

Dakota County Board of Commissioners  
Monday, January 14, 2008  
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 January 14, 2008 meeting was as follows:

Reorganization Meeting Called to Order at 1:30 p.m.

Pledge of Allegiance

Roll Call

Approve Minutes December 17, 2007 & December 31, 2007 minutes

Reorganization Agenda Items

Nominations for Chairperson -

Nominations Cease - Motion

Vote

Nominations for Vice-Chair

Nominations Cease - motion

Vote

Robert Giese, County Treasurer; Semi-Annual report – Board to approve and needs a signature.

Judy Renkel – Road conditions West of Homer – favorable comments on roads

RESOLUTIONS:

Depositories and Securities

Commissioner Meetings

Courthouse Hours

Holidays and Early Closings M-F Schedule

Opening and Closing Graves

Legal Newspaper of County

County Government Day - 1<sup>st</sup> Wednesday in October

Renew Employee Association Agreement

Department Heads Appointments/Reappointments

Veteran Service Officer – Alan Boyd

Highway Superintendent – Will not appoint this meeting as the board is presently advertising for the Position.

Planning and Zoning Administrator – Dennis Reinert

Weed Superintendent – Leon Pies

Emergency Management Director – Pat Foust

Appointments of Advisors to Various Boards

Area Agency for Aged Advisory Board

SIMPCO

Region IV Mental Health Board

County Health Board

Region IV Developmental Disabilities

R C & D

Planning & Zoning

Golden Rod Hills

Area Agency on Aging Governing Board

NE Nebraska Joint Housing Authority

2007 Member/s

Clara Woten

Bill McLarty

Jackie Hartnett

Jackie Hartnett

Bill McLarty

Bill Rohde

Jackie Hartnett

Bill Engel

Bill Engel

Dennis Reinert

Appointment Members to serve on Working Committees

Name of working committee

Present Member

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	was tabled
DCIT Public Safety	was 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	<del>Jackie Hartnett</del> Bill Engel

Review and Approve Accounts Payable and payroll claims, Employee Handbook

Miscellaneous Agenda Items

Resolution to rename a portion of 152<sup>nd</sup> Street to Goodwill Parkway (Street leading into the Goodwill Camp).

Consider using the Referee system for Board of Equalization as in the past.

2:00 p.m. Recess for Board of Corrections meeting

2:15 p.m. Reconvene from Board of Corrections meeting

2:16 p.m. Pat Foust – LEC Director

\*Discuss LEC employees' health insurance premium increase and budget adjustment.

\*Approve LEC employees' health insurance premium increase and budget adjustment.

\*Approve LEC Budget change if the above is adopted

Tabled items - None

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

Board Committee Reports

Board Member Reports

Public Comment

Mail and/or Emergency Business

Adjournment.

Commissioner Hartnett moved, seconded by Commissioner McLarty to approve the minutes of December 17, 2007 and December 31, 2007 as typed and prepared for the official record.

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 "nominations for chair".

Commissioner Rohde moved, seconded by Commissioner O'Neill to nominate Commissioner Jackie Hartnett for chair, that nominations cease and the secretary cast a unanimous ballot for Commissioner Hartnett to be chair for 2008.

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

Chair Hartnett took the chair reserved for the chair and called for the agenda item "nominations for vice chair".

Commissioner Rohde moved, seconded by Commissioner McLarty to nominate Commissioner Bill Engel for vice chair that nominations cease and the secretary cast a unanimous ballot for Commissioner Engel to be vice chair for 2008.

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

Chair Hartnett called for the agenda items "Depositories and Securities, Commissioner Meetings, Courthouse Hours, Holidays and Early Closings M-F Schedule, Opening and Closing Graves, Legal Newspaper of County, County Government Day - 1<sup>st</sup> Wednesday in October and Renew Employee Association Agreement."

Chair Hartnett said that she would accept a resolution to adopt all at the same as in 2007, but if anyone wished to discuss any one item individually, they would do so.

She asked the County Clerk to name the banks that we had applications and resolutions from to be depositories of Dakota County monies in 2008 and they were Siouxland National Bank, Iowa-Nebraska State Bank, Dakota County State Bank and the First National Bank.

They briefly discussed Commissioner Meetings and Chair Hartnett wanted to continue meeting as the prior year because she felt that we lose continuity if the commissioners meet less often. Commissioner O'Neill brought up the issue of meeting at night like at 7 p.m. Discussion was had whether that was a good time or if 5 or 5:30 p.m. would be better.

Commissioner Engel moved, seconded by Commissioner Rohde to adopt the same Depositories and Securities, Commissioner Meetings (except that the board shall meet once per calendar quarter at 5:30 p.m.), Courthouse Hours, Holidays and Early Closings M-F Schedule, Opening and Closing Graves, Legal Newspaper of County, County Government Day and to renew Employee Association Agreement as was adopted last year, with exception to Christmas Eve and that shall be observed as in the handbook.

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

Commissioner Engel moved, seconded by Commissioner McLarty to reappoint Alan Boyd Veteran's Service Officer, Dennis Reinert Planning and Zoning Administrator, Leon Pies Weed Superintendent, Pat Foust Emergency Management Director.

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

Chair Hartnett called for the agenda item "Appointments to the various boards".

Chair Hartnett made appointments to the various boards' and working committee's as follows:

Appointments of Advisors to Various Boards	2008 Member/s
Area Agency for Aged Advisory Board	Clara Woten
SIMPCO	Bill McLarty
Region IV Mental Health Board	Jackie Hartnett
County Health Board	Jackie Hartnett
Region IV Developmental Disabilities	Bill McLarty
R C & D	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

Appointment Members to serve on Working Committees

Name of working committee	Present Member
Economic Development	Bill McLarty
Dakota County Economic Development	Bill McLarty
Civil Defense/ (LEPC, PEP)	Bill Rohde
Finance/Budget	Rohde/McLarty
Legislative	Bill McLarty
Personnel/Policies	Hartnett/O'Neill
Property/Space Utilization	Engel/Rohde
Road Committee	Rohde/Hartnett
Safety	Hartnett/Engel
LEC	Engel/McLarty
ADA	Hartnett/Rick Jensen
Recycling	Jackie Hartnett
Transportation	Bill Engel
Emergency Closings	Wagner/O'Neill/Engel
Highway 35 Committee	McLarty
Press Committee	Joan Spencer
Storm Water Advisory Board	Bill McLarty
Storm Water Planning (working)	Bill McLarty
CJAC	Hartnett/Lyle Todd
Jail Construction Coordinator	Bill Rohde

Commissioner O'Neill moved, seconded by Commissioner McLarty to appoint Commissioner Hartnett as the Board Member to serve on the Merit Commission.

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

Bob Giese, County Treasurer, appeared before the board to present his Semi-Annual Report.

Commissioner McLarty moved, seconded by Commissioner Rohde to acknowledge receipt and approve the Semi-Annual Report presented by the County Treasurer for period ending 12/31/2008 and to authorize the chair to sign same.

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

Ed Matney, County Attorney, presented a draft resolution for the renaming a portion of 152<sup>nd</sup> Street to accommodate the state authorizing signage to alert traffic of the locality of the Goodwill Camp.

The board discussed whether to provide funding for the Referee Procedures for Board of Equalization. Commissioner Rohde moved, seconded by Commissioner Engel to provide the funding for the Board of Equalization and to continue the Referee Procedures to hear Property Valuation Protests this protest cycle.

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

Pat Foust, LEC Director, appeared before the Board concerning the health insurance for the LEC employees. He said that by separating the LEC employees from South Sioux City's Health Insurance, it would save money in the long run, but could increase their budget \$65,000 a year.

The point was made that the county employees did not have any of their family coverage paid for.

Commissioner McLarty moved, seconded by Engel to accept the health insurance rate increase, as presented by Mr. Foust, which will to about \$65,000 and the county's portion will be \$32,500.

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

Commissioner Rohde moved, seconded by Commissioner McLarty to approve the budget change to accommodate the increased expenditures for health insurance and to hold a public hearing if necessary.

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

Chair Hartnett recessed their meeting at 2:09 p.m.

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

There were no tabled items that needed to be addressed.

Chair Hartnett called for the agenda item "Official's Reports". The reports were passed around the table.

Chair Hartnett called for the agenda item "Committee Reports". There were none.

Commissioner Hartnett reported on a Health Board Meeting that she attended. She also reported that Planning and Zoning would not meet in January.

Commissioner Engel reported that he attended a Golden Rod Hills meeting.

Chair Hartnett called for the agenda item "Board Member Reports". There were none.

Chair Hartnett called for the agenda item "Public Comment".

Commissioner O'Neill started to comment and Chair Hartnett reminded her that Bill started to bring up a public comment earlier and was stopped. Chair Hartnett said that she looked it up and if there is a comment by the commissioners, it has to be on the agenda. We are not considered public. Mr. Matney confirmed that statement.

Commissioner O'Neill asked now that we have a new chair is she going to be able to request to be on the agenda or is it going to be like before that I am told that I can't be on.

Chair Hartnett said that she has to research that because in years past, whenever someone would ask her to be on the agenda, she would tell them to call the clerk.

Mr. Matney said it was up to the chair's discretion whether to put something on the agenda unless the full board wants to create a different procedure for that.

Commissioner O'Neill asked if she could request something be on the agenda for the next meeting.

Chair Hartnett asked what it was that she wanted on the agenda.

Ms. O'Neill said that she understood that the Mary Gamble case was settled and I would like to talk about that. She said she wanted to know what's been settled and how it's been settled.

Mr. Matney said that NIRMA had settled that case and that NIRMA had told him that any talk about it has to be done in closed session. The chair, which was Bill Engel at the time, said that matter has been resolved.

Chair Hartnett said in serving on the Board of Directors of NIRMA she has learned whenever the loss or legal issue has been decided, the outcome of that suit has to be kept private. It really has to be kept private, I mean you are bound by law she commented.

Mr. Matney agreed and said it was a binding agreement and all official are bound by it.

Ms. O'Neill mentioned possible settlement and Mr. Matney cautioned the board members that anything that NIRMA has advised in this settlement is to be done in closed session and I am just counseling the chair that it would be appropriate to adjourn the meeting.

The payroll paid by the county clerk for January 18, 2008 was as follows:

COUNTY GENERAL FUND: Gross salaries- \$117,973.66, General Fund Employees Net Pay- \$83,443.32, Employer deductions paid: Retirement- 8,116.03, Social Security Tax- 7,185.95, Medicare- 1,680.58, DC Health Plan- 30,690.24, DC Dental Plan- 793.80, Life Insurance- 178.75.

William Engel- 547.20, Jackie Hartnett- 593.46, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 468.00, Tracey Corkin- 908.01, Marisol Curiel- 894.40, Bobbi Jo Harsma- 1021.47, Theodore Piepho- 1599.88, Darlene Davis- 885.60, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 936.15, Kimberly Kuehl- 866.23, Phyllis Ridge- 862.65, Margaret Rahn- 1194.00, Daniel Christoffers- 468.00, Dennis Reinert- 209.97, Valerie Danielson- 1599.88, Lori Jessip- 860.00, Cheryl Perkins- 1120.00, Joe Flynn- 1713.92, Debra Jensen- 980.80, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 900.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 998.24, Jeremy Bermel- 1890.50, Anthony Bos- 2084.30, Sandy Dickens- 441.37, Brian Ellinger- 2222.05, Penny Epting- 1762.35, Michael Estes- 1242.70, Brent Gilster- 1776.50, Todd Hammer- 2128.00, Melvin Harrison III- 1890.50, Rodney Herron- 1742.74, Jason James- 1586.27, Kimberly Johnson- 584.06, Jared Junge- 1994.59, Michael Kreegar- 1520.00, Gayle Richards- 829.60, Kevin Rohde- 1846.09, James Wagner- 2001.04, Daniel Wood- 1330.42, Kerry Johnson- 880.00, Aimee Kennedy- 1024.00, Edward Matney III- 2588.46, Sara Meadows- 1576.92, Debra Schmiedt- 2115.38, Mary Spurlock- 880.00, Kimberly Watson- 1692.31, Caterina Chapman- 1118.18, Ermelinda Ballesteros- 1278.79, Joshua Blatchford- 1331.04, Dusty Boyd- 1324.98, Rebecca Broer- 1393.14, Gloria Caskey- 264.00, Sandy Dickens- 662.05, Lisa Ford- 1302.37, John Gilles- 1573.56, Alma Gunderson- 1498.01, Paula Harrigfeld- 665.76, Cathy Harsma- 1412.79, Deanna

Haukap- 1260.37, Jackie Heaton- 1236.00, Oneida Hernandez- 616.00, Adam Hough- 938.60, Sarah Jensen- 800.00, Brett Johnson- 1150.50, Nicholas Kellen- 1340.62, Brenda Kelly- 1361.13, Matthew Mann- 1278.02, Diana Moctezuma- 1505.85, Mark Nelson- 1775.28, Jeep Phommavong- 1333.67, Joseph Ramirez- 2055.82, Cara Reinders- 1250.33, Daniel Rodasky- 1668.86, Bob Rohmiller- 528.00, Jutharatana Ruenprom- 1031.18, Linda Schovanec- 1221.48, Justin Smith- 1175.40, Francis Tope- 1279.76, Randall Walsh- 1560.73, Charvette Williams- 1215.14, Jewel Williams- 1253.13, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 988.13, Bonnie Kahler- 699.40, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 11,795.78, State- 3,981.21, Social Security Tax- 7,185.95, Medicare- 1,680.58, Retirement- 5,492.07, 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- 737.37.

COUNTY ROAD PAYROLL: Gross salaries- \$13,868.46, Road Employees Net Pay- \$9,637.50, Employer deductions paid: Retirement- 936.13, DC Health Plan- 4,384.32, DC Dental Plan- 113.40, Life Insurance- 23.17, Social Security Tax- 845.49, Medicare- 197.76.

Brent Byroad- 1168.00, 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- 1538.46, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,300.81, State- 439.13, Social Security- 845.49, Medicare- 197.76, Retirement- 624.08, DC Health Plan-, DC Dental Plan- 58.71, Reassure America Life- 7.32, Deferred Comp.- 61.68, Garnishments- 281.55, Aflac Health- 125.35, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50, Union Dues- 198.00.

Chair Harnett adjourned their meeting at 3:07 p.m.



County Board of Commissioners

ATTEST:

\_\_\_\_\_  
Jacqueline Hartnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book

Dakota County Board of Commissioners  
Tuesday, January 22, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their regular scheduled meeting to order at 10:14 a.m. with the Pledge of Allegiance being recited.

Present: Commissioners Engel, McLarty, Hartnett and County Clerk Ted Piepho, Secretary.

Absent: Commissioners O'Neill and Rohde.

The agenda for this meeting was as follows:

1. 10:00 a.m. Call to Order with reciting the Pledge of Allegiance
  - Roll Call
  - Approve Minutes of January 14, 2008.
  - Approve Payroll claims paid by County Clerk on 01-18-08.
  - Review and approve Accounts Payable Claims submitted by Co. Clerk.
2. 11:00 a.m. Recess for Lunch
3. 1:30 p.m. Reconvene from Lunch
4. 1:31 p.m. Don Faber – Three Rivers
  - Lock in Health Insurance rates for the next year – It appears that we can lock in our Health Insurance rates at a reduction in rates due to the conditions of our group.
5. 1:45 p.m. Jeanette McAfee – Victim’s Assistance
  - Resolution to be signed by Commissioners in support of Violence Against Women Act Grant for Haven House.
6. 1:55 p.m. Miscellaneous Agenda Items
  - Open Audit proposals – review and/reject or accept a proposal for bidder to perform County’s Audit.
  - Approve the Official’s Reports submitted last meeting.
7. Tabled Items – No tabled items to consider
8. Commissioner’s Committee Reports
9. Commissioner Member Reports
10. Public Comment
11. Mail and/or Emergency Business
12. 2:00 p.m. Adjournment.

Commissioner Engel moved, seconded by Commissioner McLarty to approve the minutes of January 14, 2008 as typed and prepared for the official record.

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

Commissioner McLarty moved, seconded by Commissioner Engel to approve the payroll claims as paid by the County Clerk January 18, 2008 and appearing in the January 14, 2008 minutes.

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

The board members reviewed the accounts payable claims presented by the County Clerk.

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

GENERAL FUND: CitiMaster Card, digital recorder- 52.97; Dakota County Star, publishing- 116.49; Gretchen Hirschbach, prior yrs service- 69.24; Hungry’s North, union lunch/roads- 26.23; NACO, county board workshop- 150.00; Perkins, supplies- 129.36; Daniel Rohde, prior yrs service- 23.08; Sioux City Journal, audit proposal ad- 19.18; Staples. Hp laser jet printer 2015- 370.97; Star Printing/Studio B, letterhead- 60.00; Oscar Stone, prior yrs service- 21.24; Eloise Gormally, annual prior yrs service- 103.86; MIPS, shipping cost for checks & deposits- 22.05; NACO, dues for County Clerk, Register of Deeds and Election Commission-45.00; NSBA, late fee for public defender dues- 50.00; Perkins, supplies- 138.76; Theodore Piepho, cell phone reimbursement- 35.00; NACO, late fees for county attorney dues- 100.00; Robert H. Giese, mileage- 128.04; 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- 49.18; Das Im Services, data storage- 3.50; Dugan Forms, office forms- 543.30; Mark Dorcey, prior yrs service- 46.16; Microfilm Imaging Systems, lease equipment- 240.00; Microfilm, Imaging Systems, film & processing- 153.52; Commercial Computer Systems, correct irregular tract index- 125.00; Secretary of State, voter Id cards & registration fee- 45.00; Todds StoreAll, January storage- 80.00; Gene Cantrell, reimbursement mileage & meeting- 43.58; Jim Crosgrove, reimbursement mileage & meeting- 25.67; Dakota County Star, notice of meeting- 13.49; Jim Jepsen, reimbursement mileage & meeting- 31.94; Dick McCabe, reimbursement mileage & meeting- 26.64; Dick McNear, reimbursement mileage & meeting- 22.28; Marlan Millard, reimbursement mileage & meeting- 36.79; Donald N. Miller, reimbursement mileage & meeting- 46.49; Nebraska P&Z Association, convention – 140.00; Joe O’Neill, reimbursement mileage & meeting- 36.79; Dennis Reinert, phone & mileage- 145.43; Martin Rohde, reimbursement mileage & meeting- 45.52; Joan Spencer, meeting- 15.00; Nebraska Workforce, Dustin Kinsey unemployment- 2214.00; Valerie Danielson, reimbursement office supplies- 25.48; William L. Binkard, reimbursement postage & office supplies- 57.48; Dakota Business System, Ricoh equip payment- 99.00; DAS Material, office supplies-

21.00; Paula J. Jensen, reimbursement office supplies- 30.98; Matthew Bender & Co Inc, NE Criminal & Traffic Law books with CD- 89.85; Midwest Office automations, quarterly contract payment- 439.95; Midwest Office Automations, staples for copy machine- 65.00; Kurt T. Rager, reimbursement office supplies- 31.97; Star Printing/Studio B Graphics, envelopes- 75.50; Thomson West, cd rom service- 154.25; Jazmine Cortes, witness fee- 22.02; Reymundo Cruz, witness fee- 22.02; Dakota County Court, court cost- 1,723.66; Frank Gonzalez, interpreter fees- 200.00; Tim Harder, witness fee- 25.05; Randy S. Hisey, legal services- 888.00; Shelly A. Horak, legal services- 672.00; Jesse Kempers, witness fee- 25.05; Sheila King, witness fee- 22.02; Kueny Law Office, legal service- 599.69; Tom Luxford, witness fee- 25.05; Teresa Merchant, witness fee- 25.05; Stuart Mill, legal services 615.00; Alice Petersen, witness fee- 30.10; Michael Prosser, witness fee- 25.05; Douglas Roehrich, legal service- 1530.00; Bryan E Smith Jr., legal service- 146.91; Richard J Thrumer, legal services- 212.91; Patrick Tott, legal services- 480.00; Erica Gonzalez, interpreter fees- 150.00; Frank Gonzalez, interpreter fees- 300.00; Matthew Bender & Co., 2007 Criminal & traffic law- 89.85; Perkins Office Solutions, office supplies- 151.61; Thomson West, 08 Nebraska Practice jury instructions- 126.00; Clerk District Court, claim lists- 335.00; Hungry's , jury meals- 485.12; HyVee, bakery items, water- 104.84; O'Brien, Alvin & Moeller, legal services- 306.00; Ne State Historical Dept, file fee- 5.00; Norfolk Printing, trial dockets- 105.06; Crary, Huff & Inkster, legal services- 500.50; Shirley Sides, reimbursement training- 90.00; Des Moines Stamp Co, stamp for 2008- 67.00; Maxiums, cost of allocations 2006- 1700.00; AmSan, jail supplies- 1457.41; A-Team, heating service- 382.50; Benstar, oven cleaner supplies- 118.48; Bomgaars, supplies- 304.24; Bunker Feed, softener salt- 0.00- City of Dakota City, utility bill- 1864.68; Foulk Bros Plumbing, jail plumbing service- 644.34; Gill Hauling, dumpster- 240.00; Grainger, supplies- 175.85; Hardware Hank, supplies- 114.17; Rick Jensen, mileage- 140.21; Menards, supplies- 1283.74; MidAmerican Energy, gas bill- 4516.16; NPPD, electric bill- 3106.11; O'Keefe Elevator, inspection- 144.72; Sams Club, supplies-743.19; Share Corp, supplies- 1826.72; Siouxland Lock & Key, keys made- 15.50; Trembly Pest Control, pest control service- 85.00; Verizon Wireless, cell phone bill- 59.60; Wal-Mart, payment correction- 1.00; Dakota County Extension, reimbursement- 528.69; Ammunition, ammo- 468.00; City of South Sioux, fuel & LEC communications- 5,311.84; Crystal Oil, vehicle maintenance- 4.99; Dakota Food & Fuel, fuel- 373.48; Fremont Tire, tire repairs- 2,484.56; Harolds, film developing- 8.00; Jack's Uniforms, uniforms- 1,591.40; Joe's Dept Store, fuses- 2.25; K & S Auto Service, vehicle maintenance- 14.00; Lexis Nexis Matthew Bender, law books- 95.24; Nebraska Sheriff's Association, 2007 dues- 1050.00; Qualification Targets, shooting targets- 252.40; Racom Corp, phone line & equip installation- 694.20; Siouxland FCU, training, fuel, meals & software- 273.02; Siouxland Humane Society, animal control- 46.00; Treat America Food Service, deputy school meals- 1085.28; Verizon Wireless, cell phones- 69.60; Wal-Mart, ammo- 112.54; Neava Neal, prior yrs service- 103.86; Dakota County Sheriff, warrants- 959.86; Dakota County Treasurer, certified copies- 40.00; Department of Motor Vehicles, transcripts- 7.00; H2O4U, office supplies- 17.75; Iowa Office Supply, copier contract- 129.05; Johnson County Treasurer, certified copies- 13.00; Edward Matney, reimbursement- 143.56; New Perspectives, document destruction- 101.25; Quill, office supplies- 389.95; Sprint, cell phones- 134.27; Thurston County Court, certified copies- 9.50; Jeffrey Uhl, hrs worked- 50.00; City of South Sioux, LEC expense- 25302.29; BI Inc. electronic monitoring- 434.50; Verizon Wireless, cell phone- 55.02; AmSan, supplies- 326.31; BI Inc, house arrest- 345.10; Bob Barker Company Inc, uniforms- 2241.63; CBM Food Service, food service meals- 28860.36; Cash-Wa Distributing, food service- 77.15; Dakota Business Systems, copier contract- 281.00; Dakota County Sheriff, transportation charges- 2979.09; Dakota Family Dentistry, medical for inmates-248.40; Dakota Food & Fuel, fuel- 757.76; Sandy Dickens, mileage- 113.92; Dunes Medical Lab, inmate medical- 656.50; Fairmont Fire Systems, fire suppression system inspect- 153.00; Jackie Heaton, reimbursement- 20.81; HyVee, meds for inmates- 115.97; Jacks Uniforms, uniforms- 1055.00; Jackson Glass, repair admin door- 105.00; Mercy Medical Center, inmate medical- 1278.67; Mercy Bus Health/Urgent Car, inmate house calls- 1050.00; Midwest Office Automations, copier contract- 231.78; N.E. NE Juvenile Services, juvenile contractual services- 9716.25; NW Iowa Emergency Phys, inmate medical- 833.00; Net Systems, computer issues- 608.00; Redler's Pharmacy, inmate meds- 71.41; Signs by Tomorrow, signs- 36.00; Siouxland FCU, meals & fuel- 93.86; Siouxland Radiology Partners, inmate medical- 158.00; Staples, supplies- 161.74; Treat America Food Services, meals- 106.60; Verizon Wireless, cell phones- 153.43; Wal-Mart, supplies- 424.98; Woodbury Co Juvenile Detention, house juveniles- 10900.00; Dodge County Clerk, expense reimbursement- 8309.22; Perkins, office supplies- 76.07; Verizon Wireless, cell phone- 32.92; Dunes Family Medicine, consulting physician- 250.00; Gloria Dwyer, annual prior yrs service- 11.54; Kids Love Stickers, stickers for clinic- 114.05; Pam DeVries, mileage- 120.28; Pat glover, mileage- 59.65; Perkins, office supplies- 312.14; State of Nebraska, licensure renewal- 650.00; Deanna Beckman, hrs & mileage- 1138.75; Claritus, printer payment- 299.50; Hopkins, supplies- 169.95; Moore Medical, first aid cabinets- 1087.77; Perkins, office supplies- 639.46; Alan Boyd, mileage- 775.52; American Legion, markers- 1052.00; Army Times, subscription- 55.00; Electronic Engineering, pager- 13.95; HyVee, supplies- 390.00; Navy Times, subscriptions- 55.00; Thompson West, law books- 474.76; Betty O'Neill, annual prior yrs service- 46.16; Cable One, internet- 208.90; Claritus, ink cartridge- 204.27; Craig Kiertzner, refund- 1800.00; DeLage Landen, copier lease- 110.69; FSH Communications, payphone- 63.60; IBM, main service for AS400- 205.71; Justice Benefits, scaap collection fee- 5032.72; Lazette Gifford, website upkeep-40.00; Madelyn Thorsland, prior yrs service- 10.00; MIPS, support- 380.97; Net Systems, Antivirus renewal- 626.25; NIRMA, wage settlement- 3533.76; Perkins, changing table w/liners- 366.37; Qwest, phone bill-639.51; Qwest, phone bill- 724.17; Region IV Inc, 3<sup>rd</sup> qrt payment- 5320.25; Region IV Mental Health, 2<sup>nd</sup> qrt payment- 7655.50; Shirley Bentz, annual prior yrs service- 92.32; Three Rivers, flex plan admin- 75.00; US Postal Service, postage- 2500.00; WCS Telecom, pay phone bill- 385.74; Dennis Jones, fee for speaker- 500.00; Road Improvement Fund, budget transfer- 1000.00;

ROAD FUND: Ace Industrial, supplies- 37.91; Advanced Auto, parts- 31.98; Ahlers & Cooney PC, contract- 3213.94; Aramark, towel service- 278.55; Bomgaars, supplies- 256.19; City of South Sioux, salt- 1762.15; Filter Care of Nebraska, filter cleaning- 21.55; Fremont Tire, tire repair- 17.00; Gill Hauling, dumpster service- 52.00; Higman Sand & Gravel, gravel- 3012.65; Hubbard Mini Mart, fuel;

2694.33; H2O4U, water service; 25.75; Industrial Tools & Machinery, parts & supplies- 146.69; Iowa-Nebraska State Bank, grader payment- 15234.75; J & J's Pronto, fuel- 39.00; Joe's Dept Store, parts & supplies- 311.06; Kimball Midwest, shop supplies- 70.22; Linweld, oxy/acetylene-173.25; Marx Distribution, chemicals- 220.67; Dick McNear, prior yrs service- 57.70; Midwest Service & Sales, blades, chains & signs- 3187.82; Marlan Millard, prior yrs service- 15.00; NAPA, parts & supplies- 207.66; NPPD, homer service-66.78; Northeast NE Public Power District, electricity- 305.37; Poms, tires- 35.50; Power Plan / Murphy, supplies- 99.35; Willis Roeber, prior yrs service- 69.24; Sapp Bros Petroleum, propane- 913.36; Stephan Welding, parts- 92.00; Titan Machinery, parts- 408.08; Todd Masters Rock Crushing, crushed rock- 924.00; Town & Country Power PRD, parts & repair- 74.54; Verizon Wireless, cell phone- 49.59; Warren Oil, fuel- 12029.43; Ziegler, parts, labor & supplies- 1677.38

ROAD IMPROVEMENT: McArthur Sheet Metal, trench drains- 990.00;  
POOR RELIEF: BeckerHunt, burials for K. Helms & M. Gonzalez- 3765.00; Nebraska Dept of Health & Human Services, qrt admin costs- 42.75;  
INSTITUTIONS: Beatrice State Dev Center, qrt payment- 1896.00;  
VETERANS AID: Veterans Service Office, relief- 1200.00;  
PUBLIC SAFETY: City of SSC, sls tx- 2659.50; Jail Bond Fund, sls tx- 19502.96;  
WEED FUND: DeLage Landen, copier rental- 91.00; Hubbard Mini Mart, fuel- 234.00; Nebraska Department of Ag, applicator license- 90.00; Nebraska Weed Control Assoc, convention- 85.00;  
E911: City of South Sioux, E911 surcharge- 29577.23;  
ROLL CALL VOTE: O'Neill- Absent, Hartnett- Yea, Engel- Yea, McLarty- Yea and Rohde- Absent.  
UNANIMOUS MOTION CARRIED.

Chair Hartnett recessed their meeting for lunch at 10:45 a.m.  
Chair Hartnett reconvened their meeting at 1:33 p.m.  
Present were: Commissioners Engel, McLarty, Hartnett, Rohde, O'Neill and County Clerk Ted Piepho, Secretary.  
Absent: none.

Ron Rapp and Don Faber appeared before the board and informed the board how our health insurance did over the last year and that we had a reduced premium being offered for the next contact year. They suggested that we commit now to lock in our rates effective March 1<sup>st</sup>, 2008.

Commissioner McLarty moved, seconded by Commissioner Engel to lock in the Health Insurance rates for contract year March 1, 2008 to March 1, 2009, as they were proposed today by Ron Rapp and Don Faber and to authorize the County Clerk to sign all documents to renew the county's health insurance for said contract year at the proposed rates or less.  
ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea and Rohde- yea.  
UNANIMOUS MOTION CARRIED.

Amy Henrich, with Haven House, appeared before the board and asked them to continue supporting Haven House and the REDUCTION OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT by adopting a sample resolution that she presented.

Commissioner Rohde moved, seconded by Commissioner McLarty to adopt Resolution 08C-001 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, as follows:  
RESOLUTION 08C-001

BE IT RESOLVED BY THE BOARD OF DAKOTA COUNTY COMMISSIONERS THAT on this 22nd day of January 2008 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 22nd day of January 2008.

Betty O'Neill                      William Engel  
Commissioner                              Commissioner



Jacqueline Hartnett  
Commissioner

William I. McLarty  
Commissioner

ATTEST:

Theodore A. Piepho  
County Clerk

William B. Rohde  
Commissioner

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

Commissioner McLarty moved, seconded by Commissioner O'Neill to take the audit proposals received from Roman's, Weimer and Associates and William's and Company under advisement to allow for a comparison of bids, and to put the acceptance of the lowest and best proposal on a later agenda.  
ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- yea, O'Neill- Yea and Hartnett- Yea.  
UNANIMOUS MOTION CARRIED.

Commissioner McLarty moved, seconded by Commissioner Engel to acknowledge receipt of and approve the Officials Reports filed with the County Clerk by the County Clerk, Register of Deeds and the Clerk of the District Court for the month of December, 2007 and the County Sheriff's Quarterly Report for the period October 1, 2007 through December 31, 2007.  
ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde - Yea, O'Neill- Yea, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Chair Hartnett called for the agenda item Board Committee Reports and there were none.  
Chair Hartnett called for the agenda item Board Member Reports and there were none.  
Chair Hartnett called for the agenda item Public Comment and there was none.  
Chair Hartnett called for the agenda item mail and emergency business and there were none.

With no further business Commissioner Chair Hartnett adjourned their meeting at 2:17 p.m.



County Board of Commissioners

Jacqueline Hartnett, ~~Chairman~~ Chairwoman Date Chair signed

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners  
Monday, January 28, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their regularly scheduled meeting to order at 1:30 p.m. with the Pledge of Allegiance being recited.

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

Absent: None.

The agenda for this meeting was as follows:

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

- Roll Call
- Approve Minutes of January 22, 2008.
- Review and Approve Payroll claims submitted by County Clerk.

1:31 p.m. Scott Mohnson – Adding Fiddler Creek Road to One and Six Year Road Plan

1:35 p.m. Todd Hammer – discuss, review and approve Animal Control Contract with South Sioux City. Discussion, review and action on the Animal Control Contract with present Siouxland Humane Society will also be discussed, reviewed and possibly acted on.

1:40 P.M. Miscellaneous Agenda Items

- Award bid for audit from bids received and opened on 01-22-08.
- Authorize budget allocation for Director of Corrections/ Jail Administrator.
- Establish a committee to review Highway Supt. applicants and to hire if desired.
- A resolution (09C-002) to recognize a road within the county as “Goodwill Parkway”. The road is located in the area of the Goodwill Camp and Lake Village. It is expected that there will be only one reading of this resolution and the board will actually vote on it.

Tabled Items – No tabled items to consider

Committee Reports

Commissioner Member Reports

Public Comment

Mail and/or Emergency Business

2:00 p.m. Recess to Joint city, county and school meeting at the Marina Inn Carlisle Room

6:30 p.m. Reconvene at the Marina Inn Carlisle Room.

See agenda for Joint meeting

Adjournment

Commissioner Engel moved, seconded by Commissioner McLarty to approve the minutes of January 22, 2008 as typed and prepared for the official record except that Chairman on the signature line should read Chairwoman.

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

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

COUNTY GENERAL FUND: Gross salaries- \$113,557.92, General Fund Employees Net Pay- \$80,903.80, Employer deductions paid: Retirement- 7,788.94, Social Security Tax- 6,933.13, Medicare- 1,621.46, DC Health Plan- 28,687.50, DC Dental Plan- 892.50, and Life Insurance- 181.00.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 374.40, Tracey Corkin- 920.77, Marisol Curiel- 932.13, Bobbi Jo Harsma- 1031.17, Theodore Piepho- 1599.88, Darlene Davis- 885.60, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 948.00, Phyllis Ridge- 899.10, Margaret Rahn- 1194.00, Daniel Christoffers- 468.00, Dennis Reinert- 209.97, Valerie Danielson- 1599.88, Lori Jessip- 806.25, Cheryl Perkins- 1120.00, Joe Flynn- 1713.92, Debra Jensen- 980.80, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 900.00, Tracey Corkin- 26.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 868.00, Jeremy Bermel- 1748.00, Anthony Bos- 1770.80, Sandy Dickens- 441.37, Brian Ellinger- 1723.30, Penny Epting- 1607.28, Michael Estes- 1228.08, Brent Gilster- 1805.00, Todd Hammer- 1757.50, Melvin Harrison III- 1833.50, Rodney Herron- 1742.74, Jason James- 1564.34, Kimberly Johnson- 281.96, Jared Junge- 1556.38, Michael Kreegar- 1748.00, Gayle Richards- 829.60, Kevin Rohde- 1683.98, James Wagner- 2001.04, Daniel Wood- 1410.83, Kerry Johnson- 880.00, Aimee Kennedy- 1024.00, Edward Matney III- 2588.46, Sara Meadows- 1576.92, Debra Schmiedt- 2115.38, Mary Spurlock- 770.00, Kimberly Watson- 1692.31, Caterina Chapman- 1118.18, Ermelinda Ballesteros- 1250.32, Joshua Blatchford- 1338.12, Dusty Boyd- 1276.24, Rebecca Broer- 1486.77, Sandy Dickens- 662.05, Lisa Ford- 1326.71, John Gilles- 1435.92, Alma Gunderson- 1499.87, Paula Harrigfeld- 741.68, Cathy Harsma- 1405.33, Deanna Haukap- 1260.37, Jackie Heaton- 1200.00, Oneida Hernandez- 676.50, Adam Hough- 1106.24, Sarah Jensen- 692.50, Brett Johnson- 1320.42, Nicholas Kellen- 1319.74, Brenda Kelly- 1435.47, Matthew Mann- 1446.70, Diana Moctezuma- 1178.91, Mark Nelson- 1768.20, Jeep Phommavong- 1340.62, Cara Reinders- 1245.31, Daniel Rodasky- 1302.22, Bob Rohmiller- 616.00, Jutharatana Ruenprom- 1091.88, Amanda Ruhrer- 1066.30, Linda Schovanec- 1206.40, Justin Smith- 1394.53, Francis Tope- 1318.02, Randall Walsh- 1541.58,

Charvette Williams- 1283.81, Jewel Williams- 1059.91, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 1102.01, Bonnie Kahler- 699.40, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 11,016.26, State- 3,762.28, Social Security Tax- 6,933.13, Medicare- 1,621.46, Retirement- 5,267.65, DC Health Plan- 237.50, DC Dental Plan- 472.50, Colonial Health- 16.20, Sheriff Union Dues- 300.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 294.92, Aflac Life/Dsbl- 47.20, Flex Plan- 712.37.

COUNTY ROAD PAYROLL: Gross salaries- \$15,354.54, Road Employees Net Pay- \$10,645.96, Employer deductions paid: Retirement- 1,036.45, DC Health Plan- 4,050.00, DC Dental Plan- 126.00, Life Insurance- 23.17, Social Security Tax- 936.05, and Medicare- 218.92.

Brent Byroad- 1343.20, Robert Hacker- 1408.90, Ronald Harder- 1330.35, Walter Heinemann- 1180.01, Richard Hoelsing- 1374.45, Hans Houfek- 1299.40, Robert Jacobsen- 1357.04, Fred Kellogg- 1538.46, Kimon Litras- 1363.43, Arnold Mellick- 1401.30, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,509.96, State- 521.72, Social Security- 936.05, Medicare- 218.92, Retirement- 690.95, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 7.32, Deferred Comp.- 61.68, Garnishments- 281.55, Aflac Health- 125.35, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50, Union Dues- 180.00.

VISITORS PROMOTION: South Sioux City Chamber of Commerce- Lodging tax: 11,949.73.

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

Scott Mohnson appeared before the board and said that they were working on a project for Fiddler Creek Road to be on the 1 and 6 Year Road Plan. He added that they would like to get the first mile blacktopped.

Commissioner Rohde said that Randy Crombie had spent a lot of time looking at that and the road qualifies to be federal aid road. Mr. Rohde added that with the Hubbard watershed coming out in about three years, that road will be heavily traveled and it will be a main feed to Hubbard, along with M Avenue. The first mile of the road coming out of homer is very hard to maintain along the hill and the curve and we were looking at the first mile being blacktopped if we could do that with federal assistance.

Scott Mohnson said that the traffic counts supported that this is one of the heaviest traveled gravel roads in the County and Commissioner Rohde confirmed that it is.

Judy Renkel was asked to address the board and so she did. She said that the road has improved greatly in the last year. She praised the grader operator and added that the grader operator did not push the gravel off to the side of the road this fall, but left the gravel on the road and said that they have not experienced the bad road conditions as they have in the past.

Todd Hammer appeared before the board to talk about the stray dogs. He said that the Siouxland Humane Society would not take dogs after 5 p.m. on weekdays, and they were closed Mondays. In the past they have been leaving the animals with Frank in South Sioux City Animal Control and he was helping out by taking the animals' home, or whatever. He has been told by city officials that he could not do this any longer for liability reasons and he said that Lance Hedquist, City Administrator for South Sioux City, would be interested in contracting with the County for certain fees.

Mr. Hammer will talk to Lance Hedquist on the terms of South Sioux City keeping dogs or stray animals for the County and it was suggested that it be put on the County Board agenda for later date.

Chair Hartnett called for the agenda item Award bid for audit from bids received and opened on 01-22-08.

Joan Spencer read the Bids as follows: Williams and Company bid \$22,505, \$22,950 and \$23,300 for Fiscal Years ending in June of 2008, 2009 and 2010 respectively and Roman's, Wiemer & Associates bid \$12,500, \$12,550 and \$12,600 respectively.

Commissioner McLarty moved, seconded by Commissioner Engel to accept and award the audit bid to Romans, Wiemer & Associates at a cost of \$12,500, \$12,550 and \$12,600 for Fiscal Years ending June 2008, 2009 and 2010 respectively.

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

Chair Harnett announced that they would take up the budget allocation for Director of Corrections/ Jail Administrator after Board of Corrections.

The Board discussed how they wanted to proceed with hiring the Highway Superintendent after all the resumes come in prior to Thursday, which was the deadline for receiving resumes.

Chair Hartnett appointed Commissioner Rohde and herself, who are serving as the Road Committee, to interview and recommend one candidate for the Board to consider. It was also suggested that another person be part of the interview committee and that person was Judy Renkel.

Chair Hartnett called for the agenda item, a resolution (08C-002) to recognize a road within the county as "Goodwill Parkway".

County Attorney, Ed Matney III, read a resolution prepared by him for the renaming of the road as follows:

A RESOLUTION BY THE DAKOTA COUNTY BOARD OF COMMISSIONERS TO RECOGNIZE A ROAD WITHIN THE COUNTY AS "GOODWILL PARKWAY"

WHEREAS the Dakota County Board of Commissioners (hereinafter "the Board") has received a request from Goodwill Industries to recognize the road that leads into the Goodwill Camp in South Sioux City, Dakota County, Nebraska, and

WHEREAS, recognition by the Board of said road would assist the Goodwill Camp in obtaining a sign (or signs) to be placed along the nearby highway(s) and would, therefore, give needed guidance to travelers;

NOW, THEREFORE, BE IT RESOLVED by the Dakota County Board of Commissioners that the north-to-south road that runs from 152nd Street into the Goodwill Camp in South Sioux City, Dakota County, Nebraska, be, and hereby is, recognized as "Goodwill Parkway" and

BE IT FURTHER RESOLVED that the Goodwill Camp be permitted to establish an address for itself on this newly recognized road and

BE IT FURTHER RESOLVED that Dakota County will work with the appropriate governmental entities to place a sign, which Goodwill Industries will obtain at its cost, along highway 20 to provide guidance to travelers concerning the location of Goodwill Parkway and/or the Goodwill Camp.

Commissioner McLarty moved, seconded by Commissioner Engel to adopt Resolution 08C-002 that the Goodwill Camp be permitted to establish an address for itself on this newly recognized road and that Dakota County will work with the appropriate governmental entities to place a sign, which Goodwill Industries will obtain at its cost, along highway 20 to provide guidance to travelers concerning the location of Goodwill Parkway and/or the Goodwill Camp, as follows:

RESOLUTION 08C-002

A RESOLUTION BY THE DAKOTA COUNTY BOARD OF COMMISSIONERS TO RECOGNIZE A ROAD WITHIN THE COUNTY AS "GOODWILL PARKWAY"

WHEREAS the Dakota County Board of Commissioners (hereinafter "the Board") has received a request from Goodwill Industries to recognize the road that leads into the Goodwill Camp in South Sioux City, Dakota County, Nebraska, and

WHEREAS, recognition by the Board of said road would assist the Goodwill Camp in obtaining a sign (or signs) to be placed along the nearby highway(s) and would, therefore, give needed guidance to travelers;

NOW, THEREFORE, BE IT RESOLVED by the Dakota County Board of Commissioners that the north-to-south road that runs from 152nd Street into the Goodwill Camp in South Sioux City, Dakota County, Nebraska, be, and hereby is, recognized as "Goodwill Parkway" and

BE IT FURTHER RESOLVED that the Goodwill Camp be permitted to establish an address for itself on this newly recognized road and

BE IT FURTHER RESOLVED that Dakota County will work with the appropriate governmental entities to place a sign, which Goodwill Industries will obtain at its cost, along highway 20 to provide guidance to travelers concerning the location of Goodwill Parkway and/or the Goodwill Camp.

DATED this 28day of January, 2008.

/s/ Jackie Hartnett  
Jackie Hartnett  
Chairwoman

/s/ Bill Engel  
Bill Engel  
Commissioner

/s/ William I. McLarty  
William I. McLarty  
Commissioner

/s/ Betty O'Neill  
Betty O'Neill  
Commissioner

/s/ Bill B. Rohde  
Bill Rohde  
Commissioner

ATTEST  
/s/ Ted Piepho  
Ted Piepho, County Clerk

APPROVED AS TO FORM:

/s/ Ed Matney  
Ed Matney, County Attorney

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

Chair Hartnett called for the agenda item Board Committee Reports and there were none.  
Chair Hartnett called for the agenda item Board Member Reports and there were none.  
Chair Hartnett called for the agenda item Public Comment and there was none.  
Chair Hartnett called for the agenda item mail and emergency business and there were none.

With no further business to conduct at this time, Chair Hartnett recessed their meeting at 1:48 p.m.  
Chair Hartnett reconvened their meeting at 2:18 p.m. to take up the last agenda item Authorize budget allocation for Director of Corrections/ Jail Administrator.

Present were: Commissioners Engel, McLarty, Hartnett, Rohde, O'Neill and County Clerk Ted Piepho, Secretary.  
Absent: none.

Commissioner McLarty moved, seconded by Commissioner Rohde authorize the budget allocation of the Director of Corrections at a starting salary of \$45,000 annually with pay increases of \$1000 to be given after probationary periods of three (3) months, six (6) months and one year of employment.  
ROLL CALL VOTE: McLarty- Yea, Rohde- yea, O'Neill- Yea, Hartnett- Yea and Engel- Yea.  
UNANIMOUS MOTION CARRIED.

Chair Hartnett recessed their meeting at 2:19 p.m. to the Marina Inn, South Sioux City, Nebraska at 6:35 p.m. in the Carlisle Room.

The Dakota County Board of Commissioners reconvened their meeting at the Marina Inn, South Sioux City, Nebraska at 6:35 p.m. with Chairwoman Hartnett asking Joan Spencer, acting secretary, to take roll call.

Present: Commissioners Bill Engel, Bill McLarty, Jackie Harnett and Betty O'Neill.

Absent: Commissioner Bill Rohde

State of the City, County and School addresses were given and Partnership Updates were presented. The keynote speaker was Dennis P. Jones addressing the Future of Nebraska.

Chairwoman Hartnett adjourned the meeting at 9:00 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Hartnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book

Dakota County Board of Commissioners  
Monday, February 11, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their regular scheduled meeting to order at 1:56 p.m.  
Present: Commissioners Engel, McLarty, Hartnett, O'Neill, Rohde and County Clerk Ted Piepho, Secretary.

Absent: None.

The agenda for this meeting was as follows:

1:50 p.m. Call meeting to order - 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.

- Roll Call
- Approve Minutes of January 28, 2008
- Review and approve Payroll claims submitted by County Clerk for payment.

1:55 p.m. Miscellaneous Agenda Items

- Road Union Master Agreement – approval of tentative agreed to by the Negotiations Committee.
- Motion and second identifying board members assigned to the various working committees.
- Review / discuss resumes submitted for the position of Highway Supt.
- Board Committee Reports
- Board Member Reports
- Public Comment
- Mail and emergency business

2:15 p.m. Open Bridge Inspection Bids

- Award Bridge Inspection Bid

2:20 p.m. Adjournment

**Working Committees**

Economic Development .....	Bill McLarty
Dakota County Economic Development .....	Bill McLarty
Civil Defense/(LEPC,PEP) .....	Bill Rohde
Finance/Budget .....	Rohde/McLarty
Legislative .....	Bill McLarty
Personnel/Policies .....	Hartnett/O'Neill
Property/Space Utilization .....	Engel/Rohde
Road Committee .....	Rohde/Hartnett
Safety .....	Hartnett/Engel
LEC .....	Engel/McLarty
ADA .....	Hartnett/Rick Jensen
Recycling .....	Jackie Hartnett
Transportation .....	Bill Engel
Emergency Closings .....	Wagner/O'Neill/Engel
Highway 35 Committee .....	McLarty
Press Committee .....	Joan Spencer
Storm Water Advisory Board .....	Bill McLarty
Storm Water Planning (working) .....	Bill McLarty
Jail Construction Coordinator .....	Bill Rohde
Merit Commission.....	Jackie Harnett

Commissioner Rohde moved, seconded by Commissioner McLarty to approve the minutes of January 28, 2008 as typed and prepared for the official record.

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

Chair Hartnett called for the agenda item to approve the claims. She asked Joan Spencer if there were any irregularities to the claims from the employee manual.

Joan Spencer said there wasn't anything unusual, but she did call attention to Walter Heinemann's timecard and mentioned that he had not been working and used up all his vacation and sick leave and comp time benefits. She said that money was being paid for Monday and part of Tuesday and was not being paid for the rest of the week. She talked to Jim Hanks, the County's Labor Union Attorney, earlier in the week and he agreed that no sick leave would accumulate while he was on work injury. He did mention that since his anniversary date is today that he would earn another four weeks vacation and that is not prorated to six-month absence.

Chair Hartnett asked the County Attorney about the pay that Sheriff Wagner was getting for administering the jail.

It was Mr. Matney's opinion that the board could reduce the Sheriff's salary by the amount that he's been paid to administer the jail, which is the difference between what the County Clerk, County Treasurer and the Clerk of the District Court pay and what the County Sheriff is presently paid. Chair Hartnett asked if they could have a motion.

Commissioner O'Neill asked Mr. Matney if that would revert back to when the board created the Board of corrections, which was September 1, 2007. Mr. Matney said that he did not research that area, but that be more problematic.

Commissioner O'Neill moved that the Dakota County Sheriff's be reduced to that of the other elected officials, County Clerk, County Treasurer and the Clerk of the District Court, and that it be retroactive back to September 1, 2007. The motion died for a lack of second.

Commissioner Engel asked Mr. Matney, County attorney, why should we reduce the Sheriff's salary? Mr. Matney said that he thought that once Mr. Kern had started as Director of Corrections, which was last Tuesday, February 5<sup>th</sup>, that the Sheriff no longer has a role in the jail management or supervision of the jail.

Mr. Matney said that from September 1 to that date he had a contractual arrangement and there would be problems if the board tried to recoup monies already paid out to the Sheriff, but that the board has the resolution on it's side that the Sheriff's salary, after this payroll, to be consistent with that of the County Clerk, County Treasurer and the Clerk of District Court.

Chair Hartnett asked if there was a second to the motion. Chair Hartnett said hearing none the motion dies for a lack of second. Chair Hartnett moved, seconded by Commissioner Rohde to approve the claims submitted today with the compensation of the Sheriff to be in line with what the County Treasurer, County Clerk and the Clerk of District Court, which is \$41,596.84 and not retroactive back to September. Roll Call Vote: Hartnett -- Yes, McLarty -- No, Rohde -- Yes, Engel -- No, O'Neill -- No. Motion failed.

Chair Hartnett called for the agenda item, Road Union Master agreement. The County had not received the Road Union Master Agreement from Labor Union Attorney because he had not received it from the Union, therefore no action was taken.

Chair Hartnett called for the agenda item identifying board members assigned to the various working committees.

The County Clerk explained that in the January 14, 2008 minutes Chair Hartnett assigned board members to serve on the various working committees listed on the agenda. There were a couple of the working committees that identify members other than what chair Hartnett appointed. Of those were the Finance and Budget which should have been Rohde and McLarty. The Road Committee should have been Rohde and Hartnett. The Highway 35 committee should be McLarty and the Press Committee should be Joan Spencer. Since the board had approved the minutes to that meeting, it would take action by the board to change and correct these members as Chair Hartnett originally intended.

Commissioner McLarty asked about the Merit Commission and Chair Hartnett explained that she was appointed to that committee by board action at the re-organizational meeting.

Commissioner McLarty moved, seconded by Commissioner Rohde that the members of the working committees be assigned to the various committees as follows;  
Finance and Budget ----- Rohde and McLarty  
Road Committee ----- Rohde and Hartnett  
Highway 35 Committee ----- McLarty  
Press Committee ----- Joan Spencer  
ROLL CALL VOTE: Rohde-Yea, Engel- Yea, O'Neill- Yea, Hartnett- Yea and McLarty- Yea.  
UNANIMOUS MOTION CARRIED.

Chair Hartnett called for the agenda item to review and discuss resumes submitted for the position of Highway Supt.

Commissioner Rohde explained that they had received two applications for the Highway Supt. position without the duties of Road Director, two applications for the Road Director without the duties of Highway Supt. and one application for both the Highway Supt. and the Road Director's Position. He explained that in the mean time the Road Committee has called Olsson and Associates to complete the One and Six Year Road Plan they felt that they were running out of time. He suggested that he and Jackie meet with and interview the applicants this week and have a recommendation for the next meeting. The board agreed.

Chair Hartnett called for the agenda item Board Committee Reports.

Commissioner McLarty presented a Legislative Committee Report in writing, as follows: LB 391, 587 and 663 are carry over bills from last year and he suggested that if the board wished to change their position on these three bills, they could do so and recommended that they study the other bills throughout the week and be ready to decide what position, if any, they would like to take on the others.  
DAKOTA COUNTY BOARD OF COMMISSIONERS  
Legislative Committee  
Legislative Issues

LB391. Present position is to oppose. An Act relating to public records and meetings; to amend Sections 84-712, 84-1411, and 84-1412, to change provisions relating to copies of records and speaking at meetings. Allows the public the right to speak on agenda items as directed by the Board Chair. It also provides a sign up sheet for future subjects to be placed on the future Board agendas. The public may request copies of public records and they will be provided in a timely manner. Current status. On General File.

LB587. Present position is to support. An Act relating to county jails, to amend section 47-119.01, to change provisions relating to state prisoner reimbursement and declare an emergency. This Act would increase the Jail Reimbursement Fund above the current amount of \$3,910,000. Counties are reimbursed at a rate of \$25.00 per day for state prisoners in county jails until the fund is depleted. Current status. The Appropriations Committee has taken no action following the hearing.

LB663. Present position is to support. An Act relating to motor vehicles, to amend sections 13-518, 39-2401, 60-3,202, 77-1342 and 79-1018.01. This Act will change the distribution and allocation of certain motor vehicle registration fees. The process will move the fees collected from the Department of Property Assessment and Taxation to Motor Carrier Division Cash Fund AND Thirty Percent to the Highway Allocation Fund and Seventy Percent to The Highway Trust Fund. These funds will then be available for City, County and State road projects. Current status. On General File.

LB709. Position to be determined. This Act would permit motor vehicle and motorcycle dealers to issue certificates of title and registration and license plates. This act would allow dealers access to the county system. NACO opposes.

LB732. Position to be determined. This Act would exempt twenty-five thousand dollars of residential property values from taxation. The loss of this taxation would not be made up by the state. NACO opposes this bill.

LB910. Position to be determined. This Act would require that motor vehicle and motorboat titling be performed by the County Treasurer. NACO expressed that this would create a "One-Shop Stop" for obtaining vehicle titles. NACO opposes this Bill.

LB913. Position to be determined. An Act that would change the inheritance tax provisions. Any decrease in the Inheritance tax formula would have to be made up by property tax. NACO position is to oppose this bill.

LB862. Position to be determined. This Act would change the noxious weed funding provisions. The funds would come from the seed tax fund. NACO supports.

LB963. Position to be determined. This Act would require verification of legal status before receiving state benefits. This will have a big debate. The Governor is in support of this bill. NACO has taken a "watch and see" position.

LB1008. Position to be determined. This Act will provide for the assumption of the tax assessment function by the counties. The nine counties would be required to assume the cost of the assessor office over a three year period (33%, 67% then 100%). The state is backing out of this arrangement because of the cost. NACO supports this action. Note that it will create a large increase in our budget.

Chair Hartnett said she would like to report on a couple of committees that she serves on. The first was the Boys and Girls Home followed by the Region Four Governing Board meeting she had in Norfolk. She said they discussed issues relative to the behavior of health and brought up, LB 1130, which basically merges adult probation and people with parole services. She said this would be very costly to the Counties. With that said, she suggested to ask Mike Carlson from probation to come to a meeting and provide the board with his thoughts concerning the bill.

Chair Hartnett said Joan Spencer attended a Recycling Committee Meeting. Ms. Spencer said that the issue of the county paying \$100 dues was presented at that meeting and that they also wanted the County to clean up Foundry Road.

She also brought up that the Nebraska Department of Roads is conducting Highway Corridor meetings and reminded the board that the first meeting was tonight at Hubbard Community Center, from 6 to 8 p.m. Ms. Hartnett also informed the board that the Nebraska Department of Roads, along with the State Highway Commission will hold a series of public forums regarding the potential location of a four-lane divided highway between Norfolk and South Sioux City.

The proposed route generally follows existing Nebraska Highway 35. A study of two specific alignments for the future road has been developed and a preferred alternative has been identified and that is what they will be discussing at Hubbard tonight.

Chair Hartnett asked Joan Spencer to read a thank you letter from the Goodwill Industries, thanking the County for passing resolution 08C-002 regarding the naming of a road.

Chair Hartnett asked if there were any board member reports and there were none. Chair Hartnett asked for public comment and Commissioner O'Neill said that she thought maybe she misunderstood the motion that Ms. Hartnett made on the payroll earlier. Chair Hartnett explained the motion as it was made. There was discussion on how Commissioner O'Neill could change her vote and County Attorney, Ed Matney said that if there was a motion to reconsider the issue that would probably



be in order.

Chair Hartnett moved to reconsider the issue and that was seconded by Commissioner O'Neill. Commissioner McLarty asked who can make the motion to reconsider and Mr. Matney and Mr. McLarty agreed that they thought it would be a person on the winning side or the negative side in this case. That would be Commissioner McLarty, Engel or O'Neill.

Commissioner Hartnett withdrew her motion because it was out of order and Commissioner O'Neill withdrew her second because it was out of order.

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

COUNTY GENERAL FUND: Gross salaries- \$110,526.51, General Fund Employees Net Pay- \$79,025.90, Employer deductions paid: Retirement- 7,594.55, Social Security Tax- 6,735.80, Medicare- 1,575.34, DC Health Plan- 29,362.50, DC Dental Plan- 913.50 and Life Insurance- 185.55.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 468.00, Tracey Corkin- 925.04, Marisol Curiel- 894.40, Bobbi Jo Harsma- 1034.40, Theodore Piepho- 1599.88, Darlene Davis- 885.60, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 942.08, Kim Kuehl- 697.41, Phyllis Ridge- 862.65, Margaret Rahn- 1194.00, Daniel Christoffers- 468.00, Dennis Reinert- 209.97, Valerie Danielson- 1599.88, Lori Jessip- 860.00, Cheryl Perkins- 1120.00, Joe Flynn- 1713.92, Debra Jensen- 980.80, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 900.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 937.19, Jeremy Bermel- 1501.00, Anthony Bos- 1561.80, Sandy Dickens- 441.37, Brian Ellinger- 1723.80, Penny Epting- 1607.26, Michael Estes- 1345.04, Brent Gilster- 1520.00, Todd Hammer- 1558.00, Melvin Harrison III- 1520.00, Rodney Herron- 1742.74, Jason James- 1388.90, Kimberly Johnson- 435.53, Jared Junge- 1770.72, Michael Kreegar- 1520.00, Gayle Richards- 829.60, Kevin Rohde- 1440.80, James Wagner- 2001.04, Daniel Wood- 1184.22, Kerry Johnson- 880.00, Aimee Kennedy- 1024.00, Edward Matney III- 2588.46, Sara Meadows- 1576.92, Debra Schmiedt- 2300.46, Mary Spurlock- 737.00, Kimberly Watson- 1692.31, Caterina Chapman- 1118.18, Jacob Acero- 242.00, Ermelinda Ballesteros- 1330.68, Joshua Blatchford- 1171.74, Dusty Boyd- 1168.44, Rebecca Broer- 1355.69, Sandy Dickens- 662.05, Lisa Ford- 1164.96, John Gilles- 1298.28, Alma Gunderson- 1333.22, Paula Harrigfeld- 592.76, Cathy Harsma- 1235.46, Deanna Haukap- 542.30, Jackie Heaton- 1556.00, Oneida Hernandez- 484.00, Adam Hough- 1059.91, Sarah Jensen- 790.00, Brett Johnson- 1200.06, Nicholas Kellen- 1184.09, Brenda Kelly- 1304.49, Terry Kern- 692.32, Brad Lindgren- 272.25, Matthew Mann- 1116.28, Diana Moctezuma- 1022.39, Mark Nelson- 1464.66, Jeep Phommavong- 1067.59, Cara Reinders- 1161.58, Daniel Rodasky- 1201.77, Bob Rohmiller- 440.00, Jutharatana Ruenprom- 1118.98, Amanda Ruhler- 1066.30, Linda Schovanec- 1206.40, Justin Smith- 1199.75, Francis Tope- 1340.61, Randall Walsh- 1579.88, Charvette Williams- 1192.78, Jewel Williams- 1216.38, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 1016.16, Bonnie Kahler- 677.88, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 10,302.57, State- 3,522.48, Social Security Tax- 6,735.80, Medicare- 1,575.34, Retirement- 5,133.18, DC Health Plan- 237.50, DC Dental Plan- 514.50, Colonial Health- 16.20, Sheriff Union Dues- 300.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 353.82, Aflac Life/Dsbl- 74.20, Flex Plan- 762.37.

COUNTY ROAD PAYROLL: Gross salaries- \$13,418.59, Road Employees Net Pay- \$9,330.99, Employer deductions paid: Retirement- 905.76, DC Health Plan- 4,050.00, DC Dental Plan- 126.00, Life Insurance- 23.19, Social Security Tax- 816.03 and Medicare- 190.87.

Brent Byroad- 1168.00, Robert Hacker- 1168.00, Ronald Harder- 1176.00, Walter Heinemann- 730.13, Richard Hoelsing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1538.46, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,232.63, State- 413.25, Social Security- 816.03, Medicare- 190.87, Retirement- 603.84, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 7.32, Deferred Comp.- 61.68, Garnishments- 281.55, Aflac Health- 125.35, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50, Union Dues- 180.00.

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

Chair Hartnett called for the agenda item mail and emergency business and the NACO Northeast Nebraska District Meeting was talked about.

Commissioner O'Neill commented that she didn't think that her tax dollars should be spent to pay someone for a position, in which they do not hold, and offered a motion to reduce the Sheriff salary.

Commissioner Hartnett said that she thought it was a moot point for this week, because the claims have already been approved. However I would like to see it on the agenda for the next meeting.

Commissioner O'Neill said okay and the motion died for lack second.

Chair Hartnett called for the agenda item to open bids for the bridge inspector. Two bids were received. One bid was bid by Mark Casey to inspect Dakota County bridges for a fee of \$50 a bridge and the other bid was from Arnold Mellick and his fee for the inspection of County bridges was \$49 per bridge.

Commissioner Rohde asked that the bids be referred to the Road Committee, and that they look at them and make a recommendation at the next board meeting.

Chair Hartnett called for the agenda item Board Committee Reports and there were none.

Chair Hartnett called for the agenda item Board Member Reports and there were none.

Chair Hartnett called for the agenda item Public Comment and there was none.

With no further business to conduct at this time, Chair Hartnett adjourned their meeting at 2:39 p.m.



County Board of Commissioners

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Jacqueline Hartnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book

Dakota County Board of Commissioners  
Tuesday, February 19, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their regular scheduled meeting to order at 2:08 p.m.  
Present: Commissioners Engel, McLarty, Hartnett, O'Neill, Rohde and County Clerk Ted Piepho, Secretary.

Absent: None.

The agenda for this meeting was as follows:

- 1:50 p.m. Call to Order
  - Roll Call
  - Approve Minutes of February 11, 2008.
  - Review and approve Accounts Payable Claims submitted by County Clerk for payment.
- 1:51 p.m. Leo Pies – Noxious Weed Supt.
- 1:55 p.m. Miscellaneous Agenda Items
  - Award bid for the inspection of County Bridges. Arnold Mellick and Mark Casey submitted bids to inspect the bridges at \$49.00 and \$50.00 per bridge respectively.
  - Re-assign Jail Administration Salary
  - NIRMA Quarterly Loss Report (Closed Executive Session)
- Tabled Items – No tabled items to consider
- Board Committee Reports
  - Road Committee recommendation to hire Highway Supt.
    - Action to hire Highway Supt and/or Road Director.
    - Commissioner Member Reports
- Board Committee Member Reports
- Public Comment
- Mail and/or Emergency Business
- 2:15 p.m. Adjournment

Commissioner McLarty moved, seconded by Commissioner Engel to approve the minutes of February 11, 2008 as typed and 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 Rohde to approve the Accounts Payable Claims submitted by the County Clerk for payment as follows:

**GENERAL FUND:** Dakota County Star, publishing- 565.39; NACO, board handbook-45.00; Bill McLarty, mileage- 252.50; Nebraska Journal-Leader, Rd Director ad- 38.55; Perkins Office Solutions, supplies- 58.43; Joan Spencer, mileage- 262.81; Des Moines Stamp, (2) stamps for Hartnett- 71.95; Holiday Inn, lodging for workshop- 296.00; CitiMastercard, (5) USB flash drives- 94.75; Dakota County Clerk's Office, postage reimbursement- 5.50; Dakota County State Bank, annual safe deposit rental- 35.00; Des Moines Stamp, (4) perma stamps- 133.80; MIPS, W2 supplies- 349.57; Perkins Office Solution, office supplies- 169.74; Redfield & Co., marriage books- 220.74; Theodore A. Piepho, cell phone- 20.00; Robert H. Giese, mileage- 115.00, 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; Das Imservices, data storage- 3.50; Automated Systems, network support- 600.00; Executive Copy, equip repair- 78.00; Dakota County Star, semi annual- 74.06; Duggan Forms, printing supplies- 519.39; Microfilm Imaging Systems, Jan. lease- 240.00; Perkins Office Solutions, office supplies- 440.08; Dakota County Star, office ad- 153.00; Holiday Inn, lodging/meal for workshop- 83.99; Theodore A. Piepho, mileage-115.14; Todd's StoreAll, Feb storage- 80.00; Delage Landen, copier rental- 91.00; holiday Inn, lodging- 194.85; NE Nebraska Computer Serv, computer- 390.31; Dennis Reinert, phone- 30.00; Executive Copy, maint agreement- 178.00; Dakota Business System, equip payment- 99.00; DAS Material, office supplies- 320.03; Des Moines Stamp, office supplies- 479.80; Redfield & Co, office supplies- 135.48; Thomson West, Cd rom service- 154.25; Jose Acevedo Jr., witness fee- 30.10; Jose S. Acevedo Sr., witness fee- 30.10; Russell Chester, witness fee- 22.02; Jennifer Crowe, witness fee- 22.02; Dakota County Court, court cost- 1538.81; Jamal Dean, witness fee, 20.00; Travis Hernandez, witness fee-20.00; Randy Hisey, court appointed counsel- 1920.00; Dennis Hurley, court appointed counsel- 3138.00; Cray Huff, court appointed counsel- 210.00; Kueny Law, court appointed counsel- 1811.03; Patty McGill, witness fee- 22.02; Stuart Mills, court appointed counsel- 210.00; Douglas Roehrich, court appointed counsel- 924.00; Amanda Schaecher, witness fee- 20.50; Bryan E. Smith Jr., court appointed counsel- 998.73; Terry Thomas, witness fee, 25.05; Richard J. Thramer, court appointed counsel- 455.82; Patrick Tott, court appointed counsel- 954.00; William L. Binkard, reimbursement- 135.78; Des Moines Stamp, perma stamps- 58.14; Erica Gonzalez, interpreter fees- 50.00; Frank Gonzalez, interpreter fees- 200.00; Michelle Kirkpatrick, deposition fees- 131.45; Perkins Office Solutions, office supplies- 15.24; Coffee King, coffee for jury- 38.00; District Court, claim list- 758.40; Hungary's, meals for jury- 119.00; Iowa Office Supply, jury exhibit- 119.99; Norfolk Printing, trial docket binder- 361.26; Jose Alvarez, jury fees- 39.04; Carra Anderson, jury fees- 38.03; Amy Arnold, jury fees- 78.59; Megan Belew, jury fees- 75.05; Marguerite Cain, jury fees- 80.10; Cory Clark, jury fees- 77.07; Gayle Dahlkoetter, jury fees- 79.09; Melissa Donnelly, jury fees- 77.07; Edit Escalante, jury fees- 35.51; Karen Flaugh, jury fees- 43.08; Stephen Gonshorowski, jury fees- 71.51; Cynthia Hansen, jury fees- 37.02; Heath Harris, jury fees- 44.09; Becky Hobbiebrunken, jury fees- 37.02; Laci Hough, jury

fees- 36.51; Traci Jensen, jury fees – 40.05; Bradley Johnson, jury fees- 85.15; Cindy Junge, jury fees- 36.51; Gary Larson, jury fees- 74.04; Melissa Parrill, jury fees- 38.03; Salvador Ruiz, jury fees- 39.04; Robert Schnoes, jury fees- 40.05; Nick Stewart, jury fees- 53.18; Bryan Tranmer, jury fees- 85.15; Karissa Warren, jury fees- 40.05; Christine Whalen, jury fees- 77.58; Tamara Young, jury fees- 74.04; Bob Decker, Bailiff fees- 155.50; Amsan, janitorial supplies- 665.63; A-Team, roof top repair- 945.25; Benstar Packaging, towels- 470.88; Bomgaar's, supplies- 402.35; Dakota Food & Fuel, fuel- 62.00; Gill Hauling, dumpsters- 240.00; G & R Controls, control panel repair- 3075.45; Grainger, lights- 55.10; Hardware Hank, supplies- 5.64; Janitor Depot, janitorial supplies- 105.60; Rick Jensen, mileage- 109.93; Cummins Central Power, generator repair- 200.40; Joes Dept Store, supplies- 106.42; Menards, supplies- 600.72; Klemmett Dean, annual yrs service- 84.00; MidAmerican Energy- gas bill- 4775.09; NPPD, electric bill- 3136.16; Neb. Fire Marshall, inspection- 120.00; Sam's Club, jail supplies- 814.57; Trembly, pest control- 85.00; Simplex Crinnell, fire alarm repair- 424.89; Verizon Wireless, cell phone- 58.18; Barone Security System, inspection fee- 970.00; Dakota County Extension, reimbursement- 915.70; AJ Phillips Publishing, day books & offense reports- 1039.00; Anderson Ford Lincoln Mercury, 08 Ford- 23364.00; City of South Sioux, fuel/phone & copies- 5153.84; Dakota Food & Fuel, fuel- 334.50; First State Bank, lease payments- 5799.34; Fremont Tire, vehicle maintenance & tire repairs- 883.29; Jacks Uniforms, uniforms/taser/lightbar- 5895.05; Joes Dept Store, fuel additive- 5.75; Nebraska Notary Division, (6) notary renewals- 180.00; Old Republic Surety Group, (6) notary bond renewals- 300.00; Racom, phone access line/repairs- 694.20; Sid Dillon Chev, 08 Chevy- 26637.00; Siouxland Federal Cr Un, reimbursement fuel/postage- 76.50; Verizon Wireless, cell phones- 68.85; Wal-Mart, vehicle supplies- 25.85; Willis Animal Clinic, K-9 appt/dog food- 189.75; Siouxland Humane Society, herding- 92.00; Dakota County Sheriff, papers/warrants- 1730.14; Dakota County Treasurer, certified copies- 5.00; Dept of Motors Vehicles, driving record/transcripts- 18.00; Dixon County Sheriff, subpoena fees- 42.82; H2O4U, office supplies- 17.25; Aimee Kennedy, reimbursement- 73.83; Edward H. Matney, reimbursement- 22.78; New Perspectives, document destruction- 112.50; Quill, office supplies- 330.27; Sarpy County- certified copies- 2.50; Sprint- cell phones- 128.29; Thurston County Sheriffs Dept, subpoena fees- 28.91; City of South Sioux, LEC expense Feb- 25302.29; American Bio Medical Corp, drug test- 339.20; Caterina Chapman, reimbursement- 24.88; Verizon Wireless, cell phone- 55.02; American Bio Medical Corp, drug test- 99.45; AmSan, supplies- 148.57; Bob Barker, supplies- 820.42; CBM Food Service, food service meals- 14464.32; Cash-Wa Distributing, food products, 105.70; Critten Center, inmate medical- 564.00; Crystal Oil, vehicle maintenance- 30.33; Dakota Business Systems, copier contract- 281.00; Dakota County Sheriff, transportation charges- 1975.37; Dakota Food & Fuel, fuel-jail cars- 313.65; Sandy Dickens, mileage- 83.66; IMSS Anesthesiology, inmate medical- 705.60; Jacks Uniforms, uniforms- 204.55; Joes Dept Store, supplies- 225.82; Kleen Solutions, dishwasher cleaner- 69.95; Mercy Bus Health, inmate house calls, 1422.00; Mercy Medical Center, inmate medical- 1258.85; Midwest Office Automations, copier contract- 122.20; Moore Medical LLC, inmate medical, 505.25; Net Systems, computer issues- 557.00; N.E. NE Juvenile Services, juvenile holding- 8571.25; Redler's Pharmacy, inmate meds- 56.35; RegionalHelpWanted.com, help wanted ad- 73.00; Safeguard Business Systems, receipt book/journal pages- 1030.85; Sam's Club, supplies- 72.59; Siouxland Federal Cr Un, transport meals- 72.59; Siouxland Radiology Partners, inmate medical- 506.00; Sirchie Fingerprint Laboratories, ink pads- 62.64; Staples, supplies- 45.98; Verizon Wireless, cell phones- 120.16; Wal-Mart, inmate prescriptions/supplies- 1473.16; Woodbury Co Juvenile Det, juvenile holding- 7000.00; NE Nebraska Computer Services, computer- 723.00; Verizon Wireless, cell phone- 32.92; Briggs Corporation, isagel hand cleaner/CMS 1500 laser form- 85.89; Pam DeVries, mileage- 142.41; Dunes Family Medicine, consulting physician- 250.00; pat Glover, mileage- 112.11; Midwest Office Automations, copier contract- 49.12; Perkins Office Solution, office supplies- 340.80; Alltel, cell phone- 186.90; Midwest Office Automations, richo mpc 2550 color copier- 6390.00; Deanna Beckman, hours worked/mileage- 1254.84; Alan Boyd, mileage- 710.64; Electronic Engineering, pager- 13.95; Thomson West, law books- 637.25; Business Comm System, new phone/trouble shooting- 1036.14; CableOne, internet- 208.90; Claritus, postage supplies- 260.53; Dakota County Star, liq.lic/special meeting/permissive exempt- 61.70; Five Star Awards, volunteer plaque, 59.00; FSH Comm, payphone- 63.60; Hasler, postage meter rental- 249.00; Keep Northeast Nebraska Beautiful, annual membership dues- 100.00; Lazette Gifford, website upkeep- 40.00; Madelyn Thorsland, prior yrs service- 10.00; NCHEMS/Dennis P. Jones, speakers airfare- 311.53; Qwest, phone bill- 1345.14; Three Rivers, flex plan admin- 75.00; US Postal Service, postage- 2500.00; Xpedx, paper- 2224.00; WSC TeleCom, telephone- 443.97; Road Improvement Fund, budget transfer- 2000.00; Road Fund 300, budget transfer- 40000.00; Weed Fund 5400, budget transfer- 2000.00.

**ROAD FUND:** Advanced Auto, parts- 12.84; Ahlers & Cooney, contract negotiations- 1545.20; Aramark, towel service- 214.36; A-Team, heater repair- 709.36; Bank of Dixon County- motor grader payment- 16386.41; Campbell Supply Co, supplies- 34.40; Carquest, parts- 16.54; Cemex, limestone- 248.82; City of South Sioux, salt/gravel- 2440.63; Dakota County Star, publishing- 21.70; Filter Care of Nebraska, filter cleaning- 21.55; GCR Tire Center, tires- 187.36; First State Bank, motor grader payment- 15559.03; Gill Hauling, dumpster service- 52.00; Greenlight, D4 maintenance- 197.95; Guarantee Oil, oil- 504.34; Higman sand & Gravel, gravel- 7221.85; Hubbard Mini Mart, Fuel- 3992.67; H2O4U, water service- 8.50; J and J's Pronto, fuel- 111.00; Joes Dept Store, parts/supplies- 205.02; Linweld, oxy/acetylene- 38.95; Lux Bros Trucking, gravel hauling- 253.90; Marx Truck Trailer, parts- 94.76; Medical Enterprises, drug testing- 59.80; Midwest Services & Sales, chains/blades- 3897.00; Marlan Millard, prior yrs service- 15.00; Motion Industries, parts- 27.50; NPPD, homer service- 93.44; NPPD, electric bill- 313.85; Northeast NE Telephone Co, phone service- 173.15; Pumps, tires- 3914.00; Sapp Bros Petroleum, propane- 1039.11; Siouxland Hydraulics, parts- 114.46; Stephan Welding, parts- 99.50; St Luke's Occupational Center, drug testing- 59.00; Titan Machinery, parts- 141.26; Torco Remfg, parts- 223.90; Verizon Wireless, cell phone- 98.11; Warren Oil, fuel- 8788.75; Ziegler, parts/supplies- 376.58;

**ROAD IMPROVEMENT:** Nebraska Dept of Roads, bridge laptop- 261.44; Olsson Associates, engineering- 2119.97;

**INSTITUTIONS:** Lincoln Regional Center, medical for Martin Ramos- 456.00;

**VETERANS AID:** Veterans Service Office, emergency aid-375.00;  
**INHERITANCE TAX FUND:** Total Fire Protection, jail construction claim- 422.50;  
**PUBLIC SAFETY:** City of SSC, sls tx- 2642.18; Jail Bond Fund, sls tx- 19375.99;  
**WEED FUND:** Heritage Express, fuel- 68.00; Hubbard Mini Mart, fuel- 227.00; J and J's Pronto, fuel- 240.01; NE Nebr. Assoc. Co Officials, spring workshop- 19.00; NE Nebr. Computer Services, computer- 225.00; Leon Pies, workshop- 10.00;  
ROLL CALL VOTE: Rohde- yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea.  
UNANIMOUS MOTION CARRIED.

Mr. Pies was not able to attend the meeting.

Chair Hartnett called for the agenda item to re-assign Jail Administration Salary. She read a letter addressed to her from the County Attorney as follows:

This letter is in regard to the Board's discussion about how to handle the compensation for duties relating to administration of the jail. Previously, the administration of the jail was the responsibility of the Dakota County Sheriff. Last year, the Board created a division of corrections within the county to oversee the administration of the jail. During the months that followed, the Sheriffs Office contracted with the Board to continue to run the jail, pending the appointment of a civilian administrator.

On 05 February 2008, Mr. Terry Kern assumed the position of director of corrections in Dakota County and receives a salary and benefits for his work. The Sheriffs Office no longer has a role in jail administration. In the past, Dakota County has paid its sheriff a salary for his role as sheriff and an additional amount of compensation for his role as the caretaker of the jail. After researching the issue, it is my opinion that the Board may remove that additional amount of compensation and re-assign those funds to assist in paying Mr. Kern's salary. I would caution the Board against attempting to make such a change with retroactive effect, however.

Although I have not located a case exactly on point, the Supreme Court of Nebraska has heard several cases (see attached) relating to compensation for jail-administration duties. It seems clear from those cases that the person who is actually running the jail is the person who should receive compensation from the county for doing so. That concept also makes good sense from a taxpayer's perspective.

Sincerely,  
Edward H. Matney III  
Dakota County Attorney

Chair Hartnett asked if there was any discussion.

Commissioner Engel said that if you take \$10,000 off the Sheriff salary, he would be getting less than what his deputy does and he didn't think that was fair.

Commissioner O'Neill said to answer your question is to put Sheriff Wagner back to what the other officials were getting \$41,597. She noted that Mr. Herron is getting \$45,311.21, which is more than the Sheriff would be getting and she thought he should be treated the same as the deputies of all the other officials which is \$30,585.44. I would suggest cutting Mr. Heron back to what the other deputies are getting because he is being relieved of a lot of his duties in the jail.

Commissioner Engel did not think that the Sheriff was being overpaid at \$52,000 annually.

Mr. Rohde asked Ms. Fergen, Deputy County Attorney, if the County Attorney had a chance to look at Mr. Broom's letter that was received via fax. Mr. Broom is Sheriff Wagner's attorney.

Ms. Fergen Deputy County Attorney said that Mr. Matney had spoken to Mr. Wagner's attorney.

Commissioner O'Neill moved to reduce Sheriff Wagner's salary to \$41,594. From this day forward.

Commissioner Hartnett said to clarify the motion. The Sheriff was not receiving monies for being jail administrator from today on and added that she was uncomfortable in stating a dollar amount.

Chair Hartnett asked Commissioner O'Neill to restate her motion.

Commissioner O'Neill said that she makes a motion that Sheriff Wagner no longer receives compensation for being the jail administrator. Commissioner Rohde seconded that motion. Chair Hartnett asked if there was any discussion.

Commissioner Engel offered that \$52,000 is not too much for being Sheriff.

Commissioner McLarty said he would be opposed to this motion. Sheriff Wagner has served the county loyally for 30 years or thereabouts. I think his salary has been fair throughout, and I see no reason to reduce his salary in this term of office. When we have the next election I think it would then behoove the board to reduce the salary, but I see no reason to reduce his salary. I don't think it's fair to him, and I think he has earned it over the 30 years and Mr. McLarty thought it is fair to compensate him throughout his term with his current salary.

ROLL CALL VOTE: Rohde- Yes Engel- No, O'Neill- Yes, Hartnett- Yes, McLarty- No. Motion Carried.

Mr. Kern suggested to the board that he be allowed to increase Mark Nelson's salary to 15 dollars an hour because Mark Nelson is acting as his deputy, along with doing his other jailer duties.

Commissioner Rohde moved, seconded by Commissioner McLarty to raise Mark Nelson's salary to \$15.00 an hour, to a title of Captain.

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

Commissioner Rohde said the Road Committee and Judy Renkel met last week for both the bridge inspector and the Highway Superintendent/Road Director position/s. From that meeting the Road Committee recommend that Arnold Mellick be awarded the job to be bridge inspector at \$49 per bridge for all the bridges that are not fracture critical.

Commissioner Rohde moved, seconded by Commissioner McLarty to award the bridge inspections to Arnold Mellick at a cost of \$49 per bridge for his inspections, excluding the fracture critical bridges.  
ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea and Rohde- yea.  
UNANIMOUS MOTION CARRIED.

Commissioner Hartnett called for the agenda item for the Road Committee's recommendation to hire a Highway Supt.

Commissioner Rohde, reporting on behalf of the road committee, said that they received one application for the joint Highway Superintendent/Road Director, two applications for just the Road Director, three applications for Highway Supt.

Mr. Rohde said the recommendation of the Road Committee, after conducting interviews, would be to appoint Fred Kellogg as a Road Director with a starting salary of \$40,000 a year. He added that Mr. Kellogg has agreed to get his Highway Supt. Certification, which is given twice a year. Along with that the Road Committee recommends Olsson and Associates to be the Highway Supt. for the next year at a rate of \$105 an hour, not to exceed \$10,500 annually. \$10,500 is the amount that the state reimburses Dakota County for this position.

Commissioner O'Neill moved, seconded by Commissioner McLarty to appoint Fred Kellogg as Road Director at a starting salary of \$40,000 per year and to appoint Olsson and Associates as part time Highway Supt. with \$10,500 being the maximum they be paid.

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

Chair Hartnett called for the agenda item Board Committee Reports.

Chair Hartnett reported on a meeting with Dakota City, and Dakota City is celebrating their 150 year anniversary. She suggested that the board start thinking of ways that the County can spruce up the courthouse property.

Chair Hartnett called for the agenda item Board Member Reports.

She said that she had asked Joan Spencer to look at the legislative bill that would turn the assessor's office back to the County and she said currently all the equipment in the Assessor's Office is property of the state plus the budget for their 06/07 budget was \$306,335.

Ms. Spencer, assistant to the board said that the County would have to assume 33% the first year 66% the second year and 100% the third year.

Chair, Hartnett said that they would continue with the same staff in the Assessor's Office as employed now and then the assessor would be elected the next election.

Commissioner McLarty briefly discussed the legislative bills that he presented to the board in an earlier meeting and said that he needs the board to prioritize the bills. He touched on LB 587, which was one of the board's priorities last year. He pointed out that legislative bill 910 was killed last week. He said that LB 953 is a bill where an individual has to prove that they are here legally before they can get any state benefits and that bill is being pushed by the governor. He noted that the hearing date for that bill was February 27<sup>th</sup>. He noted that LB 1008 is being heard by the Revenue Committee tomorrow (Wednesday) at 1:30 p.m. Mr. McLarty said he didn't think the County can afford to fund the Assessor's Office at \$306,000. Commissioner McLarty then mentioned that Governor's Day is March 10 and that he would like to have five bills that the board feels is a priority and he would like to include those bills with the bills the South Sioux Chamber presents on Governors Day.

Under public comment chair Hartnett commended Joan Spencer for applying for and receiving a grant to clean up the road ditches along Foundry Road. Ms. Spencer said that she went to the website for the DEQ and downloaded an application for the cleaning up of the illegal dump sites and the DEQ said that we would be awarded this grant. He was going to send somebody from Norfolk here in the spring to take pictures of the trash along this road. She added that we would be reimbursed \$9.60 an hour for employees working on the cleanup and if we use equipment such as a loader that would be reimbursed at \$60 an hour and a dump truck would be reimbursed at \$43 an hour. In addition to that the County could be reimbursed for mileage.

Chair Hartnett called for the agenda item mail and/or emergency business.

Ms. Spencer said they received a thank you from the Sides family for the award that they received at the joint City, County, and School Meeting that was held January 28.

There were no further public comments

Chair Hartnett called for the NIRMA's Quarterly Loss Report (possible Exec. Session) and asked for a motion to convene into the Closed Executive Session.

Commissioner Rohde moved, seconded by Commissioner McLarty to convene in Closed Executive Session for the purpose of possible litigation.

ROLL CALL VOTE: Engel- Yea, McLarty- Yea, Rohde- yea, O'Neill- Yea and Hartnett- Yea.  
UNANIMOUS MOTION CARRIED at 2:46 p.m.

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

ROLL CALL VOTE: McLarty- Yea, Rohde- yea, O'Neill- Yea, Hartnett- Yea and Engel- Yea.  
UNANIMOUS MOTION CARRIED at 2:59 p.m.

Commissioner McLarty asked the other board members what they wanted done with LB 1008, which is being heard tomorrow at 1:30 p.m.

It was the consensus of the board that Mr. McLarty should go to Lincoln and/or to send a letter to Senator Engel concerning LB 1008 that the County Board's concern is to be within the lid limit and our inability to meet the extra financial burden.

