 10, 2007 as typed and prepared for the Official Record.

ROLL CALL VOTE: O'Neill- No, Hartnett- Yea, Engel- Yea, McLarty- Yea and Rohde- Yea.

UNANIMOUS MOTION CARRIED.

Chair Engel Called for the agenda item "mail and/or emergency business". There was none.

Rod Herron, Deputy Sheriff, appeared before the board and said that the State bids on vehicles would not be out until October. He thought that they should replace the one vehicle that is down and would like to replace the vehicle. He thought he could do it for 18 to 20 thousand dollars for a vehicle with about 20,000 miles on it.

Commissioner McLarty moved, seconded by Commissioner Hartnett to authorize Rod Herron to purchase a vehicle with around 20,000 miles on the odometer provided he can purchase it for no more than \$19,000.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea and O'Neill- Yea.

UNANIMOUS MOTION CARRIED.

Chairman Engel adjourned their meeting at 2:00 p.m.

County Board of Commissioners

ATTEST:

William F. Engel, Chairman Date Chair signed

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, September 24, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance being recited.

Present: Commissioners Engel, McLarty, Rohde, O'Neill, Hartnett, and County Clerk Ted Piepho, Secretary.

Absent: None

The Agenda for the meeting was as follows:

1. 1:30 p.m. Call to Order
 - Pledge of Allegiance.
 - Roll Call.
 - Approve Minutes of September 17, 2007.
 - Review and approve Payroll claims.
2. 1:31 p.m. Miscellaneous Agenda Items
 - Special events held in designated areas of the county
 - Rodeos etc
 - Purchase vehicles for Sheriff's Office
 - Third and final reading of Engine Braking Resolution – adoption of Resolution
 - Semi-Truck Braking
3. 1:50 p.m. Jerry Yacevich – Dakota Covington Fire District
 - Hazmat Agreement – proposing county wide participation.
4. 1:55 p.m. Randy Walsh, Robert Giese
 - Distress warrants
5. Tabled Items
 - Milo Birkley - land locked acres. (Take from the table)
 - Report on low water crossing.
6. Public Comment
7. Mail and/or Emergency Business
8. 2:00 p.m. Adjournment

Chair Engel called for the agenda item "Payroll Claims".

Commissioner Rohde moved, seconded by Commissioner Hartnett to approve the payroll claims submitted by the County Clerk as follows:

COUNTY GENERAL FUND: Gross salaries- \$109,946.28, General Fund Employees Net Pay- \$77,842.35, Employer deductions paid: Retirement- 7,514.67, Retirement Makeup- 34.44, Social Security Tax- 6,690.51, Medicare- 1,564.73, DC Health Plan- 31,420.96, DC Dental Plan- 812.70, Life Insurance- 180.36.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 458.26, Tracey Corkin- 903.38, Marisol Curiel- 868.00, Bobbi Jo Harsma- 1004.00, Theodore Piepho- 1553.28, Darlene Davis- 860.00, Robert Giese- 1553.28, Ruth Gillaspie- 1142.10, Jolene Heinemann- 920.00, Kimberly Kuehl- 860.00, Phyllis Ridge- 890.90, Lyn Beltz- 190.00, Margaret Rahn- 1142.10, Daniel Christoffers- 598.76, Dennis Reinert- 203.85, Valerie Danielson- 1553.28, Lori Jessip- 820.00, Cheryl Perkins- 1120.00, Joe Flynn- 1664.00, Debra Jensen- 934.15, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 900.00, Richard Jensen- 1334.41, Matthew Klassen- 15.75, Duane Kotalik- 1248.00, Tammy Dunn-Peterson- 941.27, Jeremy Bermel- 1662.50, Anthony Bos- 1723.30, Brad Claypool- 1558.00, Sandy Dickens- 441.37, Brian Ellinger- 1802.18, Penny Epting- 1609.45, Brent Gilster- 1629.71, Todd Hammer- 1458.81, Melvin Harrison III- 1586.50, Rodney Herron- 1996.54, Kimberly Johnson- 533.70, Jared Junge- 1804.03, Michael Kreegar- 1539.00, Gayle Richards- 947.39, Kevin Rohde- 1533.00, James Wagner- 1942.76, Kerry Johnson- 840.00, Aimee Kennedy- 1012.00, Edward Matney III- 2513.07, Sara Meadows- 1576.92, Debra Schmiedt- 2032.31, Mary Spurlock- 840.00, Kimberly Watson- 1615.38, Caterina Chapman- 1118.18, Ermelinda Ballesteros- 1258.70, Joshua Blatchford- 1175.40, Suzette Bosse- 181.50, Dusty Boyd- 1111.37, Rebecca Broer- 1977.36, Sandy Dickens- 822.75, Toni Duncan- 1200.06, Lisa Ford- 1084.59, John Gilles- 1227.60, Alma Gunderson- 1295.18, Paula Harrigfeld- 364.73, Cathy Harsma- 1450.10, Deanna Haukap- 1053.53, Jackie Heaton- 1144.00, Jason James- 1148.20, Sarah Jensen- 750.00, Brett Johnson- 1147.58, Nicholas Kellen- 1121.41, Brenda Kelly- 1182.35, Matthew Mann- 1124.76, Colleen McMahon-Levine- 1111.37, Diana Moctezuma- 964.08, Mark Nelson- 1137.14, Jeep Phommavong- 1124.76, Joseph Ramirez- 1261.08, Cara Reinders- 960.94, Daniel Rodasky- 1082.26, Bob Rohmiller- 528.00, Stephanie Ryan- 1004.25, Linda Schovanec- 1266.72, Heather Skow- 80.34, Justin Smith- 1138.15, Francis Tope- 1071.20, Randall Walsh- 1532.00, Charvette Williams- 1121.41, Daniel Wood- 1164.66, Randall Crombie- 177.00, Jolene Gubbels- 1005.60, Leon Pies- 586.00, Pamela DeVries- 1786.06, Patricia Glover- 1245.15, Bonnie Kahler- 755.21, Alan Boyd- 1173.97.

GENERAL FUND: Employee withholding paid to: Federal- 10,613.35, State- 3,751.52, Social Security Tax- 6,690.51, Medicare- 1,564.73, Retirement- 5,087.65, Retirement Makeup- 24.44, DC Health Plan- 543.37, DC Dental Plan- 450.33, Colonial Health- 16.20, Sheriff Union Dues- 290.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 353.82, Aflac Life/Dsbl- 74.20, Flex Plan- 671.16.

COUNTY ROAD PAYROLL: Gross salaries- \$15,045.92, Road Employees Net Pay- \$10,334.18, Employer deductions paid: Retirement- 1,015.61, DC Health Plan- 4,749.68, DC Dental Plan- 122.85, Life Insurance- 25.44, Social Security Tax- 914.61, Medicare- 213.92.

Brent Byroad- 1168.00, Randall Crombie- 1538.46, Robert Hacker- 1088.00, Ronald Harder- 1176.00, Walter Heinemann- 1180.00, Richard Hoelsing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1257.46, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,401.29, State- 499.68, Social Security- 914.61, Medicare- 213.92, Retirement- 677.07, DC Health Plan-, DC Dental Plan- 58.74, Reassure America Life- 7.32, Deferred Comp.- 61.68, Garnishments- 387.70, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 198.00.

VISITORS PROMOTION: South Sioux City Chamber of Commerce- lodging tax: \$14,684.47.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea. UNANIMOUS MOTION CARRIED.

Gary Smith and Dennis Reinert appeared before the board to discuss the Rodeo that was held at Mr. Smith's. Commissioner Hartnett and Mr. Reinert, Planning and Zoning Administrator, gave a synopsis of what was said at the Planning and Zoning meeting.

Chair Engel called for the agenda item "Engine Braking Resolution".

Mr. Matney, County Attorney, read the wording of the proposed language to the resolution concerning SEMI-TRACTOR BRAKING as follows:

A RESOLUTION BY THE DAKOTA
COUNTY BOARD OF COMMISSIONERS
CONCERNING SEMI-TRACTOR BRAKING

It shall be unlawful for any person in any part of the county where signs have been posted indicating the prohibition to make or cause to be made loud or disturbing noises with any mechanical devices operated by compressed air and used for purposes of assisting braking on any semi-tractor. The governing body shall cause notices to be posted or signs to be erected indicating such prohibition.

Commissioner Hartnett moved, seconded by Commissioner McLarty to adopt the third and final reading of the proposed resolution CONCERNING SEMI-TRACTOR BRAKING as follows:

It shall be unlawful for any person in any part of the county where signs have been posted indicating the prohibition to make or cause to be made loud or disturbing noises with any mechanical devices operated by compressed air and used for purposes of assisting braking on any semi-tractor. The governing body shall cause notices to be posted or signs to be erected indicating such prohibition.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea. UNANIMOUS MOTION CARRIED.

Jerry Yacevich, with the Dakota Covington Fire District, appeared before the board and said that the South Sioux Fire Department and Dakota Covington Fire Districts were members of the Sioux City's HazMat Team and suggested that the County join for the county residents outside those two fire districts. He said that membership was based on a per capita and that cost for the rest of the county to be a member would be \$2,441.20.

The board suggested that each Fire District be approached and that they decide whether they wish to be members.

Randy Walsh and Robert Giese, County Treasurer, appeared before the board and presented the following information in a report.

August 1st, 2007

Dakota County Board of Commissioners

Re: 2006 Distress Warrants

On November 1st 2006 that Dakota County Sheriffs Department received 290 Distress Warrants from the Dakota County Treasurers Office. They showed a total amount of \$95,568.34 in unpaid personal property taxes that needed to be collected. On August 1st, 2007 the Dakota County Sheriff's Department returned the Distress Warrants to the Dakota County Treasurers Office with the following results:

Satisfied Distress Warrants	245
Unsatisfied Distress Warrants	3
Distress Warrants being stricken (Unable to locate property, bankruptcy, etc.)	35
Properties Sold at Sheriffs Sale	7
Properties Deleted (Correction or print error)	0
TOTAL:	290

The total dollar amounts were as follows:

Amount Collected per Distress Warrant	\$82,661.74
Amount of Additional Interest Collected	\$ 3,625.11
Amount of Deletions / Corrections	\$ 0.00
Amount to be stricken	\$10,561.32
Amount of Prepaid to CTO	\$ 362.79
Amount of Outstanding to be paid	\$12,543.81

On July 31st, 2007 the Dakota County Sheriffs Dept. held a personal property tax sale on 14 properties.

Seven (7) of the properties sold for a total of \$57.00. I could not get anyone to bid on six of the properties and they remain unsatisfied.

Deputy Todd Hammer
Dakota County Sheriff's Department

**STRIKE LIST
PERSONAL PROPERTY TAXES
2006 YEAR**

Property IDs: 220184208, 220172994, 220179182, 220168776, 220219200, 220190933, 220190100, 220120846, 220177597, 220111871, 220175845, 220184089, 220185174, 220134944, 220219160, 220148678, 220194092, 220193436, 220175675, 220180814, 220184461, 220199787, 220137617, 220126879, 220110263, 220155313, 220131775, 220164991, 220108609, 220201641, 220191719, 220182833, 220147884, 220190380, 220134049,

NAME	SOLD ON SHERIFF'S SALE DW NUMBER	PARCEL ID
CANAS, MONICA	2037	220184283
CUEVAS, ALFONS	2056	220118260
DIMAS, MARTIN	2068	220200130
LOPEZ, EDUARD	2135	220198659
MARQUEZ, RAFAEL & ESMERALDA	2153	220163626
PLASCENCIA, MARIA R	2215	220189706
TAPIA, VIRGINIA	2263	220209421

Commissioner Hartnett moved, seconded by Commissioner Rohde, to strike all the distress warrants if they have moved out of the county, filed bankruptcy, are deceased, under \$50.00, been on the list for more than two years, or the property has been destroyed and to approve the list and actions as presented.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea.
UNANIMOUS MOTION CARRIED.

Chair Engel asked if there was any public comment and there was none.
Chair Engel asked if there was any mail or emergency business and there was none.

Commissioner McLarty moved, seconded by Commissioner Rohde to approve the minutes as typed and prepared for the official record.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea.
UNANIMOUS MOTION CARRIED.

Chairman Engel adjourned their meeting at 2:10 p.m.



County Board of Commissioners

ATTEST:

William F. Engel, Chairman Date Chair signed

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
 Monday, October 8, 2007
 Dakota County Courthouse
 County Board Basement Meeting Room
 Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance being recited.

Present: Commissioners Engel, McLarty, Rohde, O'Neill and County Clerk Ted Piepho, Secretary.
 Absent: Hartnett.

DAKOTA COUNTY BOARD OF COMMISSIONERS
 OCTOBER 8, 2007 AGENDA
 COUNTY BOARD ROOM
 DAKOTA COUNTY COURTHOUSE
 DAKOTA CITY, NEBRASKA

- 9. 1:30 p.m. Call to Order
 - Pledge of Allegiance.
 - Roll Call.
 - Approve Minutes of September 24, 2007.
 - Review and approve Payroll claims.
- 10. 1:31 p.m. John Loos Jr. – Public Defender
 - Storage for files
- 11. 1:45 p.m. Jerry Yacevich – Dakota Covington Fire District
 - Approve Contract expenditure for Contract monetary commitment.
- 12. 1:50 p.m. Randy Crombie - Highway Supt.
 - Sign and approve the Annual Road Report
 - Sign documents for the Highway 12 Project
- 13. 1:55 p.m. Miscellaneous agenda items
 - Office Inventories – approve inventories or refer them to the Property Committee
 - Letter of support opposing S. 2123
- 14. Tabled Items
 - Milo Birkley – Report - possible action on low water crossing.
- 15. Public Comment
- 16. Mail and/or Emergency Business
- 17. 2:00 p.m. Adjournment

The numbers for the agenda items were inadvertently altered by Microsoft Word when printed. All agenda items are shown here. Arrangement of agenda items remained the same and items 1 - 8 did not exist for this board meeting.

Commissioner McLarty moved, seconded by Commissioner Rohde to approve the minutes as typed and prepared for the official record.

ROLL CALL VOTE: McLarty- Yea, Rohde- yea, O'Neill- Yea, Hartnett- Absent and Engel- Yea.
 UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner Engel to approve the payroll claims submitted by the County Clerk for payment as follows:

COUNTY GENERAL FUND: Gross salaries- \$111,749.77, General Fund Employees Net Pay- \$79,067.53, Employer deductions paid: Retirement- 7,708.68, Retirement Makeup- 34.44, Social Security Tax- 6,806.31, Medicare- 1,591.82, DC Health Plan- 30,690.24, DC Dental Plan- 793.80, Life Insurance- 178.75.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 454.00, Tracey Corkin- 888.25, Marisol Curiel- 868.00, Bobbi Jo Harsma- 1004.00, Theodore Piepho- 1553.28, Darlene Davis- 1039.20, Robert Giese- 1553.28, Ruth Gillaspie- 1416.18, Jolene Heinemann- 1116.00, Kimberly Kuehl- 953.54, Phyllis Ridge- 1126.35, Margaret Rahn- 1279.14, Daniel Christoffers- 454.00, Dennis Reinert- 252.81, Valerie Danielson- 1553.28, Lori Jessip- 820.00, Cheryl Perkins- 1120.00, Joe Flynn- 2063.36, Debra Jensen- 1153.06, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 900.00, Tracey Corkin- 38.00, Richard Jensen- 1654.65, Duane Kotalik- 1511.20, Tammy Dunn-Peterson- 942.62, Jeremy Bermel- 1520.00, Anthony Bos- 1561.80, Brad Claypool- 1520.00, Sandy Dickens- 441.37, Brian Ellinger- 1555.80, Penny Epting- 1484.95, Brent Gilster- 1639.18, Todd Hammer- 1539.00, Melvin Harrison III- 1558.00, Rodney Herron- 1742.74, Kimberly Johnson- 385.18, Jared Junge- 1621.16, Michael Kreegar- 1577.00, Gayle Richards- 829.60, Kevin Rohde- 1471.68, James Wagner- 1942.76, Kerry Johnson- 840.00, Aimee Kennedy- 1096.00, Edward Matney III- 2513.07, Sara Meadows- 1576.92, Debra Schmiedt- 2696.87, Mary Spurlock- 840.00, Kimberly Watson- 2230.80, Caterina Chapman- 1118.18, Ermelinda Ballesteros- 1104.68, Joshua Blatchford- 1168.44, Suzette Bosse- 539.00, Dusty Boyd- 1131.46, Rebecca Broer- 1909.95, Sandy Dickens- 662.05, Toni Duncan- 1182.36, Lisa Ford- 1139.83, John Gilles- 1220.16, Alma Gunderson- 1459.45, Paula Harrigfeld- 560.64, Cathy Harsma- 1246.66, Deanna Haukap- 948.17, Jackie Heaton- 1176.00, Jason James- 1186.70, Sarah Jensen- 800.00, Brett Johnson- 1260.24, Nicholas Kellen- 1168.28, Brenda Kelly- 1243.22, Matthew Mann- 1111.38, Colleen McMahan-Levine- 1111.37, Diana Moctezuma- 1027.68, Mark Nelson- 1144.10, Jeep Phommavong- 1171.63, Joseph Ramirez- 1220.16, Cara Reinders- 1015.22, Daniel Rodasky- 1063.10, Bob Rohmiller- 594.00, Stephanie Ryan- 1169.96, Linda Schovanec- 1251.64, Justin Smith- 1141.50, Francis Tope- 1071.20, Randall Walsh- 1532.00, Charvette Williams- 1104.68, Daniel Wood- 1185.90, Randall Crombie- 219.48, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 998.64, Bonnie Kahler- 618.70, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 10,912.37, State- 3,860.02, Social Security Tax- 6,806.31, Medicare- 1,591.82, Retirement- 5,213.31, Retirement Makeup- 24.44, DC Health Plan- 543.35, DC Dental Plan- 450.54, Colonial Health- 16.20, Sheriff Union Dues- 270.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$15,091.49, Road Employees Net Pay- \$10,364.39, Employer deductions paid: Retirement- 1,018.68, DC Health Plan- 4,749.68, DC Dental Plan- 122.85, Life Insurance- 25.42, Social Security Tax- 917.43, Medicare- 214.58.

Brent Byroad- 1168.00, Randall Crombie- 1538.46, Robert Hacker- 1168.00, Ronald Harder- 1176.00, Walter Heinemann- 1180.00, Richard Hoesing- 1187.03, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1212.00, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,407.82, State- 503.01, Social Security- 917.43, Medicare- 214.58, Retirement- 679.12, DC Health Plan-, DC Dental Plan- 58.71, Reassure America Life- 7.32, Deferred Comp.- 61.68, Garnishments- 387.70, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 198.00.

ROLL CALL VOTE: McLarty- Yea, Rohde- yea, O'Neill- Yea, Hartnett- Absent and Engel- Yea.
UNANIMOUS MOTION CARRIED.

John Loos, Public Defender, appeared before the Board and requested to utilize part of the old law Library behind the woman's lavatory on the second floor for file storage. He said that his file cabinets were lockable file cabinets so other offices using that space as well would not be a problem.

Commissioner Rohde moved, seconded by Commissioner McLarty to authorize the Public Defender's Office to store file cabinets in the old law Library behind the woman's lavatory on the second floor.

ROLL CALL VOTE: Rohde- yea, O'Neill- Yea, Hartnett- Absent, Engel- Yea and McLarty- Yea.
UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item "Jerry Yacevich – Dakota Covington Fire District - Approve Contract expenditure for Contract monetary commitment."

