Dakota County Board of Commissioners
Re-Organizational Meeting
Monday, January 9, 2012
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called their regular scheduled meeting to order at 4:12 p.m. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Bousquet, Love, Rohde, McNear, Gomez, and Cherie Conley, Secretary and Deputy County Clerk. Absent were none. Also present were Joan Spencer, County Board Assistant and Kim Watson, County Attorney.

The agenda for this meeting was as follows:

- Reorganization Meeting Called to Order.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call.
- Reorganization Agenda Items.
  - Nominations for Chairperson.
    - Motion for nominations to cease and Roll Call Vote.
    - Vote by secret ballot if more than one Commissioner was nominated.
  - Nominations for Vice-Chair.
    - Motion for nominations to cease and Roll Call Vote.
    - Vote by secret ballot if more than one Commissioner was nominated.
- Approve Minutes for Meeting of December 27, 2011.
    - Renew Employee Association Agreement.
    - Depositories and Securities – Designate holder of Dakota County monies during 2012. ACTION: to designate the following banks as depositories for Dakota County with the maximum deposit being governed by securities pledged by each institution: First National Bank in Homer and the F&M Bank, Iowa-Nebraska State and the Siouxland National Bank, all in South Sioux City.
    - Commissioner Meetings – Designate when the Board will hold meetings throughout 2012. ACTION: to hold Commissioner's meetings every other Monday from today (the following Tuesday if Monday falls on a holiday) at 4:10 p.m. and BE IT FURTHER RESOLVED that at least one board member review the claims prior to the board meeting in which vendor claims are approved.
    - Courthouse Hours – Designate the hours of the courthouse for calendar year 2012. ACTION: to retain or change the present courthouse hours opening at 8:00 a.m. and closing at 4:30 p.m. Monday through Friday except for holidays, as provided in the Employee Handbook or contracts governing other employees.
    - Designate the Legal Newspaper of County. ACTION: to appoint the Dakota County Star as the legal newspaper of the county for the calendar year 2012.
    - Declare the Work Hours, Holidays and Early Closings M-F Schedule. ACTION: to adopt work hours, holidays and early closings as identified in the Employee Handbook and/or labor agreements.
    - Approve Policy for Opening and Closing of Graves. ACTION: to adopt the Burial Policy as adopted September 19, 1989 and revised January 7, 2002.
    - Designate County Government Day as the 1st Wednesday in October.
    - Department Heads Appointments/Reappointments. These positions were appointed until their duties are terminated. ACTION: The Board affirms that they continue in their capacities until their duties be terminated.
    - Veterans Service Officer – Willard Johnston.
    - Highway Superintendent and County Road Director – Fred Kellogg.
    - Planning and Zoning Administrator – Arnold Mellick is currently the appointed official.
    - Weed Superintendent – Leon Pies is currently the appointed official.
    - Emergency Management Director – Pat Foust is currently the appointed official.
- Chair to Appoint Members of the Boards and Committees.

NAMES OF 2011 BOARDS AND COMMITTEE
(NBM) = Not a County Board of Commission

Board/Committee	2011 Committee Member/s
ADA	Rick Jensen (NBM) & Commissioner McNear
Area Agency on Aging Governing Board	Commissioner McNear and Commissioner Love is an alternate.
Area Agency for Aged Advisory Board	Clara Woten (2013) (Not a Board Member)
Cardinal Connection	Commissioner Love
Civil Defense/ (LEPC, PEP)	Commissioner Rohde
CJAC	Commissioners Love & Gomez
County Health Board	Commissioner McNear
Economic Development	Commissioner Bousquet
Economic Development, Dakota County	Commissioner Bousquet
Emergency Closings	Kleinberg (NBM), Bousquet & Rohde
Finance/Budget	Commissioners Rohde & Love
Golden Rod Hills	Bill Engel (NBM)
Highway 35 Committee	Commissioners McNear & Gomez

LEC	Commissioners Gomez & Bousquet
Legislative	Commissioner Gomez & Sally Reinert (NBM)
Merit Commission	Commissioner Bousquet
NE Nebraska Joint Housing Authority	Arnold Mellick (NBM)
Personnel/Policies	Commissioners Bousquet & Love
Property/Space Utilization	Commissioners Rohde & Bousquet
Planning & Zoning	Commissioner Gomez
Press Committee	Commissioner Love & Joan Spencer (NBM)
R C & D	Commissioner McNear
Region IV Developmental Disabilities	Commissioner Love
Region IV Mental Health Board	Commissioner Bousquet
SIMPCO	Commissioner Rohde
Road Committee	Commissioners McNear & Love
Safety	Commissioners Rohde & McNear
Recycling (KNNB)	Commissioner McNear
Transportation	Commissioner Rohde
Storm Water Advisory Board	Commissioner Bousquet
Storm Water Planning (working)	Commissioner Bousquet