With no further business to conduct at this time, Chair Hartnett adjourned their meeting at 3:02 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Hartnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book

Dakota County Board of Commissioners  
Monday, February 25, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their regular scheduled meeting to order at 5:30 p.m.  
Present: Commissioners Engel, McLarty, Hartnett, O'Neill, Rohde and County Clerk Ted Piepho, Secretary.

Absent: None.

The agenda for this meeting was as follows:

- 5:30 p.m. Call to Order with reciting the Pledge of Allegiance
- Roll Call
  - Approve Minutes of February 19, 2008.
  - Review and approve Payroll and Accounts Payable Claims submitted by County Clerk for payment.
  - Authorize transfer of monies from Inheritance Tax Fund to General Fund for operating cash. The transfer was budgeted.
- 5:35 p.m. Open Road One and Six year Public Hearing.
- Close Public Hearing
  - Adopt the One and Six year Road Plan after the Public Hearing.
- 5:50 p.m. Dennis Reinert, Planning and Zoning
- Approve Conditional Use Permit for an LEC tower constructed near Gill Landfill.
- 5:55 p.m. Tony Gomez will ask the board to approve dates for Special Designated Liquor Licenses to be held in conjunction with his Rodeos that are held on the east side of Crystal Lake.
- 6:00 p.m. Miscellaneous Agenda Items
- Jerry Johnson and others to discuss the construction of the jail and the design and installation of a sewage slicer vs. a sewage grinder.
  - Approve Installation of sewage grinder.
  - Possible Exec. Session to follow- Purpose possible litigation.
  - Board to prioritize Legislative Bills that Commissioner McLarty presented to them in a previous meeting and to decide whether they support, oppose or are undecided on said bills and to authorize Commissioner McLarty to present the information to who he deems necessary.
- Tabled Items – No tabled items to consider  
Committee Reports  
Commissioner Member Reports  
Public Comment  
Mail and/or Emergency Business
- 6:15 p.m. Adjournment

Commissioner McLarty moved, seconded by Commissioner Engel to approve the minutes of February 19, 2008 as typed and 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 Rohde to approve the Payroll and the Accounts Payable Claims submitted by the County Clerk for payment as follows:

COUNTY GENERAL FUND: Gross salaries- \$120,175.62, General Fund Employees Net Pay- \$87,563.75, Employer deductions paid: Retirement- 8,279.18, Social Security Tax- 7,450.94, and Medicare- 1,742.53.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 498.71, Tracey Corkin- 692.35, Marisol Curiel- 936.34, Bobbi Jo Harsma- 1034.40, Theodore Piepho- 1599.88, Darlene Davis- 885.60, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 948.00, Kim Kuehl- 885.60, Phyllis Ridge- 880.88, Margaret Rahn- 1194.00, Daniel Christoffers- 468.00, Dennis Reinert- 209.97, Valerie Danielson- 1599.88, Lori Jessip- 677.25, Cheryl Perkins- 1120.00, Joe Flynn- 1713.92, Debra Jensen- 980.80, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 900.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 920.91, Jeremy Bermel- 1947.50, Anthony Bos- 1609.30, Sandy Dickens- 441.37, Brian Ellinger- 1994.05, Penny Epting- 1690.27, Michael Estes- 1315.80, Brent Gilster- 1976.00, Todd Hammer- 1729.00, Melvin Harrison III- 2090.00, Rodney Herron- 1742.74, Jason James- 1564.34, Kimberly Johnson- 385.18, Jared Junge- 2011.74, Michael Kreegar- 1767.00, Gary Powell- 84.00, Gayle Richards- 829.60, Kevin Rohde- 1846.09, James Wagner- 1840.56, Daniel Wood- 1637.44, Kerry Johnson- 880.00, Aimee Kennedy- 1024.00, Edward Matney III- 2588.46, Sara Meadows- 1576.92, Debra Schmiedt- 2115.38, Mary Spurlock- 880.00, Kimberly Watson- 1692.31, Caterina Chapman- 1118.18, Jacob Acero- 1048.75, Ermelinda Ballesteros- 1624.10, Joshua Blatchford- 1424.85, Dusty Boyd- 1551.05, Rebecca Broer- 1293.90, Sandy Dickens- 662.05, Lisa Ford- 1264.10, John Gilles- 1575.42, Alma Gunderson- 1670.27, Paula Harrigfeld- 277.40, Cathy Harsma- 1560.25, Deanna Haukap- 1143.20, Jackie Heaton- 1376.00, Oneida Hernandez- 585.75, Adam Hough- 1039.20, Sarah Jensen- 797.50, Brett Johnson- 1295.64, Nicholas Kellen- 1391.06, Brenda Kelly- 1532.82, Terry Kern- 1730.77, Brad Lindgren- 176.00, Matthew Mann- 1755.28, Diana



Moctezuma- 287.10, Mark Nelson- 1650.00, Jeep Phommavong- 1444.97, Cara Reinders- 1365.84, Daniel Rodasky- 1558.36, Bob Rohmiller- 269.50, Jutharatana Ruenprom- 1257.91, Amanda Ruhler- 1106.24, Linda Schovanec- 1229.02, Justin Smith- 1441.48, Francis Tope- 1551.05, Randall Walsh- 1675.64, Charvette Williams- 1611.92, Jewel Williams- 1189.23, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 1053.83, Bonnie Kahler- 699.40, Alan Boyd- 999.31. GENERAL FUND: Employee withholding paid to: Federal- 12,364.25, State- 4,193.87, Social Security Tax- 7,450.94, Medicare- 1,742.53, Retirement- 5,599.13, DC Health Plan-, DC Dental Plan-, Colonial Health-, Sheriff Union Dues-, Deferred Comp- 639.00, and Garnishments- 622.15. COUNTY ROAD PAYROLL: Gross salaries- \$14,428.85, Road Employees Net Pay- \$10,433.94, Employer deductions paid: Retirement- 973.95, Social Security Tax- 894.58, and Medicare- 209.21. Brent Byroad- 1266.55, Robert Hacker- 1255.60, Ronald Harder- 1264.20, Walter Heinemann- 1180.00, Richard Hoelsing- 1176.00, Hans Houfek- 1310.35, Robert Jacobsen- 1279.59, Fred Kellogg- 1538.46, Kimon Litras- 1220.10, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00. ROAD FUND: Employee withholding paid to: Federal- 1,414.03, State- 484.57, Social Security- 894.58, Medicare- 209.21, Retirement- 649.29, DC Health Plan-, DC Dental Plan-, Reassure America Life-, Deferred Comp.- 61.68, and Garnishments- 281.55. VISITOR PROMOTION: South Sioux City Chamber of Commerce, lodging tax- 2,742.40 INHERITANCE TAX: General fund, Budget transfer – 200,000.00 ROLL CALL VOTE: Rohde- yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea. UNANIMOUS MOTION CARRIED.

Chair Hartnett called for the agenda item “Authorize transfer of monies from Inheritance Tax Fund to General Fund for operating cash. The transfer was budgeted.” Ms. Spencer reported that the Inheritance Tax Fund Balance was \$505,709.45 and that the Board had budgeted for a transfer when they approved the 2007/2008 County Budget. She estimated that \$200,000 should be transferred at this time to make sure there is enough money to meet the last payroll in February and the first payroll in March.

Commissioner Rohde moved, seconded by Commissioner McLarty to authorize the County Treasurer to transfer \$200,000 from Inheritance Tax to the General Fund for operating cash. ROLL CALL VOTE: Rohde- yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea. UNANIMOUS MOTION CARRIED.

Chair Hartnett opened the Public Hearing for the One and Six Year Road Plan at 5:35 p.m.

Chad Kehrt, Highway Supt and employed with Olsson and Associates reviewed the projects that had been completed in the last fiscal year from the 2007-2008 One and Six Year Road Plan. They were as follows: Please note that the year in the third column was the year that the project was anticipated to be completed from the 2007-2008 One and Six Year Plan. The amounts were not the actual cost of the project but what was estimated on said plan.

			First Step-Re-Classify 260th Street from Blyburg Road for 1.3 miles to Missouri River from Minimum Maintenance to RL3. Second Step-Grade and gravel 260th Street from Blyburg Road 1.3 mile to Missouri River. Hydraulics pending. Beginning in South 1/2, Section 22 and Ending in NE 1/4, Section 26, T-27-N, R-9-E	\$ 30,000.00
C22-212	2011-2012			
			Construct new road that will connect Dakota Avenue & C Avenue. This will be an extension of 48th Street. This will be total road construction with paving. Will be 1520' feet long 31' feet wide and 9" inches deep with curb and gutter	\$ 230,000.00
C22-213	2008-2009			
Project C22-213 was constructed by the City of South Sioux City and is a 50/50 cost share with the County				
			Re-grade and blacktop Atokad Drive from the entrance of Atokad Race Track, south for 510' to Stable Drive Blacktop would be 24' wide 510' feet in length with a 6" inch depth. Legal description is SE 1/4 of SW1/4 of Section 32, T-29-N, R-9-E	\$36,000.00
C22-216	2007-2008			
			Extend paving 260 feet to the west on the East end of Old Sawmill Road for a new housing subdivision. NE 1/4, Section 18, T29N, R9E	\$20,000.00
C-22-219				

Chad Kehrt, Highway Supt and employed with Olsson and Associates reviewed the 20 projects on the 2008-2009 One and Six as follows:

Priority NO.	Project NO.	Fiscal Year	Improvements	Estimated Cost
1	C22-	2008-	Remove and replace Bridge No. 21715P RP 15T Suff.	\$ 450,000.00

188	2009	Rating 42.1, 0.1 mile South of Hwy# 35 on South Bluff Road. Section 13, T-28-N, R-8-E Hubbard Northeast or Stan Martineck Bridge HUBBARD NE BRO-7022-15. Federal Aid 80% \$360,000.00 State Aid 5% \$22,500.00 County 15% \$67,500.00 (Soft Match Credit) \$450,000.00		
2	C22-187	2008-2009	Remove and replace Bridge No 02405 (PR7T) Suff. Rating 26.9 - Hubbard S.W. known as Rosie Purucker Bridge between Section 25 & 36 T-28-N, R-6-E HUBBARD SW BRO-7022-16 Federal Aid 80% \$280,000.00 State Aid 5% \$17,500.00 County 15% \$52,500.00 (Soft Match Credit) \$350,000.00  This project is a road structure on 215th Street located between Jewel Avenue and Lutton Avenue. It is a cost share project between the N.R.D. and Dakota County. The N.R.D. will pay 85% of the construction cost with Dakota County paying 15% of the construction costs, all engineering, signing, graveling, and purchase of Right-of-Way. Dakota County will also be responsible for the 404 and Storm Water permits. Legal description being East 1/2 Section 36, T-29- N, R-7-E	\$ 350,000.00 Applying Soft Match Credit \$ 158,000.00
3	C22-217	2008-2009	This is a cost share project with the N.R.D. The N.R.D will pay 85% of the construction. Dakota County will be responsible for 15% of the construction costs, all of the engineering, signing, graveling, and all permits The project is located on Lutton Ave between 200th and 215th Streets with a legal description of N1/2 Section 36 T-28-N, R-7-E	\$ 211,000.00
4	C22-218	2008-2009	Replace cattle pass with 78" 10 gauge spiral tube. Reconstruct 0.8 mile of Moody Road between Lynch Avenue and L Avenue. Start in Center of Section 23 ending in SW 1/4, Section 24, T-29-N, R-7-E	\$ 32,000.00
5	C22-211	2008-2009	Reconstruct Elma Road from 220th Street to 230th Street 1 mile grade and gravel Merlin Chambers Section 6, T-27-N, R-9-E	\$ 20,000.00
6	C22-184	2008-2009	Extension of Fiddler Creek Road for 1 mile from existing pavement west of Homer.	\$ 375,000.00
7	C22-220	2008-2009	Reconstruct M Avenue between 200th and 220th Streets. Grade and gravel, tubes are sized. Start between Section 26 & 27, end between Section 34 & 35 , T-28-N, R-7-E South of Hubbard	\$ 74,000.00
8	C22-193	2009-2010	Reconstruct 220th Street between S Avenue and T Avenue. Grade and gravel between Section 3 & 34 T-27-N, R-6-E Allen Curtiss Road	\$ 24,000.00
9	C22-190	2009-2010	Reconstruct 170th Street from Hamlin Avenue West 0.5 miles towards K Avenue. Grade and gravel No Hydraulics between Section 4 & 9 , T-28-N, R-8-E Beermann Dehy West	\$ 10,000.00
10	C22-194	2009-2010	Project will reconstruct C Avenue from 39th to 48th	\$ 414,000.00
11	C22-214	2009-2010		

			Street. This will include grading and paving. Paving will be of Rural Design. 26' feet wide, and 9" inches thick and 3250' feet long	
12	C22- 183	2010- 2011	Reconstruct G Avenue from Hwy# 35, 1 mile to 185th Street. Grade and gravel Salem Lutheran Church Road between Section 11 & 12, T-28-N, R- 8-E	\$ 20,000.00
13	C22- 215	2010- 2011	This project will regrade and pave C Avenue from 48th Street to Dakota City, Nebraska. Roadway will be of Rural Design. Paving will be 26' feet wide and 9" inches deep and 7310' feet long	\$ 936,000.00
14	C22- 185	2010- 2011	Reconstruct K Avenue from 160th Street South to Hwy# 35, 2.4 miles Section 1,12, & 13, T-28-N, R-7 E and Section 5,8, & 17, T-28-N, R-8-E. Henry DeGraff Rd	\$ 30,000.00
15	C22- 186	2011- 2012	Remove and replace existing CMP culvert located 1.6 miles West of Hwy# 35 on 200th Street by Howard Rasmussen Section 29, T-28-N, R-7-E	\$ 7,000.00
16	C22- 119	2011- 2012	Remove and replace existing bridge with CMP near the North 1/4 corner of Section 13, T-29-N, R-6-E Not on Bridge Inventory, Frank O'Neil Bridge	\$ 35,000.00
17	C22- 212	2011- 2012	Second Step-Grade and gravel 260th Street from Blyburg Road 1.3 mile to Missouri River. Hydraulics pending. Beginning in South 1/2, Section 22 and Ending in NE 1/4, Section 26, T-27-N, R-9-E	\$ 30,000.00
18	C22- 199	2011- 2012	Reconstruct 164th Street, starting at E Avenue ending at Nebraska Hwy# 110. Grade and gravel. Beginning at Section 6, T-28-N, R-9-E. Ending at Section 1 T-28-N, R-8-E Chuck Beermann Road.	\$ 30,000.00
19	C22- 179	2012- 2013	Reconstruct K Avenue from Fiddler Creek Road North 1.5 miles to 225th Street. Grade and gravel. "Squirt" Erickson road between Section 12, T-27-N, R-7-E and Section 8, T-27-N, R-8-E	\$ 40,000.00
20	C22- 124	2012- 2013	New Construction and Right-of-Way purchase for a new by-pass between South Sioux City and Dakota City. Beginning at the Northeast corner of the Southwest 1/4, Northeast 1/4 of Section 34, T-29-N, R-9-E. Riverfront Road, Simpcoco began environmental study of interchange in 1998, waiting for results of the Highway# 35 study from South Sioux City to Norfolk	\$ 800,000.00

Dennis Reinert mentioned that he was on 200<sup>th</sup> Street between H and I Avenues and the road is lower than the fields. He thought that they may want to put that on the one and six. There were no other questions or comments from the audience. Chair Hartnett closed the Public Hearing at 5:42 p.m.

Commissioner McLarty moved, seconded by Commissioner Engel to adopt Resolution 08C-003 that the One and Six Year County Road Program as prepared by Chad Kehrt, Dakota County Highway Supt. hereby be adopted, as follows:

**RESOLUTION 08C-003**

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

BOARD OF COMMISSIONERS FOR  
DAKOTA COUNTY, NEBRASKA  
\S\ Jackie Hartnett  
Chairman

ATTEST:  
\S\ Theodore A. Piepho

County Clerk

Passed and approved this 25<sup>th</sup> day of FEBRUARY 2008.

Motion by Commissioner MCLARTY

Second by Commissioner ENGEL

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

Commissioners voting YEA: McLARTY, ROHDE, ENGEL, O'NEILL AND HARTNETT

Commissioners voting NAY: NONE

The result of the vote being 5 Yeas and 0 Nays, the Chairman declared the motion carried.

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

Dennis Reinert, Planning and Zoning Administrator, appeared before the board and asked them to approve a Conditional Use Permit for the LEC Radio Communications Tower on the NE ¼ Section 28, T29N, R7E Dakota County, Nebraska at the Gill Landfill Site.

Commissioner Hartnett moved, seconded by Commissioner Engel to approve a Conditional Use Permit for the Law Enforcement Center to erect a Radio Communications Tower located in the NE ¼ Section 28, T29N, R7E Dakota County, Nebraska at the Gill Landfill Site, more specifically described as follows: A tract of land located in the NW ¼ section of section 28 in township 29 north, range 7 east of the 6<sup>th</sup> P.M., Dakota County, Nebraska –or– The SW one quarter of the SW one quarter of the NE one quarter and the SE one quarter of the SW one quarter of the NE one quarter and the SW one quarter of the SE one quarter of the NE one quarter and the NE one quarter of the NW one quarter of the SE one quarter all in the NW one quarter of section 28, township 29 north, range 7 east of the 6th P.M., Dakota County, Nebraska.

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

Tony Gomez appeared before the board to ask that the County Board approve Application for a Special Designated Liquor License for him to have alcoholic beverages at events that he is having at the old school land that he is leasing on the East side of Old Crystal Lake.

Commissioner Engel moved, seconded by Commissioner McLarty to approve a letter of support and to approve applications for a Special Designated Liquor License by Tony Gomez to have alcoholic beverages at events to be held May 25, 2008 and August 31, 2008 from 3 p.m. to 11 p.m., June 15, 2008, July 6, 2008, August 3, 2008 from 3 p.m. to 10 p.m. and May 11, 2008 and September 14, 2008 from 1 p.m. to 8 p.m. on the school land adjoining the east side of Old Crystal Lake.

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

Chair Hartnett called for the agenda item "Board to prioritize Legislative Bills that Commissioner McLarty presented to them in a previous meeting and to decide whether they support, oppose or are undecided on said bills and to authorize Commissioner McLarty to present the information to who he deems necessary."

Commissioner McLarty addressed the Board as a member of the Legislative Committee.

He said that the Board opposed LB-391, supported LB-587 and supported LB-66 last year. He asked if they wanted to take a different position this year and everyone seemed to be ok with their position last year.

Mr. McLarty said that LB's 732 and 910 were killed, LB-963 is a priority bill and LB-1008 is still in committee.

He asked the board what, if any, bills the board wanted to take a position on this year.

Commissioner Hartnett said she would like to oppose LB1008 and support 732, 663 and 587. Commissioner Rohde agreed with that. Commissioner O'Neill wanted to go on record that she favored LB 1008.

Chair Hartnett noted that there were no tabled items.

Chair Hartnett called for the agenda item Board Committee Reports

Commissioner Hartnett reported on Planning and Zoning Meeting that she attended.

Commissioner McLarty reported on Legislative Bill Status with the total number of Priority Bills of 77.

Chair Hartnett called for the agenda item Board Member Reports and there were none.

Chair Hartnett called for the agenda item Public Comment.

Commissioner O'Neill commented that she was not able to obtain what she requested on Mary Gamble and asked why the letter from NIRMA had been sent back to NIRMA. She also brought up that she is not able to get on the agenda.

Chair Hartnett asked for public comment for the audience and there was none.

Jerry Johnson, Norm DeWit, with Associated Consulting Engineers, and Ken Bauman, from Hander Plumbing, appeared before the board.

Jerry said they were here to talk about the discussion of the jail. Mr. Johnson and the Board discussed item 2 of the One Year Warranty Walk-through as follows:

Sewage slicer/pump – Current slicer/pump has experienced issues with clogging. First because of the elevation in the pit, wrappers and other debris was building up to a depth that the slicer couldn't handle. The elevation was corrected and the slicer/pump appeared to be doing OK. Two inmate towels were flushed and jammed in the slicer. The owner has requested a "muffin monster" grinder pump be installed. Rick Jensen noted that some of the anti flood bolts had been adjusted after flushed debris had been removed in the past. The anti flood bolts weren't checked but they were bent, so that they no longer catch debris, that could be part of the trouble.

HMN Architects will have the design engineer, Associated Consulting Engineers (ACE) provide design documents to incorporate this type of grinder in the project, for competitive bidding, to GA Johnson.

GA Johnson to provide final estimate of cost to incorporate the requested grinder into the project and present at the commissions 2/25/08 meeting.  
Financial responsibility yet to be determined.

There was discussion concerning whether a sewage grinder should have been put in instead of the sewage slicer that was installed in the sewer system in the new jail. The County Board said that the slicer was not handling the situation. It was discussed that if the county would pay for the purchase of a sewage grinder that it would be installed and paid for by someone, but that someone would not be the county. I understood that someone would be Steve Davis, or the engineer.  
Commissioner Rohde felt that the county should only be responsible for the cost of the grinder less what the slicer cost because the grinder should have been installed in the first place.  
Mr. Johnson felt that was fair and said he would take that to Steve Davis and that Mr. Davis would do that.

Commissioner Rohde moved, seconded by Commissioner O'Neill that the County purchase the Muffin Monster Sewage Grinder at a cost of \$16,151.15 and that the county be reimbursed \$4,151.15 for the sewage slicer that was originally installed, to make the net cost \$12,000 to purchase the Muffin Monster, and

BE IT FURTHER RESOLVED that the total cost of installation be paid by others as agreed today by Jerry Johnson, G.A. Johnson Construction, Inc.

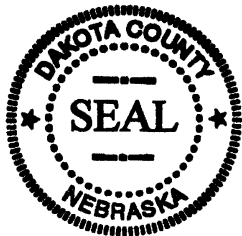
ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea and Rohde- yea.  
UNANIMOUS MOTION CARRIED.

Commissioner O'Neill said that she felt that the County should be reimbursed \$838.60 that the County spent in pumping out sewage and debris from the pit and if the grinder had been installed in the first place we would not have experienced that cost.

Mr. Johnson said that he would take that to Mr. Steve Davis.

Chair Hartnett read a Letter of Resignation received from County Attorney, Ed Matney, stating that his last day being March 7, 2008.

With no further business to conduct at this time, Chair Hartnett adjourned their meeting at 6:44 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Hartnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book

Dakota County Board of Commissioners  
Monday, March 10, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

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

Present: Commissioners Engel, Hartnett, O'Neill, Rohde and County Clerk Ted Piepho, Secretary.

Absent: Commissioner McLarty.

The agenda for this meeting was as follows:

Call to Order with reciting the Pledge of Allegiance

- Roll Call
- Approve Minutes of February 25, 2008.
- Review and approve Payroll and Accounts Payable Claims submitted by County Clerk for payment.

Mark Fort – Taylor and Martin

- Drainage on the east side of their property. Water is standing in the ditches and water is backing up on their property. They are proposing that the county construct proper drainage to drain the water.

Misc. Items

- Animal Control Contract with South Sioux City
- County Attorney Resolution - Commendation for County Attorney, Ed Matney
  - Accept Ed Matney's Resignation
  - Advertise for County Attorney Position
  - How to advertise the opening.
- Cable One Franchise - discuss renewal process

Recess for Board of Corrections

Reconvene from Board of Corrections

Bob Denton and Mike Carlson - LB1130 impact combining administration of Parole and Probation.

Tabled Items – No tabled items to consider

Reports

- Committee Reports
- Commissioner Member Reports
- Public Comment

Mail and/or Emergency Business

Adjournment

Commissioner Engel moved, seconded by Commissioner Rohde to approve the minutes of February 25, 2008 as typed and prepared for the official record.

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

Commissioner Rohde moved, seconded by Commissioner Engel to approve the Payroll and the Accounts Payable Claims submitted by the County Clerk for payment as follows:

COUNTY GENERAL FUND: Gross salaries- \$107,169.47, General Fund Employees Net Pay- \$76,566.22, Employer deductions paid: Retirement- 7,395.03, Social Security Tax- 6,532.35, Medicare- 1,527.71, DC Health Plan- 29,025.00, DC Dental Plan- 903.00, Life Insurance- 183.25.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 476.78, Tracey Corkin- 942.06, Marisol Curiel- 888.81, Bobbi Jo Harsma- 1021.47, Theodore Piepho- 1599.88, Darlene Davis- 885.60, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 948.00, Kim Kuehl- 835.79, Phyllis Ridge- 862.65, Margaret Rahn- 1194.00, Daniel Christoffers- 468.00, Dennis Reinert- 209.97, Valerie Danielson- 1599.88, Lori Jessip- 752.50, Cheryl Perkins- 1120.00, Joe Flynn- 1713.92, Debra Jensen- 980.80, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 940.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 933.12, Jeremy Bermel- 1548.50, Anthony Bos- 1542.80, Sandy Dickens- 441.37, Brian Ellinger- 1766.05, Penny Epting- 1733.94, Brent Gilster- 1653.00, Todd Hammer- 1520.00, Melvin Harrison III- 1539.00, Rodney Herron- 1742.74, Jason James- 1388.90, Kimberly Johnson- 294.55, Jared Junge- 1546.85, Michael Kreegar- 1482.00, Gayle Richards- 829.60, Kevin Rohde- 1512.84, James Wagner- 1599.88, Randall Walsh- 1819.28, Kerry Johnson- 880.00, Aimee Kennedy- 1024.00, Sara Meadows- 1576.92, Debra Schmiedt- 2115.38, Mary Spurlock- 880.00, Kimberly Watson- 1692.31, Caterina Chapman- 1118.18, Jacob Acero- 1015.22, Ermelinda Ballesteros- 1314.53, Joshua Blatchford- 1178.82, Dusty Boyd- 1147.58, Rebecca Broer- 1282.67, Sandy Dickens- 662.05, Michael Estes- 1268.29, Lisa Ford- 1168.44, John Gilles- 1212.75, Alma Gunderson- 1172.19, Paula Harrigfeld- 880.38, Cathy Harsma- 1345.58, Deanna Haukap- 1081.24, Jackie Heaton- 1670.00, Oneida Hernandez- 481.25, Adam Hough- 1186.04, Sarah Jensen- 800.00, Brett Johnson- 1178.82, Nicholas Kellen- 1154.53, Brenda Kelly- 1139.88, Terry Kern- 1730.77, Mark Nelson- 1395.00, Jeep Phommavong- 1168.44, Cara Reinders- 1251.99, Daniel Rodasky- 1128.11, Jutharatana Ruenprom- 1299.38, Amanda Ruhler- 1034.37, Linda Schovanec- 1221.48, Justin Smith- 1133.67, Francis Tope- 1248.45, Charvette Williams- 1175.40, Jewel Williams- 1066.30, Daniel Wood- 1293.87, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 981.12, Bonnie Kahler- 559.52, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 9,995.40, State- 3,405.52, Social Security Tax- 6,532.35, Medicare- 1,527.71, Retirement- 4,999.98, DC Health Plan- 237.50, DC Dental Plan- 493.50, Colonial Health- 16.20, Sheriff Union Dues- 300.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 737.37.

COUNTY ROAD PAYROLL: Gross salaries- \$14,096.41, Road Employees Net Pay- \$9,808.19, Employer deductions paid: Retirement- 951.53, DC Health Plan-4,387.50, DC Dental Plan- 136.50, Life Insurance- 23.74, Social Security Tax- 858.05, Medicare- 200.68.

Brent Byroad- 1168.00, Robert Hacker- 1211.80, Ronald Harder- 1242.15, Walter Heinemann- 1298.00, Richard Hoelsing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1538.46, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,329.73, State- 452.00, Social Security- 858.05, Medicare- 200.68, Retirement- 634.34, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 9.76, Deferred Comp.- 61.68, Garnishments- 281.55, Aflac Health- 125.35, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50, Union Dues- 160.00.

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

Commissioner Engel moved, seconded by Commissioner Hartnett to approve the Animal Control Contract with the City of South Sioux City for them to take strayed animals picked up by the County, at a cost of \$50 per animal and to authorize the Chair and the County Clerk to sign the agreement, with language as follows upon approval by South Sioux City:

**INTERLOCAL AGREEMENT FOR USE OF ANIMAL SERVICES FACILITIES**

THIS AGREEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 2008, between the County of Dakota County, herein called COUNTY and the City of South Sioux City, Dakota County, Nebraska, a municipal corporation, herein called CITY, provides as follows:

SECTION 1: Interlocal Animal Services Agreement. This agreement for "Interlocal Agreement for Use of Animal Services Facilities" is executed pursuant to the Interlocal Cooperation Act.

SECTION 2: Purpose of Agreement. It is recognized that the CITY has facilities for detention and disposal of animals apprehended by or under the control of Animal Services Company and that the COUNTY desires to use those facilities for detention and disposition of animals from within its jurisdiction.

SECTION 3: Services and Compensation. That the CITY shall provide the following services to the COUNTY, and the COUNTY shall pay costs and fees to the CITY as set forth herein:

- A. The COUNTY shall reimburse the CITY for the cost of installation of an electronic door lock, which provides COUNTY Deputies with 24-hour access to the facility.
- B. The COUNTY shall pay the CITY a set fee for the detention and boarding of an animal. This fee is to be set at \$50.00 and is based on the care and feeding for four (4) calendar days, and if required, the destruction and disposal of the animal. This fee will be split 50/50 between the City and Contractor.
- C. After four (4) calendar days have elapsed, the animal becomes the property of the CITY.
- D. Any funds collected from the animal's owner for reclaiming the animal, or from an animal adoption process shall be shared equally between the CITY and the Animal Services Company contractor.
- E. For any animal which, as a result of rabies, quarantine or completion of judicial proceedings is required to be housed for a period of time longer than the initial four (4) calendar days, the COUNTY shall reimburse the CITY at a rate of \$10.00 for every day or part of a day that each animal remains in the facility.

SECTION 4: Liability. The COUNTY shall be liable or obligated to indemnify the CITY for any of its equipment damaged or destroyed as a result of performance under this agreement. The CITY shall not under any circumstances be held liable for any loss as a result of the retention and disposition of animals removed from the jurisdiction of the COUNTY.

SECTION 5: Effective Date of Agreement, This agreement shall be in full effect and legally binding as it is signed and certified by the COUNTY and the CITY. The CITY of South Sioux City will retain the original signed agreement and will be responsible for distributing the agreement to the COUNTY for the purposes of signature.

SECTION 6: Termination of Agreement. This agreement shall remain in full force and effect until such time as the COUNTY or CITY, through its elected Board of Commissioners or City Council passes a resolution terminating this agreement.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2008, pursuant to the authority granted by Resolution \_\_\_\_\_ Passed and approved on \_\_\_\_\_ 2008.

CITY OF SOUTH SIOUX CITY, DAKOTA COUNTY, NEBRASKA  
a municipal corporation

ATTEST:

By: \_\_\_\_\_

MAYOR  
COUNTY OF DAKOTA COUNTY, NEBRASKA  
County Board of Commissioners

CITY CLERK

ATTEST:

By: \_\_\_\_\_

CHAIRPERSON

COUNTY CLERK

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

Commissioner Rohde moved, seconded by Commissioner Hartnett to accept the resignation of County Attorney Edward Matney III effective March 7, 2008.

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

Commissioner Engel moved, seconded by Commissioner Rohde to adopt Resolution 08C-004, which is a Resolution of Commendation officially acknowledging Mr. Edward Matney III for his outstanding service to Dakota County, as follows:

RESOLUTION 08C-004  
RESOLUTION OF COMMENDATION

WHEREAS, the Dakota County Board of Commissioners would like to commend Edward Matney III for his years of service with Dakota County; and

WHEREAS, Edward Matney III has served as County Attorney for five (5) years, and previously serving as Deputy and Chief Deputy County Attorney; and

WHEREAS, that service has been done with integrity, fairness, sincerity, honor and principle; and

WHEREAS, he has strived to develop a good relationship between the County Attorney's Office, Law Enforcement and the Community; and

WHEREAS, Mr. Matney facilitated the development of a Dakota County Special Response Team; and

WHEREAS, the citizens of Dakota County have benefited from his exemplary service.

THEREFORE, be it resolved by the Dakota County Board of Commissioners that Edward Matney III be officially acknowledged for his outstanding service to Dakota County and that this Resolution be placed as part of the permanent record of this Board.

Passed and adopted this 10<sup>th</sup> day of March, 2008.

\s\ Jackie Hartnett  
Commissioner Jackie Hartnett

Voted No  
Commissioner Betty O'Neill

ATTEST:  
\s\ Theodore A. Piepho  
County Clerk

\s\ Bill Engel  
Commissioner Bill Engel

\s\ Bill Rohde  
Commissioner Bill Rohde

Absent  
Commissioner Bill McLarty

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

The board discussed advertising for the County Attorney Position and the consensus of the board was to advertise it in the Dakota County Star and the Sioux City Journal.

Commissioner Engel moved, seconded by Commissioner Rohde to approve the Cableone Agreement. Discussion was had concerning the fees and was decided to further investigate the fee structure and have the County Attorney's Office review the agreement.

Therefore, Commissioner Rohde withdrew his second and Commissioner Engel withdrew his motion.

Chair Hartnett recessed their meeting at 1:52 p.m.  
Chair Hartnett reconvened their meeting at 2:30 p.m.

Commissioner Hartnett called for the agenda item "Bob Denton and Mike Carlson - LB1130 impact combining administration of Parole and Probation."

Bob Denton and Mike Carlson appeared before the board and Mr. Denton expressed his take on LB1130. He furnished information to the board as follows:

**Chairperson:** Brad Ashford  
**Committee:** Judiciary  
**Date of Hearing:** February 14, 2008

The following constitutes the reasons for this bill and the purposes, which are sought to be accomplished thereby:

LB 1130 combines the administration of probation and parole. The bill creates and Office of Adult Probation and Parole Administration under the Department of Correctional Services as of July 1, 2009. There is also created the Office of Court Services under the Supreme Court for purposes of pre-sentence investigations.



The bill also creates the Probation and Parole Advisory Board. The advisory board shall monitor the operation, professionalism, and success of the Office of Adult Probation and Parole Services and its employees and ensure open lines of communication between the Department of Correctional Services and the Judiciary.

The intent of LB 1130 is to combine probation and parole supervision services under one administrative organization in order to provide more efficient and seamless delivery of community-based services for persons sentenced by the courts to probation or by the Board of Parole to parole supervision within the State of Nebraska.

**Principal Introducer: Senator John Synowiecki**

Commissioner Hartnett called for the agenda item "Tabled Items" and there were none.  
Commissioner Hartnett called for the agenda item Board Committee Reports and Commissioner Hartnett briefly reported on Siouxland Initiative and Region IV.  
Chair Hartnett called for the agenda item Board Member Reports and there were none.  
Chair Hartnett asked for public comment from the audience and there was none.

With no further business to conduct at this time, Chair Hartnett adjourned their meeting at 2:37 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Hartnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book

Dakota County Board of Commissioners  
Monday, March 17, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their regular scheduled meeting to order at 10:10 a.m. with the Pledge of Allegiance being recited.

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

The agenda for this meeting was as follows:

- 10:00 a.m. Call to Order with reciting the Pledge of Allegiance
- Roll Call
  - Approve Minutes of previous meeting.
  - Approve Payroll claims paid by County Clerk.
  - Review and approve Accounts Payable Claims submitted by Co. Clerk.
- 10:15 a.m. Recess for Board of Equalization Meeting
- 10:20 a.m. Reconvene meeting
- 11:15 a.m. Quarterly Jail Tour
- 11:45 a.m. Recess for Lunch
- 1:30 p.m. Reconvene from Lunch
- 1:30 p.m. Open and approve Gravel Bids
- 1:45 p.m. Don Faber – Three Rivers
- Health Insurance Report
- 1:50 p.m. Miscellaneous Agenda Items
- Discuss repairing the Kenny Baker Bridge- Kenny Baker is requesting that the county make repairs to a bridge near him.
  - Cost Share Hard surfacing M Avenue in the north end of town- Hubbard is asking the county to cost share hard surfacing M Avenue on the north end of town. This is basically the main street of Hubbard that runs north out of town.
  - Hyperion Discussion- General Discussion
  - Approve Contract with Federal Marshal's Service – This contract would be a contract with the Federal Marshal's Office to outline the terms for housing federal prisoners.
  - Official's Reports
- Tabled Items – No tabled items to consider  
Commissioner Committee Reports  
Commissioner Member Reports  
Public Comment  
Mail and/or Emergency Business
- 2:20 p.m. Adjournment.

Commissioner Engel moved, seconded by Commissioner Hartnett to approve the minutes of March 10, 2008 as typed and prepared for the official record.

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

Chair Hartnett recessed their meeting at 10:12 a.m. to convene as Board of Equalization.

Chair Hartnett reconvened their meeting at 10:28 a.m. from Board of Equalization.

Commissioner McLarty was present upon convening from Board of Equalization.

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

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

**GENERAL FUND:** Dakota County Star, publish minutes/notices- 316.30; NACO, registration budget workshop- 120.00; Old Republic Surety Group, notary renewal- 50.00; Dakota County Star, candidate filing/corr meetings- 93.77; Theodore A. Piepho, cell phone/reimbursement on supplies- 44.98; Robert H. Giese, mileage- 115.14; Charlotte Doenhofer, 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; DAS Imservices, data storage- 3.50; Staples, office supplies- 153.08; Dakota County Star, publishing/printing- 1745.20; Microfilm Imaging Systems, lease equipment rent- 240.00; Dakota County Clerk Office, postage reimbursement- 31.20; Election Systems & Software, shipping & handling fee- 6.72; NE Nebr Assn of County Officials, association dues- 10.00; Todds Storeall, March storage- 80.00; Tyler Graphic Services Inc., early voter envelopes- 385.01; Dakota County Star, publishing- 10.02; Marlan Millard, mileage- 176.75; Dennis Reinert, phone/office supplies- 39.97; Clerk of District Court Association(Valorie Bendixen), dues & training expense- 100.00; NetSystems+, (4) towers for computers & router DSL- 3467.00; Dakota Business System, Ricoh equip payment- 99.00; DAS Material, office supplies- 15.40; Paula Jensen, reimbursement office supplies- 14.04; Midwest Office Automations, quarterly contract payment- 226.06; New Perspectives Inc, shredding- 1.50; Bettina Perkins, mileage- 36.36; Thomson West, cd rom service-154.25; Berenstein/Moore, special prosecutor- 168.00; Dakota County Court, court costs- 1099.49; Bretta Fredericksen, witness fee- 20.00; Randy S. Hisey, court appointed counsel- 504.00; Dennis Hurley, court appointed counsel- 216.00; David Mara, witness fee- 156.35; Stuart Mills, court appointed counsel-120.00; Tammy Peterson, witness fee- 25.05; Douglas Roehrich, court appointed counsel- 726.00; Shirlena Saul, witness fee- 25.05; Richard J

Thramer, court appointed counsel- 213.88; Patrick Tott, court appointed counsel- 1506.00; William L Binkard, reimbursement- 245.18; Dakota County Bar Association, bar dues- 50.00; Jama Dirie, interpreter fee- 250.00; Frank Gonzalez, interpreter fee- 450.00; Bettina Perkins, interpreter mileage- 5.82; Perkins Office Solutions, office supplies/filing cabinets- 625.33; Clerk District court, claim list 160 civil & 161 criminal- 345.00; All World Translation, Spanish interpreter- 165.00; Hungry's, meals for jury- 38.87; HyVee, jury food and drinks- 128.18; NE Historical Society, research and pulling file- 10.00; Staples, supplies- 625.26; Patrick Tott, court appointed counsel- 756.00; Marie Wakefield, jury fee- 151.64; AmSan, jail supplies- 273.67; Ateam Heating & Cooling, roof top repair- 212.50; Borone Security, sprinkler inspection- 270.00; Benstar Packaging, hand soap- 78.80; Bomgaars, supplies- 48.45; Gill Hauling, dumpster service- 240.00; G & R Controls, AC controls- 847.35; JC Roofing, roof repair- 475.00; Rick Jensen, mileage- 129.02; Joes Department Store, supplies- 160.98; Menards, supplies- 735.69; Mid American Energy- gas bill- 5286.63; NPPD, electric bill- 2822.36; Okeefe Elevator, elevator repair- 1044.93; Simpley Grenell, sprinkler head repair- 692.00; Thompson Electric, electric repair- 104.13; Trembly, pest control- 85.00; Verizon Wireless, cell phone- 58.18; AmSan, supplies- 1189.46; Dakota County Extension, reimbursement- 861.64; Ammunition, ammo- 1030.50; Circle R, vehicle maintenance- 248.25; City of South Sioux City, fuel/copies/log distance phone call- 4388.47; Dakota County Sheriff, reimbursement/K-9 box supplies- 20.02; Dakota Food & Fuel, fuel- 117.61; Electronic Engineering, battery- 145.00; Fremont Tire, vehicle maintenance- 592.08; Harold's, film developing- 113.87; Jack's Uniforms, uniforms/badges- 284.95; Knoepfler Chev, vehicle maintenance- 284.95; Morningside Veterinary Hospital, k-9 medical- 227.44; Pacific City Graphics, vehicle inspection forms- 799.31; Racom, phone access line- 694.20; Sioux City Ford, vehicle maintenance- 565.67; Siouxland FCU, reimbursement- 418.67; Torco-Remfg, vehicle maintenance- 356.00; Verizon Wireless, cell phones- 67.10; Willis Animal Clinic, k-9 medical/dog food- 57.75; Dakota County Sheriff, payment reimbursement/papers/warrants- 1570.71; Dakota County Treasurer, certified copies- 71.07; Dakota County Bar Association, bar dues- 75.00; Department of Motor Vehicles, transcripts- 12.00; Des Moines Stamp, stamp- 29.30; Dixon County Sheriff, subpoena fees- 42.82; H2O4U, misc office supplies- 17.25; Iowa Office Supply Inc, copier contract- 114.43; New Perspectives Inc, document destruction- 41.25; Sprint, cell phones- 125.92; AJ Phillips, business cards- 35.00; BI Inc, electronic monitoring- 293.70; Electronic Engineering, pager- 147.45; Verizon Wireless, cell phone- 55.02; AmSan, laundry detergent/softener/bleach/bottles- 447.93; Behavioral Interventions, house arrest- 1717.80; Bob Barker, inmate supplies- 555.19; CBM Food Service, food service- 22870.88; Cash-Wa Distributing, food supplies- 127.33; Dakota Business Systems, copier contract- 281.00; Dakota Food & Fuel, fuel- 861.17; Dept of Correctional Service, safekeeper- 1060.92; Delta gloves, gloves- 329.50; Sandy Dickens, mileage- 115.14; Michael Estes, reimbursement- 7.36; Joe's Department Store, keys/threadlocker- 18.77; Kleen Solutions, food service supplies- 202.63; Mercy Bus Health Urgent Care, inmate house calls- 1633.00; Mercy Medical Center, inmate medical- 4393.53; Midwest Office Automations, copier contract- 156.35; Moore Medical, inmate medical- 252.14; Motorola, (2) radios for transport deputies- 8914.52; N.E. NE Juvenile Services, juvenile holding- 6256.25; NetSystems+, computer issues- 360.00; NW Iowa Emergency Phys, inmate medical- 1110.00; Redlers Pharmacy, inmate meds- 35.20; Sam's Club, supplies- 136.79; Signs By Tomorrow, deputy director sign- 18.00; Sioux City Journal, help wanted ads- 513.54; Siouxland FCU, reimbursement- 46.94; Staples, supplies- 408.60; Verizon Wireless, cell phones- 123.24; Walmart, supplies/prescriptions- 871.40; Daniel Wood, reimbursement- 7.36; Woodbury County Juvenile Detention, out of County boarding/juveniles- 2600.00; DeLage Landen, copier rental- 91.00; Verizon Wireless, cell phone- 32.92; Pam DeVries, mileage- 45.95; Dunes Family Medicine, consulting Physician- 250.00; Midwest Office Automations, copier contract- 19.19; Pat Glover, mileage- 83.83; Jan Brown, prior yrs service- 29.08; Deanna Beckman, hrs worked/mileage- 1232.92; Pam DeVries, mileage- 98.47; Alan Boyd, mileage- 662.56; Electronic Engineering, pager- 13.95; Thomson West, law books- 1059.25; Business Telecomm System, voice mail/extra phones- 757.30; CableOne, internet- 208.90; City of South Sioux City, LEC expense- 25302.29; Dakota County State Bank, stop payment- 15.00; DeLage Landen, copier lease- 226.03; FSH Comm, payphone- 63.60; Lazette Gifford, website upkeep- 40.00; Madelyn Thorsland, prior yrs service- 10.00; MIPS, support- 380.97; Qwest, phone service- 1342.81; Region IV Mental Health,, 3<sup>rd</sup> qrt payment- 7655.50; Three Rivers, flex plan admin- 75.00; Three Rivers Benefit, annual admin fee- 1000.00; US Postal Service, postage- 2500.00; WCS Telecomm, telephone- 359.49; Road Improvement Fund 802, budget transfer- 1000.00;

**ROAD FUND:** Advanced Auto, parts- 13.84; Aramark, towel service- 214.36; Bomgaars, supplies- 30.72; CarQuest, parts- 108.42; City of South Sioux City, salt/gravel- 520.40; Gill Hauling, dumpster service- 52.00; Greenlight,, d4 maintenance- 311.95; Guarantee Oil, oil- 1094.70; Heritage Express, fuel- 71.00; Higman Sand and Gravel, gravel- 3756.57; Hubbard Mini Mart, fuel- 2978.98; H2O4U, water service- 25.75; J & J's Pronto, fuel- 55.00; Joe's Department Store, supplies- 163.54; Kimball Midwest, supplies- 130.736; L.G. Everist, gravel- 1076.99; Linweld, supplies- 35.95; Marx Truck/Trailer, parts- 143.89; Midwest Svc & Sales, chains/blades- 796.80; Marlan Millard, prior yrs service- 15.00; NAPA, parts- 120.79; NPPD, Homer electricity- 83.39; Northeast Ne Public Power District, electricity- 323.39; Northeast NE Telephone Co, phone service- 185.70; Poms, tire repair- 75.00; Power Plan/Murphy, parts- 306.00; RC Customs, parts/labor- 28.74; Rees Mack, parts- 106.98; Ricks Radiator Repair, labor- 85.00; Sapp Bros Petroleum, propane- 1392.33; Siouxland Hydraulics, parts- 296.06; Siouxland Trailer Sales, parts- 77.25; Stephan Welding, parts- 38.75; Verizon Wireless, cell phone- 47.86; Warren Oil, fuel- 5522.40; Ziegler, supplies/parts/labor- 875.71;

**ROAD IMPROVEMENT:** Olsson Associates, engineering- 485.06;

**INSTITUTIONS:** Beatrice Dev Center, quartley payment- 1587.00; Lincoln Regional Center, medical for inmate- 63.00;

**VETERANS AID:** Veterans Office, emergency aid- 560.00;

**PUBLIC SAFETY:** Jail Bond Fund 3300, sales tax- 27353.38; City of South Sioux City, sales tax- 3730.01;

**WEED FUND:** Central Community College, spring training- 100.00; Hubbard Mini Mart, fuel- 239.00; Leon Pies, mileage/reimbursement- 276.35; Ramada Inn, lodging- 165.00;

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

Chair Hartnett announced that the board would begin the jail tour at 10:40. The Board departed for the jail tour. Joan Spencer was acting Secretary on the tour.

Chair Hartnett recessed their meeting for lunch at 11:23 a.m.

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

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

Absent: Commissioner O'Neill.

Fred Kellogg, Road Foreman Opened the gravel bids. They were as follows:

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

1) S & S Willers, Inc. dba Pilger Sand and Gravel, bid Schedule IV at \$5.95 FOB Pit and \$13.35 delivered.

2) Erlandson Sand and Gravel, bid Schedule IV at \$5.60 FOB Pit.

3) Higman Sand & Gravel bid Schedule I at \$7.25 FOB Pit and \$15.50/ton delivered, Schedule II at \$8.25 FOB Pit and \$16.50/ton delivered, Schedule III at \$9.75 FOB Pit and \$18.00/ton delivered, Schedule IV at \$6.25 FOB Pit and \$14.50/ton delivered.

4) L.G. Everist, Inc. bid Schedule I at \$12.70 FOB Pit, Schedule II at \$12.70 FOB Pit, Schedule III at \$16.85 FOB Pit and Schedule IV at \$12.70 FOB Pit.

5) Stalp Sand & Gravel bid Schedule IV at \$6.25 FOB Pit and \$12.00 delivered.

6) Peterson Sand & Gravel bid Schedule I at \$6.75 FOB Pit and \$11.00 delivered, Schedule II at \$6.75 FOB Pit and \$11.00 delivered.

Chair Hartnett referred the bids to the Road Committee.

Don Faber and Ron Rapp appeared before the board and provided the board with the figures on how the County fared on the County's Health Insurance.

1. MAXIMUM CLAIMS AMOUNT County is liable for (Claims reserve fund) = \$779,106.84.

2. Total medical claims for hospital and doctors. (Includes hospital Rx) = \$834,316.68

3. Self-funded dental costs. (No re-insurance) = \$35,829.18

4. Total Rx costs at retail outlets and mail order. = \$56,347.05

5. Carrier required medical reports for claims. = \$1,221.42

6. Amount county is liable for, if claims occur above Specific Deductible in exchange for Premium reduction = \$105,000.00.

7. Amount of claims paid by the carrier = \$407,614.26.

8. Amount of claims paid by county = \$376,828.05.

#1 - #6 - #8 = a surplus of \$297,278.79.

Chair Hartnett called for the agenda item "Discuss repairing the Kenny Baker Bridge- Kenny Baker is requesting that the county make repairs to a bridge near him."

Fred Kellogg, Road Foreman, appeared before the board and said that the state had inspected the Fracture Critical Bridges and this was one that they had concern about. They opted to lower the tonnage from 10 ton bridge to 3 ton or to close the bridge.

Mr. Kellogg asked for bids from Theisen Construction and the bid was \$15,000 for repairs just to get by and it would not improve its condition to raise the tonnage from 3 ton.

The second bid was \$39,000 to replace the beams.

Commissioner Rohde recommended that the county try and replace the bridge through cost share. This would be an inconvenience to the farmers but would be the best solution.

Chair Hartnett called for the agenda item "Cost Share Hard surfacing M Avenue in the north end of town- Hubbard is asking the county to cost share hard surfacing M Avenue on the north end of town."

Don Fuchser, Homer Village Board, appeared before the board and asked the County to Share the cost of hard surfacing approximately 300' of M Avenue. The County owns one half of the road and the village owns the other half and with all the truck traffic coming in from the rural area, they felt something needs to be done with the road.

Mr. Fuchser proposed using Harris Construction to lay a 6" layer of ground up asphalt and the cost was estimated to be about \$5,600. The County's portion would be half that.

Commissioner McLarty asked where the county was going to get the money. He mentioned not having the money for 9<sup>th</sup> Avenue.

Chair Hartnett referred the request to the Road Committee for consideration.

Chair Hartnett called for the agenda item "Hyperion Discussion- General Discussion".

Gordon Krogh appeared before the board concerned with the location of the Hyperion Refinery. He said that he was very interested in environmental issues and wanted to call the Hyperion Refinery Project to the Board's attention. He reminded the board of the Hydrogen Sulfite problem that the county had. His concern was that is was proposed in the extreme southeast part of South Dakota just north of Elk Point near the borders of Nebraska and Iowa just 22 miles northwest of South Sioux City as the crow flies. He added that Dakota County is served with winds out of the northwest about 6 months out of the year.

He then read parts of an article in the March 9, 2008 issue of the Sioux City Journal as follows:

But a refinery choosing to process oil extracted from the Canadian tar sands can't truly be "green", according to Denny Larson, a California based environmental advocate working to clean up U.S. oil refineries.

Unlike the light, sweet crude that refiners import from the Middle East, oil extracted from the Alberta tar sands is a dirty, bottom-of-the-barrel substance with numerous toxic compounds, and those

contaminants have to be removed and dumped into the environment during the complex process of making gasoline, he said.

"If you wanted to build a cleaner, greener refinery, you'd start with a cleaner crude stock," said Larson, executive director of Global Community Monitor.

According to a 613-page air quality permit application the company filed with the South Dakota Department of Environment and Natural Resources, the center each year would emit nearly 2,000 tons of carbon monoxide, 773 tons of nitrogen oxides, more than 1,000 tons of particulate matter, 863 tons of sulfur dioxide and 473 tons of volatile organic compounds.

Larson called those estimates "optimistic and unrealistic," saying they only apply to routine operations and don't account for fugitive emissions and pollutants emitted during shut downs, start ups, upsets, malfunctions and emergency situations.

"What's in the permit is the tip of the iceberg," Larson said. "And what's underneath that iceberg is a huge amount of emissions that's not being accounted for."

Alex Cuclis, a research scientist with the Houston Advanced Research Center, estimates actual emissions from oil refineries can be three to 10 times higher than what companies report.

Cuclis, who worked for a Shell refinery for nearly 15 years and wrote his thesis on the concept of "green refineries," said newer emissions testing procedures are more accurate than current methods, but there's little incentive for refineries to use such tools.

Hyperion's air permit application also shows that the energy center would generate 19 million short tons – or 17.2 million metric tons – of carbon dioxide each year.

That would more than double the 13.7 million metric tons of carbon dioxide generated in 2004 across all of South Dakota, according to the latest EPA state numbers.

He read from another article out of the March 4<sup>th</sup> issue of the Sioux City Journal.

Mr. Krogh asked the board if they would be willing to write a statement saying that they would rather see it in a more remote area, say 50 miles away from any metropolitan area.

Terry Kern, Director of Corrections, appeared before the board in reference to approve the Contract with the U.S. Federal Marshal's Service. He said that he did not feel that the county could renegotiate the rate of \$65 per day board costs for three years and that it does not have to be renegotiated every year. There was discussion concerning the contract.

Commissioner McLarty moved, seconded by Commissioner Engel to approve the Contract with the U.S. Marshal's Contract that was signed by Sheriff Wagner for boarding federal prisoners and to approve it retroactive to the date that Sheriff Wagner signed it as follows:

**U.S. Department of Justice**  
United States Marshals Service  
Witness Security and Prisoner Operations Division  
Washington, DC 20530-1000  
May 16, 2007

**MEMORANDUM TO:** Myron McDaniel, CDUSM  
Northern District of Iowa

**FROM:** Carla Flanagan, Chief \s\ Renita L. Barbee For  
Programs & Assistance Branch  
Witness Security & Prisoner Operations Division

**SUBJECT:** Dakota County Jail

Attached are three copies of the above-mentioned IGA for execution. Please forward these documents to the local government for review and concurrence. All three copies must have original signatures. Please note that the effective date of this IGA action does not take effect until the document is signed by the respective Witness Security & Prisoner Operations Division Contracting Officer (Block 17) and the local government representative (Block 15). In the event the document is signed later than 60-days after the effective date specified in Block 2, the IGA action shall take effect on the date the document is signed by the local government representative. The fully executed copy of the IGA must be returned to headquarters by June 30, 2007.

Although the signature of the United States Marshal is not required, we will continue to keep you informed throughout the process. Please distribute the original signed copies as follows:

- 1 signed copy shall be retained by the Local Government.
- 1 signed copy shall be retained by the District Office.
- 1 signed copy shall be forwarded to the Witness Security & Prisoner Operations Division

If the Bureau of Prisons (BOP) is included in this IGA, please forward a copy to the Community Corrections Manager. If the Bureau of Immigration and Customs Service (BICE) is included in this IGA, please send them a copy for their files. Please be sure that your Administrative Officer or Criminal Clerk has a copy of the executed document so that they are aware of the current jail day rate and any special terms and conditions (i.e., guard/transportation services, mileage, etc.). If assistance is required, please contact Renita L. Barbee, Grants/Cooperative Agreement Specialist, at (202) 616-0559.

Cc: John M. Cleveland, CDUSM  
 District of Nebraska  
 Multi-Agency Detention Services Intergovernmental Agreement

1. Agreement Number 47-07-0035	2. Effective Date May 21, 2007	3. Facility Code(s) 7AI	
4. Issuing Federal Agency  United States Marshals Service Witness Security & Prisoner Operations Division Washington, DC 20530-1000 Attn: Renita L. Barbee		5. Local Government  Dakota County Jail 1601 Broadway Street Dakota City, NE 68731  Tax ID # 47-6006449	
6. Appropriation Data  15X1020		7. Local Contact Person: James Wagner, Sheriff	
		8. Tel: (402)987-2170 Fax: (402) 494-7575 Email:DCLAW@aol.com	
<b>Services</b>		<b>Number of Federal Beds</b>	
		<b>Per-Diem Rate</b>	
9. This agreement is for the housing, safekeeping, and subsistence of federal prisoners, in accordance with content set forth herein.		10. Approximately 7,300 per yr	11. \$65.00
12. To Be Used if Prisoner Transportation is being provided.		13. Guard Hour Rate: \$17.50  Mileage shall be reimbursed by the Federal Government at the GSA Federal Travel Regulation Mileage Rate.	
14. Local Government Certification  To the best of my knowledge and belief, information submitted in support of this agreement is true and correct, this document has been duly authorized by the body governing of the Department or Agency and the Department or Agency will comply with all provisions set forth herein.		15. Signature of Person Authorized to Sign (Local)  _____ Signature  James L. Wagner Name  Dakota County Sheriff May 22, 2007 Title Date	
16. Prisoner & Detainee Type Authorized  <input checked="" type="checkbox"/> Adult Male  <input checked="" type="checkbox"/> Adult Female  <input type="checkbox"/> Juvenile Male  <input type="checkbox"/> Juvenile Female		17. Signature of Person Authorized to Sign (Federal)  _____ Signature  Renita L. Barbee Name  Grants Analyst 5/16/07 Title Date	

**Agreement Number 47-07-0035**

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**Agreement Number 47-07-0035**

**Authority**

Pursuant to the authority of Section 119 of the Department of Justice Appropriations Acts of 2001 (Public Law 106-553), this Agreement is entered into between the United States Marshals Service (hereinafter *referred to* as the "Federal Government") and the Dakota County Jail (hereinafter referred to as "Local Government"), who hereby agree as follows:

**Purpose of Agreement and Security Provided**

The Federal Government and the Local Government establish this Agreement that allows three (3) Federal Government components, specifically, the United States Marshals Service (USMS) and the Federal Bureau of Prisons (BOP) of the Department of Justice (DOJ); and the United States Immigration and Customs Enforcement (ICE) of the Department of Homeland Security (DHS), to house federal detainees with the Local Government at the Dakota County Jail (hereinafter referred to as "the facility"). For purposes of this Agreement, the term "Federal Government", as used herein, shall mean any and all of the three Federal Government components responsible for housing federal detainees, e.g. any notices required to be provided to the Federal Government, including invoices, shall be provided to the specific Federal Government component responsible for each federal detainee, or material witness.

The population, hereinafter referred to as "federal detainees," will be individuals sentenced or charged with federal offenses and detained while awaiting trial or sentencing awaiting designation and transport to a BOP facility, a hearing on their immigration status, or deportation.

The Local Government shall accept and provide for the secure custody, safekeeping, housing, subsistence and care of federal detainees in accordance with state and local laws, standards and procedures, or court orders applicable to the operations of the facility, consistent with federal law, policies and regulations. Unless otherwise specified by this Agreement, the Local Government is required, in units housing federal detainees, to perform in accordance with the most current versions of the mandatory standards of the American Correctional Association (ACA) "Standards for Adult Local Detention Facilities (ALDF)", and the essential National Commission on Correctional Health Care (NCCHC) Standards, and the Federal Performance-based Detention Standards ([www.usdoj/ofdt/standards.htm](http://www.usdoj/ofdt/standards.htm)). In addition, where ICE federal detainees are housed, the ICE federal detainees are to be housed in accordance with ICE Standards ([www.ice.gov/partners/dro/opsmannual/index.htm](http://www.ice.gov/partners/dro/opsmannual/index.htm)). In cases where other standards conflict with DOJ/DHS/ICE policy or standards, DOJ/DHS/ICE policy and standards prevail.

**Agreement Number 47-07-0035**

At all times, the Federal Government shall have access to the facility and to the federal detainees housed there, and to all records pertaining to this Agreement, including financial records, for a period not less than 3 years.

This Agreement shall not affect any pre-existing, unrelated agreements between the parties or with any other third party or parties.

**Period of Performance**

This Agreement is effective upon the date of signature of both parties, and remains in effect unless terminated by either party with written notice. The Local Government shall provide no less than 120 calendar days notice of their intent to terminate. Where the Local Government has received a Cooperative Agreement Program (CAP) award, the termination provisions of the CAP prevail.

**Assignment and Outsourcing of Jail Operations**

Overall management and operation of a facility housing federal detainees may not be contracted out without the prior express written consent of the Federal Government.

**Medical Services**

The Local Government is financially responsible for all medical treatment provided to federal detainees within the facility. The Local Government shall provide the full range of medical care required within the facility including dental care, mental health care, pharmaceuticals, and record keeping, as necessary to meet the essential standards of the National Commission of Correctional Health Care's Standards for Health Services of Jails (current edition).

The Local Government will submit to the Federal Government requests for approval of all treatment to be provided outside the facility. The Federal Government shall be responsible for the cost of approved outside medical treatment.

In the event of an emergency, the Local Government shall proceed immediately with necessary medical treatment. In such an event, the Local Government shall notify the Federal Government immediately regarding the nature of the federal detainee's illness or injury, type of treatment provided, and the estimated cost thereof.

The Local Government shall promptly forward medical invoices for outside medical care to the Federal Government within 30 days of receipt.

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**Agreement Number 47-07-0035**

The facility shall have in place an adequate infectious disease control program, which includes testing all federal detainees at the facility for tuberculosis (TB) as soon as possible upon intake (not to exceed 14 days) and read within 72 hours. TB testing shall be accomplished in accordance with the latest CDC Guidelines and the results documented on the federal detainee's medical record. The Local Government shall immediately notify the Federal Government of any cases of suspected or active TB so that any scheduled transports or production can be delayed until a physician verifies the federal detainee's TB status.

When a federal detainee is being transferred and/or released from the facility, they will be provided with seven days of prescription medication which will be dispensed from the facility. When possible, generic medications should be prescribed. Medical records must travel with the federal detainee. If the records are maintained at a medical contractor's facility, it is the Local Government's responsibility to obtain them before a federal detainee is moved.

Federal detainees may be charged a co-payment for medical services provided by the Local Government. The Local Government shall administer the program in accordance with the Federal Prisoner Health Care Co-Payment Act of 2000 (Title 18 401 3d). This statute does not cover ICE federal detainees; co-payments shall not be collected from ICE federal detainees under ANY circumstances.

**Receiving & Discharge of Federal Detainees**

The Local Government agrees to accept federal detainees only upon presentation by a law enforcement officer of the Federal Government with proper agency credentials.



The Local Government shall not relocate a federal detainee from one facility under its control to another facility not described in this Agreement without permission of the Federal Government.

The Local Government agrees to release federal detainees only to law enforcement officers of the Federal Government agency initially committing the federal detainee (i.e., DEA, ICE, etc.) or to a Deputy United States Marshal (DUSM). Those federal detainees who are remanded to custody by a DUSM may only be released to a DUSM or an agent specified by the DUSM of the Judicial District.

USMS federal detainees sought for a state or local court proceeding must be acquired through a Writ of Habeas Corpus or the Interstate Agreement on Detainers and then only with the concurrence of the district United States Marshal (USM).

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**Agreement Number 47-07-0035**

ICE federal detainees shall not be released to the custody of other Federal, state, or local officials for any reason, except for medical or emergency situations, without express authorization of ICE.

**Guard/Transportation Services to Medical Facility**

The Local Government agrees, upon request of the Federal Government in whose custody a prisoner is held, to provide transportation and escort guard services for federal prisoners housed at their facility to and from a medical facility for outpatient care, and transportation and stationary guard services for federal prisoners admitted to a medical facility.

Such services will be performed by at least two armed qualified law enforcement or correctional officer personnel employed by the Local Government under their policies, procedures, and practices. The Local Government agrees to augment such practices as may be requested by the USM to enhance specific requirement for security, prisoner monitoring, visitation, and contraband control.

The Local Government will continue to be liable for the actions of its employees while they are transporting federal prisoners on behalf of the USMS. Further, the Local Government will also continue to provide workers' compensation to its employees while they are providing this service. It is further agreed that the local jail employees will continue to act on behalf of the Local Government in providing transportation to federal prisoners on behalf of the USMS.

Furthermore, the Local Government agrees to hold harmless and indemnify the USMS and its officials in their official and individual capacities from any liability, including third-party liability or workers' compensation, arising from the conduct of the local jail employees during the course of transporting federal prisoners on behalf of the USMS.

The Federal Government agrees to reimburse the Local Government at the rate stipulated on page one (1) of this agreement. Mileage shall be reimbursed in accordance with the current GSA mileage rate.

**Guard/Transportation Services to U.S. Courthouse**

The Local Government agrees upon request of the USM in whose custody a prisoner is held, to provide transportation and escort guard services for federal prisoners housed at their facility to and from the U.S. Courthouse.

Transportation and escort guard services will be performed by at least two armed qualified officers employed by the Local Government under their policies, procedures, and practices, and will augment such practices as may be requested by the USM to enhance specific requirements for security, prisoner monitoring, and contraband control.

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**Agreement Number 47-07-0035**

Upon arrival at the courthouse, transportation and escort guard will turn federal prisoners over to Deputy U.S. Marshals only upon presentation by the deputy of proper law enforcement credentials.

The Local Government will not transport federal prisoners to any U.S. Courthouse without a specific request from the USM who will provide the prisoner's name, the U.S. Courthouse, and the date the prisoner is to be transported.

Each prisoner will be restrained in handcuffs, waist chains, and leg irons during transportation.

Such services will be performed by qualified law enforcement or correctional officer personnel employed by the Local Government under their policies, procedures, and practices. The Local Government agrees to augment such practices as may be requested by the USM to enhance specific requirements for security, prisoner monitoring, visitation, and contraband control.

The Local Government will continue to be liable for the actions of its employees while they are transporting federal prisoners on behalf of the USMS. Further, the Local Government will also continue to provide workers' compensation to its employees while they are providing this service. It is further agreed that the local jail employees will continue to act on behalf of the Local Government in providing transportation to federal prisoners on behalf of the USMS.

The Local Government agrees to hold harmless and indemnify the USMS and its officials in their official and individual capacities from any liability, including third-party liability workers' compensation, arising from the conduct of the local jail employees during the course of transporting federal prisoners on behalf of the USMS.

The Federal Government agrees to reimburse the Local Government at the rate specified on page one (1) of this agreement. Mileage shall be reimbursed in accordance with the current GSA mileage rate.

### **Special Notifications**

The Local Government shall notify the Federal Government of any activity by a federal detainee which would likely result in litigation or alleged criminal activity.

The Local Government shall immediately notify the Federal Government of an escape of a federal detainee. The Local Government shall use all reasonable means to apprehend the escaped federal detainee and all reasonable costs in connection therewith shall be borne by the Local Government. The Federal Government shall have primary responsibility and authority to direct the pursuit and capture of such escaped federal detainees. Additionally, the

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### **Agreement Number 47-07-0035**

Local Government shall notify the Federal Government as soon as possible when a federal detainee is involved in an attempted escape or conspiracy to escape from the facility.

In the event of the death or assault of a federal detainee, the Local Government shall immediately notify the Federal Government.

### **Administrative Orders & Agency Instructions**

For administrative convenience, the Federal Government may request services not listed in this Intergovernmental Agreement (IGA) (i.e. Guard Service, Transportation, etc). Any individual agency orders with the Local Government shall clearly define the additional services and/or procedures, a reasonable price, if any, and state that all other terms and conditions of this IGA remain in effect.

### **Service Contract Act**

This Agreement incorporates the following clause by reference, with the same force and effect as if it was given in full text. Upon request, the full text will be made available. The full text of this provision may be accessed electronically at this address: [www.arnet.gov](http://www.arnet.gov).

Federal Acquisition Regulation Clause(s):

- 52.222-41 Service Contract Act of 1965, as Amended (July 2005)
- 52.222-42 Statement of Equivalent Rates for Federal Hires (May 1989)
- 52.222-43 Fair Labor Standards Act and the Service Contract Act - Price Adjustment (Multiyear and Option Contracts) (May 1989)

The current local government wage rates shall be the prevailing wages unless notified by the Federal Government.

### **Per-Diem Rate**

The Federal Government will use various price analysis techniques and procedures to ensure the per-diem rate established by this Agreement is considered a fair and reasonable price. Examples of such techniques include, but are not limited to, the following:

1. Comparison of the requested *per-diem* rate with the independent government estimate for services, otherwise known as the *Core Rate*;
2. Comparison with *per-diem* rates at other state or local facilities of similar size and economic conditions;

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**Agreement Number 47-07-0035**

3. Comparison of previously proposed prices and previous Federal Government and commercial contract prices with current proposed prices for the same or similar items;
4. Evaluation of the provided jail operating expense information;

The firm-fixed *per-diem* rate for services is \$65.00, and shall not be subject to adjustment on the basis of Dakota County Jail's actual cost experience in providing the service. The *per-diem* rate shall be fixed for a period from the effective date of the Agreement forward for 36 months. The *per-diem* rate covers the support of one federal detainee per "federal detainee day", which shall include the day of arrival, but not the day of departure.

After 36 months, if a rate adjustment is desired, the Local Government shall submit a request through the eIGA area of the Detention Services Network (DSNetwork). All information pertaining to the jail on *DSNetwork* will be required before a new *per-diem* rate can be considered.

The *per-diem* rate covers the support of one federal detainee per "federal detainee day", which shall include the day of arrival, but not the day of departure.

**Billing and Financial Provisions**

The Local Government shall prepare and submit for certification and payment, original and separate invoices each month to each of the Federal Government components responsible for federal detainees housed at the facility.

Addresses for the components are:

United States Marshals Service  
Northern District of Iowa  
Federal Building — Room 320  
101 First Street, SE  
Cedar Rapids, IA 50309  
(319) 363-4477

United States Marshals Service  
District of Nebraska  
Suite B06  
111 S.18th Plaza  
Omaha, NE 68102  
(402) 221-4782

Federal Bureau of Prisons  
North Central Region  
Tower II 8th Floor  
400 State Road  
Kansas City, KS 66101

INS Central Regional Office  
Detention and Deportation Division  
7701 N. Stemmons Freeway  
Dallas, TX 75247  
(214) 767-7062

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**Agreement Number 47-07-0035**

To constitute a proper monthly invoice, the name and address of the facility, the name of each federal detainee, their specific dates of confinement, the total days to be paid, the appropriate per diem rate as approved in the IGA, and the total amount billed (total days multiplied by the rate per day) shall be listed, along with the name, title, complete address and telephone number of the Local Government official responsible for invoice preparation.

Nothing contained herein shall be construed to obligate the Federal Government to any expenditure or obligation of funds in excess of, or in advance of, appropriations in accordance with the Anti-Deficiency Act, 31 U.S.C.1341.

**Payment Procedures**

The Federal Government will make payments to the Local Government on a monthly basis, promptly after receipt of an appropriate invoice.

The Local Government shall provide a remittance address below:

Dakota County Jail  
1601 Broadway Street  
Dakota City, NE 68731  
(402) 987-2170

**Modifications and Disputes**

Either party may initiate a request for modification to this Agreement in writing. All modifications negotiated will be effective only upon written approval of both parties.

Disputes, questions, or concerns pertaining to this Agreement will be resolved between appropriate officials of each party. Both the parties agree that they will use their best efforts to resolve that dispute in an informal fashion through consultation and communication, or other forms of non-binding alternative dispute resolution mutually acceptable to the parties.

**Inspections of Services**

The Local Government agrees to allow periodic inspections of the facility by Federal Government inspectors. Findings of the inspection will be shared with the facility administrator in order to promote improvements to facility operations, conditions of confinement, and levels of services.

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**Agreement Number 47-07-0035****Liability**

The Local Government shall protect, defend, indemnify, save and hold harmless the Federal Government, DOJ, DHS and its employees or agents, from and against any and all claims, demands, expenses, causes of action, judgments and liability arising out of, or in connection with the performance of this Agreement by the Local Government, its agents, sub-contractors, employees, assignees or any one for whom the Local Government may be responsible. The Local Government shall also be liable for any and all costs, expenses and attorneys fees incurred as a result of any such claim, demand, cause of action, judgment or liability, including those costs, expenses and attorneys fees incurred by the Federal Government, DOJ, DHS and its employees or agents. The Local Government's liability shall not be limited by any provision or limits of insurance set forth in the resulting agreement.

Awarding the Agreement, the Federal Government does not assume any liability to third parties, in awarding and administering this Agreement, the Federal Government does not assume any liability to third parties, nor will the Federal Government reimburse the Local Government for its liabilities to third parties, with respect to loss due to death, bodily injury, or damage to property resulting in any way from the performance of the Agreement or any subcontract under this Agreement.

The Local Government shall be responsible for all litigation, including the cost of litigation, brought against it, its employees or agents for alleged acts or omissions. The Federal Government shall be notified in writing of all litigation pertaining to this Agreement and provided copies of any pleadings filed or said litigation within five working days of the filing.

The Local Government shall cooperate with the Federal Government legal staff and/or the United States Attorney regarding any requests pertaining to Federal Government or Local Government litigation.

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

Chair Hartnett called for the agenda item Board Committee Reports and there were none.

Chair Hartnett called for the agenda item Commissioner Reports and there were none.

Chair Hartnett called for the agenda item Public Comment and there was none.

Chair Hartnett called for the agenda item mail and emergency business and there were none.

Chair Hartnett adjourned their meeting at 2:37 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Hartnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book

Dakota County Board of Commissioners  
Monday, March 24, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

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

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

The agenda for this meeting was as follows:

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

- Roll Call
- Approve Minutes of March 17, 2008.
- Review and approve Payroll and Accounts Payable Claims submitted by County Clerk for payment.

1:35 p.m. Open Public Hearing for a 2400 Swine feeding facility

- Scott Bousquet to explain his application for a Conditional Use Permit
- Hear the proponents
- Hear the opponents
- Hear all neutral comments
- Dennis Reinert, P & Z Admin., comments and P& Z's recommendation
- Close Hearing
- Approve or disapprove Conditional Use Permit for Swine Feeding Operation.

Misc. agenda items.

- Village of Hubbard's request for funding the hard surfacing of M Avenue
- Courthouse Roof – Discuss whether Jail Property Tax fund can be used as a possible funding source for the courthouse roof and other funding options.
- Form Roof Committee.
- Officials Reports
- Accept Gravel Bid/s

Tabled Items – No tabled items to consider

Committee Reports

Commissioner Member Reports

Public Comment

Mail and/or Emergency Business

2:30 p.m. Adjournment

Commissioner McLarty moved, seconded by Commissioner Engel to approve the minutes of March 17, 2008 as typed and prepared for the official record.

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

Commissioner McLarty moved, seconded by Commissioner Engel to approve the Payroll Claims submitted by the County Clerk for payment as follows:

COUNTY GENERAL FUND: Gross salaries- \$108,161.29, General Fund Employees Net Pay- \$77,202.25, Employer deductions paid: Retirement- 7,470.00, Social Security Tax- 6,593.84, Medicare- 1,542.12, DC Health Plan- 29,025.00, DC Dental Plan- 903.00, Life Insurance- 183.30.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 468.00, Tracey Corkin- 942.06, Marisol Curiel- 911.17, Bobbi Jo Harsma- 1027.94, Theodore Piepho- 1599.88, Darlene Davis- 885.60, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 936.15, Kim Kuehl- 885.60, Phyllis Ridge- 880.88, Margaret Rahn- 1194.00, Daniel Christoffers- 472.39, Dennis Reinert- 209.97, Valerie Danielson- 1599.88, Lori Jessip- 752.50, Cheryl Perkins- 1120.00, Joe Flynn- 1713.92, Debra Jensen- 980.80, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 940.00, Tracey Corkin- 26.00, Richard Jensen- 1374.44, Duane Kotalik- 1301.67, Tammy Dunn-Peterson- 945.33, Jeremy Bermel- 1596.00, Anthony Bos- 1837.30, Sandy Dickens- 441.37, Brian Ellinger- 1861.05, Penny Epting- 1397.60, Brent Gilster- 1776.50, Todd Hammer- 1558.00, Melvin Harrison III- 1634.00, Rodney Herron- 1742.74, Jason James- 1388.90, Kimberly Johnson- 417.91, Jared Junge- 1527.80, Michael Kreegar- 1548.50, Gayle Richards- 829.60, Kevin Rohde- 1738.00, James Wagner- 1599.88, Randall Walsh- 1551.15, Kerry Johnson- 880.00, Aimee Kennedy- 1024.00, Sara Meadows- 1576.92, Debra Schmiedt- 2588.46, Mary Spurlock- 880.00, Kimberly Watson- 1692.31, Caterina Chapman- 1118.18, Jacob Acero- 1063.10, Ermelinda Ballesteros- 1262.33, Joshua Blatchford- 1171.74, Dusty Boyd- 1154.53, Rebecca Broer- 1318.25, Sandy Dickens- 662.05, Michael Estes- 1125.74, Lisa Ford- 1158.01, John Gilles- 1413.60, Alma Gunderson- 1556.05, Paula Harrigfeld- 991.34, Cathy Harsma- 1341.85, Deanna Haukap- 1108.02, Jackie Heaton- 1532.00, Oneida Hernandez- 451.00, Adam Hough- 1213.19, Sarah Jensen- 790.00, Brett Johnson- 1175.28, Nicholas Kellen- 1151.05, Brenda Kelly- 1217.76, Terry Kern- 1730.77, Mark Nelson- 1218.75, Jeep Phommavong- 1182.35, Cara Reinders- 1087.94, Daniel Rodasky- 1128.11, Jutharatana Ruenprom- 941.79, Amanda Ruhler- 632.12, Linda Schovanec- 1206.40, Justin Smith- 1347.57, Francis Tope- 1258.88, Charvette Williams- 1257.13, Jewel Williams- 1147.70, Daniel Wood- 1206.15, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 1059.96, Bonnie Kahler- 699.40, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 10,169.59, State- 3,460.03, Social Security Tax- 6,593.84, Medicare- 1,542.12, Retirement- 5,051.17, DC Health Plan- 237.50, DC Dental Plan-

493.50, Colonial Health- 16.20, Sheriff Union Dues- 300.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 324.37, Aflac Life/Dsbl- 60.70, Flex Plan- 737.37.

COUNTY ROAD PAYROLL: Gross salaries- \$12,571.26, Road Employees Net Pay- \$8,785.18, Employer deductions paid: Retirement- 848.57, DC Health Plan-3,712.50, DC Dental Plan- 115.50, Life Insurance- 22.62, Social Security Tax- 763.50, Medicare- 178.58.

Brent Byroad- 1168.00, Robert Hacker- 1168.00, Ronald Harder- 1176.00, Richard Hoelsing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1538.46, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, James Swanson- 1054.80.

ROAD FUND: Employee withholding paid to: Federal- 1,111.85, State- 377.90, Social Security- 763.50, Medicare- 178.58, Retirement- 565.71, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 4.88, Deferred Comp.- 61.68, Garnishments- 281.55, Aflac Health- 125.35, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50, Union Dues- 140.00.

VISITORS PROMOTION: South Sioux City Chamber of Commerce- lodging tax: 15,054.55.

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

Chair Hartnett opened the Public Hearing for a Conditional Use Permit for a 2400 head swine feeding operation to be operated by Scott Bousquet advertised as follows:

The Dakota County Board of Commissioners will conduct a public hearing at 1:35 p.m. March 24, 2008 at the Dakota County Courthouse, County Board Meeting Room located in the basement of the courthouse at 1601 Broadway Street, Dakota City, NE.

This hearing is open to the public and the purpose of said hearing is to give the public an opportunity to offer oral testimony and/or written testimony concerning the application and issuance of a Conditional Use Permit for Scott Bousquet's proposed construction of a swine feeding operation. The proposed location is in the SE Quarter of the NE Quarter of Section 12, T-28-N, R-7-E in Dakota County, Nebraska.

This item will be carried on the County Board's agenda and action to approve or disapprove said application will follow said hearing.

Scott Bousquet handed out a map showing the location of the swine feeding operation. He explained that the proposed site was labeled LWCF and is North of Jeff Bartels Building site and Kacena's and Anderson's are to the North of the proposed site by about the same distance. It is a deep pit tunnel type structure 100' by 200'.

Commissioner O'Neill arrived at 1:37 p.m.

Mr. Bousquet said that he had DEQ do a preliminary inspection and he thought it passed that preliminary inspection. He said that he intends to get all the permits after the public hearings. He added that he will have to comply with all the DEQ Regulations as far as manure management, soil testing and testing the manure to see how much he can put out there.

He said that he will have some equip funding that he will be using and they require much of the same things as the DEQ as far as the soil testing and manure management plans. After that the DEQ monitors it and requires samples annually and monitored quite intensely.

Chair Hartnett asked if there was anyone in the audience that wished to speak favorably on the proposed site and there were none.

Chair Hartnett asked if there was anyone in the audience that wished to speak in opposition to the proposed site and there were none.

Chair Hartnett asked if there was anyone in the audience that wished to provide neutral comments to the proposed site and there were none.

Dennis Reinert, P & Z Admin., was asked to come forward to express Planning and Zoning's recommendation.

He said that Planning and Zoning met and had a public hearing swine feeding operation and 7 of the 10 members were present. A Public Hearing was held and people for and against the facility were heard. After about 30 minutes of testimony the hearing was closed and a vote was taken. After a short discussion by the P & Z members a vote was taken and the vote was 6 in favor of issuing the Conditional Use Permit and 1 voting against issuing a CUP.

Therefore it is the recommendation of the Planning and Zoning is to approve the Application and to approve the Conditional Use Permit of Scott Bousquet's to erect and operate a 2400 head swine feeding operation.

Chair Hartnett closed the Public Hearing at 1:41 p.m.

Chair Harnett asked if the board wished to take action.

Commissioner Engel moved, seconded by Commissioner Rohde to approve the Conditional Use Permit Application request of Scott Bousquet to erect and conduct a 2400 swine feeding operation in the SE Quarter of the NE Quarter of Section 12, T-28-N, R-7-E in Dakota County, Nebraska.

Chair Hartnett asked the Deputy County Attorney for her comments.

Deb Fergen, Deputy County Attorney, said that she had not seen a site plan, which is required by the Planning and Zoning Regulations, however, she did not get a chance to see what was in the handout that was submitted by Mr. Bousquet. After taking a look at the handout she said it would be up to the commissioners and Mr. Reinert if they believe that meets a site plan and she said that in the Planning and Zoning rules that were adopted, it says that a Conditional Use Permit should be based upon a proposed site plan. It does allow the necessary DEQ qualifications, mainly the proposed operation in waste disposal plan after the fact. There are performance standards based in the county zoning as well and usually livestock feeding operations, referred to as LFO's in the Zoning Regulations need to be specific whether they are open air confinement or environmentally controlled housing and she said that she didn't see that in the plan that was presented, but said it was up to the board if they felt it needed to be.

Mr. Reinert said the only site plan that he has reviewed on the application is that is does not fall in the flood plan through FIMA.

Mr. Bousquet said that it was a contained environment building he thought. There are fans at one end of the building to force air flow through it and not going with the anaerobic digester type building.

Mr. Bousquet asked what the board would consider as a site plan.

Mr. Reinert said that he thought a site plan would consist of elevations, where is the water table is and access in and out would be in order and soil samples.

Commissioner Hartnett asked Mr. Reinert if the board could pass it contingent upon meeting all the state requirements and then be brought back to the board.

Mr. Reinert thought that Mr. Bousquet would have to do all the things that he mentioned.

Mr. Bousquet said that the state does inspections as the building is being built.

Mr. Reinert thought that he should have a site plan in order before he starts to build the building.

Chair Hartnett said that we can take a vote on it and it will be conditional based upon what you bring back to the board.

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

Chair Hartnett called for the agenda item "Village of Hubbard's request for funding the hard surfacing of M Avenue."

This came before the board in the last meeting when Don Fuscher appeared before the board to request that the Village of Hubbard and the County apply 300' of ground up asphalt to M Avenue just on the northern outskirts of Hubbard. Fred Kellogg was asked to address this issue and said that he could absorb it within his budget and take it out of asphalt surfacing.

Mr. Kellogg said that he had 34 thousand, one hundred five dollars and some change budgeted and if he takes the \$2,800 that Hubbard needs and \$27,700 for West 9<sup>th</sup> Street. That leaves him with \$4,000 remaining to do patching and the rest of his blacktopping needs throughout the end of the fiscal year.

This is a project where the village wants to put ground up asphalt on a stretch of 300' on M Avenue in Hubbard and the Village owns half (to the middle) of the road and the County owns the other half to the middle.

Commissioner Rohde moved, seconded by Commissioner Hartnett to approve the joint project with Hubbard and that is to apply 6" of ground up asphalt to 300' of M Avenue on the North end of the Village of Hubbard at an estimated cost of \$2,800 for our share of the East side of that stretch of road.

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

Chair Hartnett called for the agenda item Courthouse Roof and asked Terry Kern if he would like to address that.

Mr. Kern said that we are getting water damage in the old jail because the roof is in such bad condition. He said that it can be patched, but it won't last as it has been patched so much now. He said the cause of the issue is that it is a flat roof and an old roof.

Chair Hartnett agreed that the county has had a lot of problems with the roof.

Mr. Kern briefly explained how the roof could be done.

Rick Jensen, Building & Grounds Supt. addressed some of the problems that we have with the rest of the courthouse.

Chair Hartnett commented that it will be costly to resolve the roofs problems; therefore, that prompted the board to look at researching whether fixing the roof would be a legal use for monies levied for the Jail Property Tax Fund.

Joan Spencer, Administrative Assistant to the Board, said that John Trecek, with Ameritas, who is the one that set up the bonds for the Construction of the Jail, was to send her an email and she has not received it yet, but in conversation with Mr. Trecek he said that there was a fund created with property tax levied in 2005 and 2006 to guarantee that if there was not enough money earned from Sales Tax to pay the payments the first couple of years, that monies from this fund could be used to supplement the money needed to pay the county's Jail Bond obligation.

Mr. Trecek further explained that if there was enough sales tax revenue that has been accumulated to meet at least one year of future financial obligation to the payment of Jail bonds, that money could be freed up.

Ms. Spencer said that she talked to the State Auditor's Office and Ms. Walsh, the prior Assistant to the Board at the time the Bond Issue was passed and Ms. Walsh was concerned what the County Board had promised tax payers for use of that money once it was freed up. One promise was Property Tax Relief. She thought that using it for a roof would qualify for property tax relief.