Commissioner Rohde moved, seconded by Commissioner McLarty to approve the monetary commitment in the agreement with Dakota Covington Fire District to pay \$2,000 a year for 25 prisoner transports to Mercy Medical or St. Lukes Hospital and \$175 for every transport thereafter, as follows:

AGREEMENT

Dakota County Jail, located in Dakota City, Nebraska, and Dakota City Volunteer Fire Department, propose this agreement concerning billing when Dakota City Volunteer Fire Department transports a prisoner from the Dakota County Jail to a medical facility (hospital ER):

1. Dakota City Volunteer Fire Department will-
 - A. Provide basic life support treatment and stabilization to the patient according to medical control.
 - B. Provide all basic life support equipment and supplies necessary according to medical control.
 - C. Transport patient to nearest medical facility (Mercy Medical or St. Lukes Hospital in Sioux City, Iowa).
 - D. Bill the county jail as per its fee schedule approved by the Dakota County Commissioners and the Dakota City Volunteer Fire Department.
2. Fee Schedule-
 - A. Dakota City Fire Department and Dakota County Commissioners on behalf of the Dakota County Jail in Dakota City, Nebraska, agree to a flat annual fee of \$2,000 to transport patients from the Dakota County Jail based on the first 25 transports. Any transports after the first 25 transports will be billed at the rate of \$175.00 per transport to a medical facility.
3. Fee Schedule Review-
 - A. This rate schedule can be reviewed and changed annually subject to agreement by both parties if so desired.

ROLL CALL VOTE: Rohde- yea, O'Neill- Yea, Hartnett- Absent, Engel- Yea and McLarty- Yea.
UNANIMOUS MOTION CARRIED.

Randy Crombie, Highway Superintendent, appeared before the board and informed them that Dakota County had no responsibility for action on Project PEP-12-6(1012) Newcastle-US-20, C.N. 31798. He said that most of this project is in Dixon County and since Dakota and Dixon Counties have the same Surveyor and the majority of the project is in Dixon County, then Dixon County is responsible for all the paperwork.

Mr. Crombie also submitted the 2006-2007 Annual Road Report to the Board for the chair's signature. Commissioner Rohde moved, seconded by Commissioner McLarty to approve the 2006-2007 Annual Road Report as presented by the Highway Superintendent and to authorize the chair to sign same.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Absent, Engel- Yea, McLarty- Yea and Rohde- yea.
UNANIMOUS MOTION CARRIED.

The Chair referred the office inventories filed by offices to the Property Committee for their review.

Chair Engel called for the agenda item "Milo Birkley – Report - possible action on low water crossing."
Mr. Crombie provided the board with an email from Mr. Matney, County Attorney, which said that he did not believe the law requires the county to take any action, but that the board has the discretion to do so if they wish.

Commissioner Rohde mentioned that the County is tight on budgets and he did not feel the county should do anything at this time, but added that if the County gets in the position where we have a little room in the budget, the board could consider it at that time if they wish to do so.

Commissioner Rohde moved, seconded by Commissioner McLarty to take from the table "Milo Birkley – Report - possible action on low water crossing" that the county not provide a low water crossing to gain access for Mr. Birkley at this time due to the financial strain on the county at this time.

ROLL CALL VOTE: Hartnett- Absent, Engel- Yea, McLarty- Yea, Rohde- yea and O'Neill- Yea.
UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item "Letter of support opposing S. 2123"

Commissioner McLarty said that he had requested this to be on the agenda because he received the following email from Timothy Loewenstein, Nebraska Representative to the National Association of Counties

On October 1, Senator Gregg (R-NH) introduced legislation mandating collective bargaining rights for public safety officers at the State and local level. The bill was introduced with 19 other Senate co-sponsors, which is very problematic. NACO along with the League of Cities, Chiefs of Police, Sheriffs' Association, and other HR groups representing state and locals have been meeting with Senate staff to express our opposition to the legislation. None of the organizations are opposed to collective bargaining in general, but all are opposed to the federal government mandating such rights when it is and should continue to be a state and local decision. Such legislation would have serious fiscal implications on local governments without such laws, and even those with collective bargaining laws in place since some of the items that are required to be negotiable include salaries, wages, conditions and terms of employment. In some localities that have laws in place, the type of firearm police carry or how many fireman staff a house or are on a fire truck are not negotiable. While the bill does not include health care or pensions, having salaries be negotiable inevitably affect how much goes into the pension and also tie into health care costs. For instance in New Hampshire public safety officers agreed to during negotiations to hold off on salaries increases for a certain number of years to sure up financing of their pensions. Furthermore, the Federal Labor Relations Authority is to establish criteria for compliance with the collective bargaining law and will determine if states with laws in place currently meet these standards. If not, these states would have to change their laws as well.

The National Association of Counties goal is to have 41 Senators opposed to S. 2123 to prevent passage. The House overwhelmingly passed their version of the bill H.R. 980 earlier this year. Please inform Senator Hagel and Nelson on how the legislation would negatively impact the Dakota County financially and otherwise, giving concrete examples. Encourage each both of them to oppose this legislation. Below is the bill summary including the 19 Senate co-sponsors. The full text of the bill can be found at <http://thomas.loc.gov> Please send me any feedback you receive on this issue to Daria Daniel at the National Association (ddaniel@naco.org) as well as myself.

Commissioner McLarty said that he didn't oppose negotiating with labor unions and we do that now. He pointed out that NACO along with the League of Cities, Chiefs of Police, Sheriffs' Association, and other HR groups representing state and locals have been meeting with Senate staff to express our opposition to the legislation. None of the organizations are opposed to collective bargaining in general, but all are opposed to the federal government mandating such rights when it is and should continue to be a state and local decision.

Commissioner McLarty moved, seconded by Commissioner Rohde to send a letter to Senators Nelson and Hagel stating that the Dakota County Board is not opposed to collective bargaining, but is opposed to the federal government mandating such rights when it is and should continue to be a state and local decision.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- yea, O'Neill- Yea and Hartnett- Absent.
UNANIMOUS MOTION CARRIED.

October 10, 2007

Senator E. Benjamin Nelson
720 Hart Senate Office Building
Washington DC 20510

[Senator Charles T. Hagel]
[248 Russell Senate Office Building]
[Washington DC 20510]

RE: S. 2123: A bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions

Dear Senator Nelson:

The Dakota County Board of Commissioners unanimously agreed in their opposition to Senate Bill S. 2123 mandating collective bargaining. The Board is opposed to the federal government mandating such rights when it is and should continue to be a state and local decision.

Dakota County is not opposed to collective bargaining and successfully negotiated a three-year master agreement with our law enforcement officers this past June. The Dakota County budget is under the LC-3 Lid allowable growth of a 2.5% increase of restricted funds (an additional 1% is allowed per Board resolution) and a levy limit which states a county shall never assess taxes the aggregate of which shall exceed 50 cents except for bonded indebtedness authorized by a vote of the people of the county. With the rising cost of fuel and repairs, we will struggle to meet our financial obligations.

The Dakota County Board of Commissioners encourages you to oppose this legislation of a federal mandate for collective bargaining and let it continue to be a state and local decision.

Sincerely,

William Engel

Board Chair

Chair Engel asked if there was any public comment and there was none.
Chair Engel asked if there was any mail or emergency business and there was none.

Chairman Engel adjourned their meeting at 1:50 p.m.



County Board of Commissioners

ATTEST:

William Engel, Chairman

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

Dakota County Board of Commissioners
Monday, October 15, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 10:03 p.m. with the Pledge of Allegiance being recited.

Present: Commissioners Hartnett, Engel, O'Neill and County Clerk Ted Piepho, Secretary. Absent: Commissioners McLarty and Rohde.

The agenda for the meeting of October 15, 2007 was as follows:

18. 10:00 a.m. Call to Order
 - Pledge of Allegiance.
 - Roll Call.
 - Approve Minutes of October 8, 2007.
 - Review and approve Accounts Payable Claims.
19. 11:30 a.m. Quarterly Jail Tour by County Board
20. 11:50 a.m. Recess for lunch from Jail Tour
21. 1:30 p.m. Reconvene from morning session.
22. 1:31 p.m. Robert Peters – City of Dakota City
 - Change direction of the one way on the service road adjacent to Broadway Street
23. 1:40 p.m. Miscellaneous agenda items
 - Maximus – County Cost Allocation Plan – Authorize chair to sign.
 - County Flag – Item requested by Commissioner Rohde.
 - Office Inventories – referral from Property Committee
 - Officials Reports
24. Tabled Items
25. Public Comment
26. Mail and/or Emergency Business
27. 2:00 p.m. Adjournment

The numbers for the agenda items were inadvertently altered by Microsoft Word when printed. All agenda items are shown here. Arrangement of agenda items remained the same and items 1 - 17 did not exist for this board meeting.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to approve the minutes as typed and prepared for the official record.

ROLL CALL VOTE: McLarty- Absent, Rohde- Absent, O'Neill- Yea, Hartnett- Yea and Engel- Yea. UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item to review the Accounts Payable Claims.

Commissioner Engel Questioned the Spencer Fane Bill. He said that he thought that the county should not be receiving any more bills from them and asked what the bill was for.

After locating and reviewing the claim, Commissioner O'Neill questioned why there was no itemized statement with the claim.

Ms. Debra Schmiedt said that she would relay any questions to Ed Matney, County Attorney.

Commissioner Hartnett asked if the county purchased an asphalt cutter or whether we were renting one. Commissioner Hartnett asked if we were not fixing our own tires anymore. Apparently a pickup was taken in for alignment and a tire was repaired at the same time.

Commissioner Rohde took his chair at 10:58 a.m.

Commissioner Hartnett asked Road Committee Member Rohde how much the engineering was costing in relation to the total cost of the Martinek Bridge. She said normally it was ten (10) percent. She said that it looks like we owe Olsson's about \$49,000.

Commissioner Rohde thought that the engineering would cost in the seventy thousand dollar range. He said that we paid JEO about \$26,000 and he thought that Olsson's was going to be able to use some of JEO's engineering information.

Commissioner Hartnett vacated her chair at 11:12 a.m.

Chair Engel called for the jail tour at 11:33 a.m.

Rod Herron, Jail Administrator, gave a tour of the jail. He called attention to the grinder in the sewer system, which is not working.

Chair Engel recessed for lunch from the jail tour at 12:16 p.m.

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

Present were: Commissioners Hartnett, Engel, McLarty, Rohde, O'Neill, and County Clerk Ted Piepho, acting Secretary. Absent: None.

Bob Peters, City Administrator for Dakota City, appeared before the board. He said that the Mayor, City Counsel and the Sheriff's Office were looking at some way to reduce traffic congestion at the corner of 16th and Broadway. He said that it is being proposed to reverse the traffic on the service road between the courthouse and Broadway Street, which is being used as off street parking for courthouse employees and customers and asked for the County Commissioners permission to do so.

Commissioner Hartnett moved, seconded by Commissioner Rohde to support reverse direction of traffic from east to west to west to east on the service road between the courthouse and Broadway Street.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea and Engel- Yea. UNANIMOUS MOTION CARRIED.

Chairman Engel signed the Certification of Cost Allocation Plan that was prepared by Maximus as follows:

CERTIFICATION OF COST ALLOCATION PLAN

This is to certify that I have reviewed the cost allocation plan submitted herewith and to the best of my knowledge and belief:

(1) All costs included in this proposal based on Fiscal Year Ended December 31, 2006, to establish cost allocations or billings for use in Fiscal Year 2008, are allowable in accordance with the requirements of OMB Circular A—87, "Cost Principles for State and Local Governments," and the Federal award(s) to which they apply. Unallowable costs have been adjusted for in allocating costs as indicated in the cost allocation plan.

(2) All costs included in this proposal are properly allocable to Federal awards on the basis of a beneficial or causal relationship between the expenses incurred and the awards to which they are allocated in accordance with applicable requirements. Further, the same costs that have been treated as indirect costs have not been claimed as direct costs. Similar types of costs have been accounted for consistently.

I declare that the foregoing is true and correct.

Commissioner Engel called for the agenda item pertaining to a County Flag.

Commissioner Rohde spoke up and said that he had requested this to be on the agenda because he was at a state convention in Omaha where all other county flags were displayed and Dakota County was the only county that did not have one.

He presented the idea that the Historical Society could be asked to come up with a design or maybe make it a contest for high school students.

It was the consensus of the board that Commissioner Rohde proceed in coming up with a design for a county flag.

Commissioner Rohde moved, seconded by Commissioner Engel to acknowledge receipt of and approve the office inventories filed with the County Clerk identified as follows:

Commissioners, Real Estate, Drivers Examiners, Miscellaneous, County Clerk, Election Commissioner, Treasurer, Register of Deeds, Clerk of the District Court, Legal Services, Law Library, Public Defender, Buildings and Grounds, Extension, Sheriff, Jail, County Attorney, STOP Fund, Health Department, Veteran's Office, County Court, District Judge, Law Enforcement Center, County Roads, Weed Department, Planning and Zoning, Highway Supt., Surveyor and Community Corrections.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea.
UNANIMOUS MOTION CARRIED.

The board discussed using the law library for storage space for the Clerk of the District Court, Public Defender and County Clerk.

Chair Engel called for the agenda item Public Comment.

Lou Franco asked to speak. She had a couple questions concerning Spencer Fane et al, which was the law firm the county hired for a private investigation. She said that she had not seen any report on the investigation in any of the board minutes.

Chair Engel said that the board was satisfied with the report from the Attorney General and just as soon not bring it up anymore. Then Ms. Franco asked about the Resolution that designated Ed Matney to be the county official to receive all reports.

Mr. Rohde said that he thought it had been resolved and that Ed Matney is preparing a statement for the public.

Mr. McLarty said that Mr. Matney has the report and that Mr. Matney will tell them anything they need to know and outside that he said that he did not need to see the report. Commissioners Engel and Rohde echoed that they do not need to see the report.

Mr. McLarty said that the people that came forward were led to believe that it would be held in complete confidence and that is why the report is to be held in confidence and in the hands of the county attorney and it is going to stay there.

Ms. O'Neill asked about when she called Mr. Matney and he said he had a package.

Chair Engel said that the board has other business and will continue on with it.

Paul Kellen, from Goodwill Industries, approached the board looking for a way to draw attention to where the Goodwill camp was and he asked if it would be possible to name the road leading to the camp giving them leverage to get a sign pointing where the camp is.

He said that the Nebraska Department of Road rejected signage because it was not a public camp.

There was discussion about the possibility on naming the road Goodwill something alerting the public where the camp is.

It was the consensus of the board for the chair to direct the County Attorney to do legal research on what can be done for signage to the Goodwill Camp.

Chair Engel call for the agenda item of mail and/or emergency business.

He then read a letter from Steve Rector, which read as follows:

October 12, 2007

William F. Engel, Chairman
Dakota County Board of Commissioners
P.O. Box 338
Dakota City, NE 68731

Dear Commissioner Engel,

At its regular meeting on Monday, October 8, the Board of Education authorized me to negotiate an agreement with the Dakota County Commissioners for the services of a school resource officer at South Sioux City High School. The school district would like to negotiate a level of service similar to what it has had in recent years - the equivalent of approximately three (3) days a week during the school year.

Please let me know who to contact to begin the negotiations process. The school district looks forward to working with the Dakota County Commissioners to provide a safe and secure environment for students.

Sincerely,
/s/ Steven K. Rector
Superintendent of Schools

Joan Spencer, Assistant to the board submitted follow up on the School Liaison officer Homer:

The Homer School Board met September 18th. Russ Gade, Superintendent, called me to let me know that the School Board was not in favor of funding the position, not something they budgeted for, but willing to talk. Their thoughts were that it was a luxury and not utilized to the fullest extent. He is at their school on Tuesday and Thursday and they would like to keep him, but not in their budget to pay. They felt if there was an emergency, help would be available.

South Sioux City:

The South Sioux City School Board met in October and Steve Rector indicated the Board is interested in paying part of that officer's salary and would like to sit down with commissioners/law enforcement to work on a written agreement that both parties would sign. The estimated figures he gave the school board were \$210/day x 178 school days x 60% (3 days per week) - \$22,400/year.

Commissioner McLarty passed out a legislative report that he received at Kearney, a list of bills that is a concern to NACO and also information for registering for Naco's convention in Lincoln being held in December.

He also brought up a Steak holders meeting October 17th. This has to do with a correctional study initiative, which was a Siouxland initiative study done on correctional facilities in the area and they are going to discuss it in that meeting. He asked if the board wanted to send anybody and who they would like to send. The consensus of the board was that Mr. McLarty attend that meeting.

Commissioner McLarty moved, seconded by Commissioner Hartnett to acknowledge receipt of and approve the Officials reports filed with the County Clerk by the County Clerk, Register of Deeds for August, 2007, the Clerk of the District Court's Report for the month of September, 2007 and the Sheriff's along with the Correctional Director's Reports for the 3rd quarter, July, August and September, 2007.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea. UNANIMOUS MOTION CARRIED.

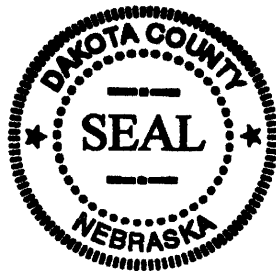
Chair Engel asked if there was someone that wanted to approve the claims. Commissioner O'Neill said that she had flagged a couple of claims that she questioned. One was the copy bill from the LEC billing the county for copies and the other for Spencer Fane because of no itemized statement attached to it.

Commissioner Engel said he was not going to approve that one either.

Mr. Engel said that if you want to approve them there would have to be a motion and a second.

Chair Engel asked if there was anything else. No one spoke up.

Chair Engel said then we stand adjourned and this was said at 2:16 p.m.



ATTEST:

County Board of Commissioners

William Engel, Chairman

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

Dakota County Board of Commissioners
Monday, October 22, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance being recited.

Present: Commissioners Engel, McLarty, O'Neill, Hartnett, and County Clerk Ted Piepho, Secretary.

Absent: Commissioner Rohde

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28. 1:30 p.m. Call to Order

- Pledge of Allegiance.
- Roll Call.
- Approve Minutes of October 15, 2007.
- Review and approve Accounts Payable Claims and Payroll claims
- Spencer Fane Claim for \$1078.00

29. 1:31 p.m. Residents living in Tompkins – Road conditions - Virgil Fowler Spokesperson

30. 1:50 p.m. Storm water Management Grant Plan Program – Chairs Signature

31. 1:55 p.m. Miscellaneous agenda items

- Level of participation with the U.S. Census Bureau - 2010 Decennial Census – Joan Spencer
- Letter from Board supporting Commissioner Jackie Hartnett to submit her name in nomination for NIRMA Board of Directors for another 3 year term. – Commissioner Hartnett
- Discuss reissue stop payment on lost checks – Danny Christoffers

32. Tabled Items – There are no tabled items

33. Public Comment

34. Mail and/or Emergency Business

35. 2:00 p.m. Adjournment

Commissioner McLarty moved, seconded by Commissioner Hartnett to excuse Commissioner Rohde for being absent from this meeting.

ROLL CALL VOTE: McLarty- Yea, Rohde- Absent, O'Neill- Yea, Hartnett- Yea, Engel- Yea.
UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item approve the Minutes of October 15, 2007.

Theodore Piepho, County Clerk mentioned that there were some corrections to the minutes since the draft that was mailed to the commissioners. He addressed how they could identify the changes.

Commissioner McLarty moved, seconded by Commissioner Hartnett to approve the minutes as written and prepared for the official record.

ROLL CALL VOTE: Rohde- Absent, O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea.
UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item Review and approve Accounts Payable Claims and Payroll claims.

McLarty suggested that the agenda item be held until after discussion of Spencer Fane claim.