- Review and Approve Payroll Claims per Employee Handbook.
- Review and Approve any Accounts Payable Claims required to be paid.
- Leon Pies – Weed Supt. Explain Weed State Reports.
    - Motion to authorize receipt of the Annual Weed Report, approve it and to authorize the Chair to sign the reports.
- Haven House Family Services Center, Amber Popovitz – Requesting the County Board to express support of a grant request and commend and support the efforts put forth by Haven House in the reduction of Domestic Violence and sexual assault in Dakota County.
    - Adopt Resolution 12C-001. In order for Haven House Family Services Center, a non-profit corporation, to continue providing services in the area of domestic violence and sexual assault in Northeastern Nebraska including Dakota County in collaboration with the Dakota County Crisis Response Team; Haven House has prepared for submission, a grant request to the Nebraska Crime Commission for funds available under the Violence Against Women Act. Haven House Family Service Center is respectfully requesting that it be resolved that the Board express support of the grant request and commend and support the efforts put forth in the reduction of domestic violence and sexual assault in our county.
- Miscellaneous Agenda Items.
    - Official's Reports - County Clerk, Clerk of the District Court, Register of Deeds, Veterans Service Officer, County Sheriff and Jail Administrator.
    - Authorize Jolene Heinemann to be an authorized signature on Dakota County checking accounts for the County Treasurer's Office.
    - Quarterly Jail Tour.
    - Approve and sign Salary Resolution 12C-002 for County Assessor 2013-2014 term in office
        - set annual salary
        - set cost-of-living adjustment
        - set benefits
    - Approve Salary Resolution for Commissioners if the Board wishes to change the Board's salary from what it is already set.
    - Discussion of abandonment of 3rd Avenue off North Shore Drive per request by Russ Albenesius and Scott Love.
- Board Committee Reports.
- Board Member Reports.
- Public Comment.
- Mail and/or Emergency Business.
- Adjournment.

Chair Bousquet called for the Agenda Item "Nominations for Chairperson".
Commissioner Gomez moved, seconded by Commissioner McNear to nominate Richard Bousquet for 2012 Chairperson and that nominations cease and the secretary cast a unanimous ballot for Rick Bousquet to be the Board of Commissioner's 2012 Chairperson. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Nominations for Vice-Chairperson".
Commissioner Love moved, seconded by Commissioner Gomez to nominate William Rohde as Vice-Chairperson for year 2012 and that nominations cease and the secretary cast a unanimous ballot for William (Bill) Rohde to be the Board of Commissioner's 2012 Vice-Chairperson. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love - Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item "Approve minutes of the December 27, 2012 meeting". Commissioner Love moved, seconded by Commissioner Gomez to approve the minutes of the December 27, 2012 meeting as typed and prepared for the Official Record. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Renew Employee Association Agreement".
This is the "Pop Fund". Commissioner Gomez moved, seconded by Commissioner McNear to approve the Employee Association Agreement. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Rohde – Yea, McNear – Yea and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Depositories and Securities – Designate holder of Dakota County monies during 2012. ACTION: to designate the following banks as depositories for Dakota County with the maximum deposit being governed by securities pledged by each institution: First National Bank in Homer and the F&M Bank, Iowa-Nebraska State and the Siouxland National Bank, all in South Sioux City". And Agenda Item "Authorize Jolene Heinemann to be an authorized signature on Dakota County Checking Accounts for the County Treasurer's Office". These two items can be handled in one motion. Bob Giese addressed the Board and informed them that Jolene Heinemann has taken over those responsibilities after the retirement of Ruth. Commissioner Rohde asked Mr. Giese why the tax statements were not being printed. Mr. Giese informed that due to some computer programming issues they were not printed in a timely manner, but are currently being printed. Chair Bousquet asked that the Board get back on the task at hand.
Commissioner Rohde moved, seconded by Commissioner McNear to designate the following banks as depositories to protect Dakota County monies with the maximum deposits being governed by securities pledged by each institution: First National Bank in Homer, the F&M Bank, Iowa-Nebraska State and the Siouxland National Bank all in South Sioux City and; BE IT FURTHER RESOLVED to also authorize Jolene Heinemann to be an authorized signer on Dakota County Checking Accounts for the County Treasurer's Office. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Courthouse Hours – Designate the hours of the courthouse for calendar year 2012. ACTION: to retain or change the present courthouse hours opening at 8:00 a.m. and closing at 4:30 p.m. Monday through Friday except for holidays, as provided in the Employee Handbook or contracts governing other employees".
Commissioner Bousquet pointed out that on December 24, 2012 it currently shows that the Courthouse would be open for ½ day and he recommends that the Courthouse be closed on that day because to have everyone come in for that ½ day doesn't make sense. Commissioner Rohde confirmed that was a Monday and Commissioner Love stated that the Courthouse is closed on Tuesday, the 25th.
Commissioner Rohde moved, seconded by Commissioner Gomez to approve for the 2012 calendar year normal Courthouse Hours opening at 8:00 a.m. and closing at 4:30 p.m. Monday through Friday except for holidays, as provided in the Employee Handbook or labor agreements governing other employees, and also the Courthouse will be closed all day on December 24, 2012. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Designate the Legal Newspaper of County. ACTION: to appoint the Dakota County Star as the legal newspaper of the county for the calendar year 2012".
Commissioner Love moved, seconded by Commissioner Gomez to appoint the Dakota County Star as the legal newspaper for the county for the calendar year 2012. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Declare the Work Hours, Holidays and Early Closings M-F Schedule. ACTION: to adopt work hours, holidays and early closings as identified in the Employee Handbook and/or labor agreements".
Commissioner Gomez moved, seconded by Commissioner McNear to approve the work hours, Holidays and early closings Monday - Friday schedule as identified in the Employee Handbook, labor agreements and a previous motion authorizing all day December 24, 2012 as a holiday. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Designate County Government Day as the 1st Wednesday in October".
Commissioner Bousquet moved, seconded by Commissioner Love to designate the first Wednesday in October 2012 to be County Government Day. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Department Heads Appointments/Reappointments. These positions were appointed until their duties are terminated. ACTION: The Board affirms that they continue in their capacities until their duties be terminated".
Commissioner Rohde moved, seconded by Commissioner Gomez to affirm that the Department Heads appointed continue in their capacities until their duties be terminated.
ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Veterans Service Officer – Willard Johnston".
Commissioner McNear moved, seconded by Commissioner Love to reappoint Willard Johnston as the Veterans Service Officer. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Highway Superintendent and County Road Director – Fred Kellogg".