Ms. Spencer said that the State Auditor's Office referred her to State Statute Section 23-333, which requires the money to remain in the bond fund until the money is paid off. She added that John Trecek said that there is a line in that statute that says UNTIL NO LONGER REQUIRED and he thought that we had satisfied that. Ms. Spencer said that she gave everyone a copy of where we are at on the collection of sales tax. She said that we have enough to pay 2008 and 2009 and we are a year ahead. If the sales tax would fall short in the future, we still have to make up that dollar amount. That would be the gamble that you take is that the sales tax collections stay strong.

There was discussion how much was in the bond fund now and how much we would have after 2008's payment.

Chair Hartnett asked Nanci Walsh if she felt comfortable with the board freeing up the \$169,000.

Ms. Walsh said that what she remembers is that when you levied that, you said that it would be used for Property Tax Relief in the future or toward the second phase of the jail and said that if you use it for something that you will have to levy property taxes would be meeting that requirement.

She said that the Sales Tax Revenue has been very good and January was very promising. Over all 2007 was up about 12% over 2006.

Chair Hartnett appointed Terry Kern, Rick Jensen, Bill McLarty, Joan Spencer and Betty O'Neill as members of a Roof Committee to address the needs of the roof. She asked Ms. O'Neill to chair the committee.



Mr. Kern handed out a report showing how many people were in jail. It was as follows:

<u>New Facility Population</u>		<u>Old Facility Population</u>	
Male Prisoners:	44	Male Prisoners:	29
Male Federal Prisoners:	36	Female Prisoners:	00
<u>Total Male Prisoners:</u>	80	<u>Total Old Facility Prisoners:</u>	29
Female Prisoners:	15	Woodbury Juveniles	
Female Federal Prisoners:	1	Male:	2
<u>Total Female Prisoners:</u>	16	Female:	1
<u>Total Federal Prisoners:</u>	37	Madison Juveniles:	
<u>Total New Facility Population:</u>	96	Male:	00
		Female:	00
Work Release: **	8	<u>Total Juvenile Population:</u>	03
House Arrest:	5		
Other D&E	4		
		<u>Total Population:</u>	137

Chair Hartnett called for the agenda item to accept gravel bid/s and asked Fred Kellogg, Road Director for his recommendation.

Mr. Kellogg recommended that they accept all the bids as opened in their meeting of March 10<sup>th</sup>.

Commissioner Rohde moved, seconded by Commissioner McLarty to accept the gravel bids as follows:  
1) S & S Willers, Inc. dba Pilger Sand and Gravel, bid Schedule IV at \$5.95 FOB Pit and \$13.35 delivered.

2) Erlandson Sand and Gravel, bid Schedule IV at \$5.60 FOB Pit.

3) Higman Sand & Gravel bid Schedule I at \$7.25 FOB Pit and \$15.50/ton delivered, Schedule II at \$8.25 FOB Pit and \$16.50/ton delivered, Schedule III at \$9.75 FOB Pit and \$18.00/ton delivered, Schedule IV at \$6.25 FOB Pit and \$14.50/ton delivered.

4) L.G. Everist, Inc. bid Schedule I at \$12.70 FOB Pit, Schedule II at \$12.70 FOB Pit, Schedule III at \$16.85 FOB Pit and Schedule IV at \$12.70 FOB Pit.

5) Stalp Sand & Gravel bid Schedule IV at \$6.25 FOB Pit and \$12.00 delivered.

6) Peterson Sand & Gravel bid Schedule I at \$6.75 FOB Pit and \$11.00 delivered, Schedule II at \$6.75 FOB Pit and \$11.00 delivered.

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

Chair Hartnett called for the agenda item Board Committee Report.

Commissioner McLarty, member of the Legislative Committee had a hand out of how the bills were progressing in the legislature and added not much was happening.

Commissioner Engel reported that he attended a meeting in Norfolk.

Commissioner Hartnett reported on P & Z and recycling. Under recycling, Sally Reinert reported that the City of Laurel was awarded recycler of the year and added that they have a marvelous building are trying to reach out to a 50 mile radius.

Chair Hartnett called for the agenda item Commissioner Reports and there were none.

Chair Hartnett called for the agenda item Public Comment and there was none.

Chair Hartnett called for the agenda item mail and emergency business and there were none.

Commissioner McLarty moved, seconded by Commissioner Engel to acknowledge receipt of and approve the Officials reports filed with the County Clerk for the County Clerk, Register of Deeds and the Clerk of the District Court for the months of January and February, 2008 and the County Clerk's Quarterly Interest Report for the period October 1, through and including December 31, 2007.

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

Chair Hartnett adjourned their meeting at 2:37 p.m.



County Board of Commissioners

Jacqueline Harnett, Chair

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

Dakota County Board of Commissioners  
Monday, April 7, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

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

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

Absent: None

The agenda for this meeting was as follows:

- 1:30 p.m. Call to Order with reciting the Pledge of Allegiance
- Roll Call
  - Approve Minutes of March 24, 2008.
  - Review and approve Payroll and Accounts Payable Claims submitted by County Clerk for payment.
- 1:31 p.m. Omaha Exposition & Racing Inc. dba Horseman's Atokad Downs
- Approve Liquor License Manager change
    - Application for Frederic Stinger as Liquor License Manager.
- 1:35 p.m. Scott Bousquet – Provide Commissioners with Site Plan for 2400 Head Swine Feeding Operation.
- 1:40 p.m. Randy Walsh – Equipment Grants Information.

Misc. agenda items.

- Authorize and sign Agreements for Gravel bids.
- Authorize sidewalk from Parking lot to Street
- Performance Pork, LLC Concentrated Animal Feeding Operation (HS # 87393) SW 1/4, NE 1/4, Section 05, Township 27N, Range 07E, Dakota County. Prepared By: Chris Kreikemeier; E-Design, LLC
  - ◇ Dakota County has received a copy of the application for a Construction and Operating Permit for the above referenced concentrated animal feeding operation, received by the Department of Environmental Quality, in accordance with Title 130, "Livestock Waste Control Regulations."
  - ◇ Dakota County Board has thirty (30) days to comment to the Department about any conditions existing at the site that should be considered when making a decision on the application.
- County Attorney Position
  - ◇ Review applications submitted for the County Attorney Position.
    - \* Kimberly Watson – Dakota City NE, Jeffrey Kurtz – SSC NE, Lori Ubbinga – Homer NE, Richard Thrumer – SSC NE and Michael Rogensues – Clinton Township MI.
  - ◇ Schedule time and date to interview applicants for the County Attorney position. April 9<sup>th</sup> and 11<sup>th</sup> are suggested dates with the 9<sup>th</sup> being the primary date. The County Board may, and expected, to recess, to one of the above dates to conduct interviews with the applicants for the County Attorney Position.
  - ◇ Appoint County Attorney will follow after all interviews have been completed. The Board may wish to further consider the applicants and recess to a date later than the date on which the interviews are held. If the appointment of the County Attorney is not made from this agenda, it will be carried on the April 21<sup>st</sup>, 2008 meeting agenda.
  - ◇ The motion will include the effective date the successful applicant is to be sworn in.

Tabled Items – No tabled items to consider

Committee Reports

- Betty O'Neill - Roof Committee

Commissioner Member Reports

Public Comment

Mail and/or Emergency Business

2:15 p.m. Recess to Wednesday April 9, 2008 or April 11<sup>th</sup> pending a time convenient for the applicants and the County Board.

April 9<sup>th</sup> or 11<sup>th</sup>

Reconvene from April 7, 2008

Interview Applicants for the County Attorney Position

Appoint successful applicant for the County Attorney Position.

The motion is to include the date on which the successful candidate is to assume the County Attorney Position.

Recess to a later date if the board wishes to make the appointment before April 21, 2008

Adjournment

Commissioner Engel moved, seconded by Commissioner O'Neill to approve the minutes of March 24, 2008 as typed and prepared for the official record.

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

Commissioner McLarty moved, seconded by Commissioner Engel to approve the Payroll Claims submitted by the County Clerk for payment as follows:

COUNTY GENERAL FUND: Gross salaries- \$108,163.34, General Fund Employees Net Pay- \$76,960.77 employer deductions paid: Retirement- 7,501.22, Social Security Tax- 6,592.02, Medicare- 1,541.67, DC Health Plan- 28,687.50, DC Dental Plan- 892.50 and Life Insurance- 181.00.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 456.30, Tracey Corkin- 950.58, Marisol Curiel- 894.41, Bobbi Jo Harsma- 1034.41, Theodore Piepho- 1599.88, Darlene Davis- 885.60, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 936.15, Kim Kuehl- 885.60, Phyllis Ridge- 917.33, Margaret Rahn- 1194.00, Daniel Christoffers- 468.00, Dennis Reinert- 209.97, Valerie Danielson- 1599.88, Lori Jessip- 752.50, Cheryl Perkins- 1120.00, Joe Flynn- 1713.92, Debra Jensen- 980.80, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 940.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 1108.13, Jeremy Bermel- 1609.73, Anthony Bos- 1523.80, Sandy Dickens- 441.37, Brian Ellinger- 1599.80, Penny Epting- 1633.47, Brent Gilster- 1605.50, Todd Hammer- 1605.50, Melvin Harrison III- 1605.50, Rodney Herron- 1742.74, Jason James- 1388.90, Kimberly Johnson- 458.19, Jared Junge- 2185.03, Michael Kreegar- 1520.00, Gayle Richards- 829.60, Kevin Rohde- 1575.89, James Wagner- 1599.88, Randall Walsh- 1632.55, Kerry Johnson- 880.00, Aimee Kennedy- 1024.00, Sara Meadows- 1576.92, Debra Schmiedt- 2588.46, Mary Spurlock- 880.00, Kimberly Watson- 1692.31, Caterina Chapman- 1118.18, Jacob Acero- 1352.09, Ermelinda Ballesteros- 1451.92, Joshua Blatchford- 1189.44, Dusty Boyd- 1154.53, Rebecca Broer- 1288.29, Sandy Dickens- 662.05, Michael Estes- 1176.91, Lisa Ford- 1185.84, John Gilles- 1425.85, Alma Gunderson- 1344.46, Paula Harrigfeld- 966.52, Cathy Harsma- 1259.72, Deanna Haukap- 1250.32, Jackie Heaton- 1592.00, Oneida, Adam Hough- 1248.31, Sarah Jensen- 790.00, Brett Johnson- 1189.44, Nicholas Kellen- 1140.62, Brenda Kelly- 1235.46, Terry Kern- 1730.77, Mark Nelson- 1203.75, Jeep Phommavong- 1171.92, Cara Reinders- 1114.72, Daniel Rodasky- 1312.27, Jutharatana Ruenprom- 1150.91, Linda Schovanec- 1213.94, Justin Smith- 1147.58, Francis Tope- 1404.96, Charvette Williams- 1154.53, Jewel Williams- 1206.80, Daniel Wood- 1176.91, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 1121.28, Bonnie Kahler- 699.40, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 10,274.93, State- 3,502.68, Social Security Tax- 6,592.02, Medicare- 1,541.67, Retirement- 5,072.23, DC Health Plan- 237.50, DC Dental Plan- 493.50, Colonial Health- 16.20, Sheriff Union Dues- 310.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 356.62, Aflac Life/Dsbl- 95.20, Flex Plan- 737.37.

COUNTY ROAD PAYROLL: Gross salaries- \$12,232.46, Road Employees Net Pay- \$9,272.38, Employer deductions paid: Retirement- 893.20, DC Health Plan- 4,050.00, DC Dental Plan- 126.00, Life Insurance- 24.86, Social Security Tax- 803.15 and Medicare- 187.85.

Brent Byroad- 1168.00, Robert Hacker- 1168.00, Ronald Harder- 1176.00, Richard Hoelsing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1538.46, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, Kip Reinbold- 544.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,168.80, State- 394.57, Social Security- 803.15, Medicare- 187.85, Retirement- 595.46, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 4.88, Deferred Comp.- 61.68, Garnishments- 281.55, Aflac Health- 147.06, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50, Union Dues- 140.00.

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

Chair Hartnett signed the Agreements with Higman Sand and Gravel, Staulp Gravel, Peterson Sand and Gravel, Erlandson Transportation, Inc., Pilger Sand and Gravel and L.G. Everist, Inc. to furnish the County Gravel as part of accepting the bids on March 24, 2008.

Chair Hartnett called for the agenda item Omaha Exposition & Racing Inc. dba Horseman's Atokad Downs - Approve Liquor License Manager change.

Frederic Stinger appeared before the board and introduced himself. He said that he was the Liquor License Manager and asked the board to approve same.

Commissioner Engel moved, seconded by Commissioner O'Neill to appoint Frederic Stinger as the Liquor License Manager for the Omaha Exposition & Racing Inc. dba Horseman's Atokad Downs Liquor License Manager and to recommend to the Nebraska Liquor Control Commission that they also approve the change.

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

Chair Hartnett called for the agenda item for Scott Bousquet to provide the Commissioners with Site Plan for 2400 Head Swine Feeding Operation.

Scott Bousquet appeared before the board and presented a Site Location Plan for his 2400 Head Swine Feeding Operation, which the commissioners felt satisfactorily, met their requirement for their approval of a Conditional Use Permit that they approved in their March 24, 2008 meeting.

The board discussed how they wanted to handle interviews for the County Attorney Position. It was decided that they would recess from today until 9:00 a.m. Wednesday, April 9, 2008 and would schedule the interviews with the four applicants from Dakota County one hour apart. The applicant from Michigan did not respond to inquiries whether he was licensed in Nebraska to practice law.

It was also determined that Deb Fergen and Joan Spencer would draft questions to ask the applicants.

Chair Hartnett called for the agenda item Committee Reports.

Commissioner O'Neill, Chair of the Roof Committee gave a report on what the Roof Committee discussed in their meeting held on March 24, 2008.

Commissioner McLarty gave a Status of the Legislative Bill as member of the Legislative Committee. Commissioner Hartnett reported on the Health Board and that the Health Department equipped a back pack with medical supplies for Emergency Readiness.

Chair Hartnett called for the agenda item Board Member Reports and there were none.

Chair Hartnett called for the agenda item Public Comment.

Chris Chernock Spoke on behalf of the South Sioux City Police Officer's Association, in which they expressed strong support for Kim Watson to be appointed as County Attorney.

Andrew Backman spoke and supported Kim Watson to be appointed County Attorney.

Susan Church appeared before the board and expressed a huge concern that there is only one access in and out of Millis Beach and trains block that access anywhere from 5 minutes to 6 hours. She has been to the board before and said that they need another way in and out because there are health issues out there and emergency vehicles may be prevented from getting to emergency calls due to the train blocking the road.

Mono O'Neill appeared before the board and asked the board to consider health and environmental issues before they approve things. She told the board that it would be nice if they would briefly give a synopsis of subject matter when they discuss it.

She asked the board members that when they approve something think of it being in their back yard. She was referring to the Bousquet Swine Feeding operation that they had approved March 24<sup>th</sup> and the site plan being filed today.

Chair Hartnett called for the agenda item Tabled Items and there were no items to consider.

Chair Hartnett called for the agenda item mail and/or Emergency Business and there was none.

Chair Hartnett recessed their meeting until 9:00 a.m. April 9, 2008, to interview the applicants for the County Attorney Position.

Chair Hartnett reconvened their meeting at 9:00 a.m. Wednesday April 9, 2008 with the Pledge of Allegiance being recited.

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

Absent: None

Chair Hartnett briefed the board on how they would conduct the interviews and distributed a list of 20 questions identifying 4 questions each board member was to ask each applicant. The list of questions was as follows:

**COUNTY ATTORNEY INTERVIEW QUESTIONS**

9 APRIL 08

ENGEL:

1. How long have you been practicing law in Dakota County? When were you first admitted to practice law in any state? When in Nebraska specifically?
2. How much court room experience do you have? How many cases have gone to jury?
3. Do you have any experience as a criminal prosecutor?
4. What aspect of your past employments did you enjoy the most?

HARTNETT:

5. What experience have you had in the development and supervision of an operational budget?
6. A two-part question. Describe the best employer/supervisor you've ever had. Describe the toughest employer/supervisor you've ever had.
7. Describe two improvements you have made in your job in the past six months.
8. How would the people you supervise describe your leadership style?

McLARTY:

9. What unique characteristics/experiences would you bring to this position?
10. Are you aware that the County Attorney role includes that of acting Coroner? How do you feel about that aspect of the position?
11. How do you feel about attending County Board meetings to ensure that the Board acts in accordance to established laws and procedures?
12. Do you think the relationship between the different law enforcement agencies in this county and the County Attorney is important? Why or why not?

O'NEILL

13. You live in this county, how would you handle prosecuting someone you know and/or are related to?
14. The demands of the position often involve requiring you to work at various times including nights and weekends. How do you feel about that aspect of the job?
15. This position requires you to participate in various community organizations and represent the county in your role as its attorney. What is your opinion of being a public servant in this capacity?
16. What do you feel would be the most common errors made in a position such as this?

ROHDE:

17. How do you feel about running for a Public Office?

[Year 2010 election for term Jan 2011 to Dec 2014]

18. What is your opinion on a "work release" and "bracelet" program for persons sentenced by count judges and district judge and would you recommend Rehabilitation Treatment Programs instead of incarceration for certain non-violent offenses.

19. What other information would you like to provide this Board about yourself that would assist us in the selection of the best candidate?

20. Do you have any questions for us?

The above questions were asked of Kim Watson.

Chair Hartnett recessed their meeting at 9:35 a.m. until the next applicant was available.

Chair Hartnett reconvened their meeting at 9:58 a.m. and asked the above questions of Lori Ubbinga.

Chair Hartnett recessed their meeting at 10:08 a.m. until the next applicant was available.

Chair Hartnett reconvened their meeting at 10:24 a.m. and asked the above questions of Richard Thrumer.

Chair Hartnett recessed their meeting at 10:56 a.m. until 2:55 p.m.

Chair Hartnett reconvened their meeting at 3:00 p.m. and asked the above questions of Jeff Kurtz.

The board briefly discussed when they wished to make the appointment and it was the consensus of the board to put the appointment of the County Attorney on the meeting for April 21, 2008.

Chair Hartnett adjourned their meeting at 3:27 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Harnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book

Dakota County Board of Commissioners  
Monday, April 21, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their regular scheduled meeting to order at 10:02 p.m. with the Pledge of Allegiance being recited.

Present: Commissioners McLarty, Engel, Hartnett and County Clerk Ted Piepho, Secretary.

Absent: Rohde, O'Neill

The agenda for this meeting was as follows:

- 10:00 a.m. Call to Order with reciting the Pledge of Allegiance
- Roll Call
  - Approve Minutes of previous meeting.
  - Review and approve Payroll claims submitted by the County Clerk for payment.
  - Review and approve Accounts Payable Claims submitted by Co. Clerk.
13. 11:20 a.m. Tour Jail pursuant to Nebraska Revised Statute Section 47-109. Board will recess for lunch immediately after completing the jail tour.
14. 1:30 p.m. Reconvene from Lunch
15. 1:31 p.m. Terry Kern – Director of Corrections
- Authorization for Corrections to purchase a Van – Purpose; to transport prisoners
  - Purchase Transport insert – This is an insert that fits inside the van and provides secure separation of violent inmates from other inmates while transporting them.
  - Discuss how to fund the purchase of both the van and the transport insert – Lease Purchase through the NACO Leasing Program is a viable option.
    - Motion to authorize the funding.
16. 1:45 p.m. Cargill Inc. – John Fathke
- Discussion of building a frontage road for residents of Millis Beach to have an alternate access road into the residential area. As it is today, if a train blocks the access road, residents do not have an alternative route of getting in and out of their residential district.
17. 1:55 p.m. Miscellaneous Agenda Items.
- Authorize sidewalk from Parking lot to Street
  - Performance Pork, LLC Concentrated Animal Feeding Operation (HS # 87393) SW 1/4, NE 1/4, Section 05, Township 27N, Range 07E, Dakota County.  
Prepared By: Chris Kreikemeier; E-Design, LLC
    - Dakota County has received a copy of the application for a Construction and Operating Permit for the above referenced concentrated animal feeding operation, received by the Department of Environmental Quality, in accordance with Title 130, "Livestock Waste Control Regulations."
    - Dakota County Board has thirty (30) days to comment to the Department about any conditions existing at the site that should be considered when making a decision on the application.
      - ◆ This was on the agenda last week to discuss the Construction and Operating Permit to allow the board time to become familiar with the application and decide whether any action is desired.
  - Discuss applicants for the County Attorney's Position.
  - Appoint applicant/individual to the position of County Attorney due to the March 7, 2008 resignation of Edward Matney III. Motion to include an effective date for individual to take office and to be to be sworn in.
  - Application for Special Designated Liquor License for Omaha Exposition & Racing, Inc. d/b/a Horsemen's Atokad Downs to have a beer tent during the live meet September 5, 6 and 7.
  - Authorize use of Cash Advance Fund to cover Flex plan payments if necessary.
18. 2:00 p.m. Recess for Board of Equalization and reconvene from Board of Equalization after they adjourn.
19. 2:30 p.m. Extension Board – The Extension Board has an offer for the Extension office to move to the NRD Building. The County would start paying the rent (\$10,000 a year) beginning the 4<sup>th</sup> year after the Extension Office moves to the NRD Building.
20. Tabled Items – No tabled items to consider
21. Commissioner's Committee Reports
22. Commissioner Member Reports
23. Secretary's Report
- Chair has signed Interlocal agreement with South Sioux City for Animal Control passed 3-10.
24. Public Comment
25. Mail and/or Emergency Business
26. 2:45 p.m. Adjournment.

Commissioner Engel moved, seconded by Commissioner McLarty to approve the minutes of April 7, 2008 as typed and prepared for the official record.

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

Commissioner O'Neill arrived at 10:07 a.m.

Commissioner McLarty moved, seconded by Commissioner Engel to approve the Accounts Payable Claims submitted by the County Clerk for payment as follows:

GENERAL FUND: Dakota County Star, publishing- 310.14; Perkins Office Solutions, office supplies- 15.21; Des Moines Stamp, shipping fee/copy stamps- 31.95; Perkins Office Solutions, office supplies- 513.66; Redfield & Co, marriage book- 122.70; Staples, office supplies- 204.28; Theodore A. Piepho, reimbursement- 98.85; Robert H. Giese, mileage- 165.00; Charlotte Doenhoefer, prior yrs service- 10.00; Ruth Jensen, prior yrs service- 12.00; Mardell Sorensen, prior yrs service- 26.00; Irene Van Lent, prior yrs service- 16.00; Das Imservice, data storage- 3.50; Iowa Office Supply, office supplies- 524.57; Staples, office supplies- 31.45; Das Imservice, data storage- 3.50; Microfilm Imaging Systems, lease equipment rent- 240.00; Cover One, election register covers- 107.45; Dakota County Star, publishing- 178.00; Election Systems & Software, layouts & ballots- 6597.87; Perkins Office Solutions, envelopes- 71.58; Security Shredding SVC, shredding of documents- 165.00; Todds StoreAll, April storage- 80.00; Gene Cantrell, meeting/ mileage- 44.14; Jim Crosgrove, meeting & mileage- 26.11; Dakota County Star, public hearing notice- 21.71; Jolene Gubbels, meeting- 15.00; Hubbard Post Office, postage- 75.00; Jim Jepsen, meeting/mileage- 32.02; Dick McCabe, meeting/mileage- 27.12; Dick McNear, meeting/mileage- 45.15; Marlan Millard, meeting/mileage- 18.54; Joe O'Neill, meeting/mileage- 18.54; Dennis Reinert, phone/mileage- 97.17; Martin Rohde, meeting/mileage- 46.16; Dakota County District Court, claim lists- 913.00; Netsystems +, computer repair/installation- 860.00; Dakota Business System, ricoh equip payment- 99.00; Iowa Office Supply, office supplies- 30.74; Kurt T Rager, reimbursement- 233.19; Star Printing/Studio B Graphics, envelopes- 550.00; Thomson West, CD rom service- 154.25; Nebraska State Bar Assoc, probate system V- 200.00; Pamela Bear, witness fee- 20.00; Richard Beard III, witness fee- 25.05; Dakota County Court, court costs- 2035.90; Kueny Law Office, court appointed counsel- 1106.66; Stuart Mills, court appointed counsel- 285.00; Victor H. Rodas, witness fee- 25.05; Douglas Roehrich, court appointed counsel- 930.00; Shirlena Saul, witness fee- 25.05; Patrick Tott, court appointed counsel- 870.00; William L, Binkard, reimbursement- 177.46; Frank Gonzalez, interpreter fee- 400.00; John Loos Jr, mileage- 84.39; Midwest Office Automations, copier contract- 123.13; Thomson West- 2008 Ne court rules- 194.00; AJ Phillips, jury envelopes- 130.00; Coffee King, jury coffee- 38.00; Shirley Sides, mental health- 60.00; Patricia Slaughter, mental health- 61.78; HyVee, jury water/pop/snacks- 78.90; Benstar Packaging, janitorial supplies- 285.14; Bomgaars, supplies- 16.53; City of Dakota City, sewer/water- 1808.64; Cummins Central Power, generator maint. agreement- 969.89; Dakota Food & Fuel, gas- 35.00; Foulk Bros Plumbing, plumbing- 407.23; Gill Hauling, dumpster- 240.00; Grainger, supplies- 636.05; Janitor Depot, janitorial- 1305.84; Rick Jensen, mileage- 108.82; Menards, supplies- 425.98; Lessman Electric, electric supplies- 65.02; MidAmerican Energy, gas bill- 3955.07; NPPD, electric bill- 3081.27; O'Keefe Elev., routine exam- 9.54; Share, janitorial supplies- 527.61; Siouxland Lock & Key, keys- 56.50; Trembly, pest control- 85.00; Wal-Mart, computer monitor- 239.97; Verizon Wireless, cell phone- 58.26; Dakota County Extension, reimbursement- 1623.06; Automotive Electric, battery- 226.84; Rosalva Bramila, interpreter- 20.00; City of South Sioux City, fuel/phones- 4595.34; Dakota Co Sheriff, reimbursement- 2.50; Dakota County Star, meeting notice- 4.63; Dakota County Clerks, title fees- 20.00; Dakota Food & Fuel, fuel- 565.96; Electronic Engineering, install equipment- 2144.39; Fremont Tire, vehicle maint/tire repair- 1448.93; Harold's, film developing- 9.31; Jacks Uniforms, uniforms/light bar/gun rack- 974.52; Jared Junge, reimbursement- 7.16; Racom, phone access line- 694.20; Sign Masters, lettering new unit- 290.00; Siouxland FCU, fuel- 101.34; Siouxland Humane Society, animal control- 120.00; Star Printing, business cards- 45.00; Treat America Food Service- training meals- 44.80; Verizon Wireless, cell phones- 71.31; Wal-Mart, supplies- 65.36; Willis Animal Clinic-dog food/rabies test- 188.65; Dakota County Sheriff, paper/warrants- 734.82; Columbus Telegram, legal ad- 44.16; Dakota County Star, legal ad- 119.20; Department of Motor Vehicles, transcripts- 8.00; H2O4U, office supplies- 17.25; Iowa Office Supply Inc, copier contract- 43.58; Madison County Sheriffs Department, subpoena fees- 59.10; Moline Dispatch Publishing Co, legal ad-121.02; Pathology Medical Services, autopsy- 1758.38; Siouxland Reporting Service- deposition- 101.15; Sprint, cell phones- 109.69; Thurston Count Sheriffs Department, subpoena fees- 31.00; Kim Watson, mileage/office supplies- 15.04; City of South Sioux, LEC expense- 25302.29; BI Inc, electronic monitoring- 403.70; Caterina Chapman, reimbursement- 12.91; Verizon Wireless, cell phones- 55.08; Ace/Refrigeration Eng, can opener repair- 54.50; AmSan, supplies-586.43; Amsterdam Printing, employment history folders- 109.24; BI Inc, house arrest- 927.15; Bob Barker, supplies- 831.97; CBM Food Service, food service- 23475.76; Cardiovascular Associates, inmate medical bills- 30.00; Cash-Wa Distributing, food service items- 121.69; Crystal Oil, wipers- 15.99; Dakota Business Systems, copier contract- 281.00; Dakota City Fire Dept, transport agreement- 2000.00; Dakota County Sheriff, reimbursement meals- 450.63; Dakota Family Dentistry, inmate dental- 418.00; Dakota Food & Fuel, fuel/batteries- 545.45; Sandy Dickens, mileage- 126.38; Dunes Medical Center, inmate medical bills- 738.60; Fremont Tires, vehicle maint/tires-2029.60; Robert Kratky, CPR training- 400.00; Mercy Bus Health, inmate house calls- 1816.00; Mercy Medical Center, inmate medical bills- 432.25; Midwest Office Automations, copier contract- 206.89; Moore Medical LLC, inmate medical calls- 264.89; N.E. NE Juvenile Services, juvenile holding- 1531.25; NetSystems+, computer network issues- 704.00; NW Iowa Emergency Phys, inmate medical bills- 302.00; Redler's Pharmacy, inmate meds- 22.47; Dan Rodasky, boots/chevrons- 63.50; SDI, fire detector repair tool- 909.30; St Luke's Dept of Lab Services, inmate medical bills- 81.04; St Paul Radiology PA, inmate medical bills- 43.00; Sam's Club, supplies- 114.23; Siouxland FCU, reimbursement fuel/meals-246.75; Staples, supplies- 272.85; Star Printing, business cards- 55.00; Verizon Wireless, cell phones- 135.12; Watchguard Video, dvd in-house cameras- 93.50; Wal-Mart, supplies/inmate meds-2432.09; Woodbury Co Juvenile Detention, juvenile holding- 8000.00; Dodge County Clerk, reimbursement- 8309.22; Dakota County Star, 1&6 yr notice- 14.47; Jolene Gubbels, mileage- 79.79; Hubbard Post Office, postage- 75.00; Netsystems+,

virus protection- 80.00; Olsson & Assoc, 1&6 yr plan- 955.02; Perkins Office Solution, office supplies- 30.03; Staples, office supplies- 45.28; Verizon Wireless, cell phone- 32.98; CLIA Laboratory, dues- 150.00; Pam DeVries, mileage- 105.84; Dunes Family Medicine, consulting physician- 250.00; Pat Glover, mileage- 169.92; Alltel, phone bill- 250.00; Deanna Beckman, mileage/hrs wrkd-1310.24; Bound Tress Medical, bandages- 73.93; Hopkins Medical, backpacks- 480.14; HyVee, plates- 375.00; Moore Medical, med supplies- 4884.48; Perkins Office Solution, supplies for trailer- 566.66; Alan Boyd, mileage- 924.66; Electronic Engineering, pager- 13.95; Perkins Office Solution, supplies- 192.44; CVSOAN, dues- 100.00; Lexis Nexis Matthew Bender, law books- 205.80; Thompson West, law books- 573.50; CableOne, internet- 205.95; Claritus, postage- 265.00; City of South Sioux, storm water management plan grant- 15391.00; Dakota County Recycling, contribution- 250.00; Dakota County Star, co attorney ad- 162.00; Dakota County Treasure, 07 taxes- 7800.00; Debra Schmiedt, reimbursement- 44.81; DeLage Landen Financial Services, copier lease- 235.33; FSH Comm, payphone- 63.60; HyVee, cake/Matney- 54.99; IBM Corp, as400 server- 205.71; Lazette Gifford, website upkeep- 40.00; Madelyn Thorsland, prior yrs service- 10.00; MIPS, support- 380.97; Qwest, phone bill-1344.98; Region IV Mental Health, 4<sup>th</sup> qrt payment- 5320.25; Sioux City Journal, co attorney ad- 1541.00; South Sioux City Area Chamber, sponsorship fee- 481.00; Spencer Fane Britt Browne, legal fees- 200.00; Three Rivers Benefit, flex plan admin- 75.00; US Postal Service, postage- 2500.00; WCS Telecom, telephone- 367.33; Road Improvement- budget transfer - 30000.00; Weed Fund, budget transfer- 1000.00

ROAD FUND: Advanced Auto, supplies- 40.25; Aramark, towel services- 262.63; Atco, shop supplies- 498.38; Barkley Asphalt, asphalt- 570.90; Bomgaars, supplies- 101.43; Dakota County Star, advertising- 216.83; Five Star Awards, retirement plaque- 47.53; Fremont Tires, new tires- 167.90; Gill Hauling, dumpster service- 55.00; Great Plains International, parts- 34.98; Guarantee Oil, oil- 705.74; Walter Heinemann, prior yrs service- 29.00; Heritage Express, fuel- 137.00; Higman Sand & Gravel, gravel- 9067.61; Hubbard Mini Mart, fuel- 8563.14; H2O4U, water service- 25.75; HyVee, misc- 58.97; Inland Truck Parts, parts- 447.28; J & J 's Pronto, fuel- 1027.70; Jackson Glass, parts- 107.01; Joe's Dept Store, parts/supplies- 138.63; Kem-Pro Indust. Supply Co, shop supply- 392.25; Knoepfler, parts/service-52.69; LG Everist Inc, gravel- 5303.97; Linweld, shop supply- 39.95; Midwest Svc & Sales, signs- 890.32; NAPA, parts/supplies- 234.12; Ne Nebr PPD, electric bill- 238.61; NNTC, phone service- 175.56; Marlan Millard, prior yrs service- 15.00; Pilgar Sand & Gravel, gravel- 3280.75; Pomps, tires- 5355.50; Sam's Club, shop supplies- 77.99; Stalp Sand & Gravel, gravel- 1546.35; Stephan Welding Inc, steel products- 256.40; Titan Machinery, parts- 37.97; Verizon Wireless, cell phones- 45.97; Warren Oil, fuel- 7590.44; Ziegler's, parts- 587.38

ROAD IMPROVEMENT: City of South Sioux, 9<sup>th</sup> Ave 1<sup>st</sup> installment- 27700.31; Olsson Associates, engineering- 1385.14;

VETERANS AID: Veterans Office, emergency aid-1000.00

COUNTY DRUG LAW ENFORCMENT: Blackwater Worldwide, sniper training- 995.00

LEC GRANT: SHSP and LETPP grant money- 10667.20

PUBLIC SAFETY: Jail bond, 88% sales tax- 23787.90; City of South Sioux City, 12% sales tax- 3243.80;

WEED FUND: Delage Landen Financial, copier rental- 91.00; Hubbard Mini Mart, fuel- 244.00; Hubbard Post Office, postage- 50.00; Leon Pies, mileage- 227.25; Quality Inn, lodging/meals- 161.37;

E9-11: City of South Sioux City, e911 surcharges- 18824.62

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

Commissioner McLarty moved, seconded by Commissioner Engel to approve the Payroll Claims submitted by the County Clerk for payment as follows:

COUNTY GENERAL FUND: Gross salaries- \$107,956.94, General Fund Employees Net Pay- \$76,788.63 employer deductions paid: Retirement- 7,486.31, Social Security Tax- 6,579.20, Medicare- 1,538.68, DC Health Plan- 28,687.50, DC Dental Plan- 892.50 and Life Insurance- 181.05.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 468.00, Tracey Corkin- 912.26, Marisol Curiel- 894.40, Bobbi Jo Harsma- 1034.41, Theodore Piepho- 1599.88, Darlene Davis- 885.60, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 936.15, Kim Kuehl- 863.46, Phyllis Ridge- 880.88, Margaret Rahn- 1194.00, Daniel Christoffers- 468.00, Dennis Reinert- 209.97, Valerie Danielson- 1599.88, Lori Jessip- 752.50, Cheryl Perkins- 1120.00, Joe Flynn- 1713.92, Debra Jensen- 980.80, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 940.00, Tracey Corkin- 30.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 900.56, Jeremy Bermel- 1638.31, Anthony Bos- 1692.90, Sandy Dickens- 441.37, Brian Ellinger- 1837.30, Penny Epting- 1397.60, Brent Gilster- 1577.00, Todd Hammer- 1624.50, Melvin Harrison III- 1691.00, Rodney Herron- 1742.74, Jason James- 1320.76, Kimberly Johnson- 329.79, Jared Junge- 1895.52, Michael Kreegar- 1520.00, Gayle Richards- 829.61, Kevin Rohde- 1589.40, James Wagner- 1599.88, Randall Walsh- 1532.00, Kerry Johnson- 880.00, Aimee Kennedy- 1024.00, Sara Meadows- 1576.92, Debra Schmiedt- 2588.46, Mary Spurlock- 880.00, Kimberly Watson- 1692.31, Caterina Chapman- 1118.18, Jacob Acero- 1304.19, Ermelinda Ballesteros- 1530.18, Joshua Blatchford- 1161.12, Dusty Boyd- 1154.53, Rebecca Broer- 1258.32, Sandy Dickens- 662.05, Michael Estes- 1063.61, Lisa Ford- 1311.05, John Gilles- 1526.65, Alma Gunderson- 1314.50, Paula Harrigfeld- 982.58, Cathy Harsma- 1298.92, Deanna Haukap- 1140.62, Jackie Heaton- 1526.00, Oneida, Adam Hough- 1352.09, Sarah Jensen- 805.00, Brett Johnson- 1175.28, Nicholas Kellen- 1151.05, Brenda Kelly- 1309.80, Terry Kern- 1730.77, Mark Nelson- 1181.25, Jeep Phommavong- 1161.49, Cara Reinders- 1213.65, Daniel Rodasky- 1283.80, Jutharatana Ruenprom- 1318.56, Linda Schovanec- 1221.48, Justin Smith- 1224.10, Francis Tope- 1404.96, Charvette Williams- 1243.23, Jewel Williams- 1059.91, Daniel Wood- 1224.43, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 1073.10, Bonnie Kahler- 699.40, Alan Boyd- 999.31.



GENERAL FUND: Employee withholding paid to: Federal- 10,268.60, State- 3,500.80, Social Security Tax- 6,579.20, Medicare- 1,538.68, Retirement- 5,061.99, DC Health Plan- 237.50, DC Dental Plan- 493.50, Colonial Health- 16.20, Sheriff Union Dues- 310.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 356.62, Aflac Life/Dsbl- 95.20 and Flex Plan- 737.37.

COUNTY ROAD PAYROLL: Gross salaries- \$13,816.46, Road Employees Net Pay- \$9,672.71, Employer deductions paid: Retirement- 932.62, DC Health Plan-4,050.00, DC Dental Plan- 126.00, Life Insurance- 24.86, Social Security Tax- 839.36 and Medicare- 196.32.

Brent Byroad- 1208.00, Robert Hacker- 1168.00, Ronald Harder- 1176.00, Richard Hoelsing- 1176.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1538.46, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, Kip Reinbold- 1088.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,252.46, State- 423.62, Social Security- 839.36, Medicare- 196.32, Retirement- 621.74, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 4.88, Deferred Comp.- 61.68, Garnishments- 281.55, Aflac Health- 147.06, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50 and Union Dues- 140.00.

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

The board departed the Commissioner Meeting Room at 11:13 a.m. to tour the jail. Chair Hartnett recessed their meeting at 11:30 a.m. upon completing the jail tour.

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

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

Absent: None.

Terry Kern, Director of Corrections, appeared before the board to get approval to purchase a new van to use for transporting prisoners.

He had solicited three bids and they were as follows; the state bid was \$18,080 with a 140" wheelbase and \$19,994 for a 155" wheelbase, Woodhouse in Blair was \$21,080 and Knoepfler Chevrolet in Sioux City was \$21,746.00.

Mr. Kern also presented bids that he solicited for an insert for the van, if purchased. The prices of the inserts were as follows; Bob Barker - \$9,029.00, Mavron - \$9,600.00 and Havis/Shields - \$12,880.00.

Mr. Kern recommended to purchase a 2008 one ton Chevy Express 3500 with 155" wheelbase through the NACO Lease Purchasing Program payable over three years and to purchase the insert for an 11 passenger Van Cell outright.

Commissioner McLarty moved, seconded by Commissioner O'Neill to purchase a 2008 Chevrolet Van with a 155" wheel base under the state bid for \$19,994 and to finance it through the NACO Leasing Program making semi-annual payments over a three year period and to purchase a Van Cell to fit said van. Be it further resolved to authorize the Chair and the County Clerk to sign all documents to complete the Lease-Purchase.

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

Mr. Kern gave a jail report.

<u>New Facility Population</u>		<u>Old Facility Population</u>	
Male Prisoners:	51	Male Prisoners:	31
Male Federal Prisoners:	39	Female Prisoners:	00
<u>Total Male Prisoners:</u>	90	<u>Total Old Facility Prisoners:</u>	31
Female Prisoners:	15	Woodbury Juveniles	
Female Federal Prisoners:	1	Male:	1
<u>Total Female Prisoners:</u>	16	Female:	0
<u>Total Federal Prisoners:</u>	40	Madison Juveniles:	
<u>Total New Facility Population:</u>	106	Male:	01
		Female:	00
Work Release: **	10	<u>Total Juvenile Population:</u>	02
House Arrest:	02		
Other D&E	01		

Total Population: 142

The prisoners on work release are included in the totals.

Amount billed to the US Marshall Service for the month of March 2008: \$72,382.06

Amount billed to the US Marshall Service for the year through March 2008: \$210, 659.56

Chair Hartnett called for the agenda item for discussion of building a frontage road for residents of Millis Beach to have an alternate access road into the residential area.

Eric Brandenburger appeared before the board on behalf of Con Agra and he and the Board discussed possibly constructing a road along the railroad easement. Mr. Brandenburger could not speak for the railroad, but agreed to talk with the railroad in conjunction with the board to get permission to construct such a road.

Chair Hartnett called for the agenda item "Authorize a sidewalk from Parking lot to Street."

Commissioner Engel moved, seconded by Commissioner Rohde to authorize the Building and Grounds Supt. to construct a sidewalk from the north parking lot to Myrtle Street.

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

Chair Hartnett called for the agenda item "Appoint applicant/individual to the position of County Attorney."

The Board briefly discussed the appointment of an applicant to succeed Ed Matney III as County Attorney.

Commissioner Engel moved, seconded by Commissioner McLarty to appoint Kimberly M. Watson to the position of County Attorney effective this 21<sup>st</sup> day of April, 2008.

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

Chair Hartnett called for the agenda item "Application for Special Designated Liquor License for Omaha Exposition & Racing, Inc. d/b/a Horsemen's Atokad Downs to have a beer tent during their live meet September 5, 6 and 7."

Commissioner Engel moved, seconded by Commissioner McLarty to approve and to recommend that the Nebraska Liquor Control Commission approve the Omaha Exposition & Racing Inc. d/b/a Horsemen's Atokad Downs, 1524 Atokad Drive, South Sioux City, Dakota County, Nebraska application request for a Special Designated Liquor License during their live horse racing event September 5, 6 and 7, 2008.

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

Chair Hartnett called for the agenda item "Authorize use of Cash Advance Fund to cover Flex plan payments if necessary."

The County Clerk explained that the medical benefits for the flex plan were being paid out faster than what they are withheld from employees paychecks and asked the board for permission for the County Clerk's Office to use the Advance Cash Fund when these shortages occur.

Commissioner McLarty moved, seconded by Commissioner Rohde to authorize the County Clerk to utilize the Cash Advance Fund to cover any shortage by the Flex account with Three Rivers. BE IT FURTHER RESOLVED that the County Clerk shall repay the Cash Advance Fund upon withholding the funds from the payroll following the cash advance.

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

Chair Hartnett recessed their meeting at 2:08 p.m. to convene as Board of Equalization.

Chair Hartnett reconvened their meeting at 2:15 p.m. and declared a recess at 2:18 until 2:30 p.m.

Chair Hartnett reconvened their meeting at 2:30 p.m.

The County Board met with Ralph Puls from Papio Missouri River NRD, Vincent Kramper and Carol Larvick concerning the Extension Office moving to the Papio Missouri River Building next to the Dakota City Administrative Offices. The proposal from the three was that the County has a maximum payout of \$350,000 for the Hubbard Lake Project that the NRD has scheduled for sometime before 2012. The trio was asking for the county to pay rent of \$20,000 a year for two and one-half years (\$50,000) and the NRD would count that \$50,000 toward the \$350,000 commitment for the Lake Project, or in other words the County's maximum at the time the lake is constructed would be \$300,000.

Mr. Puls submitted the following information along with other informative information as to the Extension Office being in their building.

In December 2007, the Farm Service Agency (FSA) moved out of the USDA Service Center in Dakota County as part of a USDA plan to reduce the number of FSA offices by 30% nationwide. Today the Service Center houses the Dakota County Rural Water office, the USDA Natural Resources Conservation Service (NRCS) and the P-MKNRD field office. When the ESA was conducting their review, the NRCS was also reviewing their office locations. The NRCS also reduced the number of offices in Nebraska, but not in the PMRNRD. Should the NRCS close or consolidate offices as part of a Phase Two Plan, the PMRNRD would likely have one office closed. The NRCS is unable to tell us at this time if or when other offices will be closed.

As a result of the FSA move, the P-MRNRD has vacant office space. The ESA had leased 1,390 square feet of office space for \$15 per square foot for a total of \$20,850 per year, with utilities included. All of the facility's occupants shared the use of 1,600 square feet of space free of charge including the conference room, break room and storage space.

Before the Dakota Service Center was constructed, the P-MRNRD offered to create space for UNL Extension in Dakota County. However, Extension was being provided space free of charge in the basement of the County Courthouse and would not be able to pay rent in the new building. The P-MRNRD's intent was to make the Service Center a one-stop location for the convenience of the public.

Co-location of the offices that worked together would lead to greater efficiency and effectiveness by the agencies.

Discussions have been held to determine if the Extension office would want to move into the vacant space. Extension would be willing, but their budget does not include rent. Traditionally, the County provides space or pays rent for the Extension. It has been proposed that the Interlocal Cooperative Act Agreement between the P-MRNRD and Dakota County could be amended to address the issue of rent for the Extension. The Agreement calls for Dakota County to pay 50% of the local costs for design, land rights, demolition and construction for roads at the Pigeon/Jones Site #15 location, not to exceed \$350,000. It's proposed that the total maximum amount the County pays be reduced to \$300,000 and that the County pays rent for Extension in the amount of \$20,000 per year for Fiscal Years 2009, 2010, and \$10,000 for Fiscal Year 2011. After PY 2011, ending June 30, 2011 Dakota County would provide rent for UN-L Extension.

The P-MRNRD and Extension in all six counties have cooperated on numerous programs and projects, a number of them are shown on the attached Fact Sheet. Examples of the ongoing programs are the Annual Water Works Festival at the Extension facility at Schram Park, the Fifth Grade Conservation Field Day at Summit Lake, the Pesticide Container Collection and Recycling Program in Dakota and Thurston Counties, a Grazing demonstration on CRP land in Burt and Washington Counties, the Used Tire Collection and Recycling Program.

The District and Extension have been partners in well abandonment demonstrations, in collection and recycling of household hazardous waste, in land judging and range judging contests. For the last several years the District and the Extension in Sarpy and Douglas Counties have been partners in a program to provide education to homeowners who lived in neighborhoods with high concentrations of lead, and we are currently cooperating in a project to address urban lead and storm water runoff. Extension was a leader in addressing water quality issues in the Papio Watershed Lakes including Wehrspann Lake and Walnut Creek Lake and could do the same at Pigeon/Jones Site #15. They could assist well abandonment demonstrations, well water testing, soils sampling and other programs in the P/J watershed.

Having the Extension located in the Service Center would significantly increase the office visits by the public and expose them to the programs of all the entities located there. Extension is no longer considered a "rural" organization. They have programs that meet the public need in both urban and rural areas, and their presence in the Service Center would have a positive impact.

Staff recommends that the PPO Subcommittee recommend to the Board that the District offer office space to UNL Extension in Dakota County at a rental rate of \$20,000 in Fiscal Years 2009 and 2010 and \$10,000 in Fiscal Year 2011, and that the Interlocal Cooperative Act Agreement between the P-MRNRD and Dakota County be amended to limit the County maximum payment for road design, land rights, demolition and construction at P/J Site #15 to \$300,000.

There was considerable discussion about this and if there were alternate arrangements that could be made. Commissioner Hartnett was concerned that the County would be paying the money now rather than in a few years, especially when the county is so financially strapped at the present time. Chair Hartnett and Commissioner Rohde were to be a committee to look as possibly a counter proposal.

Chair Hartnett called for the agenda item Tabled Items and there were none.

Chair Hartnett called for the agenda item Committee Reports.

Commissioner Engel reported that he attended an aging meeting at Norfolk and they do a great job.

Commissioner McLarty reported that Region IV voted to close the Oakland facility and they are buying a building in West Point. Mr. McLarty voted against because it looked like more people were being serviced by Oakland than what there was from West Point. It also looked like more employees lived closer to Oakland than West Point. The motion did pass.

Commissioner McLarty gave a Legislative Report, which was a summary of where all legislative bills were at.

Commissioner Hartnett reported on NIRMA and presented the Board with a NIRMA clock on behalf of the NIRMA Board of Directors.

Commissioner Hartnett reported that she and Joan met with Dr. Path and Northeast Community College is planning to have a college of nursing and a masters in Doctorial Programs offered. They are going to have a fund raising drive and have a way of counties to help fund that.

Commissioner Hartnett reported on the Dakota City Centennial and they had a meeting at Dakota City Library.

Commissioner O'Neill reported that the Roof Committee was meeting after the Commissioners Meeting. Under Public Comment Commissioner O'Neill mentioned that in July they had a civil court case come up and the County had to hire special counsel and asked the individual board members why they chose the applicant they did.

Chair Hartnett called for the agenda item mail and/or Emergency Business and there was none.

Chair Hartnett adjourned their meeting at 3:20 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Harnett, Chair                      Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk                      Date entered in book

Dakota County Board of Commissioners  
Monday, May 5, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

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

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

Absent: Commissioner O'Neill

The agenda for this meeting was as follows:

2. 1:30 p.m. Call to Order with reciting the Pledge of Allegiance
  - Roll Call
  - Approve Minutes of April 21, 2008.
  - Review and approve Payroll and Accounts Payable Claims submitted by County Clerk for payment.
3. 1:31 p.m. Kyle Krumwiede – Dakota County Fair wants to apply for a Special Designated Liquor License for the Fair to have a beer garden during the Dakota-Thurston County Fair.
4. 1:35 p.m. Misc. agenda items.
  - Closed Executive Session - regarding a proposed settlement of the pending Dakota Cold Storage TERC case.
5. Tabled Items – No tabled items to consider
6. Committee Reports
7. Commissioner Member Reports
8. Public Comment
9. Mail and/or Emergency Business
10. 1:50 p.m. Adjournment

Commissioner McLarty moved, seconded by Commissioner Engel to approve the minutes of April 21, 2008 as typed and prepared for the official record.

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

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

COUNTY GENERAL FUND: Gross salaries- \$109,920.79, General Fund Employees Net Pay- \$78,014.86, Employer deductions paid: Retirement- 7,600.01, Social Security Tax- 6,702.82, Medicare- 1,567.57, DC Health Plan- 27,675.00, DC Dental Plan- 861.00 and Life Insurance- 174.25.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 468.00, Tracey Corkin- 954.83, Marisol Curiel- 894.40, Bobbi Jo Harsma- 1031.17, Theodore Piepho- 1599.88, Darlene Davis- 885.60, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 948.00, Kim Kuehl- 885.60, Phyllis Ridge- 862.65, Margaret Rahn- 1194.00, Daniel Christoffers- 468.00, Dennis Reinert- 209.97, Valerie Danielson- 1599.88, Lori Jessip- 752.50, Cheryl Perkins- 1120.00, Joe Flynn- 1713.92, Debra Jensen- 980.80, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 940.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 865.29, Anthony Bos- 1761.30, Sandy Dickens- 441.37, Brian Ellinger- 1523.80, Penny Epting- 1397.60, Brent Gilster- 1672.00, Todd Hammer- 1520.00, Melvin Harrison III- 1520.00, Rodney Herron- 1742.74, Jason James- 1343.02, Kimberly Johnson- 503.50, Jared Junge- 1813.59, Michael Kreegar- 1520.00, Gayle Richards- 829.60, James Wagner- 1599.88, Randall Walsh- 2039.48, Kerry Johnson- 880.00, Sara Meadows- 1653.85, Debra Schmiedt- 2230.77, Mary Spurlock- 880.00, Aimee Uhl- 1024.00, Kimberly Watson- 5176.92, Caterina Chapman- 1675.47, Jacob Acero- 1075.87, Ermelinda Ballesteros- 1337.14, Joshua Blatchford- 1277.94, Dusty Boyd- 1164.97, Rebecca Broer- 1344.46, Sandy Dickens- 662.05, Michael Estes- 1169.60, Lisa Ford- 1196.27, John Gilles- 1272.78, Alma Gunderson- 1619.71, Paula Harrigfeld- 883.30, Cathy Harsma- 1328.78, Deanna Haukap- 1335.40, Jackie Heaton- 1568.00, Adam Hough- 1376.04, Sarah Jensen- 800.00, Brett Johnson- 1378.83, Nicholas Kellen- 1171.93, Brenda Kelly- 1387.68, Terry Kern- 1730.77, Mark Nelson- 1260.00, Jeep Phommavong- 1882.03, Cara Reinders- 1222.35, Daniel Rodasky- 1524.96, Jutharatana Ruenprom- 1197.22, Linda Schovanec- 1206.40, Justin Smith- 1217.13, Francis Tope- 1370.16, Charvette Williams- 1305.84, Jewel Williams- 1115.79, Daniel Wood- 1169.60, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 1059.96, Bonnie Kahler- 699.40 and Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 10,973.17, State- 3,682.54, Social Security Tax- 6,702.82, Medicare- 1,567.57, Retirement- 5,131.49, DC Health Plan- 237.50, DC Dental Plan- 472.50, Colonial Health- 16.20, Sheriff Union Dues- 280.00, Deferred Comp- 639.00, Garnishments- 1,011.50, Aflac Health- 347.92, Aflac Life/Dsbl- 106.35 and Flex Plan- 737.37.

COUNTY ROAD PAYROLL: Gross salaries- \$13,816.46, Road Employees Net Pay- \$9,634.07, Employer deductions paid: Retirement- 932.76, DC Health Plan- 4,050.00, DC Dental Plan- 126.00, Life Insurance- 24.30, Social Security Tax- 839.48 and Medicare- 196.34.

Brent Byroad- 1208.00, Robert Hacker- 1168.00, Ronald Harder- 1176.00, Richard Hoelsing- 1178.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1538.46, Kimon Litras- 1176.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, Kip Reinbold- 1088.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,252.75, State- 423.74, Social Security- 839.48, Medicare- 196.34, Retirement- 621.83, DC Health Plan-, DC Dental Plan- 84.00, Reassure America

Life- 4.88, Deferred Comp.- 61.68, Garnishments- 281.55, Aflac Health- 147.06, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50 and Union Dues- 180.00.

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

Kyle Krumwiede appeared before the board on behalf of the Ag. Society and requested authorization from the County Board to authorize a Special Designated Liquor License for them to operate a beer stand at the County Fair July 24<sup>th</sup> through July 27<sup>th</sup>, 2008.

Commissioner O'Neill took her seat at 1:36 p.m.

Commissioner Engel moved, seconded by Commissioner McLarty to authorize and approve the Issuance of a Special Designated Liquor License to the Ag. Society for the fair: July 24, 25, 26 and 27, 2008.

BE IT FURTHER RESOLVED to recommend that the State Liquor Control Commission approve the same.

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

Chair Hartnett called for the agenda item "Closed Executive Session - regarding a proposed settlement of the pending Dakota Cold Storage TERC case.

Commissioner Rohde moved, seconded by Commissioner Hartnett to convene into Closed Executive Session concerning a proposed settlement of the pending Dakota Cold Storage TERC case.

ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea and Rohde- yea.  
UNANIMOUS MOTION CARRIED 1:39 p.m.

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

ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, McLarty- Yea, Rohde- yea and O'Neill- Yea.  
UNANIMOUS MOTION CARRIED 2:00 p.m.

Commissioner McLarty moved, seconded by Commissioner Engel to give the County Attorney's Office the authority to counter offer to Dakota Cold Storage in the amount specified in Closed Executive Session.

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

Commissioner Hartnett called for the agenda item "Tabled Items" and there were none.

Commissioner Hartnett called for the agenda item Board Committee Reports and Commissioner

Commissioner Engel reported that he had a meeting in Norfolk.

Commissioner O'Neill reported that her Roof Committee had a meeting and John Cain and Tom Bousquet provided them with some information what they felt should be done with the roof. The committee will be getting specifications together to put the project out for bids.

Commissioner Hartnett reported that her and Commissioner Rohde were working on the committee to look at the feasibility of the Extension Office moving to the Papio Missouri NRD Building. She said that they had Ms. Spencer look up in the record of the County Commissioners agreement with the Papio Middle Missouri NRD and in looking at some what rents were being paid for office space. They were getting \$11.50 per square foot for the new Great West Casualty space and most buildings in South Sioux City would come in at 8 to 10 dollars per square foot.

Commissioner Rohde reported that when that agreement was originally made with the NRD the \$350 thousand was an inflated amount and they did not feel the county would ever get to that. He felt that allocating \$50,000 rent toward that figure was a mute point because he didn't think that the county would ever get to that figure anyway. He felt that if they decide to rent that from NRD for the Extension Office, there is no reason to tie them together.

Chair Hartnett called for the agenda item Public Comment and there was none.

Chair Hartnett asked for public comment from the audience and there was none.

Chair Hartnett called for the agenda items mail and emergency business and there were none.

With no further business to conduct at this time, Chair Hartnett adjourned their meeting at 2:09 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Harnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book

Dakota County Board of Commissioners  
Emergency Meeting  
Monday, May 19, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their Emergency Meeting to order at 1:30 p.m. with the Pledge of Allegiance being recited.

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

Absent: None

The agenda for this meeting was as follows:

DAKOTA COUNTY BOARD OF COMMISSIONERS  
MAY 19, 2008 EMERGENCY MEETING  
COUNTY BOARD ROOM  
DAKOTA COUNTY COURTHOUSE  
DAKOTA CITY, NEBRASKA

1. 1:30 p.m. Call meeting to order with Pledge of Allegiance  
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.
  - Roll Call
  - Approve minutes of last meeting
  - Public Hearing for Visitor Promotion Fund –The purpose of this hearing is to increase the budget expenditures of the Visitors Promotion Fund to allow all the collected lodging tax to be disbursed to the South Sioux City Chamber of Commerce for the Visitors Bureau.  
Motion to increase the Visitor Promotion budget authority by \$22,000 from \$152,000 to \$174,000.
2. 1:40 p.m. Review and approve Accounts Payable Claims and Payroll Claims
3. 1:45 p.m. Approve Lease Purchase Agreement with NACO Resolution.

IN THE COUNTY OF DAKOTA  
IN THE STATE OF NEBRASKA

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION APPROVING, ADOPTING, RATIFYING AND AFFIRMING THE EXECUTION AND PERFORMANCE OF A LEASE-PURCHASE AGREEMENT WITH NACO LEASING CORPORATION FOR ACQUISITION OF PROPERTY.

BE IT RESOLVED by the Board of Commissioners of the County of Dakota, in the State of Nebraska, that this Board hereby approves and authorizes the acquisition of a cargo van by the County of Dakota through a Lease-Purchase Agreement with NACO Leasing Corporation. The Lease-Purchase Agreement shall include the following terms, with such changes as are deemed reasonable or necessary by the Chairperson of the Board of Commissioners.

1. Principal Amount: \$20,694.00
2. Interest Rate: \_\_\_\_\_%
3. Payment Amount: \$\_\_\_\_\_
4. Term: June 4, 2008 through June 1, 2010
5. Payment Frequency: semiannual, beginning December 1, 2008

Settlement and closing of the Lease-Purchase Agreement shall be on or about June 4, 2008. NACO Leasing Corporation shall send payment to the equipment vendor or owner for acquisition of the property on the date on which NACO Leasing Corporation receives the signed Lease-Purchase Agreement and accompanying documents from the County.

BE IT FURTHER RESOLVED, that the Chairperson or Vice Chairperson of the Board of Commissioners and the County Clerk are hereby authorized and directed to sign the Lease-Purchase Agreement and related certificates and documents.

This Resolution shall be in full force and effect from and after its passage and all resolutions or orders, or parts thereof, in conflict with the provisions of this Resolution, are to the extent of such conflict, hereby repealed.

Passed and adopted this 19<sup>th</sup> day of May, 2008.

COUNTY OF DAKOTA, NEBRASKA

\_\_\_\_\_  
Chairperson, Board of Commissioners

\_\_\_\_\_  
\_\_\_\_\_

4. 1:50 p.m. Adjournment.

Chair Hartnett read the following letter from County Attorney Kim Watson.

On Friday, May 16, 2008, at approximately 4:00 p.m. I became aware that the Board Meeting scheduled for Monday, May 19, 2008, has not been published. There has been no notice to the public in accordance with Nebraska Revised Statute 84-1411. As a result, the issues that the public was not given notice of should not be discussed at the Board Meeting on May 19, 2008.

As you asked, I advised the other Commissioners and Mr. Piepho of your decision to hold an Emergency Meeting to discuss only the payroll and claims on Monday, May 19, 2008, at 1:30 p.m. on May 16, 2008, as you requested I asked Mr. Piepho to give the media reasonable notice of the Emergency Meeting that will be held on Monday, May 19, 2008, at 1:30 p.m. to discuss payroll and claims.

Chair Hartnett asked the Deputy County Attorney Deb Fergen if it would be in order to approve the minutes since this is an emergency meeting.

Ms. Fergen said that there is a time frame in which the minutes should be approved, but if the board didn't see it as an emergency, then approving the minutes should wait until the next meeting on June 2<sup>nd</sup>.

Chair Hartnett asked for the Board's pleasure.

Commissioner McLarty moved, seconded by Commissioner Engel to approve the minutes of May 5, 2008 as typed and prepared for the Official Record.

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

Chair Hartnett opened the Public Hearing for Visitor Promotion Fund at 1:32 p.m. The purpose of this hearing was to increase the budget expenditures of the Visitors Promotion Fund to allow all the collected lodging tax to be disbursed to the South Sioux City Chamber of Commerce for the Visitors Bureau.

Donna Goodier came forward and introduced herself and said that she was available to answer any questions.

Chair Hartnett asked if there were any questions from the audience.

Sally Reinert asked to come forward and asked if the Visitor's Bureau would do any advertising promoting the Hubbard Lake when it was finished.

Ms. Goodier said that they market all attractions in Dakota County the same and yes they would.

With no further comments or questions from the public, Chair Hartnett closed the hearing at 1:37 p.m.

Commissioner Engel moved, seconded by Commissioner Rohde to increase the Visitor Promotion budget authority by \$22,000 from \$152,000 to \$174,000 and to direct the budget to be increased by said amount.

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

Chair Hartnett called for the agenda items to review and approve Accounts Payable Claims and Payroll Claims.

Joan Spencer, Assistant to the Board, briefed the Board on the claims. She said that there were no problems with payroll, but noted that there were five new jailers hired, one in the Road Department and that Terry Kern would receive his \$1,000 evaluation increase.

She said that there was nothing unusual about the Accounts Payable Claims.

Commissioner McLarty moved, seconded by Commissioner Engel to approve the Payroll Claims and the Accounts Payable Claims submitted by the County Clerk for payment, as follows:

COUNTY GENERAL FUND: Gross salaries- \$112,789.88, General Fund Employees Net Pay- \$80,614.74, Employer deductions paid: Retirement- 7,853.62, Social Security Tax- 6,876.07, Medicare- 1,608.12, DC Health Plan- 29,025.00, DC Dental Plan- 903.00 and Life Insurance- 183.30.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 503.10, Tracey Corkin- 1052.76, Marisol Curiel- 1045.33, Bobbi Jo Harsma- 1209.00, Theodore Piepho- 1599.88, Darlene Davis- 885.60, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 948.00, Kim Kuehl- 885.60, Phyllis Ridge- 862.65, Margaret Rahn- 1194.00, Daniel Christoffers- 582.08, Dennis Reinert- 209.97, Valerie Danielson- 1599.88, Lori Jessip- 752.50, Cheryl Perkins- 1120.00, Joe Flynn- 1713.92, Debra Jensen- 1040.00, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 940.00, Tracey Corkin- 22.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 893.78, Jeremy Bermel- 3048.00, Anthony Bos- 1723.30, Sandy Dickens- 441.37, Brian Ellinger- 1743.25, Penny Epting- 1605.08, Brent Gilster- 1755.13, Todd Hammer- 1586.50, Melvin Harrison III- 1605.50, Rodney Herron- 1742.74, Jason James- 1304.07, Kimberly Johnson- 360.00, Jared Junge- 1556.38, Michael Kreegar- 1543.75, Gayle Richards- 829.60, Kevin Rohde- 2996.42, James Wagner- 1599.88, Randall Walsh- 1637.33, Kerry Johnson- 880.00, Sara Meadows- 1653.85, Debra Schmiedt- 2230.77, Mary Spurlock- 880.00, Aimee Uhl- 1024.00, Kimberly Watson- 2588.46, Caterina Chapman- 1142.41, Jacob Acero- 1181.25, Ermelinda Ballesteros- 1462.35, Joshua Blatchford- 1200.06, Dusty Boyd- 1206.69, Rebecca Broer- 1462.42, Sandy Dickens- 662.05, Michael Estes- 1315.80, Lisa Ford- 1161.49, Joseph Gee- 513.99, John Gilles- 1313.85, Alma Gunderson- 1372.54, Paula Harrigfeld- 1249.76, Cathy Harsma- 1231.73, Deanna



Haukap- 1140.62, Jackie Heaton- 1718.00, Adam Hough- 1109.40, Sarah Jensen- 790.00, Brett Johnson- 1171.74, Nicholas Kellen- 1126.71, Brenda Kelly- 1196.52, Terry Kern- 1769.23, Mark Nelson- 1252.50, Travis Olander- 562.38, Kimberly Peterson- 526.76, Cara Reinders- 1168.44, Daniel Rodasky- 1540.62, Jutharatana Ruenprom- 1087.95, Linda Schovanec- 1221.48, Justin Smith- 1018.91, Francis Tope- 1276.27, Charvette Williams- 1158.01, Jewel Williams- 1069.49, Matthew Wise- 526.76, Daniel Wood- 1257.32, Jolene Gubbels- 877.60, Leon Pies- 695.90, Pamela DeVries- 1558.06, Patricia Glover- 1090.62, Bonnie Kahler- 543.38, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 10,224.32, State- 3,531.57, Social Security Tax- 6,876.07, Medicare- 1,608.12, Retirement- 5,320.52, DC Health Plan- 237.50, DC Dental Plan- 514.50, Colonial Health- 16.20, Sheriff Union Dues- 320.00, Deferred Comp- 639.00, Garnishments- 1,655.80, Aflac Health- 380.12, Aflac Life/Dsbl- 114.05, Flex Plan- 737.37.

COUNTY ROAD PAYROLL: Gross salaries- \$14,661.31, Road Employees Net Pay- \$10,295.62, Employer deductions paid: Retirement- 989.65, DC Health Plan- 4,050.00, DC Dental Plan- 126.00, Life Insurance- 24.30, Social Security Tax- 891.74 and Medicare- 208.57.

Brent Byroad- 1208.00, Robert Hacker- 1168.00, Ronald Harder- 1176.00, Richard Hoelsing- 1290.65, Hans Houfek- 1277.50, Robert Jacobsen- 1180.00, Fred Kellogg- 1538.46, Robert Lillard- 646.00, Kimon Litras- 1180.00, Arnold Mellick- 1180.00, Leon Pies- 586.00, Kip Reinbold- 1088.00, James Swanson- 1142.70.

ROAD FUND: Employee withholding paid to: Federal- 1,309.79, State- 445.58, Social Security- 891.74, Medicare- 208.57, Retirement- 659.76, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 4.88, Deferred Comp.- 61.68, Garnishments- 281.55, Aflac Health- 147.06, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50, Union Dues- 180.00.

VISITORS PROMOTION: South Sioux City Chamber of Commerce: Lodging tax- 11,754.50.

Accounts Payable Claims:

GENERAL FUND: Dakota County Star, publishing- 109.55; Secretary of State, notary renewal- 30.00; Perkins Office Solution, office supplies- 5.84; Staples, office supplies- 211.95; Theodore A. Piepho, cell phone reimbursement- 20.00; Robert H. Giese, mileage- 121.20; 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; Das lmservices, data storage- 3.50; Microfilm Imaging Systems, April rent/24 rolls film; Dakota County Star, primary elec notice- 600.80; Election Systems & Software, layouts & ballots- 2097.37; Printelect, padlocks & fast seals- 43.90; Security Shredding Service, shredding of documents- 89.55; Todds Storeall, May storage- 80.00; DiAnn Albertson, elec worker- 81.00; Nellie M. Anderson, elec worker/mileage/training- 96.02; Jacquelyn Archer, elec worker/mileage/training- 94.01; Betty Bliven, elec worker/mileage/training- 98.02; Beverly Bliven, elec worker/training- 112.06; Linda Bloomfield, elec worker- 72.00; Robert Boals, elec worker/mileage/training- 101.05; Alan Boyd, elec worker- 25.00; Dusty Boyd, elec worker- 25.00; Linda K. Brostad, elec worker- 81.00; Jannette Burns, elec worker/mileage/training- 104.05; Mary Cahill, elec worker/mileage/training- 104.05; Josephine Cain, elec worker/mileage/training- 98.05; Linda Carson, elec worker- 25.00; Susan Church, elec worker/mileage/training- 99.03; Judy Curry, elec worker/mileage/training- 99.03; Margaret Croxen, elec worker/mileage/training- 98.02; Ron Dahlman, elec worker/mileage- 203.83; Staci Dahlman, elec worker- 120.00; Craig Dean, elec poll set up- 400.00; Peggy Demke, elec worker/mileage/training- 99.03; Connie Denker, elec worker/mileage/training- 118.25; Rita Diekert, elec worker- 55.00; David L. Donnelly, elec worker/mileage/training- 137.22; Pat Donnelly, elec worker/mileage/training- 117.12; Linda Elmendorf, elec worker/mileage/training- 107.14; Catherine Eriksen, elec worker/training- 96.00; Arthur Eslick, elec worker/mileage/training- 97.56; Pharyce Eslick, elec worker/mileage/training- 91.50; Aloise Ferris, elec worker- 81.00; Myra Gentrup, elec worker/mileage/training- 118.25; Jackie Gierman, elec worker/mileage/training- 97.01; Patricia Giese, elec worker/mileage/training- 97.52; Sharon Greenleaf, elec worker/mileage/training- 100.07; Sharon Hartnett, elec worker/mileage/training- 101.08; Bertha Hines, elec worker/mileage/training- 98.53; Claudia Horner, elec worker/mileage/training- 98.02; Grace Horner, elec worker- 25.00; Ginger Huggenberger, elec worker- 116.25; Marjorie Jarvill, elec worker/mileage/training- 97.52; Charlene Jensen, elec worker/mileage/training- 108.12; Trudy Jepsen, elec worker/mileage/training- 126.23; Jan Johansen, elec worker/mileage/training- 114.08; Roger Johansen, elec worker- 25.00; Betty Jorgensen, elec worker/mileage/training- 112.11; Mary E Kelley, elec worker/mileage/training- 101.02; Diana Kincaid, elec worker/mileage/training- 102.06; May Kleinberg, elec worker/mileage/training- 97.42; Joan Koch, elec worker/mileage/training- 101.02; Terrance Koebernick, elec worker/mileage/training- 115.06; Chris Knudsen, elec worker- 35.00; Laura Kruse, elec worker- 79.50; Mary Jo Kurmel, elec worker/mileage/training- 101.02; Lois Larson, elec worker/mileage/training- 104.05; John Loos, elec worker- 25.00; Marvel Lukens, elec worker/mileage/training- 118.25; Randy Lussier, elec worker/mileage/training- 107.14; Jean Lynch, elec worker/mileage/training- 129.23; Margaret P Mari, elec worker/mileage/training- 101.08; Joanne Mast, elec worker/mileage/training- 101.02; Mary McGowen, elec worker/mileage/training- 107.14; Janet Merchant, elec worker/mileage/training- 97.01; Frank Morse, elec worker/mileage/training- 114.08; Darlene Nielsen, elec worker/mileage/training- 99.03; Phyllis Obermeyer, elec worker/mileage/training- 104.05; Frederick M Penner, elec worker/mileage/training- 96.00; Doris Phillips, elec worker/mileage/training- 115.09; Chris Piepho, elec worker- 25.00; Tim Piepho, elec worker- 25.00; Delores Porter, elec worker- 81.00; Anita Rector, elec worker/mileage/training- 97.52; Janice Roeber, elec worker/mileage/training- 118.25; Alice Schreiber, elec worker/mileage/training- 97.52; Shirley Sides, elec worker/canvass- 67.50; Joan Spencer, elec worker- 25.00; Geraldine Tramp, elec worker/mileage/training- 110.07; Irene VanLent, elec worker/mileage/training- 108.12; Nancy Walsh, elec worker- 25.00; Karlyn Watkins, elec worker/mileage/training- 117.14; Donald Wilke, elec worker/mileage/training- 123.12; Arlyn Wilson, elec worker/mileage/training- 116.10; Clara Woten, elec worker/mileage/training- 115.10; Dakota County Star, meeting notice- 6.94; DeLage Landen Fin Service, copier rental- 91.00; Dennis Reinert, phone- 30.00; Staples, recorder- 59.99; Executive Technologies, main agreement- 178.00; Net Systems+, repair computers- 145.76; Staples, office supplies- 218.39; Antelope County Court, reimbursement/transcribe supplies- 5.18; AS Central Finance, office supplies- 358.55; Century Business Products Inc, toner- 91.41; Dakota Business System, ricoh equip payment- 99.00; General Business Interiors, 7 office chairs- 1785.00; Midwest Office

Automations, copier contract-503.06; New Perspectives Inc, shredding- 14.70; Kurt Rager, office chair reimbursement- 201.39; Thomson West, cd rom service & crt rules pamphlet- 331.00; Dakota County Court, crt cost- 1009.81; Chris Hedquist, witness fee- 21.01; Randy S. Hisey, court appointed counsel- 588.00; Dennis Hurley, court appointed counsel- 1920.00; Kueny Law Office, court appointed counsel- 1858.43; Stuart Mills, court appointed counsel- 960.00; Douglas Roehrich, court appointed counsel- 834.00; Bryan Smith, court appointed counsel- 527.82; Patrick Tott, court appointed counsel- 318.00; William L. Binkard, reimbursement- 222.88; Frank Gonzalez, interpreter fee- 600.00; Perkins Office Solutions, office supplies- 76.32; Thompson West, westlaw services April- 493.75; Valerie Danielson, reimbursement- 8.94; Dakota County District Court, claim list criminal & civil- 506.00; Randy Hisey, court appointed counsel- 342.00; Susan Hunke, mental health crt reporting- 60.00; New Perspectives, security grinding- 81.75; Michael Schmiedt, mental health training- 90.00; Bryan Smith, court appointed counsel- 680.73; Patrick Tott, mental health hearing & court appointed counsel- 402.00; Maxiums, cost allocation- 548.59; Amsan, jail supplies- 1074.96; Ateam Heating, heat repair- 127.50; Benstar Packaging, janitorial supplies- 352.00; Dakota Food & Fuel, gas- 33.00; Bomgaars, supplies- 225.79; Gill Hauling, dumpster service- 240.00; Grainger, striping machine- 221.58; H204U, softener repair- 267.27; Janitor Depot Inc, jail supplies- 174.68; Rick Jensen, mileage- 119.88; Menards, supplies- 621.15; MidAmerican, gas bill- 3359.87; NPPD, electric bill- 2814.59; Net Systems+, computer repair- 39.58; O'Keefe Elevator, elevator repair- 144.72; Share, janitorial supplies- 99.96; Verizon Wireless, cell phone/equipment- 132.45; Trembly Pest Control, pest service- 85.00; Dakota County Extension, reimbursement- 710.67; A-1 Auto Salvage, vehicle maintenance- 35.00; Ammunition, ammunition- 598.00; Bort Auto Body, vehicle repairs- 99.00; Circle R Frame Aligners, vehicle maintenance- 86.25; City of South Sioux City, long distance calls/fuel- 3970.32; Dakota County Sheriff, batteries/net material fee/mdts from sscpd-584.84; Dakota Food & Fuel, fuel- 1038.00; Electronic Engineering, radio repairs/remove & install equip- 1752.70; Fremont RV, vehicle repairs- 50.00; Fremont Tire, vehicle maintenance/tire repairs- 2441.67; JP Cooke Company, notary stamps- 107.94; Jacks Uniforms, vest/uniforms-1244.45; Tom Lovan, interpreter- 40.00; MPH Industries, cable & antenna assembly- 47.69; New World Inn, lodging- 240.00; JR Pantoja, interpreter- 85.00; Racom, phone access line- 694.20; Siouxland FCU, reimbursements- 892.16; Torco-Remfg, alternator- 367.00; Treat America Food Service, training meals- 1085.28; Verizon Wireless, cell phones- 67.71; Willis Animal Clinic, k-9 appointments- 121.956; Dakota County Sheriff, papers/warrants- 1082.55; Dakota County Star, legal ad- 119.20; Denison Bulletin, legal ad- 30.20; Department of Motor Vehicles, transcripts/driving records- 27.00; H204U, misc office supplies- 17.75; Iowa Office Supply Inc, copier contract- 90.18; Kim Watson, reimbursement/employment ad-426.87; MM Court Reporting, deposition- 425.00; New Perspectives Inc, shredding service- 38.70; Quill, office supplies- 80.04; Sarah Meadows, mileage- 76.26; Thurston County Court, subpoena fees- 42.81; Verizon Wireless, cell phones- 230.57; City of South Sioux, lec expense/lec true up- 48058.54; Verizon Wireless, cell phone- 55.08; Vigil Net, scram bracelet- 632.37; AmSan, kitchen supplies/laundry supplies- 177.68; BI Inc, house arrest- 799.10; Bob Barker, supplies/van insert- 9817.25; Cbm Food Service, meals- 20135.43; Cash-Wa Distributing, kitchen supplies- 38.05; Crittenton Center, inmate medical- 70.50; Dakota Business Systems, copier contract- 281.00; Dakota County Sheriff, transport meals/school physical- 38.66; Dakota Family Dentistry, inmate medical- 501.00; Dakota Food & Fuel, fuel- 766.69; Delta Gloves, gloves- 464.40; Dept of Correctional Services, safekeepers medical-8579.37; Sandy Dickens, mileage- 97.90; Dunes Medical Lab, inmate medical- 32.50; Jacks Uniforms, uniforms- 48.30; Jackson's Glass, door repair- 110.00; Joe's Dept Store, pressure washer hose- 76.59; J Conrad Johansen, administer tabe tests- 76.35; MCH Anesthesia Services, inmate medical- 750.00; Mercy Bus Health, inmate medical-2262.00; Mercy Medical Center, inmate medical- 8267.39; Midwest Office Automations, copier contract- 180.49; Moore Medical, medical supplies- 151.20; N.E. NE Juvenile Service, juvenile holding- 4433.75; NW Iowa Emergency Phys, inmate medical-302.00; Net Systems+, computer issues- 264.77; New World Inn, lodging- 240.00; Redlers Pharmacy, inmate meds- 43.50; Safeguard Business Systems, receipt book- 57.29; Siouxland Federal Cr Un, reimbursements-366.25; Siouxland Radiology Partners, inmate medical- 581.00; Stanard & Associates, corrections tests- 309.00; Staples, supplies- 44.95; Verizon Wireless, cell phones- 258.58; Wal-Mart, supplies/inmate meds-1650.28; Woodbury Co Juvenile Detention, juvenile holding- 7100.00; Olsson & Assoc, general services- 315.00; Verizon Wireless, cell phone- 32.98; Alpha Land Surveying, establish corners- 4575.00; Dunes Family Medicine, consulting physician- 250.00; Pat Glover, mileage- 123.22; Pam DeVries, mileage- 70.70; Perkins, supplies- 145.29; Alltel, cell phone- 104.51; Moore Medical, supplies- 2166.58; Midwest Office Automations, copier contract- 275.72; Deana Beckman, hrs worked/mileage- 1194.84; Alan Boyd, mileage- 803.96; Electronic Engineering, pager- 13.95; Thompson West, law books- 79.75; Business Telecomm System, repairs- 714.00; CableOne, monthly internet- 208.90; C & H Heavy Duty Specialist Inc, contract Jan-Mar 08- 750.00; City of South Sioux, 08 library contribution- 40000.00; DeLage Landen Financial Services, copier lease-110.69; Executive Technologies, copier services-78.00; FSH Comm, payphone- 63.60; Lazette Gifford, website upkeep-40.00; Halser Inc, postage meter rental- 249.00; Madelyn Thorland, prior yrs service- 10.00; MIPS, support- 380.97; Qwest, phone service-1349.89; Three Rivers Benefit, flex plan admin- 75.00; US Postal Service, postage- 2500.00; WCS Telecom, telephone- 383.04; Spencer Fane, legal fees- 56.00; Road Improvement Fund, budget transfer- 2000.00; Weed Fund, budget transfer- 2000.00

ROAD FUND: A-1 Auto Salvage, parts- 60.00; Advanced Auto, supplies- 7.98; Aramark, towel service- 219.96; Barkley Asphalt, asphalt- 226.00; Bomgaars, supplies- 44.34; Calif. Contractors Supplies, shop supply- 107.60; Diesel Specialties Inc, parts/labor- 607.12; Filter Care of NE, filter cleaning- 21.55; Gill Hauling, dumpster service- 55.00; Great Plains International, parts- 39.96; Guarantee Oil, shop supply- 119.28; Walter Heinemann, prior yrs service- 29.00; Heritage Express, fuel- 127.30; Huber Mini Mart, fuel- 9353.17; H204U, water service- 8.50; J & J's Pronto, fuel- 1230.20; Jim Hawk Truck Trailers Ins, parts- 28.29; Joe's Dept Store, part/supplies- 197.15; L.G. Everist Inc, gravel- 8739.94; Linweld, shop supply- 36.95; Marx Truck/Trailer, parts- 36.23; Medical Enterprises, drug testing- 89.70; Midwest Svc & Sales, blades/culverts/signs- 5717.42; Marlan Millard, prior yrs service- 15.00; NPPD, homer elec service- 39.15; NE Neb PPD, electric bill- 199.79; NNTC, phone service-174.13; Pilger Sand & Gravel- gravel- 2317.82; Pumps, tires- 179.00; Power Plan Murphy, parts/shop supplies- 1019.64; Sams Club,

membership dues- 70.00; St Lukes Occ Health, drug testing- 103.00; Stalp Sand & Gravel- 13670.33; Steffen, parts- 84.77; Verizon Wireless, phone service- 49.77; Warren Oil, fuel- 8025.43  
ROAD IMPROVEMENT: Olsson Associates, bridge service-2868.46;  
VETERANS AID: Veterans Office, aid- 415.00;  
LEC GRANT: City of South Sioux City, state homeland security grant- 19446.50  
PUBLIC SAFETY: Jail Bond Fund, 88% sales tax- 18091.59; City of South Sioux, 12% sales tax- 2467.04;  
WEED FUND: Central Valley Ag, chemicals- 416.18; Dakota County Star, weed ad- 144.00; GCR Tire Center, tires- 501.52; Heritage Express, fuel- 143.00; Hubbard Mini Mart, fuel- 445.00; Joe's Dept Store, sprayer parts- 9.93; Leon Pies, workshop- 10.00; Staples, office supplies- 50.96;  
ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, McLarty- Yea and Rohde- yea.  
UNANIMOUS MOTION CARRIED.

Chair Hartnett adjourned their meeting at 1:38 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Harnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book

Dakota County Board of Commissioners  
Monday, June 2, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their Regular Scheduled Meeting to order at 1:45 p.m.

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

Absent: None

The agenda for this meeting was as follows:

1:45 p.m. Call meeting to Order.

- 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.
- Roll Call
- Approve Minutes of May 19, 2008.
- Review and approve Payroll and Accounts Payable Claims submitted by County Clerk for payment. Approve same.

1:46 p.m. Pat Foust - Resolution authorizing the Dakota County Emergency Management Agency to proceed with eleven other NE Nebraska counties in formalizing an emergency management communications planning, exercise and training (PET) region; to appoint the Dakota County Emergency Management Director to this Emergency Management Regional group (Northeast Nebraska Region) as Dakota County's representative to fulfill all duties as required by the regional group in the best interests of Dakota County representative to the PET governance board.

1:55 p.m. Pat Foust and Nanci Walsh to explain to the Commissioners why insurance transfers are needed from the LEC accounts to the city account.

- Approve transfers

2:00 p.m. Misc. agenda items.

- RESOLUTION NO. 08C-005 A RESOLUTION APPROVING, ADOPTING, RATIFYING AND AFFIRMING THE EXECUTION AND PERFORMANCE OF A LEASE-PURCHASE AGREEMENT WITH NACO LEASING CORPORATION FOR ACQUISITION OF PROPERTY. The property to be purchased is a van for the Department of Corrections.

Tabled Items – No tabled items to consider

Committee Reports

Commissioner Member Reports

Public Comment

Mail and/or Emergency Business

2:10 p.m. Adjournment

Commissioner McLarty moved, seconded by Commissioner Engel to approve the minutes as typed and prepared for the Official Record.

Commissioner O'Neill said that the minutes are fine, but said she felt that she voted wrong and asked that she be allowed to change her vote on approving the May 5, 2008 minutes, which were approved in their May 19, 2008 Emergency Meeting. She cited page number 395, in the Roberts Rules of Order, "Changing one's vote" addresses that and made a motion to change her vote.

Chair Hartnett asked the Deputy County Attorney whether that was permissible and she said it was not on the agenda.

The chair asked the County Clerk to put it on the next agenda.

Commissioner McLarty asked for a point of order and according to what Betty read, and it was clarified that she was reading from the Robert's Rule of Order, it stated that it has to be done at the time it is brought up for approval, which would be now, so wouldn't we have to act on it now?

Ms. Fergen explained that she would have had to do that last meeting and to do it after the last meeting, in which the action was done, takes approval by the other four members and it's not on the agenda.

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

Chair Hartnett called for the agenda item "Review and approve Payroll and Accounts Payable Claims submitted by County Clerk for payment. Approve same."