Virgil Fowler approached the board regarding water standing on the roads along with some pictures. He had some concerns about safety during the winter. Virgil made the statement that he wrote a letter to Randy Crombie regarding this issue. He was also concerned that the valuation of his property would be affected by the condition of the roads.

Commissioner McLarty asked when the pictures were taken and if repairs have been made since Virgil Fowler said some were done, but not all.

Commissioner McLarty mentioned that in the city the residents pay a portion of the costs for street repair, Commissioner McLarty asked Virgil if the Tompkins residents would be willing to do the same.

Fred Kellogg stated that they are aware of the problems and are doing the best they can.

Commissioner Hartnett had some questions about the legality of setting up a paving bond districts outside of city limits. County Attorney, Ed Matney, said he would research that. It was discussed that this should be put on a future agenda.

Commissioner McLarty moved, seconded by Commissioner Hartnett to authorize Chair Engel to sign the grant received from the Storm Water Management Plan Program.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Absent, O'Neill- Yea.
UNANIMOUS MOTION CARRIED.

Joan Spencer, Administrative Assistant to the Board, informed the commissioners that the grant was for \$15,391.00 and the county match is \$3,078.20. She stated that this was a South Sioux City project and the city would do the match.

Paul Nolan appeared to the board and detailed some information on the grant.

Commissioner McLarty asked Ed Matney if he had seen the itemized statement for the Spencer Fane Britt & Browne claim and if there was any reason for not paying this claim. Ed Matney said that he had seen the itemized statement and that he did not believe there was a reason for not paying it.

There was a question as whether the work being billed was before or after the agreement was terminated.

Ed Matney said there were eight items before August 13, and two after August 13.

Commissioner McLarty asked if these were legitimate. Ed Matney stated that they reflect the work that was done and believed them to reasonable expenses.

Ed Matney agreed to check with Spencer Fane to verify that they are done with us and if they have any bills pending.

Commissioner O'Neill asked Ed Matney to see the itemized statement.

Ed Matney stated that the decision to do that would be up to the board.

County Clerk, Theodore Piepho, was given permission to address the board. He stated that the chairman asked him to list the Spencer Fane claim and the other claims separately on the agenda so that they may address them in separate motions.

Commissioner Harnett moved, seconded by Commissioner McLarty to approve the Accounts Payable and Payroll claims submitted by the County Clerk as stated in the agenda separate from the Spencer Fane Britt and Browne claim as follows:

COUNTY GENERAL FUND: Gross salaries- \$108,114.51, General Fund Employees Net Pay- \$76,697.27, Employer deductions paid: Retirement- 7,446.06, Retirement Makeup- 34.44, Social Security Tax- 6,580.90, Medicare- 1,539.06, DC Health Plan- 30,690.24, DC Dental Plan- 793.80, Life Insurance- 178.80.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 454.00, Tracey Corkin- 917.13, Marisol Curiel- 868.00, Bobbi Jo Harsma- 997.73, Theodore Piepho- 1553.28, Darlene Davis- 885.60, Robert Giese- 1553.28, Ruth Gillaspie- 1176.36, Jolene Heinemann- 948.00, Kimberly Kuehl- 885.60, Phyllis Ridge- 917.33, Margaret Rahn- 1159.23, Daniel Christoffers- 454.00, Dennis Reinert- 202.97, Valerie Danielson- 1553.28, Lori Jessip- 820.00, Cheryl Perkins- 1120.00, Joe Flynn- 1713.92, Debra Jensen- 980.80, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 900.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 953.47, Jeremy Bermel- 1548.50, Anthony Bos- 1523.80, Brad Claypool- 1345.20, Sandy Dickens- 441.37, Brian Ellinger- 1650.56, Penny Epting- 1467.48, Brent Gilster- 1695.25, Todd Hammer- 1776.50, Melvin Harrison III- 1596.00, Rodney Herron- 1742.74, Kimberly Johnson- 508.54, Jared Junge- 1604.00, Michael Kreegar- 1577.00, Gayle Richards- 795.90, Kevin Rohde- 1620.60, James Wagner- 1942.76, Kerry Johnson- 840.00, Aimee Kennedy- 1024.00, Edward Matney III- 2513.07, Sara Meadows- 1576.92, Debra Schmiedt- 2115.38, Mary Spurlock- 840.00, Kimberly Watson- 1692.31, Caterina Chapman- 1118.18, Ermelinda Ballesteros- 1303.90, Joshua Blatchford- 1144.10, Suzette Bosse- 368.50, Dusty Boyd- 1114.72, Rebecca Broer- 1389.40, Sandy Dickens- 662.05, Toni Duncan- 1217.76, Lisa Ford- 1114.72, John Gilles- 1238.76, Alma Gunderson- 1285.85, Paula Harrigfeld- 575.24, Cathy Harsma- 1235.46, Deanna Haukap- 1101.33, Jackie Heaton- 1202.00, Jason James- 1255.35, Sarah Jensen- 717.50, Brett Johnson- 1171.74, Nicholas Kellen- 1131.46, Brenda Kelly- 1161.12, Matthew Mann- 1131.46, Colleen McMahon-Levine- 117.16, Diana Moctezuma- 1027.68, Mark Nelson- 1119.76, Jeep Phommavong- 1111.37, Joseph Ramirez- 1367.10, Cara Reinders- 1091.29, Daniel Rodasky- 1091.84, Bob Rohmiller- 616.00, Stephanie Ryan- 1183.38, Linda Schovanec- 1221.48, Justin Smith- 1148.19, Wendi Thornton- 332.75, Francis Tope- 1071.20, Randall Walsh- 1560.73, Charvette Williams- 1121.41, Daniel Wood- 1189.44, Randall Crombie- 182.31, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 1169.46, Bonnie Kahler- 758.58, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 10,292.29, State- 3,646.79, Social Security Tax- 6,580.90, Medicare- 1,539.06, Retirement- 5,039.55, Retirement Makeup- 24.44, DC Health Plan- 543.37, DC Dental Plan- 430.76, Colonial Health- 16.20, Sheriff Union Dues- 290.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$15,080.46, Road Employees Net Pay- \$10,356.95, Employer deductions paid: Retirement- 1,017.94, DC Health Plan- 4,749.68, DC Dental Plan- 122.85, Life Insurance- 25.44, Social Security Tax- 916.75, Medicare- 214.42.

Brent Byroad- 1168.00, Randall Crombie- 1538.46, Robert Hacker- 1168.00, Ronald Harder- 1176.00, Walter Heinemann- 1180.00, Richard Hoesing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1212.00, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,406.23, State- 502.32, Social Security- 916.75, Medicare- 214.42, Retirement- 678.62, DC Health Plan-, DC Dental Plan- 58.74, Reassure America Life- 7.32, Deferred Comp.- 61.68, Garnishments- 387.70, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 198.00.

VISITORS PROMOTION: South Sioux City Chamber of Commerce- Lodging tax: 15,656.78.

GENERAL FUND: Dakota County Star, publishing- 761.43; Bill McLarty, workshop/mileage- 124.91; Marro Ahumada, witness fee- 23.88; Donella Busker, witness fee- 24.85; Dakota County Court, court costs- 838.50; Randy Hisey, counsel- 870.00; Shelly Horak, counsel- 426.00; Net Sys Plus, computer work- 206.25; Perkins, supplies- 33.08; Theodore Piepho, mileage/phone- 58.56; Staples, supplies-

37.43; Das Imservices, data- 3.50; Des Moines Stamp, supplies- 167.40; Charlotte Doenhoffer, prior yrs- 10.00; Robert Giese, mileage- 128.04; Ruth Jensen, prior yrs- 12.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; Microfilm Imaging, lease- 240.00; Mark Dorcey, prior yrs- 4.00; ESS, headset- 21.29; Net Sys Plus, software/computer work- 521.25; Perkins, supplies- 11.10; Theodore Piepho, mileage/supplies- 51.03; PrintElect, seals- 87.07; Staples, supplies- 6.40; Todds Storeall, storage- 80.00; Gene Cantrell, mileage/meeting- 65.37; Jim Crosgrove, mileage/meeting- 51.34; Dakota County Star, publishing- 8.52; Jim Jepsen, mileage/meeting- 47.91; Dick McCabe, mileage/meeting- 79.92; Dick McNear, mileage/meeting- 44.55; Marlan Millard, mileage/meeting- 55.19; Donald Miller, mileage/meeting- 46.49; NACO, posters- 6.60; Jo Oneill, mileage/meeting- 36.79; Dennis Reinert, mileage/phone- 170.17; Martin Rohde, mileage/meeting- 68.28; AJ Phillips, cards- 75.00; DAS Central, supplies- 412.42; General Business Interiors, kit- 337.37; Paula Jensen, supplies- 36.55; Modern Litho, supplies- 109.60; Kurt Rager, supplies- 29.90; Thompson West, service- 154.25; William Binkard, supplies- 255.78; NCDAA, seminar- 135.00; Perkins, supplies- 65.70; Clerk of District Court, claims- 541.00; Coffee King, coffee- 38.00; Robert Decker, baliff- 150.00; Daniel Hartnett, counsel- 877.71; Hungrys, food- 266.65; Dennis Hurley, counsel- 558.00; HyVee, food- 69.91; Nebr State Historical Soc, archive record- 5.00; Patrick Tott, counsel- 492.00; Shelly Horak, counsel- 48.00; Hurley Law Office, counsel- 2778.00; Sandra Inkster, counsel- 420.00; Kueny Law, counsel- 324.02; Lisa Payer, witness fee- 25.82; Victor Rodas, witness fee- 24.85; Douglas Roehrich, counsel- 906.00; Joey Sierra, witness fee- 21.94; Bryan Smith, counsel- 593.82; John Stephens, witness fee- 32.12; Patrick Tott, counsel- 240.00; Dakota County Sheriff, papers/warrants- 1270.00; Net Sys Plus, computer work- 80.25; Perkins, supplies- 29.10; Amsan, supplies- 814.62; Bekins Fire, extinguishers- 291.84; Benstar Packaging, supplies- 180.75; Bomgaars, supplies- 106.74; Bunkers Feed, salt- 37.89; City of Dakota City, utilities- 1771.26; Gill Hauling, service- 240.00; Dakota Food & Fuel, supplies- 16.02; Grainger, supplies- 562.83; Hardware Hank, supplies- 82.37; Richard Jensen, mileage- 147.44; Menards, supplies- 463.79; MidAmerican, utilities- 2018.50; NPPD, utilities- 5654.27; Sams Club, supplies- 448.85; Siouxland Lock & Key, keys- 16.59; Trembly Pest Control, pest- 85.00; Verizon, phone- 89.02; Dakota County Extension, reimburse- 694.37; City of SSC, phone/copies/fuel- 3717.11; Dakota County Sheriff, repair- 23.38; Dakota County Treasurer, registration- 20.50; Electronic Engineering, fuseblock- 40.00; Five Star Awards, plaque- 49.15; Fremont Tire, service/repair- 726.93; Jacks Uniforms, supplies- 3468.45; Racom Corp, t1- 694.20; Sign Masters, lettering- 290.00; SFCU, meals/fuel- 382.48; Siouxland Human Soc, animal control- 92.00; Star Printing & Publishing, cards- 90.00; Verizon, phone- 66.50; Willis Animal Clinic, food- 17.83; Woodhouse Ford, vehicle- 19000.00; Caterina Chapman, mileage- 59.17; Verizon, phone- 55.02; Dakota County Treasurer, copies- 6.00; Dept of MV, records/transcripts- 11.00; Des Moines Stamp, stamp- 26.70; Ed Matney, postage- 11.62; H204U, supplies- 17.25; Quill, supplies- 185.09; Sprint, phone- 129.21; Stephen Skulsky, witness- 750.00; Thurston County Sheriff, subpoena- 33.03; Washington Co Court, copies- 4.25; Amsan, supplies- 279.43; Bob Barker, supplies- 584.78; Bort Auto Body, mirror- 233.15; Becky Broer, reimburse- 63.02; CBM Food, meals- 18402.25; Cash-Was Distr., supplies- 196.75; Dakota Business Systems, contract- 261.00; Dakota County Star, publishing- 7.00; Dakota City Vol Fire Dept, contract- 2000.00; Dakota Food & Fuel, fuel- 709.36; Sandy Dickens, mileage- 106.80; Fremont Tire, transport- 26.46; JP Cooke, supplies- 132.66; Jacks Uniforms, supplies- 364.45; Kreislers Inc, medical- 58.47; Mercy Bus Health, medical- 1200.00; Mercy Medical Center, medical- 1695.08; Moore Medical, medical- 58.42; NLETC, lodging- 450.00; Net Sys Plus, computer work- 1846.20; David Noble DDS, medical- 596.00; NE Nebr Juvenile, boarding- 2887.50; Redlers Pharmacy, medical- 6478.08; Linda Schovanec, reimburse- 58.86; SFCU, meal/fuel/training- 735.48; Siouxland Lock & Key, key organize- 94.00; Staples, toner- 520.56; Stericycle, biohazard removal- 366.12; Verizon, phone- 148.54; Walmart, supplies- 91.40; Wilmes Hardware Hank, padlocks- 15.47; Woodbury Co Juvenile, boarding- 8100.00; Dodge County Clerk, expenses- 8309.22; NACO, convention- 120.00; Perkins, supplies- 38.38; Staples, supplies- 68.35; Verizon, phone- 33.19; Pam Devries, mileage- 88.21; Dunes Family Med, medical- 250.00; Pat Glover, contract- 148.89; Bonnie Kahler, lunch/mileage- 87.24; Kreislers Inc, supplies- 60.00; Stericycle, biohazard removal- 366.12; Alltell, phone- 210.00; Deanna Beckman, hours/mileage- 1063.00; Pam Devries, mileage- 15.52; HyVee, catering- 90.00; Hopkins Medical, handbook- 97.90; Pacific City Graphics, envelopes- 99.00; Perkins, supplies- 735.91; Alan Boyd, mileage- 622.26; Electronic Engineering, pager- 13.95; Thompson West, service- 810.26; CableOne, internet- 208.90; De Lage Landen, lease- 110.69; FSH Comm, payphone- 63.60; Lazette Gifford, website- 40.00; MIPS, support- 380.97; Qwest, phone- 1348.07; Region IV, qtrly- 12975.75; Sioux Air, spray- 1240.00; Thompson Publishing, handbook- 428.50; Madelyn Thorsland, prior yrs- 10.00; Three Rivers Benefit, flex admin- 75.00; US Postal Service, postage- 2500.00; WCS Telecom, phone- 375.87; Xpedx, paper- 2224.00; Road Improvement Fund, budget transfer- 10000.00; City of SSC, lec expense- 25302.29;

ROAD FUND: Advance Auto, parts/supplies- 354.51; Aramark, service- 216.10; Bierschbach, equipment- 790.00; Circle R, parts/labor- 182.85; GCR Tire, tires- 271.14; Gill Hauling, service- 52.00; Higman Sand & Gravel, rock- 8157.90; Hubbard Minimart, gas/diesel- 5244.90; H204U, water- 8.50; J&J Pronto, fuel- 920.31; Joes Dept Store, parts/supplies- 146.05; Knoepfler Chevrolet, parts- 30.16; Linweld, oxy- 35.95; Arnie Mellick, clothing- 75.00; Marlan Millard, prior yrs- 15.00; NPPD, service- 23.90; Northeast Equip, parts/rental- 932.17; NE Nebr PPD, light- 205.48; NE Nebr Telephone, phone- 183.22; Powerplan, supplies- 74.62; Rees Mack Sales, parts- 229.37; Road Machinery & Supplies, supplies- 32.69; Salmon Well, repair- 1860.30; Sioux City Iron, supplies- 93.22; Siouxland Hydraulics, parts- 33.77; Siouxland Trailer Sales, parts- 106.55; Stalp Gravel, rock- 5421.11; Stephan Welding, iron- 79.50; Torco Remfg, parts/labor- 239.35; Town & Country, parts- 44.50; TriState Comm, radio/antenna- 573.00; United Building Centers, spikes- 75.08; UECO, pipe- 670.80; Verizon, phone- 44.33; Warren Oil, fuel- 4689.84; Zieglers, parts/labor- 215.25;

ROAD IMPROVEMENT: Barkley Asphalt, asphalt- 3832.23; Midwest Serv & Sales, bridge- 8563.68; Olsson Assoc, bridge- 3266.80;

VETERANS AID: Veterans Office, emergency relief- 3000.00;

STOP FUND: General Fund, claim correction- 449.97;

PUBLIC SAFETY: City of SSC, sls tax- 3357.16; Jail Bond Fund, sls tax- 24619.15;

WEED FUND: Central Comm College, training- 100.00; De Lage Landen, lease- 91.00; Hubbard Minimart, fuel- 385.50; NACO, conference- 120.00;
E911: City of SSC, 1st qtr- 24121.20;
ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Absent, O'Neill- Yea, Hartnett- Yea.
UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved to approve the Spencer Fane Britt and Browne claim in light of the service dates performed.
Motion failed for lack of a second.

Commissioner Hartnett asked Ed Matney, if Commissioner O'Neill were allowed to see the itemized Spencer Fane claim, would it be harmful?
Ed Matney said he would not be able to predict that.
Commissioner Engel felt that it was already established at previous meetings that it could be harmful.

Gordon Krogh addressed the board and stated that he believed a Commissioner should have access to the itemized statement.

Discussion was had regarding the handling of the itemized statements.

Commissioner Hartnett asked if previous Spencer Fane claims were submitted with itemized statements.
Theodore Piepho stated that we did not submit those claims with the itemized statement.
Commissioner O'Neill stated that itemized statements that were sent to her were delivered by her to the County Clerk.

Chair Engel called for the agenda item - Level of participation with the U.S. Census Bureau - 2010 Decennial Census.

Joan Spencer, Administrative Assistant to the Board, stated that she wanted to know what level of involvement the board wanted her to be involved in the census.
Commissioners Hartnett and Engel believed this item should be tabled for now. Commissioner Hartnett wanted Mrs. Spencer to talk to the Assessors on the issue and receive more facts.

Chair Engel called for the agenda item - Letter from Board supporting Commissioner Jackie Hartnett to submit her name in nomination for NIRMA Board of Directors for another 3 year term.

Commissioner Engel moved, seconded by Commissioner O'Neill to send a letter supporting Commissioner Jackie Hartnett for nomination for NIRMA Board of Directors for another 3 year term.
ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Absent.
UNANIMOUS MOTION CARRIED.

October 24, 2007

Nebraska Intergovernmental Risk Mngt. Assoc.
Attn: Craig L. Nelson, Executive Director
100 N 12th Street, Suite 200
PO Box 85210
Lincoln NE 68501-5210

RE: Nomination of Jackie Hartnett for NIRMA Board of Directors

Dear Mr. Nelson:

The Dakota County Board of Commissioners is writing to show their unanimous support in submitting the name of Jackie Hartnett in nomination for the NIRMA Board of Directors.

Jackie Hartnett is a dedicated leader in county government. She has served as a Dakota County Board member since 1989 and would bring experience and competence in her service to the Board of Directors. During her tenure on the NIRMA Board of Directors she has been instrumental in, and an advocate for, bringing the many resources available through NIRMA back to the county.

Thank you for considering the Dakota County Board of Commissioner's nomination of Jackie Hartnett for the NIRMA Board of Directors.

Sincerely,

William Engel
Board Chair

Chair Engel called for the agenda item - Discuss reissue stop payment on lost checks

Theodore Piepho explained that at times a vendor to whom we have issued a check to will lose that check. He asked the board if they would determine an amount at which a stop payment should be issued for a check re-issuance. He explained that there was a \$15.00 fee for a stop payment.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to place a \$25.00 minimum check value before issuing a stop payment for a lost check.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Absent, O'Neill- Yea.
UNANIMOUS MOTION CARRIED.