Commissioner Love moved, seconded by Commissioner McNear to reappoint Fred Kellogg as the Highway Superintendent and County Road Director. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Planning and Zoning Administrator – Arnold Mellick is currently the appointed official".
Commissioner Love moved, seconded by Commissioner McNear to reappoint Arnold Mellick as the Planning and Zoning Administrator. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Weed Superintendent – Leon Pies is currently the appointed official".
Commissioner McNear moved, seconded by Commissioner Gomez to reappoint Leon Pies as the Weed Superintendent. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Emergency Management Director – Pat Foust is currently the appointed official".
Commissioner Rohde moved, seconded by Commissioner Love to reappoint Pat Foust as the Emergency Management Director. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Approve Policy for Opening and Closing of Graves. ACTION: to adopt the Burial Policy as adopted September 19, 1989 and revised January 7, 2002".
Commissioner Rohde moved, seconded by Commissioner Love to approve the policy for Opening and Closing of Graves as stated in the Burial Policy as adopted September 19, 1989 and revised January 7, 2002. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Commissioner Meetings – Designate when the Board will hold meetings throughout 2012. ACTION: to hold Commissioner's meetings every other Monday from today (the following Tuesday if Monday falls on a holiday) at 4:10 p.m. and BE IT FURTHER RESOLVED that at least one board member review the claims prior to the board meeting in which vendor claims are approved". Some discussion was had referencing the start of meetings. Ted Piepho explained the reason behind the start times.
Commissioner Love moved, seconded by Commissioner Rohde to have to hold Commissioner's meetings every other Monday from today, or first business day following said Monday, if Monday falls on a holiday, and to change the meeting times to 4:00 p.m. for Board of Corrections, 4:01 p.m. for Board of Equalization, and 4:02 p.m. for Board of Commissioner and that at least one board member review the claims prior to the board meeting in which vendor claims are approved. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Chair to Appoint Members of the Boards and Committees".
Chair Bousquet asked the Board if there was any opposition the same members of the Board and Committees to also serve on those Boards and Committees in 2012 and if there are none, Mr. Bousquet said that he would prefer that everyone serve on the same Boards and Committees in 2012 as they did in 2011.
Commissioner Rohde moved, seconded by Commissioner McNear to approve the same members of Boards and Committees to serve in 2012 as was appointed by Chair Bousquet in 2011, as follows: ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

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Planning & Zoning	Commissioner Gomez
Press Committee	Commissioner Love & Joan Spencer (NBM)

R C & D	Commissioner McNear
Region IV Developmental Disabilities	Commissioner Love
Region IV Mental Health Board	Commissioner Bousquet
SIMPCO	Commissioner Rohde
Road Committee	Commissioners McNear & Love
Safety	Commissioners Rohde & McNear
Recycling (KNNB)	Commissioner McNear
Transportation	Commissioner Rohde
Storm Water Advisory Board	Commissioner Bousquet
Storm Water Planning (working)	Commissioner Bousquet

ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Review and Approve Payroll Claims per Employee Handbook".