Commissioner Engel moved, seconded by Commissioner McLarty to approve the Payroll and Accounts Payable Claims submitted by the County Clerk for payment as follows:

COUNTY GENERAL FUND: Gross salaries- \$120,359.60, General Fund Employees Net Pay- \$84,697.92, Employer deductions paid: Retirement- 8,395.78, Social Security Tax- 7,331.66, Medicare- 1,714.66, DC Health Plan- 29,700.00, DC Dental Plan- 924.00, Life Insurance- 187.75.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 468.00, Tracey Corkin- 405.76, Marisol Curiel- 898.59, Bobbi Jo Harsma- 1034.40, Theodore Piepho- 1599.88, Darlene Davis- 885.60, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 948.00, Kim Kuehl- 874.53, Phyllis Ridge- 880.88, Margaret Rahn- 1194.00, Daniel Christoffers- 468.00, Dennis Reinert- 209.97, Valerie Danielson- 1599.88, Lori Jessip- 677.25, Cheryl Perkins- 1120.00, Joe Flynn- 1713.92, Debra Jensen- 1040.00, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 940.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 911.42, Jeremy Bermel- 1995.56, Anthony Bos- 2193.55, Sandy Dickens- 441.37, Brian Ellinger- 2492.80, Penny Epting- 1401.97, Brent Gilster- 1985.50, Todd Hammer- 1876.25, Melvin Harrison III- 2360.75, Rodney Herron- 2069.44, Jason James- 1804.92, Kimberly Johnson- 370.07, Jared Junge- 2599.53, Michael Kreegar- 1748.00, Gayle Richards- 829.60,

Kevin Rohde- 2622.91, James Wagner- 1599.88, Randall Walsh- 1819.30, Kerry Johnson- 880.00, Sara Meadows- 1653.85, Debra Schmiedt- 2230.77, Mary Spurlock- 880.00, Aimee Uhl- 1044.00, Kimberly Watson- 2588.46, Caterina Chapman- 1142.41, Jacob Acero- 1233.94, Ermelinda Ballesteros- 1307.58, Joshua Blatchford- 1343.43, Dusty Boyd- 1451.92, Rebecca Broer- 1348.20, Sandy Dickens- 662.05, Michael Estes- 1893.29, Lisa Ford- 1304.10, Joseph Gee- 1063.10, John Gilles- 1431.46, Alma Gunderson- 1737.68, Paula Harrigfeld- 589.84, Cathy Harsma- 1412.79, Deanna Haukap- 1312.80, Jackie Heaton- 1538.00, Adam Hough- 1112.63, Sarah Jensen- 800.00, Brett Johnson- 1382.37, Nicholas Kellen- 1333.67, Brenda Kelly- 1161.12, Terry Kern- 1769.23, Keith Klein- 1115.82, Mark Nelson- 1215.00, Travis Olander- 1163.30, Kimberly Peterson- 1106.24, Cara Reinders- 1291.94, Daniel Rodasky- 1295.39, Jutharatana Ruenprom- 1402.67, Linda Schovanec- 1221.48, Justin Smith- 1331.92, Francis Tope- 1279.76, Charvette Williams- 1323.23, Jewel Williams- 1208.40, Matthew Wise- 1106.24, Daniel Wood- 1388.90, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 1066.97, Bonnie Kahler- 667.12, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 12,298.68, State- 4,134.24, Social Security Tax- 7,331.66, Medicare- 1,714.66, Retirement- 5,692.43, DC Health Plan- 475.00, DC Dental Plan- 514.50, Colonial Health- 16.20, Sheriff Union Dues- 300.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 364.09, Aflac Life/Dsbl- 110.20, Flex Plan- 737.37.

COUNTY ROAD PAYROLL: Gross salaries- \$15,333.91, Road Employees Net Pay- \$10,861.31, Employer deductions paid: Retirement- 1,001.30, DC Health Plan- 4,387.50, DC Dental Plan- 136.50, Life Insurance- 26.55, Social Security Tax- 933.45, Medicare- 218.33.

Brent Byroad- 1275.95, Robert Hacker- 1168.00, Ronald Harder- 1176.00, Richard Hoelsing- 1180.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1538.46, Robert Lillard- 1088.00, Kimon Litras- 1180.00, Arnold Mellick- 1180.00, Christopher Paine- 500.00, Leon Pies- 586.00, Kip Reinbold- 1088.00, James Swanson- 1025.50.

ROAD FUND: Employee withholding paid to: Federal- 1,345.37, State- 457.67, Social Security- 933.45, Medicare- 218.33, Retirement- 667.53, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 4.88, Deferred Comp.- 61.68, Garnishments- 281.55, Aflac Health- 147.06, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50, Union Dues- 180.00.

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

Chair Hartnett called for the agenda item "Pat Foust - Resolution authorizing the Dakota County Emergency Management Agency to proceed with eleven other NE Nebraska counties in formalizing an emergency management communications planning, exercise and training (PET) region; to appoint the Dakota County Emergency Management Director to this Emergency Management Regional group (Northeast Nebraska Region) as Dakota County's representative to fulfill all duties as required by the regional group in the best interests of Dakota County representative to the PET governance board" and asked Mr. Pat Foust to come forward.

Pat Foust said that the State Management Office has organized Nebraska into twelve Regions and that all grants are awarded through the Region and each Region is to form a Board for the Region.

He was asking the County to be part of one of the twelve Regions, by passing a Memorandum of Understanding Northeast Nebraska Region Planning Committee and to pass a Resolution to appoint himself Pat Foust to the group known as the NORTHEAST PET & INTEROPERABLE COMMUNICATIONS REGION to fulfill all duties as required by the regional group. He added that the past County Attorney had looked at the documents, which prompted Commissioner O'Neill to ask him if the present County Attorney had looked at it, which she had not.

Commissioner O'Neill stated that she felt the present County Attorney, Kim Watson, should review the documents.

Commissioner Engel moved, seconded by Commissioner McLarty to approve the Memorandum of Understanding Northeast Nebraska Region Planning Committee and Resolution 08C-006 to appoint Pat Foust to the group known as the NORTHEAST PET & INTEROPERABLE COMMUNICATIONS REGION to fulfill all duties as required by the regional group, as follows:

Memorandum of Understanding  
Northeast Nebraska Region Planning Committee

Overview

*Dakota County* recognizes the need for regional planning, exercise, and training (PET) for coordination within the region. Today's public safety realities have highlighted the need for counties to function regionally and establish the PET process for interoperable communications, mutual aid, and emergency response plans. This process not only goes beyond traditional jurisdictional boundaries but across disciplines as well.

To institute the regional PET process, the Antelope, Cedar, Cuming, Dakota, Dixon, Knox, Madison, Pierce, Stanton, Thurston and Wayne County emergency response agencies and public service agencies have worked cooperatively to develop a regional solution. This solution establishes the regional PET process for emergency response with procedures that are accessible and used by key public service officials, public safety officials, and public and private service executives.

Purpose

The regional PET process is the basis for formalizing the region. The purpose of the regional PET process is to provide structure for Northeast Region Planning Committee (NERPC) and create formalized governance in the form of a regional committee. This governance structure transcends traditional or mutual inter-discipline aid in terms of purpose. The regional PET process along with interoperable communications ensures an organized method of planning, exercising, and training for coordination of resources to expedite efficient deployment of those resources regionally. This shall

serve primarily as the function to unify the regional PET process. Moreover, the signees of this memorandum of understanding will be responsible for coordinating with the region regarding the use of grant funds for the regional PET process, and equipment.

Policy

It shall be the policy that the region will align with the State Homeland Security Strategy when requesting Homeland Security Funds. Another requirement of the region is to maintain a 5-year regional PET calendar. Local Emergency Operation Plans (LEOP) shall be maintained by the individual counties. The purpose of these requirements is to ensure collaboration between local jurisdictions. All signees will be responsible for coordinating with the region regarding the use of grant funds for PET and equipment, in accordance with the approved equipment list (AEL). Regional partners shall address the sustainability of the PET program and equipment acquired through the Homeland Security Grant Program.

Oversight

Each county participating in the use of the regional PET process is required to provide a representative to the regional committee after entering into this MOU. Oversight of the regional PET process is administered through the *Northeast Region Planning Committee*, which will be chaired by a representative of that committee. Any issues affecting policy, recommendation, and/or subsequent change that alter the purpose of the MOU will be implemented only after a consensus is reached by the regional committee respectively. Accordingly, each NERPC county will be responsible for oversight authority of their jurisdiction. It is the responsibility of county to ensure that the regional SOPs are followed when necessary and to ensure that the National Incident Management System and the National Response Plan will be integrated into the regional PET process. A NERPC county, at any time, can withdraw from this MOU by simply sending a statement of intent to the remaining NERPC county members.

Executed this 2<sup>nd</sup> day of June 2008.  
Dakota County Board of Commissioners

By: Jacqueline Hartnett  
Chairperson  
Dakota County Board of Commissioners

ATTEST:  
Theodore A. Piepho

SEAL:

RESOLUTION 08C-006  
DAKOTA COUNTY NEBRASKA  
COUNTY BOARD RECORD OF APPOINTMENT

*Whereas* the Nebraska Emergency Management Agency and the Nebraska Governors Homeland Security Policy Group act as the State Administrative Agency for Homeland Security within the State of Nebraska,

*Whereas* Dakota County has elected to participate in the Emergency Management and Homeland Security Programs set forth by Federal and State Agencies.

*Whereas* by participation in said Emergency Management and Homeland Security Programs Dakota County is assigned to be part of a 12 county member Northeast Planning, Exercise, Training (PET) and Interoperable Communications Region established by the State of Nebraska for purposes including but not limited to: Interoperable Communications Planning and System Implementation, Disaster Planning, and the Emergency Management/Homeland Security/Interoperable Communications Grant Program, and other programs as prescribed by State and Federal Authorities.

Dakota County by participating in the Northeast PET & Interoperable Communications Region must appoint at minimum one person to serve as a member of and participate in the Northeast Regional governance board to the full extent as permitted and required by the needs of the program. Authority of said appointee shall not exceed authority granted by State Statute and/or the policy and procedures of Dakota County.

*Whereas* such appointment shall be at the pleasure of the governing authority of the County and be perpetual for the duration of the Northeast PET & Interoperable Communications Region unless the appointee is removed from the position for just cause. Such appointment shall be reviewed each year at the annual organizational meeting of the County Board.

*Be it Resolved that* The Dakota County Board of Supervisors does hereby appoint Pat Foust to the group known as the NORTHEAST PET & INTEROPERABLE COMMUNICATIONS REGION to fulfill all duties as required by the regional group.

This appointment is considered to be retroactive to the commencement of the region.

Approved and passed this 2<sup>nd</sup> day of June, 2008.

DAKOTA COUNTY BOARD OF COMMISSIONERS

\_\_\_\_\_  
Jacqueline Hartnett Chairwoman

ATTEST:

\_\_\_\_\_  
County Clerk

SEAL

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

Chair Hartnett called for the agenda item "Pat Foust and Nanci Walsh to explain to the Commissioners why insurance transfers are needed from the LEC accounts to the city account. Mr. Foust said that this has been resolved and no further consideration needed to be given to this.

Chair Hartnett called for the agenda item "RESOLUTION NO. 08C-005 A RESOLUTION APPROVING, ADOPTING, RATIFYING AND AFFIRMING THE EXECUTION AND PERFORMANCE OF A LEASE-PURCHASE AGREEMENT WITH NACO LEASING CORPORATION FOR ACQUISITION OF PROPERTY."

Commissioner Rohde moved, seconded by Commissioner McLarty to approve Resolution 08C-005 approving and authorizing the acquisition of a cargo van by the County of Dakota through a Lease-Purchase Agreement with NACO Leasing Corporation, as follows:

IN THE COUNTY OF DAKOTA  
IN THE STATE OF NEBRASKA

RESOLUTION NO. 08C-005

A RESOLUTION APPROVING, ADOPTING, RATIFYING AND AFFIRMING THE EXECUTION AND PERFORMANCE OF A LEASE-PURCHASE AGREEMENT WITH NACO LEASING CORPORATION FOR ACQUISITION OF PROPERTY.

BE IT RESOLVED by the Board of Commissioners of the County of Dakota, in the State of Nebraska, that this Board hereby approves and authorizes the acquisition of a cargo van by the County of Dakota through a Lease-Purchase Agreement with NACO Leasing Corporation. The Lease-Purchase Agreement shall include the following terms, with such changes as are deemed reasonable or necessary by the Chairperson of the Board of Commissioners.

- 1. Principal Amount: \$20,694.00
- 2. Interest Rate: 2.75 %
- 3. Payment Amount: \$ 5,351.35 Term: June 4, 2008 through June 1, 2010
- 5. Payment Frequency: semiannual, beginning December 1, 2008

Settlement and closing of the Lease-Purchase Agreement shall be on or about June 4, 2008. NACO Leasing Corporation shall send payment to the equipment vendor or owner for acquisition of the property on the date on which NACO Leasing Corporation receives the signed Lease-Purchase Agreement and accompanying documents from the County.

BE IT FURTHER RESOLVED, that the Chairperson or Vice Chairperson of the Board of Commissioners and the County Clerk are hereby authorized and directed to sign the Lease-Purchase Agreement and related certificates and documents.

This Resolution shall be in full force and effect from and after its passage and all resolutions or orders, or parts thereof, in conflict with the provisions of this Resolution, are to the extent of such conflict, hereby repealed.

Passed and adopted this 2nd day of June, 2008.

COUNTY OF DAKOTA, NEBRASKA

Jacqueline Hartnett  
Chairperson, Board of Commissioners

William F. Engel

Betty O'Neill

William I McLarty

William B. Rohde

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

Chair Hartnett called for the agenda item "tabled items" and there were none. Chair Hartnett called for the agenda item "Committee Reports." Commissioner Rohde reported that Fred Kellogg hired two new employees bringing the Road Department staffing to 100%.

Mr. Rohde reported that the funds for the Martineck Bridge will not be available until next year (09), so the bridge will not be completed this year as expected.

Mr. Rohde reported that the black top at Atokad is crumbling and badly needs resurfacing, which will cost about 50 to 60,000 dollars. The state will pay for half, if the county puts it off for one year.

Mr. Rohde reported that Fred Kellogg is working with conservation in resolving the water drainage problem that Taylor Martin appeared before the Board earlier this year wanting the county to provide drainage.

Commissioner Engel reported that he had several calls on North Shore.

Commissioner McLarty reported that he had a copy of the Community Attitude Survey that South Sioux City compiled. He also reported that he attended a workshop in Kearney with Ms. Spencer and suggested to NACO that they have a Budget 101 workshop.

Commissioner Hartnett reported that she had spent a couple days at a NIRMA Meeting and that she and Commissioner Rohde continued looking at Extension's request to move. They felt that they would like to see where the county is with the budget before rendering a recommendation.

Chair Hartnett called for the agenda item "Board Member Reports" and there were none.

Chair Hartnett called for the agenda item "Public Comment" and there was none.

Chair Hartnett called for the agenda item "Mail and Emergency Business" and there were none.

Chair Hartnett adjourned their meeting at 2:08 p.m.



County Board of Commissioners

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Jacqueline Harnett, Chair

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Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

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Date entered in book



Dakota County Board of Commissioners  
Monday, June 9, 2008 Special Meeting  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their Special Meeting to order at 1:02 p.m.

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

Absent: None

The agenda for this meeting was as follows:

1. 1:00 p.m. Call meeting to Order.

- 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.
- Roll Call

Notice is hereby given that the Dakota County Board of Commissioners will hold a special meeting beginning at 1:00 p.m. Monday, June 9, 2008, for the purpose of adopting specifications for replacement of the courthouse roof and to approve the advertising to let bids for said replacement of courthouse roof.

Said meeting will be held in the County Board Meeting Room, Dakota County Courthouse, 1601 Broadway, Dakota City, Nebraska, which meetings are open to the public.

Theodore A. Piepho

County Clerk

PUB JUNE 5, 2008

Posted; Dakota County Courthouse, Dakota City Post Office and Dakota City Hall June 3, 2008

2. 1:25 p.m. Adjournment

Chair Hartnett gave Commissioner O'Neill the floor.

Ms. O'Neill, Chair of the Roof Committee, presented the specifications for the courthouse roof project and asked for the Board's approval.

Joan Spencer, Board's Assistant, said that these specs do not include a deadline for completing the project, nor does it include a penalty clause for not completing it by a certain deadline. She said that Rodney Hughes, with Boone Brothers Roofing, would not include that in the specs because bidder's would add a week or two of costs to their bid to cover penalties in case they went past the deadline.

The Committee intended for there to be a deadline and penalty clause for the completion of the project, but the individual that drafted the specs did not include them because he felt that bidders would automatically include a penalty amount in their bids.

There was discussion whether to include in the specifications a deadline and a penalty for not meeting that deadline.

Commissioner McLarty expressed that he would like to see a penalty clause included in the specs and Commissioner Engel agreed.

Commissioner O'Neill moved, seconded by Commissioner McLarty to adopt the specifications as presented. BE IT FURTHER RESOLVED that the project completion deadline be October 15, 2008 and a penalty of \$1,000 per day for every day that the contractor extends work beyond said date and the deadline and penalty be included in the Specifications.

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

Commissioner McLarty moved, seconded by Commissioner Engel to approve the advertisement for the roof project as follows and to include October 15, 2008 as the project completion deadline date in the Request for Bids Advertisement.

### **REQUEST FOR BIDS**

The Dakota County Board of Commissioners are seeking bid proposals to re-roof the Dakota County Courthouse. Sealed bids will be accepted until 4:00 p.m., Monday, June 30, 2008, at the Office of Administrative Assistant to the Board, 1601 Broadway, PO Box 338, Dakota City, NE 68731. The bids will be opened Monday, July 7, 2008, at 1:00 p.m. at the Board of Commissioners meeting held in the basement of the Dakota County Courthouse, 1601 Broadway Street, Dakota City, Nebraska. Bid Specifications can be obtained at the Office of Administrative Assistant or by calling 402-987-2130. Mandatory pre-bid meeting and site visit.

Jackie Hartnett, Board Chair

Published June 12, 2008

Published June 19, 2008

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

Chair Hartnett adjourned their meeting at 1:17 p.m.



County Board of Commissioners

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Jacqueline Harnett, Chair                      Date Chair signed

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Theodore A. Piepho, County Clerk                      Date entered in book

Dakota County Board of Commissioners  
Monday, June 16, 2008 Regular Meeting  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their Regular Meeting to order at 10:43 a.m.

Present: Commissioners Engel, Hartnett, O'Neill and County Clerk Ted Piepho, Secretary.

Absent: Commissioners McLarty and Rohde

The agenda for this meeting was as follows:

Turn on recording equipment

Call to Order with reciting the Pledge of Allegiance

Statement concerning Nebraska Open Meetings Act to be read

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.

Roll Call

Approve Minutes of previous meetings June 2<sup>nd</sup> and June 9<sup>th</sup>

Approve Payroll claims submitted by County Clerk for payment.

Review and approve Accounts Payable Claims submitted by Co. Clerk.

Recess for Lunch

Reconvene from Lunch

Paul Culbertson – Mr. Culbertson would like to address the Board concerning the maintenance of the Road ½ mile north of 164<sup>th</sup> Street, known as 160<sup>th</sup> Street connecting Highway 110 and F Avenue

Miscellaneous Agenda Items

Resolution 08C-007. A Resolution that the Dakota County Board of Commissioners authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Communications Center General Fund and that said budget be increased for fiscal year 2007-2008.

Resolution 08C-008. A Resolution that the Dakota County Board of Commissioners authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Sheriff General Fund and that said budget be increased for fiscal year 2007-2008.

Resolution 08C-009. A Resolution that the Dakota County Board of Commissioners authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Veteran's Service Office General Fund and that said budget be increased for fiscal year 2007-2008.

Resolution 08C-010. A Resolution that the Dakota County Board of Commissioners authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Building and Grounds General Fund and that said budget be increased for fiscal year 2007-2008.

Close Fund 2940 LEC Debt because virtually no money is coming into this fund anymore.

Authorize the Board chair and Sheriff to sign COUNTY LIAISON OFFICER AGREEMENT with South Sioux City School District– This is an agreement where the Sheriff's Office will furnish a Liaison Officer three days a week to provide services to the high school, middle school, and elementary schools and the School District will reimburse the County for the deputy's time.

Tabled Items – No tabled items to consider

Commissioner Committee Reports

Commissioner Member Reports

Public Comment

Mail and/or Emergency Business

Adjournment.

Commissioner Engel moved, seconded by Commissioner O'Neill to approve the minutes of June 9, and June 2, 2008 as typed and prepared for the Official Record.

Commissioner O'Neill wanted to change her vote in the May 19<sup>th</sup> meeting approving the May 5<sup>th</sup> minutes, but the item was not carried on the agenda, as requested.

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

The board reviewed the Accounts Payable and Payroll Claims.

Commissioner Engel moved, seconded by Commissioner O'Neill to approve the Accounts Payable Claims and to direct the County Clerk to pay the vendor claims as follows:

GENERAL FUND: Dakota County Star, publishing-394.21; Holiday Inn of Kearney, lodging- 139.90; William McLarty, mileage- 277.75; South Sioux City Area Chamber, annual banquet ticket- 50.00; Joan Spencer, mileage- 259.00; Des Moines Stamp, stamp- 26.70; Dell Computers, 1 computer- 1043.24; Des Moines Stamp, stamp- 26.70; Dugan business Form, protest forms- 91.27; Perkins Office Solutions, supplies- 417.60; Redfield Co, 165 page folio- 568.00; Theodore Piepho, cell phone- 20.00; Tyler Graphic Services, 8000 title envelopes- 667.35; Robert Giese, mileage- 115.00; Charlotte Doenhoefer, prior yrs service- 10.00; Mardell Sorensen, prior yrs service- 26.00; Irene Vanlent, prior yrs service- 16.00; Ruth Jensen, prior yrs service- 12.00; Richard Wassinger, nact dues- 75.00; Automated Systems, equip repair- 2195.00; Duggan Printing, office supplies- 550.89; Executive Tech, fax repair- 78.00; Microfilm Imaging Systems, lease equipment May thru Dec- 1920.00; Dakota City Postmaster, stamps- 78.00; Dakota County Star, sample ballots/ntc of mtng- 3859.71; Owen g. Dunn, shipping & handling fee- 12.85; Staples, ink- 24.99; Theodore Piepho, mileage- 173.22; Todd Storeall, June rent- 80.00; Emerson Fire Hall, polling rental- 50.00; First Lutheran Church, polling rental- 75.00; Jackson Legion hall, polling rental- 50.00; Knights of Columbus, polling rental- 50.00; Salem Lutheran Church,

polling rental- 50.00; SSC Legion Hall, polling rental- 50.00; Hubbard Post Office, postage- 50.00; Dennis Reinert, phone- 30.00; Val Danielson, mileage/reimbursement- 319.05; Lupe Kennedy, reimbursement- 29.17; Lori Jessip, mileage/reimbursement- 132.97; Net Systems+, router repair- 490.00; Staples, 3 monitors- 599.67; AS Central Finance, office supplies- 176.12; Dakota Business System, Ricoh equip payment- 99.00; Thomson West, cd rom service- 185.00; Berenstein Moore, special prosecutor fee-1794.00; Lisa Carpenter, witness fee- 25.05; Dakota County Court, court costs- 1820.05; Toby English, witness fee- 25.05; Kueny Law Office, crt appointed counsel- 530.28; Stuart Mills, crt appointed counsel- 135.00; Pete Morris, witness fee- 25.05; Douglas Roehrich, crt appointed counsel- 312.00; Richard J Thramer, crt appointed counsel- 761.64; William Binkard, reimbursement- 498.41; Perkins Office Solutions, office supplies- 112.21; Sioux City Journal, subscription- 156.00; AJ Phillips, jury envelopes- 65.00; Judy Beutler Crt Administrator, co equip rental- 10.00; Dakota County District Court, claim list- 502.00; K & M Reporting, mental health hearing- 321.34; Lancaster Co Sheriff, subpoena fee- 17.16; Norfolk Printing, trial dockets- 104.88; Doug Roehrich, attorney fees, 384.00; Shirley Sides, metal health hearing- 120.00; Pat Slaughter, mental health hearing- 123.56; Staples, 1 computer monitor- 169.99; AmSan, jail supplies- 711.54; Bunkers Feed & Supply Inc, softener salt- 48.36; Dakota Food & Fuel, gas- 42.00; Foulk Bros Plumbing, jail plumbing- 77.58; Gill Hauling, dumpster service- 240.00; Grainger, supplies- 680.69; Janitor Depot, cleaning supplies- 342.64; Rick Jensen, mileage- 122.21; Joes Dept Store, supplies- 277.74; Menards, supplies- 533.91; MidAmerican Energy, gas bill- 3297.72; NPPD, electric bill- 3697.41; Share, spray supplies- 256.28; Trembly, pest control- 85.00; NetSys+, computer work- 192.60; Walmart, supplies- 168.84; Thompson Electric, fixture repair- 198.24; Simplex Grinell, fire alarm repair- 700.00; Verizon Wireless, cell phone- 58.25; Dakota County Extension, reimbursement- 1579.97; Abramo Animal Services, animal control- 200.00; Bort Auto Body, vehicle maintenance-96.85; City of South Sioux City, fuel/long distance call- 5002.23; Dakota Food & Fuel, fuel- 572.80; Electronic Engineering- radio repair- 48.70; Fremont Tire, vehicle maintenance- 298.12; JP Cooke Company, notary stamp- 54.01; Law Enforcement Systems, warning ticket books- 186.50; MPH Industries Inc, radar tuning forks- 52.80; Morningside Veterinary Hospital, k-9 appointments-180.99; NLETC, training- 165.00; RACOM, phone access line- 694.20; Siouxland FCU, reimbursement- 64.85; Star Printing & Publishing, business cards- 122.00; Verizon Wireless, cell phones- 69.56; Walmart, vehicle supplies- 25.88; Watchguard Video, 4 in-car cameras- 20080.00; Wayne Veterinary Clinic, k-9 appointments- 40.00; Willis Animal Clinic, horse abuse case- 99.00; JR Pantoja, interpreter- 20.00; Dakota County Sheriff, papers/warrants- 644.55; AJ Phillips, business cards- 48.00; Dakota County Star, legal ad- 42.45; Dakota County Treasurer, subscription- 35.85; Debra Fergen, mileage- 29.29; Des Moines Stamp, stamp- 23.90; Dixon County Attorney, subpoena fees- 31.10; Grand Rapids Press, witness fees- 78.55; H2O4U, office supplies- 17.75; Iowa Office Supply, copier contract- 73.26; Kim Watson, reimbursement-367.78; Lancaster County Sheriffs Dept, subpoena fees- 17.16; Mary Spurlock, reimbursement- 9.81; NE County Attorney Association, training/seminar reg/dues- 1696.00; Quill, office supplies- 831.46; Sarah M Meadows, mileage- 318.77; Siouxland Reporting Service, deposition costs- 62.00; Aimee Uhl, reimbursement- 36.37; Wingate Inn, lodging- 423.90; Woodbury County Sheriffs Dept, subpoena fees- 106.21; City of South Sioux City, LEC equipment/LEC expense June- 47702.29; BI, electronic monitoring- 553.30; Caterina Chapman, mileage- 255.35; Verizon Wireless, cell phone- 55.06; Ace Refrigeration Eng, kitchen repairs- 114.13; Amsan, laundry supplies- 408.86; Bob Barker, inmate supplies- 774.26; CBM Food Service, food service- 19234.02; Cash-Wa Distributing, food service meal- 100.26; Dakota Business Systems, copier contract- 281.00; Dakota Family Dentistry, inmate medical- 69.00; Dept of Correction Services- safekeepers/medical-8504.32; Sandy Dickens, mileage- 85.44; Electric Pump, muffin monster- 16151.15; Fremont Tire, vehicle maintenance- 26.46; Jacks Uniforms, corrections patches/tasers- 4812.37; Jackson Glass, door repair-135.00; Kreisers, medical supplies- 5.00; Mercy Buss Health/Urg Care, inmate house calls- 1375.00; Mercy Medical Center, inmate medical- 1049.68; Midwest Office Automations, copier contract-143.68; Moore Medical, medical supplies- 190.99; Netsys+, computer issues- 2580.00; N.E. NE Juvenile Service, juvenile holding- 612.50; Nebraska Crime Commission, directories- 28.00; NLETC, 7 TABE tests- 56.00; NW Iowa Emergency Phys, inmate medical- 448.00; Siouxland Lock & Key, records room lock- 50.00; Sid Dillon, van accessory- 1003.77; Signs by Tomorrow, jail signs- 30.00; Siouxland FCU- reimbursement for fuel & food- 285.34; Siouxland Radiology Partners, inmate medical- 46.00; Sirchie Fingerprint Laboratories, replacement pads-72.29; Text & Data technologies, jamin jail software- 1900.00; Verizon Wireless, cell phones- 170.99; Walmart, supplies- 581.40; Woodbury Co Juvenile Detention, juvenile holding- 5200.00; Delage Landen Fin Serv, copier rental/lease- 116.14; Hubbard Post Office, postage- 50.00; Verizon Wireless, cell phone- 33.25; Alpha Land Surveying, establish corners- 975.00; Dunes Family Medicine, consulting physician- 250.00; Pat Glover, mileage- 94.94; Sanofi-Pasteur Inc, tb tests- 98.32; Pam DeVries, mileage- 100.49; Deanna Beckman, mileage- 1299.84 Pam DeVries, mileage- 7.57; Alan Boyd, mileage- 451.98; Electronic Engineering, pager- 13.95; Lexis Nexis Matthew Bender, law books- 29.40; Thomson West- law books- 493.75; Bort Auto Body, repair on transport vehicle- 250.00; CableOne, monthly internet- 205.95; Claritus, ink cartridge- 284.94; Dakota City Postmaster, box fee dues- 796.00; DeLage Landen Financial, copier lease- 157.79; FSH Comm, payphone- 63.60; Lazette Gifford, website upkeep- 40.00; Madelyn Thorsland, prior yrs serv- 10.00; MIPS, support- 380.97; NIRMA, wrk comp/liability ins- 38860.79; Qwest, phone services-1344.40; Three Rives Benefit, flex plan admin- 75.00; US Postal Service, postage- 2500.00; WCS Telecom, telephone- 341.74; Road Fund, budget transfer- 50000.00; Road Improvement Fund, budget transfer- 3700.00; Weed Fund, budget transfer- 12000.00; ROAD FUND: Aramark, towel service- 219.64; Bomgaars, supplies- 235.00; Campbell Supply Co, supplies- 97.41; Circle R, parts/labor- 789.41; Dakota County Star, tire ad- 70.50; Erlandson Trans Co, gravel- 6954.86; Filter Care of NE, filter cleaning- 23.10; Fremont Tire, tires- 251.90; GCR Tire Center, parts- 16.20; Gill Hauling, dumpster Service- 55.00; Walter Heinemann, prior yrs serv- 29.00; Heritage Express, fuel- 86.00; Higman Sand Gravel, gravel- 546.87; HME, parts/service- 690.95; Hubbard Mini Mart, fuel- 6612.29; H2O4U, water service- 29.75; Inland Truck Parts, parts- 448.73; J and J's Pronto, fuel- 921.65; Jim Hawk Truck Trailers Inc, parts- 256.93; Joe's Dept Store, parts/supplies- 47.62; LG Everist inc, gravel-5713.84; Linweld, shop supply- 39.95; Marx Truck/Trailer, parts- 64.90; Midwest Svc & Sales, blades/culverts/signs- 926.90; Marlan Millard, prior yrs serv- 15.00; NAPA, parts/supplies-

746.14; NIRMA, gen liability/workmans comp- 24806.23; Northeast Equip, tractor rental- 900.00; NE Nebr PPD, electric- 166.41; NNTC, phone service- 161.18; Pumps, tires- 1952.56; Power Plan Murphy, parts/shop supplies- 236.12; Rees Mack Sales, parts- 122.08; RI Tec, supplies- 161.14; Sams Club, shop supply- 187.92; Sapp Brothers, propane- 72.36; Siouxland Hydraulics, parts- 72.36; Siouxland Trailer Sales, parts- 109.99; Stalp Sand & Gravel, gravel- 7052.58; St Lukes Occ Health, drug testing- 15.00; Titan, parts- 88.76; Tri-State Communication, new radio- 697.25; Verizon Wireless, cell phone- 45.28; Warren Oil, fuel- 17022.52; Ziegler, parts/supplies- 3803.56;

ROAD IMPROVEMENT: Barkley Asphalt, asphalt- 857.25; Village of Hubbard, asphalt cost share- 2829.38

INSTITUTIONS: Beatrice State Dev Center, qrtly payment- 1197.00

VETERANS AID: Veterans Office, aid- 400.00

LEC GRANT: City of South Sioux City, state homeland security- 71.20

PUBLIC SAFETY: Jail Bond Fund, 88% sales tax- 22246.64; City of South Sioux City, 12% sales tax- 3033.63

JAIL BOND 3300: Fremont National Bank, principal and interest- 723500.00;

JAIL BOND TAX 3301: Boone Brothers Roofing, core cut samples- 2375.00;

WEED FUND: Bomgaars, parts/supplies- 257.93; Central Valley Ag, chemicals- 3287.30; Dr David R Dyke, pickup payment- 2995.05; FIMCO, parts- 13.34; Fremont Tire, parts/labor- 65.95; Heritage Express, fuel- 267.03; Hubbard Mini Mart, fuel- 181.00; Hubbard Post Office, postage- 50.00; J & J's Pronto, fuel- 117.00; Steffen, parts- 87.78; Van Diest, chemicals- 5255.38;

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

UNANIMOUS MOTION CARRIED.

Chair Hartnett recessed their meeting for lunch at 11:29 a.m.

Chair Hartnett reconvened their meeting at 1:45 p.m.

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

Absent: None

Chair Hartnett called for the agenda item Paul Culbertson – Mr. Culbertson would like to address the Board concerning the maintenance of the Road ½ mile north of 164<sup>th</sup> Street, known as 160<sup>th</sup> Street connecting Highway 110 and F Avenue.

Mr. Culbertson appeared before the board and had strong concerns concerning the maintenance of 160<sup>th</sup> Street. He passed around pictures, which showed ruts, large rocks in the road right of way and they are getting into his fields and deep ditches. He was also concerned that his field entrance was not going to be there when he needed to get in the fields for harvest.

He also complained about a bull dozer being parked along the side of the road for 7 days and felt this was a safety hazard.

Fred Kellogg, Road Director, was going with to get with Mark Albenesius to pick up the large rocks.

Chair Hartnett called for the agenda item Resolution 08C-007. A Resolution that the Dakota County Board of Commissioners authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Communications Center General Fund and that said budget be increased for fiscal year 2007-2008.

Commissioner Rohde asked if there was enough money left in other offices to make up the deficits in these funds that are going over and Chair Hartnett said there was.

The City Auditor discovered an error where the city was paying Health Insurance for some of the employee's that the County should have participated in and to adjust that it was a little over \$20,000 causing them to go over approximately \$18,500.

Commissioner O'Neill asked what good does it do to have the budget hearings and the work that goes into the budget. Why waste the time for the budget hearing and then adjust it if they go over budget.

Chair Hartnett said that she thought that it sends a horrible message to other departments. We have some departments that are very very frugal and she thinks it sends a bad message.

Chair Hartnett calls for the agenda item Resolution 08C-008. A Resolution that the Dakota County Board of Commissioners authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Sheriff General Fund and that said budget be increased for fiscal year 2007-2008.

Joan Spencer said that this would increase their budget authority to \$1,146,820.06.

Commissioner O'Neill said that she would like to have the office holders here so the board could question them. She wanted to ask the Sheriff why he went over budget \$40,000. Does anybody know why that happen?

Joan Spencer said that one of the items was the grant for \$22,400 for in-car cameras.

Chair Hartnett called for a motion on Resolution 08C-007.

Commissioner McLarty moved, seconded by Commissioner Engel to adopt Resolution 08C-007 to authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized

for the payment of the over expended budget of Communications Center General Fund and that said budget be increased by \$18,500.00 to \$344,528.00 for fiscal year 2007-2008.

RESOLUTION 08C-007

WHEREAS, the office of Communications Center will exceed its budget with the payment of the submitted June, 2008, accounts payable; and,

WHEREAS, an emergency exists; and,

WHEREAS, the office of General Miscellaneous 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 Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Communications Center General Fund and that said budget be increased by \$18,500.00 to \$344,528.00 for fiscal year 2007-2008.

BE IT FURTHER RESOLVED, that the General Miscellaneous Budget be reduced by \$18,500.00 to \$946,075.88 for fiscal year 2007-2008.

Passed and adopted this 16<sup>th</sup> day of June, 2008.

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Jacqueline Hartnett  
Dakota County Board of Commissioners

ATTEST:

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Theodore A. Piepho  
County Clerk

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

Commissioner Rohde said that he agreed with Betty, but that he thought that Pat Foust, LEC Director, had already gone over this with the Board.

Chair Hartnett called for a motion on Resolution 08C-008.

Commissioner McLarty moved, seconded by Commissioner Engel to adopt Resolution 08C-008 to authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Sheriff General Fund and that said budget be increased by \$40,000 to \$1,146,820.06 for fiscal year 2007-2008.

RESOLUTION 08C-008

WHEREAS, the office of County Sheriff will exceed its budget with the payment of the submitted June, 2008, accounts payable and payroll claims; and,

WHEREAS, an emergency exists; and,

WHEREAS, the office of General Miscellaneous 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 Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Sheriff General Fund and that said budget be increased by \$40,000 to \$1,146,820.06 for fiscal year 2007-2008.

BE IT FURTHER RESOLVED, that the General Miscellaneous Budget be reduced by \$40,000 to \$906,075.88 for fiscal year 2007-2008.

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

Commissioner O'Neill qualified her vote by saying that she got a call on New Years Eve and three cars were out in front of another deputies house running for over two hours and felt this was just one way of money being wasted.

Chair Hartnett called for the agenda item Resolution 08C-009. A Resolution that the Dakota County Board of Commissioners authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Veteran's Service Office General Fund and that said budget be increased for fiscal year 2007-2008.

Joan Spencer said that this increases his budget authority to \$49,260.19 and said that mileage was the reason for the over expenditure. She said that his board has asked him not to take veteran's to Sioux Falls and Omaha. She said that he set aside a fund for volunteers to take them rather than himself.

Commissioner O'Neill moved, seconded by Commissioner Engel to adopt Resolution 08C-009 to authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Veteran's Service Office General Fund and that said budget be increased by \$2,500 to \$49,460.19 for fiscal year 2007-2008.

RESOLUTION 08C-009

WHEREAS, the office of Veteran's Service Office will exceed its budget with the payment of the submitted June, 2008, accounts payable and payroll claims; and,

WHEREAS, an emergency exists; and,

WHEREAS, the office of Miscellaneous 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 Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Veteran's Service Office General Fund and that said budget be increased by \$2,500 to \$49,460.19 for fiscal year 2007-2008.

BE IT FURTHER RESOLVED, that the General Miscellaneous Budget be reduced by \$2,500 to \$903,575.88 for fiscal year 2007-2008.

Passed and adopted this 16<sup>th</sup> day of June, 2008.

\_\_\_\_\_  
Jacqueline Hartnett  
Dakota County Board of Commissioners

ATTEST:

\_\_\_\_\_  
Theodore A. Piepho  
County Clerk

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

Chair Hartnett called for the agenda item Resolution 08C-010. A Resolution that the Dakota County Board of Commissioners authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Building and Grounds General Fund and that said budget be increased for fiscal year 2007-2008.

Joan Spencer said that this raises his budget \$7,500 to \$264,781.77.

Commissioner Hartnett moved, seconded by Commissioner McLarty to adopt Resolution 08C-010 to authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Building and Grounds General Fund and that said budget be increased by \$7,500 to \$264,781.77 for fiscal year 2007-2008.  
RESOLUTION 08C-0010

WHEREAS, the office of Building and Grounds will exceed its budget with the payment of the submitted June, 2008, accounts payable and payroll claims; and,

WHEREAS, an emergency exists; and,

WHEREAS, the office of Miscellaneous of the General Fund has un-appropriated moneys left. She said that the overrun was basically the cost to run the new jail.

BE IT THEREFORE RESOLVED, that the Dakota County Board of Commissioners hereby authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Building and Grounds General Fund and that said budget be increased by \$7,500 to \$264,781.77 for fiscal year 2007-2008.

BE IT FURTHER RESOLVED, that the General Miscellaneous Budget be reduced by \$7,500 to \$896,075.88 for fiscal year 2007-2008.

Passed and adopted this 16<sup>th</sup> day of June, 2008.

\_\_\_\_\_  
Jacqueline Hartnett  
Dakota County Board of Commissioners

ATTEST:

\_\_\_\_\_  
Theodore A. Piepho  
County Clerk

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

Chair Hartnett called for the agenda item Close Fund 2940 LEC Debt because virtually no money is coming into this fund anymore.

Commissioner Hartnett moved, seconded by Commissioner Engel to close Fund 2940 LEC Debt and any subsequent applicable taxes collected be transferred to the General Fund 0100.  
ROLL CALL VOTE: McLarty- Yea, Rohde- yea, O'Neill- Yea, Hartnett- Yea and Engel- Yea.  
UNANIMOUS MOTION CARRIED.

Commissioner Engel moved, seconded by Commissioner Rohde to approve the County Liaison Officer Agreement between the Dakota County Sheriff's Department and School District No. 11 agreeing that one officer of the Dakota County Sheriff's Department will be designated as Liaison Officer to provide services to the high school, middle school, and elementary schools. The duties of the Liaison Officer shall be conducted primarily within the school system, but they may assume regular law enforcement duties in the event of an emergency or other request by the County. The School District shall remit its share of said Liaison Officer expenses to the County on a monthly basis or at such time as it receives a statement from the County, as follows:

**COUNTY LIAISON OFFICER AGREEMENT**

THIS AGREEMENT made and entered into the \_\_\_\_\_ day of \_\_\_\_\_, 2008, by and between THE DAKOTA COUNTY SHERIFF'S DEPARTMENT, DAKOTA COUNTY, NEBRASKA ("County"), a political subdivision, and SCHOOL DISTRICT NO. 11 OF DAKOTA COUNTY, NEBRASKA ("School"), a political subdivision, WITNESSETH:

WHEREAS, one certified officer of the Dakota County Sheriff's Department employed by the County has been designated as a Liaison Officer with his primary duties in the various schools of the School district; and

WHEREAS, the duties of the Liaison Officer are to provide law enforcement assistance at the schools, law enforcement education for students, and generally act as a liaison between the students and the School and various law enforcement agencies; and,

WHEREAS, the County will provide the School with one Liaison Officer on a shared basis from the commencement of the 2007/2008 school year.

NOW THEREFORE, it is agreed by and between the parties that:

1. One officer of the Dakota County Sheriff's Department will be designated as Liaison Officer to provide services to the high school, middle school, and elementary schools.

2. The duties of the Liaison Officer shall be conducted primarily within the school system, but they may assume regular law enforcement duties in the event of an emergency or other request by the County.

3. That the expense of the Liaison Officer to be paid by the School is as follows:  
\$210.00 per day for 3 days per week for 9 months to be paid by the School to the County, based upon actual hours the officer spends working within the Schools or on School sponsored programs.  
Liaison Officer Deputy Michael Kreegar  
 $\$210.00 \times 178 \text{ school days} \times 60\% = \$22,400.00$

The School shall remit its share of said Liaison Officer expenses to the County on a monthly basis or at such time as it receives a statement from the County.

4. If there are any changes in salary or benefits during the term of this agreement, the County shall notify the School of the adjustments.

5. That this agreement shall commence on \_\_\_\_\_, 2007, and terminate on \_\_\_\_\_, 2008.

6. That this agreement has been approved by the governing bodies of the County and School.

DATED on the day and year first above written.

THE DAKOTA COUNTY SHERIFF'S DEPARTMENT,  
DAKOTA COUNTY, NEBRASKA,  
A municipal corporation,  
BY: \_\_\_\_\_  
CHAIRWOMAN OF THE  
BOARD OF COMMISSIONERS  
BY: \_\_\_\_\_  
DAKOTA COUNTY SHERIFF

ATTEST:  
\_\_\_\_\_  
COUNTY CLERK

SCHOOL DISTRICT NO. 11 OF  
DAKOTA COUNTY, NEBRASKA,  
A political subdivision,  
BY: \_\_\_\_\_  
CHAIRPERSON OF THE  
BOARD OF EDUCATION

ATTEST:  
\_\_\_\_\_  
SECRETARY

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



Chair Hartnett called for the agenda item tabled Items, which there were none.

Chair Hartnett called for the agenda item Commissioner Committee Reports.

Commissioner Rohde mentioned the letter that was received in the mail regarding Warren Hoelsing property in which they are saying there is improper drainage because of the Knox Blvd. Project. Mr. Rohde said that Randy Crombie has worked with JEO on this and he thought it was taken care of. Mr. Rohde said that he thought that JEO had contributed monetarily to correct the problem and thought we may have to get everyone together again to revisit the problem.

Mr. Rohde briefly touched on the County Budget. Chair Hartnett asked that the Budget Committee give a report on personnel as she felt that was a huge item and gone up dramatically over the past couple years.

Chair Hartnett read an excerpt from a letter received from NIRMA concerning a memorial for Jason Clancy.

Chair Hartnett called for the agenda item Commissioner Member Reports and there were none.

Chair Hartnett called for the agenda item Public Comment. Dennis Reinert mentioned that he had attended the Economic Development Meeting held at Dakota City Hall.

Mr. Rohde identified the area that was discussed along with Highway 110 near the railroad tracks to the new proposed Highway 35.

Ron Hasse from JC Roofing appeared before the board to protest, what he called ridiculous roof specifications for the courthouse roof. Haase read a few of what he called "ridiculous roofing specifications" for the individual/business that would roof the court house. Those he read off included: a \$50 million net worth, a \$25 million of liability on the roof, a five-year workmanship warranty, and good standing with Midwestern Roofing Contractors Association and the National Roofing Contractors Association.

He said as a contractor and a member of Dakota County, he opposed the specifications. He felt it should be redone by a non—biased person.

Recently, he said he finished a job at a medical center in North Sioux City, S.D. and said he "guaranteed it is worth more than this courthouse." "And I didn't have to have \$25 million of Liability to roof it," he said. "I did not have to be worth \$50 million."

He felt that the roof specification were more than what is needed and that Dakota County did not need to spend the money on the roof that theses specifications are calling for.

Commissioner O'Neill, Chair of the Roof Committee, suggested that the Roof Committee meet tomorrow (Tuesday, June 17) to discuss this and invited Mr. Haase to attend if he would like.

The Board discussed the payroll claims. There were two claims discussed. One was a claim of Jolene Gubbels with a pay increase and the other was the claim of the Jail nurse. The board wanted to wait until they see where they are with the county budget before approving Jolene's pay increase.

The other situation was the claim of the Jail nurse and that was whether she should get overtime after 40 or 43 regular hours because it depended whether she was in the Union or not. It was determined that she was in the union, but that the Director of Corrections wanted to pay her time and one-half over 40 instead of 43 because she was not aware of this situation. From here on she will get time and one half over 43 hours worked.

Commissioner Hartnett moved, seconded by Commissioner Rohde to approve the Payroll Claims submitted by the County Clerk as follows and direct the County Clerk to pay the payroll claims, as presented, with exception to delay the pay increase Jolene Gubbels employed in the County Road Department until the Commissioners have had time to evaluate the County's 2008/2009 budget. COUNTY GENERAL FUND: Gross salaries- \$111,764.95, General Fund Employees Net Pay- \$79,348.36, Employer deductions paid: Retirement- 7,764.46, Social Security Tax- 6,798.79, Medicare- 1,590.02, DC Health Plan- 29,700.00, DC Dental Plan- 924.00, Life Insurance- 187.80.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 468.00, Tracey Corkin- 908.00, Marisol Curiel- 894.40, Bobbi Jo Harsma- 1034.40, Theodore Piepho- 1599.88, Darlene Davis- 885.60, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 936.15, Kim Kuehl- 880.07, Phyllis Ridge- 862.66, Margaret Rahn- 1194.00, Daniel Christoffers- 468.00, Dennis Reinert- 209.97, Valerie Danielson- 1599.88, Lori Jessip- 752.50, Cheryl Perkins- 1120.00, Joe Flynn- 1884.96, Debra Jensen- 1040.00, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 940.00, Tracey Corkin- 10.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 900.56, Jeremy Bermel- 1766.91, Anthony Bos- 1929.93, Sandy Dickens- 441.37, Brian Ellinger- 1709.05, Penny Epting- 1495.88, Brent Gilster- 1567.50, Todd Hammer- 1520.00, Melvin Harrison III- 1596.00, Rodney Herron- 1742.74, Jason James- 1367.14, Kimberly Johnson- 455.67, Jared Junge- 1863.60, Michael Kreegar- 1914.25, Gayle Richards- 829.60, Kevin Rohde- 1744.76, James Wagner- 1599.88, Randall Walsh- 1632.00, Kerry Johnson- 880.00, Sara Meadows- 1653.85, Debra Schmiedt- 2230.77, Mary Spurlock- 880.00, Aimee Uhl- 1044.00, Kimberly Watson- 2588.46, Caterina Chapman- 1142.41, Jacob Acero- 1305.81, Ermelinda Ballesteros- 1151.05, Joshua Blatchford- 1175.28, Dusty Boyd- 1164.96, Rebecca Broer- 1456.81, Sandy Dickens- 662.05, Michael Estes- 387.43, Lisa Ford- 1151.05, Joseph Gee- 427.80, John Gilles- 1224.26, Alma Gunderson- 1308.88, Paula Harrigfeld- 978.20, Cathy Harsma- 1332.50, Deanna Haukap- 1144.10, Jackie Heaton- 1640.00, Adam Hough- 1063.10, Sarah Jensen- 800.00, Brett Johnson- 1178.82, Nicholas Kellen- 1036.30, Brenda Kelly- 1292.10, Terry Kern- 1769.23, Keith Klein- 1047.14, Mark Nelson- 1233.75, Travis Olander- 1138.16, Kimberly Peterson- 1123.77, Cara Reinders- 1144.10, Daniel Rodasky- 1189.31, Jutharatana Ruenprom- 1257.02, Linda Schovanec- 1206.40, Justin Smith- 1158.01, Francis Tope- 1258.88, Charvette Williams- 1161.49, Jewel Williams- 1392.62, Matthew Wise- 1056.72, Daniel Wood- 1257.32, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 1121.28, Bonnie Kahler- 699.40, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 10,667.98, State- 3,615.35, Social Security Tax- 6,798.79, Medicare- 1,590.02, Retirement- 5,254.43, DC Health Plan- 475.00, DC Dental Plan- 514.50, Colonial Health- 16.20, Sheriff Union Dues- 300.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 364.10, Aflac Life/Dsbl- 110.20, Flex Plan- 737.37.

COUNTY ROAD PAYROLL: Gross salaries- \$15,712.46, Road Employees Net Pay- \$10,823.62, Employer deductions paid: Retirement- 1,006.60, DC Health Plan- 4,387.50, DC Dental Plan- 136.50, Life Insurance- 26.55, Social Security Tax- 956.92, Medicare- 223.81.

Brent Byroad- 1208.00, Robert Hacker- 1168.00, Ronald Harder- 1176.00, Richard Hoelsing- 1180.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1538.46, Robert Lillard- 1088.00, Kimon Litras- 1180.00, Arnold Mellick- 1180.00, Christopher Paine- 800.00, Leon Pies- 586.00, Kip Reinbold- 1088.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,393.08, State- 470.67, Social Security- 956.92, Medicare- 223.81, Retirement- 671.06, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 4.88, Deferred Comp.- 61.68, Garnishments- 604.60, Aflac Health- 147.06, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50, Union Dues- 180.00.

VISITORS PROMOTION: South Sioux City Chamber of Commerce- lodging tax, 2,846.79.

County Clerk, Ted Piepho, brought up the fact that they disapproved a claim earlier that would increase the budget authority for the Sheriff and to approve the payroll would put the Sheriff about \$12,000 over budget.

Chair Hartnett asked for the vote.

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

UNANIMOUS MOTION CARRIED.

Chair Hartnett adjourned their meeting at 2:38 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Harnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book

Dakota County Board of Commissioners  
Monday, June 30, 2008 Regular Meeting  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their Regular Meeting to order at 1:32 p.m.

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

Absent: None

The agenda for this meeting was as follows:

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

- Roll Call
- Approve Minutes of June 16, 2008.
  - Betty O'Neill – Change her vote approving the May 5<sup>th</sup> minutes in the Emergency Meeting held May 19<sup>th</sup>.
- Review and approve Payroll and Accounts Payable Claims submitted by County Clerk for payment.

1:31 p.m. Jim Wagner, County Sheriff

- Explain overage for County Sherriff's Budget
  - Reconsider Resolution 08C-008. A Resolution that the Dakota County Board of Commissioners authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Sheriff General Fund and that said budget be increased for fiscal year 2007-2008.
  - Authorize the Board chair and Sheriff to sign COUNTY LIAISON OFFICER AGREEMENT with South Sioux City School District for next school year– This is an agreement where the Sheriff's Office will furnish a Liaison Officer three days a week to provide services to the high school, middle school, and elementary schools and the School District will reimburse the County for the deputy's time.

1:45 p.m. Veteran's Service Committee Members. – Discuss Veteran's Budget with the County Board.

1:55 p.m. Donna Goodier - Present 2008-09 CVB Budget and Advisory Committee Members

- Approve the 2008-09 CVB Budget. \$191,150 Revenue \$188,054.75 Cash Reserve \$3,095.25.
- Approve the Advisory Committee Members.

Misc. agenda items.

- CW Suter Claim – negotiate bill for work performed on new jail.
- Officials Reports
- Warren Hoelsing Drainage – This is a drainage problem in which water backs up on the Warren & Glenda Hoelsing Property possibly caused by the Knox Blvd Project.
- Letter from NACO – Whether Dakota County wants to participate in a Walk for Life.
- Painting of the courthouse – The outside of the Courthouse needs to be painted. It has been proposed that this be done before Dakota City's Centennial celebration, which is August 1 through Aug. 3<sup>rd</sup>.

Tabled Items – No tabled items to consider

Committee Reports

Commissioner Member Reports

Public Comment

Mail and/or Emergency Business

2:15 p.m. Adjournment

Commissioner McLarty moved, seconded by Commissioner Engel to approve the minutes of June 16, 2008 as typed and prepared for the Official Record.

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

Commissioner O'Neill moved to change her yes vote to a no vote to approve the minutes of May 5, which was done in the May 19, 2008 meeting.

The motion died for a lack of a second.

Sheriff Wagner appeared before the board and asked the board to approve increasing his 2007/2008 budget to cover some expenses that caused him to go over budget. First he explained that there were three grants that caused him to go over budget, however; county was or will be reimbursed for those expenditures. He said that he had received a grant for four in-car cameras and that was \$20,000. The second was a School Liaison Officer which the county received \$22,400 and the third was a Clicket or Ticket Grant to reimburse the county for Deputy's overtime to patrol the roads and that amount was \$3,400. He added that this totals about \$45,000.

He said if this revenue was put back in his budget then he would be under his budget, but he explained that it is not and goes in the County's General Fund.

Mr. Wagner thought that there should be seed money set aside for grants because no one knows when grants are going to become available.

Commissioner Engel asked why do the deputies working for Mr. Wagner make more than the Sheriff. He said he needs a different car and he should get a different car. That triggered some discussion about the wages and Mr. Wagner said he thought it is wrong and that it should be changed.

Commissioner O'Neill read some minutes from December 6, 2004 stating that Mr. Wagner stepped from jail administrator and appointed Rod Herron as Jail Administrator. She presented considerable information concerning Sheriff Wagner's Salary over the last four years.

Chair Hartnett called for the agenda item "Authorize the Board chair and Sheriff to sign COUNTY LIAISON OFFICER AGREEMENT with South Sioux City School District for next school year-- This is an agreement where the Sheriff's Office will furnish a Liaison Officer three days a week to provide services to the high school, middle school, and elementary schools and the School District will reimburse the County for the deputy's time."

Mr. Wagner said that he had a female deputy that spends three days a week in the school system and she is on the road two days a week. He said that all the comments that he has heard about the program are positive.

Commissioner McLarty moved, seconded by Commissioner Engel to authorize the chair and the Sheriff to sign the County Liaison Officer Agreement and to approve the County Liaison Officer Agreement between the Dakota County Sheriff's Department and School District No. 11 agreeing that one officer of the Dakota County Sheriff's Department will be designated as Liaison Officer to provide services to the high school, middle school, and elementary schools. The duties of the Liaison Officer shall be conducted primarily within the school system, but they may assume regular law enforcement duties in the event of an emergency or other request by the County. The School District shall remit its share of said Liaison Officer expenses to the County on a monthly basis or at such time as it receives a statement from the County, as follows:

**COUNTY LIAISON OFFICER AGREEMENT**

THIS AGREEMENT made and entered into the \_\_\_\_\_ day of \_\_\_\_\_, 2008, by and between THE DAKOTA COUNTY SHERIFF'S DEPARTMENT, DAKOTA COUNTY, NEBRASKA ("County"), a political subdivision, and SCHOOL DISTRICT NO. 11 OF DAKOTA COUNTY, NEBRASKA ("School"), a political subdivision, WITNESSETH:

WHEREAS, one certified officer of the Dakota County Sheriff's Department employed by the County has been designated as a Liaison Officer with his primary duties in the various schools of the School district; and

WHEREAS, the duties of the Liaison Officer are to provide law enforcement assistance at the schools, law enforcement education for students, and generally act as a liaison between the students and the School and various law enforcement agencies; and,

WHEREAS, the County will provide the School with one Liaison Officer on a shared basis from the commencement of the 2008/2009 school year.

NOW THEREFORE, it is agreed by and between the parties that:

- 7. One officer of the Dakota County Sheriff's Department will be designated as Liaison Officer to provide services to the high school, middle school, and elementary schools.
- 8. The duties of the Liaison Officer shall be conducted primarily within the school system, but they may assume regular law enforcement duties in the event of an emergency or other request by the County.
- 9. That the expense of the Liaison Officer to be paid by the School is as follows:

\$210.00 per day for 3 days per week for 9 months to be paid by the School to the County, based upon actual hours the officer spends working within the Schools or on School sponsored programs.  
Liaison Officer Deputy Michael Kreegar  
 $\$210.00 \times 178 \text{ school days} \times 60\% = \$22,400.00$

The School shall remit its share of said Liaison Officer expenses to the County on a monthly basis or at such time as it receives a statement from the County.

10. If there are any changes in salary or benefits during the term of this agreement, the County shall notify the School of the adjustments.

11. That this agreement shall commence on \_\_\_\_\_, 2008, and terminate on \_\_\_\_\_, 2009.

12. That this agreement has been approved by the governing bodies of the County and School.

DATED on the day and year first above written.

THE DAKOTA COUNTY SHERIFF'S DEPARTMENT,  
DAKOTA COUNTY, NEBRASKA,  
BY: \_\_\_\_\_

CHAIRWOMAN OF THE  
BOARD OF COMMISSIONERS

BY: \_\_\_\_\_  
DAKOTA COUNTY SHERIFF

ATTEST:

\_\_\_\_\_  
COUNTY CLERK

SCHOOL DISTRICT NO. 11 OF  
DAKOTA COUNTY, NEBRASKA,  
A political subdivision,

BY: \_\_\_\_\_  
CHAIRPERSON OF THE  
BOARD OF EDUCATION

ATTEST:

\_\_\_\_\_  
SECRETARY

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

Chair Hartnett called for the agenda item "Reconsider Resolution 08C-008. A Resolution that the Dakota County Board of Commissioners authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Sheriff General Fund and that said budget be increased for fiscal year 2007-2008."

Commissioner McLarty moved, seconded by Commissioner Hartnett to adopt Resolution 08C-008 to authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Sheriff General Fund and that said budget be increased by \$40,000 to \$1,146,820.06 for fiscal year 2007-2008.  
RESOLUTION 08C-008

WHEREAS, the office of County Sheriff will exceed its budget with the payment of the submitted June, 2008, accounts payable and payroll claims; and,

WHEREAS, an emergency exists; and,

WHEREAS, the office of General Miscellaneous 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 Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of Sheriff General Fund and that said budget be increased by \$40,000 to \$1,146,820.06 for fiscal year 2007-2008.

BE IT FURTHER RESOLVED, that the General Miscellaneous Budget be reduced by \$40,000 to \$906,075.88 for fiscal year 2007-2008.

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

Chair Hartnett called for the agenda Veteran's Service Committee Members. – Discuss Veteran's Budget with the County.

Alan Boyd, Veteran's Service Officer and Rod Synder, Virgil VanCleave and Arnie Andree of the Veteran's Service Committee appeared before the board as requested by the Chair.

They told the board that they set aside \$4,000 and they were going to pay family and friends of veteran's to take the veteran to the hospital instead of Alan Boyd taking them and they would pay the family and friends half of what the county would pay Mr. Boyd.

Chair Hartnett called for the agenda item Donna Goodier – Approve 2008-09 CVB Budget and Advisory Committee Members and to approve their budget.

Donna Goodier and Pat Anderson appeared and presented a slate of Committee Members that they recommended the board approve the Committee Members and along with that they presented their 2008-2009 budget.

Commissioner McLarty moved, seconded by Commissioner Engel to approve the slate of members to serve as members of the Dakota County Convention and Tourism Board, presented by the tourism bureau as follows: Brent Ruch with the Dakota County State Bank, Gloria Oorlog with American Family Insurance, Rick Lecy with Marina Inn, Mick Everett with Travel Memories, Chris Rich with Absolute Screen Art, Mallory Milburn Norm Waitt Sr. with the YMCA, Misty Beguhl with Best Value Inn and Pat Anderson, President of the SSC Chamber of Commerce.

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

Commissioner Engel moved, seconded by Commissioner McLarty to approve the Dakota County Convention and Tourism FY2008/2009 budget as presented by Donna Goodier, Tourism Director with \$191,150.00 in Revenue, \$188,054.75 total expenditures with a cash reserve of \$3,095.25.

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

Commissioner McLarty reported on a bill by CW Suter. He said that during the time of the interim jail administrator he told Mark to get the climate conditions fixed in the jail. Commissioner McLarty said that Mark, Interim Jail Administrator told CW Suter to fix the problem and he did that on Mr. McLarty's directive. Mr. McLarty said that Mark did not realize that it would have been covered under warranty with another company.

Mr. McLarty suggested that the county pay \$2,000 on Suter's bill of \$2,584.85. That included a slight interest charge.

The claim will be turned in with July's Claims.

Chair Hartnett called for the agenda item "Official's Reports."

Commissioner Rohde 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 months of March, April and May, 2008.

BE IT FURTHER RESOLVED to acknowledge receipt of and approve the Officials Quarterly Reports of the County Sheriff's and Department of Corrections for the period of January 1, 2008 through and including March 31, 2008 and the quarterly Interest report of the County Clerk's Office for the same period.

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

UNANIMOUS MOTION CARRIED.

The Board briefly discussed the Warren Hoelsing drainage.

Fred Kellogg said that Mr. Hoelsing has a problem of water standing on his property and Mr. Hoelsing said that it was because of the engineering done on Knox Blvd. Project. The State is not admitting any wrong doing, but they did plug the culverts so no water will be on Mr. Hoelsing's property from that culvert. This is a temporary plug that if water ever threatens their highway, the state can pull the plug. He said that this should resolve Mr. Hoelsing's water problems.

The chair is sending Wayne Boyd a letter informing him of this action.

Chair Hartnett called for the agenda item Letter from NACO – Whether Dakota County wants to participate in a Walk for Life.

Nothing was done.

Chair Hartnett called for the agenda item "Painting of the courthouse."

Commissioner Rohde mentioned to not do anything with the jail and to paint the courthouse a slate gray. That would be a money saver. There was discussion as to the ascetics of that versus the cost saving.

There was discussion if the project would cost less than \$20,000 and it was believed that it could be. It was the County Attorney's Office opinion that if it was under 20 thousand that three informal bids should be taken. If it was over 20 thousand that changes the bidding requirements.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to direct Joan Spencer and County Clerk Ted Piepho to get informal bids to paint the Courthouse and to stain the new Corrections facility and to authorize said people to proceed with the lowest and best bid, provided, the project costs less than \$20,000, in which case the project should be advertised and formal bids taken.

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

Chair Hartnett called for the agenda item tabled Items, which there were none.

Ms. Spencer reported on payroll and she said that Jackie Heaten did not qualify to be a Law Enforcement Officer therefore she does get overtime after 40 according to Federal Wage and Hour Law. Debra Fergen, Deputy County Attorney, concurred with that and explained the difference between Jackie's employment in the Jail versus the others in the jail.

Joan Spencer brought up the issue of Military pay and Military Emergency Pay and how the employees in the military should be paid for working the Flood.

Commissioner Engel moved, seconded by Commissioner McLarty to approve the Payroll Claims submitted by the County Clerk and direct the County Clerk to pay the payroll claims, presented as follows:

COUNTY GENERAL FUND: Gross salaries- \$108,749.08, General Fund Employees Net Pay- \$77,331.54, Employer deductions paid: Retirement- 7,548.25, FICA- 6,611.82, Medicare- 1,546.33, DC Health Plan- 29,700.00, DC Dental Plan- 924.00, Life Insurance- 187.75.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 468.00, Tracey Corkin- 908.00, Marisol Curiel- 894.41, Bobbi Jo Harsma- 1034.40, Theodore Piepho- 1599.88, Darlene Davis- 885.60, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 948.00, Kim Kuehl- 885.60, Phyllis Ridge- 862.65, Margaret Rahn- 1194.00, Daniel Christoffers- 468.00, Dennis Reinert- 209.97, Valerie Danielson- 1599.88, Lori Jessip- 677.25, Cheryl Perkins- 1120.00, Debra Jensen- 1040.00, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 940.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 868.00, Jeremy Bermel- 1581.15, Anthony Bos- 1566.55, Sandy Dickens- 441.37, Brian Ellinger- 1623.55, Penny Epting- 1541.74, Brent Gilster- 1667.25, Todd Hammer- 1558.00, Melvin Harrison III- 1710.00, Rodney Herron- 1742.74, Jason James- 1324.47, Kimberly Johnson- 405.32, Jared Junge- 1604.00, Michael Kreegar- 1529.50, Gayle Richards- 829.60, Kevin Rohde- 1569.13, James Wagner- 1599.88, Randall Walsh- 1564.80, Kerry Johnson- 880.00, Sara Meadows- 1653.85, Debra Schmiedt- 2230.77, Mary Spurlock- 880.00, Aimee Uhl- 1044.01, Kimberly Watson- 2588.46,

Caterina Chapman- 1142.41, Jacob Acero- 970.52, Ermelinda Ballesteros- 1392.79, Joshua Blatchford- 1161.12, Dusty Boyd- 1164.96, Rebecca Broer- 1466.17, Sandy Dickens- 662.05, Michael Estes- 1279.25, Lisa Ford- 1161.49, Joseph Gee- 842.82, John Gilles- 1466.92, Alma Gunderson- 1344.46, Paula Harrigfeld- 835.12, Cathy Harsma- 1302.65, Deanna Haukap- 1140.62, Jackie Heaton- 1664.00, Adam Hough- 948.17, Sarah Jensen- 800.00, Brett Johnson- 1196.52, Nicholas Kellen- 556.40, Brenda Kelly- 1185.90, Terry Kern- 1769.23, Keith Klein- 1066.30, Mark Nelson- 1226.25, Travis Olander- 1124.76, Kimberly Peterson- 1103.02, Cara Reinders- 1158.01, Daniel Rodasky- 1210.18, Jutharatana Ruenprom- 1114.72, Linda Schovanec- 1206.40, Justin Smith- 1158.01, Francis Tope- 1112.80, Charvette Williams- 1483.23, Jewel Williams- 1131.46, Matthew Wise- 1037.56, Daniel Wood- 1257.32, Jolene Gubbels- 877.60, Leon Pies- 586.00, Pamela DeVries- 1558.06, Patricia Glover- 1051.20, Bonnie Kahler- 629.46, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 10,206.75, State- 3,456.54, FICA- 6,611.82, Medicare- 1,546.33, Retirement- 5,106.09, DC Health Plan- 475.00, DC Dental Plan- 514.50, Colonial Health- 16.20, Sheriff Union Dues- 300.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 364.09, Aflac Life/Dsbl- 110.20, Flex Plan- 737.37.

COUNTY ROAD PAYROLL: Gross salaries- \$15,617.46, Road Employees Net Pay- \$10,809.27, Employer deductions paid: Retirement- 1,006.60, DC Health Plan- 4,387.50, DC Dental Plan- 136.50, Life Insurance- 26.55, FICA- 951.03, Medicare- 222.43.

Brent Byroad- 1208.00, Robert Hacker- 1168.00, Ronald Harder- 1176.00, Richard Hoelsing- 1180.00, Hans Houfek- 1168.00, Robert Jacobsen- 1180.00, Fred Kellogg- 1538.46, Robert Lillard- 1088.00, Kimon Litras- 1180.00, Arnold Mellick- 1180.00, Christopher Paine- 705.00, Leon Pies- 586.00, Kip Reinbold- 1088.00, James Swanson- 1172.00.

ROAD FUND: Employee withholding paid to: Federal- 1,378.83, State- 465.90, FICA- 951.03, Medicare- 222.43, Retirement- 671.06, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 4.88, Deferred Comp.- 61.68, Garnishments- 570.24, Aflac Health- 147.06, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50, Union Dues- 160.00.

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

Chair Hartnett called for the agenda item Commissioner Committee Reports.  
Commissioner Engel reported that he went to the 30 year anniversary of NE Nebraska area of Aging.  
Commissioner O'Neill reported that the Roof Bids were due by 4:00 p.m. today.  
Commissioner Hartnett reported that she met with the Merit Commission and the list for employing jailers and deputies is down and so candidates are being interviewed now and the Merit Commission will interview them in September.  
She also reported that herself and several other people met concerning Conditional Use Permits and that a Special Meeting has been called by Planning and Zoning for July 11, 2008, at 7:00 p.m.  
Ms. Hartnett reported that herself and Joan met at South Sioux City's Library concerning the Juvenile Comprehensive Plan.  
Chair Hartnett called for the agenda item Commissioner Member Reports and there were none.  
Chair Hartnett called for the agenda item Public Comment and Commissioner O'Neill asked if this was the appropriate time to ask to be on the agenda next week.

Chair Hartnett adjourned their meeting at 2:38 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Harnett, Chair                      Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk                      Date entered in book

Dakota County Board of Commissioners  
Monday, July 7, 2008 Special Meeting  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their Special Meeting to order at 1:00 p.m.

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

Absent: None

The agenda for this meeting was as follows:

1:00 p.m. Call to Order with reciting the Pledge of Allegiance

- Roll Call
- Approve Minutes of June 30, 2008.

1:01 p.m. Open bids submitted for the Courthouse Roof Project - The County board will either accept the lowest and best bid, or to refer all bids to committee for evaluation after all bids are opened. The County Board reserves the right to recess from July 7, 2008, to some other day in the week of July 7<sup>th</sup> to formally accept a bid, if it is in the best interest of the County, to adopt said bid before it's next regular meeting July 14<sup>th</sup>.

1:10 p.m. Adjournment

Commissioner McLarty moved, seconded by Commissioner Engel to approve the minutes of June 30, 2008 as typed and prepared for the Official Record.

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

Chair Hartnett read a memo that she received from Kim Watson, County Attorney, which read as follows:

Since Boone's bid was not submitted by the deadline and JC's was not submitted to the designated agent, neither bid was in compliance. If the Board were to award the contract to either of them it would be in violation of the County Purchasing Act and the action would be void.

Under the County Board Handbook, Chapter 5, pg. 5, "Any or all bids may be rejected and the bid need not be awarded at the time of the opening, but can be held over for further consideration." The safe thing would be for the Board to open the bids, state on the record about their noncompliance, and refer it back to the roofing committee for further action.

Commissioner McLarty moved, seconded by Commissioner Engel to reject the bids of JC Roofing because it was not filed with the correct filing officer prior to the deadline of June 30, 2008 at 4:00 p.m. and to reject Boone Brothers Roofing because they did not file their bid prior to the aforementioned deadline.

There was discussion concerning JC Roofing filing it with the Chair of the Roofing Committee. Commissioner O'Neill asked the Board to accept JC Roofing's bid because it was in her possession prior to the deadline.

JC Roofing said that they filed the bid with Ms. O'Neill because they didn't trust anybody else with the bid and accused the county of wanting Boone Brothers to get the bid.

Commissioner McLarty denied that and said he would just as see them get the bid because they are local.

Chair Hartnett said that we would not open the bids because that would disclose both bids and called for the motion.

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

Chair Hartnett adjourned their meeting at 1:13 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Harnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book



Dakota County Board of Commissioners  
Monday, July 14, 2008, Regular Meeting  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City NE 68731

Chair Hartnett called the meeting to order at 5:30 p.m.

Present: Commissioners Hartnett, McLarty, Rohde, Engel and O'Neill. Joan Spencer, Administrative Assistant to the Board acted as secretary.

Absent: None

The agenda for the meeting was as follows:

1. 5:30 p.m. Call to Order
  - Roll Call
  - Approve Minutes of June 30, 2008.
  - Review and approve Payroll and Accounts Payable Claims submitted by County Clerk for payment.
2. 5:31 p.m. Susan Church - Delegation of individuals from Crystal Lake aka Millis Beach are concerned about the ingress and egress to that area. The only entrance is blocked by train traffic from time to time and they consider this a Public Safety issue and would like another means of ingress and egress to their homes. The last time it was brought before the County Board, it was determined that if there is an emergency 911 call and a train is blocking the road, then a call would be placed to the railroad and they would break the train.
3. Misc. agenda items.
  - Approve the Union Master Agreement with the NEBRASKA PUBLIC EMPLOYEES, LOCAL 251 AFSCME, which is the union representing the County Road Workers for period January 1, 2008 through January 1, 2011.
  - Approve specifications and advertisement for Bidding Roof. – This is a rebidding of the Courthouse Roof Project because the bids received were rejected.
4. Tabled Items – No tabled items to consider
5. Committee Reports
6. Commissioner Member Reports
7. Public Comment
8. Mail and/or Emergency Business
9. 6:00 p.m. Adjournment

Commissioner McLarty moved, seconded by Commissioner Engel, to approve the minutes of June 30, 2008, as typed and prepared for the Official Record.

Roll Call Vote: Hartnett- yea, McLarty- yea, Rohde- yea, Engel- yea, O'Neill- yea.

Unanimous Motion Carried.

Commissioner McLarty moved, seconded by Commissioner Engel, to approve the Road Department Comprehensive Master Agreement between County of Dakota, Nebraska and Nebraska Public Employees, Local 251 for the period of January 1, 2008, to December 31, 2011, and have chair sign same.

Roll Call Vote: McLarty- yea, Rohde- yea, Engel- yea, O'Neill- yea, Hartnett- yea.

Unanimous Motion Carried.

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

COUNTY GENERAL FUND: Gross salaries- \$117,040.37, General Fund Employees Net Pay- \$82,911.27, Employer deductions paid: Retirement- 8,134.90, FICA- 7,125.85, Medicare- 1,666.50, DC Health Plan- 29,700.00, DC Dental Plan- 924.00, Life Insurance- 187.80.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 470.93, Tracey Corkin- 913.68, Marisol Curiel- 894.40, Bobbi Jo Harsma- 1034.40, Theodore Piepho- 1599.88, Darlene Davis- 885.60, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 942.08, Kim Kuehl- 885.60, Phyllis Ridge- 880.88, Margaret Rahn- 1194.00, Daniel Christoffers- 468.00, Dennis Reinert- 209.97, Valerie Danielson- 1599.88, Lori Jessip- 752.50, Cheryl Perkins- 1120.00, Debra Jensen- 1040.00, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 940.00, Tracey Corkin- 16.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 937.19, Jeremy Bermel- 1913.38, Anthony Bos- 1854.00, Sandy Dickens- 441.37, Brian Ellinger- 1969.67, Penny Epting- 1756.27, Brent Gilster- 1795.92, Todd Hammer- 2025.04, Melvin Harrison III- 1883.75, Rodney Herron- 1742.74, Jason James- 1524.89, Kimberly Johnson- 287.00, Jared Junge- 1925.39, Michael Kreegar- 1786.17, Gary Powell- 120.00, Gayle Richards- 829.60, Kevin Rohde- 1530.70, James Wagner- 1599.88, Randall Walsh- 1577.04, Kerry Johnson- 880.00, Sara Meadows- 1653.85, Debra Schmiedt- 2230.77, Mary Spurlock- 880.00, Aimee Uhl- 1044.00, Kimberly Watson- 2588.46, Caterina Chapman- 1142.41, Jacob Acero- 1082.92, Ermelinda Ballesteros- 1459.93, Joshua Blatchford- 1356.51, Dusty Boyd- 1307.85, Rebecca Broer- 1386.70, Sandy Dickens- 662.05, Michael Estes- 1457.11, Lisa Ford- 1406.62, Joseph Gee- 1353.18, John Gilles- 1376.78, Alma Gunderson- 1604.78, Paula Harrigfeld- 995.72, Cathy Harsma- 1521.87, Deanna Haukap- 1352.67, Jackie Heaton- 1396.00, Adam Hough- 1318.86, Sarah Jensen- 797.50, Brett Johnson- 1386.93, Nicholas Kellen- 1662.77, Brenda Kelly- 1337.17, Terry Kern- 1769.23, Keith Klein- 1152.52, Mark Nelson- 1244.03, Travis Olander- 1182.83, Kimberly Peterson- 1169.05, Cara Reinders- 1348.87, Daniel Rodasky- 1382.89, Jutharatana Ruenprom- 1322.16, Linda Schovanec- 1238.80, Justin Smith- 1338.91, Francis Tope- 1139.68, Charvette Williams- 1429.71, Jewel Williams- 1320.58, Matthew Wise- 1139.47, Daniel Wood- 1290.32, Jolene Gubbels- 960.00, Leon Pies- 832.29, Pamela DeVries- 1558.06, Patricia Glover- 1066.97, Bonnie Kahler- 699.40, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 11,441.60, State- 3,898.94, FICA- 7,125.85, Medicare- 1,666.50, Retirement- 5,506.19, DC Health Plan- 475.00, DC Dental Plan- 514.50, Colonial Health- 16.20, Sheriff Union Dues- 300.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 364.10, Aflac Life/Dsbl- 110.20, Flex Plan- 737.37.

COUNTY ROAD PAYROLL: Gross salaries- \$20,749.13, Road Employees Net Pay- \$14,186.26, Employer deductions paid: Retirement- 1,353.31, DC Health Plan- 4,387.50, DC Dental Plan- 136.50, Life Insurance- 26.55, FICA- 1,269.18, Medicare- 296.82.

Brent Byroad- 1705.53, Robert Hacker- 1668.50, Ronald Harder- 1674.52, Richard Hoelsing- 1678.52, Hans Houfek- 1668.83, Robert Jacobsen- 1677.53, Fred Kellogg- 1538.46, Robert Lillard- 1249.70, Kimon Litras- 1674.89, Arnold Mellick- 1675.88, Christopher Paine- 700.00, Leon Pies- 832.29, Kip Reinbold- 1352.00, James Swanson- 1652.48.

ROAD FUND: Employee withholding paid to: Federal- 2,217.94, State- 759.60, FICA- 1,269.18, Medicare- 296.82, Retirement- 902.20, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 4.88, Deferred Comp.- 61.68, Garnishments- 568.43, Aflac Health- 147.06, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50, Union Dues- 160.00.

Roll Call Vote: Rohde- yea, Engel- yea, O'Neill- yea, Hartnett- yea, McLarty- yea.

Unanimous Motion Carried.

Residents from Crystal Lake a/k/a Millis Beach addressed the Board of Commissioners expressing their desire for a new road to be built by the county providing another entrance/exit to the Crystal Lake area because their only entrance/exit can be blocked by train traffic and they consider this a public safety issue.

Susan Church expressed she is not asking for a temporary emergency road. She is aware she can call 911 in an emergency to have the train cars split apart. She would like a permanent 24-hour, county-maintained road." It is a circle, one way in and one way out.

Commissioner Engel agreed something needs to be done for emergencies, but he did not know what.

Commissioner Rohde said he contacted Cargill to attend the meeting, but they could not. A road by Cargill and the railroad would be emergency road only and he now is aware the residents are no longer talking about an emergency road. He wondered about going east of Walter Heineman's property and was aware Larry Albenesius had a private gated road.

Tom Vipond stated it is because of the business of the grain elevator that the road is blocked. There is possibly a county easement from Eagle Drive to North Shore Road.

Leroy Totman thought there was a service road/driveway for the power company.

Susan Church said the roads on the map are not how the roads actually are.

LeRoy Tramp stated he has lived there for 35 years and there was not a problem with the trains until the elevator was built. The train can block the road for 30 to 45 minutes. The trains are longer and more frequent since the grain elevator and ethanol plants were built. The length of the train is now 90 to 100 cars. He thought if the county had an easement road to Albenesius' property, that easement was full of trees. He thought the area should have been better planned.

William Church thought there was an easement for a natural gas line by Tramps and E Avenue across the old lake bed, across to Larry Albenesius to North Shore. A road built across there to Larry Albenesius' road might work to North Shore. Mr. Church asked that if there is an easement across Hohenstein and Tramp property, who owns it?

Commissioner Rohde thought a way west to F Avenue on Cargill property might be an option. William and Susan Church stated it is a 4-wheel drive road and Cargill has put gates up.

Jeff Henry stated that he receives incentive pay at his job and has been late because he had to wait for a train and has lost the opportunity for the incentive resulting in a loss of income.

Janet Ohlert stated her job is based on a point system. Points are deducted for being late to work up to a maximum accumulation of points resulting in loss of her job. Waiting for the train has resulted in several points being deducted.

Arlan Dean stated the longest he was shut out was 4 hours.

Ms. Church cited an incident where a mother was waiting in her car in hot weather with a 9-month old baby. A family member was on the other side of the tracks and handed the baby across the train, which could have been very dangerous.

Bridget Holmes asked what constitutes an emergency? What if someone had an asthma attack? If it takes 20 minutes to respond before the train is split, there could very possibly be a loss of life.

Kelsey Nimmer stated she has lived in the area for 2 years and has small kids and waiting for 15 to 20 minutes is very frustrating. She is worried if she has an emergency with her small children and the road is blocked by a train what the emergency response time would be.

Jeanie Vipond stated she has been late for work and is a school cook and also diabetic.

Chair Hartnett thanked everyone for coming and asked them to come back in a month and the county would try to find some answers.

William Church would like to be kept informed on what the county finds out on the easements and if Larry Albenesius is willing to be part of a possible solution. Mr. Church will be the contact person for Fred Kellogg, Road Director.

City/County limits and zoning were discussed. Commissioner Rohde said South Sioux City Hall has a really good zoning map.

Changes to the roofing bid and specifications by the Roof Committee were discussed for an ad being placed since previous bids were all rejected. Changes are a new bid deadline of 4:00 p.m. on June 25<sup>th</sup> to be filed at the County Clerk's Office and bids opened at the Board meeting on June 28<sup>th</sup>. The bid will be placed in the Dakota County Star twice and the Sioux City Journal once. The only change in the specs was a new project deadline of October 31<sup>st</sup>. Commissioner McLarty asked if the specs for the membrane product needed to be changed to level the playing field. None were made. Commissioners Rohde and O'Neill were concerned about the bid deadline and where filed.

Commissioner McLarty moved, seconded by Commissioner Hartnett, to approve the bids and specs per changes recommended by the Roof Committee as follows:

**REQUEST FOR BIDS**

The Dakota County Board of Commissioners are seeking bid proposals to re-roof the Dakota County Courthouse. Sealed bids will be accepted until 4:00 p.m., Friday, July 25, 2008, at the Office of County Clerk, 1601 Broadway, PO Box 39, Dakota City, NE 68731. The bids will be opened Monday, July 28, 2008, at 1:45 p.m. at the Board of Commissioners meeting held in the basement of the Dakota County Courthouse, 1601 Broadway Street, Dakota City, Nebraska. Bid Specifications can be obtained at the Office of Administrative Assistant or by calling 402-987-2130. Mandatory pre-bid meeting and site visit. Project Deadline: October 31, 2008.

Jackie Hartnett, Board Chair  
Published Dakota County Star July 17, 2008  
Published Dakota County Star July 24, 2008  
Published Sioux City Journal July 19, 2008

Roll Call: O'Neill- nay, Hartnett- yea, McLarty- yea, Rohde- yea, Engel- yea. Motion carried.

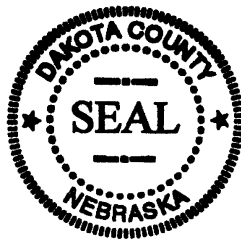
No tabled items.

Committee Reports. Commissioner Rohde said he would talk to Fred Kellogg, Road Director, regarding the request for a road by the residents of Crystal Lake. Commissioner McLarty attended a SIMPCO meeting, but nothing pertinent to the county was discussed. Commissioner Engel will attend a meeting in Wisner this week.

No Commissioner member reports.

Public Comment. Commissioner O'Neill would like 1/2 cent sales tax on the next agenda for discussion. She would also like Lance Hedquist to address the Board on the refund issue. Chair Hartnett asked it to be so noted and placed on the July 21<sup>st</sup> agenda.

Chair Hartnett adjourned their meeting at 6:25 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Hartnett, Chair      Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk      Date entered in book

Dakota County Board of Commissioners  
Monday, July 21, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their regular meeting to order at 10:00 a.m.

Present were Commissioners Engel, Hartnett, McLarty, and County Clerk Ted Piepho, Secretary.

Absent: Commissioners Rohde and O'Neill.

The agenda for this meeting was as follows:

10:00 a.m. Call to Order with reciting the Pledge of Allegiance

- Roll Call
- Approve Minutes of July 14, 2008
- Review and approve Accounts Payable Claims submitted by Co. Clerk.

11:20 a.m. TOUR JAIL AT 11:20 a.m.

11:30 a.m. Recess for Lunch

1:30 p.m. Reconvene from Lunch

1:31 p.m. Pam Miller - Brief report for the County Economic Development Committee. Pam will cover information as result of a meeting that the Economic Development Committee discussed in a meeting that was held in the Dakota City Council Chambers.

1:45 p.m. Lance Hedquist – sales tax refund applied by Nebraska State Treasurer as applicable to sales tax monies received from South Sioux City for Jail Bond Fund payment.

2:00 p.m. Planning & Zoning Board members will be present for discussion regarding Conditional Use Permits and Towing Regulations.

2:15 p.m. Miscellaneous Agenda Items

- Officials Reports
- Tabled Items – No tabled items to consider
- Commissioner's Committee Reports
- Commissioner Member Reports
- Public Comment
- Mail and/or Emergency Business

2:20 p.m. Adjournment.

Commissioner Engel moved, seconded by Commissioner McLarty to approve the minutes of July 14, 2008 as typed and prepared for the Official Record.

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

The commissioners reviewed the accounts payable claims presented by the County Clerk.