Chair Engel asked if there was any public comment.

Luella Franco approached the board.

Chair Engel recognized Luella Franco.

Luella Franco read a statement that was published in the Dakota County Star, August 23, 2007.

She continued to read another excerpt from a separate article:

Luella Franco then read an excerpt from a letter sent to Commissioner O'Neill dated May 4, 2007 from the Office of the Attorney General of Nebraska.

Luella Franco presented an e-mail printout to the board from Kelly with Spencer Fane.

Luella read an excerpt from Resolution 07C-004

Luella presented her concerns regarding the amount spent on the law firm and her belief that taxpayers should know the result of the investigation.

Chair Engel informed Luella that the Attorney General had informed the County Attorney that there was no criminal activity and that the board decided to avoid damaging anyone's reputation and discontinue use of the law firm.

Commissioner O'Neill stated that she became aware through Kelly Brandon and that there was a concern about time sheets that were submitted.

Commissioner O'Neill asked to see the report from the Attorney General.

Commissioner McLarty said it was approved by the board that the Attorney General report would be received by the County Attorney and it would be kept in file and that the County Attorney would then inform the board if there was anything done of a criminal nature. He also stated that he still has concerns about protecting the individuals involved in the investigation.

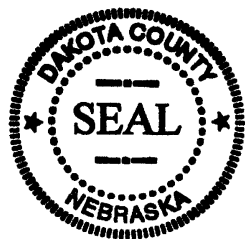
Luella Franco stated she believes the report should be viewed by the commissioners.

Chair Engel asked if there was any emergency business.

Valerie Danielson, Clerk of District Court, approached the board with emergency business.

It was discussed that this item should be placed on the agenda for the next meeting.

Chairman Engel adjourned their meeting at 2:25 p.m.



ATTEST:

County Board of Commissioners

William F. Engel, Chairman

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

Dakota County Board of Commissioners
Monday, November 5, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance being recited.

Present: Commissioners Engel, McLarty, Rohde, O'Neill, Hartnett, and County Clerk Ted Piepho, Secretary.

Absent: None

The numbers for the agenda items were inadvertently altered by Microsoft Word when printed. All agenda items are shown here. Arrangement of agenda items remained the same and items 1 - 17 did not exist for this board meeting.

The agenda for the November 5, 2007 meeting was as follows:

18. 1:30 p.m. Call to Order with reciting the Pledge of Allegiance
 - Roll Call
 - Approve Minutes of October 22, 2007.
 - Review and approve Payroll claims submitted by County Clerk for payment.
 - Military Leave pay.
19. 1:31 p.m. Miscellaneous Agenda Items
 - Goodwill camp signage
 - Case ID: CI 07 308 – SSC vs Barney G Inc. Possible Exec Session
20. 1:40 p.m. Arnold Mellick – Bridge Inspections
21. 1:45 p.m. Consider and / or approve STARCOMM Budget
22. Tabled Items – No tabled items to consider
23. Committee Reports
24. Public Comment
25. Mail and/or Emergency Business
26. 1:50 p.m. Adjournment

Commissioner McLarty moved, seconded by Commissioner Hartnett to approve the minutes of October 22, 2007 as printed and prepared for the Official Record.

ROLL CALL VOTE: McLarty- Yea, Rohde- yea, O'Neill- Yea, Hartnett- Yea and Engel- Yea.
UNANIMOUS MOTION CARRIED.

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

Ms. Spencer, Assistant to the Board, said that the only claim that needed clarification was a request by Kimon Litras to utilize three (3) days of next years Military Leave this year as he has already used his 120 hours of paid leave as defined in Section 55-160 of the Nebraska Revised Statutes.

That precipitated a discussion if all the paid hours fell in different fiscal years, but the Deputy County Attorney was asked to interpret the statute and her opinion was that the statute reads calendar year.

The paid hours for military leave has been determined to be in this calendar year so it was the consensus of the board not to pay beyond the 120 hours in any one calendar year.

The other item that was discussed was whether an employee should receive a salary increase on their anniversary date if they have been on an extended leave without pay. It was the consensus of the board that they should not because benefits do not accrue during such times.

Commissioner Hartnett moved, seconded by Commissioner Rohde to approve the payroll claims submitted by the County Clerk for payment as follows and to deny the request by Kimon Litras, Employee ID number 7024 to be granted three (3) days paid military leave, but to authorize vacation pay for said three days.

COUNTY GENERAL FUND: Gross salaries- \$107,974.36, General Fund Employees Net Pay- \$76,597.74, Employer deductions paid: Retirement- 7,444.34, Social Security Tax- 6,572.23, Medicare- 1,537.09, DC Health Plan- 31,055.60, DC Dental Plan- 803.25, Life Insurance- 181.00.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 471.03, Tracey Corkin- 679.25, Marisol Curiel- 868.00, Bobbi Jo Harsma- 1004.00, Theodore Piepho- 1553.28, Darlene Davis- 885.60, Robert Giese- 1553.28, Ruth Gillaspie- 1176.36, Jolene Heinemann- 948.00, Kimberly Kuehl- 885.60, Phyllis Ridge- 862.65, Margaret Rahn- 1159.23, Daniel Christoffers- 471.03, Dennis Reinert- 209.97, Valerie Danielson- 1553.28, Lori Jessip- 820.00, Cheryl Perkins- 1120.00, Joe Flynn- 1713.92, Debra Jensen- 980.80, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 900.00, Tracey Corkin- 34.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 911.43, Jeremy Bermel- 1624.50, Anthony Bos- 1635.90, Sandy Dickens- 441.37, Brian Ellinger- 1716.89, Penny Epting- 1576.68, Brent Gilster- 1691.00, Todd Hammer- 1762.25, Melvin Harrison III- 1729.00, Rodney Herron- 1742.74, Jason James- 1253.67, Kimberly Johnson- 495.95, Jared Junge- 1785.00, Michael Kreegar- 1584.13, Gayle Richards- 829.60, Kevin Rohde- 1638.12, James Wagner- 1942.76, Kerry Johnson- 840.00, Aimee Kennedy- 1024.00, Edward Matney III- 2513.07, Sara Meadows- 1576.92, Debra Schmiedt- 2115.38, Mary

Spurlock- 840.00, Kimberly Watson- 1692.31, Caterina Chapman- 1118.18, Ermelinda Ballesteros- 1275.44, Joshua Blatchford- 1151.05, Suzette Bosse- 451.00, Dusty Boyd- 1190.05, Rebecca Broer- 1393.14, Sandy Dickens- 662.05, Toni Duncan- 1205.37, Michael Estes- 948.17, Lisa Ford- 1094.63, John Gilles- 1426.62, Alma Gunderson- 1287.72, Paula Harrigfeld- 668.68, Cathy Harsma- 1263.45, Deanna Haukap- 1118.07, Jackie Heaton- 1256.00, Sarah Jensen- 795.00, Brett Johnson- 1164.66, Nicholas Kellen- 1260.37, Brenda Kelly- 1221.30, Matthew Mann- 1111.37, Diana Moctezuma- 944.00, Mark Nelson- 1154.53, Jeep Phommavong- 1144.85, Joseph Ramirez- 1209.00, Cara Reinders- 1108.02, Daniel Rodasky- 1340.73, Bob Rohmiller- 484.00, Stephanie Ryan- 880.39, Linda Schovanec- 1206.40, Justin Smith- 1111.37, Wendi Thornton- 247.50, Francis Tope- 1084.59, Randall Walsh- 1532.00, Charvette Williams- 1108.02, Daniel Wood- 1143.42, Randall Crombie- 182.31, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 1055.58, Bonnie Kahler- 629.46, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 10,291.86, State- 3,655.32, Social Security Tax- 6,572.23, Medicare- 1,537.09, Retirement- 5,036.15, DC Health Plan- 543.35, DC Dental Plan- 430.54, Colonial Health- 16.20, Sheriff Union Dues- 280.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$15,080.46, Road Employees Net Pay- \$10,356.96, Employer deductions paid: Retirement- 1,017.94, DC Health Plan- 4,749.68, DC Dental Plan- 122.85, Life Insurance- 25.42, Social Security Tax- 916.75, Medicare- 214.42.

Brent Byroad- 1168.00, Randall Crombie- 1538.46, Robert Hacker- 1168.00, Ronald Harder- 1176.00, Walter Heinemann- 1180.00, Richard Hoelsing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1212.00, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,406.24, State- 502.33, Social Security- 916.75, Medicare- 214.42, Retirement- 678.62, DC Health Plan-, DC Dental Plan- 58.71, Reassure America Life- 7.32, Deferred Comp.- 61.68, Garnishments- 387.70, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 198.00.

ROLL CALL VOTE: Rohde- yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea. UNANIMOUS MOTION CARRIED.

Deputy County Attorney reported that Mr. Matney, County Attorney is in discussion with the Goodwill Camp about signage to advertise their location.

Commissioner Rohde moved, seconded by Commissioner Hartnett to pay Arnold Mellick \$50 a bridge for inspecting the fracture critical bridges that are required to be inspected this year.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea and Rohde- yea. UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Engel to approve the STARCOMM FY09 Operating Budget of expenditures of \$281,600.00 which will increase Dakota County's obligation from \$15,000 last year to \$21,120.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea and Rohde- yea. UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item of tabled items and there is nothing on the table.

Chair Engel called for the agenda item of Committee Reports and no one had any reports.

Chair Engel called for the agenda item of Public Comment.

Commissioner O'Neill said that since the report from Spencer, Fane, Britt and Browne has been completed and since the Dakota County Commissioners have not seen the report, I make a motion that the total amount of \$36,502.87 be paid back to Dakota County by the five (5) Commissioners and the County Attorney. The amount for each Commissioner and County Attorney will be \$6,083.81. The only way that this can be avoided is if the report be released to the County Commissioners.

Chair Engel said he declined on that and we have been all through that. That is a closed issue, he said.

Ms. O'Neill asked the chair to ask for a second.

Chair Engel said, "Ok there has been a motion made is there a second on that?"

Commissioner McLarty said it's not on the agenda.

The motion died for a lack of a second.

There was discussion whether a motion was permissible under public comment whereas it was not on the agenda. It was also discussed that the purpose of public comment was to express something.

Commissioner O'Neill said that she has been declined being put on the agenda and her First Amendment Rights violated. She asked Mr. Engel if he would like to address that.

Mr. Engel said that he knows it is all over (referring to the investigation and the report from Spencer, Fane, Britt and Browne) and that it has been discussed and we've got the Attorney General's remarks back and we have voted on everything and you keep bringing stuff up bothering citizens worrying them what's going on. As far as I am concerned, as far as the board's concern and I think the Attorney's concern, it is a closed issue.

Chair Engel called for the agenda item mail and/or emergency business.

There was the Certification of County Highway Supt. certifying the name of the superintendent that served at that capacity during the calendar year 2007. Chair Engel signed the certification naming Randy Crombie as serving at that capacity thus far this calendar year.

With no further business Chairman Engel adjourned their meeting at 2:04 p.m.



ATTEST:

County Board of Commissioners

William F. Engel, Chairman

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

Dakota County Board of Commissioners
Monday, November 19, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 10:01 a.m. with the Pledge of Allegiance being recited.

Present: Commissioners Engel, McLarty, O'Neill and County Clerk Ted Piepho, Secretary.

Absent: Commissioners Rohde and Hartnett.

The agenda for the November 19, 2007 meeting was as follows:

1. 10:00 a.m. Call to Order with reciting the Pledge of Allegiance
 - Roll Call
 - Approve Minutes of last meeting
 - Review and approve Payroll and Accounts Payable claims submitted by County Clerk for payment
 - Loess Hills membership
 - Approval of Accounts Payable and Payroll claims before Lunch.
2. Quarterly Jail Tour conducted in March, June, Sept and December
 - Will not be one this meeting
3. 11:45 a.m. Recess for Lunch
4. 1:30 p.m. Reconvene meeting from morning session
5. 1:31 p.m. Jim Hanks - Appoint negotiating member/s for Road Union negotiations
 - Bargaining Unit negotiations
6. Tabled Items – no tabled items to consider
7. Miscellaneous Agenda Items
 - Officials Reports
 - Closed Executive Session - Proprietary Information regarding companies.
 - Schedule Public hearing – Conditional Use Permit for Gary Smith to have Rodeo's Section 13, T-29, R-7E.
 - Chair to sign Final Job Creation/Retention Report CDBG #05-ED-015
8. Committee Reports
9. Commissioner Reports
10. Public Comment
11. Mail and/or Emergency Business
12. 2:30 p.m. Reconvene from Board of Correction
13. 2:45 p.m. Lou Franco – Completion of Road as intended in July 9, 2001 minutes.
14. 3:00 p.m. Adjournment

Commissioner Hartnett took her seat at 10:12 a.m.

Commissioner McLarty moved, seconded by Commissioner Hartnett to approve the minutes of November 5, 2007 as printed and prepared for the Official Record.

ROLL CALL VOTE: McLarty- Yea, Rohde- Absent, O'Neill- Yea, Hartnett- Yea and Engel- Yea.
UNANIMOUS MOTION CARRIED.

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

Commissioner Hartnett moved, seconded by Commissioner McLarty to approve the payroll claims submitted by the County Clerk as follows:

COUNTY GENERAL FUND: Gross salaries- \$115,282.16, General Fund Employees Net Pay- \$81,410.55, Employer deductions paid: Retirement- 7,976.04, Social Security Tax- 7,025.33, Medicare- 1,643.06, DC Health Plan- 31,055.60, DC Dental Plan- 803.25, Life Insurance- 181.05.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 454.00, Tracey Corkin- 965.25, Marisol Curiel- 868.00, Bobbi Jo Harsma- 991.45, Theodore Piepho- 1553.28, Darlene Davis- 885.60, Robert Giese- 1553.28, Ruth Gillaspie- 1176.36, Jolene Heinemann- 948.00, Kimberly Kuehl- 863.46, Phyllis Ridge- 880.88, Margaret Rahn- 1159.23, Daniel Christoffers- 454.00, Dennis Reinert- 209.97, Valerie

Danielson- 1553.28, Lori Jessip- 707.25, Cheryl Perkins- 1120.00, Joe Flynn- 1713.92, Debra Jensen- 956.28, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 900.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 912.78, Jeremy Bermel- 1947.50, Anthony Bos- 1985.50, Sandy Dickens- 441.37, Brian Ellinger- 1936.75, Penny Epting- 1819.13, Brent Gilster- 1691.00, Todd Hammer- 2161.25, Melvin Harrison III- 1928.50, Rodney Herron- 1742.74, Jason James- 1701.04, Kimberly Johnson- 498.47, Jared Junge- 1908.85, Michael Kreegar- 1805.00, Gayle Richards- 829.60, Kevin Rohde- 1900.92, James Wagner- 1942.76, Kerry Johnson- 756.00, Aimee Kennedy- 1024.00, Edward Matney III- 2513.07, Sara Meadows- 1576.92, Debra Schmiedt- 2115.38, Mary Spurlock- 840.00, Kimberly Watson- 1692.31, Caterina Chapman- 1118.18, Ermelinda Ballesteros- 1267.07, Joshua Blatchford- 1274.40, Suzette Bosse- 371.25, Dusty Boyd- 1257.02, Rebecca Broer- 1445.57, Sandy Dickens- 662.05, Toni Duncan- 962.88, Michael Estes- 1053.53, Lisa Ford- 1304.09, John Gilles- 1422.90, Alma Gunderson- 1496.13, Paula Harrigfeld- 578.16, Cathy Harsma- 1397.85, Deanna Haukap- 1267.07, Jackie Heaton- 1376.00, Sarah Jensen- 787.50, Brett Johnson- 1341.66, Nicholas Kellen- 1318.01, Brenda Kelly- 1339.89, Matthew Mann- 1349.32, Diana Moctezuma- 1081.50, Mark Nelson- 1336.35, Jeep Phommavong- 1278.03, Joseph Ramirez- 1272.24, Cara Reinders- 1272.10, Daniel Rodasky- 1283.81, Bob Rohmiller- 528.00, Jutharatana Ruenprom- 1178.06, Stephanie Ryan- 1298.87, Linda Schovanec- 1236.56, Justin Smith- 1535.40, Francis Tope- 1231.92, Randall Walsh- 1656.48, Charvette Williams- 1273.76, Daniel Wood- 1299.18, Randall Crombie- 182.31, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 1172.09, Bonnie Kahler- 656.36, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 11,442.42, State- 4,077.79, Social Security Tax- 7,025.33, Medicare- 1,643.06, Retirement- 5,398.80, DC Health Plan- 543.37, DC Dental Plan- 430.76, Colonial Health- 16.20, Sheriff Union Dues- 280.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$15,148.65, Road Employees Net Pay- \$10,403.70, Employer deductions paid: Retirement- 1,022.54, DC Health Plan- 4,749.68, DC Dental Plan- 122.85, Life Insurance- 25.44, Social Security Tax- 920.98, Medicare- 215.41.

Brent Byroad- 1168.00, Randall Crombie- 1538.46, Robert Hacker- 1168.00, Ronald Harder- 1176.00, Walter Heinemann- 1180.00, Richard Hoesing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1280.19, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,416.00, State- 505.70, Social Security- 920.98, Medicare- 215.41, Retirement- 681.69, DC Health Plan-, DC Dental Plan- 58.74, Reassure America Life- 7.32, Deferred Comp.- 61.68, Garnishments- 387.70, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38, Flex Plan- 110.00, Union Dues- 198.00.

VISITORS PROMOTION: South Sioux City Chamber of Commerce; lodging tax: 15,657.39.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, McLarty- Yea, Rohde- yea and Engel- Yea. UNANIMOUS MOTION CARRIED.

The board discussed whether to be a member of Loess Hills.

Commissioner McLarty moved, seconded by Commissioner Hartnett to decline the invitation of becoming a contributing member of the Loess Hill for 2008.

ROLL CALL VOTE: Rohde- yea, O'Neill- Yea, Hartnett- Yea and Engel- Yea, McLarty- Yea. UNANIMOUS MOTION CARRIED.

Chair Engel recess their meeting for lunch at 11:32 a.m.

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

Present: Commissioners Engel, McLarty, Rohde, O'Neill, Hartnett, and County Clerk Ted Piepho, Secretary.