Commissioner Engel left the room at 10:24 a.m. and returned at 10:28 a.m.

Chair Hartnett brought to the attention of the Board that there is a law that requires approval from the board for purchases in excess of \$2,000.

Chair Hartnett mentioned that the cost for Jailers uniforms was over \$4,000. The board agreed that Terry Kern, Jail Administrator may not be aware of that cap and that they would remind him during the jail tour.

Commissioner McLarty stated that the Sheriffs contract was amended so uniforms would be replaced when needed rather than just annually or on a set schedule to make sure officers would look good when on duty.

It was agreed that the subject of spending caps for offices should be on the agenda for the next meeting.

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

**GENERAL FUND:** Dakota County Star, publishing- 396.53; Perkins Office Solutions, office supplies- 134.62; Dugan Business Forms, protest forms- 484.02; Sioux City Journal, renewal- 250.00; Staples, hp cartridge/pdf converter- 304.98; Theodore Piepho, cell phone- 20.00; Robert Giese, mileage- 168.48; Charlotte Doenhofer, 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; DAS Imservices, data storage- 3.50; Staples, office supplies- 320.17; Automated Systems, data install- 585.92; Des Moines Stamp, office supplies- 26.70; Ruth Gillispie, reimbursement notary- 80.00; Siouxsland National Bank, deposit books- 33.50; Dakota County Star, General Election Notice- 54.00; Todd's Store all, July storage- 80.00; Theodore Piepho, mileage- 34.27; Gene Cantrell, mileage/meeting- 22.07; Jim Crosgrove, mileage/meeting- 26.11; Dakota County Star, meeting notice- 7.71; Jim Jepsen, mileage/meeting- 32.02; Dick McCabe, mileage/meeting- 54.24; Marlan Millard, mileage/ meeting- 18.54; Donald Miller, mileage/meeting- 47.17; Joe O'Neill, mileage/meeting- 37.07; Dennis Reinert, phone/mileage- 138.58; Martin Rohde, mileage/meeting- 46.16; Staples, office supplies- 54.99; Holiday Inn Express, lodging-

159.00; Iowa Nebraska bank, printing checks- 173.04; NetSys+, trouble shooting- 310.00; New Perspectives Inc, shredding- 9.75; Staples, office supplies- 170.59; Dakota Business System, equip payment- 99.00; Dakota County Star, subscription to paper- 35.00; Data Source Media, printer cartridge- 347.79; Dell Marketing LP, printer cartridge-179.98; Paula Jensen, reimbursement- 15.68; Midwest office Automations, contract- 182.99; New Perspectives, shredding- 12.75; Kurt Rager, reimbursement- 52.36; Thomson West, cd rom service- 185.00; Braulio Cardenas, witness fee-20.50; Julia Cardenas, witness fee- 20.00; Lisa Carpenter, witness fee- 25.05; Dakota County Court, court costs- 1919.00; Frank Gonzalez, interpreter- 150.00; Randy Hisey-2100.; Dennis Hurley, court appointed counsel- 4614.00; Kueny Law Office, court appointed counsel- 413.70; Pete Morris, witness fee- 25.05; Douglas Roehrich, court appointed counsel- 2659.67; Sakon M Sheikhbar, witness fee- 25.05; Bryan Smith, court appointed counsel- 1067.65; Richard Thramer, court appointed counsel- 300.00; Patrick Tott, court appointed counsel- 168.00; William Binkard, reimbursement- 151.65; Frank Gonzalez, interpreter fee- 1050.00; John Loos Jr, reimbursement- 639.86; NetSys+, internet repair- 115.00; Perkins Office Solutions, office supplies- 112.96; Woodbury County Sheriff, subpoena fee- 44.86; Clerk of Supreme Court, legal services-366.00; Coffee King, jury coffee- 38.00; District Court, claim list- 436.00; Hungry's, jury meals- 490.26; Susan Hunke, court reporting mental health- 60.00; Dennis Hurley, court appointed counsel- 468.00; HyVee, jury supplies- 158.05; Norfolk Printing, courtroom binders- 719.56; Michael Schmiedt, mental health hearings- 186.00; Shirley Sides, mental health hearings- 60.00; Pat Slaughter, mental health hearings- 60.00; Patrick Tott, court appointed counsel- 102.00; Maximus, cost allocations- 963.74; Ateam Heating & Cooling, ac repair- 2083.20; Barone Security Systems, inspection- 370.00; Bomgaars, supplies- 108.59; Bunkers Feed & Supply, salt- 127.54; City of Dakota City, water/sewer- 1091.25; Gill Hauling, dumpster-120.00; Jackson Glass, repair dist court door- 97.50; Rick Jensen, mileage- 91.98; Menards, supplies- 188.89; MidAmerican Energy, gas bill- 2559.00; Nebr. Dept of Labor, inspections- 144.00; NPPD, electric bill- 3907.04; Share, janitorial supplies- 603.68; CW Sutter, jail ac- 586.50; Verizon Wireless, cell phone- 82.09; Wilmes Hardware Hank, supplies- 216.40; Trembly, pest control-50.00; Dakota County Extension, reimbursement- 505.50; Anytime Lock & Key, vault key- 58.70; Abramos Animal Services, animal control- 600.00; City of South Sioux City, telephone/fuel- 5283.54; Dakota County Star, merit commission ad- 4.63; Dakota Food & Fuel, fuel- 471.89; Family Health Care of Siouxland, school physical- 25.00; Fremont Tire, vehicle maintenance/tire repair- 1445.03; Glock Inc, gun slide stop levers- 130.00; Jack's Uniforms, supplies/uniforms-1560.00; Jackson Glass, chip repair- 25.00; NetSys+, computer repairs- 80.00; Office System Company, typewriter contract- 179.00; RACOM, phone access line- 694.20; Siouxland FCU, misc reimbursement-27.82; Siouxland Humane Society, animal control- 46.00; Torco-Remfg, battery unit 16- 163.95; Ultramax, ammunition- 314.00; Verizon Wireless, cell phones- 80.12; Walmart, supplies- 60.76; Willis Animal Clinic, dog food- 36.80; Dakota Co. Sheriff, papers/warrants- 1314.96; Dakota Co. Sheriff, reimbursement- 1104.45; All World Translation Services, Spanish interpretation- 82.50; Columbus Telegram, legal ad- 45.06; Dakota County, legal ad- 119.20; Dakota County Treasurer, filing fees- 197.00; Department of Motor Vehicles, transcripts- 16.00; Iowa Office Supply, copier contract- 102.28; Moline Dispatch Publishing Co, legal ad- 121.02; Susan Hunke, transcripts- 19.50; Thurston County Court, certified copies- 12.75; Thurston County Sheriffs Dept, subpoena fees- 32.12; Verizon Wireless, cell phones- 228.57; Woodbury County Sheriff's Department, subpoena fees- 129.67; City of South Sioux City, LEC expense/July- 25302.29; AJ Phillips Publishing Co, business cards- 35.00; BI, electronic monitoring- 55.00; Caterina Chapman, mileage- 32.76; Perkins Office Solution, fax machine- 239.99; Verizon Wireless, cell phone- 55.06; American Bio Medica Corp, drug test kits- 99.45; Amsan, kitchen supplies/laundry supplies- 944.21; BI, house arrest- 3481.85; Bob Barker, jail supplies- 1592.45; CBM Food Service, food service- 23805.29; CW Suter Services, heat/cool issues- 2227.50; Cash-Wa Distributing, food service products- 273.26; City of Dakota City, water/sewer- 622.99; Com-Tec Security, microphone bas radio- 77.88; Dakota Business Systems, copier contract- 281.00; Dakota County Sheriff, Reimbursement- 87.37; Dakota Food & Fuel, fuel- 763.30; Delta Gloves, gloves- 227.70; Dept of Correctional Services, Safekeepers/inmate medical- 6899.65; Sandy Dickens, mileage- 114.42; Electronic Engineering, battery- 145.00; Fairmont Fire Systems, fire inspection- 166.00; Fremont Tire, vehicle maintenance- 184.30; Jack's Uniforms, uniforms/taser cartridge- 4063.58; Jackson Glass, door repair- 35.00; Janitor Depot, supplies- 288.18; Lectra Lock, electric plate covers- 74.20; Mercy Bus Health, inmate house calls- 2072.00; Mercy Medical Center, inmate medical- 317.61; Mid American Energy, gas bill- 576.62; Midwest Office Automations, copier contract- 274.96; Moore Medical, medical room supplies- 329.42; N.E. NE Juvenile Services, juveniles- 1575.00; NW Iowa emergency Phys, inmate medical- 302.00; Nebraska Public Power District- electric bill- 3626.80; Mark Nelson, reimbursement- 14.48; Office Systems Company, typewriter contract-381.00; Redler's Pharmacy, inmate meds- 58.77; Sam's Club, supplies- 26.53; Siouxland Community Health, inmate medical- 254.00; Siouxland FCU, reimbursement- 335.14; Siouxland Radiology Partners, inmate medical-581.00; Simplex Grinnell LP, sprinkler contract- 1825.00; Staples, supplies- 301.72; Trembly Termite & Pest Control, pest control-35.00; Verizon Wireless, cell phones- 208.49; Wal-Mart, prescriptions/supplies-1532.41; Woodbury Co Juvenile Detention, juveniles- 33100.00; York General Hospital, inmate medical- 173.00; Gill Hauling Ins, dumpster service- 120.00; Dodge County Clerk, Apr-June expense- 8309.22; Perkins Office Solution, office supplies- 79.98; Verizon Wireless, cell phone- 32.98; Alpha Land Surveying, established corners- 2550.00; Carex Health Brands, medical supplies- 101.52; Pam DeVries, mileage- 91.91; Dunes Family Medicine, consulting physician- 250.00; Deanna Beckman, mileage- 1312.26; Briggs, NSG drug handbooks- 81.47; Pam Devries, mileage- 63.63; Alan Boyd, mileage- 599.85; Electronic Engineer, pager- 13.95; Thomson West, northwestern report- 653.25; Bort Auto Body, deductible- 250.00; CableOne, monthly internet- 210.45; Delage Landen Financial, copier lease-114.69; FSh Comm, payphone- 63.60; IBM Corp, AS400- 137.14; Lazette Gifford, website upkeep- 40.00; Madelyn Thorsland, prior yrs service- 10.00; NACO, 1<sup>st</sup> half membership dues- 1360.59; NE Nebr. Area Agency Aging, counties share 08 fiscal yr- 5172.00; NIRMA, work comp/liability ins- 38860.78; Qwest, phone bill-1344.32; Region IV Inc, 1<sup>st</sup> qrtly payment 08/09- 5320.25; Region 4 Behavioral Health System, qrtly services- 7615.75; Romans Wiemer & Assoc, audit yr ending 6/30/07- 12500.00; Kristin Sell, CPR class- 142.91; Sioux Air Inc, aerial spraying- 1360.00; Signs by Tomorrow, flag- 195.30; Sioux City Journals, roofing bid notice- 9.04; Three

Rivers Benefit, flex plan admin- 75.00; US Postal Service, postage- 2500.00; WCS Telecom, telephone- 377.36; Xpedx, copy paper- 2946.50; Road Fund, budget transfer- 30000.00; Road Improvement, budget transfer- 3000.00; Weed Fund, budget transfer- 1000.00; Larry L Anderson- jury fees, Allison M Bayne- jury fees, Henry A Beekman- jury fees, Shelly S. Bird- jury fees, Larry L. Blair- jury fees, Ardis M. Boldenow- jury fees, Angela S. Campbell- jury fees, Taralyn M. Cleveland- jury fees, Pamela S. Colwell- jury fees, Francies A. Copper- jury fees, Shelly L Copple- jury fees, Rachel M. Elsea- jury fees, LaVonne I. Gruis- jury fees, Linda K Hansen- jury fees, Salvador B. Hernandez- jury fees, Annette M Hirsch- jury fees, Alvin F. Jones- jury fees, Victor A. Keeler- jury fees, Ann M. Kimes- jury fees, Carol E. Lubber- jury fees, Matthew J. Maslonka- jury fees, Diane L McCulloch- jury fees, Edward W. McMahan- jury fees, Cy H. Pfister- jury fees, Augustine G. Ramirez- jury fees, Billy R. Rogers- jury fees, John L Starzl- jury fees, Carl E. Stolze- jury fees, Darlene M Vavra- jury fees, James M. Warner- jury fees, Donald H. Wilke- jury fees, Bob Decker- jury fees, Sherry Kellogg- jury fees, Steven Stolze- jury fees, Debora Green, Jury Fees Total- \$2,848.58

**ROAD FUND:** Ace Engine & Parts Dist, parts- 101.18; Advanced Auto, parts- 67.42; Aramark, towel service- 116.20; Barkley Asphalt, asphalt- 116.20; Bernies Lawn & Garden, parts- 30.14; C & H Truck Parts, parts/labor- 1205.48; Circle R, parts/labor- 100.24; Filter Care of Ne, filter cleaning- 21.55; Gill Hauling, dumpster service/scrap tire- 4930.30; Guarantee Oil, oil/shop supplies- 1008.89; Walter Heinemann, prior yrs service- 29.00; Higman Sans Gravel, gravel- 14970.85; HME, tire service- 237.95; Hans Houfek, scrap tire cleanup- 176.00; Hubbard Mini Mart, fuel-7593.18; H2O4U, water service- 26.25; Inland Truck Parts, parts- 146.99; J and J's Pronto, fuel- 1047.50; Joe's Dept Store, supplies- 126.49; Kimball Midwest, shop supply- 58.99; Knoepfler Chevrolet, parts/labor/service- 230.05; Linweld, shop supply- 36.95; Marx Distribution, chemicals- 325.00; Medical Enterprises, drug testing- 29.90; Arnie Mellick, scrap tire cleanup- 176.00; Marlan Millard, prior yrs service- 15.00; NAPA, parts/supplies- 953.13; NPPD, Homer service- 23.88; NIRMA, gen liability/workman's comp- 24806.23; Northeast Equip, tractor rental- 939.20; NE Nebr. PPD, electric bill- 213.48; NNTC, phone service- 181.88; Christopher Paine, scrap tire cleanup- 176.00; Leon Pies, scrap tire cleanup- 176.00; Pimps, tires- 626.50; Power Plan Murphy, shop supply- 61.00; Rees Mack Sales, parts- 164.39; Stalp Sand & Gravel, gravel- 3460.88; Torco Remfg, parts- 287.40; Tractor Supply, tools- 14.99; Verizon Wireless, cell phone- 48.66; Warren Oil, fuel- 12697.25; General Fund, payroll error- 323.05;

**ROAD IMPROVEMENT:** Olson and Association, engineering- 2751.66

**POOR RELIEF:** Becker Hunt Funeral Home, general cremation expense- 1050.00

**VETERANS AID:** Veteran Office, aid- 3000.00; Luken Memorial, set maker- 160.00

**S.T.O.P 2350:** Christopher Goodrich, cuff case- 61.95

**PUBLIC SAFETY:** Jail Bond, 88% sales tax- 22382.77; City of South Sioux City, 12% sales tax- 3052.20

**WEED FUND:** DeLage Landen Fin Services, copier rental- 91.00; Fimco, sprayer parts- 119.84; Hubbard Mini Mart, fuel- 538.26; J & J Pronto, fuel- 101.00; Joe's dept Store, sprayer parts- 47.83; NAPA, parts/oil- 17.40;

**E911:** City of South Sioux City, 911 monies Apr/May/June 08- 23170.28

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

The board departed the Commissioner Meeting Room at 11:00 a.m. to tour the jail.

The jail kitchen was under construction because the Fire Marshall and Jail Standards issued a directive that there should be Fire Sprinklers for the Freezer.

Chair Hartnett recessed their meeting for lunch at 11:18 a.m. upon completing the jail tour.

Chair Hartnett reconvened their meeting from lunch at 1:32 p.m.

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

Absent: None

Pam Miller appeared before the board and represented the County Economic Development Committee. Pam reminded the board that there is an interlocal agreement with the City of South Sioux City to provide economic development consultation.

Pam said that there was a meeting on June 10<sup>th</sup> at City Hall that resulted in discussion regarding zoning changes, roads, railroads, Highway 77 and NPPD. She also mentioned that they discussed the possible relocation of Highway 35 in the future.

Pam asked the board when the last comprehensive plan for zoning was implemented.

Chair Hartnett said that was in 1997.

Pam said that the committee wanted to suggest that a new comprehensive plan be put in place.

Lance Hedquist appeared before the board. He mentioned some of the economic developments happening in and around the county.

Lance Hedquist explained how the state has tax incentives for companies entering into Nebraska once they achieve an employment level and a capital investment level. Part of those tax incentives can be taken in a sales tax rebate to the company.

Commissioner O'Neill asked who the auditor was for the city.

Mr. Hedquist stated it was Williams & Company.

Commissioner O'Neill read a section of a June 2004 Interlocal agreement, which said: "The city administrator and the county clerk shall keep and maintain such books and accounts as they deem advisable and as may be required by their respective auditors, which books and accounts shall be audited annually by a certified public accountant selected by the city and county. Certified reports of audits shall be prepared as of the end of each fiscal year and copies of which shall be furnished to clerks of each government and subdivision. The books and accounts shall be available for inspection by authorized representatives of the city and county. "

Commissioner O'Neill asked when the last audit was done.

Mr. Hedquist said that their fiscal year end is September 30<sup>th</sup>, so the audit is done after that sometime around January and are public.

Commissioner O'Neill asked where the books and accounts are kept.

Mr. Hedquist said that they are kept at the city and the county level.

Commissioner O'Neill asked where the county records are.

Mr. Hedquist said they were sent to the county.

Commissioner O'Neill asked how often meetings are held with the County Clerk.

Mr. Hedquist said that he would meet with anyone who wants too.

Commissioner O'Neill repeated the section of the Interlocal agreement previously quoted, and quoted another section which said: "The City Administrator and County Clerk shall maintain and keep such other records and make such reports to the constituent government subdivision as each may deem necessary."

Mr. Hedquist said that they submit to their council a report every month.

Commissioner O'Neill asked what percentage of interest is being paid on the bond.

Mr. Hedquist said the interest is variable, he said the county was given a sheet regarding that information.

Commissioner O'Neill asked for a breakdown of the January and February county sales tax that was received by the County on June 9<sup>th</sup>.

Mr. Hedquist said that he would not have the breakdown for the County Sales Tax.

Commissioner O'Neill asked what the obligation has that South Sioux City owed the State of Nebraska that caused the Department of Revenue to attach the sales tax money.

Mr. Hedquist said that when a company applies for a rebate by the incentive program offered by the State of Nebraska part of their incentive was to receive back the sales tax dollars that they paid. They do not ask for it on a monthly basis, they queue it up then it is asked for at one period of time. It is those agreements that the state has with those industries that caused the payments to be withheld.

Commissioner O'Neill said that she was confused about the withholding of \$400,000 of sales money that was for the jail.

Mr. Hedquist said the County will not lose a dime as a result of that situation. The county will get the entire amount for the bonds and the interest. It will not effect bond payments or schedule and adequate funds on hand are available for two years worth of payments.

Commissioner O'Neill asked why we would let that money sit on low interest.

Mr. Hedquist said that when bonds are sold, there is a call-date which prohibits paying off the bonds so that those private parties that purchase the bonds have some assurance of receiving an interest off the bond for a period of time. The call-date says that the bonds cannot be paid off for a period of what is usually five years. After the fifth year the city and the county should get together and determine whether to pay off these bonds which are usually dependant on whether the earnings off the interest on the money is greater than the payments on the bond.

Commissioner O'Neill asked when we can expect sales tax money for March, April, May and June.

Mr. Hedquist said that in the next month there is a partial payment. He also said that there is a one month advance notice of what the amount will be if the county wants a copy.

Commissioner O'Neill asked where the \$400,000 came from specifically (personal property tax exemption etc?).

Mr. Hedquist said the \$400,000 is sales tax rebate, they can receive their rebate in the form of a sales tax credit or they use it as their income tax credit.

Commissioner O'Neill asked why the money comes to the city.

Mr. Hedquist said it was because it was a city sales tax. He said the city has three half-cent sales tax revenues. A half-cent for the streets, a half-cent for property tax relief and capital improvements, and a half-cent for the jail. The county has a half-cent sales tax. The county gets 88% of the county's half-cent tax and 88% of the city's half-cent sales tax.

Planning and Zoning members, Richard McNear, Martin Rohde, Donald Miller, and Gene Cantrell appeared before the board to discuss Conditional Use Permits and zoning regulations.

Donald Miller discussed regulations regarding towing and Conditional Use Permits and asked whether they would need permission directly from the board to allow a permit or if they can continue to issue Conditional Use Permits like they have been doing.

Gene Cantrell said that he had received a letter from the previous County Attorney, Ed Matney, on another matter. In it he said that the Planning & Zoning Commissioner may issue a Planning & Zoning Conditional Use Permit. He said that they can issue that without coming to the board. The problem that he is bringing to the board is that in the last meeting, the attorney that was there said that they could not do that anymore when the regulations from the Towing and Record service said they could.

Gene Cantrell explained one thing they wanted to bring up was permission to fix the typo where an individual (Arndt towing) was given an RV permit, and have that corrected so they are given the right permit-type.

Gene Cantrell asked whether the Board wants the Planning & Zoning Conditional Use Permits brought before the Board of Commissioners or for the Planning and Zoning Board to do it themselves.

Commissioner McLarty asked the Deputy County Attorney, Deb Fergen, why the law changed.

Deb Fergen said that the problem is because the County Planning and Zoning Regulation contains contradictory language in what the County is governed by. She said in one part it says that the Joint Planning Commission (Planning & Zoning) is just advisory only. The problem Ms. Watson (County Attorney) discovered is that they are not acting in the capacity of advisory only. They are doing things without bringing matters to the board.

Deb Fergen discussed the question of why some matters were being brought to the board and others were being kept from the board.

Deb Fergen said that there is language in the bylaws and ordinances that does say the Planning & Zoning Commission is able to issue Conditional Use Permits. She said though that it reverts back to the

black letter statutes and black letter law which depends on what the commissioners and board have been doing. Under 2314.01 subsection 4 & 5 it does say that they have authority to do that, unless the board reserves that authority for themselves. She said it looks like the board has been reserving some authority for themselves.

Deb Fergen said that because something has been done a specific way for a number of years, does not mean that is the lawful or legal way.

Deb Fergen said that Kim Watson had taken pictures of the Arndt towing property and she believed it looked like a junk-yard. The property was being taken there, and would be staying there. The RV permit given to the Arndt property went undetected for two years. She said that it said on the face of the permit that it was for an RV Park. It was not discovered until Kim Watson met with Planning & Zoning Members in April about this issued permit.

Deb Fergen said that there were conditions to this permit when it was issued. It would be up to the board as a whole if this permit issue was brought before them. There were conditions on how long a vehicle could be at this property. You are not supposed to be able to see it from the road. She said that Ms. Watson determined that it did not appear as though he is complying with all the terms of the permit. In the background of that, one specifically, Mr. Bousquet, a former Commissioner, referred this permit issue to the Planning & Zoning Commission but it never came back before the board for a decision.

Deb Fergen said there is some conflict in the black letter laws to what it says they can do and can't do. Specifically the board under the state statute has the power to instruct them to do as the board chooses.

Dick McNear said that he believes that because they issued the permit under the old book (bylaws), that it should be grandfathered in and not necessarily subject to the new bylaws.

Deb Fergen said the new bylaws were effective February 21, 2006; this permit was issued in March 21<sup>st</sup> 2006. It was issued after the new bylaws were in effect. She also said that in order for something to be grandfathered in, the initial act needed to be lawful.

Dick McNear said that in February 2005, they took a vote where Gene Cantrell motioned with a second by Martin Rohde which is available for review in their minutes of the meeting.

Dennis Reinert, Planning and Zoning Administrator, appeared to make some comments.

Mr. Reinert said that there are no towing regulations in either the old or new book. He believes that they need to have the rule in the book in order to issue a conditional use permit. He said SIMPCO came out in 2005 to help the Planning and Zoning board to formulate some rules that were later brought to the Board of Commissioners. The proposal was rejected and referred back to P&Z. It was not brought back to the commissioners for approval.

The board members discussed how to handle Conditional Use in the future.

Commissioner Engel said that we should get the opinion of the County Attorney and then act on it.

Commissioner Rohde said that we should either approve them all or none of them.

Some P&Z members said they were looking to be able to issue Conditional Use Permits with the ability of the board to overturn that afterwards, if necessary, for any controversial permit issues to be brought to the board before issuance.

Deb Fergen said there are only two ways to rescind a permit after being issued. One is if the permit was received under fraudulent conduct or false statement of material fact or if the permit holder is violating one of the permit requirements.

Chair Hartnett said it would be on the agenda for the next meeting for a vote.

Commissioner Hartnett called for the agenda item "Tabled Items".

Commissioner Rohde said that there was some headway on a possible Millis Beach road.

Commissioner McLarty moved, seconded by Commissioner Engel 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, 2008 and the County Sheriff's Quarterly Report for the period April 1, through and including June 30, 2008.

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

Chair Hartnett called for commissioners committee reports and there were none.

Chair Hartnett called for the agenda item Public Comment.

Sally Reinert asked to make a public comment and said that her husband is the Dakota County Planning and Zoning Administrator.

All of the information I will reference is a matter of public record.

However, since it all comes into my house, I am probably more aware of it than most.

Anyone who thinks that I speak as a mouthpiece for my husband doesn't know me. I speak for myself. I believe Commissioner McLarty will corroborate that.

The zoning of the quarter section where Mr. Arndt and I reside is Agricultural.

According to the zoning regulations – both current and past – Wrecking Yards are only allowed in areas zoned for heavy manufacturing.

By definition in either the current or previous Planning and Zoning Regulations, Mr. Arndt is operating a Wrecking Yard.

Mr. Arndt is not asking to operate a Wrecking Yard.



He IS asking to operate a towing service.

Conditional Use Permits can be granted in areas zoned agricultural for transportation related business.

I believe one could safely argue that a Towing Service could be a transportation related business

Mr. Arndt is asking for a Conditional Use Permit to operate a towing service. The Planning and Zoning rules do not define a towing service.

There are other counties that do name towing services among automobile businesses, and exclude them from listed services reserved only to Wrecking Yards.

On two separate occasions the Commissioners have asked the Planning and Zoning Board to write a description of a towing service such that it is not synonymous with a wrecking yard, which is not allowed.

The first effort failed to produce a product specific enough to enforce.

A subsequent product was never returned to the Commissioners.

The Planning and Zoning Board is now asking that a Conditional Use Permit be given to Mr. Arndt, with absolutely no parameters as to what Mr. Arndt is being given permission to do.

You know that I have attended many Commissioners meetings.

I have never seen the Commission issue a conditional Use Permit without a detailed description of what the business is going to do.

It would seem to me, that before a Conditional Use Permit can be issued, someone needs to write a detailed plan of operation to submit to the Commissioners.

The Planning and Zoning Board is asking whether or not the Commissioners will give them the authority to issue Conditional Use Permits without first coming to the Commission.

I would like to remind the Commissioners that this is the same body that on April 15<sup>th</sup>, 2008 gave Adam Beermann permission to compost dead hogs on his premises. That is a violation of Planning and Zoning regulations.

In 2007, this Board, in a single meeting, first illegally went into closed session – a violation of the Nebraska Open Meetings Act. Then, upon coming out of closed session, voted against recommending the issuance of a Conditional Use Permit, and refused to give the applicant a reason – a violation of Planning and Zoning Regulations.

Now the Planning and Zoning Board is asking that Mr. Arndt, who is currently in violation of Planning and Zoning Regulations, both past and present, be given a Conditional Use Permit without any indication of what he is being given permission to do.

I am concerned about the potential for lawsuits for the county.

As a resident of Dakota County, I would be very uncomfortable with the issuing of Conditional Use Permits without action by the Board of Commissioners.

Chair Hartnett called for the agenda item mail and emergency business and there were none.

Chair Hartnett adjourned their meeting at 2:53 p.m.



County Board of Commissioners

Jacqueline Harnett, Chair

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

Dakota County Board of Commissioners  
Monday, July 28, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their regular meeting to order at 1:32 p.m.

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

Absent: None

The agenda for this meeting was as follows:

Call to Order with reciting the Pledge of Allegiance

- Roll Call
- Approve Minutes of July 21, 2008.
- Review and approve Payroll and Accounts Payable Claims submitted by County Clerk for payment.

Phil Anderson Nebraska State DMV – Wishes to discuss Climate Control in the Drivers Examiner's Room. Apparently the climate is inconsistent in the Driver's Exam Room and the DMV is asking for separate controls in said room. The Board may take action on the issue or refer it to committee.

Open Roof Bids

- The Board may refer the bids to committee if they feel that they need time to determine if the bids meet specifications and/or to determine the lowest and best bid.
- Acceptance and approval of lowest and best bid.
- Authorization to send Letter of bid acceptance and a date for Contractor to start.

Misc. agenda items.

- P & Z Conditional Use Permits - motion to adopt Board Policy and clarification if Conditional Use Permits must be brought before the Board of Commissioners and are to be approved by said Board or whether the Planning and Zoning Board Members can approve all Conditional Use Permits without Board of Commissioners approval.
- Resolution to set a maximum amount that County Officials and Department Heads can spend to purchase supplies, equipment etc. without getting prior County Board approval. State Statute 23-3108 sets that amount at \$5,000, but the board can set an amount less than that.
- Preliminary Draft Budget- Budget Committee to present a draft or proposed budget for Board Members to review prior to the Public Hearing for the County's Budget.
- Military Pay... The County Board to discuss and adopt a policy of how Military Pay is to be administered to those employees who are reservist in the Military.

515-229-8871 Cell 515-243-7611 Office

Tabled Items – No tabled items to consider

Committee Reports

Commissioner Member Reports

Public Comment

Mail and/or Emergency Business

Adjournment

Commissioner Engel moved, seconded by Commissioner McLarty to approve the minutes of July 21, 2008 as typed and prepared for the Official Record.

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

UNANIMOUS MOTION CARRIED.

Phil Anderson, District 3 Supervisor with the Department of Motor Vehicles, said that the Driver's Examination relocated to the present exam room in July 2003 and said that the temperature has been an issue. It became more of an issue when the Department added Display Screens and computers. He felt that the heat in the room has always been the issue and never the cooling.

Rick Jensen said that there is one control for the basement. He said he had put in a cold duct return above the computers hoping that would resolve the issue, and although it helped somewhat it didn't come close to resolving the issue.

Tom Bousquet, Ateam Heating and Cooling, said that the present setup will not handle all the lights and the computers that have been added throughout the years. He suggested several options that he thought would work.

The board asked him to look at the situation and come up with a proposal and specifications that he thought would resolve the climate controlled situation in the Drivers Examine Room and three informal bids will be solicited.

Chair Hartnett called for the agenda item to open Roof Bids.

County Clerk Ted Piepho opened the envelopes with the bids enclosed and handed them to the chair, who in turn handed them to the Deputy County Attorney for her to read them.

The first envelope opened contained Certificate of Liability, Bid Bond - Surety Bond and Bonding Company showing \$1,000,000.

The bid of JC Roofing & Insulation, Inc. for Line Item #1 was \$297,680 to install fully adhered PVC Roof System per Project Specifications. To provide supervision, labor, materials and equipment for roof project specifications. An anticipated start date of August 20<sup>th</sup> and Completion date of September 30<sup>th</sup>.

The bid of JC Roofing & Insulation, Inc. for Line Item #2 to provide a Twenty (20) year "Total Systems Warranty" in lieu of 15 year as specified was \$299,680.

Linear Foot price replacement of deteriorated wood blocking was \$2.00 per linear foot and 60.00 per man hour for time and material & 10% mark up on material.

The bid of Boone Bros. Roofing of for Line Item #1 was \$213,886.00 to install fully adhered PVC Roof System per Project Specifications. To provide supervision, labor, materials and equipment for roof project specifications. The anticipated start date was 30 days NTP.

The bid of Boone Bros. Roofing of Iowa for Line Item #2 to provide a Twenty (20) year "Total Systems Warranty" in lieu of 15 year as specified was a lump sum add of \$1,240..

Linear Foot price replacement of deteriorated wood blocking was \$2.25 per linear foot and 56.00 per man hour for time and material & 15% mark up on material.

Commissioner Rohde asked if there was an estimated amount for the project. Ms. Spencer said that there was two hundred thousand budgeted.

Mr. McLarty said that originally the pie in the sky was \$600,000 but after talking to people it got down to \$160,000.

Mr. McLarty said that he was hoping to keep it under \$200,000. It was determined the bid for the entire roof and not by section.

Mr. McLarty said that he didn't know where they were going to get the \$213,000. He added that he was truly hopeful for a local company.

Commissioner Engel said that he agreed and he would like to keep it locally.

Commissioner Engel asked for the bid figures again. Commissioner McLarty said he found it was about roughly \$84,564 difference between the two bids.

Commissioner Rohde said after one of the meetings he got a chance to visit with JC roofing in the hallway. I don't know anything about roofs but he explained to me that there is another system that would be considerably less money. I see that Ron is here today can you explain that to us.

Ron, from JC Roofing, said he could do it for half that.

Commissioner Rohde clarified that he can give the County a 20 year guarantee on that roof. He said his thoughts were that this is a little bit over what they budgeted.

Commissioner Engel asked if any of the Commissioners knew where this money was coming from and Commissioner McLarty said that I think it's a little bit more than what we have available.

Ms. Spencer said we had \$170,000 budgeted in the Bond Fund and \$25,000 in Building and Grounds budget and added that the budgeted amount is close to \$200,000 for the roof.

Commissioner McLarty asked Chair Hartnett if she wanted to revert the bids back to the committee or wait for action until next meeting. He asked what direction do you want us to go with this?

Chair Hartnett said the floor was open for a motion to accept one of the bids if that is the board's wishes, and if not, reject all bids and go back to the committee.

Commissioner Engel said that one of the things to take in consideration is the time it takes to do the roof and winter is going to be setting in soon.

Commissioner McLarty said that he agrees with that, but we are talking about taxpayer dollars here. We had a certain amount that we were going to do and we are so far over that.

Chair Hartnett reminded everyone that a proposed copy of the budget is being presented today.

Commissioner McLarty moved, seconded by Commissioner Rohde to reject both bids and checking out the bids to see what else the County can do.

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

Chair Hartnett called for the agenda item P & Z Conditional Use Permits - motion to adopt Board Policy and clarification if Conditional Use Permits must be brought before the Board of Commissioners and are to be approved by said Board or whether the Planning and Zoning Board Members can approve all Conditional Use Permits without Board of Commissioners approval.

The Chair referred it back to Planning and Zoning to see how they wanted the County Board to handle it.

Chair Hartnett called for the agenda item Resolution to set a maximum amount that County Officials and Department Heads can spend to purchase supplies, equipment etc. without getting prior County Board

approval. State Statute 23-3108 sets that amount at \$5,000, but the board can set an amount less than that.

With a little discussion it was felt that the state statute met the board's satisfaction.

Commissioner McLarty moved, seconded by Commissioner Engel to rescind any prior action by County Boards declaring a maximum amount that County Officials and Department Heads can spend to purchase supplies, equipment etc. without getting prior County Board approval and establish the maximum amount as per state statute.

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

Chair Hartnett called for the agenda item "Preliminary Draft Budget- Budget Committee to present a draft or proposed budget for Board Members to review prior to the Public Hearing for the County's Budget."

Joan Spencer, Assistant to the Board, presented the proposed budget to the board.

Chair Hartnett called for the agenda item "Military Pay... The County Board to discuss and adopt a policy of how Military Pay is to be administered to those employees who are reservist in the Military."

The County Clerk explained the Board's Option as to how to pay Military Pay and Emergency Pay.

Commissioner McLarty moved, seconded by Commissioner Hartnett to pay Military Pay consistent with Nebraska Statute and to recognize Emergency Pay to be when any Governor calls up a unit for Emergency situations and then that County will make up the difference of an individual's military pay and County Pay provided it is less.

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

Chair Hartnett called for the Agenda Item "Tabled Items – No tabled items to consider" and there were none.

Chair Hartnett called for the Agenda Item "Committee Reports" and there were none.

Chair Hartnett called for the Agenda Item "Commissioner Member Reports" and there were none.

Chair Hartnett called for the Agenda Item "Public Comment" and there were none.

Chair Hartnett called for the Agenda Item "Mail and/or Emergency Business" and Ms. Spencer called the Board's attention to the NIRMA Conference Registration and a Thank You letter from the Goodwill camp.

Commissioner McLarty moved, seconded by Commissioner Engel to approve the payroll and accounts payable claims submitted by the County Clerk as follows:

COUNTY GENERAL FUND: Gross salaries- \$113,275.53, General Fund Employees Net Pay- \$80,533.84, Employer deductions paid: Retirement- 7,867.38, FICA- 6,892.41, Medicare- 1,611.92, DC Health Plan- 30,375.00, DC Dental Plan- 945.00, Life Insurance- 192.25.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 468.00, Tracey Corkin- 925.03, Marisol Curiel- 894.40, Bobbi Jo Harsma- 1034.40, Theodore Piepho- 1599.88, Darlene Davis- 885.60, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 948.00, Kim Kuehl- 885.60, Phyllis Ridge- 917.33, Margaret Rahn- 1194.00, Daniel Christoffers- 476.78, Dennis Reinert- 209.97, Valerie Danielson- 1599.88, Lori Jessip- 752.50, Cheryl Perkins- 1120.00, Debra Jensen- 1040.00, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 940.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 1331.98, Amy Lofland- 92.00, Jeremy Bermel- 1893.33, Anthony Bos- 1716.31, Sandy Dickens- 441.37, Brian Ellinger- 1672.27, Penny Epting- 2367.95, Brent Gilster- 1717.28, Todd Hammer- 1893.42, Melvin Harrison III- 1722.17, Rodney Herron- 1742.74, Jason James- 1326.41, Kimberly Johnson- 367.56, Jared Junge- 1617.67, Michael Kreegar- 1575.39, Gary Powell- 132.00, Gayle Richards- 829.60, Kevin Rohde- 1548.93, James Wagner- 1599.88, Randall Walsh- 1774.37, Kerry Johnson- 880.00, Sara Meadows- 1653.85, Debra Schmiedt- 2230.77, Mary Spurlock- 880.00, Aimee Uhl- 1044.00, Kimberly Watson- 2588.46, Caterina Chapman- 1142.41, Jacob Acero- 1109.55, Ermelinda Ballesteros- 1271.79, Joshua Blatchford- 1191.92, Dusty Boyd- 1278.97, Rebecca Broer- 1408.00, Sandy Dickens- 662.05, Michael Estes- 1325.28, Lisa Ford- 1192.97, Robert Foster- 973.10, Joseph Gee- 654.21, John Gilles- 1280.39, Alma Gunderson- 1284.55, Paula Harrigfeld- 1004.48, Cathy Harsma- 1265.01, Deanna Haukap- 1175.06, Jackie Heaton- 1508.00, Adam Hough- 1244.57, Matthew James- 539.15, Sarah Jensen- 800.00, Brett Johnson- 1195.56, Nicholas Kellen- 1189.39, Brenda Kelly- 1235.66, Terry Kern- 1769.23, Keith Klein- 1084.88, Mark Nelson- 931.30, Travis Olander- 1144.57, Kimberly Peterson- 1084.88, Cara Reinders- 1185.81, Daniel Rodasky- 605.44, Jutharatana Ruenprom- 1141.12, Linda Schovanec- 1242.40, Justin Smith- 1189.39, Francis Tope- 1296.89, Charvette Williams- 1182.23, Jewel Williams- 1320.43, Matthew Wise- 1196.68, Daniel Wood- 1295.16, Jolene Gubbels- 960.00, Leon Pies- 603.60, Pamela DeVries- 1558.06, Patricia Glover- 1051.20, Bonnie Kahler- 505.72, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 10,780.18, State- 3,641.74, FICA- 6,892.41, Medicare- 1,611.92, Retirement- 5,325.43, DC Health Plan- 475.00, DC Dental Plan- 514.50, Colonial Health- 16.20, Sheriff Union Dues- 300.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 364.09, Aflac Life/Dsbl- 110.20, Flex Plan- 737.37.

COUNTY ROAD PAYROLL: Gross salaries- \$16,087.25, Road Employees Net Pay- \$11,091.17, Employer deductions paid: Retirement- 1,031.92, DC Health Plan- 4,387.50, DC Dental Plan- 136.50, Life Insurance- 26.55, FICA- 980.15, Medicare- 229.24.

Brent Byroad- 1243.20, Robert Hacker- 1203.20, Ronald Harder- 1211.20, Richard Hoelsing- 1215.20, Hans Houfek- 1203.20, Robert Jacobsen- 1275.74, Fred Kellogg- 1538.46, Robert Lillard- 1123.20, Kimon Litras- 1215.20, Arnold Mellick- 1275.55, Christopher Paine- 800.00, Leon Pies- 603.60, Kip Reinbold- 1123.20, James Swanson- 1056.30.

ROAD FUND: Employee withholding paid to: Federal- 1,452.24, State- 493.26, FICA- 980.15, Medicare- 229.24, Retirement- 687.89, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 4.88,

Deferred Comp.- 61.68, Garnishments- 604.60, Aflac Health- 147.06, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50, Union Dues- 160.00.

VISITORS PROMOTION: South Sioux City Chamber of Commerce- Lodging Tax- 19,629.14

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

Chair Hartnett adjourned their meeting at 2:35 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Harnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book

Dakota County Board of Commissioners  
SPECIAL MEETING Monday August 4, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their Special Meeting to order at 11:00 a.m.  
Present were Commissioners Rohde, O'Neill, Engel, Hartnett, McLarty, and County Clerk Ted Piepho,  
Secretary.

Absent: None

The agenda for this meeting was as follows:

DAKOTA COUNTY BOARD OF COMMISSIONERS  
SPECIAL MEETING  
MONDAY, AUGUST 4, 2008 AGENDA  
COUNTY BOARD ROOM  
DAKOTA COUNTY COURTHOUSE  
DAKOTA CITY, NEBRASKA

Jackie Hartnett, Chair

Theodore A. Piepho, Secretary

CHAIRMAN: PLEASE DIRECT THE EQUALIZER AND RECORDER TO BE STARTED

11. 11:00 a.m. Call to Order with reciting the Pledge of Allegiance

- 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.
  - Roll Call
  - Approve Minutes of July 28, 2008.
  - Adopt specifications for replacement of the courthouse roof.
  - Approve the advertising to let bids for said replacement of courthouse roof.

11:10 a.m. Adjournment

Notice is hereby given that the Dakota County Board of Commissioners will hold a special meeting beginning at 11:00 a.m. Monday, August 4, 2008, for the purpose of approving the minutes of July 28, 2008 and adopting specifications for replacement of the courthouse roof and to approve the advertising to let bids for said replacement of courthouse roof.

Said meeting will be held in the County Board Meeting Room, Dakota County Courthouse, 1601 Broadway, Dakota City, Nebraska, which meetings are open to the public.

Theodore A. Piepho  
County Clerk  
Pub July 31, 2008  
Dakota County Star

Commissioner Engel moved, seconded by Commissioner McLarty to approve the minutes of July 28, 2008 as typed and prepared for the Official Record.

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

Ron Haase, from JC Roofing, said that these are the same quality roofs, but that the one he was proposing would be half the money and he had enclosed sample materials.

Rodney Hughes, from Boone Bros, gave a very in depth explanation of the roofing materials and the differences in the membranes and the process of each.

There was considerable discussion concerning the bidding specifications for the roof.

Chair Hartnett called for the agenda item Adopt specifications for replacement of the courthouse roof.  
Commissioner Rohde moved, seconded by Commissioner Engel to take bids on each set of specifications, [Roof Proposal Bid 1](#) and [Roof Bid Proposal 2](#) for the same job and to advertise them that way and they will come back in separate bids and we can compare them at that time and by that time we will have more information on the two different systems.

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

Chair Hartnett called for the agenda item to approve advertising to let bids for the replacement of the courthouse roof.

Commissioner Rohde moved seconded by Commissioner McLarty that the advertising to let bids for replacement of the roof be as follows:

The Dakota County Board of Commissioners is [seeking alternate bid proposals](#) to re-roof the Dakota County Courthouse. Sealed bids will be accepted until 4:00 p.m., Friday, August 15, 2008, at the Office of County Clerk, 1601 Broadway, PO Box 39, Dakota City, NE 68731. The bids will be opened Monday, August 18, 2008, at 1:45 p.m. at the Board of Commissioners meeting held in the basement of the

Dakota County Courthouse, 1601 Broadway Street, Dakota City, Nebraska. Bid Specification can be obtained at the Office of Administrative Assistant or by calling 402-987-2130. Mandatory pre-bid meeting and site visit.

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

Chair Hartnett adjourned their meeting at 11:42 a.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Harnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book

Dakota County Board of Commissioners  
Monday, August 11, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their regular meeting to order at 1:45 p.m.

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

Absent: None

The agenda for this meeting was as follows:

- 1:45 p.m. Call Meeting to Order.
- Roll Call
  - Presiding Chair person's statement concerning Nebraska Open Meetings Act.
    - 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.
  - Approve Minutes of August 4, 2008.
  - Review and approve Payroll and Accounts Payable Claims submitted by County Clerk for payment.
- 1:46 p.m. NNTC CenCom, A subsidiary of Northeast Nebraska Telephone Company of Jackson-
- NNTC CenCom is asking the County to give consideration to a Franchise Agreement between the County and CenCom to allow for delivery of video programming to rural residents of the County via Internet Protocol. Email agenda to [cencom@nntc.net](mailto:cencom@nntc.net) ATTN Emory Graffis
- 2:00 p.m. Susan Church - Delegation of individuals from Crystal Lake aka Millis Beach are concerned about the ingress and egress to that area. This is a follow up meeting from the Board's meeting July 14, 2008.
- 2:15 p.m. Amber Hupe-Monney - Dakota County. Victim Asst. Program
- Update on program.
  - Request assistance with help in funding program.
    - In 2007, the program funding was decreased and the program absorbed that decreased amount. A request for \$8,723.00 is being proposed to be split in half between the City and County. This would restore the program level of funding applied for to provide services to crime victims.
- 2:20 p.m. Fred Stinger – Atokad Liquor License Manager
- Mr. Stinger is asking the County Board to approve a Special Designated Liquor License for Atokad to serve beer during their live racing event September 5, 6 and 7<sup>th</sup>, 2008.
- Misc. agenda items.
- Semi Annual Treasurer's Report
  - Review and discuss bids received for Climate control (heat pump/ventilation) for Driver's License Exam Room.
  - Approve bid for Climate control (heat pump/ventilation) for Driver's License Exam Room.
- Tabled Items – No tabled items to consider  
Committee Reports  
Commissioner Member Reports  
Public Comment  
Mail and/or Emergency Business
- 2:40 p.m. Adjournment

Commissioner Engel moved, seconded by Commissioner McLarty to approve the minutes of August 4, 2008 as typed and prepared for the Official Record.

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

UNANIMOUS MOTION CARRIED.

Chair Hartnett called for the Agenda Item " Review and approve Payroll and Accounts Payable Claims submitted by County Clerk for payment."

Commissioner McLarty pointed out that he and Commissioner Rohde met with Terry Kern for evaluation per the agreement and it was very satisfactory when he was hired and recommend that the \$1,000 at 6 months and that is reflected in the claims.

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

COUNTY GENERAL FUND: Gross salaries- \$114,689.94, General Fund Employees Net Pay- \$81,751.74, Employer deductions paid: Retirement- 7,966.32, FICA- 6,980.12, Medicare- 1,632.44, DC Health Plan- 31,725.00, DC Dental Plan- 987.00, Life Insurance- 201.30.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 472.39, Tracey Corkin- 865.44, Marisol Curiel- 894.40, Bobbi Jo Harsma- 1034.40, Theodore Piepho- 1599.88, Darlene Davis- 885.60, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 936.15, Kim Kuehl- 885.60, Phyllis Ridge- 917.33, Margaret Rahn- 1194.00, Daniel Christoffers- 468.00, Dennis Reinert- 209.97, Valerie Danielson- 1599.88, Lori Jessip- 709.50, Cheryl Perkins- 1120.00, Zachary Gerth- 923.10, Debra Jensen- 1040.00, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 940.00, Tracey Corkin- 34.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 1047.08, Jeremy Bermel- 1702.04, Anthony Bos- 1775.02, Sandy Dickens- 441.37, Brian Ellinger- 1789.70, Penny Epting- 1553.89, Brent Gilster- 1746.64, Todd Hammer- 1712.38, Melvin Harrison III- 1712.38, Rodney Herron- 2374.36, Jason



James- 1410.53, Kimberly Johnson- 485.88, Jared Junge- 1652.00, Michael Kreegar- 1565.60, Gayle Richards- 829.60, Kevin Rohde- 1613.85, James Wagner- 1599.88, Randall Walsh- 1685.40, Kerry Johnson- 720.50, Sara Meadows- 1653.85, Kathryn Mullin- 946.14, Debra Schmiedt- 2230.77, Mary Spurlock- 880.00, Aimee Uhl- 1044.00, Kimberly Watson- 2588.46, Caterina Chapman- 1142.41, Jacob Acero- 1091.45, Ermelinda Ballesteros- 1132.07, Joshua Blatchford- 1210.14, Dusty Boyd- 1185.81, Rebecca Broer- 1340.49, Sandy Dickens- 662.05, Michael Estes- 1265.04, Lisa Ford- 1185.81, Robert Foster- 953.38, Joseph Gee- 1084.88, John Gilles- 1313.07, Alma Gunderson- 1336.63, Paula Harrigfeld- 715.40, Cathy Harsma- 1268.85, Deanna Haukap- 1189.39, Jackie Heaton- 1344.00, Adam Hough- 1134.23, Matthew James- 1084.88, Sarah Jensen- 780.00, Brett Johnson- 1180.98, Nicholas Kellen- 1192.97, Brenda Kelly- 1151.82, Terry Kern- 1923.07, Keith Klein- 1107.89, Mark Nelson- 1260.89, Travis Olander- 1141.12, Kimberly Peterson- 976.39, Cara Reinders- 1171.48, Daniel Rodasky- 1167.90, Jutharatana Ruenprom- 1134.23, Linda Schovanec- 1242.40, Justin Smith- 1171.48, Francis Tope- 1146.40, Charvette Williams- 1189.39, Jewel Williams- 1165.26, Matthew Wise- 1084.88, Daniel Wood- 1174.68, Jolene Gubbels- 960.00, Leon Pies- 603.60, Pamela DeVries- 1558.06, Patricia Glover- 1051.20, Bonnie Kahler- 559.52, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 10,785.27, State- 3,659.83, FICA- 6,980.12, Medicare- 1,632.44, Retirement- 5,390.52, DC Health Plan- 475.00, DC Dental Plan- 514.50, Colonial Health- 16.20, Sheriff Union Dues- 300.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 364.10, Aflac Life/Dsbl- 110.20, Flex Plan- 737.37.

COUNTY ROAD PAYROLL: Gross salaries- \$16,125.26, Road Employees Net Pay- \$11,126.14, Employer deductions paid: Retirement- 1,034.50, DC Health Plan- 4,387.50, DC Dental Plan- 136.50, Life Insurance- 26.55, FICA- 982.51, Medicare- 229.79.

Brent Byroad- 1243.20, Robert Hacker- 1203.20, Ronald Harder- 1211.20, Richard Hoelsing- 1215.20, Hans Houfek- 1203.20, Robert Jacobsen- 1219.20, Fred Kellogg- 1538.46, Robert Lillard- 1123.20, Kimon Litras- 1215.20, Arnold Mellick- 1219.20, Christopher Paine- 800.00, Leon Pies- 603.60, Kip Reinbold- 1123.20, James Swanson- 1207.20.

ROAD FUND: Employee withholding paid to: Federal- 1,450.49, State- 493.44, FICA- 982.51, Medicare- 229.79, Retirement- 689.59, DC Health Plan-, DC Dental Plan- 84.00, Reassurance America Life- 4.88, Deferred Comp.- 61.68, Garnishments- 604.60, Aflac Health- 147.06, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50, Union Dues- 160.00.

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

Chair Hartnett Called for the Agenda Item "NNTC CenCom, A subsidiary of Northeast Nebraska Telephone Company of Jackson- NNTC CenCom is asking the County to give consideration to a Franchise Agreement between the County and CenCom to allow for delivery of video programming to rural residents of the County via Internet Protocol.

Emory Graffis with NNTC CenCom appeared before the Board and explained that CenCom is a subsidiary of NE Nebraska Telephone Company. He said that they are not able to give video services to rural residents, but they are switching to a new system that rural residents as well as those in the villages will be able to subscribe to. They are in the process of taking their analog cable systems out of service and replacing them with internet protocol TV and CenCom is asking that the Dakota County Commissioners give consideration to a franchise agreement much like the one they are using in the villages.

Commissioner McLarty thought that this should be tabled until next week to allow the public an opportunity to voice their opinion concerning this.

Commissioner McLarty moved, seconded by Commissioner Engel to postpone consideration to enter into a franchise agreement with CenCom until next meeting.

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

Chair Hartnett called for the Agenda Item " Amber Hupe-Monney - Dakota County. Victim Asst. Program."

Amber Hupe-Monney appeared before the board and read excerpts from the following handout that she presented to the board.

Dakota County Victim Assistance Program

Established in Dakota County in 1989 to serve county wide residents.

Providing advocacy and assistance to violent and property crime victims. Violent crimes include child abuse, burglary, robbery, survivors of homicide victims, domestic violence, assault, sexual assault, and elderly victims. Property crimes include harassment, theft, criminal mischief, vandalism, graffiti, motor vehicle theft, etc. Throughout the last 19 years the program has maintained support from the community including, law enforcement, probation, county attorney's office, schools, and social service agencies.

Program provides on annual basis about 1,700 services to crime victim's which include(s): Protection Order Assistance, Crisis Intervention, Personal Advocacy, Criminal/Justice Advocacy, Information! Referral, Follow-Up Contact, Compensation Assistance, and Transportation.

In the last 5 years crime victims served has steadily risen. Types of crime victims served the most during this time are domestic violence, assault, burglary, and other (harassment, criminal mischief, vandalism, motor vehicle theft, disturbing the peace, trespass, etc..)

2004 -366  
2005 -316  
2006 -409  
2007-668  
2008-300 from January-July 2008

For 19 years program funded by Victim's of Crime Act (VOCA) with matching funds from South Sioux City and Dakota County. 80% of funds provided by VOCA with 20% provided by SSC and Dakota County. Over the last 19 years the program has requested an amount of \$8,939.00 from 1989 -2008 this breaks down to a yearly average of \$471.00.

In 2008, federal funding to the State of Nebraska for VOCA funds decreased 19%. Statewide programs asked for a total of \$2,892,770.50 and only \$2,143,709.00 funds were available. This is a decrease of \$749,061.50. Two programs were given \$0 dollars while other victim assistance programs decreased between 8-40%. This program funds were decreased by 12% for 2008.

In 2007, the program funding was decreased and the program absorbed that decreased amount. This *is* the first time the program is requesting help from the City and County. The request for \$8,723.00 would be split in half between the City and County. This request would be a 9% increase each between the City and County. This would restore the program level of funding applied for to provide services to crime victims.

Chair Hartnett noted that there were letters of support from the Sheriff, South Sioux City Police Department, County Attorney, Robert Giese SSC Mayor, Steve Rector with SSC Schools, Pat Foust LEC and Bob Denton with Probation.

Commissioner Engel moved, seconded by Commissioner Rohde to authorize the request for assistance to help in funding the Dakota County Victims' Assistance program and to budget \$4,361.50 for said program.

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

Chair Hartnett called for the Agenda Item " Susan Church - Delegation of individuals from Crystal Lake aka Millis Beach are concerned about the ingress and egress to that area."

Susan Church appeared before the board and said that they were here because they have been hearing different things and wanted to find out what was going on.

Commissioner Rohde said he had been out there to talk with several people, Susan's husband being one.

Ms. Church said that they have had to wait 45 minutes for the train on several occasions.

Commissioner Rohde said that when he was visiting the area and the railroad had to unlock the train cars for him to get in. He said that while there he was concerned at how he could become land-locked pretty quickly if they hooked the cars back up.

Ms. Church said they have not only been locked in, but locked out as well.

Highway Superintendant Fred Kellogg, said that he had not found any concrete solutions to the problem. He had talked to Larry Albenesius and other land owners. He said no one is excited about giving up their private property to have a way out. They are concerned about the long-term problem of abuse by people but have no problem with people using it when there is a train and their property is the only way out.

Ms. Church said that they are not looking for a temporary road, but rather a permanent road that can be used any time.

William Church said he spoke to Larry Albenesius on Saturday and Larry said he would donate land to the west which would go through his pasture and he would also donate material for this road.

William Church discussed some ways of making this road reachable from another street by directing the road in other directions.

Commissioner Rohde expressed some concern with truck traffic depending on the route.

Chair Hartnett asked for opinions and solutions, and said she would like to see a solution before winter.

Fred Kellogg, made a comment that where this road would go through the pasture of Larry Albenesius is very sandy soil and depending on the traffic the road conditions would be difficult to maintain.

Peggy Schroeder expressed concern in the availability in having emergency services accessible to them and that going west with the road was not ideal.

Commissioner Rohde suggested setting up a small committee with key individuals who could meet and try to resolve this problem.

Chair Harnett made Commissioner Rohde chairman of that committee and will meet within a month.

Fred Stinger appeared before the board to request a Special Designated Liquor License for Atokad to serve beer during their live racing event September 5, 6 and 7th, 2008.

Commissioner Engel moved, seconded by Commissioner McLarty to approve a Special Designated Liquor License for Atokad to serve beer during their live racing event September 5, 6 and 7th, 2008.

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

Chair Hartnett called for the Agenda Item "Review and discuss bids received for Climate control (heat pump/ventilation) for Driver's License Exam Room." and "Approve bid for Climate control (heat pump/ventilation) for Driver's License Exam Room."

Theodore Piepho, County Clerk, stated that the bids have not come in yet. He requested that these agenda items be delayed until next week.

Chair Hartnett said these would be delayed until next week.

Chair Hartnett called for the Agenda Item "Semi Annual Treasurer's Report"

Bob Giese, Treasurer, appeared before the board. Mr. Giese said that all the numbers (meaning fund balances) are pretty good.

The board reviewed the Treasurers Report.

Commissioner McLarty moved, seconded by Engel to accept the Semi Annual Treasurer's Report as presented by Robert Giese, County Treasurer.

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

Chair Hartnett called for the Agenda Item "Tabled Items – No tabled items to consider" and there were none.

Chair Hartnett called for the Agenda Item "Committee Reports" and there were none.

Chair Hartnett called for the Agenda Item "Commissioner Member Reports" and there were none.

Chair Hartnett called for the Agenda Item "Public Comment" and there was none.

Chair Hartnett called for the Agenda Item "Mail and/or Emergency Business"

Chair Hartnett adjourned their meeting at 2:35 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Harnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book

Dakota County Board of Commissioners  
Monday, August 18, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their regular meeting to order at 10:00 a.m.

Present were Commissioners, Engel, Hartnett, McLarty, and County Clerk Ted Piepho, Secretary.

Absent: Commissioners Rohde and O'Neill.

The agenda for this meeting was as follows:

Call to Order with reciting the Pledge of Allegiance

- Roll Call
- Presiding Chair person's statement concerning Nebraska Open Meetings Act.
  - 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.
- Approve Minutes of previous meeting.
- Review and approve Accounts Payable Claims submitted by Co. Clerk.
- Motion to identify what claims need itemized attachments in order to be paid, or if any do.

Recess for Lunch

Reconvene from Lunch

Consider approval to a Franchise Agreement between the County and GenCom to allow for delivery of video programming to rural residents of the County within the NE

Nebraska

Telephone Area via Internet Protocol.

Open Roof Bids

- The Board may refer the bids to committee if they feel that they need time to determine if the bids meet specifications and/or to determine the lowest and best bid.
- Discuss payment for the Roof Project and if the decision is to pay for it through NACO Leasing, then approval to do so will be given.
- Acceptance and approval of lowest and best bid.
- Authorization to send Letter of bid acceptance and a date for Contractor to start.

Review and discuss bids received for Climate control (heat pump/ventilation) for Driver's License Exam Room.

- Approve bid for Climate control (heat pump/ventilation) for Driver's License Exam Room.

Miscellaneous Agenda Items

- Officials Reports
- Chair to sign Request for funds CDBG Grant #05-ED-015

Tabled Items – No tabled items to consider

Commissioner's Committee Reports

Commissioner Member Reports

Public Comment

Mail and/or Emergency Business

Adjournment.

Commissioner McLarty moved, seconded by Commissioner Engel to approve the minutes of August 11, 2008 as typed and prepared for the Official Record.

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

UNANIMOUS MOTION CARRIED.

The Board proceeded to review the claims

Commissioner O'Neill took her seat at 10:09 a.m.

Commissioner Rohde took his seat at 10:15 a.m.

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

**GENERAL FUND:** Dakota County Star, publication- 426.88; Perkins Office Solution, envelopes- 9.99; Joan Spencer, mileage- 82.49; Northeast Nebr Assn of Co Officials- 23.00; Des Moines Stamp, stamp- 28.80; Dakota County State Bank, deposit slips- 29.25; Midwest Office Automation, contract 7/08-7/09- 596.11; Perkins Office Solutions, supplies- 191.63; Theodore A. Piepho, reimbursement- 20.00; Robert Giese, mileage- 147.42; Charlotte Doenhofer, prior yrs service- 10.00; Ruth Jensen, prior yrs service- 12.00; Mardell Sorensen, prior yrs service- 26.00; Irene Van Lent, prior yrs service- 16.00; AS lmservices, data storage- 3.50; Dakota County Star, semiannual report- 50.09; Automated Systems, data install- 610.01; Inclusion Solutions LLC, threshold ramp- 205.00; Security Shredding SVC, shredding of documents- 60.00; Todds Storeall, Aug storage- 80.00; Knights of Columbus, 1<sup>st</sup> & 2<sup>nd</sup> training- 150.00; Dakota County Star, meeting notice- 17.36; Delage Landen Finance Service, copier rental- 91.00; Dennis Reinert, phone-30.00; Executive Tech, maint copier- 178.00; Staples, office supplies- 432.69; A.J Phillips Publishing Co, printing supplies- 270.00; AS Central Finance, office

supplies- 259.92; Dakota Business System, Ricoh equip payment- 99.00; New Perspectives, shredding- 12.75; Thomson West, cd rom service- 185.00; Dakota County Court, court costs- 1250.70; Kelsey Hoch, witness fee, 42.34; Kueny Law Office, court appointed counsel, 225.40; Stuart Mills, court appointed counsel, 450.00; Ralph Petrik, witness fee- 31.70; Douglas Roehrich, court appointed counsel-486.00; John Schmidt, witness fee- 42.34; Bryan E Smith Jr., court appointed counsel, 791.82; Jonathan Solis, witness fee- 254.32; Richard J Thramer, court appointed counsel- 288.88; Patrick H Tott, court appointed counsel- 792.00; William L Binkard, reimbursement- 97.99; Frank Gonzalez, interpreter- 250.00; NCDAA, membership dues/Loos- 125.00; Perkins Office Solutions, office supplies- 69.80; Thompson West, westlaw 7/01/08-7/31/08- 493.75; AJ Phillips, jury letters and labels- 155.60; Dakota County District Court, civil & criminal list- 455.00; Randy Hisey, attorney fees- 1122.00; Susan Hunke, BOE- 45.50; Stuart Miles, attorney fees, 585.00; New Perspectives Inc, shredding- 15.75; Michael P. Schmidt, mental health hearing-615.00; Richard J. Thramer, attorney fees- 322.76; Benstar Packaging, janitorial supplies- 342.35; Bomgaars, supplies- 220.54; Bunkers, soft salt- 146.59; Gill Hauling, dumpster service- 120.00; Janitor Depot, supplies- 229.00; Rick Jensen, mileage- 70.04; Mid American Energy, gas bill- 2559.00; NPPD, electric bill- 3844.03; Share, ground spray- 190.47; Display Sales, flags- 233.00; Siouxland Lock & Key, keys- 14.35; Trembly, pest control- 50.00; Verizon Wireless, cell phone- 59.89; Walmart, close account- 33.78; Neb Dept of Labor- 244.00; Glover Painting, painting of court house- 19955.00; Dakota County Extension, reimbursement- 971.62; Abramos Animal Services, animal control – 250.00; Ammunition, ammunition- 858.80; City of South Sioux City, communications/fuel- 5799.42; Dakota County Sheriff, reimbursement- 50.00; Dakota Food & Fuel, fuel- 762.29; Dakota County Star, publications- 402.61; Fremont Tire, vehicle maintenance- 1648.72; Jack's Uniforms, uniforms- 346.50; Jackson Glass, windshield repair- 197.00; Joe's Department Store, booster cables- 73.76; NLETC, material fee- 75.00; Pepperball Technologies, instructor course- 395.00; Racom, phone access line- 703.80; Sam's Club, refrigerator for evidence- 398.00; Siouxland FCU, reimbursement- 145.82; Sioux City Journal, deputy advertisement- 594.44; Siouxland Humane Society, animal control- 35.00; Treat America Food Services, academy meals- 1069.32; Ultramax, ammunition- 672.00; Verizon Wireless, cell phones- 116.31; First State Bank, 5<sup>th</sup> installment- 5799.34; Dakota County Sheriff, papers/warrants- 1451.29; Dakota County Star, subscription renewal- 35.00; Hall County District Court, certified copies- 3.50; Susan Hunke, transcripts- 19.00; Iowa Office Supply, copier contract- 102.73; Pathology Medical Services, autopsy- 302.72; Quill, office supplies- 22.94; Staples, office supplies- 54.99; Aimee Uhl, office supplies- 9.83; Kim Watson, office supplies/equipment- 158.77; City Of SSC, lec expense/Aug- 25302.29; Caterina Chapman, mileage/food-354.06; Redwood Biotech, drug test- 820.00; Redwood Toxicology Laboratory, drug test- lab- 25.00; Staples, supplies- 115.58; Verizon Wireless, cell phone- 55.06; Ace/Refrigeration Eng, kitchen service-98.34; AmSan, supplies- 1500.93; CW Suter Services, service work- 1585.13; CBM Foodservice, food service supplies- 19310.41; Cash-Wa Distributing, food service supplies- 129.33; Dakota Business Systems, copier contract- 281.00; Dakota County Sheriff, reimbursement-583.10; Dakota Family Dentistry, inmate dental- 392.00; Dakota Food & Fuel, fuel- 856.10; Delta Glove, gloves- 232.20; Dept of Correctional Services, safekeepers/medical- 7247.35; Sandy Dickens, mileage- 92.56; Foulk Brothers Plumbing & Heating, jail shower repair- 236.25; Gill Hauling, dumpster- 120.00; Global Equipment Co, med cabinet for old jail- 308.95; Jackie Heaton, mileage- 132.27; Jack's Uniforms, uniforms/leg straps- 359.75; Janitor Depot, janitorial supplies- 119.64; Joe's Department Store, padlocks- 54.76; Kleen Solutions, supplies- 113.80; Mercy Bus Health, inmate house calls/drug screen- 1866.00; Mercy Medical Center, inmate medical- 1144.38; MidAmerican Energy, utilities-716.59; Midwest Office Automations, copier contract-164.62; Moore Medical, inmate medical- 637.76; NLETC, tabe tests-20.00; N.E. NE Juvenile Services, house juveniles- 3762.50; Nebraska Public Power District, utilities- 3934.63; NW Iowa Emergency Phys, inmate medical- 441.00; NetSys+, computer issues- 351.00; Saryp Co Sheriff's Dept, house juveniles- 340.00; Linda Schovanec, mileage- 12.23; Siouxland FCU, reimbursement- 331.39; Siouxland Radiology Partners, inmate medical- 46.00; Stanard & Associates, corrections tests- 284.50; Staples, supplies-41.09; Trembly Termite & Pest Control, pest control- 35.00; Verizon Wireless, cell phones- 111.70; Walmart, supplies/prescriptions-1188.07; Wigman Company, shower heads- 357.00; Woodbury Co Juvenile Detention, hose juveniles- 4800.00; NetSys+, computer repair- 420.00; Perkins Office Solutions, office supplies- 96.45; Staples, office supplies- 56.99; Verizon Wireless, cell phone- 32.98; Pam DeVries, mileage- 108.81; Pat Glover, mileage- 153.85; HyVee, supplies- 25.18; Perkins Office Solutions, office supplies- 97.44; Sanofi Pasteur, medical supplies- 97.44; Dr. Thomas Wentz, consulting physician- 250.00; Deanna Beckman, hours worked/mileage- 1294.14; Alan Boyd, mileage- 144.50; Election Engineer, pager- 13.95; Lukin Memorial, set maker- 367.00; Thomson West, law books- 721.25; C & H Heavy Duty Specialists, Apr-June contract-750.00; CableOne, monthly internet- 64.86; De Lage Landen Financial Services, copier lease- 400.56; FSH Comm, payphone- 64.86; Lazette Gifford, website upkeep- 40.00; Hasler, postage meter rental- 249.00; Helvig Agricultural Serv, BOE appraiser/referee- 187.50; Midwest Office Automation, contract 7/08-7/09; 363.00; MIPS, as400 support- 653.43; Qwest, phone bill- 1368.75; Kristin Sell, CPR class- 18.00; Simpcos, membership dues- 3565.00; Sioux City Journal, roofing bid notice- 8.86; Three Rivers Benefit, flex plan admin- 75.00; Madelyn Thorsland, prior yrs service- 10.00; Todd Realty, BOE referee- 1987.50; US Postal Service, postage- 2500.00; WCS Telecom, telephone- 389.21; Wit Community College, heart saver/adult child class- 43.00; Road Fund, budget transfer- 110,000; Weed Fund, budget transfer- 1500.00;

**ROAD FUND:** Advances Auto Parts, supplies/parts0- 370.28; Ahlers & Cooney, legal services- 1274.26; Aramark, towel service- 253.18; Bank of Dixon County, grader payment- 16386.41; Bernies Lawn & Garden, parts- 52.1; Bomgaars, parts/supplies- 178.44; Campbell Supply Co, shop supplies- 107.34; Circle R, parts/labor- 965.22; Filter Care of NE, filter cleaning- 96.35; First State Bank, grader payment- 15559.03; Gill Hauling, dumpster service- 55.00; Guarantee Oil, supplies- 1677.10; Walter Heinemann, prior yrs service- 29.00; Higman Sand Gravel, gravel- 13260.76; Holiday Inn, lodging- 159.90; Hubbard Mini Mart, fuel- 10379.18; Hydraulic Sales & Svc, parts- 689.97; H2O4U, water service- 8.50; Iowa-Nebraska State Bank, grader payment- 15234.75; J and J's Pronto, fuel- 63.44; Joe's Dept Store, supplies- 117.50; LG Everist, gravel- 951.23; Linweld, shop supply- 43.67; Medical Enterprises, drug testing- 59.80; Midwest Svc & Sales, traffic signs- 471.67; Marlan Millard, prior yrs services- 15.00;

NAPA, shop supply- 435.36; NE Labor Law Poster Svc, labor law posters- 67.25; NPPD, homer service- 23.88; Northeast Equip, tractor rental- 1043.26; NE Nebr PPD, hwy lighting/electric- 450.33; NNTC, phone service- 165.50; Poms, tires- 2839.00; Power Plan Murphy, shop supply- 129.0; Rees Mack Sales, parts/labor- 1334.73; RI Tec, shop supply- 99.50; Sioux City Bolt, shop supply- 26.08; Sioux City Ford, parts- 52.33; Siouxland Hydraulics, parts- 51.19; Stalp Sand & Gravel, gravel- 8214.90; Stan Houston, shop supply- 99.90; St Lukes Occup Health, drug testing-30.00; Straight-Line Stripping Inc, pavement markings- 6151.25; Titan Access, parts- 52.16; Torco Remfg, parts- 63.90; Tractor Supply, shop supplies- 6.98; Verizon Wireless, cell phone- 44.33; Warren Oil, fuel- 7946.87; Wilmes Hardware Hank, parts- 5.98; Ziegler, parts- 4056.37;

**ROAD IMPROVEMENT:** Simpco, contract services- 250.00

**POOR RELIEF:** Nebraska Dept of HHS, qrtly cost Jun 08- 19.00;

**VETERANS AID:** Luken Memorial, set maker- 367.00;

**PUBLIC SAFETY:** Jail Bond Fund, 88% sales tax- 18287.49; City of South Sioux City, 12% sales tax- 2493.75;

**WEED FUND:** Advances Auto Parts, parts- 87.95; Central Valley Ag, chemicals- 258.82; Heritage Express, fuel- 104.00; Hubbard Mini Mart, fuel- 626.62; J & J's Pronto, fuel- 102.01; NE Neb Assoc of Co Officials, fall workshop- 23.00; Staples, camera- 324.95;

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

UNANIMOUS MOTION CARRIED.

Chair Hartnett recessed their meeting for lunch at 10:35 a.m.

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

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

Absent: None.

Chair Hartnett called for the Agenda Item "Consider approval to a Franchise Agreement between the County and CenCom to allow for delivery of video programming to rural residents of the County within the NE Nebraska Telephone Area via Internet Protocol."

Commissioner Hartnett moved, seconded by Commissioner Rohde to approve the Video Franchise Agreement between Dakota County and CenCom to allow for delivery of video programming to rural residents of the County within the NE Nebraska Telephone Area via Internet Protocol, as follows:

VIDEO FRANCHISE AGREEMENT

THIS VIDEO FRANCHISE AGREEMENT is entered into effective the 18th day of August, 2008, by and between Dakota County, Nebraska ("Franchise Authority") and CenCom, Inc., a Nebraska corporation located at 110 East Elk St., Jackson, Nebraska ("CenCom").

SECTION I. INTENT AND PURPOSE

The Franchise Authority wishes to make available to its residents reliable, high-quality video services at minimal regulatory costs to the county, its residents, and the service providers.

SECTION 2. EXTENSION OF VIDEO SERVICE

The Franchise Authority recognizes that CenCom provides video services in multiple communities in northeast Nebraska, and that it will be providing video services in the county as an extension of its existing facilities and services. The Franchise Authority agrees that it is most reasonable, economical and efficient to permit CenCom to offer the same video services, service tiers, and service options in the county as it offers in its existing service areas. The Franchise Authority will not require CenCom to offer additional video services, service tiers, and service options that it does not offer in its existing northeast Nebraska service area.

SECTION 3. CONSTRUCTION AND SYSTEM DESIGN; RIGHT-OF-WAY USE CenCom will provide video service in the county over existing telephone lines and facilities OF Northeast Nebraska Telephone Company, and will not initially construct any new or modified transmission facilities. CenCom will perform any and all future construction and maintenance in accordance with the Right-of-Way ordinances and requirements governing telephone operations.

SECTION 4. CUSTOMER SERVICE

CenCom will comply with the customer service requirements applicable to video and cable television service providers under federal and Nebraska law.

SECTION 5. TERM OF FRANCHISE.

The term of this Franchise Agreement is fifteen years, and it will expire on August 18, 2023. If this Franchise has not been renewed or replaced as of this expiration date, it will be extended automatically by the parties until a new or modified franchise agreement is executed.

SECTION 6. AMENDMENT OF FRANCHISE

This Franchise Agreement may be amended by the mutual consent of the parties at any time during its term. Any such amendment must be in writing, and must be executed by an authorized representative of each party.

SECTION 7. COMPLIANCE WITH FEDERAL AND STATE REQUIREMENTS

This Franchise Agreement is intended to comply with all applicable federal and state statutes and regulations. If any provision of this Franchise Agreement is determined to be in violation of a federal or state statute or regulation, that provision may not be enforced and must be amended to remove the violation as soon as practicable.

**SECTION 8. FORCE MAJEURE**

In the event CenCom's ability to perform any of the terms, conditions, obligations or requirements of this Franchise Agreement is prevented or disrupted due to fire, flooding, severe weather, earthquake, war, terrorism, sabotage, power outages, strikes, labor unrest, satellite failures and similar conditions beyond CenCom's control, CenCom's failure to perform shall be excused for the period of such inability to perform.

COUNTY OF DAKOTA	CENCOM, INC.
By <u><i>Jacqueline Hartnett</i></u>	By <u><i>Ernst Krapp</i></u>
Title: <u><i>Chairwoman</i></u>	Title: <u><i>General Manager</i></u>
Date: <u><i>August 18, 2008</i></u>	Date: <u><i>8-18-08</i></u>

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

Commissioner Engel moved, seconded by Commissioner Rohde to sign the CDBG Grant Number 05-ED-016 Request for CDBG Funds in the amount of \$250.00.

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

Chair Hartnett called for the Agenda Item "Official's Report". Commissioner Rohde moved, seconded by Commissioner Engel 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 July, 2008.

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

Chair Hartnett called for the Agenda Item "Tabled Items – No tabled items to consider" and there were none.

Chair Hartnett called for the Agenda Item "Committee Reports" and there were none.  
Chair Hartnett called for the Agenda Item "Commissioner Member Reports" and there were none.  
Chair Hartnett called for the Agenda Item "Public Comment" and there was none.  
Chair Hartnett called for the Agenda Item "Mail and/or Emergency Business" and there were none.

Chair Hartnett recessed their meeting until 1:45 p.m. at 1:36 p.m.  
Chair Hartnett reconvened their meeting at 1:45 p.m. with all members present.

Chair Hartnett turned the meeting over to Commissioner McLarty for the opening of the Roof Bids.

The County Clerk opened the bids filed with him prior to the deadline, which was 4:00 p.m. Friday, August 15, 2008.

They were as follows:

The County Clerk said that he had one bid bond and one bid from JC Roofing and a Bid Bond envelope from Boone Bros. Roofing and a bid proposal for Bid Proposal 1 and a bid proposal for Bid Proposal 2.

The County Clerk opened the Bid Bond for JC Roofing and gave it to Commissioner McLarty and announced that there was a bid bond of \$16,000 from Merchants Bonding Company enclosed in the Bid Bond Envelope.

County Clerk asked if that was sufficient to open the bid and Commissioner replied "I would guess":  
The County Clerk opened the bid from JC Roofing for Bid Proposal # 2 was \$155,872.00 and the following was read:

1. Tear off existing roof to deck. (see note)
2. Install 2 layers of 2 inch ISO insulation R-Value 25.
3. Install Ballasted 60 MIL T.P.O. roof system as to the manufacturers details and specifications to achieve a 15 year warranty.
4. Install all necessary wall, pipe, vent and drain flashings to specifications.
5. Install walk pads around HVAC units.
6. Install all new color clad metal edge and metal cap.
7. Install new blocking for gas pipe stands.
8. Clean up and haul away debris.

Note: Tear off roof on (old) Court House to original built up roof mopped to concrete.  
20 YEAR WARRANTY add \$2,000.00

The County Clerk opened the Bid Bond from Boone Bros. Roofing, which was written to cover 10% of the bid.

The County Clerk opened Bid Proposal 2 submitted by Boone Bros. Roofing and the Lump sum price

was \$195,981.00 and Line Item #2 to provide a Twenty (20) year "Total Systems Warranty" in lieu of 15 yr as specified was an add of \$992.00. Also enclosed with the bid was an Explanation of Bid Proposal #2, a Certificate of Liability Insurance and the bid on a Bid proposal Form.

The County Clerk opened and read Bid Proposal 1 from Boone Bros. Roofing and noted that JC Roofing did not submit a proposal 1. The Lump sum price for Proposal 1 bid by Boone Bros. was \$235,436.00 and Line Item #2 to provide a Twenty (20) year "Total Systems Warranty" in lieu of 15 yr as specified was an add of \$1,225.00.

Unit Prices included \$2.25 per linear foot for replacement of deteriorated wood blocking and \$56.00 per man hour and % mark up on material of 15%.

Enclosed in the bid envelope was a Certification of Compliance, Certificate of Liability Insurance, Certificate of Manufacture Specifications, a sample of the 15 Year Standard Warranty, a sample of the 20 Year Standard Warranty and the Roofing Guarantee of five years and that would be of the workmanship and materials.

Commissioner McLarty said that he didn't think they could go beyond this point because the Roofing Committee was not here, but whatever the wishes of the board, which prompted Chair Hartnett to ask what is the Board's wishes.

Commissioner Engel expressed that he thought it should be done as soon as possible because of weather conditions we are facing in the future.

The County Clerk noted that he did not see a proposed start date on JC Roofing's bid.

Chair Hartnett said it would be her recommendation to refer the bids to the Roof Committee and see what their recommendation is and agreed that time is very critical.

Commissioner O'Neill said that we have delayed this long enough and we need to start on it.

Commissioner McLarty said that the issue is does the Board what to refer it to the Roofing Committee and make a decision next week or do we want to make a motion on it now and get it started.

Commissioner O'Neill moved to accept the Bid Proposal Number 2 from JC Roofing.

Commissioner Rohde asked if they should refer these bids to the County Attorney to make sure everything is in order first.

Deputy County Attorney, Deb Fergen, said that Betty is right in that it is the Board's decision. She added that Ms. Watson has attended many of the Committee Meetings. She said she thought it was a complicated process and thought that these bids should be looked at. She thought that it should require some consideration other than just a reading of the numbers, but that is your call.

The motion died for a lack of a second.

Chair Hartnett referred the bids to the Roof Committee.

The method of payment for the roof was tabled until next week.

Tom Bousquet, with A Team, appeared before the board and said that the examiners want to control the temperature from within their room and the only way to do that would be to put in a thermostat. Mr. Bousquet thought that he could control the temperature of the room by the system we have now. He explained how Rick (Custodian) has the ability to control the climate control through a computerized system.

He explained the options that he thought we have and had informal proposals to install equipment to cool and heat the Driver's License Examiners' Room if that is the route the Board wished. He said he thought he could cool the room with the present Heating and Cooling System by simply changing the duct work, which he estimated the cost to be about \$1,000.

Commissioner Rohde moved, seconded by Commissioner Hartnett to authorize Mr. Bousquet to change the duct work to the Driver's License Examiners Room as Mr. Bousquet proposed.

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

Chair Hartnett called for the Agenda Item :Motion to identify what claims need itemized attachments in order to be paid, or if any do."

The County Clerk said that the reason he put that on the agenda is because there is some interest in seeing attachments on claims and there are some claims, mostly attorney fees, that have never had attachments. He asked that the Board make a motion to identify those claims, which do, or do not need itemized statements, so that Joan and he more conveniently and more efficiently look at the claims and recommend to the Board to pay or not pay them.

Deb Fergen, Deputy County Attorney, explained the process in which claims for attorney fees are processed. It was the consensus of the Board to continue as they have been.



Commissioner O'Neill said that she thought that the claims should have itemized statements if the County is going to pay them and offered a motion to require itemized statements to all the claims. The motion died for a lack of second.

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



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Harnett, Chair                      Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk                      Date entered in book

Dakota County Board of Commissioners  
Monday, August 25, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their regular meeting to order at 1:32 p.m.

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

Absent: None

The agenda for this meeting was as follows:

Call to Order with reciting the Pledge of Allegiance

- Roll Call
- Presiding Chair person's statement concerning Nebraska Open Meetings Act.
  - 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.
- Approve Minutes of previous meeting.
- Approve Payroll claims submitted by County Clerk for payment.
- Review and approve Accounts Payable Claims submitted by Co. Clerk.

Miscellaneous Agenda Items

- Approve new contract with CBM for jail meals – Requires Chair's Signature.
- The Board will discuss the Roof situation and whether to hire an architect to look at or develop a plan or specifications for the courthouse roof. The Board may approve the hiring of an architect.
- If the Board agrees to hire an architect, they will authorize to let bids for the roof.

Open overlay bids for patching with 4" asphalt, leveling, driveway shaping

and 2" overlay on Fair Oaks Blvd. The length of the project is 1230' feet with an 18 foot width.

- The Board may refer the bids to the Road Committee if an evaluation of bids is necessary. If that is not necessary, the Board will accept the lowest and best bid.

Tabled Items – No tabled items to consider

Commissioner's Committee Reports

Commissioner Member Reports

Public Comment

Mail and/or Emergency Business

Adjournment.

Commissioner Engel moved, seconded by Commissioner McLarty to approve the minutes of August 18, 2008 as typed 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 submitted by the County Clerk for payment.

There was discussion how to administer Sick Leave because the Sheriff's Union Labor Contract says that they shall accumulate 96 hours yearly. The language is very ambiguous because yearly can mean on their anniversary date, calendar year, budget year, etc.

It has been the past practice that employees accumulate one half of the allotted annual sick leave every 6 months.

Commissioner McLarty moved, seconded by Commissioner Engel to approve the payroll claims administering the sick leave as in past practice, submitted by the County Clerk as follows:

COUNTY GENERAL FUND: Gross salaries- \$117,436.98, General Fund Employees Net Pay- \$86253.42, Employer deductions paid: Retirement- 8,162.90, FICA- 7,281.11, Medicare- 1,702.86, DC Health Plan-, DC Dental Plan, Life Insurance-.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 468.00, Tracey Corkin- 908.00, Marisol Curiel- 894.40, Bobbi Jo Harsma- 1034.40, Theodore Piepho- 1599.88, Darlene Davis- 885.61, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 936.15, Kim Kuehl- 841.32, Phyllis Ridge- 862.65, Margaret Rahn- 1194.00, Daniel Christoffers- 468.00, Dennis Reinert- 209.97, Valerie Danielson- 1599.88, Lori Jessip- 752.50, Cheryl Perkins- 1120.00, Zachary Gerth- 1538.46, Debra Jensen- 1040.00, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 940.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 981.97, Jeremy Bermel- 1814.85, Anthony Bos- 1589.09, Sandy Dickens- 441.37, Brian Ellinger- 1981.52, Penny Epting- 1533.65, Brent Gilster- 1673.25, Todd Hammer- 1702.60, Melvin Harrison III- 1624.31, Rodney Herron- 1742.74, Jason James- 1464.06, Kimberly Johnson- 584.06, Jared Junge- 1888.43, Michael Kreegar- 1624.32, Gayle Richards- 829.60, Kevin Rohde- 1766.93, James Wagner- 1599.88, Randall Walsh- 1660.68, Kerry Johnson- 770.00, Sara Meadows- 1653.85, Kathryn Mullin- 1576.92, Debra Schmiedt- 2230.77, Mary Spurlock- 880.00, Aimee Uhl- 1044.00, Kimberly Watson- 2588.46, Caterina Chapman- 1142.41, Jacob Acero- 1168.71, Ermelinda Ballesteros- 1250.30, Joshua Blatchford- 1202.85, Dusty Boyd- 1157.15, Rebecca

Broer- 1307.69, Sandy Dickens- 662.05, Michael Estes- 1411.88, Lisa Ford- 1252.10, Robert Foster- 1107.90, Joseph Gee- 1112.82, John Gilles- 1291.92, Alma Gunderson- 1311.55, Paula Harrigfeld- 724.16, Cathy Harsma- 1261.16, Deanna Haukap- 1171.48, Jackie Heaton- 1460.00, Adam Hough- 1187.67, Matthew James- 1127.62, Sarah Jensen- 780.00, Brett Johnson- 1184.63, Nicholas Kellen- 1218.06, Brenda Kelly- 1228.37, Terry Kern- 1807.69, Keith Klein- 1122.69, Mark Nelson- 1237.90, Travis Olander- 1144.57, Kimberly Peterson- 1132.55, Cara Reinders- 1171.48, Daniel Rodasky- 1189.39, Jutharatana Ruenprom- 1310.08, Linda Schovanec- 1250.17, Justin Smith- 1287.93, Francis Tope- 1146.40, Charvette Williams- 1171.48, Jewel Williams- 1310.08, Matthew Wise- 1112.82, Daniel Wood- 1341.71, Jolene Gubbels- 960.00, Leon Pies- 648.88, Pamela DeVries- 1558.06, Patricia Glover- 1090.62, Bonnie Kahler- 716.08, Alan Boyd- 999.31.