Commissioner Hartnett moved, seconded by Commissioner McLarty to approve the accounts payable claims submitted by the County Clerk as follows:

GENERAL FUND: Dakota County Star, publishing- 262.12; NACO, conf fee- 150.00; William McLarty, workshop/lodging- 333.31; Joan Spencer, reimburse- 205.52; Dakota County State Bank, stop payments- 45.00; Dakota County Star, publishing- 207.00; Des Moines Stamp, stamp- 26.70; MIPS, shipping- 8.45; Perkins, supplies- 474.46; Theodore Piepho, phone- 20.00; Redfield, book- 211.04; DAS Imservices, storage- 3.50; Charlotte Doenhoefer, prior yrs- 10.00; Robert Giese, mileage- 111.55; Ruth Jensen, prior yrs- 12.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; Phillips Printing, supplies- 684.00; Staples, supplies- 111.91; Microfilm Imaging, lease- 240.00; Mark Dorcey, prior yrs- 4.00; Shirley Sides, services- 40.00; Theodore Piepho, mileage/meal- 116.14; Todd's Store all, storage- 80.00; De Lage Landen, lease- 91.00; Dennis Reinert, mileage- 30.00; Valerie Danielson, reimburse- 234.99; Executive Copy, maint. agreement- 162.75; Holiday Inn, lodging- 350.00; Lori Jessip, reimburse- 227.26; Norfolk Printing, calendar sheets- 29.70; Cheryl Perkins, meals- 34.29; Staples, supplies- 303.37; Dakota Business System, leases- 129.00; Dell Marketing, toner- 269.97; Nebr. Co Court Assoc, dues- 50.00; Kurt Rager, reimburse- 10.12; Thomson West, service- 154.25; William Binkard, supplies reimb- 266.33; Erica Gonzalez, interpret- 1150.00; Frank Gonzalez, interpret- 350.00; John Loos Jr, supplies/lodging/mileage- 336.64; Perkins, supplies- 47.00; Dakota County Court, costs- 1316.42; David Gooder, witness fee- 24.85; Randy Hisey, counsel- 4734.00; Shelly Horak, counsel- 138.00; Hurley Law Office, counsel- 1248.00; Sandra Inkster, counsel- 480.00; Kueny Law, counsel- 3239.76; Olivia Martinez, witness fee- 20.00; Stuart Mills, counsel- 795.00; Pete Morris, witness fee- 22.42; Eivalia Rodriguez, witness fee- 22.91; Douglas Roerich, counsel- 108.00; Bryan Smith Jr, counsel- 206.91; Roger Thompson, witness fee- 111.78; Patrick Tott, counsel- 366.00; Dakota County Sheriff, papers/warrants- 972.93; Susan Hunke, bill of exp- 110.50; Douglas Roerich, counsel- 1158.00; Ben star, supplies- 78.80; Dakota Food & Fuel, supplies- 29.00; Foulk Pros Plumbing, plumbing- 94.00; Gill Hauling, service- 240.00; Grainger's, repair- 473.26; Hardware Hank, repair- 73.10; Jackson Pumping, plumbing- 95.00; MidAmerican, energy- 2086.07; NPPD, electric- 3384.71;

Richard Jensen, mileage- 129.94; O'Keefe Elevators, maintenance- 181.25; Pemco, maintenance- 420.50; Siouxland Lock & Key, keys- 20.20; Stateline Electric, supplies- 1091.42; Trembly Pest Control, service- 85.00; Verizon, phone- 58.19; Wal-Mart, repair- 17.03; Dakota County Extension, reimburse- 392.31; Ammunition, ammunition- 199.50; Bort Auto Body, repairs- 75.07; C&J Body Shop, repair- 250.00; Sergio Castillo, interpret- 40.00; City of SSC, phone/fuel- 4092.29; Dakota County Sheriff, fuel/repairs- 41.64; Dakota County Star, publishing- 8.68; Dakota County Clerk, title- 10.00; ETS Development, support- 832.50; Fremont Tire, repair/service- 1525.40; Harold's, film- 22.57; Jacks Uniforms, supplies- 1035.30; Conrad Johansen, postage- 5.25; Joes Dept Store, ammo- 41.00; K&S Auto, service- 43.75; Midwest Radar, certifications- 250.00; Moore Wallace, certificate cards- 39.54; Racom, t1- 694.20; Sign Masters, sign- 25.00; Sioux City Ford, service- 393.19; SFCU, mailing/labels- 136.27; Stanard & Assoc, tests- 220.00; Verizon, phone- 67.85; Watchguard Video, dvds- 93.50; Willis Animal Clinic, food- 17.83; Burt Co Judge, copies- 2.25; Dakota County Treasurer, Wal-Mart payment- 47.18; Debra Fergen, meals/parking/mileage- 270.93; Dept of Motor Vehicles, transcripts- 28.00; Des Moines Stamp, stamps- 152.85; Document Depot, destruction- 40.00; Ed Matney, postage- 29.60; Iowa Office Supply, repair- 486.75; Kim Watson, meals/mileage/parking- 199.66; Marriott Hotels, lodging- 763.00; Sarah Meadows, meals- 38.60; Sprint, phone- 162.02; City of SSC, lec- 25302.29; Caterina Chapman, supplies/mileage- 130.92; Perkins, supplies- 85.97; Verizon, phone- 55.02; BI Inc, electric monitoring- 946.00; Ace Refrigeration, supplies- 22.10; AmeriTech Ind, magnets- 32.37; Amsan, supplies- 761.13; Ermelinda Ballesteros, physical- 20.00; Bob Barker, supplies- 1986.46; CBM Food Service, meals- 18813.75; CashWa Distr., meals- 265.45; D&R Service, repair- 171.80; Dakota Business Systems, contract- 281.00; Dakota County Sheriff, fuel- 74.01; Dakota County Star, corrections- 68.00; Dakota Family Dentistry, service- 172.00; Dakota Food 7 Fuel, fuel- 552.38; Delta Gloves, gloves- 197.70; Sandy Dickens, mileage- 133.50; Genesis Enterprises, cloths- 243.00; Deanna Haukap, physical/boots- 85.00; Jacks Uniforms, supplies- 499.45; Joes Dept Store, cable ties- 46.82; Mercy Business Health, medical- 1791.00; Mercy Medical Center, medical- 1756.62; Midwest Office Automations, contract copies- 370.86; NE Nebr. Juvenile Services, boarding- 6533.75; NW Iowa Emergency Phys, medical- 564.97; Net Sys Plus, computer work- 714.25; Omaha World Herald, publishing- 964.24; Racom, repair- 194.78; Redler's Pharmacy, medical- 4410.63; Sam's Club, supplies- 59.42; Sioux City Journal, publishing- 695.20; SFCU, fuel/software/meal- 169.84; Siouxland Lock & Key, keys- 1.75; Siouxland Mental Health, medical- 80.00; Siouxland Radiology Partners, medical- 93.00; Sirchie Finger Print, pads- 66.68; Staples, supplies- 585.61; Verizon, phone- 150.34; Wal-Mart, supplies- 899.64; Woodbury Co Juvenile Detention, boarding- 10676.99; Verizon, phone- 32.92; Pam Devries, mileage- 105.24; Dunes Family Medicine, physician- 250.00; Pat Glover, mileage- 139.68; Moore Medical, medical- 34.16; Sanofi Pasteur, vaccines- 2620.66; Deanna Beckman, hours/mileage- 1137.00; Hy-Vee, lunch- 93.93; Alan Boyd, mileage- 727.99; Electronic Engineering, pager- 13.95; James Publishing, books- 66.94; Thompson West, service- 618.26; Cable One, internet- 205.95; Claritus, maintenance- 996.45; De Lage Landen, lease- 110.69; Executive Tech, service/toners- 230.00; FSH Comm., payphone- 63.60; Lazette Gifford, website- 40.00; Hasler Inc, postage- 249.00; IBM Corp, server- 205.71; Justice Benefits, scaap fee- 526.24; MIPS, support- 380.97; Qwest, phone- 1353.82; Madelyn Thorsland, prior yrs- 10.00; Three Rivers Benefit, admin fee- 75.00; US Postal Service, postage- 3500.00; WCS Telecom, phone- 392.22; Road Improvement Fund, budget transfer- 10500.00; ROAD FUND: Advance Auto, parts/supplies- 71.01; Aramark, service- 196.02; Bomgaar's, supplies- 103.03; Bomgaar's, supplies- 103.03; Dakota Traffic Services, markings- 828.50; Filter Care of NE, cleaning- 48.55; Gill Hauling, service- 52.00; Green Light Truck Wash, maintenance- 496.40; Guarantee Oil, oil/supplies- 1034.85; Walter Heinemann, clothing- 72.45; Higman Sand & Gravel, rock- 13378.68; HME Inc, rock- 939.19; Hubbard Minimart, gas/diesel- 6667.73; H204U, service- 8.50; New Sioux City Iron, parts- 25.04; Inland Truck parts, parts- 100.98; J&J Pronto, fuel- 511.19; Bob Jacobsen, clothing- 75.00; Jim Hawk Truck Trailers, parts- 183.54; Joes Dept Store, parts/supplies- 108.32; Linweld, oxy- 38.95; Kimon Litras, clothing- 75.00; Marx Truck Trailer, parts- 112.40; Medical Enterprises, testing- 34.90; Midwest Service & Sales, signs/chains- 1312.00; Marlan Millard, prior yrs- 15.00; NAPA, parts/supplies- 147.86; NPPD, service- 23.90; NE Nebraska PPD, prepay/service- 1144.54; NE Nebraska Telephone, phone- 199.31; Leon Pies, clothing- 75.00; Pilger Sand & Gravel, gravel- 1255.01; Pumps, tires- 1100.00; Powerplan, supplies- 97.91; Rees Mack Sales, parts- 151.65; St. Luke's Center for Occ. Health, testing- 88.00; Siouxland Hydraulics, parts- 32.60; Stalp Gravel, rock- 5421.11; Jim Swanson, clothing- 75.00; Titan Machinery, part- 95.17; Town & Country, parts- 177.04; TriState Comm, radio- 50.00; UECO, pipe- 297.20; Verizon, phone- 45.88; Warren Oil, diesel- 3833.39; Ziegler's, parts/supplies- 1241.71; ROAD IMPROVEMENT: Barkley Asphalt, asphalt- 206.29; Midwest Service & Sales, bridge- 5335.00; Olson Assoc, bridge- 7823.40; VETERANS AID: Veterans Service Office, relief- 1500.00; PUBLIC SAFETY: City of SSC, sales tax- 2793.73; Jail Bond Fund, sales tax- 20487.37; WEED FUND: Hubbard Minimart, fuel- 337.00; Joes Dept Store, antifreeze- 19.08; NAPA, parts- 142.73; Quality Inn, lodging- 150.86; Steffen, parts- 92.17; Wilmes Hardware, parts- 59.64; ROLL CALL VOTE: Rohde- yea, O'Neill- Yea, Hartnett- Yea and Engel- Yea, McLarty- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Rohde to acknowledge receipt of and approve the Official's reports filed with the County Clerk from the County Clerk, Register of Deeds for September and October, 2007 and the Clerk of the District Court's Reports for the month of August and October, 2007.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde - Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item "Lou Franco – Completion of Road as intended in July 9, 2001 minutes".

Lue Franco presented pages following up on a road that started in 2001 and was not completed. She mentioned that she had been before the board in January to begin this quest. Page one showed that the item was tabled and page two showed where it had to be tabled because it was in litigation.

Ed Matney, the County Attorney and Commissioner Hartnett had been out to look at the situation to see that the road had not been completed.

Page three and four shows that the only area in litigation is the area highlighted by the blue line. She said that this is presented to clearly show that the orange line is not in litigation and that is what brings her back today.

JC Martin (Gene Martin's son) stepped up and took a seat reserved for the public.

On page 5 is the lay out of the legal drawing of the easements and there were legal descriptions to them. On page 6, a letter from TM Holding, which is Mr. Martin, saying what he would agree to the easement and that was to give a 50' foot wide piece of land on the west side of his property shown in green. The green strip is on page seven. On Page 5 that did not happen.

On page 8 is the commitment of the county which is to build a road from the service road down to Angelo Marmo's property line or in the second paragraph it says to the beginning of Mr. Marmo's land.

Commissioner Rohde pointed out that the 800' would be the section in orange and Lue confirmed that, but added that only goes to Lue Franco's land and not Angelo Marmo's land. She pointed out that that was deeded to her in 1996. She pointed out school land that she got in 2006. She bought 15 acres in 2002, which was the year her dad (Angelo) passed away. She has a deed to her property dated 1996 and the County's Resolution said that the road should go to Angelo Marmo's property line and it only goes to her property line.

Commissioner Rohde pointed out that they went 800'.

Ms. Franco said that when the County Attorney talked to Arnold Mellick, (Road Supt. at the time) that was consistent with what the county's resolution said and that was to go to Angelo Marmo's property line, not Lue Franco's property line.

Ms. Franco said that had the county built a road to Angelo's Marmo's property line, there would not have been a law suit.

JC Martin said that contrary to what Lue said there has not been any denial of access while Angelo was alive.

Ms. Marmo said that there was access from the red or blue line.

Ed had sent Lue a draft letter in email form that the board could proceed with this because it was not in litigation.

Commissioner Rohde read the email from Mr. Matney saying that it did not appear that the road in question was in litigation and it would be appropriate for Ms. Franco to take it before the board or another sitting.

The board asked Deputy County Attorney Deb Fergen about this and she said that a draft copy from the county attorney was just that a draft and not his final opinion.

It was the consensus of the board to wait until they get a letter from the County Attorney on this matter.

Commissioner McLarty vacated his seat at 1:42 p.m. and returned at 1:46 p.m.

Commissioner McLarty moved, seconded by Commissioner Rohde to schedule a public hearing to consider issuing a Conditional Use Permit for Gary Smith to have Rodeo's in a tract of land located in Section 13, T-29, R-7E on December 17, 2007 and authorize the County Clerk to schedule the time on the agenda.

ROLL CALL VOTE: Hartnett- Yea and Engel- Yea, McLarty- Yea, Rohde- yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED

Commissioner Hartnett moved, seconded by Commissioner McLarty to research whether stop signs should be put up for traffic that comes out of Siouxland Ethanol's Plant and who's responsibility that would be to install said stop signs. BE IT FURTHER RESOLVED to send a letter to the State Department of Roads asking them to do a traffic study whether there should be a no parking zone setback along the side of the highway nearest the Siouxland Ethanol Plant, to provide traffic coming off Knox Blvd. and entering onto Highway 20 better visibility of the East bound traffic coming from the northwest. And finally be it further resolved to copy the Ponca Superintendent of Schools a copy of that letter.

ROLL CALL VOTE: Hartnett- Yea and Engel- Yea, McLarty- Yea, Rohde- yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved to convene into Closed Executive Session to discuss Proprietary Information regarding companies and Economic Development.

The Deputy County Attorney was asked if that would qualify for Closed Executive Session and she said that it would not, so Mr. McLarty withdrew his motion.

Chair Engel called for the agenda item "Committee Reports".

Commissioner McLarty reported that the County Line is only available on line and have discontinued the hard copy.

Chair Engel called for the agenda item "Commissioner Reports".

Commissioner Reports: Commissioner Rohde reported that Arnold Mellick had called him and that the state will be inspecting the fracture critical bridges and that he will not be inspecting them.

Under Mail and/or Emergency Business Commissioner Hartnett brought up the letter from Ponca Public Schools. She suggested that the County Board send a letter to the Department of Roads to suggest that they investigate the area, possibly a set back area from the stop sign, or whatever.

Commissioner Rohde moved, seconded by Commissioner McLarty to appoint Jim Hanks to be the County's labor attorney in helping the county negotiate a contract with the Road Union.
ROLL CALL VOTE: Hartnett- Yea and Engel- Yea, McLarty- Yea, Rohde- yea, O'Neill- Yea,
UNANIMOUS MOTION CARRIED.

With no further business Chairman Engel adjourned their meeting at 2:12 p.m.



County Board of Commissioners

ATTEST:

William F. Engel, Chairman

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

Dakota County Board of Commissioners
Monday, December 3, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance being recited.

Present: Commissioners Engel, McLarty, Rohde, O'Neill, Hartnett and County Clerk Ted Piepho, Secretary.

Absent: None

The agenda for the December 3, 2007 meeting was as follows:

27. 1:30 p.m. Call to Order with reciting the Pledge of Allegiance

- Roll Call
- Approve Minutes of last meeting
- Review and approve Payroll claims submitted by County Clerk for payment
- Employee Handbook and Personnel Policies – Sick Leave, Vacation and benefits.

28. 1:31 p.m. Lue Franco - Completion of Road as intended in July 9, 2001 minutes.

29. 1:40 p.m. Miscellaneous Agenda Items

- Possibly reschedule Public Hearing for Gary Smith and notify Star if the board decides not to have it December 17th as previously set.
- Employee Handbook
- Chair to authorize designee to cast ballot for NACO Officer.

30. 1:45 p.m. Union Negotiations – Closed Session

31. Tabled Items – No tabled items to consider

32. Committee Reports

33. Public Comment

34. Mail and/or Emergency Business

35. 2:00p.m. Adjournment

The numbers for the agenda items were inadvertently altered by Microsoft Word when printed. All agenda items are shown here. Arrangement of agenda items remained the same and items 1 - 26 did not exist for this board meeting.

Commissioner McLarty moved, seconded by Commissioner Hartnett to approve the minutes of November 19, 2007 as printed and prepared for the Official Record.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea and Engel- Yea. UNANIMOUS MOTION CARRIED.

Gary Sides and Commissioner Rohde unveiled the County Flag with the theme of Lewis and Clark.

Lue Franco appeared before the board and asked the Board to revisit the road known as Franco Drive. She suggested that Commissioner Rohde recuse himself because of his affiliation with Gene Martin.

Mr. Rohde denied that was necessary although they were friends.

Chair Engel denied that request.

Her presentation was about the same as last meeting except that she had a letter from the County Attorney stating that the road or area that she was talking about was not in litigation.

Commissioner Rohde moved, seconded by Commissioner McLarty that Franco Drive constructed as it was in 2001 and appearing as it is today shall be considered complete as the Board intended when the road was constructed in 2001.

ROLL CALL VOTE: Rohde- Yea, O'Neill- No, Hartnett- Yea, Engel- Yea and McLarty- Yea. MOTION CARRIED.

The board briefly discussed the public hearing on a Conditional Use Permit for Gary Smith to conduct a rodeo as previously set in last meeting.

Commissioner McLarty moved, seconded by Commissioner Hartnett to continue to have the Public Hearing on a Conditional Use Permit for Gary Smith to conduct a rodeo as previously set, but not to deliberate on it until receiving a recommendation from Planning and Zoning.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea. UNANIMOUS MOTION CARRIED.

Chair Engel designated Commissioner Rohde to be the designee for the County to cast the County's ballot to vote for the NACO Officers.

Commissioner McLarty reported that the department heads have met on a county handbook and they have indicated that they could administer their offices according to the handbook and he suggested that the board take the handbook and review it between this and the next meeting for the board's consideration.

Chair Engel called for the agenda item "Tabled Items", which there are none.

Chair Engel called for the agenda item "Committee Reports" and there were none.

Chair Engel called for the agenda item "Public Comment".

Robert Ford wished to make a statement. He said that several people were in attendance and they would like the Commissioner to address the Spencer, Fane, Britt and Browne Jail Report and suggested that all the board members have a copy of that report and go into closed session and read it. He also suggested the Board put the operations of the jail out to a private contractor.

Vincent Kramper thanked the board for the condition of the roads around his place.

Commissioner O'Neill said that she would like to talk and went on to say that she had been getting a lot of bad publicity.

Chairman Engel said that is out of order and that we are not going into that anymore.

She went on to talk about the April 9th motion.

Chair Engel recessed the Board of Commissioners at 2:17 p.m.

Chair Engel reconvened the Board of Commissioners at 3:00 p.m.

Commissioner Hartnett moved, seconded by Commissioner McLarty to convene into Closed Executive Session to discuss union negotiations.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea and Rohde- Yea.

UNANIMOUS MOTION CARRIED. 3:00 p.m.

Commissioner Hartnett moved, seconded by Commissioner McLarty to reconvene in open session.

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- Yea and O'Neill- Yea.

UNANIMOUS MOTION CARRIED. 3:27 p.m.

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

It was felt that Mark Nelson should receive additional pay for acting as Interim Jail Administrator. Chair McLarty felt that Mark Nelson should receive at least \$100 per week more and offered that as a motion and for it to be paid as other pay. Commissioner Engel seconded that.

ROLL CALL VOTE: McLarty- Yea, Rohde- Yea, O'Neill- Yea, Hartnett- Yea and Engel- Yea.

UNANIMOUS MOTION CARRIED.

Commissioner Hartnett moved, seconded by Commissioner Rohde to approve the payroll claims submitted by the county clerk as follows:

COUNTY GENERAL FUND: Gross salaries- \$125,181.29, General Fund Employees Net Pay- \$87,336.80, Employer deductions paid: Retirement- 8,696.10, Social Security Tax- 7,637.87, Medicare- 1,786.27, DC Health Plan- 31,420.96, DC Dental Plan- 812.70, Life Insurance- 183.25.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 454.00, Tracey Corkin- 932.25, Marisol Curiel- 873.43, Bobbi Jo Harsma- 953.80, Theodore Piepho- 1553.28, Darlene Davis- 885.60, Robert Giese- 1553.28, Ruth Gillaspie- 1176.36, Jolene Heinemann- 948.01, Kimberly Kuehl- 885.60, Phyllis Ridge- 899.10, Margaret Rahn- 1159.23, Daniel Christoffers- 454.00, Dennis Reinert- 209.97, Valerie Danielson- 1553.28, Lori Jessip- 779.00, Cheryl Perkins- 1120.00, Joe Flynn- 1713.92, Debra Jensen- 980.80, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 900.00, Tracey Corkin- 16.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 868.00, Jeremy Bermel- 2109.00, Anthony Bos- 2473.80, Sandy Dickens- 441.37, Brian Ellinger- 2457.97, Penny Epting- 2537.72, Brent Gilster- 2261.00, Todd Hammer- 2546.00, Melvin Harrison III- 2175.50, Rodney Herron- 2330.80, Jason James- 2189.35, Kimberly Johnson- 339.86, Jared Junge- 2642.40, Michael Kreegar- 2090.00, Gayle Richards- 832.20, Kevin Rohde- 2216.28, James Wagner- 1942.76, Kerry Johnson- 745.50, Aimee Kennedy- 1024.00, Edward Matney III- 2513.07, Sara Meadows- 1576.92, Debra Schmiedt- 2115.38, Mary Spurlock- 775.50, Kimberly Watson- 1692.31, Caterina Chapman- 1118.18, Ermelinda Ballesteros- 1417.75, Joshua Blatchford- 1534.59, Dusty Boyd- 1742.50, Rebecca Broer- 1498.00, Sandy Dickens- 662.05, Michael Estes- 1158.96, Lisa Ford- 1331.92, John Gilles- 1582.86, Alma Gunderson- 1675.89, Paula Harrigfeld- 192.72, Cathy Harsma- 1524.81, Deanna Haukap- 1352.45, Jackie Heaton- 1060.00, Sarah Jensen- 800.00, Brett Johnson- 1499.19, Nicholas Kellen- 1518.02, Brenda Kelly- 2125.77, Matthew Mann- 1478.01, Diana Moctezuma- 1293.67, Mark Nelson- 1566.44, Jeep Phommavong- 1530.19, Joseph Ramirez- 1530.78, Cara Reinders- 1749.22, Daniel Rodasky- 1623.66, Bob Rohmiller- 605.00, Jutharatana Ruenprom- 1296.27, Stephanie Ryan- 1490.19, Linda Schovanec- 1206.40, Justin Smith- 1335.41, Francis Tope- 1402.69, Randall Walsh- 2350.75, Charvette Williams- 1404.35, Jewel Williams- 418.22, Daniel Wood- 1743.45, Randall Crombie- 182.31, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 1047.70, Bonnie Kahler- 699.40, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 13,438.72, State- 4,770.24, Social Security Tax- 7,637.87, Medicare- 1,786.27, Retirement- 5,897.85, DC Health Plan- 543.35, DC Dental Plan- 450.11, Colonial Health- 16.20, Sheriff Union Dues- 290.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$28,577.27, Road Employees Net Pay- \$21,499.47, Employer deductions paid: Retirement- 1,928.97, DC Health Plan- 4,384.32, DC Dental Plan- 113.40, Life Insurance- 23.17, Social Security Tax- 1,753.57, Medicare- 410.12.

Brent Byroad- 1168.00, Randall Crombie- 14811.72, Robert Hacker- 1168.00, Ronald Harder- 1176.00, Walter Heinemann- 1180.00, Richard Hoelsing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1325.65, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1281.90.

ROAD FUND: Employee withholding paid to: Federal- 1,904.27, State- 731.52, Social Security- 1,753.57, Medicare- 410.12, Retirement- 1,285.98, DC Health Plan-, DC Dental Plan- 58.71, Reassure America Life- 7.32, Deferred Comp.- 61.68, Garnishments- 387.70, Aflac Health- 125.35, Aflac Life/Dsbl- 43.58, Flex Plan- 110.00, Union Dues- 198.00.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea and Hartnett- Yea.
UNANIMOUS MOTION CARRIED.

With no further business Commissioner McLarty moved, seconded by Commissioner Rohde to adjourn..
ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea and Hartnett- Yea.
UNANIMOUS MOTION CARRIED 3:52 p.m.



ATTEST:

County Board of Commissioners

William F. Engel, Chairman

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

Dakota County Board of Commissioners
Monday, December 17, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

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

Present: Commissioners Engel, McLarty, O'Neill, Hartnett and County Clerk Ted Piepho, Secretary.

Absent: Commissioner Rohde. Commissioner Rohde arrived at 10:47 a.m.

The agenda for the December 17, 2007 meeting was as follows:

1. 10:00 a.m. Call to Order
 - Pledge of Allegiance.
 - Roll Call.
 - Approve Minutes of December 3, 2007.
 - Review and approve Accounts Payable Claims.
2. 11:20 a.m. Pat Foust – LEC Director
 - A resolution continuing the \$1.00 per access line E911 surcharge for Dakota County.
3. 11:25 a.m. Quarterly Jail Tour by County Board
4. 11:50 a.m. Recess for lunch.
5. 1:30 p.m. Reconvene from morning session.
6. 1:31 p.m. Public Hearing - This hearing is open to the public and the purpose of the public hearing is to give the public an opportunity to offer oral or written testimony in favor of, or in opposition to the issuance of a Conditional Use Permit Application for Gary Smith to conduct rodeo's on a tract of land located in Section 13, T-29-N, R-7-E in Dakota County, Nebraska. This Hearing may be moved to the District Court Room depending on attendance.
7. School District 31R – Russ Gade, Troy Launsby and Eric Georgesen.
 - Emergency Bus Route
8. 1:50 p.m. Miscellaneous agenda items – These may be addressed after reconvening from Board of Corrections.
 - Officials Reports
 - Goodwill Signage
 - Handbook
 - Highway Superintendent position
 - Stop Signs at Siouxland Ethanol Plant entrance to Knox Blvd.
 - Tompkins streets
 - Agreement between the Sheriff Dept and the Board of Corrections
9. 2:00 p.m. Recess to Board of Corrections.
10. 2:45 p.m. Reconvene from Board of Corrections
11. 3:00 p.m. School District 31R – School District 31R Representatives
 - Emergency Bus Route
12. Tabled Items – no items on the table
13. 3:15 p.m. Randy Walsh – purchase sheriff cars.
14. Committee Reports
15. Commissioner Reports
16. Public Comment
17. Mail and/or Emergency Business
18. 3:30 p.m. Adjournment

Commissioner McLarty moved, seconded by Commissioner Hartnett to approve the minutes of December 3, 2007 as printed and prepared for the Official Record.

ROLL CALL VOTE: McLarty- Yea, Rohde- Absent, O'Neill- Yea, Hartnett- Yea and Engel- Yea.
UNANIMOUS MOTION CARRIED.

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

The Board discussed the Joint City, County, and School Meeting and when it should be held. It was thought that they would try and move it up to January like it once was and January 28th was a tentative date discussed.

Ms. O'Neill brought up that there was no itemized statement for the Spencer, Fane, Britt and Brown claim that previously had been submitted.

Discussion was had concerning that issue. Ms. O'Neill was the only one that was concerned that the itemized statement was not attached. It was mentioned that Mr. Matney would bring one down when he comes down.

Commissioner Rohde arrived at 10:47 a.m.

Mr. Matney, County Attorney, explained that there were two transactions on October 2nd that Spencer Fane was not billing the county for. He added that other dates of billing were August 1, 2, 7, 9, 10, 22 and the 23rd. He said that these interacted with County Attorney, Sheriff's Wagner's private council, Attorney General and Commissioner O'Neill.

Commissioner McLarty moved, seconded by Commissioner Rohde to pay all the claims submitted by the County Clerk for payment as follows:

GENERAL FUND: Dakota County Star, publishing- 448.99; Omaha World Herald, publishing- 964.24; Sioux City Journal, publishing- 752.55; Bear Graphics, security paper- 172.40; Perkins, supplies- 100.71; Theodore Piepho, phone- 20.00; Sams Club, membership- 35.00; Hardware Hank, supplies- 22.76; DAS Imsservices, storage- 3.50; Charlotte Doenhoefer, prior yrs- 10.00; Robert Giese, mileage- 104.76; Ruth Jensen, prior yrs- 12.00; Monroe Systems, equipment- 268.59; Net Sys Plus, repair- 58.85; Mardell Sorenson, prior yrs- 26.00; Staples, supplies- 154.90; Terrascan, services- 3710.00; Irene Van Lent, prior yrs- 16.00; Microfilm Imaging, lease- 240.00; Mark Dorcey, prior yrs- 4.00; Todd's Store all, storage- 80.00; Dakota County Star, publishing- 23.07; Dennis Reinert, phone- 30.00; Staples, supplies- 41.42; AJ Phillips, envelopes- 75.00; Dakota Business Systems, lease- 99.00; Dakota County Court, check order- 83.28; DAS Central Finance, supplies- 516.60; Office Systems Company, contract- 149.00; Thompson West, service/pamphlet- 300.25; William Binkard, supplies/postage- 144.76; Frank Gonzalez, interpret- 450.00; Nebr State Bar Assoc, dues- 550.00; Perkins, supplies- 22.43; Thompson West, books- 194.00; Dakota County Court, costs- 903.10; Amber Hegarty, counsel- 1131.12; Randy Hisey, counsel- 150.00; Shelly Horak, counsel- 522.00; Hurley Law Office, counsel- 3091.00; Sandra Inkster, counsel- 165.00; Jesse Kempers, witness fee- 24.85; Stuart Mills, counsel- 630.00; Bryan Smith Jr, counsel- 1217.46; Richard Thramer, counsel- 1049.55; Patrick Tott, counsel- 210.00; Dakota County Sheriff, papers/warrants- 920.98; Clerk of Dist Court, claims- 685.60; Coffee King, coffee- 38.00; Valerie Danielson, microwave- 26.00; Erica Gonzalez, interpret- 100.00; Randy Hisey, counsel- 312.00; Susan Hunke, hearing- 120.00; Linda Kastning, counsel- 123.56; Marcia Mahon, hearing- 61.78; MIPS, jury pool- 690.76; Norfolk Printing, case binders- 855.58; Michael Schmiedt, counsel- 270.00; Shirley Sides, hearing- 60.00; Pat Slaughter, hearing- 185.34; Maximus, allocations- 849.62; Amsan, supplies- 2074.55; Bekins Fire & Safety, extinguishers- 780.30; Benstar, supplies- 348.90; Bomgaar's, repair/supplies- 132.09; Nebraska State Fire Marshall, inspection- 120.00; Gill Hauling, service- 240.00; Foulk Brothers, plumbing- 130.00; Grainger, repair- 250.56; Hardware Hank, repair/supplies- 61.76; Richard Jensen, mileage- 204.62; Menards, repair/supplies- 419.64; MidAmerican Energy, energy- 3140.22; Nebr Dept of Labor, inspection- 100.00; NPPD, energy- 2925.47; Sams Club, repair/supplies- 439.62; Share Corp, supplies- 477.52; SimplexGrinnel, plumbing- 117.00; Siouxland Lock & Key, keys- 15.50; Trembly Pest Control, service- 85.00; Verizon, phone- 58.23; Wal-Mart, repair- 18.03; Dakota County Extension, reimburse- 973.67; BioKey International, software- 5393.59; City of SSC, phone/fuel- 4420.99; Crystal Oil, fuel- 58.89; Dakota County Star, publishing- 5.38; Dakota Food & Fuel, fuel- 314.51; Fremont Tire, service/repair- 956.88; Harold's, developing- 159.23; Amy Hueser, interpret- 30.00; Robert Kratky, certification- 20.00; Quest Comm, medical- 150.00; RACOM, t1- 694.20; SFCU, copay/fuel- 228.46; Siouxland Humane Soc, animal control- 46.00; Sirchie Fingerprint, supplies- 130.59; Verizon, phone- 67.48; Wal-Mart, supplies- 42.33; Willis Animal Clinic, food- 17.83; City of SSC, billing- 25302.29; Dan Hartnett, deposition- 2666.62; Dept of Motor Vehicles, transcripts- 8.00; Ed Matney, reimburse- 336.97; H204U, supplies- 17.25; Iowa Office Supply, toner- 155.00; Nebr State Bar, dues- 1180.00; Quill, supplies- 334.84; Sprint, phone- 186.52; Christopher Goodrich, equipment- 262.14; BI Inc, electric monitoring- 358.60; Caterina Chapman, receipt book- 4.97; Jacks Uniforms, badge- 61.00; De Lage Landen, contract- 91.00; Verizon, phone- 32.92; Dunes Family Medicine, consult- 250.00; Pam Devries, mileage- 111.55; Pat Glover, mileage- 88.75; Deanna Beckman, hours/mileage- 1150.36; Net Sys Plus, computer repair- 206.25; Al Boyd, mileage- 649.00; Electronic Engineering, pager- 13.95; Lexis Nexis, books- 700.70; Thompson West, service- 950.76; Business Telecom, service- 334.00; Cableone, internet- 208.90; C&H Heavy Duty, contract- 750.00; Dakota City Postmaster, presort fee- 175.00; De Lage Landen, lease- 110.69; FSH Comm, payphone- 63.60; MIPS, support- 380.97; NACO, dues- 1239.66; Qwest, phone- 1340.16; Signs by Tomorrow, flag- 87.86; Spencer Fane Britt, legal- 1078.00; Madelyn Thorsland, prior yrs- 10.00; Three Rivers, admin fees- 75.00; US Postal Service, postage- 2500.00; Lazette Gifford, website upkeep- 40.00; WCS Telecom, phone- 384.81; Road Improvement Fund, transfer- 22500.00; Amsan, supplies- 623.80; Ermelinda Ballesteros, mileage- 180.42; Bob Barker, supplies- 967.10; CBM Food Service, meals- 19619.49; CashWa Distro, meals- 272.15; Crittenton Center, medical- 211.50; Dakota Business Systems, contract- 281.00; Dakota County Sheriff, reimburse- 96.27; Dakota County Sheriff, transport- 7385.32; Dakota Family Dentistry, service- 681.30; Hubbard Minimart, fuel- 11.02; Deanna Haukap, mileage- 180.42; Sandy Dickens, mileage- 90.78; Delta Gloves, gloves- 443.40; Dakota Food & Fuel, fuel- 589.06; Jacks Uniforms, uniforms- 613.30; Mercy Bus Health, service- 1872.00; Mercy Medical Center, physicals- 130.00; Midwest Office Automation, contract- 165.53; Moore Medical, medical- 126.95; NE Nebr Juvenile Services, boarding- 2537.50; Net Sys Plus, supplies/repair- 888.00; NW Iowa Emergency, medical- 380.00; RACOM, repair- 396.85; Redler's Pharmacy, medical- 3385.95; SFCU, meal/transport- 382.85; Treat America Food, meals- 111.18; Verizon, phone- 201.46; Wal-Mart, supplies/prescriptions- 1017.80; Woodbury Co Juvenile Det, boarding- 200.00; Dakota County State Bank, stop payment- 15.00;

ROAD FUND: Ace Industrial, supplies- 143.85; Aramark, service- 205.35; Bekins Fire, extinguishers- 253.06; Bomgaar's, supplies- 57.70; Brent Byroad, clothing- 63.67; City of SSC, salt- 840.23; Filter Care of Nebr, filter- 21.55; First State Bank, tractor payment- 12502.87; Gill Hauling, service- 52.00; Guarantee Oil, oil- 1008.68; Robert Hacker, clothing- 75.00; Higman Sand, rock- 9103.46; HME, rock- 620.38; Richard Hoelsing, clothing- 88.80; Hans Houfek, clothing- 75.00; Hubbard Minimart, fuel- 6190.50; H204U, service- 25.75; Sioux City Iron, parts- 4.34; Jackson Glass, window- 132.81; J&J Pronto, fuel- 401.65; Joes Dept Store, parts/supplies- 117.30; Fred Kellogg, clothing- 75.00; Linweld, oxy- 159.52; Marx Distro, chemicals- 220.67; Marx Truck & Trailer, parts- 143.89; Midwest Service & Sales, blades- 1676.70; Marlan Millard, prior yrs- 15.00; NAPA, parts/supplies- 812.67; NPPD, energy- 23.94; NE Nebr PPD, energy- 264.03; NE Nebr Telephone, phone- 188.40; Pilger Sand & Gravel, gravel- 1032.35; Pumps, tires- 768.50; Rees Mack Sales, parts- 1063.68; RMS, parts- 23.81; SAPP Bros, propane- 985.93; Siouxland Hydraulics, parts- 52.16; Stephen Welding, iron- 132.00; Torco Remfg, parts- 237.00; UECO, pipe- 5.80; Verizon Wireless, phone- 45.88; Warren Oil, diesel- 8448.01; Ziegler's, parts/labor/supplies- 585.27;

ROAD IMPROVEMENT: Barkley Asphalt, asphalt- 181.79; Olsson Associates, bridge- 22252.00; Siouxland Concrete, concrete- 232.00;

POOR RELIEF: Becker Hunt, burial- 1650.00;

VETERANS AID: Veterans Service Office, relief- 1200.00;

INHERITANCE TAX: Interstate Mechanical, heater- 2603.00;
PUBLIC SAFETY: City of SSC, sls tx- 4612.00; Jail Bond Fund, sls tx- 33821.73;
JAILBOND FUND: Fremont National Bank, interest- 124400.00;
WEED FUND: David Dyke, pickup pymnt- 2995.05; Hubbard Minimart, fuel- 142.00; J&J Pronto, fuel- 85.01; Nebr Weed Control Assoc, dues- 106.00;
ROLL CALL VOTE: Rohde- yea, O'Neill- No, Hartnett- Yea, Engel- No and McLarty- Yea,. MOTION CARRIED.

Commissioner O'Neill moved, seconded by Commissioner Hartnett to allow any County Board Member that wishes to look at the September 12, 2007 invoice statement from Spencer, Fane, Britt and Browne to look at said statement.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- No, McLarty- Yea and Rohde- yea. MOTION CARRIED.

Chair Engel called for the jail tour at 11:30. The recorder was turned off and the board toured the new jail.

Chair Engel recessed from the jail tour at 12:10 p.m.

Chair Engel reconvened their meeting at 1:31 p.m. with all members and the County Clerk present.

Chair Engel opened the Public hearing and read the following: This hearing is open to the public and the purpose of the public hearing is to give the public an opportunity to offer oral or written testimony in favor of, or in opposition to the issuance of a Conditional Use Permit Application for Gary Smith to conduct rodeo's on a tract of land located in Section 13, T-29-N, R-7-E in Dakota County, Nebraska. This Hearing may be moved to the District Court Room depending on attendance.

Sarah Klever, an Attorney representing the property owners opposed to the issuance of the Conditional Use Permit for Gary Smith to conduct a rodeo. She submitted a Public Petition with 83 names attached to the petition stating rodeos are a nuisance, causing lots of traffic, which lead to dust, noise and trash.

We would also like to have the commissioners understand that the roadway that leads to the Gary Smith's property is not a public access road, but a private easement road that was granted several years ago, not for the purpose of the law allowing a commercial entity, to invite the public into that area, but was granted for the private use of that and never intended to be for this type of purpose.