GENERAL FUND: Employee withholding paid to: Federal- 11,501.50, State- 3,911.66, FICA- 7,281.11, Medicare- 1,702.86, Retirement- 5,525.28, 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- \$16,125.26, Road Employees Net Pay- \$11,537.70, Employer deductions paid: Retirement- 1,034.50, DC Health Plan-, DC Dental Plan-, Life Insurance-, FICA- 999.76, Medicare- 233.83.

Brent Byroad- 1243.20, Robert Hacker- 1203.20, Ronald Harder- 1211.20, Richard Hoelsing- 1215.20, Hans Houfek- 1203.20, Robert Jacobsen- 1219.20, Fred Kellogg- 1538.46, Robert Lillard- 1123.20, Kimon Litras- 1215.20, Arnold Mellick- 1219.20, Christopher Paine- 800.00, Leon Pies- 603.60, Kip Reinbold- 1123.20, James Swanson- 1207.20.

ROAD FUND: Employee withholding paid to: Federal- 1,489.33, State- 508.77, FICA- 999.76, Medicare- 233.83, Retirement- 689.59, DC Health Plan-, DC Dental Plan-, Reassure America Life-, Deferred Comp-, Garnishments- 604.60, Aflac Health-, Aflac Life/Dsbl-, Flex Plan-, Union Dues-.

VETERANS AID: Veterans Service Office- Emergency Relief: 1,500.00.

VISITORS PROMOTION: South Sioux City Chamber of Commerce- lodging tax: 15,207.97.

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

Randy Walsh and Robert Giese, County Treasurer appeared before the board concerning Distress Warrants. Mr. Walsh submitted the following written report.

August 8, 2008

Dakota County Commissioners  
 Dakota County Courthouse  
 Dakota City, Nebraska

The Dakota County Sheriff's Department returned the 2007 Distress Warrants to the Dakota County Treasurer on August 8, 2008.

There were 263 Distress Warrants issued November 1st, 2007 totaling \$98,998.15.

Of the 263 Distress Warrants:

218	are satisfied totaling	\$ 97,037.15
	additional interest collected	\$ 2,798.78
	Paid to County Treasurer (2)	\$ 970.53

24 were sold at sheriff's sale ( For \$1.00 apiece)  
 21 are to be stricken (6 of these were offered at Sheriff's Sale with No Bidders)

Total Amount Uncollected \$ 3,789.25  
 (this amount includes ones sold by sheriff, ones to be stricken, and any removed by correction)

Total Collected: \$100,806.46

Attached are a list of the parcels that the sheriff is recommending to strike and also a list of the ones that were sold at sheriff's sale.

Properties Sold at Sheriff's Sale:

<u>DW#</u>	<u>Property ID#</u>	<u>Name</u>
DW# 2009	220182825	Lori Aponte
DW# 2048	220216924	LeAnn Garman
DW# 2049	220131767	Michael Cerda
DW# 2071	220109087	Micaela Santiago Detopete
DW# 2073	220108897	Eugene C Edwards
DW# 2076	220110581	Rita Feilmeier
DW# 2086	220182949	Ana Maria Garcia
DW# 2091	220219265	Esperanza Gomez
DW# 2103	220107734	Angel L. Hernandez
DW# 2109	220183333	Michael Hipps
DW# 2111	220199426	Armand J Hopkins Jr.

DW# 2135	220126054	Jorge U. Macias-Padilla
DW# 2152	220173915	Jose Melendez
DW# 2154	220169624	Monica Mendoza
DW# 2199	220184445	Candido Resendez
DW# 2203	220184224	Sergio Rocha
DW# 2206	220119538	Maria Veronica Rodriguez
DW# 2213	220179166	Gregory Rossow
DW# 2215	220217548	Daniel Ruiz
DW# 2218	220188688	Aurelio / Jacki Salazar
DW# 2224	220114196	Rusten Satterwhite
DW# 2253	220180121	Amparo / Freddy Varela
DW# 2259	220125783	Jenny L. Whitlock
DW# 2262	220174210	Carlos Zambrano

Total Amount of Taxes due on properties sold at Sheriff's Sale=  
\$1,541.43

Personal Property Taxes to be Stricken

<u>DW#</u>	<u>Property Id</u>	<u>Property Description</u>	<u>Reason</u>	<u>Amount</u>
2011	220179425	1965 Detroit Mobile Home	Empty Lot	\$ 40.84
2012	220218838	1973 Stylecraft Mobile Home	Empty Lot	\$ 111.95
2038	220108323	1970 Belmont Mobile Home	Empty Lot	\$ 55.04
2055	220199221	1971 Ritzcraft Mobile Home	No Bid	\$ 50.31
2060	220111642	1970 Invader Mobile Home	Trailer Junked	\$ 92.26
2064	220111510	1968 Chickasha Mobile Home	Empty Lot	\$ 78.48
2066	220191808	1975 Metal Craft Mobile Home	No Bid	\$ 39.70
2072	220219122	Property at Dicky G's	Out of Business	\$ 223.65
2097	220213879	1975 Longview Mobile Home	No Bid	\$ 102.11
2104	220144095	1972 General Mobile Home	Empty Lot (WW)	\$ 68.93
2114	220199922	1973 Atlantic Mobile Home	No Bid	\$ 79.44
2142	220219241	Property of Marlin Leasing	Unable to locate	\$ 374.41
2144	220190461	1981 American Mobile Home	No Bid	\$ 226.33
2158	220200122	1974 Atlantic Mobile Home	Empty Lot	\$ 101.60
2162	220138397	1973 Wickes Mobile Home	Not Same Trailer	\$ 89.16
2170	220130574	1967 American Mobile Home	Empty Lot	\$ 38.18
2186	220183120	1974 Ritzcraft Mobile Home	Empty Lot	\$ 83.84
2194	220199795	1972 Concord Mobile Home	Empty Lot	\$ 56.98
2221	220193754	1974 Schult Mobile Home	No Bid	\$ 108.97
2238	220194270	1968 Hillcrest Mobile Home	Empty Lot	\$ 47.12
2247	220136319	1985 Liberty Mobile Home	Empty Lot	\$ 178.52

Total # of Properties to be Stricken = 21

Total Amount of Personal Property Taxes to be Stricken = \$2,247.82

Commissioner Engel moved, seconded Commissioner Rohde to strike the Parcel Numbers 220179425, 220218838, 220108323, 220199221, 220111642, 220111510, 220191808, 220219122, 220213879, 220144095, 220199922, 220219241, 220190461, 220200122, 220138397, 220130574, 220183120, 220199795, 220193754, 220194270, 220136319, from the Distress Warrant Tax List as recommended by Randall Walsh and Robert Giese.

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

Several members from the Planning and Zoning Board appeared before the board and complained about Dennis Reinert not doing his duties properly and therefore asked the County Board to relieve him of his duties.

Dennis Reinert, Planning and Zoning Administrator, appeared before the board and justified his actions. He described issues where the Planning and Zoning informed people that they could compost dead animals and he said it is not in the regulations and if it isn't in the regulations the County Attorney has informed him that it can't be done.

Another issue was that Planning and Zoning instructed him to sign off on a Conditional Use Permit at their last meeting. He said he had spoken to the County Attorney's Office about two hours before that meeting and they instructed him that if it was not permitted under the Regulations, therefore, he would not sign off on the Conditional Use Permit

Commissioner Hartnett moved, seconded by Commissioner Rohde to relieve Dennis Reinert, Planning and Zoning Administrator of his duties.

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

Chair Hartnett called for the Agenda item "Give a permit to Curtis Arndt Showing a Towing Service excluding a wrecking yard."

Planning and Zoning Board Members that were present supported giving Curtis Arndt a Conditional Use Permit for a Towing service.

Chair Hartnett said that the County would have to have a public hearing on it. A Conditional Use Permit had originally been issued to Mr. Arndt however it was issued as a RV Park. Mr. Reinert had said that he had originally made a mistake when that was issued.

Chair Hartnett called for the Agenda item "Kenny Baker Bridge- This bridge is temporarily closed and the County Board will discuss whether to repair the bridge or whether it should be replaced."

Mr. Kellogg said that he had received a letter from the state to close the Kenny Baker Bridge and that was done temporarily.

The Board discussed the Kenny Baker Bridge. Fred Kellogg, Road Director, said that he had received informal bids from Tyson Construction back in January and he said it would cost about \$15,000 to repair the bridge to a 3 ton rating and \$39,000 to repair it to get it to a 10 ton rating. He said that if they spend that much that would almost be our match on a new bridge.

The board was concerned, that if they spent \$15,000, the bridge would be rated less than a 3 tons.

Commissioner Rohde moved, seconded by Commissioner Hartnett to advertise for bids, to repair the Kenny Baker Bridge and to try and get a guarantee from the Construction Company that it would be eligible for a 3 ton rating.

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

Chair Hartnett called for the agenda item "Roof Committee recommendation on re-roof bid".

It was the Roof Committee's recommendation that JC Roofing's bid not be accepted because of technical issues with their bid and to accept the bid of Boone Bros. for \$236,661.

The JC Roofing Bid was not on the proper form, did not have liability insurance, statement with the bid and the bid date on it was back in April and so it was the recommendation of the committee that that bid be rejected.

Commissioner McLarty moved, seconded by Commissioner Hartnett to accept the bid of Boone Bros. for the amount of \$236,661 for Bid Proposal 1 to repair the roof.

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

Commissioner McLarty moved, seconded by Commissioner Engel rescind the Liaison Officer Agreement adopted June 30, 2008 and to authorize the chair and the Sheriff to sign an updated County Liaison Officer Agreement and to approve the updated County Liaison Officer Agreement between the Dakota County Sheriff's Department and School District No. 11 agreeing that one officer of the Dakota County Sheriff's Department will be designated as Liaison Officer to provide services to the high school, middle school, and elementary schools. The duties of the Liaison Officer shall be conducted primarily within the school system, but they may assume regular law enforcement duties in the event of an emergency or other request by the County. The School District shall remit its share of said Liaison Officer expenses to the County on a monthly basis or at such time as it receives a statement from the County, as follows:

#### **COUNTY LIAISON OFFICER AGREEMENT**

**THIS AGREEMENT** made and entered into the \_\_\_\_\_ day of \_\_\_\_\_, 2008, by and between THE DAKOTA COUNTY SHERIFF'S DEPARTMENT, DAKOTA COUNTY, NEBRASKA ("County"), a political subdivision, and SCHOOL DISTRICT NO. 11 OF DAKOTA COUNTY, NEBRASKA ("School"), a political subdivision, WITNESSETH:

**WHEREAS**, one certified officer of the Dakota County Sheriff's Department employed by the County has been designated as a Liaison Officer with his primary duties in the various schools of the School district; and

**WHEREAS**, the duties of the Liaison Officer are to provide law enforcement assistance at the schools, law enforcement education for students, and generally act as a liaison between the students and the School and various law enforcement agencies; and,

**WHEREAS**, the County will provide the School with one Liaison Officer on a shared basis from the commencement of the 2008/2009 school year.

**NOW THEREFORE**, it is agreed by and between the parties that:

13. One officer of the Dakota County Sheriff's Department will be designated as Liaison Officer to provide services to the high school, middle school, and elementary schools.

14. The duties of the Liaison Officer shall be conducted primarily within the school system, but they may assume regular law enforcement duties in the event of an emergency or other request by the County.

15. That the expense of the Liaison Officer to be paid by the School is as follows:

\$200.00 per day for 3 days per week for 9 months to be paid by the School to the County, based upon actual hours the officer spends working within the Schools or on School sponsored programs.

Liaison Officer Deputy Penny Epting

\$200.00 x 178 school days x 60% = \$21,360.00

The School shall remit its share of said Liaison Officer expenses to the County on a monthly basis or at such time as it receives a statement from the County.

16. If there are any changes in salary or benefits during the term of this agreement, the County shall notify the School of the adjustments.

17. That this agreement shall commence on \_\_\_\_\_, 2008, and terminate on \_\_\_\_\_, 2009.

18. That this agreement has been approved by the governing bodies of the County and School. **DATED** on the day and year first above written.

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 Levy Allocation for Miscellaneous Subdivisions for the Homer Fire District, Dakota Covington and Emerson Fire District, Dakota County Ag. Society and the Dakota County Historical Society as follows:

**RESOLUTION 08C-011**

**LEVY ALLOCATIONS FOR MISCELLANEOUS SUBDIVISIONS**

Whereas, LB1114 provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, Fire Protection District #1, Homer, is not a member of the Mutual Finance Organization and receiving funding; 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			
General Fund	\$29,387.44	\$29,387.44	.027321
Sinking Fund	3,658.15	3,658.15	.003401
TOTAL	\$33,045.59	\$33,045.59	.030722

\*Levy Allocation is the rate per \$100 valuation.

Passed and adopted this 25th day of August, 2008.

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Board Chair

**RESOLUTION 08C-012**

**LEVY ALLOCATIONS FOR MISCELLANEOUS SUBDIVISIONS**

Whereas, LB1114 provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the Fire Districts in the Mutual Finance Organizations received funding and must levy the same rate; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivisions as follows:

Subdivision	Property Tax Request	Property Tax Allocation	Levy*
Dakota Covington Rural Fire			
Total	83,912.66	83,912.66	.030923
Emerson Rural Fire			
Total	42,291.35	42,291.35	.030923

\*Levy Allocation is the rate per \$100 valuation.

Passed and adopted this 25th day of August, 2008.

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Board Chair

**RESOLUTION 08C-013**

**LEVY ALLOCATIONS FOR MISCELLANEOUS SUBDIVISIONS**

Whereas, LB1114 provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivisions as follows:

Subdivision	Property Tax Request	Property Tax Allocation	Levy*
Dakota Co Ag Society			
General	\$ 71,250.00	\$ 71,250.00	.006436
Capital Improvement (Lid Exception)	20,000.00	20,000.00	.001807
Capital Improvement (Lid Exception)	20,000.00	20,000.00	.001806
Total	\$111,250.00	\$111,250.00	.010049

\*Levy Allocation is the rate per \$100 valuation.

Passed and adopted this 25th day of August, 2008.

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Board Chair

**RESOLUTION 08C-014  
LEVY ALLOCATIONS FOR MISCELLANEOUS SUBDIVISIONS**

Whereas, LB1114 provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivisions as follows:

Subdivision	Property Tax Request	Property Tax Allocation	Levy*
Dakota Co Historical Society	21,016.00	21,016.00	.001898

\*Levy Allocation is the rate per \$100 valuation.

Passed and adopted this 25th day of August, 2008.

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Board Chair

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

Commissioner Hartnett moved, seconded by Commissioner Rohde to establish the termination date of Dennis Reinert, Planning and Zoning Administrator to be September 6, 2008.

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

Chair Hartnett called for the Agenda Item "Tabled Items – No tabled items to consider" and there were none.

Chair Hartnett called for the Agenda Item "Committee Reports".

Commissioner Rohde reported on the Millis Beach Road and the committee has a meeting tomorrow night.

Commissioner McLarty asked how the board wanted the Roof Committee to proceed. It was decided that Rick Jensen would tar the roof to get by the winter and to bid it next spring.

Chair Hartnett called for the Agenda Item "Commissioner Member Reports" and there were none.

Chair Hartnett called for the Agenda Item "Mail and/or Emergency Business" and there were none.

Chair Hartnett called for the Agenda Item "Public Comment".

Sally Reinert addressed the Curtis Arndt situation.

Rod Hughes addressed the roofing bids and his bid in particular.

Ron Haase addressed the roofing bids and his bid in particular.

Chair Hartnett adjourned their meeting at 2:57 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Harnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book

Dakota County Board of Commissioners  
Monday, September 8, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their regular meeting to order at 1:32 p.m.

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

Absent: None

The agenda for this meeting was as follows:

Call to Order

- Roll Call
- Presiding Chair person's statement concerning Nebraska Open Meetings Act.
  - 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.
- Approve Minutes of previous meeting.
- Approve Payroll claims submitted by County Clerk for payment.
- Review and approve Accounts Payable Claims submitted by Co. Clerk.

Miscellaneous Agenda Items

- Approve new contract with CBM for jail meals – Requires Chair's Signature.
- The Board will discuss the Roof situation and whether to hire an architect to look at or develop a plan or specifications for the courthouse roof. The Board may approve the hiring of an architect.
- If the Board agrees to hire an architect, they will authorize to let bids for the roof.

Open overlay bids for patching with 4" asphalt, leveling, driveway shaping and 2" overlay on Fair Oaks Blvd. The length of the project is 1230' feet with an 18 foot width.

- The Board may refer the bids to the Road Committee if an evaluation of bids is necessary. If that is not necessary, the Board will accept the lowest and best bid.

Tabled Items – No tabled items to consider

Commissioner's Committee Reports

Commissioner Member Reports

Public Comment

Mail and/or Emergency Business

Adjournment.

Commissioner McLarty moved, seconded by Commissioner Engel to approve the minutes of August 25, 2008 as typed 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 submitted by the County Clerk for payment.

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

COUNTY GENERAL FUND: Gross salaries- \$123,957.75, General Fund Employees Net Pay- \$87,714.54, Employer deductions paid: Retirement- 8,645.54, FICA- 7,553.50, Medicare- 1,766.55, DC Health Plan- 31,050.00, DC Dental Plan- 966.00, Life Insurance- 196.75.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 468.00, Tracey Corkin- 908.00, Marisol Curiel- 894.40, Bobbi Jo Harsma- 1034.40, Theodore Piepho- 1599.88, Darlene Davis- 885.61, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 924.30, Kim Kuehl- 841.32, Phyllis Ridge- 880.88, Margaret Rahn- 1194.00, Daniel Christoffers- 468.00, Dennis Reinert- 209.97, Valerie Danielson- 1599.88, Lori Jessip- 752.50, Cheryl Perkins- 1120.00, Zachary Gerth- 1384.65, Debra Jensen- 1040.00, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 940.00, Fred Gillaspie- 16.00, Richard Jensen- 1374.44, Duane Kotalik- 1285.60, Tammy Dunn-Peterson- 868.00, Jeremy Bermel- 1834.47, Anthony Bos- 2068.61, Sandy Dickens- 441.37, Brian Ellinger- 2112.62, Penny Epting- 1819.30, Brent Gilster- 2211.50, Todd Hammer-2094.06, Melvin Harrison III- 2294.70, Rodney Herron- 2134.78, Jason James- 1548.14, Kimberly Johnson- 513.57, Jared Junge- 2087.08, Michael Kreegar- 2035.36, Gayle Richards- 829.60, Kevin Rohde- 1943.15, James Wagner- 1599.88, Randall Walsh- 1957.28, Kerry Johnson- 880.00, Sara Meadows- 1653.85, Kathryn Mullin- 1419.21, Debra Schmiedt- 2230.77, Mary Spurlock- 880.00, Aimee Uhl- 1044.00, Kimberly Watson- 2588.46, Caterina Chapman- 1142.41, Jacob Acero- 1304.46, Ermelinda Ballesteros- 1341.68, Joshua Blatchford- 1390.57, Dusty Boyd- 1356.02, Rebecca Broer- 1425.37, Sandy Dickens- 662.05, Michael Estes- 1204.80, Lisa Ford- 1357.80, Robert Foster- 1116.11, Joseph Gee- 1162.17, John Gilles- 1455.34, Alma Gunderson- 1500.62, Paula Harrigfeld- 584.00, Cathy Harsma- 1455.34, Deanna Haukap- 1356.02, Jackie Heaton- 1568.00, Adam Hough- 1315.25, Matthew James- 1158.88, Sarah Jensen- 800.00, Brett Johnson- 1363.23, Nicholas Kellen- 1352.45, Brenda Kelly- 1213.79, Terry Kern- 1807.69, Keith Klein- 1167.11, Mark Nelson- 1234.07, Travis Olander- 1192.88, Kimberly Peterson- 1167.11, Cara Reinders- 1339.90, Daniel Rodasky- 1356.02, Jutharatana Ruenprom- 1110.10, Linda Schovanec- 1242.40, Justin Smith- 1359.61, Francis Tope- 1318.40, Charvette Williams- 1345.28, Jewel Williams- 1322.16, Matthew Wise- 1135.87, Daniel Wood- 1624.64, Jolene Gubbels- 960.00, Leon Pies- 603.60, Pamela DeVries- 1558.06, Patricia Glover- 1115.15, Bonnie Kahler- 699.40, Alan Boyd- 999.31.



GENERAL FUND: Employee withholding paid to: Federal- 12,345.85, State- 4,205.73, FICA- 7,553.50, Medicare- 1,766.55, Retirement- 5,861.57, DC Health Plan- 475.00, DC Dental Plan- 514.50, Colonial Health- 16.20, Sheriff Union Dues- 300.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 364.09, Aflac Life/Dsbl- 110.20, Flex Plan- 757.37.

COUNTY ROAD PAYROLL: Gross salaries- \$15,552.56, Road Employees Net Pay- \$10,767.76, Employer deductions paid: Retirement- 1,009.34, DC Health Plan- 4,387.50, DC Dental Plan- 136.50, Life Insurance- 26.55, FICA- 947.00, Medicare- 221.49.

Brent Byroad- 1243.20, Robert Hacker- 1203.20, Ronald Harder- 1211.20, Richard Hoelsing- 1215.20, Hans Houfek- 1203.20, Robert Jacobsen- 1219.20, Fred Kellogg- 1538.46, Robert Lillard- 1123.20, Kimon Litras- 1215.20, Arnold Mellick- 1219.20, Christopher Paine- 600.00, Leon Pies- 603.60, Kip Reinbold- 1203.20, James Swanson- 754.50.

ROAD FUND: Employee withholding paid to: Federal- 1,388.72, State- 474.34, FICA- 947.00, Medicare- 221.49, Retirement- 672.82, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 4.88, Deferred Comp.- 61.68, Garnishments- 531.73, Aflac Health- 147.06, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50, Union Dues- 160.00.

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

Chair Hartnett recessed their meeting at 1:46 p.m. until 1:50 p.m. Chair Hartnett reconvened their meeting at 1:50 p.m.

Chair Hartnett called for the Agenda Item Approve new contract with CBM for jail meals – Requires Chair’s Signature.

Commissioner McLarty, as Chair of the Board of Corrections, reported that the Board of Correction approved the Agreement with CBM for a 4.6% increase in meal cost for the Jail and recommended that the Board of Commissioners likewise approve same.

Commissioner McLarty moved, seconded by Commissioner Rohde to approve the Agreement with CBM increasing the meals by 4.6% as follows:

AMENDMENT TO FOOD SERVICE CONTRACT BETWEEN DAKOTA COUNTY NEBRASKA AND CBM FOODSERVICE

This amendment to the original contract is entered into this 21st day of February, 2008 by and between Dakota County Nebraska at 1601 Broadway, Dakota City, Nebraska 68731 and Catering By Marlins, Inc., d.b.a. CBM Foodservice business address 2219 East Benson Road, Sioux Falls, South Dakota 57104.

Pursuant to item 4.0 of the entire agreement, the parties agree to retain the following cost per meal for the contract year (January 1, 2009 through December 31, 2009). New prices will take effect on January 1, 2009.

Table with 2 main sections. Each section has 2 rows: 'Inmate Population' and 'Current Price' (or 'CPI Adjustment 4.6%'). Columns represent inmate population ranges: 140+, 130-139, 120-129, 110-119, 100-109, 90-99, 80-89.

Rates reflect CPI Adjustment Rate of 4.6%

This amendment shall be attached to the original contract as an addendum and all other original contract provisions shall remain in full force and effect.

Dated this 8 day of Sept, 2008

Dated this 25th day of August, 2008

Signature of Jackie Hartnett, Jackie Hartnett, Dakota County, Nebraska

Signature of Shane V. Sejnoha, Shane V. Sejnoha, President of Corrections, CBM Foodservice

Signature of Terry Kerns, Terry Kerns, Jail Administrator

Signature of Witness, Witness



Space between signatures and roll call was done intentionally.

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

Chair Hartnett called for the Agenda Approve new contract with CBM for jail meals.

Terry Kern appeared before the Board and said that they had water in the Southeast corner of the jail. He noted that the Jail Committee met and an Architect was proposed and that he had three informal proposals.

He said that RML Architects was 15% of the Project.

M Plus Architect's was as follows:

I propose that we provide architectural services to develop bid document(s) and secure bids from qualified contractors for a lump sum bid of \$8,725.00. This fee includes any and all required meetings prior to the bid letting. I also propose a lump sum fee of \$4,850.00 for the construction administration portion of the project which includes but is not limited to weekly job site meetings; pay application reviews, general construction administration and job site reports.

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

Sincerely,  
/s/Paul Martin Jr., Assoc. AIA

**FEH Associates Inc was as follows:**

**SCOPE OF ARCHITECTURAL ENGINEERING SERVICES:**

A. The Scope of Schematic and Design Development NE Services will be limited to the following:

1. Initial meeting with owner to survey existing roof conditions. Field measure roof areas to be reroofed including existing roof edge conditions, and penetrations. Roof core samples will be taken if information is not provided by the owner.
2. Develop schematic design drawings:
  - a. Roof Plan
3. Design Development drawings:
  - a. Roof Plan
  - b. Roof Details
  - c. Roof Photos

B. The Scope of Final NE Design Services will include the following:

1. Construction Documents:
  - a. Preparation of Construction Documents (drawings and specifications) to be used by the Owner in obtaining bids for the reroofing of this building. An estimate of construction costs will be included.
2. Bidding and Negotiations:
  - a. Architect will assist the Owner during the bidding phase by providing sets of bid documents and answering questions during the bidding process.
3. Construction Administration:
  - a. Architect will participate in construction site observation as necessary (a minimum of semi-weekly).
  - b. Architect will review shop drawing submittals.
  - c. Architect will review the Contractor's monthly payment requests.
  - d. Architect will review and approve Close-out Documentation.

**BASIS OF ARCHITECTURAL/STRUCTURAL ENGINEERING COMPENSATION:**

FEH Associates works with a variety of fee arrangements, including stipulated sum, hourly, hourly with a not to exceed sum and/or a combination of these. We try to match the appropriate fee to the project based on the relative merits and complexities.

Our preference would be to work on an hourly basis with a not to exceed maximum sum. We have found this method works best for roofing projects.

Our hourly compensation rates are as follows:

Principals	\$135.00
Draftsman	\$ 60.00
Clerical	\$ 48.00

The total Architectural fee to include Schematic Design, Design Development, Construction Documents, and Bidding and Negotiation services will not exceed \$9,460.00.

The total Architectural fee to include Construction Administration services will not exceed \$6,600.00.

FEH Associates shall be compensated on an hourly rate for any and all services not specifically indicated above.

If the start of the Final Design Services is delayed beyond January 1, 2009, the hourly rates and guaranteed maximum amount shall be adjusted for inflation.

Reimbursable Expenses: Expenses in addition to compensation indicated above shall include:

1. Printing/copying/shipping of Construction Documents.

Payments due the Architect/ Engineer: Invoices will be sent monthly and any unpaid portions of invoices after 30 days of the invoice date shall bear interest at the rate of one half percent per month on the unpaid balance.

**LIMITATION OF PROFESSIONAL LIABILITY:**

The Owner hereby limits the Professional Liability of the Architect/Engineers to the following:

A. Final Design Services: The Owner agrees to look solely to the amounts available under the Architect's professional liability insurance policy for any claims arising out of, in connection with, or resulting from work under liability (direct or indirect) to the Owner, or anyone claiming through the Owner, for any alleged error, omission or other claim except to the extent of the limits of such insurance. Architect agrees to maintain such claims made policy with limits in the aggregate amount of \$100,000.00 for a period of one year after final completion of the project notwithstanding the foregoing, no claim shall be made against Architect, his agents, consultants and employees more than six years after substantial completion of the Project.

In conclusion, we sincerely appreciate the opportunity to present this Letter of Agreement to you for your consideration. If this Letter of Agreement is acceptable, please sign and date both copies and return one copy to our office.

Please contact our office if you have any questions or concerns regarding this Letter of Agreement.

Very truly yours,

FEH ASSOCIATES INC.  
Ron Speckmann, AIA  
Principal

Commissioner McLarty moved, seconded by Commissioner Rohde to accept M Plus Architect's bid of \$8,725.00, which includes any and all required meetings prior to the bid letting and to approve an additional lump sum fee of \$4,850.00 for the construction administration portion of the project, which includes, but is not limited to weekly job site meetings, pay application reviews, general construction administration and job site reports.

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

Commissioner O'Neill qualified her no vote by saying she did not think we needed to spend additional money for an Architect.

Chair Hartnett called for the Agenda Item "Open overlay bids for patching with 4" asphalt, leveling, driveway shaping and 2" overlay on Fair Oaks Blvd. The length of the project is 1230' feet with an 18 foot width.

Fred Kellogg, Road Director, open the bids received from Barclay Asphalt and Knife Rivers for the above project.

Barkley Asphalt's bid was \$38,100 and Knife River's Bid was \$35,360.25.

Commissioner Rohde said that Knife River has done asphalt projects for the County before and said that they have done a good job and recommended that the County accept their bid.

Commissioner Rohde moved, seconded by Commissioner Hartnett to accept the bid of Knife River's to cut out a portion of Fair Oaks Blvd. and overlay with 4" asphalt, leveling, driveway shaping and 2" overlay on Fair Oaks Blvd. for a length of approximately 1230' feet with an 18 foot width. Be it further Resolved to authorize Commissioner Hartnett to sign the Letter of acceptance for said project.

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

Chair Hartnett called for the Agenda Item "Tabled Items" and there were none.

Chair Hartnett called for the Agenda Item "Commissioner Member Reports" and there were none.

Chair Hartnett called for the Agenda Item "Commissioner Committee Reports."

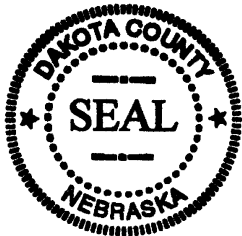
Commissioner McLarty reported that he had given four (4) budget and Jail presentations to various organizations and said that questions have been minimal, but much appreciation for the fact that the County is coming out and explaining what is going on. He said his next presentation was at the Chamber Legislative Lunch, which is being held at Cahill's.

Commissioner Engel reported that he had been getting some calls on the roads. He said that North Shore appears to be bad and that he also had a call from Chris Gill north of Jackson. He asked Commissioner Rohde to take a look at it.

Commissioner Rohde reported that the state had conducted a training exercise with the Road Employees on grading roads. He thought that was very worth while.

Chair Hartnett called for the Agenda Item "Mail and/or Emergency Business" and there were none.  
 Chair Hartnett called for the Agenda Item "Public Comment".  
 Chris Gill living north of Jackson came forward and said that she was not here to point fingers but that she has concerns about the roads that she has to travel and they are very bad.  
 She said that she called Fred Kellogg about two weeks before Labor Day and there are two very bad spots and asked the board to drive out today to look at them. She did not know how cars made it through those areas.  
 She proposed that residents be able to serve on a Committee to solve these problems.  
 Commissioner O'Neill reported on an email that she received concerning problems in the jail and she wanted to talk about them and got back on the subject of making the Spencer Fane Report public.

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



County Board of Commissioners

\_\_\_\_\_  
 Jacqueline Harnett, Chair                      Date Chair signed

\_\_\_\_\_  
 Theodore A. Piepho, County Clerk                      Date entered in book

Dakota County Board of Commissioners  
Monday, September 15, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their regular meeting to order at 10:02 a.m.

Present were Commissioners Engel, Hartnett, McLarty, and County Clerk Ted Piepho, Secretary.

Absent: Commissioners Rohde, O'Neill

The agenda for this meeting was as follows:

Call to Order with reciting the Pledge of Allegiance

- Roll Call
- Presiding Chair person's statement concerning Nebraska Open Meetings Act.
  - 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.
- Approve Minutes of previous meeting.
- Review and approve Accounts Payable Claims submitted by Co. Clerk.

Recess for Lunch

Reconvene from Lunch opening the Public Hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the 2008-09 County proposed budget.

- Close Public Hearing
- Board to decide if they wish to increase their base of restricted funds by an additional 1%.
- Adopt the County Budget- Resolution of Adoption and Appropriations for fiscal year 2008-09 approval of county budget.

Public Hearing - for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request.

- Close Hearing
- Adopt Resolution setting property tax request

Miscellaneous Agenda Items

- Discuss, accept and/or approve specifications from Architect for the roof. Accept and/or approve all matters in connection with the process to repair the roof ranging from procuring documents in matters and approving Architect specification, plans, designs and agreements including the advertising and letting bids for the repair of the roof.
- Approve Cable One Franchise Agreement Resolution
- "Executive session to discuss pending litigation on a Tax Equalization and Review Commission case"

Tabled Items – No tabled items to consider

Commissioner's Committee Reports

Commissioner Member Reports

Public Comment

Mail and/or Emergency Business

Adjournment. The Board may recess to later in the week to address the first item under Miscellaneous Agenda Items if the Architect is not available Monday, 9-15.

Commissioner McLarty moved, seconded by Commissioner Engel to approve the minutes of September 8, 2008, as typed and prepared for the Official Record.

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

The board reviewed the Accounts Payable Claims submitted by the County Clerk for payment.

Commissioner McLarty departed the room at 10:07 a.m. and returned 10:17 a.m. This left no quorum and no business was transacted except the review of claims by Commissioners Engel and Hartnett.

Commissioner O'Neill took her seat at 10:20 a.m.

Commissioner McLarty asked to be excused and vacated his seat at 11:01 a.m.

Chair Hartnett recessed their meeting for lunch at 11:25 a.m.

Chair Hartnett reconvened their meeting from lunch at 1:30 p.m. with all members present...

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

GENERAL FUND: Dakota County Star, publishing- 325.66; Perkins Office Solutions, laser binders- 19.60; Advanta Bank Corp, soyo widescreen- 206.88; B & C Office Tech, printer repair- 95.00; Des Moines Stamp, 1 perma stamp- 28.70; Mips, install hard drive- 194.80; OSDI Midwest Inc, lektriever contract- 910.00; Perkins Office Solution- supplies- 152.94; Theodore Piepho, cell phone reimbursement- 20.00; Redfield & Co, bond register- 568.00; Robert Giese, mileage- 129.87; Charlotte Doenhoefer, prior yrs serv- 10.00; Ruth Jensen, prior yrs serv- 12.00; Mardell Sorensen, prior yrs serv-

26.00; Irene Vanlent, prior yrs serv- 16.00; Phillips Printing, balance sheets- 175.00; Staples, office supplies- 191.56; As Imservices, data storage- 3.50; Des Moines Stamp, office supplies- 108.85; Perkins Office Solutions, laser cartridge- 57.99; Grevin Associates LLC, logmein software change- 125.00; Elections Systems & Software, keys- 11.97; Patriot Signage, election signs- 77.00; Todds Storeall, September rent- 80.00; Dakota County Star, meeting notice- 13.02; Dennis Reinert, phone/mileage- 51.65; Staples, office supplies- 189.95; Des Moines Stamp, stamp pads- 181.35; As Central Finance, office supplies- 189.38; Dakota Business System, equip payment- 99.00; Des Moines Stamp, office supplies- 40.10; Midwest Office Automations, contract copier- 299.41; New Perspectives, shredding- 16.50; Thomson West, cd rom service- 185.00; Berenstein/Moore/Berenstein, special prosecutor fees- 194.34; Dakota County Court, court costs- 1766.98; Randy S. Hisey- court appointed counsel- 1410.00; Verlyn Luebbe, special prosecutor fees- 3524.75; Stuart Mills, court appointed counsel- 2040.00; Douglas Roehrich, court appointed counsel- 1416.00; Mary J Schroeder, witness fee- 37.55; Patrick H Tott, court appointed counsel- 1188.00; UNL-Nebraska Law, law book volume 87- 66.00; William L Binkard, reimbursement- 256.71; Coffee King, jury coffee- 38.00; Dakota County District Court, civil and criminal lists- 449.00; HyVee, jury supplies- 78.36; A-Team, heat/ac repair- 3762.87; Bomgaars, supplies- 427.00; Bunkers, soft salt- 53.27; Dakota Food & Fuel, fuel- 38.00; Gill Hauling, dumpster- 120.00; Janitor Depot, janitorial supplies- 568.00; Rick Jensen, mileage- 87.17; Joes Dept Store, supplies- 42.42; Menards, supplies- 648.72; NPPD, electric bill- 3790.34; O'Keefe, service- 144.72; Share, supplies- 173.41; MidAmerican Energy, gas bill- 1813.00; Trembly, pest control- 50.00; Verizon Wireless, cell phone- 58.25; Dakota County Extension, reimbursement- 950.06; City of South Sioux City, communications/fuel- 5827.58; Dakota County Sheriff, reimbursement- 656.60; Dakota Food & Fuel, gas- 631.85; Fremont Tire, vehicle maint- 3957.54; Harold's, film developing- 107.24; Jack's Uniforms, uniforms- 388.65; Knoepfler Chev, duplicate key- 23.19; Old Republic Surety, notary bond- 50.00; Pepperball Tech, 1/2 of pepperballs- 432.49; Racom, phone access line- 703.80; Siouxland FCU, reimbursement- 65.93; Stanard & Associates, study guides- 31.00; Ultramax, ammo- 349.00; Verizon Wireless, cell phone- 125.22; Willis Animal Clinic, k-9 appt- 57.35; Dakota County Sheriff, papers/warrants- 1699.25; Dakota County Star, legal ad- 62.43; Dakota County Treasurer, certified copies- 9.00; Denison Bulletin, legal ad- 32.38; Department of Motor Vehicles, transcripts- 12.00; H2O4U, misc operating expenses- 35.50; Holt County Sheriff's Office, nekolite- 33.45; Iowa Office Supply Inc, copier contract- 54.63; New Perspectives, document destruction- 36.75; Sarpy County Court, certified copies- 2.50; Verizon Wireless, cell phones- 100.56; Kim Watson, cell phones- 163.47; City of South Sioux City, lec expense/Sept.- 25302.29; BI, electronic monitoring- 154.00; Verizon Wireless, cell phone- 55.06; AmSan, supplies- 392.87; BI Inc, house arrest- 820.90; Bob Baker, inmate supplies- 580.55; CBM Food Service, food service- 18913.98; Cash-Wa Distributing, food service- 119.50; Circle R Frame Aligners, install van insert- 555.58; Dakota Business Systems, copier contract- 281.00; Dakota County Sheriff, reimbursement- 15.98; Dakota County Clerk, title clerk- 10.00; Dakota Family Dentistry, inmate medical- 45.00; Dakota Food & Fuel, fuel- 511.63; Sandy Dickens, mileage- 90.78; Forensics Source- fingerprint taking videos- 48.89; Fremont Tire, vehicle maint- 26.46; Gill Hauling, dumpster service- 120.00; Jackie Heaton, mileage- 118.23; Lancaster Co Youth Services, house juveniles- 4095.38; Lifeguard MD, AED Electrods, AED Electrods- 150.02; Mercy Bus Health, inmate house calls- 2375.00; Mercy Medical Center, inmate meds- 976.32; MidAmerican Energy, gas bill- 528.44; Midwest Office Automations, copier contract- 216.04; Moore Medical, medical supplies- 141.23; NE UC Fund, unemployment- 700.86; N.E. NE Juvenile Services, house juveniles- 5556.25; NPPD, electric bill- 3694.44; NW Iowa Emergency Phys, inmate medical- 160.00; NetSys+, computer issues- 80.00; Pepperball Technologies, pepperballs 1/2- 432.50; Sam's Club, supplies- 148.57; Siouxland FCU, reimbursement- 267.54; Siouxland Radiology Patners, inmate medical- 78.00; Staples, supplies- 561.68; Treat America Food Service, jail meals- 269.60; Trembly Termite & Pest Control- 35.00; Verizon Wireless, cell phones- 165.16; Walmart, supplies/prescriptions- 1168.16; Wigman Company, shower heads- 963.73; Woodbury Co Juvenile Detention, hose juveniles- 4800.00; De Lage Landen Financial Service, copier rental- 91.00; NE Nebraska Computer Service, computer- 1122.00; Verizon Wireless, cell phone- 33.02; Pam DeVries, mileage- 204.75; Pat Glover, mileage- 153.85; Hy Vee, supplies- 25.18; Sanofi-Pasteur Inc, fulzone- 3353.42; Dr. Thomas Wendt, consulting phy.- 250.00; Midwest Office Automation, copier contract- 257.44; Perkins Office Solutions, office supplies- 126.25; Pat Glover, reimbursement- 75.00; Pam DeVries, reimbursement- 91.69; Deanna Beckman, mileage.hrs wrkd- 1250.31; Alan Boyd, mileage- 131.04; Electronic Engineer, pager- 13.95; Perkins Office Solutions, supplies- 201.38; Thomson West, law books- 493.75; Ahlers & Cooney PC, payroll/military pay issues- 139.90; Business Telecomm Systems, voicemail upgrade- 3265.00; CableOne, monthly internet- 205.95; Claritus, postage machine- 53.53; FSH Comm, payphone- 63.46; Lazette Gifford, website upkeep- 40.00; IBM Corp, as400 maint service- 72.86; MIPS, support- 390.79; NetSys+, firewall changes- 345.00; Qwest, phone bill- 1344.00; Region 4 Behavioral Health, 2<sup>nd</sup> qrt- 7615.75; Sioux City Journal, roof bid- 9.38; Three Rivers Benefit, flex plan admin- 80.00; Madelyn Thorsland, prior yrs serv- 10.00; US Postal Service, postage- 2500.00; WCS Telecom, telephone- 391.26; Road Fund, budget transfer- 10000.00; Road Improvement- budget transfer- 2000.00; Weed Fund, budget transfer- 1000.00;

ROAD FUND: Armark, towel service- 253.18; Barkley Asphalt, asphalt- 274.61; Bomgaars, supplies- 98.05; California Contractors, shop supply- 149.70; Cemex, road gravel- 2545.25; Circle R, parts- 42.80; Dakota County Star, bid notice- 31.84; Diesel Specialties Inc, parts/labor-3074; Five Star Awards, misc - 56.00; Gill Hauling, dumpster service- 55.00; Great Plains International, parts- 153.87; Ron Harder, clothing allowance- 75.00; Walter Heinemann, prior yrs service- 29.00; Higman San Gravel, gravel- 8054.65; HME, maintenance- 197.95; Hubbard Mini Mart, fuel- 8405.44; HyVee, misc- 23.97;H2O4U, water service- 44.00;Industrial Tools & Mach, supplies- 281.23; Inland Truck Parts, parts/ labor- 1191.26; J & J's Pronto, fuel- 86.00; Joe's Dept Store, supplies- 260.01; LG Everist, gravel- 986.41; Linweld, shop supply- 43.67; Midwest Services & Sales, blades- 5068.80; Marlan Millard, prior yrs service- 15.00; Napa, shop supply- 438.66; NPPD, homer electric service- 23.88; Northeast Equipment, tractor rental- 900.00; NE Nebr PPD, hwy lighting/electric- 215.15; NNTC, phone service- 173.41; Poms, tires- 185.00; Power Plan Murphy, parts/labor- 510.37; Rees Mack Sales, parts- 155.60; Ricks Radiator, parts- 531.88; RMS, parts- 37.02; Siouxland Hydraulics, parts- 164.65; Stalp Sand & Gravel,

gravel- 8974.63; Torco Remfg, Parts- 393.90; Tractor Supply- barricades- 138.11; UBC, stakes- 92.50; Verizon Wireless, cell phones- 46.27; Ziegler, parts- 176.38;  
ROAD IMPROVEMENT: Arnie Mellick, bridge inspections- 1960.00; Stephan Welding, bridge repair- 87.00;  
POOR RELIEF: Beatrice State Dev Center, qrtly payment- 822.00;  
VETERANS AID: Veterans Office, aid- 2500.00;  
PUBLIC SAFETY: Jail Bond Fund, 88% sales tax- 27639.36; City of South Sioux City, 12% sales tax- 3769.00;  
WEED FUND: Bomgaars, office supplies- 35.57; Dakota County Star, ad- 108.00; Hubbard Mini Mart, fuel- 453.92; Napa, supplies- 31.74; J & J's Pronto, fuel- 153.90;  
ROLL CALL VOTE: McLarty- Yea, Rohde-Yea, O'Neill- Yea, Hartnett- Yea and Engel- Yea.  
UNANIMOUS MOTION CARRIED.

Chair Hartnett opened the Public Hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the County's Proposed 2008-09 Budget.

There was no one in the audience that addressed the County's Proposed Budget.

Chair Hartnett closed the Public Hearing for the County's Fy-2008/2009 Budget at 1:32 p.m.  
Joan Spencer, Assistant to the Board, explained that the county is authorized to grow 2.5% in restricted funds. The Board can increase that by one percent by a motion of the board. If the board doesn't do that, then they can not ever go back and pick that up. She added that the State's Assessor recommended that we take that option.  
Commissioner McLarty moved, seconded by Commissioner Engel to increase the base of restricted funds by an additional one (1) percent for the 2008-09 Budget  
ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, McLarty- Yea, Rohde- Yea and Engel- Yea.  
UNANIMOUS MOTION CARRIED.

Chair Hartnett called for the agenda item for a resolution for the adoption and Appropriations of the County Fy-2008/2009 Budget.

Commissioner Rohde moved, seconded by Commissioner McLarty to adopt Resolution 08C-015, a resolution for the adoption and appropriations of Dakota County for its fiscal year 2008 – 2009 as follows:

**RESOLUTION OF ADOPTION AND APPROPRIATIONS**

**RESOLUTION 08C-015**

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2008, to June 30, 2009, prepared by the Budget Making Authority, was transmitted to the County Board on the 28th day of July, 2008

NOW, THEREFORE, BE IT RESOLVED, by the Board of COMMISSIONERS of Dakota County, Nebraska as follows:

SECTION 1. That the budget for the Fiscal Year July 1, 2008, to June 30, 2009, 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, 2008, and ending June 30, 2009.

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.

DATED AND PASSED THIS 15th DAY OF September, 2008.

County Board

Jacqueline

Betty O'Neill

William Mclarty

William B. Rohde

Bill Engel

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

Chair Hartnett recessed their meeting at 1:34 p.m. until 1:40 p.m.

Chair Hartnett reconvened their meeting at 1:41 p.m.

Chair Hartnett opened the Public Hearing- for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request at 1:41 p.m.

Joan Spencer, Assistant to the Board, said that the tax asking was \$4,729,212.56 this year in comparison to \$4,769,398.70 last year, which is \$47,437,375 less this year over last year.

Dennis Reinert asked what savings that would be on \$100,000 of value and it was estimated to be about \$18.00.

Chair Hartnett closed the Public Hearing at 1:48 p.m.

Chair Hartnett called for the Resolution for setting the Property Request and asked what the Board's wishes were.

Commissioner Rohde moved, seconded by Commissioner Engel to adopt Resolution 08C-016 setting the 2008-2009 Property Tax Request for the County at \$4,732,212.56, as follows:

RESOLUTION 08C-016 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 at 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 2008-2009 property tax request be set at \$4,732,212.56.
2. A copy of this resolution be certified and forwarded to the County Clerk prior to October 13, 2008.

Adopted this 15<sup>th</sup> day of September, 2008.

Attest:

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Chair

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

Chair Hartnett recessed their meeting at 1:45 p.m. until 1:55 p.m.  
Chair Hartnett reconvened their meeting at 1:55 p.m.

Chair Hartnett called for the agenda item to discuss, accept and/or approve specifications from the Architect for the roof. Accept and/or approve all matters in connection with the process to repair the roof ranging from procuring documents in matters of approving Architect specification, plans, designs and agreements including the advertising and letting bids for the repair of the roof. The architect did not have the specifications done and was not going to have them before Friday so the issue was set aside and will be carried on next meetings agenda.

Chair Hartnett called for the agenda item to consider approval of Cable One Franchise Agreement Resolution.

Cheryl Goettsche, with cable one informed the board that this would be renewing the present agreement for 10 years.

Commissioner McLarty expressed that he would like to delay this a week to give the public an opportunity to make any comments if they wish.

Chair Engel asked if there were any tabled items.

Commissioner O'Neill commented that last week she thought the tabled discussion on the jail issue was this week but doesn't see it on the agenda.

The county clerk noted that when it was being discussed last week he said that it was on the agenda for this week, but he was mistaken because he misunderstood an agenda request by Kim the County Attorney, as she had requested a closed session for possible litigation and therefore was cancelled.

Ms. O'Neill asked that the item be put on the agenda next week and Chair Hartnett said that no action has been taken against the county and until it is it shouldn't be discussed.

Chair Hartnett called for the agenda item Commissioner Committee Reports.

Commissioner McLarty reported he has a NorthStar meeting in Norfolk.

Commissioner Engel reported that he attended a Goldenrod Meeting and he will be attending the Aging in Norfolk.

Commissioner O'Neill that she was going by Mr. McLarty's comment in the paper that things should not be secret and added that the board is working for the people of the county and they put us here and I don't believe in keeping things secret from the public.

Commission Hartnett said that she attended a safety meeting today and there will be a fire drill sometime in October.

Chair Hartnett called for the agenda item Board Member reports.

Commissioner McLarty reported that he has presented his budget presentation seven times so far.

Chair Hartnett called for the agenda item Public Comment.



Sally Reinert said that she thought that Commissioner McLarty deserves special thanks for what he has been doing with his presentations.

Chair Hartnett called for the Agenda Item Mail and/or Emergency Business.

Ms. Spencer, Assistant to the Board, said that she had a message that Bill Anderson, with Driver's License reiterated that he would still like his own thermostat. It was supposedly 80 degrees in the Driver's License Room when they entered this morning.

Commissioner McLarty moved, seconded by Commissioner Rohde to convene in Closed Executive session to discuss pending litigation on a Tax Equalization and Review Commission case.

Commissioner O'Neill asked if this should be in Equalization meeting and sited the reason why she felt it should be.

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

Chair Hartnett adjourned their meeting at 2:29 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Harnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book

Dakota County Board of Commissioners  
Monday, September 22, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their regular meeting to order at 1:30 p.m.  
Present were Commissioners Engel, Hartnett, Rohde, O'Neill and County Clerk Ted Piepho, Secretary.  
Absent: Commissioner McLarty

Call to Order with reciting the Pledge of Allegiance

- Roll Call
- Presiding Chair person's statement concerning Nebraska Open Meetings Act.
  - 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.
- Approve Minutes of previous meeting.
- Approve Payroll and Accounts Payable claims submitted by County Clerk for payment.

Chad Kehrt to present the annual Road report to the Board for signing

- Approve the Annual Road Report
- Olsson Associates Amendment for additional services – Additional services for preparation of ROW for NDOR and title research.
- Letter from Nebraska Department of Roads concerning several bridges and recommended posting two at three tons.
- Arnold Mellick – discuss the Bridge Inspections that he just completed.

Miscellaneous Agenda Items

- Approve Cable One Franchise Agreement Resolution
- Discuss, accept and/or approve specifications from Architect for the Courthouse Roof. Accept and/or approve all matters in connection with the process to repair the roof ranging from procuring documents in matters and approving Architect specification, plans, designs and agreements including the advertising and letting of bids for the repair of the roof.
- Board approval of 2008 Annual Inventories of county personal property
- List of Surplus Property to be declared by the County Board as surplus, obsolete and not usable by the County.
- Official's Reports
- P & Z Administrator Resumes.
- Maximus Agreement - Agreement for Maximus to provide professional Consulting Services to perform Cost Reimbursement to the County.

Tabled Items – No tabled items to consider

Commissioner's Committee Reports

Commissioner Member Reports

Public Comment

Mail and/or Emergency Business

Adjournment.

Commissioner Engel moved, seconded by Commissioner Rohde to approve the minutes of September 15, 2008, as typed and prepared for the Official Record. RCVUMC.

Commissioner McLarty took his chair at 1:37 p.m.

Joan Spencer said that all the offices put in for pay raises and back pay and out side that everything looked ok with payroll.

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

COUNTY GENERAL FUND: Gross salaries- \$123,192.19, General Fund Employees Net Pay- \$87,479.28, Employer deductions paid: Retirement- 8,552.37, FICA- 7,506.05, Medicare- 1,755.44, DC Health Plan- 31,050.00, DC Dental Plan- 966.00 and Life Insurance- 196.80.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 468.00, Tracey Corkin- 913.68, Marisol Curriel- 894.40, Bobbi Jo Harsma- 1008.54, Theodore Piepho- 1599.88, Darlene Davis- 885.60, Robert Giese- 1599.88, Ruth Gillaspie- 1176.36, Jolene Heinemann- 948.00, Kim Kuehl- 819.18, Phyllis Ridge- 880.88, Margaret Rahn- 1194.00, Daniel Christoffers- 476.78, Valerie Danielson- 1599.88, Lori Jessip- 752.50, Cheryl Perkins- 1153.85, Zachary Gerth- 1538.46, Debra Jensen- 1040.00, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 940.00, Fred Gillaspie- 8.00, Richard Jensen- 1663.05, Duane Kotalik- 1512.16, Tammy Dunn-Peterson- 1165.86, Jeremy Bermel- 2045.39, Anthony Bos- 1628.23, Meagan Chase- 320.00, Sandy Dickens- 520.47, Brian Ellinger- 1877.78, Penny Epting- 1693.05, Brent Gilster- 1565.60, Todd Hammer- 1731.95, Melvin Harrison III- 1653.67, Rodney Herron- 2063.64, Jason James- 1387.58, Kimberly Johnson- 888.46, Jared Junge- 1772.18, Michael Kreegar- 1634.10, Gayle Richards- 975.92, Kevin Rohde- 2200.60, James Wagner- 1599.88, Randall Walsh- 1710.11, Kerry Johnson- 880.00, Sara Meadows- 1653.85, Kathryn Mullin- 1576.92, Debra Schmiedt- 2230.77, Mary Spurlock- 880.00, Aimee Uhl- 1044.00, Kimberly Watson- 2588.46, Caterina Chapman- 1345.24, Jacob Acero- 1234.23, Ermelinda Ballesteros- 1352.43, Joshua Blatchford- 1213.79, Dusty Boyd- 1175.06, Rebecca Broer- 1325.06, Sandy Dickens- 780.69, Michael Estes- 1204.80, Lisa Ford- 1149.98, Robert Foster- 1254.21, Joseph Gee- 1463.04, John Gilles- 1268.85, Alma Gunderson- 1303.84, Paula Harrigfeld-

708.02, Cathy Harsma- 1241.94, Deanna Haukap- 1372.14, Jackie Heaton- 1990.16, Adam Hough- 1270.43, Matthew James- 1481.11, Sarah Jensen- 935.18, Brett Johnson- 1268.46, Nicholas Kellen- 1178.64, Brenda Kelly- 1213.79, Terry Kern- 1807.69, Keith Klein- 1005.98, Mark Nelson- 1276.22, Travis Olander- 1065.28, Kimberly Peterson- 1025.70, Cara Reinders- 1182.23, Daniel Rodasky- 1192.97, Jutharatana Ruenprom- 1261.81, Linda Schovanec- 1739.36, Justin Smith- 1189.39, Francis Tope- 1296.89, Charvette Williams- 1185.81, Jewel Williams- 1151.47, Matthew Wise- 1254.21, Daniel Wood- 1341.71, Jolene Gubbels- 1129.20, Leon Pies- 750.76, Pamela DeVries- 1838.50, Patricia Glover- 1367.18, Bonnie Kahler- 800.22, Alan Boyd- 1209.17.

GENERAL FUND: Employee withholding paid to: Federal- 12,3043.10, State- 4,110.37, FICA- 7,506.05, Medicare- 1,755.44, Retirement- 5,787.93, DC Health Plan- 475.00, DC Dental Plan- 514.50, Colonial Health- 16.20, Sheriff Union Dues- 300.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 364.10, Aflac Life/Dsbl- 110.20 and Flex Plan- 757.37.

COUNTY ROAD PAYROLL: Gross salaries- \$16,861.14, Road Employees Net Pay- \$11,826.94, Employer deductions paid: Retirement- 1,101.03, DC Health Plan- 4,387.50, DC Dental Plan- 136.50, Life Insurance- 26.55, FICA- 1,028.13 and Medicare- 240.46.

Brent Byroad- 1243.20, Robert Hacker- 1519.04, Ronald Harder- 1211.20, Richard Hoelsing- 1215.20, Hans Houfek- 1203.20, Robert Jacobsen- 1219.20, Fred Kellogg- 1810.82, Robert Lillard- 1123.20, Kimon Litras- 1397.52, Arnold Mellick- 1219.20, Christopher Paine- 550.00, Leon Pies- 603.60, Kip Reinbold- 1338.56, James Swanson- 1207.20.

ROAD FUND: Employee withholding paid to: Federal- 1,554.21, State- 540.60, FICA- 1,028.13, Medicare- 240.46, Retirement- 733.98, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 4.88, Deferred Comp.- 61.68, Garnishments- 388.12, Aflac Health- 147.06, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50 and Union Dues- 160.00.

VISITOR PROMOTION: South Sioux City Chamber of Commerce, lodging tax- 15,795.32.

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

Chair Hartnett called for the agenda item Annual Road Report and there were no questions.

Fred Kellogg, County Road Director, appeared before the Board and asked if there were any questions concerning the Annual Report. He said that outside the blacktop by Rogers and Albenesius, it consist of regular maintenance and expenses.

Commissioner Engel asked Mr. Kellogg if they have done anything at North Shore and he said he hadn't.

Commissioner Rohde moved, seconded by Commissioner McLarty to approve the Annual Road Report as submitted by the Highway Supt.

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

Chair Hartnett called for the agenda item "Olsson Associates Amendment for additional services – Additional services for preparation of ROW for NDOR and title research."

Commissioner Rohde thought it would be best to talk to Rod Hanson or Chad Kehrt from Olsson and Associates on this matter.

Chair Hartnett called for the agenda item "Letter from Nebraska Department of Roads concerning several bridges and recommended posting two at three tons."

Mr. Kellogg said that this has already been done. One is the Kenny Baker Bridge and one the Stone Arch Bridge. The two, for the three ton rating, are the Rosie Purucker and another on Omaha Avenue.

Chair Hartnett called for the agenda item "Arnold Mellick – discuss the Bridge Inspections that he just completed."

Arnold Mellick appeared before the board and informed the board that he inspected 40 non fracture critical bridges. Mr. Mellick asked if the bridge by Fiddler Creek has been closed because the road is being farmed and something should be done there.

Mr. Mellick asked if permits had been filed with the Corp of Engineers on some tube. Mr. Kellogg was going to check on that.

Mr. Mellick said that the state is getting more thorough on Bridge Inspections and he is required to take anywhere from 9 to 15 pictures per bridge.

He reported that the state took over the fracture critical bridges and they were inspected last year and done every other year.

Chair Harnett called for the agenda item "Approve Cable One Franchise Agreement Resolution."

Commissioner Engel moved, seconded by Commissioner O'Neill to approve Cable One Franchise Agreement Resolution 08C-017, as follows, which is the CATV Permit and is to be renewed for an additional period of ten (10) years from and after the date this RESOLUTION is adopted by the chairperson and the board:

RESOLUTION 08C-017

A RESOLUTION RENEWING FOR A PERIOD OF TEN (10) YEARS, THE CATV PERMIT GRANTED BY THE BOARD OF COUNTY COMMISSIONERS OF DAKOTA COUNTY NEBRASKA "COUNTY", TO CABLE ONE INC. "GRANTEE", A SUCCESSOR TO TELEPARTNERS L.L.C., A SUCCESSOR TO JONES INTERCABLE , SUCCESSOR IN INTEREST TO NORTHEAST NEBRASKA CABLEVISION

LIMITED PARTNERSHIP, SUCCESSOR IN INTEREST TO APOLLO COMMUNICATIONS, INC., AMENDING THE CATV PERMIT TO INSTALL, OPERATE AND MAINTAIN A COMMUNITY ANTENNA TELEVISION SYSTEM WITHIN THE UNINCORPORATED PORTIONS OF DAKOTA COUNTY, NEBRASKA BY A RESOLUTION ADOPTED MAY 29, 1984

WHEREAS, the CATV permit is scheduled to expire on or about December 21, 2008, and the Grantee has requested and the County has agreed to extend the term of the CATV permit for an additional period of ten (10) years and;

WHEREAS, the County has reviewed Grantee's performance under the CATV Permit; has considered the financial, technical, and legal qualifications of Grantee; and has considered all information Grantee has presented to it; and

WHEREAS, based on Grantee's representations and information, the County has determined that, subject to the terms and conditions set forth herein and the provisions of the CATV Permit, the renewal of the CATV Permit is consistent with the public interest.

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

1. The CATV Permit is hereby renewed for an additional period of ten (10) years from and after the date this RESOLUTION is adopted by the chairperson and the board. Grantee shall have thirty (30) days after adoption of the RESOLUTION to accept the CATV Permit in writing. This RESOLUTION shall be effective as of the date of adoption by the Board provided it is accepted by Grantee pursuant to the terms of this Paragraph 1.
2. BE IT FURTHER RESOLVED that Grantee shall pay to the County annually, not later than May 1<sup>st</sup> of each year, a franchise fee in the amount of \$400.00 or an amount equal to five percent (5%) of the annual gross revenue received by Grantee for basic cable service and expanded tier services, whichever is greater.
3. This Franchise shall be non-exclusive. The County reserves the right to grant a Franchise to another person or entity to construct, operate and repair a Cable System. The terms and conditions of such additional franchises or agreements shall be no more favorable nor less burdensome to such new Franchise than the terms and conditions herein.
4. With the exception of the amendment to the CATV Permit described in Paragraph 3 of this Resolution, the CATV Permit is renewed under the same terms and conditions set forth in the CATV Permit.
5. All RESOLUTIONS or parts of RESOLUTIONS or RESOLUTIONS in conflict herewith are hereby repealed.
6. The Board further acknowledges that it is not aware of any breach by Grantee of the CATV Permit or applicable law, and that Grantee is presently operating its CATV system in compliance with the terms and conditions of the current CATV Permit.

Adopted by the Board of Commissioners of Dakota County, Nebraska on \_\_\_\_\_, 2008

By: \_\_\_\_\_  
Board of County Commissioner's Chairperson

ATTEST:

\_\_\_\_\_  
County Clerk

Date: \_\_\_\_\_, 2008

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

UNANIMOUS MOTION CARRIED.

Chair Hartnett called for the agenda item to discuss, accept and/or approve specifications from Architect for the Courthouse Roof. Accept and/or approve all matters in connection with the process to repair the roof ranging from procuring documents in matters and approving Architect specification, plans, designs and agreements including the advertising and letting of bids for the repair of the roof.

Paul Martin from M Plus Architects explained the process of bidding the roof.

Dakota County Correctional Facility  
Reroof Project

Prebid Meeting: October 10, 2008 at  
10:00 a.m. local time  
Bids Due: October 17, 2008 at 3:00  
p.m. local time

General Notes

1. TPO System 60 mil thickness over tapered insulation board that is fully adhered.
2. 5% bid bond.
3. 100% performance bond.
4. 20-year systems warranty ( W / no dollar limit)
5. R-24 avg. insulation value.
6. Contractors must attend prebid meeting.
7. County to award bid on October 20.

**SERVICES AGREEMENT**

CLIENT: Dakota County  
CONTACT: Terry Kern, Director of Corrections  
ADDRESS: 1601 Broadway  
Dakota City, Nebraska  
AGREEMENT DATE: September 22, 2008

PROJECT NAME: Dakota County Correctional Facility Roof Replacement  
PROJECT LOCATION: Dakota City, Nebraska

**PART A - PROJECT SCOPE AND SERVICES:****A.1 Project Scope**

Architectural services to provide construction documents to secure bids for the Roof Replacement for the Dakota County Correctional Facility. Construction administration includes weekly job site meetings, pay application reviews, general construction administration and job site reports.

**PART B - TERMS OF PAYMENT:**

B.1 Basic Service Fees. Professional fees for Basic Services will be billed on a lump sum basis in the amount of \$8,725.00. Construction administration will be billed on a lump sum basis in the amount of \$4,850.00. Hourly rates are as follows; Principal - \$140/hour, Intern Architect - \$100/hour, Architectural Technician - \$55/hour and Clerical - \$35/hour.

B.2 Sales Tax. Any applicable sales tax on services shall be paid by the Owner/Client above all stated fees outlined in this agreement.

B.3 Direct and Reimbursables. In addition to the hourly rate for Basic Services identified under B.1, the client will be billed for the invoiced cost of reimbursables. The possible but not limited to reimbursables identified for this project are as follows: plotting, printing, multiple printing, distribution of documents, postage, long distance phone, permitting/document review fees, supplies, lodging and mileage (.52/mile).

B.4 Additional Services. For services in addition to those identified under Part A, an additional service agreement will be negotiated and billed monthly or at completion of documents.

B.5 Payment Schedule. Project will be invoiced once based on total hours at completion of project. Payment will be made within 30 days of receipt. Past due invoices will bear interest at 1.5% per month until payment is received.

B.6 Invoice Dispute. If the Client objects to any portion of an invoice, the client shall so notify the design professional in writing within 10 calendar days of receipt of the invoice. The client shall identify the specific cause of disagreement and shall pay when due that portion of the invoice not in dispute. Interest as stated above shall be paid by the client on all disputed invoiced amounts resolved in the design professional's favor and unpaid for more than 30 calendar days after the date of submission.

**PART C - OTHER PROVISIONS**

C.1 Disposition of Documents. The original of all documents, such as reports, calculations, drawings and specification prepared by M Plus Architects, Inc. for the project shall remain the copyrighted property of M Plus Architects, Inc.

C.2 Termination of Services. The Client may suspend or terminate any or all services covered in this agreement at any time, subject to the Client's giving a minimum of seven days written notice of suspension or termination. The Client shall thereupon make payment of all unpaid services rendered and expenses incurred; to the date notice is received by M Plus Architects, Inc.

C.3 Warranty. M Plus Architects, Inc., represents that the services furnished under this agreement will be in accordance with generally accepted professional practices. M Plus Architects, Inc. makes no other warranty or representation, expressed or implied.

C.4 Acceptance of Agreement. Two or more copies of this agreement are to be signed by both the Client and Design Professional. One signed agreement is to be retained by the Client for file and the second signed agreement returned to the Design Professional for file. Authorization to proceed with services, either verbal or written shall be considered acceptance of the above proposal.

C.5 Liability. M Plus Architects, Inc.'s liability is limited to the amount of this agreement.

Approved for Dakota County Correctional Facility

Mr. Martin said that he would advertise in Omaha, Sioux Falls and Sioux City. The plans will be sent out to six plan centers. These are centers where contractors can go to see what jobs are available.

Commissioner McLarty moved, seconded by Commissioner Hartnett to approve the program and procedures to repair the courthouse roof as setup by the Consultant.

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

Chair Hartnett called for the agenda item “Board approval of 2008 Annual Inventories of county personal property.”

Joan Spencer reported that all offices had filed their annual inventory within the deadline.

Commissioner O’Neill moved, seconded by Commissioner McLarty to acknowledge receipt of and approve the Office inventories filed by the Commissioners, County Clerk, Treasurer, Register of Deeds, Clerk of the District Court, Public Defender, Building and Grounds, Extension, Sheriff, Jail, County Attorney, Health Department, Veteran’s Service Officer, County Court, District Judge, Law Enforcement Center, Community Corrections, County Road Dept., Weed Dept., Planning and Zoning, Highway Supt. and the Surveyor.

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

Chair Hartnett called for the agenda item List of Surplus Property to be declared by the County Board as surplus, obsolete and not usable by the County.

Commissioner Engel moved, seconded by Commissioner Hartnett to declare the attached list as surplus property and to authorize Joan Spencer to sell the items on the Public Sale Thursday, September 25, 2008 at the County Road Shop.

1	Extension	IBM Electric Typewriter		
2	Cty Attorney	HP Printer Laser Jet 6P	USCD106992	6520227
3	Cty Attorney	Boston Speakers (1 large) (1 small)		
4	Cty Attorney	HP Deskjet 960 printer		6520237
5	Cty Attorney	HP Printer Laser Jet 6P	USCD164174	
6	Cty Attorney	Gateway 2000 keyboard + mouse		
7	Cty Attorney	Microsoft keyboard + mouse		
8	Cty Attorney	Lexmark Printer	12127691964	
9	Cty Attorney	HP Scanjet 5100C	MX83E125PH	6520183
10	Cty Attorney	Lexmark printer Optra E312L	3068634	
11	Cty Attorney	Gateway Tower	0026426060	
12	Cty Attorney	Gateway Tower	0026426057	
13	Cty Attorney	Gateway Tower	001762743	
14	Comm Corr	Brother Intellifax	1570MC	
15	Extension	Small tan metal desk		
16	County Court	Wooden Chair		6220024
17	County Court	Wooden Chair		6220023
18	County Court	Wooden Chair		
19	Dist Judge	Gray cloth chair/rollers		
20	Dist Judge	Gray cloth chair/rollers		
21		Gateway 2000 tower	0010111559	
22		Gateway 2000 tower	0032545153	
23		Gateway keyboard + mouse		
24		Microsoft keyboard		
25		Gateway keyboard + mouse		
26		Gateway keyboard + mouse		
27		Gateway Tower	0010111534	
28		Clock		
29		Gateway Tower	0010111533	
30		Gateway Tower GP6-333	0010111532	
31	Dist Ct. Clerk (?)	Samtron monitor	AH17HCDW202621H	
32	Dist Ct. Clerk (?)	Gateway Tower	0014196115	
33	Dist Ct. Clerk (?)	HP Printer	USBRC06094	
34		Brown leather straight chair		
35		Gateway monitor	M1ABJ5262428	
36		Scanpro monitor	GM1770CJS98LF00381	
37	Treasurer	Samtron monitor	PN19H1GT210017A	6030193
38	Probation	Black 2-dr metal cabinet		
39	Treasurer	Samtron monitor	AH17HCDTC02645T	6030197
40		Gateway 2000 monitor	MH2754341863	
41	Treasurer	Samtron monitor	AH17HCETC05046E	6030194
42	Treasurer	Samtron monitor	AH17HCETCO4976M	6030195
43		Gateway monitor	15025B071488	
44		Relisys monitor	E272311496A	
45		RCA TV	922615101	
46	Treasurer	keyboard and mouse		
47	Treasurer	keyboard and mouse		
48	Treasurer	keyboard and mouse		
49	Treasurer	keyboard and mouse		
50	Treasurer	Visara network device		
51	Treasurer	Visara network device		
52	Treasurer	Visara network device		
53	Treasurer	Visara network device		
54	Treasurer	Visara network device		

55	County Court	1 chair (maroon cloth covered)		
56	County Attorney	3 chairs		
57	Dist Judge	orange chair		
58	Clerk	White printer stand		
59	County Court	Tozai clock radio		
60	County Court	Sharp adding machine		
61	County Court	stapler		
62	County Court	stapler		
63	County Court	stapler		
64	County Court	stapler		
65	County Court	Cannon BJC-4300 Cannon Printer w/ 4 cartridges		
66	County Court	Lexmark Printer w/ 4 cartridges	10406847098	
67	County Court	computer	990884	
68	County Court	monitor	15009A548697	
69	Extension	microwave cart		
70	County Attorney	acoustical headset		
71	County Attorney	acoustical headset		
72	County Attorney	acoustical headset		
73	County Attorney	3712 transcriber-dictaphone		
74	County Attorney	3712 transcriber-dictaphone		
75	County Attorney	3712 transcriber-dictaphone		
76	County Attorney	transcriber-dictaphone		
77	County Attorney	transcriber-dictaphone		
78	County Attorney	transcriber-dictaphone		
79	County Attorney	cellular phone		
80	County Attorney	fellows shredder		
81	County Attorney	water cooler		
82	County Attorney	keyboard and mouse		
83	County Attorney	keyboard and mouse		
84	County Attorney	keyboard and mouse		
85	County Attorney	3 office chairs	6520775, 776,777	
86	Sheriff	1999 Ford Explorer - patrol car	1FMZU34E8XZB35411	
87	Road Dept.	Epson action lazer printer		
88	Road Dept.	Gateway laptop		
89	Road Dept.	Cannon printer		
90	Road Dept.	Gateway computer		
91	Road Dept.	Zerox xd copier		
92	Road Dept.	Brother fax machinre		
93	Extension	Delmhorst Soil Moisture instrument		
94	Extension	Relistic walkie talkies (2)		
95	Extension	GE Cassette Player		
96	County Attorney	diskette file holder		
97	Dist Ct. Clerk	chair - rollers - lavender cloth covered		6210172
98	Dist Ct. Clerk	chair - rollers - lavender cloth covered		6210166
99	Dist Ct. Clerk	chair - rollers - lavender cloth covered		6210167
100	Dist Ct. Clerk	chair - rollers - lavender cloth covered		6210165
101	Dist Ct. Clerk	chair - rollers - lavender cloth covered		6210173
102	Dist Ct. Clerk	chair - tan plastic		6210191
103	Clerk	LexMarx 4227 Printer		6020207
104	Clerk	Sound Write Printer Stand		6020129
105	Clerk	Envision EN Monitor		6020250
106	Clerk	Dictaphone Voice Processer		6020155
107	Clerk	Brown Cloth chair on wheels		6020151
108	Clerk	Brown Cloth chair on wheels		unk
109	County Court	marron chair		6220301
110	County Court	marron chair		
111	Road Dept.	green chair w/ rollers		7010031
112	Road Dept.	Wooden Chair		
113	Road Dept.	Wooden Chair		
114	Dist Ct. Clerk	Computer flat screen monitor		
115	Road Dept.	Humidifier		
116	Road Dept.	Metal utility cart		
117	Cty Attorney	Panasonic fax machine		6520184

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

Chair Hartnett called for the agenda item Official's Reports  
 Commissioner Hartnett moved, seconded by Commissioner McLarty 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 August 1 through and including August 30, 2008 and to authorize the chair to sign same.

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

Chair Hartnett called for the agenda item P & Z Administrator Resumes. She said that P & Z will meet Tuesday, September 23, 2008, and they will review the resumes then.

Chair Hartnett called for the agenda item Maximus Agreement - Agreement for Maximus to provide professional Consulting Services to perform Cost Reimbursement to the County.

Commissioner Hartnett moved, seconded by Commissioner Rohde to approve the Agreement with Maximus for indirect reimbursement for Child Support and to authorize the chair to sign the agreement.  
ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, McLarty- Yea, Rohde- Yea and Engel- Yea.  
UNANIMOUS MOTION CARRIED.

Chair Hartnett called for the Agenda Item "Tabled Items" and there were none.

Chair Hartnett called for the Agenda Item "Commissioner Member Reports" and there were none.

Chair Hartnett called for the Agenda Item "Commissioner Committee Reports."

Commissioner Hartnett read a letter that she received from Beverly Neff that stated as follows:

Ms. Jackie Hartnett, Chairperson  
Dakota County Board of Commissioners  
P.O. Box 106  
Hubbard, NE 6~741

Dear Ms. Hartnett:

I am writing this letter to ask for the assistance of the Dakota County Board of Commissioners to resolve the temperature problem in the driver licensing office. This has been an issue since the driver licensing office relocated to the basement of the Dakota County Courthouse.

On July 28, 2008, District Supervisor Phil Anderson attended the Dakota County Board of Commissioners meeting to discuss this issue with you. When Mr. Anderson left the meeting, he had the understanding that the Board would be soliciting three bids to install a separate heating and cooling system for the driver licensing office, with a contractor selected by August 11, 2008.

I have been informed that a separate system has not yet been installed in the driver licensing office and the temperature has gone from one extreme to the other (in excess of 80 degrees to 62 degrees). As you can imagine, it is difficult to work in such an environment.

I will appreciate whatever steps you can take to help resolve this matter quickly. If I can be of any assistance or if you have any questions, please contact me at (402)471-3900.

In response to reading that letter, Commissioner Hartnett reported said that she called Ms. Neff immediately and she explained that they had a problem with the vents that has been addressed. The county also has an electrician come in and the problem is being taken care of. He has been checking the temperature, climate and the ramifications of what is going on there twice a day.

Ms. Hartnett said that she didn't get to talk to her personally, but left her a message with this information and that if she has any question to call her and to date Ms. Hartnett has not heard anything.

Commissioner McLarty reported that he attended a North Star Meeting in Norfolk and the only major business was that they were selling a building in Oakland.

Mr. McLarty attended a NACO Meeting on Friday at Columbus and he received informational Pamphlets addressing open meetings and handed them out.

Chair Hartnett called for the agenda item "Public Comment."

Dennis Reinert stepped forward and read a letter into the record.

September 15, 2008

Dakota County Board of Commissioners  
P.O. Box 338  
Dakota City, NE 68731

Ladies and Gentlemen

In response to the newspaper advertisement in the Dakota County STAR, regarding the position of Planning and Zoning Administrator, I am submitting my résumé. I believe there are few in this county who understand, as I do, exactly what this job entails, or the amount of work involved in doing the job adequately. The number who understand the job, and would be willing to do it well for the amount of money the county is able to pay, are fewer still. Such a person must accept this job because he or she has a genuine desire to help people, and to be of service to the community. That has been my motivation for serving in this capacity for the past three years.

A person serving in the capacity of Planning and Zoning Administrator in Dakota County will spend the greatest amount of time working with the public. He or she must be readily available to first of all,



communicate the planning and zoning ordinances as they pertain to each person's particular situation. In many instances, a trip to the particular location is necessary, again, at a time convenient to that person. In cases that are complicated, which is about half of all cases, the Planning and Zoning Administrator explains where the person will need to go to have the need resolved, what information will be needed, and how to best present his or her case to the particular board or boards that will need to be addressed. Unusual cases often involve additional research on the part of the Planning and Zoning Administrator, necessitating the establishment of a good network of communication with various state and local entities. I believe you will find that, in all of these capacities, I have performed with the greatest degree of courtesy, professionalism, and helpfulness.

I will not gloss over the fact that I have had a number of disagreements with the Planning and Zoning Board. Our disagreements have all centered on the question of whether or not Planning and Zoning Ordinances must be followed. These disagreements have always been professional, at least on my part. I believe they stem from the mistaken belief on the part of the Planning and Zoning Board that they have the authority to ignore or change the zoning laws. This simply is not true. I do not believe that anyone who accepts this job with the intention of fairly and honestly representing the county's laws will fare any better with the existing board than I have.

It is my wish to continue to help people and be of service to the community, with the same degree of professionalism with which I have performed my duties in the past.

Thank you for your consideration.

Richard McNear, a Commissioner candidate, appeared before the board to inform them and the public that he did not put up signs degrading to the Commissioners. He said someone put three small signs in conjunction with a larger sign posted along the road in Dakota City.

Chair Hartnett called for the agenda item "Mail and/or Emergency Business" and there was none.

Chair Hartnett adjourned their meeting at 2:10 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Harnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book

Dakota County Board of Commissioners  
Monday, October 6, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their regular meeting to order at 2:07 p.m.

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

Absent: None

The agenda for the meeting was as follow:

Call Meeting to Order

Roll Call

Presiding Chair person's statement concerning Nebraska Open Meetings Act.

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.

Approve Minutes of previous meeting.

Hearing pursuant to Comprehensive Master Agreement to address alleged grievance by Charvette Williams.

Approve Payroll and Accounts Payable claims submitted by County Clerk for payment.

Olsson Associates Amendment for additional services – Additional services for preparation of ROW for NDOR and title research.

Miscellaneous Agenda Items

Surplus Property Audit Report

Review Planning and Zoning Resumes

Appoint P & Z Administrator

Designate Official to vote on behalf of the County for NACO Officers

Sue Church – Another way to get in and out of Millis Beach.

Tabled Items – No tabled items to consider

Commissioner's Committee Reports

Commissioner Member Reports

Public Comment

Mail and/or Emergency Business

Adjournment.

Commissioner Engel moved, seconded by Commissioner Rohde to approve the minutes of September 22, 2008, as typed and prepared for the Official Record.

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

Chair Hartnett called for the agenda item "Hearing pursuant to Comprehensive Master Agreement to address alleged grievance by Charvette Williams."

Chair Hartnett address the public by saying "This is a hearing regarding a Grievance Report that was filed with the Board of Commissioners by Charvette Williams. Is Charvette Williams present here today" and she was.

Chair Hartnett said that the purpose of this matter is to follow the Grievance Procedure of the Comprehensive Master Agreement between the County of Dakota County, Nebraska and the Fraternal Order of Police, Dakota County Lodge #49.

Chair Hartnett asked Ms. Williams if she would like to address the Board regarding this grievance report and Ms. Williams stepped up to podium.

Chair Hartnett asked Ms. Williams to identify herself for the record.

Ms. Williams stated her name for the record.

Chair Hartnett asked Ms. Williams to please tell the Board why she is here today.

Ms. Williams said that she had not received equal pay with other people that were hired around the same time with previous corrections experience. She said it had been brought to her attention many times that she should have gotten the pay. She had asked Rod Herron why she didn't get the same pay as a new person with previous corrections experience and he said that he thought that I (Ms. Williams) had gotten the higher rate of pay, but now he is saying that he did not say it. Ms. Williams said she would like to know why she did not get the higher rate of pay starting out. Ms. Williams said she started in January 2007, and the reason she didn't say anything until now was because she wanted to go to Grand Island and then she thought she would get the higher pay. She said that she wanted back pay and she wanted to know why she didn't get the higher rate of pay. She said that she had four and a half years of correctional experience in Indiana. When I was hired they asked me to bring in my certifications. If there was no talk of higher pay, why did they want my (Ms. Williams) certifications? Ms. Williams said that she brought in her certifications and they are in her file, and she repeated that she wanted to know why she didn't get it, meaning the higher pay.

Chair Hartnett informed Ms. Williams that she has several questions for Ms. Williams and told her that if any of the questions made her uncomfortable or felt that they are her personal business, she did not have to answer them.

Ms. Williams acknowledged that.

Chair Hartnett asked Ms. Williams is she was currently employed as a jailer at the Dakota County Jail.

Ms. Williams replied that she was.

Chair Hartnett asked Ms. Williams when she was hired.

Ms. Williams answer was January 2007.

Chair Hartnett asked Ms. Williams what her starting rate of pay was when she was hired.

Ms. Williams said, "I believe 12.40."

Chair Hartnett asked Ms. Williams if she remembered receiving her first paycheck and Ms. Williams answered, "Yes."

Chair Hartnett asked Ms. Williams if she noticed if anything was wrong with your first paycheck.

Ms Williams said that she thought it was ok and thought they got her paperwork (certifications) at the time she received her second paycheck. She had to send to Indiana requesting her paperwork meaning her certification papers and she thought that took two weeks.

Chair Hartnett asked Ms. Williams, "When did you feel you needed to file a grievance report?"

Ms. Williams said last month. She said the reason is because recently somebody was hired and he had previous correctional experience and they started him off at a higher rate of pay. And I am wondering why I didn't start out with the higher rate of pay. She said that she was told that she wasn't hired under the same contract as some of the other people, but she was.

Chair Hartnett asked Ms. Williams what date that came to her attention.

Ms. Williams said that it was about the middle of last month.

Chair Hartnett asked Ms. Williams what relief she was seeking from this Board.

Ms. Williams stated back pay and put to where I would have been if I would have gotten the higher rate of pay to begin with, because other people that she works with, started about the same time as her, got the higher rate of pay if they had previous experience,

Chair Hartnett asked Ms. Williams if she received periodic rate of pay increases while she has been employed."

Ms. Williams said "Yes".

Chair Hartnett asked Ms. Williams what her current rate of pay is.

Ms. Williams: "14.33"

Chair Hartnett asked Ms. Williams how long she has been here and Ms. Williams said it will be two years in January.

Chair Hartnett asked Ms. Williams what her rate was when she started and Ms. Williams said, "12.40."

Chair Hartnett asked Ms. Williams if there was anything else that she wished the Board to consider in making its determination today. "Is there anything else we should be aware of?"

Ms. Williams: "No I guess not."

Chair Hartnett asked Ms. Williams if she felt that she had an adequate opportunity to explain things to the Board.

Ms. Williams, I think so.

Chair Hartnett asked Ms. Williams if she believed that she had given the board all the evidence that the Board has asked for.

Ms Williams: "Yes"

Chair Hartnett asked if there were any questions by fellow board members.

Commissioner McLarty asked Ms. Williams what the Master Agreement says about filing a grievance after you have been wronged and narrowed the question by asking how much time are you given to do that.

Ms. Williams said I believe that it was brought to my attention that it was 10 days from the time I found out about it, but I haven't read the contract until after I found out.

Commissioner McLarty asked Ms. Williams if she thought by endorsing her check if she was agreeing to that pay.

Ms. Williams: Yea at the time, but I thought, from my understanding, when I was hired that if I went to Grand Island and I was told by Rod recently that I should've gotten it and that he thought I had gotten

the pay, but he's saying that he don't recall that now.

Commissioner Engel said that what I see is that you knew what you would be getting, 12.40 when you started. It's too bad that you agreed to that, so I can't see that you're entitled to that pay.

Ms. Williams said, what I am saying is that they told me to bring in my certifications and then there was talk of more money. Plus I brought in my certifications, but then I didn't hear anything from them either. So I just assumed that I wasn't going to get it.

Commissioner Rohde asked Ms Williams when she was talking about Grand Island, whether that is a training program for the jailers and Ms. Williams said yes.

Commissioner Rohde asked Ms. Williams, when you completed that you were of the assumption that you would receive more money?

Ms. Williams said well, no. Honestly I didn't go to Grand Island until eight months later and like I (Ms. Williams) was saying is that all these people coming here and why would they want copies of my certifications if they were just going to start me out at the bottom. I am wondering why they wanted me to send in my stuff. I was under the impression that I would get more money when I brought in the certifications and I didn't hear anything, but I (Ms. Williams) needed my job. Then later she found out that everybody else that had previous experience got extra money, and she said she had more experience than all of them.

Commissioner Rohde clarified that she brought in her certifications and Ms. Williams said that she had given it to one of the sergeants and what she did with it at the time, Ms. Williams didn't know, but she has been told that it is in her file, and I figured they would do whatever they were supposed to do with it.

Chair Hartnett thanked Ms. Williams.

Chair Hartnett asked Terry Kern, current Jail Administrator, to step up to the podium and Mr. Kern identified himself for the record.

Chair, Hartnett asked Mr. Kern if he would tell board, what actions he took toward the grievance report.

Mr. Kern said that he reviewed the Master contract as it relates to this matter. He said that Charvette was hired January 29, 2007 and at that time, the contract in place, predates the present labor agreement. She was hired under previous administration and previous contract. In examining the contract language as it exists today, I can see that it is a carryover from the previous contract. The contract states in part "Employees after the effective date of this Agreement shall be placed on the salary schedule in accordance with their job classification. Employees hired after the effective date of this Agreement shall be placed on the salary schedule in accordance with their job rate specified in Section 3. However, in the discretion of the Sheriff, newly hired employees may be paid at a rate for their job classification which is based upon their years of experience performing comparable work."

In a case that was talked about. It was Travis Olander, who was hired by me and he did get a higher rate of pay because he is a Nebraska Certified Employee. I don't have to train him, I don't have to pay him to be trained. So he started out at what would be a six months rate of pay. At the time Charvette was hired there were other individuals who had been hired with previous experience. Specifically, Mark Nelson, who served as deputy, Brenda Kelly who was a sergeant and Josh Blatchford. They received a higher rate of pay. So Mr. Kern checked with Rod Herron and he said they were hired for supervisory purposes, in fact they were subsequently made supervisors. There was some confusion as to whether or not Grand Island would accept any other certifications under reciprocity. As it turned out, they would, but Charvette went to Grand Island anyway.

Mr. Kern said that he did not know when her Indiana certification was put into her personnel file, but it's in their. I also found that chief deputy Herron had signed her pay slip at the \$12.40 starting wage. That's the only documentation that I have nothing to what was said by anyone as to whether they should be in that rate or not. There is a 10-day time period in the grievance procedure, and it's predicated on the 10 days from the time that the act takes place. Charvette was represented by a union steward, and at that time Mr. Kern asked her when she first new that she had been aggrieved and she said it was in early August. That took us back beyond the 10 days. So even if I extended the time of when the incident took place to the time she was sure something was wrong, it would still be beyond the 10 day time period. Therefore he denied the grievance.

Chair Hartnett asked if he followed the grievance procedure set forth in the Comprehensive Master Agreement and Mr. Kern said yes.

Chair Hartnett asked Mr. Kern if he had performed an internal investigation and he said he had.

Chair Hartnett asked Mr. Kern if he had any responses to anything that Ms. Williams said here today.

Mr. Kern said that there have been other people hired with experience and there are some that are not. The contract however calls for the use of discretionary and the sheriff made it his discretion. The flip side of using discretion, it allows you to do something by not doing it. If you chose not to do something, that is also a form of discretion. He said it was a different contract and previous administration and I can only say that the Sheriff or he representative used his discretion.

Chair Hartnett asked Mr. Kern if he felt he had an adequate opportunity to give the Board reasons and Mr. Kern replied. I do.

Chair Hartnett asked Ms. Williams, if she cared to respond what Mr. Kern had said today and she said yes.

Ms. Williams said that Brenda Kelly did not become supervisor until 2008, which was after Diana Moctezuma quit and Diana Moctezuma did not get a higher repay. She did not have previous correctional experience. Brenda got it, but she didn't become Sergeant Supervisor until 2008. I believe it was in February 2008. She said, and Josh never was a supervisor. So as far as them being supervisors that had nothing to do with it. As far as them having Nebraska Certifications, Mark Nelson came from South Dakota, and there was another one Dan Wood, he came from Iowa. She said that she found out when she got to Grand Island, that she didn't need to go there, because one of the instructors ask her why she came. I told him I thought that I needed to, and I would like to learn more. As far as that goes Brenda did not become a supervisor until 2008. So she couldn't have been hired as a supervisor. It was in 2007, and I was hired and they were hired a couple months before me and Josh never was a supervisor.

Chair Hartnett asked Ms. Williams if she had any other comments for the board and she said she didn't understand what Mr. Kern was talking about the contract, but I was hired on the same contract that they were. I was hired two months after Josh.

Chair Hartnett asked Mr. Kern if he would like to address that and Mr. Kern said that the contract, in which he was hired predates the present contract.

Ms. Williams reiterated her situation and said that, from a memo that Mr. Kerns gave her, that she was not hired under the same contract as Brenda, Mark and Josh. She said that she was hired under the same contract as the three mentioned and that she had more correctional experience then Josh, but didn't know about Mark or Brenda. I know I have 4 and one-half years and had I not had that I would not know what I know now. It's there discretion, is it discrimination? She reiterated that she wanted to know why didn't get the higher rate of pay.

Mr. Kern reiterated a situation in which Travis Olander was hired and that he was hired under the present contract and restated that the reason he got the higher rate of pay is because he was certified by the State of Nebraska.

Chair Hartnett read a letter received from the County Attorney in response to Charvette Williams Grievance, as follows:

Dear Ms. Hartnett:

I am writing regarding Ms. Charvette Williams' alleged grievance report in which she states that she should have started at a higher wage rate and she requests back pay from her start date. I have reviewed the Comprehensive Master Agreements between Dakota County and the Fraternal Order of Police, along with the grievance report and Mr. Kern's denial of the grievance, and my opinion is as follows.

First, both of the Grievance Procedure sections in the current Agreement and the Agreement that was in place at the time Ms. Williams was hired have the same steps and language. The grievance procedure requires a person to file a written grievance within ten (10) days of the act that gives rise to the grievance. Ms. Williams was hired on January 29, 2007, and from the existing documents, it is difficult to determine when she alleges the act that gave rise to her grievance occurred. If the documents are read in a light most favorable to Ms. Williams, it appears that she was aware of the act that gave rise to her grievance in August of 2007. However, her grievance report was not filed until September 19, 2008, which is well beyond the required ten (10) days.

Second, it appears that Ms. Williams' grievance may not have been properly filed with the Board of Commissioners as required in the Agreement. After Mr. Kern's denial of the grievance, the next step that Ms. Williams needed to take was to file the grievance report with the Board. She then mailed her documents to Commissioner Bill McLarty, as the Chairman of Corrections, at his residence. In my opinion, the documents should have been mailed to either Joan Spencer or Commissioner Jackie Hartnett in order for them to be considered "filed" with the Board of Commissioners.

Third, it appears that most of the new jailers who started at approximately the same time as Ms. Williams started at the same wage she did (\$12.40 per hour), which was the hourly rate listed for new Jailers in the Agreement that was in place at the time they were hired. The chart shows jailers who were hired three (3) months before and three (3) months after Ms. Williams.

Finally, the record does not contain any written documentation showing that Ms. Williams should have started at a higher rate of pay. There is also no documentation showing that she was promised a higher rate of pay upon completing training in Grand Island or at any other time. In conclusion, Mr. Kern's actions and denial of Ms. Williams' grievance report appear to be supported by the record. There appears to be no support for back pay.

Sincerely,  
Kim Watson  
Dakota County Attorney

Chair Hartnett called for discussion by Board Members.

Terry Kern asked if he could make a comment.

Mr. Kern said that the Grievance was filed with Bill McLarty at Mr. Kern's instructions. She filed it in a manner that I told her to do it.

Ms. Williams commented that Ms. Watson's letter said that she knew about it in August, 2007, but it was August of this year, 2008. Ms. Williams said that is when she found out for sure that she should have got it. That's when I talked to Rod about it in August, 2008, this year. I had other things going on that I had to take care of and after talking to other people on the job, I found out that I should say something.

Chair Hartnett said that according to the grievance procedure, the board must now make a decision and enter the decision on the Grievance Report Form and communicate the decision to Ms. Williams in writing within 7 days following the hearing. The Board would also note that if the grievance is not settled after our decision, it may be appealed to arbitration by the union by written notice of a request for arbitration submitted to the Dakota County Board of Corrections within seven calendar days after the receipt of the Board's decision.

Commissioner McLarty moved, seconded by Commissioner Engel to support the County Attorney's opinion and deny Correction Officer Williams appeal.

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

Chair Hartnett signed the Disposition of Grievance Report Form.

Chair Hartnett called for the agenda item to approve the payroll.

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

Payroll COUNTY GENERAL FUND: Gross salaries- \$118,859.79, General Fund Employees Net Pay- \$84,858.95, Employer deductions paid: Retirement- 8,222.68, FICA- 7,237.36, Medicare- 1,692.62, DC Health Plan- 31,050.00, DC Dental Plan- 966.00 and Life Insurance- 196.75.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 472.39, Tracey Corkin- 908.00, Marisol Curiel- 898.59, Bobbi Jo Harsma- 1034.40, Theodore Piepho- 1599.88, Darlene Davis- 1070.40, Robert Giese- 1599.88, Ruth Gillaspie- 1423.39, Jolene Heinemann- 1001.46, Kim Kuehl- 1054.38, Phyllis Ridge- 1055.97, Margaret Rahn- 1194.00, Daniel Christoffers- 500.18, Valerie Danielson- 1599.88, Lori Jessip- 780.50, Cheryl Perkins- 1153.85, Zachary Gerth- 1538.46, Debra Jensen- 1040.00, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 972.00, Fred Gillaspie- 18.00, Richard Jensen- 1415.56, Duane Kotalik- 1324.00, Tammy Dunn-Peterson- 860.86, Jeremy Bermel- 1731.47, Anthony Bos- 1501.03, Meagan Chase- 622.50, Sandy Dickens- 454.61, Brian Ellinger- 1844.50, Penny Epting- 1646.51, Brent Gilster- 1663.45, Todd Hammer- 1673.24, Melvin Harrison III- 1707.49, Rodney Herron- 1795.02, Jason James- 1370.39, Kimberly Johnson- 497.76, Jared Junge- 1637.29, Michael Kreegar- 1594.96, Gayle Richards- 854.40, Kevin Rohde- 1586.03, James Wagner- 1599.88, Randall Walsh- 1635.97, Kerry Johnson- 906.40, Sara Meadows- 1653.85, Kathryn Mullin- 1576.92, Debra Schmiedt- 2230.77, Mary Spurlock- 815.76, Aimee Uhl- 1044.00, Kimberly Watson- 2588.46, Caterina Chapman- 1176.68, Jacob Acero- 1444.57, Ermelinda Ballesteros- 1356.02, Joshua Blatchford- 1202.85, Dusty Boyd- 1175.06, Rebecca Broer- 1400.27, Sandy Dickens- 681.91, Michael Estes- 1204.80, Lisa Ford- 1175.06, Robert Foster- 1088.16, Joseph Gee- 1068.44, John Gilles- 1445.73, Alma Gunderson- 1180.40, Paula Harrigfeld- 586.46, Cathy Harsma- 1268.85, Deanna Haukap- 1175.06, Jackie Heaton- 1812.80, Adam Hough- 1296.30, Matthew James- 1211.47, Sarah Jensen- 824.00, Brett Johnson- 1199.21, Nicholas Kellen- 1178.64, Brenda Kelly- 1195.56, Terry Kern- 1807.69, Keith Klein- 1158.85, Mark Nelson- 1214.90, Travis Olander- 1141.12, Kimberly Peterson- 1084.88, Cara Reinders- 1175.06, Daniel Rodasky- 1182.23, Jutharatana Ruenprom- 1403.19, Linda Schovanec- 1242.40, Justin Smith- 1207.30, Francis Tope- 1296.89, Charvette Williams- 1189.39, Jewel Williams- 1144.57, Matthew Wise- 1084.88, Daniel Wood- 1299.65, Jolene Gubbels- 988.80, Leon Pies- 603.60, Pamela DeVries- 1604.80, Patricia Glover- 1155.20, Bonnie Kahler- 720.20, Alan Boyd- 1029.29.

GENERAL FUND: Employee withholding paid to: Federal- 11,175.46, State- 3,812.62, FICA- 7,237.36, Medicare- 1,692.62, Retirement- 5,562.77, DC Health Plan- 475.00, DC Dental Plan- 514.50, Colonial Health- 16.20, Sheriff Union Dues- 310.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 364.09, Aflac Life/Dsbl- 110.20 and Flex Plan- 757.37.

COUNTY ROAD PAYROLL: Gross salaries- \$16,683.12, Road Employees Net Pay- \$11,586.19, Employer deductions paid: Retirement- 1,091.03, DC Health Plan- 4,387.50, DC Dental Plan- 136.50, Life Insurance- 26.55, FICA- 1,017.08 and Medicare- 237.87.

Brent Byroad- 1359.75, Robert Hacker- 1473.92, Ronald Harder- 1409.91, Richard Hoelsing- 1215.20, Hans Houfek- 1203.20, Robert Jacobsen- 1219.20, Fred Kellogg- 1584.62, Robert Lillard- 1203.20, Kimon Litras- 1215.20, Arnold Mellick- 1264.92, Christopher Paine- 520.00, Leon Pies- 603.60, Kip Reinbold- 1203.20, James Swanson- 1207.20.

ROAD FUND: Employee withholding paid to: Federal- 1,532.20, State- 531.93, FICA- 1,017.08, Medicare- 237.87, Retirement- 727.32, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 4.88, Deferred Comp.- 61.68, Garnishments- 501.83, Aflac Health- 147.06, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50 and Union Dues- 160.00.

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

Chair Hartnett called for the agenda item "Olsson Associates Amendment for additional services – Additional services for preparation of ROW for NDOR and title research."

Mr. Rod Hanson, with Olsson & Associates, appeared before the Board. Mr. Hanson said that the additional services include additional right-of-way plans, title research, the creek itself was defined as the boundary for one of the properties and that since has changed so they had to survey that.

Commissioner Rohde moved, seconded by Commissioner Engel to approve the \$6,250.00 claim by Olsson and Associates for additional services for preparation of ROW for NDOR and title research.  
 ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea.,  
 UNANIMOUS MOTION CARRIED.

Chair Hartnett called for the agenda item "Surplus Audit Report."  
 Joan Spencer, Assistant to the Board presented the Board with a report that identified what was sold on the Surplus Property Sale.

Commissioner McLarty moved, seconded by Commissioner Engel to approve the Surplus Audit Report submitted by Joan Spencer for the sale of surplus property September 26, 2008, as follows:

Dakota County Surplus  
 Sale - Board Report 09-  
 26-08

Item Sold	Name/Address	Amt. Pd.	Fund
Maroon leather chair	Hans Hoefek, PO Box 354, Emerson NE 68733	\$ 20.00	General
Maroon leather chair	Hans Hoefek, PO Box 354, Emerson NE 68733	\$ 20.00	General
Chair on rollers - blue	Arnie Mellick, 1491 E Sarpy Rd, Jackson 68743	\$ 10.00	General
Chair on rollers - maroon	Arnie Mellick, 1491 E Sarpy Rd, Jackson 68743	\$ 10.00	General
Chair on rollers - lavender	Arnie Mellick, 1491 E Sarpy Rd, Jackson 68743	\$ 10.00	General
Chair on rollers - lavender	Arnie Mellick, 1491 E Sarpy Rd, Jackson 68743	\$ 10.00	General
Chair on rollers - lavender	Arnie Mellick, 1491 E Sarpy Rd, Jackson 68743	\$ 10.00	General
Chair on rollers - lavender	Arnie Mellick, 1491 E Sarpy Rd, Jackson 68743	\$ 10.00	General
Chair on rollers - green	A-Team Heating & Cooling, 2210 Dakota Ave, SSC	\$ 2.50	Road
Chair on rollers - tan	A-Team Heating & Cooling, 2210 Dakota Ave, SSC	\$ 2.50	General
Computer, keybd,mouse	Penny Epting, PO Box 306, Emerson 68733	\$ 1.00	General
Computer, keybd,mouse	Val Danielson, 305 E 33rd Street, SSC 68776	\$ 1.00	General
Computer screen, spkrs	Val Danielson, 305 E 33rd Street, SSC 68776	\$ 1.00	General
Computer tower	Watchful Eye, 1027 W 21st Street, SSC 68776	\$ 1.00	General
Computer tower	Watchful Eye, 1027 W 21st Street, SSC 68776	\$ 1.00	General
Computer tower	Watchful Eye, 1027 W 21st Street, SSC 68776	\$ 1.00	General
Computer tower	Watchful Eye, 1027 W 21st Street, SSC 68776	\$ 1.00	General
Computer tower	Watchful Eye, 1027 W 21st Street, SSC 68776	\$ 1.00	General
5 keybds	Watchful Eye, 1027 W 21st Street, SSC 68776	\$ 1.00	General
5 computer "mice"	Watchful Eye, 1027 W 21st Street, SSC 68776	\$ 1.00	General
Lexmark printer cart.	Watchful Eye, 1027 W 21st Street, SSC 68776	\$ 0.50	General
4 computer speakers	Watchful Eye, 1027 W 21st Street, SSC 68776	\$ 1.00	General
Wooden Chair	Watchful Eye, 1027 W 21st Street, SSC 68776	\$ 1.00	Road
Wooden Chair	Watchful Eye, 1027 W 21st Street, SSC 68776	\$ 1.00	Road
Wooden Chair	Watchful Eye, 1027 W 21st Street, SSC 68776	\$ 1.00	General
Wooden Chair	Watchful Eye, 1027 W 21st Street, SSC 68776	\$ 1.00	General
Wooden Chair	Watchful Eye, 1027 W 21st Street, SSC 68776	\$ 1.00	General
Wooden Chair	Watchful Eye, 1027 W 21st Street, SSC 68776	\$ 1.00	General
3 staplers, wall clock	Watchful Eye, 1027 W 21st Street, SSC 68776	\$ 0.50	General
plastic chair	Jolene Gubbels, 420 Main St, Hubbard 68741	\$ 0.50	General
stapler	Jolene Gubbels, 420 Main St, Hubbard 68741	\$ 0.50	Road
*Everything not sold	Garvin Used Auto Sales & Sal., 559 OHwy 20, SSC	\$ 10.00	General
1999 Ford Explorer	Garvin Used Auto Sales & Sal., 559 OHwy 20, SSC	\$ 250.00	General
TOTAL		\$ 384.00	
TOTAL GENERAL FUND		\$ 379.00	
TOTAL ROAD FUND		\$ 5.00	

\*Typewriter, HP Printer, HP Deskjet printer, HP Laser printer, Lexmark printer, HP Scanjet, Lexmark printer, Brother Intellifax, small tan metal desk, 2 roller chairs, 6 computer towers, 10 monitors, HP Printer, TV, metalcabinet, 6 keybds/mice, 5 Visara network devices, clock radio, Sharp adding machine, Cannon Printer, microwave cart, 3 acoustical headsets, 3 dictaphones, cellular phone, shredder, water cooler, Epson printer, Brother fax, GE cassette player, diskette file holders, soil moisture instrument, Xerox copier, Lexmark 4227, printer, Sound Write printer stand, Envision monitor, Dictaphone voice processor, printer stand, Panasonic fax.

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

Chair Hartnett called for the agenda item "Review Planning and Zoning Resumes to appoint P & Z Administrator."

She reported that Joe Conley, Arnold Mellick, Dennis Reinert and Rick Harris were the applicants. She said at the last Planning and Zoning Board Meeting it was their wishes to appoint Joe Conley that was not feasible, so all the Planning and Zoning Board Members were canvassed by phone, except for one, and their second choice would be Arnie Mellick.

Ms. Hartnett reported that she and Joan Spencer met with Lance Hedquist to see what terms they could reach there. Mr. Hedquist started with \$1000 a month and that was negotiated down to \$800 a month. After looking at the budget for Planning and Zoning, which was \$5,622.00 and after talking to the Road Secretary, part of that budget is predicated on the amounts for telephone, postage, meals, lodging, mileage, board member expense and convention dues, so if we went with Mr. Conley and stayed within the budget, all we could offer is \$642.00 per month. Upon contacting Mr. Hedquist, he was no longer interested in Mr. Conley taking that position.

Chair Hartnett passed a letter from Paul Culbertson that said Dennis Reinert was a good man.

Chair Hartnett said that they could delay action to next meeting to study the situation or there could be a motion today.

Donald Neil Miller and Martin Rohde appeared before the board.

Mr. Miller read the following:

First I would like to dispel any thought that Dennis Reinert was dismissed as P& Z administrator because of his refusal to approve any composting that was illegal. That just simply is not the case. And as far a composting does go in Dakota Co and the state of NE there are no set rules governing composting. Dead animals are to be removed in three days or as soon as possible Sect 600.6 (4) of our regs. It does not say remove to where. Mr. Reinert stated that if it were not on the books it was not legal. Not true. As an example, on one beach there is a No Swimming sign. Does that mean that on another beach in that same body of water there is no swimming? Another example is application of farm chemicals, which are not spelled out in Planning & Zoning.

In Nebraska DEQ, Title 130, Livestock waste control regulations effective February 14, 2005, Chapter 2, Section 008, states, "any person who owns or operates an animal feeding operation shall not, 008.11 place or allow dead animals or animal parts in livestock waste control facility. Dead animals or animal parts shall not be land applied with livestock waste except when properly composted or when dead animals have been processed by an approved means or mortality disposal. Now in a Missouri College extension Pamphlet it states 5 acceptable ways to dispose of dead animals. 1. Rendering 2.composting 3.Landfihling 4.inceneraeion 5 burial. This pamphlet deals with composting dead Swine and shows various proper ways to do this.

In a conversation with Derek Schreiter this morning, who does the inspecting for Nebr. DEQ on hog confinements in our area, has said it is done all the time in NE and has found no objections to it if properly done.

The P & Z Board members did not want to get into trying to set any specifications for composting at this time, so we left the rules for Nebraska DEQ to be followed. Composting is done all the time in Dakota Co. in various forms. The burial of Sludge is another form of composting waste and as close as possible these follow Neb. DEQ standards. We don't make these zoning rules up on our own. We follow available guidelines such as DEQ, SIMPO etc. We do not do this without the Co. Commissioners final approval plus there is almost always a Co. Commissioner at our meetings. Mr. Reinert claims he is being replaced because he would not break the law pertaining to Composting while we, the members of P & Z wanted to intentionally break the law, nothing could be further from the truth.

In the past, when Arnold Mellick was P&Z Administrator, the P&Z board had no problem working with him. Mr. Mellick had excellent knowledge of zoning laws. To our knowledge Mr. Mellick had never preformed his duties without the board being consulted or advised of such.

Mr. Reinert however has repeatedly struck out on his own without any consultation with the P & Z Board. We many times have been surprised at the things he has done without our knowledge. He has had the Co. Attorney at meetings when they need not be. At the Board of Commissioners he has given his opinion, not ours. He told one farmer if he hired an engineer (costing about \$8000.00) he could get composting approved. He also told this farmer if got on the P & Z agenda he could get composting approved. This farmer was surprised and miffed when Mr. Reinert made an about face and objected. He had 2 Nebraska officials on Septic Systems up from Lincoln one meeting that no one of the P & Z board knew anything about in advance, or why. And the list goes on.

Another big reason is his apparent personal grudge against Curtis Arndt and his towing service. This location has been in existence since 1980 or so. About 16 years before Mr. Reinert built his home. This comes under the Airport theory. Since becoming P & Z Administrator, he has bad Mr. Arndt before us at least 10 times. He has gone to Mr. Arndt's place of business approximately 15 times looking and



asking to see his records, which is not in his list of duties. Once when a boyfriend of the girl that lives there drove into the yard Mr. Reinert was there shortly, wanting to know whose truck and what it was doing there. Recently he went over to Mr. Arndt's place with a permit. They could look at it, but he would not let them have it. They asked when they would get a permit; Mr. Reinert's reply was "Oh I don't know, a year maybe 2, what ever I decide". He has badgered this particular person to the point he has talked to a lawyer about harassment. Mr. Reinert is completely out of line on this issue. Not very professional.

Now as far as the job of P & Z Administrator, rocket science knowledge is not required. This is our book of ordinances and contrary to Mr. Reinert's beliefs, P & Z does have the authority to adopt and change the zoning regulations with the final approval of the Dakota County Board of Commissioners, in fact that is our primary duty. You can ask Mr. Mellick, who had no problem with us on P & Z; and we look forward to working with a new administrator.

When I quizzed a few people that Mr. Reinert has dealt with, on a scale of 1 to 10, 10 being the highest, how would you rate Mr. Reinert's professionalism, one said about a 5, another said I'd give him at best a 3 or 4 another gave him a zero.

Mr. Reinert perceives this job as a lot more than it is. We had no problem getting the job done with the part time administrator who spent the greater share of his time with the Roads Department. It does not require a full time administrator.

In conclusion, do you really think that 9 men on the P & Z board, from various walks of life, who all share the same opinion about this issue, that we are wrong and he is right?

Mr. Martin Rohde did not have any comments.

Commissioner McLarty moved, seconded by Commissioner Engel that Mr. Arnold Mellick be interim Planning and Zoning Administrator until the new Commission is formed and they can resolve this issue in January, but Mr. Mellick would be Planning & Zoning Administrator between now that then.

Mr. Willis Buehl requested to be heard and appeared before the board in support of Dennis Reinert. Mr. Buehl said it was his understanding that the Planning and Zoning Administrator gets the calls from a contractor, who needs to know what the regulations are, or what they are not, so they can go ahead with a project. He is the guy who gets the calls from a bank or lending institution, who needs to know whether a loan can close, or if there are zoning issues. These folks need to know what the regulation is and they need to know it now so the project can go ahead or if the loan can close. It is not particularly useful to these folks to know what the Planning and Zoning Board thinks the regulations are. It is not particularly useful for them to know what the Planning and Zoning Board thinks the Regulations ought to be, or what they would like them to be. They have advice coming from the Zoning Administrator and can only be detrimental to the county when law suits hit and subpoenas land if that were the result.

A relative independence of this board's appointee in the position of administrator is not necessarily a bad thing. If the administrator's take is what the regulations are differs from what the P & Z Board's take is, then there could be very well some difference of opinion in that area and there ought to be. The last thing the county needs in a zoning administrator is a yes man.

Dennis Reinert has adhered to the regulations and it has brought him in conflict in some areas with the P & Z Board. That's a good thing in the sense that it serves a check for this board on the Planning and Zoning Board. You might call it a form of quality control. Mr. Buehl said that's what this board needs, is someone who will not kowtow to the Planning and Zoning Board.

Mr. Buehl recommended that Dennis Reinert be rehired for this position.

Dr. Dave Kincaid, a rural resident of the County appeared before the board.

Mr. Kincaid said that he has known Dennis Reinert for about 30 years and he is here to speak of Dennis Reinert's integrity. He said that he did not have a personal witness of Mr. Reinert doing his job correctly or incorrectly. He said that he was here to speak in favor of his ethics. He is meticulous in his work ethic, he is honest. I have known him to be honest and intelligent and never known him to be anything but. From my eyes I look at Planning and Zoning or any authoritative group over him that they should use his intelligence and use his invest gory capability in interpreting the rules and regulations of this county because I think he is very capable of that. Finally, if an appointment is made, I certainly hope you retain Mr. Reinert over hiring another Planning and Zoning Administrator.

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

Chair Hartnett called for the agenda item "Designate Official to vote on behalf of the County for NACO Officers."

Chair Hartnett said that since Mr. Rohde is going to the NACO Convention and that his name should go in as being the person to vote the county's vote in voting for member of the NIRMA Board.

Commissioner McLarty moved, seconded by Commissioner Engel to designate Commissioner Bill Rohde as the Official to vote on behalf of the County for NACO Officers at the NACO Convention.

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

Sue Church appeared before the Board.

Commissioner Rohde said that the committee made up of himself. Fred Kellogg and Bill Church met last Friday at the elevator. He thought that they had exhausted all options of getting out of Millis Beach lease for the time being. It was our committee's recommendation to go east on the north side of the railroad tracks, which would be either Hohenstein or Tighe's property and I don't think we have a willing landowner that will grant us a road easement without condemnation. Since they didn't have a willing landowner Fred explored the possibility of going through Cargill for emergency purposes only. He met with Cargill and they agreed to allow us to do that. And Fred in turn agreed to keep the road opened in the wintertime and snow removal. He thought two or 300 feet on the West end would have to be rocked. And we agreed to do that, and in turn, I think we have a workable emergency road. Whether this is temporary or permanent. I don't think we're going to give up on the idea of finding another access road. Mr. Rohde said that he and Fred would like to see the people in the area keep some kind of documentation on how long the train blocks the road and report back to us.

Mr. Rohde said there is a state law that says railroad are not to block an intersection more than 20 minutes by a train, but it's a \$100 fine to the railroad if they do block an intersection more than 20 minutes. He continued by saying that he understands that there is going to be some state legislation, possibly the next session, to increase that fine to \$5000 which would put some teeth in it.

Ms. Church said that was a bad solution. First they have to get a key to the Fire Department to go through one gate and then another gate. Ms. Church said that it's not only the emergency, but people have to get out to go to work. She did not feel that was an option because people have groceries and people have to get in and out. It is not just about saving a life. She didn't think the dust, garbage and the other excuses a private party was giving for not wanting a road is worth consideration over saving a life and asked which one outweighs the other here. It doesn't have to be a life. It can be a job. It can be an injury, and this needs to be taken care of. She said, you come across or attract, and you come along to a no outlet sign and tall weeds, and it looks like a desolate area. There are a lot of issues here, and we are a community out there. Why there has been a discussion about going west is beyond Ms. Church, because you're going 5 1/2 miles of road when you can simply go northeast and get out by Atokad. Millis Beach is trapped, Ms. Church spoke. There is no getting in and out, especially in the wintertime, no getting in or out if there's a train sitting there. As for documenting when there is a train out there. Do you think I can see it from my place? No I can hear them. I hear them all hours of the day and night.

Commissioner Rohde said that he wasn't talking about that. He was referring to the times that they had to wait.

Ms. Church said that we need another way out there. Jackie said in one meeting that I hope we get this done by winter. I assume she was talking about the road. Ms. Church talked about the more industry in the more train traffic. She said this dates back to when we hired Kurt Hohenstein for an attorney and they sat in Rod Schroeder's living room and said we would get a road.

Ms. Church said there have been no improvements to that road since 1923.

Bill Church said that he had been meeting with Mr. Rohde and everything has been a stalemate. The first meeting was with Hohenstein, Larry Albenesius, Kellogg and I. There was never anything solved from the first meeting except Larry saying no. And my proposal was that road that would run between Tighe's and Hohenstein's property going to the fence parallel to the four-lane and turning to the north, which would come on out at the Atokad exit which is only 1 mile. Now we get back to this last meeting, which is proposed for the Dakota city fire and rescue, Mr. Church diagramed verbally the route that the Dakota City fire and rescue would have to take in order to get out there in an emergency. If a train was blocking that road, he said, in order for them to take that route, they just as well wait for the train. He thought the county should condemn property to make a road.

Mr. Church proposed a road where there were already easements.

Chair Hartnett called for the Agenda Item "tabled items" and there were none.

Chair Hartnett called for the agenda item "Commissioner Committee Reports."

Commissioner Rohde reported that the Road crew is back to a 5 day week.

Commissioner McLarty pointed out that in the NACO Communications, it pointed out that Mike Nolan; former City Administrator for the City of Norfolk is being sued because he violated the accountability act. What he did is he sent an email to another city official in reference to a vote on some item and in doing so he violated the accountability act and was fined \$1,000. What Mr. McLarty said, what he is trying to point out, is that we are public office holders 24 hours a day.

Commissioner Hartnett said she met with the Boys and Girls Home Board of Directors Meeting and said that Bob Sheehan has been at their new facility in Alaska.

Commissioner Hartnett also attended a Recycling Committee Meeting and complimented Kristi Quinn on doing a great job on behalf of SIMPCO.

She also reported that she was at the Region IV Governing Board on Friday. The Norfolk Regional Center has 80 occupied beds.

Chair Hartnett called for the Agenda Item "Public Comment".

Randy Schroeder, 522 Eagle Drive, said that he had heard what Ms. Church said and thought the number 1 priority of the board is to consider the safety of the people that you represent and fiscally responsible to the people you represent. He said that he was a full-time firefighter in Council Bluffs Iowa, and he knows what five and 10 minutes means. You have to get there and get those people to an emergency room to be taken care of and I can't imagine where I work of having an island that we can

not get to. He said, I do not agree with a locked gate to people. We have 30 trains going through that town, and we can get to everybody from two or three different routes. To have an island where you can not get to because of the railroad, you can't worry about one or two people, but the safety of the people in the area has to be the priority. A road has to be put in, you know that somebody is going to be upset and it is going to take somebody's land, but that has to be the height of priority. Emergencies are not just life-and-death emergencies like Sue said. My son broke his arm out in an area. I loaded him up in my vehicle, and I drove him to the emergency room. He was fine that was fine. I can't imagine waiting for a train for 15 to 20 minutes at that time. You can't overburden the Dakota City Fire Department with emergencies like that, that people can take care of themselves. People live out in the country and we know that we have to take care of ourselves sometimes, and you can't rely on other people coming to help you over time. At the same time, we do not expect to be left on an island and not be taken care of at all.

Vincent Kramper gave an update on the Hubbard Dam Project. He said the project is coming along, very well. They are in the design stage now. Papio NRD came up this last year with the money for the design. As soon as a design is done, the purchase of land will begin. It is progressing, although it will be a few years before it is done and it is one of those things that take a lot of time, takes a lot of money and a lot of effort.

Chair Hartnett called for the agenda item "Mail and/or Emergency Business" and there was none.

Chair Hartnett adjourned their meeting at 3:30 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Harnett, Chair                      Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk                      Date entered in book

Dakota County Board of Commissioners  
Monday, October 20, 2008  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Hartnett called their regular meeting to order at 10:01 a.m.

Present were Commissioners Engel, McLarty, Hartnett and County Clerk Ted Piepho, Secretary.

Absent: Commissioners Rohde and O'Neill.

The agenda for the meeting was as follows:

Call to Order with reciting the Pledge of Allegiance

- Roll Call
- Presiding Chair person's statement concerning Nebraska Open Meetings Act.
  - 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.
- Approve Minutes of previous meeting.
- Approve Payroll claims submitted by County Clerk for payment.
- Review and approve Accounts Payable Claims submitted by Co. Clerk.

Tour Jail

Recess for Lunch

Reconvene from Lunch

Open Bids on roof and award bid. The Dakota County Board of Commissioners let bid proposals to re-roof the Dakota County Courthouse. Sealed bids were accepted until 3:00 p.m. local time, Friday, October 17, 2008, at the Office of County Clerk, 1601 Broadway, PO Box 39, Dakota City, NE 68731.

Arnold Mellick – Planning and Zoning Administrator indoctrination.

Miscellaneous Agenda Items

- Commissioner McLarty's letter to Lue Franco's questions.
  - Approve to send letter on behalf of the Board.
- Discussion concerning the taped Executive Session of the BOE.
- Computer purchase for the County Clerks Office from Misc. Fund
  - Requesting to purchase a new computer through NACO, who has negotiated bid prices through IBM. The Cost- approximately \$10,500.

Tabled Items – No tabled items to consider

Commissioner's Committee Reports

Commissioner Member Reports

Public Comment

Mail and/or Emergency Business

Adjournment.

Commissioner McLarty moved, seconded by Commissioner Engel to approve the minutes of October 6, 2008, as typed and prepared for the Official Record.

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

The board briefly discussed the sales tax that was withheld from South Sioux City, therefore, resulting in the County not getting approximately \$400,000 in Sales Tax.

That led into discussion concerning the Nebraska Advantage Act, which was legislation that allowed a business or businesses to claim tax exempt status on sales tax causing the state to withhold the Sales Tax Monies. Chair Hartnett asked the County Attorney to look up to see if the Jail Bond Issue preceded the Nebraska Advantage Act.

Commissioner O'Neill took her seat at 10:18 a.m.

The board discussed Leon Pies claim of \$75 for clothing allowance. It was noted that the Labor Agreement with the Road Department reads as follows:

**Tool / Clothing Allowance**

- (A) The County shall provide all goggles, aprons, safety glasses and hard hats deemed by the Employer to be necessary. Employees shall be accountable for protective clothing issued to them, less normal wear and tear.
- (B) Clothing allowance shall be paid to the employee once the employee presents a receipt (or copy of receipt) to the County showing that the clothing has been purchased. Examples of allowable expenses are, limited to; work boots, overshoes, coveralls, insulated coveralls, coats, jackets, work gloves, rain protection.

Reimbursement for clothing allowance will be made by separate check. Clothing allowance may be paid for more than one item, but shall not exceed the total amount as provided.

Commissioner McLarty moved, seconded by Commissioner Engel to approve the Accounts Payable Claims submitted by the County Clerk, with exception of the employee that claimed \$75.00 for clothing allowance because it was not safety equipment as stated in the Labor Union Agreement.

There was discussion whether the employee would be notified and the County Clerk advised the Board that they have to deny the claim before he has authority to notify the claimant that the claim was denied.

Proper procedure is to deny the claim before the others are approved and Commissioner Engel withdrew his second to approve the claims and Commissioner McLarty withdrew his motion.

McLarty moved, seconded by Commissioner Hartnett to deny the employee's (Leon Pies) claim in the amount of \$75.00 for clothing allowance because it does not qualify as safety equipment, as stated in the Labor Union Agreement.

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

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

**GENERAL FUND:** Dakota County Star, publishing minutes- 693.02; William McLarty, mileage- 139.23; NACO, conference registrations- 270.00; Perkins Office Solutions, supplies- 14.00; Five-Star Awards & More, laminate sheets- 6.00; Mips, shipping- 24.89; Perkins Office Solutions, supplies- 191.61; Theodore A. Piepho, cell phone reimbursement- 20.00; Siouxland Lock & Key, duplicate keys- 7.40; Robert H Giese, mileage- 168.48; Charloette Doenhofer, prior yrs serv- 10.00; Ruth Jensen, prior yrs serv- 12.00; Mardell Sorensen, prior yrs serv- 26.00; Irene Vanlent, prior yrs serv- 16.00; Executive Copy, equip repair- 125.00; As Imservices, data storage- 3.50; American Made Election Equip, voting signs- 77.46; Capital One, election supplies- 266.67; Cover One, election register covers, 79.69; Dakota County Star, publishing- 1577.25; Elections Systems & Software, ballots- 4310.25; Patriot Signage, vote here frames- 65.25; Perkins Office Solution, supplies- 504.71; Security Shredding SVC, shredding documents-30.00; Todds Storeall, October rent- 80.00; Wilmes Hardware Hank, supplies- 15.96; Gene Cantrell, mileage/meeting- 46.38; Jim Crosgrove, mileage/meeting- 27.87; Dakota County Star, publishing- 24.30; Jim Jepsen, mileage/meeting- 48.51; Rod Krahrmer, building permit refund- 150.00; Dick McCabe, mileage/meeting- 87.12; Dick McNear, mileage/meeting- 47.56; Marlan Millard, mileage/meeting- 38.20; Donald Miller, mileage/meeting- 74.85; Nebraska Journal Leader, publishing- 47.61; Joe O'Neill, mileage/meeting- 57.30; Martin Rohde, mileage/meeting- 48.72; Staples, office supplies-92.91; As Central Finance, office supplies- 268.89; Creighton Law Review, subscription- 25.00; Dakota Business System, ricoh equip payment- 99.00; Iowa Office Supply Inc, typewriter- 304.47; Paula J. Jensen, reimbursement- 35.42; Microfilm Imaging Systems, scanning- 88.50; Midwest Office Automations, contract copier- 194.35; New Perspectives, shredding- 75.00; Office Systems Co, typewriter contracts- 680.00; Redfield & Company Inc, supplies- 203.43; Thomson West, cd rom service- 185.00; Dakota County Court, court costs- 1558.45; Thomas A. Fitch, court appointed counsel- 1653.00; Randy S Hisey, 834.00; Kueny Law, court appointed counsel- 515.77; Stuart Mills, court appointed counsel- 255.00; Randall Monroe, witness fee- 25.85; Douglas Thramer, court appointed counsel- 506.64; Patrick H. Tott, court appointed counsel- 612.00; William L. Binkard, reimbursement- 202.71; Frank Gonzalez, interpreter fees- 700.00; Perkins Office Solutions, office supplies- 180.68; Record Printing, business cards- 98.95; AJ Phillips, printing jury envelopes- 220.00; Clerk District Court, claim lists for criminal & civil- 460.00; Thomas Fitch, court appointments- 1035.00; Susan Hunke, court reporting- 232.25; Nebraska Supreme Court, refund-59.70; Norfolk Printing, jury dockets- 106.00; Michael Schmiedt, mental health hearings- 96.00; Shirley Sides, mental health hearings- 60.00; Pat Slaughter, mental health hearing- 62.50; Steve Stolen, refund- 122.00; A-Team, ac repair- 1932.69; Benstar, janitorial supplies- 262.82; Bomgaars, supplies- 443.83; Bunkers Feed, softener salt- 57.14; City of Dakota City, sewer/water- 1080.85; Dakota Food & Fuel, gas- 38.00; Gill Hauling, dumpster- 120.00; Rick Jensen, mileage- 87.63; Menards, supplies- 373.21; MidAmerican Energy, gas bill- 1813.00; Nebr Dept of Labor, boiler inspection- 144.00; Net Sys+, computer maint- 140.00; NPPD, electric bill- 2735.04; Share, deicer- 1090.96; Trembly, pest control- 50.00; Verizon Wireless, cell phone- 58.24; Mt. Architects, architect fee- 7852.50; Wilmes Hardware Hank, supplies- 49.42; Dakota County Extension, reimbursement- 1071.15; Abramo Animal Services, animal control- 400.00; Ammunition, ammunition- 339.00; ATV Research Inc, infrared camera repair- 339.00; City of South Sioux, communications/fuel- 4257.39; Dakota County Sheriff, tabe tests- 25.87; Dakota County Star, help wanted ad- 28.50; Dakota County Treasurer, registration fee- 20.50; Dakota Food & Fuel, fuel- 1415.10; Fremont Tire, tire repairs/maint- 828.50; Jack's Uniforms, drug test kits/uniforms- 580.05; Joe's Department Store, wire repair supplies- 27.53; Law Enforcement Systems, abandoned vehicle labels- 102.00; MPH Industries, repair radar- 95.41; Northeast Community College, abuse workshop- 15.00; Racom, phone access line- 703.80; Siouxland FCU, training meals- 105.49; Stanard & Associates- deputy tests- 75.00; Torco Remfg, battery- 168.95; Verizon Wireless, cell phones- 136.23; Wal-Mart, vehicle supplies- 35.14; Willis Animal Clinic, dog food- 49.40; Dakota County Sheriff, papers/warrants- 993.20; Bernstein/Moore, etc, juvenile case-194.34; Dakota County Clerk of District Court, Steven Stolen- 181.70; Dakota County Star, legal ad- 84.90; Dakota County Treasurer, certified copies- 34.00; Department of Motor Vehicles, transcripts- 12.00; Dodge County Court, certified copies- 3.25; Grand Rapids Press, legal ad- 82.48; H2O4U, misc operating expenses- 17.75; Hall County District Court, certified copies- 2.50; Iowa Office Supply, copier contract- 119.04; Kim Watson, postage-18.05; Lincoln Journal Star, legal ad-118.84; Madison County Sheriff's Department, subpoena fees- 25.46; Pathology Medical Services, autopsy- 1251.26; Quill, office supplies- 261.42; Verizon Wireless, cell phones- 168.47; City of South Sioux, county share LEC cost- 29049.42; BI, electronic monitoring- 818.40; Redwood Biotech, drug testing- 37.50; Verizon Wireless, cell phone- 55.05; American Bio Medical Corp, drug tests- 99.45; Amsan, janitor supplies- 1975.68; BI Inc, house arrest- 1211.10; Bob Barker, inmate personal supplies- CBM Food Service, food service- 19298.03; Cash-Wa Distributing, kitchen supplies- 141.27; Chief Industries Inc, security glass- 1420.00; City of Dakota City, water/sewer- 659.53; Crystal Oil, bulbs transport car-2.99; Dakota Business Systems, copier contract- 281.00; Dakota County Sheriff, mileage- 161.46; Dakota Family Dentistry, inmate medical- 69.00; Dakota Food & Fuel, fuel- 603.72;

Delta Gloves, gloves- 651.20; Dept of Correctional Services, safekeepers/medical- 7638.49; Sandy Dickens, mileage- 115.70; Gill Hauling, dumpster service- 120.00; Jackie Heaton, mileage- 132.03; Jack's Uniforms, uniforms- 1356.85; Jackson Glass, install holding cell glass- 95.00; Janitor Depot, janitor supplies- 233.98; Kleen Solutions, food service- 49.95; Mercy Bus Health/Urg Care- inmate house calls- 2025.00; Mercy Medical Center, inmate medical- MidAmerican Energy, gas bill-491.96; Midwest Office Automations, copier contract- 188.68; Moore Medical, inmate medical- 267.83; N.E. NE Juvenile Services- house juveniles- 1006.25; NLETC, lodging- 300.00; NPPD, electric bill- 2910.48; NetSys+, computer issues- 782.00; Tara Ruenprom, mileage- 217.62; Sams Club, supplies- 80.60; Siouxland FCU, reimbursement- 2473.59; Speedy Rooter, kitchen repairs,- 86.32; Staples, toner- 303.24; Stericycle Inc, Bio-Hazard-366.12; Trembly Pest Control, pest control- 35.00; Verizon Wireless, cell phone- 179.69; Wal-Mart, supplies/prescriptions- 2579.82; Jewel Williams, mileage- 217.62; Woodbury Co Juvenile Det, house juveniles- 200.00; Dodge County Clerk, expense reimbursement- 8309.22; Olsson Associates, general services- 105.00; Verizon Wireless, cell phones- 32.97; Alpha and Surveying, establish corners- 1500.00; Pam DeVries, mileage- 127.53; Perkins Office Solutions, supplies- 58.26; pat Glover, mileage- 129.87; Sanofi Pasteur Inc, flu doses- 1418.33; Stericycle, sharps container- 366.12; Dr. Thomas Wentz, consulting physician- 250.00; Dell, laptop computer- 689.18; Deanna Beckman, mileage- 1215.72; Dell, battery- 307.99; Alan Boyd, mileage- 205.34; Electronic Engineer- 13.95; Thomson West, law books- 812.75; Ahlers & Cooney PC, payroll/military pay issues- 300.05; CableOne, monthly internet- 205.95; Claritus, postage machine- 1293.63; Dakota County Star, tax exempt prop list- 36.26; FSH Comm, payphone- 64.51; Lazette Gifford, website upkeep- 40.00; IBM Corp, as400maint- 218.58; MIPS, support- 390.79; Qwest, phone bill- 1076.31; Region 4 Inc, 2<sup>nd</sup> qrt- 5320.25; Three Rivers Benefit, flex plan admin- 80.00; Madelyn Thorsland, prior yrs serv- 10.0; Thompson Publishing Group, subscription update- 438.50; US Postal Service, postage- 2500.00; WCS Telecom, telephone- 378.13; Road Fund, budget transfer- 70000.00; Weed Fund, budget transfer- 1000.00;

**ROAD FUND:** Aramark, towel service- 436.55; Barclay Long Haul, gravel hauling- 2688.92; Bernies, parts- 59.04; Bierschbach, tool- 95.00; Bomgaars, shop supply- 49.97; Cemex, road gravel- 1462.16; Circle R, parts- 2087.89; Colonial Research, shop supply- 87.02; Filter Care of NE, filter cleaning- 22.35; GCR Tire Center, tires- 93.07; Gill Hauling, dumpster service- 55.00; Great Plains Intl, parts- 50.94; Green Light Truck, maintenance- 191.95; Walter Heinemann, prior yrs service- 29.00; Heritage Express, fuel- 81.00; Higman Sand Gravel, gravel- 4996.75; HME, maintenance-361.40; Hubbard Mini Mart, fuel- 11849.16; H2O4U, water service- 8.50; J & J's Pronto, fuel- 334.24; Jim Hawk Truck Trailers, parts- 145.18; Joe's Dept Store, parts/supplies- 166.68; Kimball Midwest, shop supply- 160.68; LG Everist, gravel- 75419.44; Robert Lillard, clothing allowance- 75.00; Linweld, shop supply- 42.55; Marx Truck/Trailer, parts- 198.54; Midwest Svc & Sales, traffic signs- 987.72; Marlan Millard, prior yrs serv- 15.00; NPPD, homer electric serv- 23.88; NMC Cat, parts/labor- 670.65; Northeast Equip, tractor rental- 900.00; NE Nebr PPD, hwy lighting/electric- 575.93; NNTC, phone service- 181.11; Poms, tires- 1415.50; Power Plan Murphy, parts/labor- 44.55; Kip Reinbold, clothing allowance- 75.00; Stalp Sand & Gravel, gravel- 3798.31; Stephan Welding Inc, parts- 115.23; Superior Lamp Inc, shop supply- 680.11; Torco Remfg, parts- 527.50; Tri-State Comm, radio repair- 80.00; Verizon Wireless, phone service- 47.24; Warren Oil, fuel- 356.36;

**VETERANS AID:** Veterans Office, emergency aid- 2500.00; Veterans office, transport clients- 700.00; Lukin Memorial, makers- 185.00;

**STOP FUND:** General Fund, correct budget code error- 262.14;

**PUBLIC SAFETY:** Jail Bond Fund, 88% sales tax- 24737.09; City of South Sioux City, 12% sales tax- 3373.24;

**WEED FUND:** Central Comm. College, fall weed training- 100.00; Dakota County Star, fall weed notice- 36.00; GCR Tire, tire- 123.13; Heritage, fuel- 64.02; Hubbard Mini Mart, fuel- 341.00; J & J Pronto, fuel- 187.00; Joe's Dept Store, shop supply- 81.36; Midwest Office Auto, copier excess- 26.05; Torco Remfg, sprayer- 122.95;

**E911 FUND:** City of South Sioux, 911 monies Jul-Sept 08- 20166.42

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

MOTION CARRIED.

Chair Hartnett called for the jail tour at 11:02 a.m. and the board proceeded on the jail tour with Joan Spencer acting secretary. The old jail was not toured.

Chair Hartnett recessed from the jail tour at 11:15 a.m.

Chair Hartnett reconvened their meeting at 1:30 p.m. Present were Commissioners Engel, McLarty, Hartnett, O'Neill, Rohde and County Clerk Ted Piepho, Secretary.

Absent: None

Chair Hartnett asked the County Clerk to open the roof bids.

County Clerk, Ted Piepho, opened and read the roof bids and read them at 1:30 p.m.

They were as follows:

1. AAR Roofing of Iowa, dba Boone Brothers; \$219,543, Starting date: 30 days upon NTP (notice to proceed), Completion date: 45 working days, Bid Bond: 5%.
- 2 Dalsin, Inc, dba MJ Dalsin Roofing, Sioux Falls; \$225,248, Starting date: October 29, 2008 , Completion date: December 23, 2008. Bid Bond: 5%
- 3...JC Roofing, \$241,850, Starting date: 11-5-08, Completion: 11-21-08, Bid Bond: \$12,100
4. Guarantee Roof and Siding (Sioux City); \$382,810, Starting date: 3/1/09, Completion: 7/1/2009, Bid Bond: 5%.

Chair Hartnett asked if there was any discussion.

Commissioner McLarty asked the County Clerk what Boone Brothers starting date was. The County Clerk said 30 days from the notice to proceed, which Commissioner McLarty concluded would be 30 days from today's date.

Commissioner O'Neill moved to accept JC Roofing's bid and stated that they are Dakota County people. They pay taxes here and if anything goes wrong we can call them and get them back.

Commissioner McLarty seconded the motion and stated that he knew JC Roofing's bid is higher than Boone Brothers; however, with the start date and finish date being critical and JC Roofing willing to start by November 5<sup>th</sup> and having it done by November 21<sup>st</sup> is greater in our advantage than Boone Brothers 45 working days, which would be late December and with the weather such as it is, the difference in amount over shadows the time. I think the time is critical and even though we would be paying a bit more, I think it is worth it to get the job done.

Commissioner Engel said, "I think Bill is right and there is not much difference in it and we won't be taking a chance of it not getting finished.

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

Arnold Mellick appeared before the board. The board asked him for his plan to perform the Planning and Zoning duties outside his regular work hours. He said that he would use his cell phone and could make visits after 3:30 pm when he gets off from his road duties, but will accept calls during the day.

His annual salary would be \$5,622.77, pay half his cell phone bill plus mileage to and from sites.

Commissioner Rohde moved, seconded by Commissioner Engel that Arnold Mellick's Planning and Zoning Annual Salary be \$5,622.77, that the County pays half his cell phone bill plus mileage to and from sites.

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

Chair Hartnett called for the agenda item Commissioner McLarty's letter to Lue Franco's questions and approving to send letter on behalf of the Board.

Commissioner McLarty said that he had received a letter from Lue Franco and that he asked that this be on the agenda. He said that he could send the response as an individual or on behalf of the board.

There was discussion whether the Board wanted Mr. McLarty to send the letter on behalf of the County on County Stationary or whether the Board preferred him to send it as an individual.

All board members thought that Mr. McLarty's answers were very good but there was mixed opinions about sending it on County Letterhead. Commissioner Hartnett said that people might still have issues with the jail bond issue. She didn't want people to think that all the board members were giving their ok to everything that is going on and preferred that it be an individual response from Commissioner McLarty.

Commissioner O'Neill asked if he (McLarty) planned to discuss these with the board and Mr. McLarty said that he had not planned on it.

Commissioner McLarty agreed to send the letter as an individual.

Chair Hartnett called for the agenda item Discussion concerning the taped Executive Session of the BOE.

Commissioner Rohde said that he had requested that this be on the agenda and mentioned that we should have a sign in sheet at the door, because he could not come up with 70% of the people that were here that day. He said that Mr. Walsh is here every meeting anyway and he could have a sign in sheet and ask everybody to sign in and that sheet could be attached to the minutes.

Randy Walsh said that you can't require people to sign in according to the open meeting law.

Commissioner Rohde said he would like to have an investigation as to who did this.

Chair Hartnett called for the agenda item Computer purchase for the County Clerks Office from Misc. Fund. The County Clerk is requesting to purchase a new computer through NACO, who has negotiated bid prices through IBM. The cost is approximately \$10,500.

The County Clerk informed the Board that the office computer crashed Thursday and that the computer is 9 years old and with that age, computers are subject to crashing and prone to other malfunctions and he preferred to replace it at this time. He reported that Dixon County had upgraded three weeks ago and so they were kind enough to loan us theirs.

Commissioner McLarty suggested that the County Clerk call Badger to see if they would be cheaper.

Commissioner Hartnett moved, seconded by Commissioner Rohde to declare an emergency and to authorize the County Clerk to purchase an IBM Computer through NACO utilizing the state bid.

Commissioner McLarty said that he was opposed to the motion because he felt that the County Clerk should check to see if Badger can meet the price because he would like to give it to a local company.

Commissioner Hartnett withdrew her motion and Commissioner Rohde withdrew his second.

Commissioner McLarty moved, seconded by Hartnett to authorize, with the emergency clause, that due to the need of a computer to authorize the Clerk's Office to purchase a computer up to and including \$10,500 and get one that is compatible with his office, up to that amount.

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

Chair Hartnett called for the agenda item Tabled items and there were none.

Chair Hartnett called for the agenda item Commissioner Committee Reports.

Commissioner McLarty reported that he put on a power point demonstration for the students that attended County Government day as a Commissioner.

Chair Hartnett called for the agenda item Commissioner Member Reports and there were none.

Chair Hartnett called for the agenda item Public Comment and there was none.

Chair Hartnett called for the agenda item mail and or emergency business.

Commissioner O'Neill mentioned the letter that the Board Members received from Jeanette Moes and she read it.

10/7/08

County Commissioners

Road Maintenance

We (Harold & Jeanette Moes) live at 2122 H Ave, Homer, NE. We are writing this letter because (1) repair or replace the bridge (Kenny Baker bridge) (2) Road maintenance we have been told the only way to get things accomplished is to holler, scream, threaten and complain all the time. We prefer not to do that, not that we do have some issues

(1) Bridge

We have heard rumors (1) we don't complain enough (2) the bridge will be fixed for 3 ton traffic, which would be great for me (Jeanette) since I go to work that way. But in all fairness to my other neighbors, farmer and the mail and possibly the school route it isn't right. We have been told of other bridges that have been replaced in the county that have even been on no maintenance roads. I think you would be surprised at how much traffic is on this road when you maintain the road just north of us.

(3) We have been told that since the maintainer can't come over the bridge our road will not be work on (snow-ruts-gravel & etc.)

We pay our taxes as everybody else does and deserve the benefits as others.

We have not had gravel put on our road for quite some time. If you come out on nice days (dirt) come out when it is muddy and see what you think.

Ms. O'Neill called Ms. Moes and she said that Fred Kellogg had contacted her and that she can get out of there, but that she would like to get that bridge back.

Commissioner Rohde said that he had responded back to her in a letter and he explained the action that the Board had taken repairing the bridge to make it a three ton bridge because of the cost involved and that they would replace it someday with federal funding and then he gave her the telephone number of the shop for the gravel issue.

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

COUNTY GENERAL FUND: Gross salaries- \$117,886.96, General Fund Employees Net Pay- \$84,342.53, Employer deductions paid: Retirement- 8,169.46, FICA- 7,177.11, Medicare- 1,678.49, DC Health Plan- 31,050.00, DC Dental Plan- 966.00 and Life Insurance- 196.80.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 590.85, Tracey Corkin- 896.65, Marisol Curiel- 888.81, Bobbi Jo Harsma- 1027.94, Theodore Piepho- 1599.88, Darlene Davis- 912.00, Robert Giese- 1599.88, Ruth Gillaspie- 1211.65, Jolene Heinemann- 976.80, Kim Kuehl- 912.00, Phyllis Ridge- 888.21, Margaret Rahn- 1194.00, Daniel Christoffers- 617.18, Arnold Mellick- 216.26, Valerie Danielson- 1599.88, Lori Jessip- 780.50, Cheryl Perkins- 1153.85, Zachary Gerth- 1538.46, Debra Jensen- 1289.60, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 972.00, Fred Gillaspie- 20.00, Richard Jensen- 1415.67, Duane Kotalik- 1324.00, Tammy Dunn-Peterson- 1002.01, Jeremy Bermel- 1908.05, Anthony Bos- 1745.66, Meagan Chase- 500.00, Sandy Dickens- 454.61, Brian Ellinger- 1761.31, Penny Epting- 1651.13, Brent Gilster- 1663.45, Todd Hammer- 1663.45, Melvin Harrison III- 1663.45, Rodney Herron- 1795.02, Jason James- 1353.20, Kimberly Johnson- 497.76, Jared Junge- 1753.54, Michael Kreegar- 1594.96, Gayle Richards- 291.03, Kevin Rohde- 1567.48, James Wagner- 1599.88, Randall Walsh- 1702.70, Kerry Johnson- 906.40, Sara Meadows- 1653.85, Kathryn Mullin- 1576.92, Debra Schmiedt- 2230.77, Mary Spurlock- 906.40, Aimee Uhl- 1044.00, Kimberly Watson- 2588.46, Caterina Chapman- 1176.68, Jacob Acero- 1144.57, Ermelinda Ballesteros- 1164.31, Joshua Blatchford- 1206.50, Dusty Boyd- 1182.23, Rebecca Broer- 1338.56, Sandy Dickens- 681.91, Michael Estes- 1084.32, Lisa Ford- 1178.64, Robert Foster- 1045.43, Joseph Gee- 1081.59, John Gilles- 1268.85, Alma Gunderson- 1303.84, Paula Harrigfeld- 598.49, Cathy Harsma- 1284.23, Deanna Haukap- 1175.06, Jackie Heaton- 1590.32, Adam Hough- 1137.68, Matthew James- 989.54, Sarah Jensen- 824.00, Brett Johnson- 1206.50, Nicholas Kellen- 1160.73, Brenda Kelly- 1303.10, Terry Kern- 1807.69, Keith Klein- 1088.16, Mark Nelson- 1237.90, Travis Olander- 1099.75, Kimberly Peterson- 976.39, Doyle Pilgrim- 978.00, Cara Reinders- 1146.40, Daniel Rodasky- 1182.23, Jutharatana Ruenprom- 1137.68, Linda Schovanec- 1242.40, Justin Smith- 1171.48, Francis Tope- 1146.40, Charvette Williams- 1167.90, Jewel Williams- 1151.47, Matthew Wise- 1081.59, Daniel Wood- 1299.65, Jolene Gubbels- 988.80, Leon Pies- 603.60, Pamela DeVries- 1604.80, Patricia Glover- 1168.74, Bonnie Kahler- 720.20, Alan Boyd- 1029.29.

GENERAL FUND: Employee withholding paid to: Federal- 10,922.21, State- 3,717.86, FICA- 7,177.11, Medicare- 1,678.49, Retirement- 5,528.74, DC Health Plan- 475.00, DC Dental Plan- 514.50, Colonial



Health- 16.20, Sheriff Union Dues- 310.00, Deferred Comp- 639.00, Garnishments- 1,333.65, Aflac Health- 364.10, Aflac Life/Dsbl- 110.20 and Flex Plan- 757.37.

COUNTY ROAD PAYROLL: Gross salaries- \$15,819.63, Road Employees Net Pay- \$11,103.26, Employer deductions paid: Retirement- 1,057.06, DC Health Plan- 4,387.50, DC Dental Plan- 136.50, Life Insurance- 26.55, FICA- 963.56 and Medicare- 225.36.

Brent Byroad- 1371.41, Robert Hacker- 1203.20, Ronald Harder- 1211.20, Richard Hoelsing- 1215.20, Hans Houfek- 1203.20, Robert Jacobsen- 1219.20, Fred Kellogg- 1584.62, Robert Lillard- 1203.20, Kimon Litras- 1215.20, Arnold Mellick- 1219.20, Christopher Paine- 160.00, Leon Pies- 603.60, Kip Reinbold- 1203.20, James Swanson- 1207.20.

ROAD FUND: Employee withholding paid to: Federal- 1,428.57, State- 490.23, FICA- 963.56, Medicare- 225.36, Retirement- 704.64, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 4.88, Deferred Comp.- 61.68, Garnishments- 355.31, Aflac Health- 147.06, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50 and Union Dues- 160.00.

VISITORS PROMOTION: South Sioux City Chamber of Commerce, lodging tax- 14,595.46.

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

Chair Hartnett adjourned their meeting at 2:01 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Harnett, Chair                      Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk                      Date entered in book

Dakota County Board of Commissioners  
Monday, November 3, 2008, Regular Meeting  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City NE 68731

Chair Hartnett called the meeting to order at 1:45 p.m.

Present: Commissioners Hartnett, McLarty, Rohde, Engel and O'Neill. Joan Spencer, Administrative Assistant to the Board acted as secretary.

Absent: None

The agenda for the meeting was as follows:

5. 1:45 p.m. Call Meeting to Order
  - Roll Call
  - Presiding Chair person's statement concerning Nebraska Open Meetings Act.
    - 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.
  - Approve Minutes of previous meeting.
6. 1:46 p.m. Dawn Slavin & Felecia Polly – County Roads
  - Maintenance and Gravel.
7. 2:00 p.m. Open Grader Bids for furnishing one new 165-215 variable horsepower, articulated motor grader.
8. 2:10 p.m. American Water – Aaron Kraft
  - Discussion, consideration and approve, if desired, to approve American Water, to land apply liquid biosolids in Dakota County during 2008/2009 season.
9. 2:30 p.m. Arnold Mellick – Planning and Zoning Administrator
  - Towing Regulations
10. Miscellaneous Agenda Items
  - Approve Payroll and Accounts Payable claims submitted by County Clerk for payment.
  - Handbook Changes - Holiday Pay Eligibility and Meal Policy
11. Tabled Items – No tabled items to consider
12. Commissioner's Committee Reports
13. Commissioner Member Reports
14. Public Comment
15. Mail and/or Emergency Business
16. 2:45 p.m. Adjournment.

Commissioner Engel moved, seconded by Commissioner McLarty, to approve the minutes of October 20, 2008, as typed and prepared for the Official Record.

Roll Call Vote: Engel- yea, Rohde- yea, McLarty- yea, Hartnett- yea, O'Neill- yea.

Unanimous Motion Carried.

Comments were addressed to the Board on the maintenance and gravel on county roads by Dawn Slavin, Felecia Polly, Cameron Polly and Sherry Allen.

Felecia Polly stated she lived on I Avenue, Homer and Dawn Slavin stated she lived at 2680 I Avenue, southwest of Homer.

Felecia Polly stated that they felt their road problems were not being addressed by the Road Department. She spoke with Commissioner Rohde concerning her bus route not being safe with water washing across the road into her pasture. She would like a culvert put in to address this problem. She passed pictures around to the Board members.

Cameron Polly stated that on Friday the grader came down I Avenue and did not put his blade down, but proceeded to the minimum maintenance road. I Avenue did receive a load of gravel this morning. Mr. Cameron stated the road is full of pot holes that need to be fixed before gravel is put down.

Sherry Allen stated that she is a bus driver.

Felecia Polly said school safety is her big concern. The ice last fall lasted until it warmed enough to melt it. I Avenue is a bus route and a mail route.

Dawn Slavin stated she was a bus driver two years ago and refused to drive the route with I Avenue. She has purchased a 4-wheel drive pickup and has had to be pulled from the ditch by the road grader.

Sherry Allen stated the school bus has been stuck five times this school year on that bus route. It is the worst bus route and something needs to be done.

Felecia Polly stated there is no place for the bus to turn around by Dawn Slavin's house—the end of the route on a dead-end road. There is no drainage and a culvert needs to be installed.

Sherry Allen stated when the road is dry the ruts are so deep it is hard to control the school bus.

Cameron Polly, a construction worker who has worked on roads, stated it was a waste of fuel and time to run with the blade up and gravel should not be put down before the road is fixed.

Felecia Polly reiterated her main concern was a safe road for the school bus route.

Chair Hartnett asked Road Director Fred Kellogg to respond. Mr. Kellogg stated that what these residents stated is correct and there are problems. The Road Department would like to wait to address the problems until the crops are out. He stated safety is a concern as well as drainage and cleaning the ditches. When the crops are out they will have a place to put the dirt. He stated it is not always possible to apply gravel on a well-maintained road and rain is again in the forecast. The ice problem was county wide. They will use an excavator on the ditches and a scraper on the roads. He thought they could rock further on the minimum maintenance road for more room for the bus to turn around.

Commissioner Rohde noted that the North half of I Avenue was re-built the summer of 2006.

Felecia Polly stated they have been asking for a culvert for three years. The grass is being ruined in her pasture.

Chair Hartnett asked to have this same concern put on the agenda in two weeks and a note of the progress will be made.

Road Director Kellogg opened the Grader Bids at 2:00 p.m. The Road Department will be trading in a 1998 140H Caterpillar.

1. Ziegler/Caterpillar bid a new machine at \$222,080 less trade in of \$75,000 for a final cost of \$147,080.
2. Titan/Case bid a new machine at \$236,100 less trade in of \$105,000 for a final cost of \$131,000. They also bid a demonstration model with 600 plus hours at \$174,000 less trade in of \$105,000 for a final cost of \$69,000.
3. Murphy Tractor/John Deere bid a new machine at \$216,393 less trade in of \$90,000 for a final cost of \$126,393.

Chair Hartnett asked Commissioner Rohde and Fred Kellogg to go over the bids and make a recommendation at the next Board meeting.

Commissioner McLarty moved, Commissioner Engel seconded, to approve the payroll and accounts payable claims as follows:

COUNTY GENERAL FUND: Gross salaries- \$117,664.14, General Fund Employees Net Pay- \$84,110.56, Employer deductions paid: Retirement- 8,178.45, FICA- 7,163.29, Medicare- 1,675.30, DC Health Plan- 31,387.50, DC Dental Plan- 976.50 and Life Insurance- 199.00.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 468.00, Tracey Corkin- 902.33, Marisol Curiel- 919.57, Bobbi Jo Harsma- 1055.42, Theodore Piepho- 1599.88, Darlene Davis- 912.00, Robert Giese- 1599.88, Ruth Gillaspie- 1211.65, Jolene Heinemann- 976.80, Kim Kuehl- 912.00, Phyllis Ridge- 888.22, Margaret Rahn- 1194.00, Daniel Christoffers- 700.54, Arnold Mellick- 216.26, Valerie Danielson- 1599.88, Lori Jessip- 780.50, Cheryl Perkins- 1153.85, Zachary Gerth- 1538.46, Debra Jensen- 1071.20, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 972.00, Fred Gillaspie- 16.00, Richard Jensen- 1415.67, Duane Kotalik- 1324.00, Tammy Dunn-Peterson- 894.40, Patricia Stingley- 115.00, Jeremy Bermel- 1755.99, Anthony Bos- 1569.52, Meagan Chase- 60.00, Sandy Dickens- 454.61, Brian Ellinger- 1831.78, Penny Epting- 1544.75, Brent Gilster- 1829.83, Todd Hammer- 1687.92, Melvin Harrison III- 1624.31, Rodney Herron- 1795.02, Jason James- 1373.10, Kimberly Johnson- 477.02, Jared Junge- 1890.39, Michael Kreegar- 1643.88, Gayle Richards- 170.88, Kevin Rohde- 1757.65, James Wagner- 1599.88, Randall Walsh- 1697.76, Kerry Johnson- 906.41, Sara Meadows- 1653.85, Kathryn Mullin- 1576.92, Debra Schmiedt- 2230.77, Mary Spurlock- 906.41, Aimee Uhl- 1044.00, Kimberly Watson- 2588.46, Caterina Chapman- 1176.68, Jacob Acero- 1141.12, Ermelinda Ballesteros- 1192.97, Joshua Blatchford- 1202.85, Dusty Boyd- 1178.64, Rebecca Broer- 1334.70, Sandy Dickens- 681.91, Michael Estes- 1272.57, Lisa Ford- 1189.39, Robert Foster- 1091.45, Joseph Gee- 1035.56, John Gilles- 1268.85, Alma Gunderson- 1292.26, Paula Harrigfeld- 697.74, Cathy Harsma- 1261.16, Deanna Haukap- 1203.72, Jackie Heaton- 1664.48, Adam Hough- 1151.47, Matthew James- 1098.03, Sarah Jensen- 824.00, Brett Johnson- 1206.50, Nicholas Kellen- 1189.39, Brenda Kelly- 1254.83, Terry Kern- 1807.69, Keith Klein- 963.24, Mark Nelson- 1257.07, Travis Olander- 1017.01, Kimberly Peterson- 1091.45, Doyle Pilgrim- 960.00, Cara Reinders- 1175.06, Daniel Rodasky- 1218.05, Jutharatana Ruenprom- 1137.68, Linda Schovanec- 1242.40, Justin Smith- 1184.02, Francis Tope- 1146.40, Charvette Williams- 1200.14, Jewel Williams- 1154.91, Matthew Wise- 969.81, Daniel Wood- 1299.65, Jolene Gubbels- 988.80, Leon Pies- 603.60, Pamela DeVries- 1604.80, Patricia Glover- 1146.18, Bonnie Kahler- 720.20, Alan Boyd- 1029.29.

GENERAL FUND: Employee withholding paid to: Federal- 10,963.24, State- 3,728.43, FICA- 7,163.29, Medicare- 1,675.30, Retirement- 5,535.31, DC Health Plan- 475.00, DC Dental Plan- 514.50, Colonial Health- 16.20, Sheriff Union Dues- 310.00, Deferred Comp- 607.00, Garnishments- 1,333.65, Aflac Health- 364.09, Aflac Life/Dsbl- 110.20 and Flex Plan- 757.37.

COUNTY ROAD PAYROLL: Gross salaries- \$15,752.87, Road Employees Net Pay- \$11,092.18, Employer deductions paid: Retirement- 1,063.35, DC Health Plan- 4,387.50, DC Dental Plan- 136.50, Life Insurance- 26.55, FICA- 959.42 and Medicare- 224.39.

Brent Byroad- 1464.65, Robert Hacker- 1203.20, Ronald Harder- 1211.20, Richard Hoelsing- 1215.20, Hans Houfek- 1203.20, Robert Jacobsen- 1219.20, Fred Kellogg- 1584.62, Robert Lillard- 1203.20, Kimon Litras- 1215.20, Arnold Mellick- 1219.20, Leon Pies- 603.60, Kip Reinbold- 1203.20, James Swanson- 1207.20.

ROAD FUND: Employee withholding paid to: Federal- 1,441.93, State- 495.86, FICA- 959.42, Medicare- 224.39, Retirement- 708.84, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 4.88, Deferred Comp.- 61.68, Garnishments- 281.55, Aflac Health- 147.06, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50 and Union Dues- 160.00.

Roll Call Vote: Rohde- yea, McLarty- yea, Hartnett- yea, O'Neill- yea, Engel- yea.  
Unanimous Motion Carried.

Commissioner McLarty moved, seconded by Commissioner Engel, to approve the following handbook changes: (1) added the words "unless you are using a pre-approved vacation or personal day" to Article XVIV, Holidays, Section 3, to read:

Section 3. Eligibility for Holiday Pay

In order to be eligible for receiving holiday pay, an employee must work on the last scheduled work day before the holiday and on the first scheduled work day after the holiday unless you are using a pre-approved vacation or personal day. No employee who has been laid off, or discharged, or who is under suspension will be eligible for holiday pay.

(2) Changed the limits on meals in Article XX, Travel Expense Policy, Section 1, Meals B.3 to read:

LIMITS: The following limit is to be imposed: \$49.00 per day per person for meal expense.

The previous wording was:

LIMITS: The following are maximums for meals unless approved by the Department Head:

Breakfast - \$ 7.00, Lunch - \$10.00, Dinner - \$18.00.

Commissioner Hartnett clarified that paragraphs in the meal policy stating criteria for reimbursement eligibility have not changed.

Roll Call Vote: McLarty- yea, Hartnett- yea, O'Neill- yea, Engel- yea, Rohde- yea.

Commissioner McLarty handed out the 2009 Potential Legislative Report he received at the NACO workshop he attended and also a memorandum regarding LR 349, Examination of county and city aid programs.

Chair Hartnett asked for Commissioner Members reports and there were none.

Chair Hartnett asked for Public Comment and there was none.

Chair Hartnett noted that everyone received a copy of the letter she received from Northeast Community College and asked that the Board read it and also asked that Northeast Community College be put on the next agenda to address their request for funding the College of Nursing.

Chair Hartnett declared a break at 2:20 p.m.

At 2:22 p.m. the meeting was called back to order and Mike Madsen with American Water addressed the Board for consideration and approval to apply liquid biosolids in Dakota County. Aaron Kraft was unable to attend the meeting.

Mr. Madsen asked the Board what American Water needed to do to apply biosolids in Dakota County for agricultural reuse per requests from area farmers to gain nitrogen, potassium and phosphorus from their product.

Commissioner McLarty asked about the product and the odor and flies. Mr. Madsen replied that the fertilizer or sludge can be knifed or injected into the soil to avoid any smell. They would like to do this as soon as possible for this fall only.

Commissioner O'Neill asked what farmers are interested in biosolids application to their farm. Mr. Madsen replied Jack Miller and Mike Birkley.

Arnie Mellick, Panning Director, stated the concern expressed by Planning and Zoning was possible road damage from heavy truck traffic. Mr. Madsen said they would work with the Road Department on their routes.

Commissioner Hartnett asked if there were any metals, chemicals or industrial products in the sludge? Mr. Madsen said no, it comes from the waste water treatment plant and all of it is from food based products and no heavy industry.

Commissioner Hartnett asked Mr. Madsen to explain how they would be disposing of the biosolids next year and in the future. Mr. Madsen stated in the future the liquid would be turned into a cake product and purchased by L.P. Gill Landfill in Jackson where it will be buried, converted and bio-products, methane used.

Commissioner Engel stated he received a lot of phone calls regarding the smell the last time this was applied in Dakota County.

Commissioner O'Neill asked if there should be a public hearing? Chair Hartnett asked what the Board wished. Research showed no rules to that effect. Commissioner McLarty, Engel and Rohde felt if it was injected and no odor was noticeable and initial research did not show any obstacles, they did not have a problem with them applying their product. Mr. Mellick stated no permit was necessary.

Commissioner Rohde motioned, seconded by Commissioner McLarty, to allow American Water to land apply the product in Dakota County by knifing/injecting the fertilizer quality biosolids at a depth of 6 to 12 inches.

Roll Call Vote: Hartnett- yea, O'Neill- No, Engel- yea, Rohde- yea, McLarty- yea. Motion carried.

Arnie Mellick, Planning Director, appeared before the Board regarding Towing Regulations and asked if the Board had any changes to the regulations. He stated that Mr. Arndt should have a corrected Conditional Use Permit issued because the original permit issued had a typographical error. Before that can be done, Towing Regulations need to be adopted. The following handout was given to the Board members:

Towing or wrecker service.

- A. Definition: Towing or Wrecker means a person engaged in the business of offering services of a vehicle wrecker or towing service, whereby disabled motor vehicles are towed or otherwise removed from the place where they are disabled by use of a wrecker so designed for that purpose or by a truck, automobile or other vehicle adapted to that purpose; or in business of storing disabled motor vehicles.
- B. Conditional Use Permits Requirements for towing or wrecker service
  1. Any application by an automotive racetrack, driving track, motorcycle race track and towing, salvage, junk yard or wrecker yard business shall be submitted to the Dakota County Planning and Zoning Commission.
    - A. The Dakota County Planning and Zoning Commission may not approve the application for Conditional Use Permit unless it finds that the application met the conditional use requirements and complied with and obtained the required state and federal licenses.
- C. Duties & Requirements of the Permit Holder
  1. The area on the premises where cars are stored shall be enclosed except for entrances and exits with a vertical wall or fence of a minimum height of six feet measured from ground level. The fences on the side that do not face a public roadway or adjacent residential property shall be of chain link.
  2. The portion of the business that faces & abuts any public road shall be screened from public view. Materials for use in screening of the permitted business shall be at least six feet in height and consist of plant material, fence or a combination of plant material and fence. Plant material for use in screening shall consist of trees and shrubs. All plant material used for screening shall be of a size and quantity to provide, as much as possible, obscurement of the vehicles contained on the permitted business from the view of the public within a reasonable amount of time. Plant material shall be primarily of coniferous varieties to provide year-round screening. All screening shall be placed within the licensed premises and shall be located in a manner that will give adequate sight distance from all driveways, streets and roads, so as not to encroach into the county right of way when fully grown.
  3. Vehicles arranged so as to permit easy access to all vehicles for fire fighting purposes.
  4. No towed vehicles shall be parked outside of security fences.
  5. Conditional use permit shall be displayed at business at all times.
  6. Burning prohibited. No materials shall be burned on the premises in the open except in accordance with applicable law governing burning.
- D. Grounds for Revocation of this Conditional Use Permit
  1. The permit was procured by fraudulent conduct or false statement of a material fact, or that a fact concerning the applicant was not disclosed at the time of his making application, and such fact would have constituted just cause for refusal to issue the permit.
  2. The permit holder has violated any of the requirements of this article or any of the rules and regulations of this section.
- G. This Conditional Use Permit is valid providing they abide by rules and regulations contained within the original Conditional Use Permit.

The Planning and Zoning Board will be having a Public Hearing November 18<sup>th</sup> to adopt towing service regulations. The County Commissioners will hold a Public Hearing to adopt towing service regulations on December 1<sup>st</sup>.

Commissioner Hartnett asked if there was any Public Comment. Sally Reinert, Dakota City, addressed the Board with her concerns on the proposed Towing or wrecker service regulations handout. In paragraph A the last phrase after the semicolon states "or in business of storing disabled motor vehicles." Ms. Reinert asked for clarification, "Does that mean any disabled vehicles, even those belonging to the owner?"

In paragraph B.1 the phrase "towing, salvage, junk yard or wrecker yard business" sounds like we are grouping towing service with junk or salvage yards. In our existing regulations such businesses are permitted in heavy manufacturing districts. Is that where towing services go? In paragraph B.A. Ms. Reinert noted the words "required state and federal licenses" and asked, "What licenses? Are we talking about a salvage yard license?"

In paragraph D.2 it states, "The permit holder has violated any of the requirements of this article or any of the rules and regulations of this section." Ms. Reinert asked, "What section are we attaching this to?"

Ms. Reinert further stated, "There is nothing in this proposal to prohibit engaging in the activities of an automobile wrecking yard, namely "the dismantling or wrecking of used motor vehicles..., the storage, sale or dumping of dismantled or wrecked vehicles or their parts." Are we to take this as meaning that a towing yard is to be considered the same as an automobile wrecking yard?"

Chair Hartnett adjourned their meeting at 2:39 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Hartnett, Chair      Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk      Date entered in book

Dakota County Board of Commissioners  
Monday, November 17, 2008, Regular Meeting  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City NE 68731

Chair Hartnett called the meeting to order at 10:00 a.m. with reciting the Pledge of Allegiance.

Present: Commissioners Hartnett, McLarty, Engel and Joan Spencer, Administrative Assistant to the Board acting as secretary.

Absent: Commissioner O'Neill and Rohde.

The agenda for the meeting was as follows:

- Approve Minutes of previous meeting.
- Approve Payroll claims submitted by County Clerk for payment.
- Review and approve Accounts Payable Claims submitted by Co. Clerk.
- 11:30 a.m. Recess for Lunch
- 1:30 p.m. Reconvene from Lunch
- 1:31 p.m. Commissioner O'Neill - Jail Bond and Sales Tax discrepancies, bookkeeping, administration and yearly audits.
- 2:00 p.m. Harold Bergstrom – Drainage problem on 1503 Bennet Avenue.
- 2:05 p.m. Miscellaneous Agenda Items
  1. Siouxland Humane Society Agreement
  2. Road conditions discussed in the meeting of November 3, 2008
    - a. Progress made (I Avenue)
  3. Purchase Motor grader from bids opened in November 3<sup>rd</sup> Meeting.
    - a. Recommendation by Commissioner Rohde and Fred Kellogg, Road Director
  4. Northeast Community College - Address their request for funding the College of Nursing.
  5. Recommit to NIRMA Insurance for 3 years
  6. Moving Extension to the NRD Building and paying the rent.
- Tabled Items – No tabled items to consider
- Commissioner's Committee Reports
- Commissioner Member Reports
- Public Comment
- Mail and/or Emergency Business
- 2:15 p.m. Adjournment.

Commissioner Engel moved, seconded by Commissioner McLarty, to approve the minutes of November 3, 2008, as typed and prepared for the Official Record.

Roll Call Vote: Engel- yea, Rohde- Absent, McLarty- yea, Hartnett- yea, O'Neill- Absent.

Unanimous Motion Carried.

The Board reviewed the Accounts Payable Claims submitted by the County Clerk for payment.

Commissioner O'Neill arrived and took her seat at 10:10 a.m.