That is a private area that cost to other property owners who are privately maintaining and just for the access of persons owning the property that is now used for the proposed use as a rodeo. That cost to private citizens is not on a fair burden to be increased to be allowed for this type of rodeo use. Additionally, the use of that property for the roadway and inviting out the public increases the amount of traffic and dust in that area. This causes a nuisance to the other property owners in the area. There was one temporary rodeo held in that area on a temporary basis and it is her understanding that did cause an increased amount of traffic debris and trash left in the area and not cleaned up adequately after the rodeo. The primary concerns of these property owners are that they do not wish for this permit to be granted.

Gary Smith, owner of the property appeared before the board. He said, first of all, the easement does not have any restrictions and his attorney has looked at it and he has read it. He presented a copy of the easement, which was drafted August 1, 1961. The easement was recorded in Miscellaneous Record Book 25, Page 39 in the Register of Deeds Office. As far of the trash, nobody seemed to have a problem with the trash when they wanted to put the boat dock down at the river and that was a big issue that we had. These are the same people that were against Tom Lynch, having his boat ramp. The music was over by 10:15 that night. The band was gone. I didn't see any excess trash, yes, there was some traffic, and there were some dust, no more than we had with a semi truck running up and down there during harvest or spreading sludge.

Commissioner Rohde asked Mr. Smith. How many attended his first rodeo and Mr. Smith said about 300.

Mrs. Smith sitting in the audience, said that was people, not nearly the number of cars.

Mr. Smith said as far as the easement were concerned, there has been nobody that has ever worked on the road, nobody but me since I've owned it. The people that own the property do not even live here. Mr. Smith noted that the people that have been asked to sign the petition live in South Sioux City and everywhere else. There are 11 people that live along that road, unless they are driving out to the river and back that could affect him somehow. There is one gentleman here that actually lives on the road.

Mr. Donald Neil Miller, not living on this specific road, said that he has to drive between the town where Mr. Smith lives to get to his home.

Kenny McDonald, living on Nodaway Road, said you don't have to be a resident out there to be concerned about this. I have children who live in South Sioux City and Sioux City and they drive that road quite frequently. It is a hazard when it is there because I drove it myself the night of the rodeo, and in the three-mile stretch north of Jackson. I met 25 vehicles and I had to stop three times because he could not see. If that is not a hazard, I don't know what is. One time he had to pull over in the ditch. There are horses on the road after dark.

Donald Neal Miller, living at 1353 Nodaway Road, took the chair reserved for the public. Mr. Miller said that he is on planning and zoning and they get calls from people that have had experiences like what Kenny said that he met 25 cars and another person was run off the road. Mr. Miller read section 500.3 the planning and zoning manual, which reads as follows: The following uses are permitted in the ag, agriculture district after a finding by the County planning commission that their mode of contact and location will not hinder the enjoyment and the use of nearby properties and will not disrupt the appropriate use of the land and resources of the County and he said this does all of them. He said, almost everybody appeared doesn't want this and this goes against the conditional use permit. He added that we have places for this and mentioned the County Fair. They can have rodeos there and at Gomez's by the lake and do not need to start another rodeo area up there by us where we only have one way in and one way out. It is not fair for those of us that live up there to be imposed on.

Jim Hayes living 1433 L. Avenue took a seat reserved for the public and appeared before the board. He said he lives in the second place on L. Avenue there. Mr. Hayes said when this all started out all the concern was about dust control. He said that he believed that he was the one that lives closest to his place on the main road. He thought that it was being blown out of proportion. He said he thought there was a big misunderstanding that Tony Gomez was moving his rodeo out to Mr. Smith's place. He said that everybody that signed the petition was of the understanding that Tony Gomez was moving his rodeo out to Mr. Smith's. Mr. Hayes said that he was at the County Shed for the last meeting, but the ones that were doing the most complaining were there. The biggest problem with that rodeo is a dust control. Yes everybody living down at the river has to travel that road that particular day. Yes that is a concern and there is a concern about the road hazard. Mr. Hayes was concerned about the maintenance of L Avenue because it has a lot of traffic and is very rough and needs to be maintained. It needs dust control. We have a camp ground down along the river that is expanding. It doesn't matter if you are talking summer or winter months, yes traffic is an issue. Mr. Hayes did not have a problem with a rodeo and was for it.

Donald Miller appeared before the board and said he got off the day the last rodeo was held at 11 o'clock and he said he was on the road by 11:15 or 11:20 and he still had to pullover and slowdown because of the traffic. He said he was not counting cars, but he could see headlights up around in the bend to when they turn over to Smith's place. Mr. Miller said, as far as signing the petition, he knew that Tony Gomez had nothing to do with that rodeo at Mr. Smith's and I didn't sign for that reason. He said he sign it because they do not need another rodeo out there. There are other places to have a rodeo and the traffic the dust and the noise is why he is against it.

Mrs. Smith said it was over by 10:30 p.m. and that she was in bed by 11 p.m.

Lisa Pederson appeared before the board. She said she was at a rodeo, and there was a guy at the end of the lane and she asked him if he could hear them (the music) and he said he could not so she asked, how everybody else could hear it. There were policemen out there. She added that there was not garbage thrown everywhere. She was for the rodeo.

Nyla Miller living on Nodaway Road appeared before the board. She said her concern was the liquor permit or selling liquor at a rodeo, her concern was serving beer and alcohol this length of time to all these people and someone is going to be killed. You can't serve alcohol beverages that long and say that everybody that leaves there is going to be sober. To her it was encouraging drinking and driving. She said she didn't know how much profit they made off this but she was assuming quite a bit if they wanted to do it again. She said that they are 10 to 15 miles from any law enforcement, ambulance, fire everything like that. The alcohol bothered her a lot because she has grandkids that come a lot. Mrs. Miller said that she was against a rodeo.

Bev Houck appeared before the board, and she owned the Buzz Saw and the ones that had the liquor license. They received all the special permits that they needed with state and the Nebraska Liquor Commission. As far as serving alcohol, they had four deputies there all day. One deputy was in charge of carding everybody and there were a couple people that came up a couple of times and they left it up to the discretion of the Deputy whether they should serve them are not. So if anybody would have had too much to drink, that would have been the deputies fault, because he's the one that said yes or no, whether we could or couldn't serve them. She didn't know why it was such a big deal at the rodeo north Jackson, because she mentioned Ponca Rodeo you could bring beer in there and drink. So she didn't feel why this rodeo that was any different than the Ponca Rodeo because Ponca you are driving to Emerson, Sioux City, Waterbury. No matter where they are going, they will be driving and she wasn't saying that it was right. She said if she didn't ever get the chance to sell alcohol again that's fine, because she didn't make that much money by the time all the expenses were met. If she doesn't ever get another license it didn't bother her, but she thought that the rodeo was a good clean fun thing for the family. When asked if at that location, she said yes.

Richard McNear, President for the Dakota Thurston County Fair, appeared before the board and said that he had numerous calls that felt that since they had the fairgrounds all set up and the rodeo should be held there. He said he was here to promote the use of their arena.

Lou Franco appeared before the board and said that she lives out here by the other rodeo along the highway. She said she didn't have an objection as far as the rodeos are concerned, but does have a problem with drinking and driving. And that's what happens at these rodeos. Ms. Franco said that she had talked to Gary and that he did not have a problem with not having alcohol at his rodeo. I think that's a big issue when people have access to alcohol from 6 in the afternoon or evening until 10 at night, and

sometimes earlier than six, and then they pull out onto a highway, and to me, that is promoting drinking and driving. That is dangerous and that is my concern, not the rodeos.

Sue Smith appeared board and wanted to make public comments about the rodeo. We set it out to have some good family fun and yes there was drinking there. Whether we need to have beer again there is not the issue. The main issue here is about dust and the traffic and the way I feel about dust is, we have machinery going up and down the road all the time. People going up to the river, people taking a ride up to the river. People are going to the river all the time. There is traffic, there is dust, they had been hauling sludge out there for weeks. To me this whole thing is just an inconvenience. How many people had to pull over for a horse trailer? Like I said to my husband, so what, when they have RAG BRAI (Register's Annual Great Bike Ride Across Iowa, we pullover and I have never ridden in a RAG BRAI (Register's Annual Great Bike Ride Across Iowa, nor do I care to. So what, I mean we were talking one or two rodeos a year and people are talking dust and traffic. She said, you have to pull over for a funeral, there is stuff going on all the time out there. You know a little bit of traffic that might slow you down or some dust that you might have to dust your house one more time. You know we want to have some stuff for the high school kids and there would not be any liquor there and everybody is acting like we're trying to have a big horrible thing out there. Next to us is a field that has hay and when they bail the hay or whatever else they do to it, cut it and everything, it's noisy and it's also dusty, and I have to dust after that and it's way more than once or twice a year. So what? Why not try and get along with people. People don't want to have any inconvenience in their life. I wonder why I am here. It is nothing. It causes a little extra traffic once or twice a year. The last rodeo that they had did not hurt nor harm anyone. She thought that one person called the police that day. When the security guards left that night, we asked them if they saw any problems. Yea there was one fight between a husband and wife.

Bob Knutson appeared before the board and said he was with 4-H for years and Gary helped me for years. Gary helped me with kids and would like to have a place to ride and he has a nice arena out there. As for the dust, it is not any worse than the sludge traffic or when they are hauling grain out there. You have to pull over when trucks meet out there and they have to do the same. I am definitely for a rodeo.

Dennis Reinert from planning and zoning appeared before the board and said that the planning and zoning membership will be voting on this tomorrow after a legal opinion has been given to them about the access. We were hoping that the commission would wait until the planning and zoning had a recommendation to you, but they are waiting for the County attorney give them an opinion on this very item.

Commissioner Engel closed the hearing at 2 p.m., and thanked everybody for coming.

Chair Engel recessed their meeting at 2:00 p.m.

Chair Engel reconvened their meeting at 3:15 p.m.

Russ Gade and Eric Georgesen appeared before the board requesting that the Board designate an Emergency School Bus route in inclement weather conditions and to have that cleared within 24 hours of a storm and asked for a commitment from the county to do so.

Mr. Georgesen was concerned that there were roads that were not cleared until Thursday following a weekend storm and the two felt that there was a lack of response by the county at getting the roads cleared.

Mr. Matney was asked if this was something that needed action, or whether it was something the Road Director could take care of and Mr. Matney said that this was the first time that he's seen a county be approached for an emergency bus route.

Mr. Georgesen said that they wanted to have the board's approval because they wanted to make the map official and then they would ask parents to get their kids to the emergency routes when required.

Mr. Matney, County Attorney, said that he didn't know what the board's role was in establishing an emergency bus route.

Commissioner Hartnett suggested that they could pass a resolution that the county supports the Emergency Bus Route and Mr. Georgesen thought that would be good. Mr. Georgesen said that they did not want to pass this unless they have support from the board that they would take care of the roads on a priority basis.

Commissioner Hartnett did know about the within 24 hours requirement.

Mr. Georgesen said that they understood if there was a large amount of snow, but they were looking for a first response to these roads. (as identified on a map presented by the school district)

Chair Engel called for the agenda item "Goodwill signage".

Mr. Matney reported that Goodwill Industries had come and requested that a portion of 152nd Street west of the Goodwill Camp be renamed to Goodwill Parkway because signs could be put up along Highway 20 identifying the location of the Goodwill camp. Mr. Matney thought that the Board could adopt a resolution to rename that portion of the road.

Commissioner McLarty moved, seconded by Commissioner Rohde to direct the County Attorney to draft a resolution renaming a portion of 152nd Street Goodwill Parkway.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea and Rohde- yea.
UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item "Employee Handbook" and delayed action until next meeting to give the board members more time to study it.

Chair Engel called for the agenda item "Highway Superintendent position". Along with that they discussed giving Fred Kellogg more salary compensation for acting Director of Roads. Commissioner Rohde suggested giving him 40 hours comp. time.

Commissioner Rohde moved, seconded by Commissioner McLarty that Fred Kellogg be paid the Road Director's Salary retroactive to Randy Crombie's sickness back to October.
ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- yea and O'Neill- Yea.
UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item "Stop Signs at Siouxland Ethanol Plant entrance to Knox Blvd". Mr. Matney, County Attorney, said that Commissioner Hartnett had given him a copy of the letter from the State Department of Roads Engineer this morning and mentioned that the Board would have to pass a resolution at some point in time on that issue.

Commissioner McLarty moved, seconded by Commissioner Hartnett to direct the County Attorney to draw up a resolution to establish stop signs at the ethanol plant on Knox Blvd.
ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- yea, O'Neill- Yea and Hartnett- Yea.
UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item "Tompkins Streets". This was put on the agenda as result of written and oral correspondence from Virgil Fowler concerning the streets in Tompkins Addition. Mr. Matney said that the roads were in disrepair and that Commissioner Hartnett had mentioned this to him in a previous meeting. Mr. Matney said that there are provisions in the law that allows neighborhoods to create special improvement districts. There is a procedure that they would need to follow with their neighbors to get that done. Mr. Matney thought that would create a separate entity that would have taxing authority and everything within that district. If this is something they want to do, there are provisions in the law for them to do that.
Mr. Dennis Reinert expressed his concern for the residents out at Tompkins Addition because if they have any problems with the septic systems they will have to comply with the new DEQ regulations and did not know if they realize the dilemma they are in. Mr. Reinert thought that they should make arrangements that they will have the ability to address those problems as well.

Chair Engel called for the agenda item "Agreement between the Sheriff Dept and the Board of Corrections."

Commissioner Hartnett moved, seconded by Commissioner McLarty to approve the Agreement with the County Sheriff and the County Board of Corrections as follows:
AGREEMENT FOR THE OPERATION OF THE DAKOTA COUNTY
CORRECTIONAL FACILITY

The parties to this agreement are the Dakota County Sheriff ("Sheriff"), the Dakota County Board of Corrections ("Board of Corrections"), and the Dakota County Board of Commissioners ("Board of Commissioners"). The purpose of the agreement is to ensure the continued orderly operation of the Dakota County Correctional Facility from January 1, 2008, through and including January 1, 2011.

The Sheriff agrees that he will assign two deputy sheriffs to the correctional facility. Both Deputy Sheriffs so assigned must also be acceptable to the Board of Corrections. One of said deputy sheriffs shall be present for the shift from 8:00 a.m. to 5:00 p.m. The other deputy sheriff shall handle inmate transportation during the same shift. In addition, a deputy sheriff shall be available and "on call" for transportation issues that arise after those normal business hours. The Sheriff, in the event of an emergency situation, reserves the right to call on these deputy sheriffs to respond to other situations throughout the county as needed so long as it does not disrupt the successful operation of the correctional facility.

The salary and benefit package for two "full-time" deputies will be paid from the jail budget to the sheriff's budget. After-hour emergency transports will be compensated for time worked beyond the normal work shift. Any overnight expenses would be charged to the jail budget. All reasonable expenses incurred to the Sheriff or his budget will be reimbursed via the correctional facility's budget. The Board of Commissioners authorizes the Sheriff to hire two new deputy sheriffs to increase his staff in order to carry out this agreement.

The Sheriff and the Board of Corrections acknowledge the need for the sharing of administrative/clerical assistance. The current administrative assistant, Sandy Dickens, will continue to provide such support to both the Sheriff and the correctional facility. The salary for her work shall be paid (and/or reimbursed) via the Sheriff's budget (40% of said salary) and the correctional facility's budget (60% of said salary).

The Sheriff and the Board of Corrections acknowledge that the Director of Corrections and the Assistant Director of Corrections shall report directly to the Board of Corrections with respect to all matters concerning the correctional facility and that the Sheriff will no longer have a role in supervision of the correctional facility. The facility's staff shall continue on in their employment, but will report to the Director of Corrections and the Assistant Director of Corrections. The merit commission will continue in effect, but expand its membership to five members to include correctional personnel.

The parties will work together in good faith to continue the successful operation of the correctional facility. This includes the continuation of all contracts now in effect for the facility. The Sheriff also agrees to continue to provide the radio frequency and other communications systems now used in the correctional facility.

This agreement shall take effect at 12:00 a.m. on January 1, 2008, and continue on until January 1, 2011. If either of the parties wishes to terminate this agreement prior to January 1, 2011, that party shall provide written notice to the other 60 days in advance by certified U.S. mail with return-receipt service to the appropriate address that appears at the bottom of this document.

James L. Wagner
Dakota County Sheriff
701 West 29th Street
South Sioux City NE 68776

William I. McLarty, Chairman
Dakota County Board of Corrections
PO Box 338
Dakota City NE 68731

William F. Engel, Chairman
Dakota County Board of Commissioners
PO Box 338
Dakota City NE 68731

ROLL CALL VOTE: McLarty- Yea, Rohde- yea, O'Neill- Yea, Hartnett- Yea and Engel- Yea.
UNANIMOUS MOTION CARRIED.

Randy Walsh appeared before the board requesting permission to buy two vehicles. He mentioned that the Sheriff's Office would like to get a car and a pickup. He noted that the pickups have a tendency to have a higher resale. He said that they were getting behind in their rotation of purchasing new vehicles and since the state bids are out, they would like to purchase these using the state bid. Mr. Walsh thought they have \$60,000 left under that line item in their budget. They originally had \$80,000 and have purchased a used vehicle so far this budget year. Mr. Walsh said that the state bid on the 2008 Crown Vic was \$21,249 and the state bid on a Chevy Silverado pickup is \$23,427. There will be a little added expense for spot lights and things like that, but they will be under the \$60,000, which they have left.

Mr. Walsh also informed the board that the van has about 126,000 miles on it and it will need repairs soon so that is something that could possibly be replaced soon.

He said that the other patrol cars are getting up there where they are going to start nickel and diming them. The Sheriff's car was scheduled to be replaced, but with the budget being so tight he did not replace it.

There was discussion whether the Sheriff's Office had to come before the board to get permission to purchase the cars. The County Attorney will research that question.

Commissioner McLarty moved, seconded by Commissioner Hartnett to authorize the Sheriff's Office to purchase one new Crown Victoria Car at a price of \$21,249 and one new Chevrolet Silverado Pickup at a price of \$23,427 through the state bids.

ROLL CALL VOTE: McLarty- Yea, Rohde- yea, O'Neill- Yea, Hartnett- Yea and Engel- Yea.
UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item "Committee Reports" and there were none.

Chair Engel called for the agenda item "Commissioner Reports" and there were none.

Chair Engel called for the agenda item "Public Comment" and there were none.

Chair Engel called for the agenda item "Mail and/or Emergency Business" and there were none.

Commissioner McLarty 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 November, 2007 and the Clerk of the District Court for October, 2007.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde - Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Hartnett to approve the payroll claims submitted by the County Clerk for payment as follows:

COUNTY GENERAL FUND: Gross salaries- \$110,392.30, General Fund Employees Net Pay- \$78,099.27, Employer deductions paid: Retirement- 7,623.21, Social Security Tax- 6,720.92, Medicare- 1,571.87, DC Health Plan- 31,420.96, DC Dental Plan- 812.70, Life Insurance- 183.30.