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

**GENERAL FUND:** Dakota County Star, publishing- 659.37; Holiday Inn of Kearney, workshop- 69.00; William McLarty, mileage- 326.89; Perkins Office Solutions, supplies- 135.06; Des Moines Stamp, stamp- 32.70; Perkins Office Solutions, supplies- 34.28; Theodore Piepho, cell phone- 20.00; Robert H Giese, mileage- 140.40; Charlotte Doenhoefer, prior yrs serv- 10.00; Ruth Jensen, prior yrs serv- 12.00; Mardell Sorensen, prior yrs serv- 26.00; Irene VanLent, prior yrs serv- 16.00; As ImServices, data storage- 3.50; Monroe Systems, office supplies- 45.73; Staples, office supplies- 230.30; Phillips Printing, office supplies- 551.00; Net Systems, equip repair- 1289.25; Mips, recover files-4569.14; Margaret Rahn, mileage- 236.89 Alan Boyd, elec worker- 25.00; Dusty Boyd, elec worker- 25.00; Ron Dahlman, ele worker/mlg- 262.47; Stacy Dahlman, elec worker/mlg- 156; Rita Deichert, elec worker/mlg- 72.36; Linda Carson, elec worker- 25.00; Brenda Dickey, elec worker/mlg- 175.16; Grace Horner, elec worker- 25.00; Roger Johansen, elec worker/mlg- 68.85; Peggy Muzney, elec worker/mlg- 133.05; Chris Piepho, elec worker- 25.00; Tim Piepho, elec worker- 25.00; Shirley Sides, elec worker- 119.00; Joan Spencer, elec worker- 25.00; Nancy Walsh, elec worker- 25.00; Nick Walsh, elec worker- 25.00; Randy Walsh, elec worker- 25.00; American Made Election Equip, voting booths- 616.12; Dakota County Star, publishing- 2429.80; Val Danielson, reimbursement- 53.11; Emerson Fire Hall, polling place rental- 50.00; Election Systems & Software, automark/ballots- 4393.23; First Lutheran Church, polling place rental- 75.00; Jackson Legion Hall, polling place rental- 50.00; Knights of Columbus, polling place rental- 50.00; Shawn Larison, polling place set ups- 400.00; Lynn Miller, door bell installation- 60.00; Perkins, supplies- 98.69; SSC Legion hall, polling place rental- 50.00; Salem Lutheran Church, polling place rental- 50.00; Staples, supplies- 96.81; Theodore Piepho, reimbursement/mileage- 512.67; Todds Storeall, November rental- 80.00; Tyler Graphic Services Inc, envelopes- 31.90; Patricia Giese, election worker- 108.50; Clara Woten, election worker- 144.20; Janet Merchant, election worker- 108.50; Jana Adam, election worker- 127.22; Sonny Woten, election worker- 94.50; Marjorie Jarvill, election worker- 122.50; Judy Curry, election worker- 94.50; Peggy Demke, election worker- 122.50; Darlene Nielsen, election worker- 108.50; Arlyn Wilson, election worker- 137.20; Adianna Dugan, interpreter- 84.00; Linda Brostad, election worker- 129.50; Joanne Mast, election worker- 108.50; Mary Ellen Kelley, election worker- 122.50; Franklin Morse, election worker- 118.50; Joan Koch, election worker- 108.50; Mary Wolf, election worker- 183.18; Fred Penner, election worker- 131.86; Karilyn Watkins, election worker- 123.67; Claudia Horner, election worker- 109.67; Carol Johnston, election worker- 109.67;

Jackie Gierman, election worker- 109.67; Anita Rector, election worker- 109.67; Jan Johansen, election worker- 133.67; Jaquelyn Archer, election worker- 103.86; Doris Phillips, election worker- 120.37; Catherine Eriksen, election worker- 94.50; Delores Porter, election worker- 110.37; Aloise Ferris, election worker- 110.37; Bertha Hines, election worker- 127.17; Margaret Croxen, election worker- 113.17; Mary Kleinberg, election worker- 113.17; Betty Bliven, election worker- 127.17; Debbie Reed, election worker- 106.17; Jessica Terriquez, interpreter- 84.00; Beverly Bliven, election worker- 132.53; Nellie Anderson, election worker- 94.50; Betty Jorgensen, election worker- 148.29; Pharyce Eslick, election worker- 130.69; Jessica Tapia, interpreter- 87.50; Art Eslick, election worker- 116.69; Phyllis Obermeyer, election worker- 98.00; Terrance Koebernick, election worker- 129.02; Mary Cahill, election worker- 117.85; Jannette Burns, election worker- 98.00; Consuelo Terriquez, interpreter- 84.00; Lois Larson, election worker- 117.85; Josephine Cain, election worker- 133.7; Diana Kincaid, election worker- 98.00; Susan Church, election worker- 116.68; Robert Boals, election worker- 116.68; Dorothy Kramper, election worker- 117.85; Geraldine Tramp, election worker- 117.85; Ginger Huggenberger, election worker- 132.58; Constance Denker, election worker- 94.50; Myra Gentrup, election worker- 140.67; Marvel Lukens, election worker- 140.67; Janice Roeber, election worker- 140.67; Charlene Jensen, election worker- 123.71; Trudy Jepsen, election worker- 133.71; Mary Mc Gowen, election worker- 123.71; Irene Van Lent, election worker- 123.71; Randy Lussier, election worker- 123.71; Dian Albertson, election worker- 98.00; Pat Donnelly, election worker- 127.21; Linda Elmendorf, election worker- 127.21; Don Wilke, election worker- 127.21; Dave Donnelly, election worker- 137.21; Sharon Hartnett, election worker- 117.86; Jean Lynch, election worker- 141.90; Margaret Mari, election worker- 117.86; Sharon Greenleaf, election worker- 129.56; Patricia Stingley, election worker- 120.20; Dakota County Star, publishing- 13.02; Lee Ford, building permit- 150.00; Jolene Gubbels, minutes- 90.00; Executive Technologies, service contract- 178.00; Staples, office supplies- 251.02; Net Sys+, router repair- 20.00; As Central Finance, office supplies- 271.07; Dakota Business System, Ricoh Equip- 99.00; Paula Jensen, reimbursement- 8.56; New Perspectives, shredding- 46.50; Kurt Rager, reimbursement- 148.48; Redfield & Company, office supplies- 252.58; Star Printing/Studio B Graphics, envelopes- 585.00; Thomson West, cd rom service- 185.00; Dakota County Court, court costs- 2516.02; Matthew Hattermann, witness fee- 20.58; Stacey Hattermann, witness fee- 29.94; Randy Hisey, court appointed counsel-2380.50; Dennis Hurley, court appointed counsel- 3840.00; Tyler Knecht, witness fee- 20.00; Wendy Knecht, witness fee- 20.00; Kueny Law, court appointed counsel-471.40; Barb Limon, witness fee- 20.58; jasmine Medina, witness fee- 22.92; Stuart Mills, court appointed counsel- 240.00; Leonor Oviedo, witness fee- 25.85; Douglas Roehrich, court appointed counsel- 1308.00; Patrick H. Tott, court appointed counsel- 1602.00; William L Binkard, reimbursement- 186.30; Clerk of District Court, civil and criminal claim list- 422.00; Susan Hunke, court reporter- 60.00; Dennis Hurley, court appointed counsel- 1050.00; HyVee, jury supplies- 43.96; Michael Schmiedt, court appointed counsel- 141.00; Shirley Sides, mental health hearing- 60.00; Pat Slaughter, mental health hearing- 62.50; Richard Thrumer, court appointed counsel- 296.64; M+Architects, roof design- 1842.50; Ahearn Co, sprinkler repair- 797.00; Barone Security Systems, smoke alarms- 191.48; Benstar Packaging, janitorial- 366.35; Bomgaars, supplies- 194.91; Dakota Food & Fuel, fuel- 41.01; Gill Hauling Inc, dumpster- 120.00; Grainger, supplies- 682.42; Janitor Depot, supplies- 263.88; Rick Jensen, mileage- 209.19; Menards, supplies- 411.76; MidAmerican Energy, gas bill- 1813.00; NPPD, electric bill- 1593.80; O'Keefe Elevator, maintenance- 153.40; Trembly, pest control- 50.00; Verizon Wireless, cell phone- 58.24; Wilmes Hardware Hank, supplies- 20.20; C & H Heavy Duty Spec, tower removal- 300.00; Bunkers Feed & Supply, salt- 57.78; Siouxland Concrete Co, concrete- 242.50; Dakota County Extension, reimbursement- 853.46; Abramos, animal control- 250.00; City of South Sioux City, telephone/fuel- 4283.01; Dakota County Star, deputy ad- 37.00; Dakota Food & Fuel, fuel- 747.18; Electronic Engineering, radio issues- 77.45; Fremont Tire, vehicle maint- 2179.56; Harold's, film developing- 40.50; Jack's Uniforms, uniforms- 1001.30; Midwest Radar, radar recertification- 225.00; moor Wallace, citation books- 458.60; Racom, phone access line- 703.80; Kristin Sell, cpr recertifications-225.00; Sioux City Ford, sheriffs vehicle repairs- 2151.15; Sioux City Journal, deputy ad- 666.98; Lucely Valles, interpreter- 140.00; Verizon Wireless, cell phone- 119.63; Walmart, vehicle supplies- 24.49; Dakota County Sheriff, paper/warrants- 4762.78; All World Translation Services LLC, interpreter- 96.25; Debra Fergen, reimbursement- 245.36; Department of Motor Vehicles, transcripts- 16.00; H204U, supplies- 17.75; Susan Hunke, transcript- 110.62; Iowa Office Supply, copier contract- 49.98; Kim Watson, reimbursement- 70.87; Sara M. Meadows, reimbursement- 72.63; Kate Mullins, reimbursement- 130.89; St Luke's Regional Medical Center, witness fee- 22.00; Staples, office supplies- 48.99; Verizon Wireless, cell phones- 141.24; Woodbury County Sheriff, subpoena fees- 39.97; City of South Sioux City, LEC cost- 29049.42; Caterina Chapman, mileage- 40.37; Verizon Wireless, cell phone- 55.05; Ace/Refrigeration Eng, repair freezer- 159.75; AmSan, supplies- 1357.56; Automotive Electric, maintenance- 69.96; BI Inc, house arrest- 468.05; Bob Barker, inmate personal supplies- 562.11; Jeremy Bermel, reimbursement- 132.44; CBM Food Service, food service- 23916.17; Cardiovascular Associates, inmate medical- 30.00; Center for Education & Employment Law, public law book- 254.95; Cash-Wa Distributing, meals- 127.93; Crittenton Center, inmate medical- 70.50; Dakota Business, copier contract- 281.00; Dakota County Sheriff, reimbursement- 64.00; Dakota Food & Fuel, fuel- 461.46; Dept of Correctional Services, safekeepers/medical- 3027.57; Sandy Dickens, mileage- 92.56; Foulk Brothers, gas – regulator- 189.28; Fremont Tire, vehicle maint- 23.51; Gill Hauling, dumpster- 120.00; Jackie Heaton, mileage- 136.77; Jacks Uniforms, uniforms- 730.45; Janitor Depot, janitorial supplies- 49.95; Joes Department Store, locks/keys- 76.10; Kleen solutions, sanitizer- 33.95; Knoepfler Chev, maint- 87.09; Kreislers, inmate medical- 63.83; Lincare Inc., rent oxygen concentrator- 607.53; Mercy Bus Health/Urg care, inmate house calls- 1789.00; Mercy Medical Center, inmate medical- 4254.45; MidAmerican Energy Company, gas bill- 771.96; Midwest Office Automations, copier contract copies- 160.36; Moore Medical, inmate medical- 829.04; N.E. NE Juvenile Services, house juveniles- 175.00; NW Iowa emergency Phys, inmate medical- 666.00; Nebraska Public Power District, electric bill- 1716.00, Net Sys+, computer issues- 360.00; New Ideas Fabrication, repair bunks- 180.00; Doyle Pilgrim, mileage- 8.19; Racom Corp, radio repairs- 1555.00; St Paul's Radiology, inmate medical- 25.00; Siouxland FCU, reimbursement- 1979.22; Siouxland Radiology Partners, inmate medical- 181.00; Staples, supplies- 566.79; Star Printing, business cards- 40.00; Trembly Termite, pest control- 35.00;



Verizon Wireless, cell phones- 118.15; Walmart, supplies/prescriptions- 643.72; Wigman Company, water diaphragms- 431.28; Woodbury Co Juvenile Detention, house juveniles- 12800.00; Olsson Associates, general services- 472.50; Perkins Office Solution, supplies- 10.04; Verizon Wireless, cell phone- 32.97; Alpha Land Surveying, established corners- 3200.00; Sioux City Journal, nurses ad- 124.78; Pat Glover, mileage- 149.76; Pam DeVries, mileage- 213.52; Sanofi-Pasteur Inc, supplies- 218.77; HyVee, supplies- 23.79; Dr. Wentz, consulting phys- 250.00; Perkins Office Solutions, supplies- 179.35; Sioux City Journal, nurses ad- 124.78; Deanna Beckman, hrs wrkd/mlg- 1072.86; Alan Boyd, mileage- 248.63; Electronic Engineer, pager- 13.95; Executive Technologies, copier repair- 123.00; Thomason West, law books- 493.75; Cable One, monthly internet- 210.45; Halser, postage rental- 249.00; Farm & Home Publishers, wall maps- 265.00; FSH Comm, payphone- 64.51; Lazette Gifford, website upkeep- 40.00; Justice Benefits, scaap collection fee- 6455.68; MIPS, as400 support- 390.79; Qwest, phone- 1350.47; Three Rivers Benefit, flex plan admin- 80.00; Madelyn Thorsland, prior yrs serv- 10.00; US Postal Service, postage- 5000.00; WCS Telecom, telephone- 389.09; Road Fund, budget transfer- 90000.00; Road Improvement fund, budget transfer- 36400.00; Weed fund, budget transfer- 1000.00;

**ROAD FUND:** Aramark, towel services- 305.22; Autosound Solutions, parts- 39.95; Bierschbach, tools- 95.00; Bomgaars, shop supplies- 99.86; CEMEX, road gravel- 2580.43; Circle R, parts- 75.20; Dakota County Star, grader bids- 17.36; Erlandson Trans Co, gravel- 1457.23; Gill Hauling, dump service- 55.00; Great plains Intl, parts/oil- 145.23; Guarantee Oil, oil- 1270.45; Walter Heinemann, prior yrs serv- 29.00; Hans Houfek, clothing allowance- 75.00; Hubbard Mini Mart, fuel- 8814.45; Hundertmark, shop supply- 17.55; H204U, shop supply- 26.25; Industrial Tools, shop supply- 16.39; Jackson Glass, window repair- 177.69; J & J's Pronto, fuel- 864.95; Joe's Dept Store, shop supply- 85.72; Knife River, asphalt- 30.00; LG Everist, road gravel- 64564.76; Linweld, shop supply- 43.67; Marx Truck/Trailer, parts- 12.77; Arnie Mellick, clothing allowance- 75.00; Midwest Svc & Sales, traffic signs- 1133.92; Marlan Millard, prior yrs serv- 15.00; NAPA, supplies- 1219.50; Newman Traffic Signs, traffic signs- 520.66; NNTC, phone service- 178.46; NPPD, Homer service- 23.88; Leon Pies, clothing allowance- 75.00; Poms, tires- 3784.00; Power Plan Murphy, parts/labor- 1262.96; Pro-Build, barricades- 210.46; Rees Mack, parts- 373.19; Siouxland Hydraulics, parts- 264.56; Stalp Sand & Gravel- road gravel- 20016.70; Steffen, parts- 34.86; Tri-State Comm, radio- 648.00; UECO, pipe- 701.60; Verizon Wireless, cell phone- 46.36; Warren Oil, fuel- 6929.25;

**ROAD IMPROVEMENT:** Knife River, paving- 36360.25;

**VETERANS AID:** VSO, emergency relief/fuel- 2100.00;

**PUBLIC SAFETY:** Jail Bond Fund, 88% sales tax- 30513.92; City of South Sioux City, 12% sales tax- 4160.99;

**WEED FUND:** Heritage, fuel- 201.01; Hubbard Mini Mart, fuel- 156.00; Napa, parts/fuel- 38.60; Leon Pies, mileage- 276.12; Quality Inn, meals/lodging- 174.32;

Roll Call Vote: Rohde- absent, McLarty- yea, Hartnett- yea, O'Neill- yea, Engel- yea. Motion Carried.

Chair Hartnett recessed their meeting at 11:14a.m. until 1:30 p.m.

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

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

Absent: None

Chair Hartnett called for the Agenda Item "Commissioner O'Neill - Jail Bond and Sales Tax discrepancies, bookkeeping, administration and yearly audits."

Betty O'Neill reminded the board that there were a couple months that the county did not receive any Sales Tax Monies. She said that she had done some investigating and finding that the county did not receive all of the half cent sales tax that the tax payers voted on. The Interlocal Agreement was voted on and the tax payers knew nothing of LB775, nor did I.

She received a copy of LB 77-4104 on incentives, but has not had a chance to read it and added that one of the sources is LB-775.

Ms. O'Neill said the taxpayers knew nothing of the fees charged by the Department of Revenue. She wasn't sure if that was the standard thing to do, but she is going to get some more information on that.

Then she asked when the Interlocal agreement was passed.

Commissioner McLarty said that there were two agreements; one was passed before the election and then one amended and changed after the election.

There was discussion, as to when LB-775 was passed and then there were more questions when LB 4104 was passed. Ms. O'Neill he made reference to number 12 of the Interlocal agreement. She said that there are months that we did not get any sales tax and she was interested if that was used in compliance with item 12 of the aforementioned agreement. She was also concerned with the economy being down, and it is looking like we are not going to get the Sales Tax Revenues as the county expected and that there may not be enough money to pay off the jail bonds, referring to paying them off after ten years.

Chair Hartnett asked Deb Fergen, Deputy County Attorney, to read Kim Watson's letter addressed to her. It read as follows:

November 17, 2008

Jackie Hartnett, Chairwoman

Board of Commissioners

P.O. Box 338

Dakota City, NE 68731

**RE: Nebraska Employment and Investment Growth Act**

Dear Ms. Hartnett:

I am writing regarding the Nebraska Employment and Investment Growth Act. According to Neb. Rev. Statute 77-4104(4), after an application is approved, the taxpayer (whom is unknown to us at this time) and the Tax Commissioner enter into a written agreement. The statutes do not state whether there is a requirement of an agreement between the taxpayer and Dakota County or South Sioux City before the application would be approved.

I am not aware of any limitation on how much money can be withheld under the Act. Neb. Rev. Statute 77-4105 does not provide any kind of limit to the amount that can be exempted.

Also, Neb. Rev. Statute 77-4112 states that the changes made to some of the statutes become operative for all applications filed on and after January 1, 1988, so the Act was "in effect" before the Interlocal Agreement of 2004.

Chair Hartnett advised the board that the act was in place before the Interlocal Agreement was signed.

Mr. McLarty clarified that the date of the Interlocal Agreement that was talked about earlier was approved on June 14, 2004.

Chair Hartnett called for the Agenda Item "Harold Bergstrom – Drainage problem at 1503 Bennet Avenue."

Harold Bergstrom appeared before the board. He said that he was concerned about a drainage problem at 1503 Bennet Ave. Mr. Bergstrom said that he bought his house in 63 or 64, and for 44 years water could run south across, what is now 1501 Bennet Ave. He said that someone filled in both sides of the culvert, which makes it impossible for water to run that way. Mr. Bergstrom said that he had talked with Bill Rohde and that Mr. Rohde said that he would get it taken care of.

Mr. Bergstrom also wanted to talk about the construction work where South Sioux is putting in the sewer and water main. He advised the board that this road, which extends east of 39<sup>th</sup> and G Streets is in very bad condition. He asked the County to be sure that the road is restored close to its original condition before South Sioux City, signs off on a project. He also commented that the Contractors have been on the project from February, 2008 to September of 2008.

McLarty said that it is a city project, but the city is going to have the County take a look at it before they sign off on the project. He also advised everyone that the South Sioux City Public Works Director, Paul Nolen, will contact the County Road Supervisor, to have him inspect it before they sign off.

Chair Hartnett called for the Agenda Item, "Siouxland Humane Society Agreement."

Commissioner Engel moved, seconded by Commissioner McLarty to approve the Animal Contract Agreement with Siouxland Humane Society, Inc., as follows:

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

This Agreement effective the 1st day of January, 2009, is entered into by and between the SIOUXLAND HUMANE SOCIETY, INC. (hereinafter "SHS", and the County of Dakota, state of Nebraska.  
(hereinafter "County").

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

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

WHEREAS, the County wishes to use the services and facilities of SHS, from time to time, to assist the County in the humane treatment of animals coming into County's possession as a result of County's enforcement of its ordinances and state laws;

IT IS THEREFORE AGREED as follows:

1. Impoundment. Upon delivery of any animal to SHS by any authorized representative of the County, SHS shall provide humane shelter services, including feeding and medical care and, if necessary, isolation, for a period of at least 3 days. If the animal has not been retrieved by its rightful owner by the end of such period, the animal shall be disposed of as determined by SHS, in its sole discretion.

2. Authorized Representative. For purposes of this Agreement, an authorized representative of the County shall mean any sheriff or sheriff's deputy, any police officer, any animal control officer or any person authorized by telephone by County personnel.

- 3. Fees for Services: SHS shall be paid the following fees for its services:
  - a. For each animal brought to the shelter, an incoming fee of \$10.00;
  - b. For housing each animal, \$9.00 per day, for a maximum period of 4 days. (In accordance with SHS policy, each animal will be held for a minimum of three (3) days for a minimum housing fee of \$27.00.)

- 4. Responsibility for Fees.
  - a. In the event the rightful owner of the animal retrieves the animal from SHS, all fees shall be collected from the owner prior to release of the animal. In addition, SHS reserves the right to charge additional fees to such owner. SHS shall make a report to the County of all animals retrieved by their owners.
  - b. In the event the rightful owners do not retrieve the animal within 4 days, the County shall be responsible for such fees upon submission of an itemized statement from SHS. Fees are due within thirty (30) days of billing.

5. Animals Captured or Impounded by County. The County agrees to turn over to SHS for adoption or disposal any animals impounded by the County which are not claimed by the rightful owner within the time period provided by County ordinance.

6. SHS Not An Enforcement Agency. SHS has no obligation or responsibility for enforcement of County's ordinances. Neither the services provided by SHS, fees therefore, nor return of an animal by SHS to its proper owner shall be contingent upon County's collection of fines from pet owners.

7. Right to Euthanize. Notwithstanding any minimum holding period provided herein, SHS reserves the right to euthanize at any time any animal which SHS determines, in its sole discretion, is suffering needlessly and will not benefit from medical treatment.

8. Hold Harmless. The County agrees to hold SHS and its employees, volunteers and directors harmless from any right, demand, claim or cause of action arising from any wrongful receipt, impounding or disposition of any animal which is sheltered, retrieved, euthanized or disposed of under this Agreement, so long as SHS complies with the terms of this Agreement.

9. Representations. The County represents that it has been duly authorized to enter into this agreement by the proper body and that the person executing the same on behalf of the County is authorized to do so. SHS represents that it has been duly authorized to enter into this agreement by its board of directors.

10. Term of Agreement. This agreement shall remain in force until properly terminated by either party. Termination shall be effected by either party giving written notice to the other at least thirty (30) days prior to the date of termination. For the purpose of giving notice, the addresses of the parties stated below are sufficient until such time as a party notifies the other of a change in address.

11. Entire Agreement. This Agreement constitutes the entire agreement among the parties and supersedes any prior understanding, agreements, or representations by or among the parties, written or oral, to the extent they are related in any way to the subject matter hereof. No amendment of any provision of this Agreement shall be valid unless the same shall be in writing and signed by the party against whom enforcement is sought.

SIouxLAND HUMANE SOCIETY, INC.  
 By: J. Donnicak  
 Executive Director  
 Signed on October 16, 2008

County of Dakota  
 By: Board Chair  
 (title)  
 Signed Jacqueline Hartnett November 17, 2008

Siouxland Humane Society  
 1015 Tri-View Avenue  
 Sioux City, IA 51103

Address:  
 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.

Chair Hartnett called for the agenda item "Road conditions discussed in the meeting of November 3, 2008 (Progress made I Avenue.)"

Bill Rohde said that he had driven I Avenue and that the Road Department has cleaned out the ditches and put some gravel on the road and commented that he thought it looks good.

Fred Kellogg, Road Director, said he had taken a Band-Aid approach to it because there were crops still in the field and last week was not a good week to the area because of all the water. He said that there is still work to be done out there, but most of it will have to be done next spring. He said that they had put in dirt for an entrance for the farmer to get in the field and they will have to remove that after the crops are out.

Chair Hartnett called for the agenda item "Purchase Motor grader from bids opened in November 3<sup>rd</sup> Meeting.

a. Recommendation by Commissioner Rohde and Fred Kellogg, Road Director."

Fred Kellogg, Road Director, and Bill Rohde recommended purchasing the new Caterpillar from Ziegler/Caterpillar without trading the old Motor Grader in because they thought that the County would get more selling it privately than trading it in. The Caterpillar Grader cost \$222,080 outright and the reason for accepting this bid is because of the availability of the machine, dependability and resale value.

Commissioner Rohde moved, seconded by Commissioner McLarty to award the Motor Grader bid to Ziegler/Caterpillar for a new Cat Motor Grader, without trading the old Motor Grader in, at a cost of \$222,080 and the reason for accepting this bid is because of the availability, dependability and resale value.

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

Chair Hartnett called for the Agenda Item "Northeast Community College - Address their request for funding the College of Nursing."

Chair Hartnett reminded the Board that Dr. Path had been here a couple months ago and wanted the County to commit to \$5,000 a year for ten years for the College of Nursing Building, as they are going to include that as part of their curriculum.

Commissioner McLarty questioned whether we had anything budgeted for that. Joan Spencer said that she budgeted \$5,000 out of the Inheritance Tax Fund.

Commissioner O'Neill commented that with the economy being what it is, that she would not be in favor committing to contribute at this time.

Commissioner Hartnett moved, seconded by Commissioner Engel to allocate \$5,000 on a one time basis to the Northeast Community College toward its College of Nursing Building.

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

Chair Hartnett called for the agenda item "Recommit to NIRMA Insurance for 3 years."

Chair Hartnett explained that NIRMA was going to give dividends back to the counties that are currently members of NIRMA and then that amount will be distributed to counties that recommit for three (3) years with NIRMA.

Commissioner Rohde moved, seconded by Commissioner McLarty to extend Dakota County's commitment to participate in NIRMA and NIRMA II for the period three years beginning August 1, 2009 and extending through June 30, 2012. BE IT FURTHER RESOLVED to adopt Resolution 08C-018 as follows:

**RESOLUTION  
FOR AMENDMENT AND ADDENDUM TO  
NIRMA/NIRMA II INTERGOVERNMENTAL/INTERLOCAL AGREEMENTS**

**WHEREAS**, Dakota County has previously entered into Intergovernmental/Interlocal Agreements with various other Nebraska Counties and other public agencies to form and participate in the Nebraska Intergovernmental Risk Management Association (NIRMA) and the Nebraska Intergovernmental Risk Management Association II (NIRMA II) pursuant to the Intergovernmental Risk Management Act (Neb. Rev. Stat. §44-4301 et seq.) and the Nebraska Interlocal Cooperation Act (Neb.Rev.Stat. §13-801 et seq.); and

**WHEREAS**, Counties and other Public Agencies as defined in §44-4303 are allowed to participate in said cooperative undertakings; and

**WHEREAS**, the Legislature has found that proper risk management requires the spreading of risk so as to minimize fluctuation in insurance needs and that benefits can be derived through pooling of insurance purchasing by local government, and

**WHEREAS**, NIRMA and NIRMA II have provided coverages to the County in a cost effective way which meet and exceed those provided by standard insurance carriers; and

**WHEREAS**, NIRMA and NIRMA II provide risk management services such as loss prevention, safety audits, claims and litigation management, and coverages tailored to address loss exposures a county faces not economically available from other sources; and

**WHEREAS**, these coverages and risk management services are essential for the continued effective and efficient use of county taxpayer dollars; and

**WHEREAS**, the current Intergovernmental/Interlocal Agreements will expire on July 31, 2009, and

**NOW, THEREFORE, BE IT RESOLVED** that the Dakota County Board hereby:

1. Extends its commitment to participate in NIRMA and NIRMA II for the period August 1, 2009 through June 30, 2012; and
2. Declares that this Resolution shall serve as an amendment and addendum to the previous Intergovernmental/Interlocal Agreements entered into by the County Board, said Intergovernmental/Interlocal Agreements readopted by and incorporated herein by this reference as amended.

After motion duly made by member Rohde and seconded by member McLarty, the following members voted by roll call vote in favor of passage and adoption of said Resolution: Engel, O'Neill, Hartnett, McLarty and Rohde voting Yea.

The following members voted against the same: None.

The following members were absent or not voting: None.

**PASSED AND APPROVED** this 17 day of November, 2008.

Attest

Dakota County Board

\_\_\_\_\_  
County Clerk

By: \_\_\_\_\_  
Chairperson/Presiding Officer

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

Chair Hartnett called for the agenda item "Moving Extension to the NRD Building and paying the rent."

Vincent Kramper was present and introduced people from the Extension Office, the Papio Middle Missouri NRD, and Bob Peters from the City of Dakota City, who is all present.

Carol Larvick with the Extension Office said they were part of the University of Nebraska. She informed the board that they have an opportunity to move to the resource center, which is a block away and in the NRD building and that they would like to pursue that. She added that they need the County's help to do that.

Ralph Pulls, with Papio Missouri Middle River NRD appeared before the board and he talked about the Pigeon Creek site outside Hubbard and said the project is ongoing. They budgeted this year for land acquisition and he said that they were a little behind schedule, but the project is moving forward. He proposed office space for the Extension Office in the Resource Center. That was vacated by Farm Services when they moved to Ponca.

Commissioner Rohde recommended that the County pay Papio Middle Missouri River NRD \$10,000 a year for five years contingent upon the NRD reducing the County's maximum commitment to the watershed from \$350,000 to \$300,000.

Mr. Pull's explained a written agreement that they had with the NRCS and all that was included in their contract and they would offer a five year lease with no out.

It was proposed by the board that the state would have to move the phones.

Betty said that she didn't want to commit the future board. She said that the Board just approved \$5,000 and commented that monies are not coming in, as projected, on the jail Bonds and mentioned a down economy. Ms. O'Neill continued by saying that she didn't feel that the County should approve this. Ms. O'Neill said: "I see Mrs. Church out there (in the audience) and asked if anyone had done anything to get a road out of Millis Beach.

Commissioner Engel moved, seconded by Commissioner Hartnett to offer the Papio Missouri River Natural Resources District \$10,000 a year for five (5) years to rent 1340 square feet in the Resource Center to move the Extension Offices there. BE IT FURTHER RESOLVED that Dakota County's obligation toward the Pigeon Jones Creek Site 15 Project a/k/a Hubbard Recreational Project be reduced from a maximum \$350,000 to a maximum of \$300,000.

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

Chair Hartnett called for the Agenda Item "tabled items" and there were none.  
Chair Hartnett called for the Agenda Item, "Commissioner Committee Reports."  
Bill Engel reported that he had gone to a Goldenrod Hills meeting.  
Commissioner Hartnett reported that she attended a couple meetings, but that nothing important was acted on.

Chair Hartnett called for the Agenda Item, "Commissioner Member Reports" and there were none.

Chair Hartnett asked if anyone had talked to the County surveyor about three claims that he turned in.

It was thought that these may be claims covering some projects that the board had previously given prior approval.

Commissioner O'Neill asked if there was any room for storing some chairs that came out of the Clerk of the District Court's Office.

There was discussion where to store them and Rick Jensen, Custodial, was called to discuss this.

Chair Hartnett mentioned a certain position in the Jail Department is getting a lot of overtime and suggested that the Jail Committee look at that and possibly look at making that position a salaried position.

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

COUNTY GENERAL FUND: Gross salaries- \$125,096.61, General Fund Employees Net Pay- \$88,833.38, Employer deductions paid: Retirement- 8,718.01, FICA- 7,624.12, Medicare- 1,783.01, DC Health Plan- 31,387.50, DC Dental Plan- 976.50 and Life Insurance- 199.05.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 468.00, Tracey Corkin- 942.06, Marisol Curiel- 1036.95, Bobbi Jo Harsma- 1189.60, Theodore Piepho- 1599.88, Darlene Davis- 912.00, Robert Giese- 1599.88, Ruth Gillaspie- 1211.65, Jolene Heinemann- 976.80, Kim Kuehl- 912.00, Phyllis Ridge- 888.21, Margaret Rahn- 1194.00, Daniel Christoffers- 599.63, Arnold Mellick- 216.26, Valerie Danielson- 1599.88, Lori Jessip- 780.50, Cheryl Perkins- 1153.85, Zachary Gerth- 1538.46, Debra Jensen- 1071.20, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 972.00, Richard Jensen- 1415.67, Duane Kotalik- 1324.00, Tammy Dunn-Peterson- 965.67, Jeremy Bermel- 1942.38, Anthony Bos- 1804.40, Sandy Dickens- 454.61, Brian Ellinger- 2068.61, Penny Epting- 1540.13, Brent Gilster- 1942.38, Todd Hammer- 2387.66, Melvin Harrison III- 2020.67, Rodney Herron- 1879.17, Jason James- 1607.92, Kimberly Johnson- 464.06, Jared Junge- 1899.71, Michael Kreegar- 1722.16, Gayle Richards- 854.40, Kevin Rohde- 1841.14, James Wagner- 1599.88, Randall Walsh- 1621.14, Kerry Johnson- 906.40, Sara Meadows- 1653.85, Kathryn Mullin- 1576.92, Debra Schmiedt- 2230.77, Mary Spurlock- 906.40, Aimee Uhl- 1044.00, Kimberly Watson- 2588.46, Caterina Chapman- 1176.68, Jacob Acero- 1313.55, Ermelinda Ballesteros- 1359.61, Joshua Blatchford- 1405.22, Dusty Boyd- 1345.28, Rebecca Broer- 1435.02, Sandy Dickens- 681.91, Michael Estes- 1084.32, Lisa Ford- 1379.64, Robert Foster- 1186.83, Joseph Gee- 1043.79, John Gilles- 1455.34, Alma Gunderson- 1458.17, Paula Harrigfeld- 667.67, Cathy Harsma- 1439.96, Deanna Haukap- 1522.64, Jackie Heaton- 1886.96, Adam Hough- 1191.15, Matthew James- 1199.94, Sarah Jensen- 821.43, Brett Johnson- 1361.41, Nicholas Kellen- 1374.17, Brenda Kelly- 1291.95, Terry Kern- 1807.69, Keith Klein- 1050.40, Mark Nelson- 1230.23, Travis Olander- 1146.33, Kimberly Peterson- 1237.78, Doyle Pilgrim- 963.00, Cara Reinders- 1352.44, Daniel Rodasky- 1341.68, Jutharatana Ruenprom- 1356.02, Linda Schovanec- 1242.40, Justin Smith- 1361.41, Francis Tope- 1296.89, Charvette Williams- 1352.44, Jewel Williams- 1311.81, Matthew Wise- 1201.63, Daniel Wood- 1517.58, Jolene Gubbels- 988.80, Leon Pies- 603.60, Pamela DeVries- 1604.80, Patricia Glover- 1144.38, Bonnie Kahler- 720.20, Alan Boyd- 1029.29.

GENERAL FUND: Employee withholding paid to: Federal- 12,274.44, State- 4,190.36, FICA- 7,624.12, Medicare- 1,783.01, Retirement- 5,903.28, DC Health Plan- 475.00, DC Dental Plan- 514.50, Colonial Health- 16.20, Sheriff Union Dues- 310.00, Deferred Comp- 607.00, Garnishments- 1,333.65, Aflac Health- 364.10, Aflac Life/Dsbl- 110.20 and Flex Plan- 757.37.

COUNTY ROAD PAYROLL: Gross salaries- \$15,669.27, Road Employees Net Pay- \$11,040.23, Employer deductions paid: Retirement- 1,057.71, DC Health Plan- 4,387.50, DC Dental Plan- 136.50, Life Insurance- 26.55, FICA- 954.23 and Medicare- 223.19.

Brent Byroad- 1313.13, Robert Hacker- 1203.20, Ronald Harder- 1211.20, Richard Hoelsing- 1215.20, Hans Houfek- 1203.20, Robert Jacobsen- 1219.20, Fred Kellogg- 1584.62, Robert Lillard- 1203.20, Kimon Litras- 1215.20, Arnold Mellick- 1219.20, Leon Pies- 603.60, Kip Reinbold- 1203.20, James Swanson- 1275.12.

ROAD FUND: Employee withholding paid to: Federal- 1,426.71, State- 489.58, FICA- 954.23, Medicare- 223.19, Retirement- 705.08, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 4.88, Deferred Comp. - 61.68, Garnishments- 281.55, Aflac Health- 147.06, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50 and Union Dues- 160.00.

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

Commissioner McLarty passed out the following information.

'Uncertainty abounds in Nebraska's annual highway report?'

(Lincoln Journal Star) -- Will Nebraska get the additional \$50 million in federal funds it needs for this year's road program? Roads Director John Craig doesn't know. Wilt inflation, which rose to 24% for highway construction in 2007, drop and stay low? Craig hopes so. But he doesn't know.

Craig provided state senators on two committees with lots of mind-numbing numbers Friday — \$12.9 billion in highway needs over the next 20 years — and no solutions.

'Nebraska's Expressway delays'

(Nancy Hicks/Lincoln Journal Star) -- Work on Nebraska 35 (east of Norfolk to South Sioux City) is frozen while state and federal agencies discuss a federal ruling that the state must start over on its planning work

The federal government now wants Nebraska to have a financial plan showing how it will complete the

expressway after this particular portion is finished. "Financial plan? Quite frankly, there isn't one," Roads Director John Craig said. Last session, senators budgeted \$15 million in cash reserve funds over three years to help pay the state's share on six expressway projects that have federal earmarks, meaning the promise of federal money.

'Ag land prices may be wilting'

(Omaha World Herald) -- After several years of double-digit growth, agricultural land values might be on the decline.

State Sen. Kent Rogert of Tekamah, who sells agricultural real estate, seed and other ag services, said land prices in northeast Nebraska -- which had experienced a "land boom" -- have dropped as much as 20% in three months.

With Rick Jensen present there was discussion where he could store the chairs from the Clerk of the District Court's office as surplus equipment. He talked about a room in the new jail that ultimately will be a rest room for the County Judge's office and also mentioned a room in the old jail where the deputies and jailers use to meet. Randy Walsh said that they could be stored in the old jail.

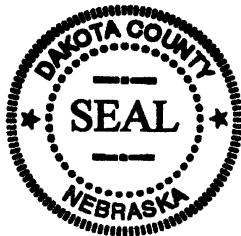
Chair Hartnett said that they had made an offer to the NRD to move the Extension Offices to the Resources Center and that would open up those offices or part thereof for storage.

Chair Hartnett informed Rick Jensen, Maintenance Director, about the Extension Office moving to the NRD and that space would be available.

Bill McLarty commented that it was May 9, 2005 when the County Board approved and changed the Interlocal Agreement with South Sioux City on the sales tax.

Chair Hartnett called for the agenda item mail and/or or emergency business and there was none.  
Chair Hartnett called for the agenda item public comment and there was none.

Chair Hartnett adjourned their meeting at 2:27 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Hartnett, Chair

\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book

Dakota County Board of Commissioners  
Monday, December 1, 2008, Regular Meeting  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City NE 68731

Chair Hartnett called the meeting to order at 1:45 p.m. with reciting the Pledge of Allegiance.  
Present: Commissioners Hartnett, McLarty, Engel, O'Neill, Rohde and Ted Piepho, County Clerk, as secretary.

Absent: None.

Call Meeting to Order

- Roll Call
- Presiding Chair person's statement concerning Nebraska Open Meetings Act.
  - 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.
- Approve Minutes of previous meeting.
- Approve payroll and accounts payable claims

Planning and Zoning Administrator.

Board to vote on possible appointment of Arnold Mellick as the Planning and Zoning Administrator- at the Planning and Zoning Board meeting on November 18, 2008, the Planning and Zoning Board voted to request that the appointment of Mr. Mellick as the Planning and Zoning Administrator be extended for one (1) year and referred this issue to the Board of Commissioners to decide whether to extend Mr. Mellick's appointment as P & Z Administrator.

Miscellaneous Agenda Items

- Officials Reports

Tabled Items – No tabled items to consider

Commissioner's Committee Reports

Commissioner Member Reports

Public Comment

Mail and/or Emergency Business

Adjournment.

Commissioner Hartnett reported on the last Planning and Zoning Meeting that she attended and said that Planning and Zoning held a public hearing on towing and there were several people there voicing comments on towing regulations and having junked cars on property, which should not be. After hearing testimony, the Planning and Zoning Board decided to table the issue and contact SIMPCO to get some advice from them.

She handed out a letter from Carolyn Orr and it read as follows:

2267 South 135 Avenue  
Omaha, NE 68144-2419  
November 17, 2008

Planning and Zoning Board Members

Dakota County Courthouse

Dakota City, NE 68731

Dear Board Members

I grew up in rural Dakota County in the '40's and '50's. At that time, nearly all of the farmland was owned by the farmers and their families who lived on the land.

These landowner/farmers all took pride in their crops, their homes, and the environment in which they lived and worked with blood, sweat, and tears. They kept their home and buildings painted, kept their tractors and other equipment operational, stored their equipment when not in use, and repaired fences, just to name a few of their many chores. Their ancestors loved the land and they, too, as descendants, cared for it. They even chided each other if their rows of corn were not straight. They were a very proud, innovative, productive, hard-working group of men and women taught by their forefathers.

Since that time, it appears that major negative changes have occurred in Dakota County—many of the original farm sites have been turned into acreages. (The land has been either retained by the offspring, or it has been sold to other large landowners.) There are some properties that have been abandoned or left to deteriorate. Many old cars and pickups are being left to sit in the sun or are hidden in the trees to rust and fall apart--destroying the beauty of the countryside. Outbuildings are badly in need of repair and paint.

One such location looks like a junk yard on the west side of G Street north of 200th Street. It is "an eyesore" or better yet—a dump! Horses wander in between the junk cars—what about their health? Is



there no pride in the landowner's ownership of his property? Where is the owner's community spirit? This past summer there was a field south of the former barnyard (approximately 2 - 3 acres) totally filled with extremely huge "button weeds"—a menace to the local farmers in attempting to keep their fields and ditches free from weeds. Unfortunately, it looks like the owner is expanding his property!!

Have the members of the P and Z Board driven around the County to actually see what has been taking place?

1. Has anyone noticed the property located on G Street between 190th and 200th Street on the west side of the road? Debris is strewn about in the front yard, back yard, and in the north grove. (Formerly owned by State Senator Hal Bridenbaugh.)

2. Between 210 Street and the drainage ditch on the west side of G Street is a house that needs to be torn down. It has not been inhabited for at least 40 years or more. (The Art Luesebrink house)

3. Another site is south of 200th Street and adjacent west of the Burlington RR. Old cars and pickups are scattered about--to be left for eternity?

4. What about the property south of 210th Street and visible east from Highway 77? Old cars, pickups, and diesel truck beds are "hiding" in the grove of trees. (Previously owned by the Harris family.) What impression does this create for visitors to the County or for persons driving through?

5. Additionally, has anyone on the Board noticed the three totally deteriorating houses located on the Blyburg Road east of Homer? How very sad and embarrassing to County residents that out-of-state visitors from Iowa and South Dakota, and other counties in Nebraska visiting the historic O'Connor House are forced to view these houses that depict no pride of ownership nor any salvage value. These houses appear to be uninhabitable!

6. There is a former farm site property east of Jackson on the north side of Highway 20 that is also in extreme disrepair.

7. Surely there are other properties that have not been identified and listed above!

It has been said that the towns in Dakota County have made laws to protect the "town" property— junk isn't allowed! Where are the laws to protect the "country" property? As members of the Planning and Zoning Board, is it not your responsibility to strengthen the rules—the laws—that state specifically what is acceptable and what is not in country living? Please take positive action to strengthen the laws to upgrade and improve the land sites that many of us love.

What else can be done? Why not promote a rural County campaign—"Love the Land!"—in order to get rid of junk? Advertise with fliers some ideas, encouragement, and help for acreage property owners. Create a list of junk dealers that are available to help haul the unused and unneeded machinery, vehicles, etc., with the dealer and the owner sharing the proceeds. Try to instill personal pride in property ownership—paint, clean up, throw away, toss, get rid of. Be ambassadors for Dakota County in a positive manner! Talk it up! Have a contest! Let's compete with Iowa in keeping Dakota County land sites picturesque and pastoral!

Sincerely yours,  
Carolyn K. Orr

P. S. My two sisters and I own a very small portion of Dakota County land, and I visit the farm/home site three or four days each week. It has been in our ancestral family for over 140 years!!! Even though I am not currently an official resident, I still am very proud of Dakota County—as you can tell by my writing, my heart will always live here!

Commissioner Hartnett reported that she has attended two meetings of Planning and Zoning, that Mr. Mellick has attended. His rapport with the Planning and Zoning Board is excellent and he has many years prior experience as Planning and Zoning Administrator.

Commissioner Hartnett moved, seconded by Commissioner Engel, to appoint Arnold Mellick, as Planning and Zoning Administrator for one year.

Chair Hartnett asked if there was any discussion.

Commissioner McLarty said that the board had talked about this earlier and it was going to be left until the new board come on. Why the change?

Commissioner Hartnett said that the Planning and Zoning Board brought it up at their meeting and they are very satisfied with the job that Mr. Mellick is doing and it leaves Mr. Mellick in limbo. They feel that the present board has the authority to make those kinds of decisions. This board may be a lame duck

board but this board can still make decisions by law.

Commissioner McLarty expressed himself personally and decided that we were going to leave it until the new board came in and that when Mr. Mellick was given the temporary appointment, he understood that and that the P & Z Board would understand that. He saw no need to change it at this time and should be left until the new board come on, as we agreed.

Commissioner Rohde felt the same and said it's only a month away and Mr. Mellick has agreed to the interim.

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

Chair Hartnett called for the agenda item "Officials Reports" and the County Clerk placed a phone call to have them brought down.

Chair Hartnett called for the agenda item "tabled items" and there were none.

Chair Hartnett called for the agenda item "Commissioner Committee Reports" and there were none.

Chair Hartnett called for the agenda item "Commissioner Member Reports" and there were none.

Chair Hartnett called for the agenda item public comment and there was none.

Chair Hartnett called for the agenda item mail and/or or emergency business and there was none.

Chair Hartnett called for a motion to approve the payroll.

Commissioner McLarty moved, seconded by Commissioner Rohde to approve the Payroll Claims submitted by the County Clerk as follows:

COUNTY GENERAL FUND: Gross salaries- \$132,541.60, General Fund Employees Net Pay- \$93,418.96, Employer deductions paid: Retirement- 9,256.32, FICA- 8,101.70, Medicare- 1,894.78, DC Health Plan- 30,375.00, DC Dental Plan- 945.00 and Life Insurance- 196.43.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 453.38, Tracey Corkin- 908.00, Marisol Curiel- 894.40, Bobbi Jo Harsma- 1024.70, Theodore Piepho- 1599.88, Darlene Davis- 912.00, Robert Giese- 1599.88, Ruth Gillaspie- 1211.65, Jolene Heinemann- 976.80, Kim Kuehl-883.50, Phyllis Ridge- 982.04, Margaret Rahn- 1194.00, Daniel Christoffers- 468.00, Arnold Mellick- 216.26, Valerie Danielson- 1599.88, Lori Jessip- 780.50, Cheryl Perkins- 1153.85, Zachary Gerth- 1538.46, Debra Jensen- 1071.20, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 972.00, Richard Jensen- 1415.67, Duane Kotalik- 1324.00, Tammy Dunn-Peterson- 894.40, Jeremy Bermel- 1863.90, Anthony Bos- 1628.25, Sandy Dickens- 454.61, Brian Ellinger- 2372.00, Penny Epting- 1944.82, Brent Gilster- 2289.80, Todd Hammer- 2358.31, Melvin Harrison III- 2128.32, Rodney Herron- 2064.30, Jason James- 1886.52, Jared Junge- 2434.35, Michael Kreegar- 2270.21, Gayle Richards- 854.40, Kevin Rohde- 2291.06, James Wagner- 1599.88, Randall Walsh- 1986.94, Kerry Johnson- 906.40, Sara Meadows- 1653.85, Kathryn Mullin- 1576.92, Debra Schmiedt- 2230.77, Mary Spurlock- 906.40, Aimee Uhl- 1075.20, Kimberly Watson- 2588.46, Caterina Chapman- 1176.68, Jacob Acero- 1501.47, Ermelinda Ballesteros- 1547.72, Joshua Blatchford- 1470.23, Dusty Boyd- 1531.61, Rebecca Broer- 1355.92, Sandy Dickens- 681.91, Michael Estes- 1219.86, Lisa Ford- 1323.14, Robert Foster- 1280.54, Joseph Gee- 1682.50, John Gilles- 1639.90, Alma Gunderson- 1695.45, Paula Harrigfeld- 496.24, Cathy Harsma- 1641.82, Deanna Haukap- 1332.72, Jackie Heaton- 1602.68, Adam Hough- 1573.88, Matthew James- 1385.79, Sarah Jensen- 824.00, Brett Johnson- 1540.01, Nicholas Kellen- 1375.99, Brenda Kelly- 1425.64, Terry Kern- 1807.69, Keith Klein- 1584.23, Mark Nelson- 1241.73, Travis Olander- 1504.72, Kimberly Peterson- 1594.58, Doyle Pilgrim- 651.00, Cara Reinders- 1323.74, Daniel Rodasky- 1529.81, Jutharatana Ruenprom- 1687.47, Linda Schovanec- 1242.40, Justin Smith- 1725.91, Francis Tope- 1501.15, Charvette Williams- 1513.68, Jewel Williams- 1482.51, Matthew Wise- 1461.83, Daniel Wood- 1857.86, Jolene Gubbels- 988.80, Leon Pies- 603.60, Pamela DeVries- 1604.80, Patricia Glover- 1110.98, Bonnie Kahler- 720.20, Alan Boyd- 1029.29.

GENERAL FUND: Employee withholding paid to: Federal- 13,895.67, State- 4,726.88, FICA- 8,101.70, Medicare- 1,894.78, Retirement- 6,274.10, DC Health Plan- 237.50, DC Dental Plan- 493.50, Colonial Health- 16.20, Sheriff Union Dues- 310.00, Deferred Comp- 607.00, Garnishments- 1,333.65, Aflac Health- 364.09, Aflac Life/Dsbl- 110.20 and Flex Plan- 757.37.

COUNTY ROAD PAYROLL: Gross salaries- \$15,539.36, Road Employees Net Pay- \$10,949.32, Employer deductions paid: Retirement- 1,048.93, DC Health Plan- 4,387.50, DC Dental Plan- 136.50, Life Insurance- 26.55, FICA- 946.18 and Medicare- 221.30.

Brent Byroad- 1254.86, Robert Hacker- 1203.20, Ronald Harder- 1211.20, Richard Hoelsing- 1215.20, Hans Houfek- 1203.20, Robert Jacobsen- 1219.20, Fred Kellogg- 1584.62, Robert Lillard- 1203.20, Kimon Litras- 1215.20, Arnold Mellick- 1219.20, Leon Pies- 603.60, Kip Reinbold- 1188.16, James Swanson- 1218.52.

ROAD FUND: Employee withholding paid to: Federal- 1,385.81, State- 482.26, FICA- 946.18, Medicare- 221.30, Retirement- 699.24, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 4.88, Deferred Comp.- 61.68, Garnishments- 281.55, Aflac Health- 147.06, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50 and Union Dues- 160.00.

VISITORS PROMOTION: South Sioux City Chamber of Commerce, lodging tax- 13,563.51.

ROLL CALL VOTE: Rohde- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- 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's of September and October, 2008 and the County Sheriff's and the Director of Corrections Quarterly Report for the period August 1, through and including September 30, 2008.

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

Chair Hartnett adjourned their meeting at 1:55 p.m.



County Board of Commissioners

\_\_\_\_\_  
Jacqueline Hartnett, Chair      Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk      Date entered in book

Dakota County Board of Commissioners  
Monday, December 15, 2008, Regular Meeting  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City NE 68731

Chair Hartnett called the meeting to order at 10:40 a.m. with the Pledge of Allegiance.

Present: Commissioners Hartnett, McLarty and Engel. Joan Spencer, Administrative Assistant to the Board acted as secretary.

Absent: Commissioners Rohde and O'Neill

The agenda for the meeting was as follows:

- 10:00 a.m. Scheduled to call meeting to Order with reciting the Pledge of Allegiance
- Roll Call
  - Approve Minutes of previous meeting.
  - Approve Payroll claims submitted by County Clerk for payment.
  - Review and approve Accounts Payable Claims submitted by Co. Clerk.
- 11:30 a.m. Recess for Lunch
- 1:30 p.m. Reconvene from Lunch
- 1:31 p.m. Open bids on used single axle truck with snowplow and sander.
- 1:40 p.m. Tony Gomez – Dates for the Rodeo during calendar year 2009.  
May 24, June 21, July 4, Aug. 2, Sep. 6 and Sep. 13 or 20<sup>th</sup>.
- 1:45 p.m. Susan Squires – Request County to sponsor a Juvenile Crime Commission Grant.
- 1:55 p.m. Bob Denton – Approve the Dakota County Juvenile Services Comprehensive Plan 2009 – 2011.
- 2:00 p.m. Scott Japp would like to introduce himself as the new Papio-Missouri NRD representative and open for any questions or comments from the Board of Commissioners.
- Miscellaneous Agenda Items
    - Betty O'Neill – Posting Board recorded meetings to the Internet.
- Tabled Items – No tabled items to consider
- Commissioner's Committee Reports – These are reports by any board member serving on one of the Board's Working Committee's reporting information pertinent to that Committee.
- Commissioner Member Reports – This is an informational report by any Board Member who wishes to communicate new information to other board members relating to County issues.
- Public Comment
- Mail and/or Emergency Business
- 2:10 p.m. Adjournment.

Commissioner Engel moved, seconded by Commissioner Hartnett, to deny the claim from Commissioner Betty O'Neill for reimbursement of attorney fees and mileage in the amount of \$323.16 and to approve for payment all other claims as submitted:

**GENERAL FUND:** Dakota County Star, publishing- 287.76; NACO, conference- 242.00; Advanta Bank Corp, anti-spam program- 42.35; Microfilm Imaging, converting software- 1500.00; Perkins Office Solution, supplies- 142.34; Theodore Piepho, reimbursement cell phone- 20.00; Robert H. Giese, mileage- 112.32; 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; Terra Scan, contract license- 3710.00; Duggan Printing, tax statements- 477.95; As lmservices, data storage- 3.50; Net Sys+, office equipment- 100.00; Mobile Binders, book repair- 1885.00; Microfilm Imaging, lease equip- 240.00; Perkins Office Solutions, supplies- 28.64; Theodore Piepho, reimbursement- 34.96; Todds Storeall, Dec rent- 80.00 Dakota County Star, publishing- 75.92; Ne Sys+, computer repair- 80.00; As Central Finance, office supplies- 172.82; Dakota Business System- Ricoh equip payment- 99.00; Paula Jensen, reimbursement- 44.91; Microfilm Imaging, scanning- 88.50; Midwest Office Automations, contract-532.69; New Perspectives, shredding- 43.50; Office Systems Company, typewriter contract- 169.00; Thomson West, CD Rom service- 225.00; Dakota County Court, court costs- 3273.14; Serena Garcia, witness fee- 31.70; Randy Hisey, court appointed counsel- 414.00; Beth Lamoreux, witness fee- 31.70; Ricardo Limon, witness fee- 31.70; Stuart Mills, court appointed counsel- 1170.00; Margarita Navarrete, witness fee- 23.51; Leonor Oviedo, witness fee- 25.85; Luz A Ramirez, witness fee- 20.00; Douglas Roehrich, court appointed counsel- 378.00; Dakota County Sheriff, Smith claim- 290.91; Patrick Tott, court appointed counsel- 864.00; Kueny Law Office, court appointed counsel- 1169.13; William Binkard, reimbursement- 139.70; Frank Gonzalez, interpreter fees- 350.00; NSBA, dues for attorneys- 595.00; Perkins Office Solutions, office supplies- 171.34; Valerie Danielson, office supplies- 82.41; District Court, criminal list- 279.00; General Business, courtroom chairs- 1880.00; Randy Hisey, court appointed counsel- 390.00; Michael Schmiedt, mental health hearings- 492.00; Staples, office supplies/printer- 790.93; M+Architects, const.administration- 2182.50; A-team Heating, service boilers- 800.77; Benstar packaging, janitorial supplies- 92.41; Bomgaars, supplies- 25.79; Rick Jensen, mileage- 94.77; Joes Dept Store- supplies- 25.79; Menards, supplies- 375.43; Share, janitorial supplies- 108.14; Wilmes Hardware Hank, supplies- 74.12; United Rentals, rental saw- 98.20; Cummins Central Power, service old generator- 622.37; Trembly, pest control- 50.00; Nebr. State Fire Marshall, storage tank reg- 120.00; NE Workforce Development, elevator inspec- 100.00; Verizon Wireless, cell phone- 58.24; NPPD, electric bill- 1315.07; MidAmerican Energy, gas bill- 1217.00; Dakota County Extension, reimbursement- 855.17; Abramos Animal Services, animal control- 150.00; Bio-Key International, MDT software contract- 4348.80; Blackwater Training, lodging – 270.60; City of South Sioux- communications/fuel- 4765.39; Crystal Oil, fuel- 24.95; Dakota County Sheriff, reimbursement- 50.00; Dakota Food & Fuel, fuel- 163.64; Electronic Engineering, radio repair- 12.00; Fremont Tire, vehicle maint/repair- 1623.69; Jack's Uniforms, uniforms/vest/batteries- 1198.15; Jackson Glass, windshield- 198.70; Joe's Dept Store, vehicle supplies- 29.52; Midwest Radar & Equipment, tuning forks- 21.00;

Racom, phone access line/repairs- 703.80; Siouxland FCU, reimbursement- 527.11; Siouxland Humane Society, animal control- 46.00; Sirchie Fingerprint Lab, fingerprint supplies- 507.42; Star Printing, Business cards- 35.00; Stephan Welding, weld topper unit 10- 267.00; Ultramax, ammunition- 267.00; Verizon Wireless, cell phones- 118.77; Walmart, supplies- 59.88; Dakota County Sheriff, papers/warrants- 706.81; Department of Motor Vehicles, driving records- 3.00; Douglas County Sheriffs Dept, subpoena fees- 21.77; DoubleTree, lodging for seminar- 1050.00; H2O4U, misc operating expenses- 35.00; Iowa Office Supply, copier contract- 100.02; NE State Bar Association, bar dues- 1210.00; Siouxland Reporting Service, deposition- 96.00; Verizon Wireless, cell phones- 135.56; Wayne County Sheriff, subpoena fees- 18.69; City of South Sioux City, county share of Lec cost- 29049.42; BI Inc, electronic monitoring- 328.90; Caterina Chapman, mileage- 186.03; Redwood Biotech, drug tests- 37.50; Staples, supplies- 59.86; Verizon Wireless, cell phone- 55.05; A-team, condensing unit- 1100.00; American Bio Midica corp, drug test- 99.45; AmSan, supplies- 1430.87; BI Inc, house arrest- 548.35; CBM Food Service- meals- 19348.93; Cash-Wa Distributing, food products- 169.51; Crittenton Center, inmate medical- 70.50; Dakota Business Systems, copier contract- 281.00; products- 169.51; Crittenton Center, inmate medical- 70.50; Dakota Business Systems, copier contract- 281.00; Dakota County Sheriff, reimb- 546.92; Dakota Family Dentistry, inmate medical- 424.00; Dakota & Fuel, fuel- 300.30; Delta Gloves, gloves- 417.00; Dept of Correctional Services, safekeepers/medical- 14.10; Sandy Dickens, mileage- 90.78; Fremont Tire, vehicle maint- 109.97; Gil Hauling, dumpster service- 120.00; Harloff, medical cart- 1052.00; Jackie Heaton, mileage- 212.39; Iowa-Nebraska State Bank, lease payment- 5351.34; Jack's Uniforms, uniforms- 60.00; Janitor Depot, supplies- 386.76; Joe's Dept Store, keys/paint- 186.70; Mercy Bus Health/Urg Care, inmate medical- 1350.00; Mercy Medical Center, inmate medical- 385.50; MidAmerican Energy, gas bill- 2049.64; Midwest Office Automations, copier contract- 154.47; Moore Medical, inmate medical- 763.44; N.E. NE Juvenile Services, house juveniles- 1443.75; Net Sys+, computer issues- 566.99; NPPD, electric bill- 1584.00; NW Iowa Emergency Phys, inmate medical- 630.00; NW IA Yes Center, juvenile housing- 600.00; Joaquin Orduno, interpreter- 20.00; Kevin Rohde, PPCT training-667.92; Safeguard Business Systems, receipts/journal- 1036.32; St Paul Radiology, inmate medical- 267.00; Sam's Club, supplies- 192.96; Siouxland FCU, reimbursement- 134.11; Staples, supplies- 370.86; Star Printing, business cards- 25.00; Verizon Wireless, cell phones- 355.91; Walmart, supplies/inmate medical-2924.55; Woodbury Co Juvenile Detention, house juveniles- 16200.00; Dakota Business Systems, copier rental- 132.00; Verizon Wireless, cell phone- 33.24; Pam DeVries, mileage- 129.28; Pat Glover, mileage- 157.36; Nebr.Dept of Health & Human, licensure renewal- 650.00; Perkins Office Solutions, supplies- 63.64; Thomas Wendte, consulting- 250.00; Deanna Beckman, mileage/hrs wrkd- 1298.28; Midwest Office, copier contract- 385.23; Net Sys+, install Symantec- 120.00; Alan Boyd, mileage- 260.91; Electronic Engineer, pager- 13.95; Notary Public, notary- 93.00; Perkins Office Solutions, supplies- 223.61; Associated Computer Systems, state computer- 9866.60; CableOne, monthly internet- 205.95; C & H Heavy Duty Specialists, contract payment- 750.00; Claritus, rate chip- 275.00; Executive Technologies, toner- 59.90; FSH Comm, payphone- 63.81; Lazette Gifford, website upkeep- 40.00; MIPS, support- 390.79; Net Sys+, antivirus renewal- 839.00; Qwest, phone service- 1363.32; Region 4 Behavioral Health, 3<sup>rd</sup> qrt- 7615.75; three Rivers Benefit, flex plan admin- 80.00; Madelyn Thorsland, prior yrs service- 10.00; US Postal Service, postage- 3500.00; WCS Telecom, telephone- 344.42; Road Fund, budget transfer- 89200.00; Road Improvement, budget transfer- 22000.00; Weed Fund, budget transfer- 1000.00;

**ROAD:** Aramark, towel service- 288.63; Bekins Fire & Safety, fire extinguisher inspection- 436.03; Bomgaars, shop supply- 601.36; Circle R, parts/labor- 1736.97; City of South Sioux City, salt- 1387.68; Dakota County Clerk, truck title fee- 10.00; Fremont Tire, tires/oil change- 306.96; Gill Hauling, dumpster service- 55.00; Walter Heinemann, prior yrs service- 29.00; Higman Sand Gravel, sand- 201.72; Richard Hoelsing, clothing allowance- 37.48; Hubbard Mini Mart, fuel- 3559.42; Hundertmark, parts- 100.13; H2O4U, shop supply- 8.50; J & J's Pronto, fuel- 953.56; LG Everist, road gravel- 48216.63; Linweld, shop supply- 42.55; Marx Distribution, chemicals- 233.75; Medical Enterprises, drug testing- 44.90; Midwest Svc & Sales- traffic signs- 1371.26; Marlan Millard, prior yrs service- 15.00; NACO, conference- 120.00; NAPA, shop supplies-1124.96; NPPD, electric bill- 30.17; NE Nebra PPD, hubbard electricity- 207.01; NNTC, phone service- 173.05; Peterson Sand & Gravel- road gravel- 1485.00; Pumps, tires- 3120.50; Power Plan Murphy, parts/labor- 7882.82; St. Lukes Occup Health- drug testing- 49.00; Sam's Club, shop supply- 80.89; Siouxland Hydraulics, parts- 161.40; Tri –State Comm, radio repair- 100.00; Stalp Sand & Gravel- road gravel- 531.13; UECO, pipe- 152.50; Verizon Wireless, cell phones- 47.09; Warren Oil, fuel- 6844.55; Ziegler, blades- 3519.03; Boyer Trucks of Sioux Falls, purchase of truck- 29200.00;

**ROAD IMPROVEMENT:** Knife River, fair oaks paving- 14692.00; Olsson Associates, engineering- 6250.00; Siouxland Concrete, northshore drainage- 88.00; Ziegler, equipment rental- 696.00;

**POOR RELIEF:** Becker Hunt Funeral Home, burial expense- 1181.71;

**INSTITUTIONS:** Beatrice State Dev Center, qrtly payment- 813.00;

**INHERITANCE TAX: NECC** Foundation, college of nursing- 5000.00; JC Roofing Insulating, re-roofing- 135090.00;

**PUBLIC SAFETY:** Jail Bond, 88% sales tax- 27073.15; City of South Sioux, 12% sales tax- 3691.79;

**JAIL BOND:** Fremont National Bank, ½ interest & admin fee- 114100.00;

**WEED FUND:** Advanced Auto parts, parts/fuel- 9.48; Dakota Business Systems, copier rental- 102.00; Heritage Express, fuel- 20.00; Hubbard Mini Mart, fuel- 173.00; J & J's Pronto, fuel- 54.01; NACO, convention- 120.00; Neb Weed Control Assoc, dues- 106.00; Leon Pies, workshop- 10.00;

Roll Call Vote: Rohde- absent, Engel- yea, O'Neill- absent, Hartnett- yea, McLarty- yea. Motion Carried.

Chair Hartnett recessed the meeting at 10:42.

Commissioner O'Neill arrived at 10:43 a.m.

Chair Hartnett reconvened the meeting at 10:44 a.m.

Tony Gomez appeared before the Board to apply for six Rodeo permits for the following dates in 2009: Sunday, May 24, from 3:00 to 11:00 p.m.; Sunday, June 21, from 3:00 to 10:00 p.m.; Saturday, July 4, from 3:00 to 10:00 p.m.; Sunday, August 2, from 3:00 to 10:00 p.m.; Sunday, September 6, from 3:00 to 11:00 p.m. and Sunday, either September 13 or 20<sup>th</sup>, from 3:00 to 10:00 p.m. Discussion was had. Commissioner McLarty asked what was being done for public safety. Deputy Walsh was in attendance and stated deputies would be at the event and there has been no trouble with previous rodeo events. Commissioner Hartnett moved, seconded by Commissioner McLarty, to allow Mr. Gomez to have rodeo events for the dates requested.

Roll Call Vote: Engel- yea, O'Neill- nay, Hartnett- yea, McLarty- yea, Rohde- absent. Motion Carried.

At 11:00 a.m. Chair Hartnett recessed the meeting until 1:30 p.m.

Chair Hartnett reconvened the meeting at 1:30 p.m. All Board Members present.

Road Director Fred Kellogg opened the bids for a used single axle truck with snowplow and sander at 1:30 p.m.

1. Great Plains International submitted a 1999 International 4700 truck with an International DT466E engine for a net bid of \$33,500.
2. Boyer Trucks submitted a 1994 Ford L8000 with a Cummins 8.3 250HP engine for a net bid of \$29,200.

It was noted that the International bid did not include a sander and the Ford bid had a sander as required in the specs and was DOT inspected and ready.

Commissioner Hartnett moved, seconded by Commissioner McLarty, to purchase the 1994 Ford single axle truck with snowplow and sander and to approve an accounts payable claim for payment with today's claims.

Roll Call Vote: O'Neill- yea, Hartnett- yea, McLarty- yea, Rohde- yea, Engel- yea. Unanimous motion carried.

Susan Squires with Watchful Eye Foundation appeared before the Board to request a letter of support for a Juvenile Crime Commission grant. Ms. Squires informed the Board that Jim France with SHIP [Siouxland Human Investment Program] would be writing the grant for them. The grant, for approximately \$150,000, would cover the cost of personnel and operating costs. The Title II grant is due January 9<sup>th</sup>. SHIP will be housing the money and no matches are required by the county.

Commissioner Engel moved, seconded by Commissioner McLarty, to grant the Chair permission to sign a letter of support noting approval of the full Board in favor of the Watchful Eye Foundation's grant request.

Roll Call Vote: Hartnett- yea, McLarty- yea, Rohde- yea, Engel- yea, O'Neill- yea. Unanimous motion carried.

Bob Denton, Nebraska State Probation, presented the Dakota County Juvenile Services Comprehensive Plan for 2009-2011 to the Board of Commissioners. The plan is required by the Nebraska Crime Commission to be eligible for grant funding and needs to be updated every 3 years. The County currently has grant funding for the position of Caterina Chapman, Community Corrections Officer. The plan was put together by a community team of stakeholders of which Mr. Denton is Chair. The plan identifies the priorities and strategies for youth services in Dakota County. Mr. Denton stated that the Team voted their approval of the plan at their meeting last Thursday and is asking for approval of the Plan by the Board. Julie Rogers, subcontractor for the Crime Commission, attended the Team meeting and has also given her approval of the Plan.

Chair Hartnett asked if there were any major changes from the previous Plan. Mr. Denton stated that the priorities and strategies have not changed, but noted there has been a decrease in the cost of juvenile detention due in part due to the strategy in the way the youth are handled and using the juvenile detention facility in Woodbury County. He stated a lot of good things are being done in the community such as the Watchful Eye Foundation's effort in their work with gangs and Probation and Community Corrections Officer have had significant input in reducing juvenile issues. The Team has committed to meet quarterly to review the priorities and strategies and look at additional grant funding. Chair Hartnett made note to thank the efforts of Mr. Denton and the Team members.

Commissioner McLarty moved, seconded by Commissioner Engel, to approve the Dakota County Juvenile Services Comprehensive Plan for 2009-2011.

Roll Call Vote: McLarty- yea, Rohde- yea, Engel- yea, O'Neill- yea, Hartnett- yea. Unanimous motion carried.

Scott Japp introduced himself to the Board as the newly elected Natural Resource District Director. He would like to know the Boards concerns in this area and how he can assist.

Commissioner Rohde asked what his stance is on the Pigeon-Jones watershed in the Hubbard area. Mr. Japp stated that personally he is against dams—in Washington County, Omaha wants to flood his constituents out; but he is willing to listen to our concerns. Mr. Japp stated he thinks the power of eminent domain has been abused in building recreational areas. Mr. Rohde said he looks at this project's priority as flood control first, then erosion control and then recreation down the line. Mr. Japp stated he would love this Board to inform him on this project.

Commissioner McLarty asked if Mr. Japp was aware of the need for a Flood Plain study in this area. Mr. Japp stated he has met with Lance Hedquist regarding this concern and the NRD Board approved a channelization program at their last meeting.

Commissioner O'Neill stated that she and County Clerk Ted Piepho were discussing the need to post the Board recorded meetings on the Internet. She believes it would be beneficial to the Dakota County taxpayers.

Commissioner O'Neill motioned to post the CD audio recording of the Board meetings on the internet—Dakota County website.

Commissioner Rohde asked if we have the equipment to do this. Commissioner McLarty asked if we have the capability of putting the audio recording on the internet and if we do, he would be in favor of it in support of keeping the public informed. Commissioner McLarty thought the Board should talk with the webmaster to be more informed.

The motion died for lack of a second.

Commissioner McLarty suggested the webmaster be contacted to be at a future meeting.

Chair Hartnett called for tabled items. There were no tabled items to consider.

Chair Hartnett called for Commissioner's Committee reports. Commissioner McLarty asked Corrections Director Terry Kern to report on the inspection by Jail Standards on December 10<sup>th</sup>. Mr. Kern informed the Board that all the issues that were in Denny Macomber's last report have been satisfactorily met. Our facility meets or exceeds all jail standards for the State of Nebraska. Mr. Macomber's report will not be available until after the first of the year. His report will contain some recommendations for our facility. The report will note that CBM Food's milk substitute product does not meet standards.

Commissioner McLarty reported that he attended the NIRMA meeting on December 10<sup>th</sup> and gave reports on several NACO workshops held December 11<sup>th</sup> and 12<sup>th</sup>: 1) TERC, 2) Leadership and Innovation in County Government, 3) Nebraska Area Agency on Aging and 4) Juvenile Defense Systems.

Commissioner Rohde also attended the NACO Convention and gave a report on a workshop on Road Funding.

Commissioner Rohde brought to the Board's attention that Road employee Rich Hoelsing passed away in his home on December 9<sup>th</sup>. He served the county for 15 years as a motor grader operator and was a very well-respected employee.

Carol Larvick, UNL Extension Office, informed the Board that the NRD accepted the offer from the Board to move the Extension Office from the courthouse to the Dakota City Service Center. The move will take place in January and the NRD office will work with the County Attorney to prepare a lease agreement and an addendum to the PMRNRD Inter-local Cooperative Agreement.

Commissioner Engel would like to see the Board give the County employees Friday, December 26<sup>th</sup>, as a holiday. Employee Margaret Rahn distributed a memo stating December 26<sup>th</sup> was declared a federal holiday by President Bush and she stated that since federal and state employees are getting the holiday, maybe the Board would see fit to give it to the county employees. There was discussion on how to pay union employees who worked the holiday.

Commissioner Hartnett moved, seconded by Commissioner Engel, to grant all county employees Holiday pay for December 26<sup>th</sup> and those under union contract to receive pay per union contract agreement.

Roll Call Vote: Rohde- yea, Engel- yea, O'Neill- yea, Hartnett- yea, McLarty- yea. Unanimous motion carried.

Commissioner McLarty moved, seconded by Commissioner Engel, to approve the minutes of December 1, 2008, as typed and prepared for the Official Record.

Roll Call Vote: Engel- yea, O'Neill- yea, Hartnett- yea, McLarty- yea, Rohde- yea.

Unanimous Motion Carried.

Chair Hartnett called for Commissioner Member Reports. Commissioner O'Neill explained her request for reimbursement of fees for the attorney she hired to request Spencer Fane Britt and Browne release the investigation report to her as a representative of the taxpayers. Commissioner O'Neill requested County Attorney Kim Watson to advise Chair Hartnett to contact Spencer Fane Britt and Browne to release the entire investigation report to her as she feels Resolution 07C-004 did not stipulate the report be sent back to Attorney Mark McQueen of Spencer Fane Britt and Browne. Chair Hartnett asked Ms. Watson to work with Ms. O'Neill on this matter. Commissioner Engel would like to see the matter dropped.

Chair Hartnett asked for public comment. Commissioner O'Neill noted that she received an unsigned letter. Chair Hartnett said an unsigned letter has no relevance. Commissioner Engel stated it is his policy to disregard unsigned letters. Commissioner O'Neill read the letter.

Chair Hartnett called for Mail and/or Emergency Business. The Board received a letter from Judge Binkard regarding lack of heat in the District Courtroom. Building and Grounds Supervisor Rick Jensen informed the Board that the courtroom has never had a heater but it has an air handler. The offices surrounding the courtroom have radiant heat from the boilers and with the courtroom doors open it should receive heat. When the doors are closed, it gets less heat. Low water cut offs on the boilers had recently been installed as a safety precaution and there was some work adjusting those to prevent the boilers from tripping off. There is heat in the courtroom now, but with the doors closed there still is

less heat. Chair Hartnett asked Building Committee members Engel and Rohde to discuss this situation with Rick Jensen.

Commissioner Rohde moved, Commissioner Hartnett seconded, to approve the payroll and accounts payable claims as follows:

COUNTY GENERAL FUND: Gross salaries- \$122,509.28, General Fund Employees Net Pay- \$87,131.14, Employer deductions paid: Retirement- 8,538.24, FICA- 7,479.72, Medicare- 1,749.33, DC Health Plan- 30,375.00, DC Dental Plan- 945.00 and Life Insurance- 195.09.

William Engel- 547.20, Jackie Hartnett- 570.27, William McLarty- 547.20, Betty O'Neill- 547.20, William Rohde- 547.20, Joan Spencer- 1267.69, Daniel Christoffers- 468.00, Tracey Corkin- 908.00, Marisol Curiel- 894.40, Bobbi Jo Harsma- 1018.24, Theodore Piepho- 1599.88, Darlene Davis- 912.00, Robert Giese- 1599.88, Ruth Gillaspie- 1211.65, Jolene Heinemann- 976.80, Kim Kuehl-912.00, Phyllis Ridge- 944.51, Margaret Rahn- 1194.00, Daniel Christoffers- 468.00, Arnold Mellick- 216.26, Valerie Danielson- 1599.88, Lori Jessip- 780.50, Cheryl Perkins- 1153.85, Zachary Gerth- 1538.46, Debra Jensen- 1071.20, John Loos, Jr.- 2001.04, Guadalupe Kennedy- 972.00, Richard Jensen- 1415.67, Duane Kotalik- 1324.00, Tammy Dunn-Peterson- 872.04, Jeremy Bermel- 1692.23, Anthony Bos- 1765.25, Sandy Dickens- 454.61, Brian Ellinger- 2156.70, Penny Epting- 1521.63, Brent Gilster- 1673.25, Todd Hammer- 1722.17, Melvin Harrison III- 2074.49, Rodney Herron- 1795.02, Jason James- 1488.52, Kimberly Johnson- 430.36, Jared Junge- 1893.34, Michael Kreegar- 1683.04, Gayle Richards- 854.40, Kevin Rohde- 1683.43, James Wagner- 1599.88, Randall Walsh- 1700.22, Kerry Johnson- 906.41, Sara Meadows- 1653.85, Kathryn Mullin- 1576.92, Debra Schmiedt- 2230.77, Mary Spurlock- 906.40, Aimee Uhl- 1075.20, Kimberly Watson- 2588.46, Caterina Chapman- 1176.68, Jacob Acero- 1148.02, Ermelinda Ballesteros- 1271.80, Joshua Blatchford- 1260.40, Dusty Boyd- 1308.56, Rebecca Broer- 1332.77, Sandy Dickens- 681.91, Michael Estes- 1311.13, Lisa Ford- 1315.85, Robert Foster- 1132.55, Joseph Gee- 1120.44, John Gilles- 1364.98, Alma Gunderson- 1311.55, Paula Harrigfeld- 712.78, Cathy Harsma- 1265.85, Deanna Haukap- 1261.05, Jackie Heaton- 1524.40, Adam Hough- 1079.07, Matthew James- 1190.10, Sarah Jensen- 824.00, Brett Johnson- 1213.79, Nicholas Kellen- 1343.19, Brenda Kelly- 1369.91, Terry Kern- 1807.69, Keith Klein- 1141.12, Mark Nelson- 1207.24, Travis Olander- 1205.52, Kimberly Peterson- 1120.44, Doyle Pilgrim- 1036.50, Cara Reinders- 1178.64, Daniel Rodasky- 1341.68, Jutharatana Ruenprom- 1175.06, Linda Schovanec- 1242.40, Justin Smith- 1188.27, Francis Tope- 1217.43, Charvette Williams- 1250.30, Jewel Williams- 1227.02, Matthew Wise- 1130.78, Daniel Wood- 2436.31, Jolene Gubbels- 988.80, Leon Pies- 603.60, Pamela DeVries- 1604.80, Patricia Glover- 1926.84, Bonnie Kahler- 720.20, Alan Boyd- 1029.29.

GENERAL FUND: Employee withholding paid to: Federal- 12,047.81, State- 4,090.02, FICA- 7,479.72, Medicare- 1,749.33, Retirement- 5,781.74, DC Health Plan- 237.50, DC Dental Plan- 493.50, Colonial Health- 16.20, Sheriff Union Dues- 310.00, Deferred Comp- 607.00, Garnishments- 1,333.65, Aflac Health- 364.10, Aflac Life/Dsbl- 110.20 and Flex Plan- 757.37.

COUNTY ROAD PAYROLL: Gross salaries- \$17,421.54, Road Employees Net Pay- \$12,082.84, Employer deductions paid: Retirement- 1,175.97, DC Health Plan- 4,387.50, DC Dental Plan- 136.50, Life Insurance- 26.55, FICA- 1062.87 and Medicare- 248.57.

Brent Byroad- 1324.79, Robert Hacker- 1203.20, Ronald Harder- 1222.56, Richard Hoelsing- 2661.44, Hans Houfek- 1203.20, Robert Jacobsen- 1219.20, Fred Kellogg- 1584.62, Robert Lillard- 1214.48, Kimon Litras- 1215.20, Arnold Mellick- 1230.63, Leon Pies- 886.54, Kip Reinbold- 1203.20, James Swanson- 1252.48.

ROAD FUND: Employee withholding paid to: Federal- 1,811.98 State- 601.08, FICA- 1062.87, Medicare- 248.57, Retirement- 783.95, DC Health Plan-, DC Dental Plan- 84.00, Reassure America Life- 4.88, Deferred Comp.- 61.68, Garnishments- 281.55, Aflac Health- 147.06, Aflac Life/Dsbl- 43.58, Flex Plan- 47.50 and Union Dues- 160.00.

Roll Call Vote: O'Neill- yea, Hartnett- yea, McLarty- yea, Rohde- yea, Engel- yea.  
Unanimous Motion Carried.

Chair Hartnett adjourned their meeting at 2:45 p.m.



County Board of Commissioners

Jacqueline Hartnett, Chair

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book



Dakota County Board of Commissioners  
Monday, December 29, 2008, Regular Meeting  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City NE 68731

Chair Hartnett called the meeting to order at 1:30 p.m. with the Pledge of Allegiance.

Present: Commissioners Hartnett, McLarty, Rohde and Engel. Joan Spencer, Administrative Assistant to the Board acted as secretary.

Absent: Commissioner O'Neill

The agenda for the meeting was as follows:

1:30 p.m. Scheduled to call meeting to Order with reciting the Pledge of Allegiance  
Roll Call  
Approve Minutes of Board meeting – December 15, 2008  
Approve Payroll claims submitted by County Clerk for payment.  
Review and approve Accounts Payable Claims submitted by Co. Clerk.

1:31 p.m. Haven Hours/SSC – Approve a Resolution for support of Haven House's annual Grant Application in relation to the Dakota County Community Coordinated Response Team.

Final Job Creation/Retention Report - Authorize Chair to sign the yearly report compiled by SIMPCO in compliance with the CDBG Block Grant for the Siouxland Ethanol Plant sent to the Nebraska Department of Economic Development.

Miscellaneous Agenda Items - Appoint a Commissioner to the Merit Commission. The Merit Commission is meeting January 9 and needs a member of the board at that meeting.

Commissioner Committee Reports

Commissioner Member Reports

Public Comment

Mail and/or Emergency Business

1:45 p.m. Adjournment.

2:30 p.m. Coffee Hour in honor of the outgoing Commissioners.  
Everyone is welcome.

Commissioner Engel moved, seconded by Commissioner Rohde, to approve the minutes of December 15, 2008, as typed and prepared for the Official Record.

Roll Call Vote: McLarty- yea, Rohde- yea, Engel- yea, O'Neill- absent, Hartnett- yea. Motion Carried.

Commissioner Engel moved, Commissioner Hartnett seconded, to approve the payroll and accounts payable claims as follows:

COUNTY GENERAL FUND: Gross salaries- \$129,828.84, General Fund Employees Net Pay- \$91,528.61, Employer deductions paid: Retirement- 9,035.02, FICA- 7,913.33, Medicare- 1,850.75, DC Health Plan- 30,037.50, DC Dental Plan- 934.50 and Life Insurance- 194.28.

Richard Bousquet- 563.71, Antonio Gomez- 563.71, Richard McNear- 563.71, William McLarty- 586.71, William Rohde- 563.71, Joan Spencer- 1267.69, Daniel Christoffers- 476.78, Tracey Corkin- 766.13, Marisol Curiel- 883.22, Bobbi Jo Harsma- 1027.94, Theodore Piepho- 1647.99, Darlene Davis- 912.00, Robert Giese- 1647.99, Ruth Gillaspie- 1211.65, Jolene Heinemann- 879.12, Kim Kuehl- 820.80, Phyllis Ridge- 844.43, Margaret Rahn- 1194.00, Daniel Christoffers- 468.00, Arnold Mellick- 216.26, Valerie Danielson- 1647.99, Lori Jessip- 780.50, Cheryl Perkins- 1153.85, Zachary Gerth- 1538.46, Debra Jensen- 1071.20, John Loos, Jr.- 2061.18, Guadalupe Kennedy- 972.00, Tracey Corkin- 8.00, Richard Jensen- 1415.67, Duane Kotalik- 1324.00, Tammy Dunn-Peterson- 894.40, Jeremy Bermel- 1702.04, Anthony Bos- 1682.05, Sandy Dickens- 454.61, Brian Ellinger- 2362.22, Penny Epting- 1972.56, Brent Gilster- 1859.17, Todd Hammer- 1634.10, Melvin Harrison III- 2069.60, Rodney Herron- 2232.60, Jason James- 1818.86, Kimberly Johnson- 339.62, Jared Junge- 2192.54, Michael Kreegar- 1961.95, Gayle Richards- 752.94, Kevin Rohde- 2328.95, James Wagner- 1647.99, Randall Walsh- 1690.34, Kerry Johnson- 906.40, Sara Meadows- 1653.85, Kathryn Mullin- 1576.92, Debra Schmiedt- 2346.15, Mary Spurlock- 906.40, Aimee Uhl- 1075.20, Kimberly Watson- 2666.02, Caterina Chapman- 1176.68, Jacob Acero- 1539.39, Ermelinda Ballesteros- 1592.52, Joshua Blatchford- 1336.54, Dusty Boyd- 1596.51, Rebecca Broer- 1346.27, Sandy Dickens- 681.91, Michael Estes- 1781.40, Lisa Ford- 1598.33, Robert Foster- 1241.09, Joseph Gee- 1529.06, John Gilles- 1488.02, Alma Gunderson- 1689.67, Paula Harrigfeld- 387.97, Cathy Harsma- 1682.19, Deanna Haukap- 1506.49, Jackie Heaton- 1553.24, Adam Hough- 1520.43, Matthew James- 1027.38, Sarah Jensen- 818.85, Brett Johnson- 1541.84, Nicholas Kellen- 1232.02, Brenda Kelly- 1332.81, Terry Kern- 1807.69, Keith Klein- 1527.34, Mark Nelson- 1260.90, Travis Olander- 1554.89, Kimberly Peterson- 1523.89, Doyle Pilgrim- 918.00, Cara Reinders- 1246.75, Daniel Rodasky- 1587.14, Jutharatana Ruenprom- 1502.91, Linda Schovanec- 1219.11, Justin Smith- 1591.04, Francis Tope- 1574.65, Charvette Williams- 1576.39, Jewel Williams- 1590.73, Matthew Wise- 1334.23, Jolene Gubbels- 988.80, Leon Pies- 603.60, Maureen Biggar- 1008.00, Pamela DeVries- 1604.80, Patricia Glover- 1146.18, Bonnie Kahler- 626.02, Alan Boyd- 1029.29.

GENERAL FUND: Employee withholding paid to: Federal- 13,291.32, State- 4,529.30, FICA- 7,913.33, Medicare- 1,850.75, Retirement- 6,113.87, DC Health Plan- 237.50, DC Dental Plan- 472.50, Colonial Health- 16.20, Sheriff Union Dues- 310.00, Deferred Comp- 607.00, Garnishments- 1,333.65, Aflac Health- 694.83, Aflac Life/Dsbl- 156.48 and Flex Plan- 773.50.

COUNTY ROAD PAYROLL: Gross salaries- \$18,243.08, Road Employees Net Pay- \$12,620.06, Employer deductions paid: Retirement- 1,231.42, DC Health Plan- 4,050.00, DC Dental Plan- 126.00, Life Insurance- 24.30, FICA- 1,111.89 and Medicare- 260.04.

Brent Byroad- 2047.40, Robert Hacker- 1203.20, Ronald Harder- 1449.66, Hans Houfek- 1598.00, Robert Jacobsen- 1539.24, Fred Kellogg- 1584.62, Robert Lillard- 1203.20, Kimon Litras- 1727.98, Arnold Mellick- 1836.42, Leon Pies- 603.60, Kip Reinbold- 1789.76, James Swanson- 1660.00.

ROAD FUND: Employee withholding paid to: Federal- 1,936.38, State- 656.43, FICA- 1111.89, Medicare- 260.04, Retirement- 820.93, DC Health Plan-, DC Dental Plan- 84.00, Reassure America

Life- 4.88, Deferred Comp.- 61.68, Garnishments- 281.55, Aflac Health- 165.51, Aflac Life/Dsbl- 39.73, Flex Plan- 60.00 and Union Dues- 140.00.

Roll Call Vote: Rohde- yea, Engel- yea, O'Neill- absent, Hartnett- yea, McLarty-yea.  
Motion Carried.

The Haven House representative was unable to attend and Chair Hartnett asked that approval of the Grant Application be placed on the next agenda.

Commissioner McLarty moved, seconded by Commissioner Rohde to authorize the Chair to sign the yearly Final Job Creation/Retention Report compiled by SIMPCO in compliance with the CDBG Block Grant for the Siouxland Ethanol Plant and sent to the Nebraska Department of Economic Development. Roll Call Vote: Engel- yea, O'Neill- absent, Hartnett- yea, McLarty- yea, Rohde- yea. Motion carried.

Commissioner McLarty nominated Commissioner Rohde as Board representative on the Merit Commission. Commissioner Hartnett seconded the nomination. The Merit Commission will meet on January 10<sup>th</sup>.

Roll Call Vote: O'Neill- absent, Hartnett- yea, McLarty- yea, Rohde- abstain, Engel- yea. Motion Carried.

Chair Hartnett called for Commissioner Committee Reports. There were none.

Chair Hartnett called for Commissioner Member Reports. There were none.

Chair Hartnett asked for public comment. There was no public comment.

Chair Hartnett called for Mail and/or Emergency Business. There was none.

Chair Hartnett adjourned the meeting at 1:37 p.m.



County Board of Commissioners

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Jacqueline Hartnett, Chair      Date Chair signed

\_\_\_\_\_  
Theodore A. Piepho, County Clerk      Date entered in book