William Engel- 554.34, Jackie Hartnett- 531.26, William McLarty- 531.26, Betty O'Neill- 531.26, William Rohde- 531.26, Joan Spencer- 1230.77, Daniel Christoffers- 436.98, Tracey Corkin- 869.00, Marisol Curiel- 868.00, Bobbi Jo Harsma- 1004.00, Theodore Piepho- 1553.28, Darlene Davis- 797.04, Robert Giese- 1553.28, Ruth Gillaspie- 1176.36, Jolene Heinemann- 948.00, Kimberly Kuehl- 885.60, Phyllis Ridge- 880.88, Margaret Rahn- 1159.23, Daniel Christoffers- 454.00, Dennis Reinert- 209.97, Valerie Danielson- 1553.28, Lori Jessip- 604.75, Cheryl Perkins- 1120.00, Joe Flynn- 1713.92, Debra Jensen- 980.80, John Loos, Jr.- 1942.76, Guadalupe Kennedy- 900.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 920.91, Jeremy Bermel- 1558.00, Anthony Bos- 1713.80, Sandy Dickens- 441.37, Brian Ellinger- 2236.30, Penny Epting- 1576.70, Brent Gilster- 1691.00, Todd Hammer- 1672.00, Melvin Harrison III- 1729.00, Rodney Herron- 1742.74, Jason James- 1323.11, Kimberly Johnson- 463.22, Jared Junge- 1737.36, Michael Kreegar- 1824.00, Gayle Richards- 808.86, Kevin Rohde- 1559.28, James Wagner- 1942.76, Kerry Johnson- 880.00, Aimee Kennedy- 1024.00, Edward Matney III- 2513.07, Sara Meadows- 1576.92, Debra Schmiedt- 2115.38, Mary Spurlock- 880.00, Kimberly Watson- 1692.31, Caterina Chapman- 1118.18, Ermelinda Ballesteros- 1241.96, Joshua Blatchford- 1318.65, Dusty Boyd- 1340.61, Rebecca Broer- 1325.73, Sandy Dickens- 662.05, Michael Estes- 1053.53, Lisa Ford- 1140.62, John Gilles- 1285.26, Alma Gunderson- 1321.99, Paula

Harrigfeld- 487.64, Cathy Harsma- 1227.99, Deanna Haukap- 1094.63, Jackie Heaton- 1316.00, Sarah Jensen- 772.50, Brett Johnson- 1154.04, Nicholas Kellen- 1151.05, Brenda Kelly- 1161.12, Matthew Mann- 1178.87, Diana Moctezuma- 1112.80, Mark Nelson- 1850.50, Jeep Phommavong- 1164.96, Joseph Ramirez- 1216.44, Cara Reinders- 1087.94, Daniel Rodasky- 1307.24, Bob Rohmiller- 616.00, Jutharatana Ruenprom- 1043.95, Stephanie Ryan- 1484.97, Linda Schovanec- 1229.02, Justin Smith- 1161.49, Francis Tope- 1112.80, Randall Walsh- 1761.81, Charvette Williams- 1108.02, Jewel Williams- 1050.33, Daniel Wood- 1150.50, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 1057.33, Bonnie Kahler- 699.40, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 10,710.15, State- 3,818.33, Social Security Tax- 6,720.92, Medicare- 1,571.87, Retirement- 5,157.97, DC Health Plan- 543.37, DC Dental Plan- 450.34, Colonial Health- 16.20, Sheriff Union Dues- 290.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 656.16.

COUNTY ROAD PAYROLL: Gross salaries- \$15,903.85, Road Employees Net Pay- \$10,809.33, Employer deductions paid: Retirement- 1,073.52, DC Health Plan- 4,384.32, DC Dental Plan- 113.40, Life Insurance- 23.19, Social Security Tax- 967.80, Medicare- 226.36.

Brent Byroad- 1354.15, Robert Hacker- 1255.60, Ronald Harder- 1534.31, Walter Heinemann- 1180.00, Richard Hoelsing- 1220.10, Hans Houfek- 1244.65, Robert Jacobsen- 1268.52, Fred Kellogg- 2336.00, Kimon Litras- 1264.20, Arnold Mellick- 1268.52, Leon Pies- 629.96, James Swanson- 1347.84.

ROAD FUND: Employee withholding paid to: Federal- 1,602.78, State- 589.55, Social Security- 967.80, Medicare- 226.36, Retirement- 715.66, DC Health Plan-, DC Dental Plan- 58.74, Reassure America Life- 7.32, Deferred Comp.- 61.68, Garnishments- 387.70, Aflac Health- 125.35, Aflac Life/Dsbl- 43.58, Flex Plan- 110.00, Union Dues- 198.00.

ROLL CALL VOTE: Rohde- yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea., UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Hartnett to adopt Resolution 07C-020 that the motion previously passed establishing the \$1.00 per access line surcharge is continued and supported by the passing of this resolution on the 17th day of December, 2007, as follows:

RESOLUTION 07C- 020

Whereas, the Dakota County Board of Commissioners recognizes the importance of the E911 system to the safety of county residents, visitors and travelers, and

Whereas, the County of Dakota is committed to the protection and safety of citizens and,

Whereas, the Board of Commissioners has determined that the county 911 surcharge is set at \$1.00 per access line and,

NOW, THEREFORE, BE IT RESOLVED by the Chairman of the County Commission and the members of the Commission of Dakota County, Nebraska, that the motion previously passed establishing the \$1.00 per access line surcharge is continued and supported by the passing of this resolution on the 17th day of December, 2007.

PASSED AND APPROVED THIS 17th DAY OF DECEMBER, 2007.

ATTEST

William Engel, Chairman of the Board

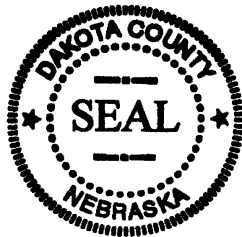
Theodore Piepho, County Clerk

SEAL

ROLL CALL VOTE: Rohde- yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea., UNANIMOUS MOTION CARRIED.

With no further business Commissioner McLarty moved, seconded by Commissioner Engel to adjourn..

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- Yea, O'Neill- Yea and Hartnett- Yea. UNANIMOUS MOTION CARRIED 3:38 p.m.



County Board of Commissioners

ATTEST:

William F. Engel, Chairman

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

Dakota County Board of Commissioners
Monday, December 31, 2007
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Engel called their regular scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance being recited.

Present: Commissioners Engel, McLarty, O'Neill, Hartnett, Rohde and County Clerk Ted Piepho, Secretary.

Absent: None

The agenda for the December 31, 2007 meeting was as follows:

1. 1:30 p.m. Call to Order with reciting the Pledge of Allegiance
 - Roll Call
 - Approve Minutes of December 17, 2007.
 - Review and approve Payroll claims submitted by County Clerk for payment.
2. 1:31 p.m. Dennis Reinert – Planning and Zoning Administrator
 - Planning and Zoning Board recommendation for Conditional Use Permit.
3. 1:40 p.m. Leon Pies – Weed Supt.
 - Annual Weed Report
4. 1:50 p.m. Conditional Use Permit for Rodeo to be held on Gary Smith Property
5. 1:55 p.m. Miscellaneous Agenda Items
 - Road Master Labor Union Master Contract Executive Session
 - Credit on Worker's Comp. and sick leave paid.
 - Resolution on change of Road or Street name.
 - Employee Handbook
 - Highway Supt. Ad.
 - Set PH One and Six Year Road Plan and Hearing Feb. 11, 19 or 25th.
 - Resolution - Stop Signs at Siouxland Ethanol Plant entrance to Knox Blvd.
6. Tabled Items – No tabled items to consider
7. Committee Reports
8. Commissioner Member Reports
9. Public Comment
10. Mail and/or Emergency Business
11. 2:00 p.m. Recess until after Board of Corrections unless Business is complete and then the board will adjourn.
12. 2:45 p.m. Reconvene as Board of Commissioners after Board of Corrections to finish Misc. Business.
13. 3:00 p.m. Adjournment.

Joan Spencer, Assistant to the Board, said the only thing she saw with the claims was that the Sheriff's Deputies put in for 12 hours of holiday pay and the Union Contract says that an employee shall be paid 8 or 10 hours maximum depending their scheduled shift.

Commissioner Hartnett moved, seconded by Commissioner McLarty to approve the payroll claims submitted by the County Clerk as follows:

COUNTY GENERAL FUND: Gross salaries- \$118,749.98, General Fund Employees Net Pay- \$83,701.54, Employer deductions paid: Retirement- 8,215.81, Social Security Tax- 7,234.07, Medicare- 1,691.85, DC Health Plan- 31,420.96, DC Dental Plan- 812.70 and Life Insurance- 183.25.

William Engel- 547.14, Jackie Hartnett- 547.14, William McLarty- 547.14, Betty O'Neill- 547.14, William Rohde- 547.14, Joan Spencer- 1230.77, Daniel Christoffers- 454.00, Tracey Corkin- 888.25, Marisol Curiel- 827.32, Bobbi Jo Harsma- 1004.00, Theodore Piepho- 1599.84, Darlene Davis- 885.60, Robert Giese- 1599.84, Ruth Gillaspie- 1176.36, Jolene Heinemann- 948.00, Kimberly Kuehl- 885.60, Phyllis Ridge- 880.88, Margaret Rahn- 1159.23, Daniel Christoffers- 454.00, Dennis Reinert- 209.97, Valerie Danielson- 1599.84, Lori Jessip- 774.00, Cheryl Perkins- 1120.00, Joe Flynn- 1713.92, Debra Jensen- 980.80, John Loos, Jr.- 2001.11, Guadalupe Kennedy- 900.00, Tracey Corkin- 22.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 873.43, Franklin Morse- 40.00, Jeremy Bermel- 1776.50, Anthony Bos- 2193.55, Sandy Dickens- 441.37, Brian Ellinger- 2060.55, Penny Epting- 1943.63, Brent Gilster- 2189.75, Todd Hammer- 2104.25, Melvin Harrison III- 2132.75, Rodney Herron- 2151.12, Jason James- 1586.27, Kimberly Johnson- 382.66, Jared Junge- 2027.93, Michael Kreegar- 1605.50, Gayle Richards- 829.60, Kevin Rohde- 1940.65, James Wagner- 2001.11, Kerry Johnson- 880.00, Aimee Kennedy- 1024.00, Edward Matney III- 2588.51, Sara Meadows- 1576.92, Debra Schmiedt- 2115.38, Mary Spurlock- 880.00, Kimberly Watson- 1692.31, Caterina Chapman- 1118.18, Ermelinda Ballesteros- 1529.91, Joshua Blatchford- 1550.52, Dusty Boyd- 1246.70, Rebecca Broer- 1479.28, Sandy Dickens- 662.05, Michael Estes- 1106.24, Lisa Ford- 1377.14, John Gilles- 1471.26, Alma Gunderson- 1767.65, Paula Harrigfeld- 192.72, Cathy Harsma- 1476.26, Deanna Haukap- 1320.65, Jackie Heaton- 1160.00, Sarah Jensen- 800.00, Brett Johnson- 1398.30, Nicholas Kellen- 1309.33, Brenda Kelly- 1254.93, Matthew Mann- 1415.35, Diana Moctezuma- 1324.99, Mark Nelson- 1792.98, Jeep Phommavong- 1375.40, Joseph Ramirez- 1426.62, Cara Reinders- 1308.93, Daniel Rodasky- 1526.56, Bob Rohmiller- 616.00, Jutharatana Ruenprom- 1190.84, Stephanie Ryan- 1311.03, Linda Schovanec- 1240.33, Justin Smith- 1552.80, Francis Tope- 1318.01, Randall Walsh- 1733.10, Charvette Williams- 1297.20, Jewel Williams- 1273.90, Daniel Wood- 1348.74, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 990.76, Bonnie Kahler- 715.54, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 12,064.74, State- 4,099.61, Social Security Tax- 7,234.07, Medicare- 1,691.85, Retirement- 5,563.34, DC Health Plan- 543.35, DC Dental Plan- 450.11, Colonial Health- 16.20, Sheriff Union Dues- 290.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 737.45.

COUNTY ROAD PAYROLL: Gross salaries- \$13,437.09, Road Employees Net Pay- \$9,188.46, Employer deductions paid: Retirement- 907.01, DC Health Plan- 4,384.32, DC Dental Plan- 113.40, Life Insurance- 23.17, Social Security Tax- 818.74, and Medicare- 191.50.

Brent Byroad- 1168.00, Robert Hacker- 1168.00, Ronald Harder- 1176.00, Walter Heinemann- 1180.00, Richard Hoelsing- 1176.00, Hans Houfek- 934.40, Robert Jacobsen- 1180.00, Fred Kellogg- 1538.46, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 974.23.

ROAD FUND: Employee withholding paid to: Federal- 1,248.45, State- 418.44, Social Security- 818.74, Medicare- 191.50, Retirement- 604.67, DC Health Plan-, DC Dental Plan- 58.71, Reassure America Life- 7.32, Deferred Comp.- 61.68, Garnishments- 424.69, Aflac Health- 125.35, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50, Union Dues- 198.00.

VISITORS PROMOTION: South Sioux City Chamber of Commerce- Lodging Tax, 14,555.38.

ROLL CALL VOTE: Rohde- yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea.
UNANIMOUS MOTION CARRIED.

Chair Engel said that they would wait on the minutes.

Chair Engel called for the agenda item "Dennis Reinert – Planning and Zoning Administrator - Planning and Zoning Board recommendation for Conditional Use Permit."

Dennis Reinert, Planning and Zoning Director, appeared before the board and explained the chain of events starting in September, 2007 leading up to the Public Hearing held by Planning and Zoning on a Conditional Use Permit Application by Gary Smith to conduct a Rodeo on a tract of land located in Section 13, T-29-N, R-7-E in Dakota County, Nebraska.

He concluded by saying that the Planning and Zoning voted to deny the Conditional Use Permit Application by Gary Smith to conduct a Rodeo on a tract of land located in Section 13, T-29-N, R-7-E in Dakota County, Nebraska on a vote of six (6) voting yes to deny the application, one (1) abstained and two (2) Planning and Zoning members were absent.

Chair Engel called for the agenda item "Leon Pies – Weed Supt. - Annual Weed Report."

Leo Pies, Weed Supt. presented his Annual Weed Report to the Board. He briefly referred the different sections of the report, which were; Weed Control Roster, Infestation Report, Budget Report, Activity and Control.

Commissioner Rohde moved, seconded by McLarty to approve the Weed Report as presented by Leon Pies, Noxious Weed Superintendent and to authorize the chair to sign the report.

ROLL CALL VOTE: Rohde- yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea.
UNANIMOUS MOTION CARRIED.

Chair Engel called for the Agenda item "Conditional Use Permit for Rodeo to be held on Gary Smith Property."

Commissioner Rohde stated that he felt that the county should go with Planning and Zoning's recommendation to deny the Conditional Use Permit because they know far more than what he knew about this subject.

With that said, Commissioner Rohde moved, seconded by Commissioner McLarty to deny the Conditional Use Permit for the rodeo on the Gary Smith property.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea and Rohde- yea.
UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item "Road Master Labor Union Master Contract Executive Session". The Contract had not been returned by the Labor Attorney, Jim Hanks, so it was not necessary to address this item.

Chair Engel called for the agenda item "Credit on Worker's Comp. and sick leave paid".

The County Clerk explained that we had paid an employee full sick leave while that employee was on worker's compensation. The contract with the Road Employee's Union states "A leave of absence will be granted by the Employer to any employee for absence required as a result of on-the-job injury covered by Workmen's Compensation Insurance. During such leave, the employee at his/her option may apply his/her accumulated sick leave benefits to be prorated against the difference between his/her regular straight time wages and the compensation to which he/she is entitled under the Workmen's Compensation Law. Employees may use sick leave for the first seven calendar days of absence which are not covered by Workmen's Compensation Law."

The County Clerk did not recommend that the county retrieve the money, except that it appears that the county can get credit on that employee's worker's compensation but there are several ways to do that, however, it has not been determined what options are available. That is what we are asking whether the board wants us to pursue credit on the Employee's Worker's Compensation.

The employee was paid sick leave and received worker's compensation at the same time and Ms. Hartnett said she thought we should follow proper procedure.

Commissioner Hartnett moved to follow proper procedure and however you want to determine the makeup of workers compensation.

The Board's Assistant said the way she understood Pam Bourne was that they would cease making worker's compensation.

The County Clerk commented that was his understanding also, but didn't know how the credit would be applied. There is three ways of going about it.
Commissioner withdrew her motion.

Commissioner McLarty asked Commissioner Hartnett if she would be open to a motion to authorize the Clerk to work with the County Attorney, based upon what he thinks is legal, and have them to go ahead and carry out that action.

Commissioner McLarty moved, seconded by Commissioner Hartnett to authorize the Clerk work to with the County Attorney based upon what he thinks is legal and have them apply for credit toward the worker's compensation payable to Employee Identification Number 7003.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- yea, O'Neill- Yea and Hartnett- Yea.
UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item "Resolution on change of Road or Street name".

Commissioner Rohde asked if this was the Harris Road and Dennis Reinert approached the board. The County Clerk informed them that this would be Goodwill Parkway.

Ms. Fergen, Deputy County Attorney, said that it would be the advice of the County Attorney that you take no action, because the agenda item is neither specific and/or firm enough to give the public notice as to what street you are talking about. It was her recommendation that it be put on the next agenda.

Commissioner McLarty moved, seconded by Commissioner Rohde to put on the next Board's Agenda the renaming of a portion of 152nd Street to Goodwill Parkway.

ROLL CALL VOTE: McLarty- Yea, Rohde- yea, O'Neill- Yea, Hartnett- Yea and Engel- Yea.
UNANIMOUS MOTION CARRIED.

Chair Engel called for the agenda item "Employee Handbook."

Commissioner McLarty explained that the handbook had been handed out to the commissioners for your review so we either accept it as it is or table it.

Commissioner Hartnett asked if the board approves it, whether all elected officials had to sign off on it.

Commissioner McLarty said that it was agreed that it would be basically a guide for them to follow, not a requirement.

Commissioner Hartnett moved, seconded by McLarty to adopt the Employee Handbook that governs all non union employees under the authority of the board and a guide for Elected Officials to follow.

ROLL CALL VOTE: Rohde- yea, O'Neill- No, Hartnett- Yea, Engel- Yea and McLarty- Yea.
UNANIMOUS MOTION CARRIED.

Commissioner O'Neill qualified her vote no by saying if we are going to have a handbook why don't the Elected Official's abide by it also.

Chair Engel called for the agenda item "Highway Supt. Ad".

Commissioner Rohde thought that either ad was fine, but to word the ad so the board has the option to hire a Highway Supt. and a Road Foreman or Highway Superintendent/Road Director.

Chair Engel called for the agenda item "Set PH One and Six Year Road Plan and Hearing Feb. 11, 19 or 25th".

It was decided to have the One and Six Year Road Hearing on February 25, 2008.

Chair Engel called for the agenda item Resolution - Stop Signs at Siouxland Ethanol Plant entrance to Knox Blvd.

Commissioner Rohde said that he had talked to Fred Kellogg, acting Road Foreman, and he said that there is a stop sign in place and in the spring it will be permanent.

Chair Engel called for the agenda item "Committee Reports" and there were none.

Chair Engel called for the agenda item "Commissioner Reports" and there were none.

Chair Engel called for the agenda item "Public Comment" and there were none.

Chair Engel called for the agenda item "Mail and/or Emergency Business" and there were none.

Chair Engel noted that they had received a letter from Rod Herron in the mail, but it is not on the agenda.

Commissioner Hartnett moved, seconded by Commissioner Rohde to go into Closed Executive Session to discuss the Road Union Contract.

Commissioner McLarty said that we don't have our copy back from the attorney.

Commissioner Rode withdrew his second and Commissioner Hartnett withdrew her motion.

Commissioner McLarty moved, seconded by Commissioner Hartnett to table the Closed Executive Session until next meeting.

ROLL CALL VOTE: Rohde- yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea.
UNANIMOUS MOTION CARRIED.

With no further business Commissioner Chair Engel adjourned their meeting at 2:09 p.m.



ATTEST:

County Board of Commissioners

William F. Engel, Chairman

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book