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

COUNTY GENERAL FUND: Gross salaries- $146181.96, General Fund Employees Net Pay- $104444.31, Employer deductions paid: Retirement- $10222.01, FICA- $10885.75, Medicare- $2063.30, DC Health Plan- $23,000.00, DC Dental Plan- $999.12 and Life Insurance- $204.86, Principal Mutual Life Insurance- $1236.21.

Richard Bousquet- 639.03, Antonio Gomez- 615.78, Scott Love- 615.78, Richard McNear- 615.78, William Rohde- 615.78, Joan Spencer- 1406.08, Daniel Christoffers- 602.00, Cherie Conley- 1230.77, Theodore Piepho- 1800.61, Mary C. Wiltgen- 1013.60, Kathy A. Abbe – 880.00, Marisol Curiel- 1014.40, Darlene Davis- 1000.00, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.61, Ruth Gillaspie- 3572.53, Jolene Heinemann- 1147.78, Tracey Rysavy- 1037.60, Debera Benton- $774.00, Daniel Christoffers- 602.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1800.61, Cheryl Perkins- 1206.54, Elda Raudales- 163.68, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.22, Katherine Wiltgen- 960.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 963.20, Sergio Castillo- 1912.32, Timothy Decker- 1903.85, Sandy Dickens- 501.65, Brian Ellinger- 2346.66, Michael Estes- 1693.20, Brent Gilster- 2328.80, Todd Hammer- 2227.32, Richard Hansen- 2576.30, Melvin Harrison III- 2414.90, Jason James- 2298.13, Douglas Johnson- 1903.85, Kimberly Johnson- 531.96, Jared Junge- 2367.20, Christopher Kleinberg- 1980.75, Penny Kleinberg- 2175.24, Michael Kreegar- 2471.70, Gayle Richards- 941.60, Kevin Rohde- 2665.00, Randall Walsh- 2207.30, Bridget Fiedler- 984.00, Kerry Johnson- 960.00, Sara Niles- 1884.62, Peter Parry- 1807.69, Debra Schmiedt- 2554.57, Aimee Uhl- 1163.20, Kimberly Watson- 2913.27, Caterina Saltzman- 1267.13, Jacob Acero- 1611.25, Ermelinda Ballesteros- 1706.55, Mason Billings- 1605.76, Joshua Blatchford- 1388.84, Rebecca Broer- 1591.59, Judy Case- 1236.26, Elisabet DeRoin- 1873.09, Sandy Dickens- 787.76, Jesse Doelle- 1059.20, Marjorie Donahue- 1657.84, Lisa Ford- 1705.33, Ryan Foster- 1482.24, Linda Frost- 882.40, Alma Gunderson- 1748.32, Deanna Haukap- 1692.34, Jeffrey Heitzman- 1617.11, Adam Hough- 1478.00, Michael Jacobson- 1540.14, Brett Johnson- 1507.73, Brenda Kelly- 1356.80, Terry Kern- 2030.29, Keith Klein- 1408.00, James Kleinberg- 1825.78, Paul Moser- 1503.65, Mark Nelson- 1476.66, Travis Olander- 1388.94, Kimberly Peterson- 1668.00, Cody Roeber- 1605.76, Jutharatana Ruenprom- 1733.63, Timothy Ryan- 1335.56, Linda Schovanec- 1396.80, Jennifer Svendsen- 1621.38, Francis Tope- 1732.64, Jewel Williams- 1750.44, Cara Wood- 1519.85, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 781.42, Linda Weitzel- 744.29, Willard Johnston- 1250.00.

GENERAL FUND: Employee withholding paid to: Federal- $15,086.76, State- $5,226.17, FICA- $5,976.45, Medicare- $2,063.30, Retirement- $6,932.89, Health Plan- $1,850.00, DC Dental Plan- $525.00, Sheriff Union Dues- $435.00, Deferred Comp- $332.00, Garnishments- $1,378.74, Aflac Health- $490.77, Aflac Life/Dsbl- $161.87 and Flex Plan Medical- $731.49, Flex Plan Dependant Care- $287.58.

COUNTY ROAD PAYROLL: Gross salaries- $16,508.47, Road Employees Net Pay- $11,490.88, Employer deductions paid: Retirement- $1,114.30, DC Health Plan- $2750.00, DC Dental Plan- $119.46, Life Insurance- $23.06, FICA- $1,214.65, and Medicare- $230.23, Principal Mutual Life Insurance- $221.59

Matthew Bartels- 1314.41, Brent Byroad- 1398.40, Robert Hacker- 1314.40, Robert Jacobsen- 1330.40, Fred Kellogg- 3889.66, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1380.30, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40.

ROAD FUND: Employee withholding paid to: Federal- $1,653.89, State- $588.32, FICA- $666.85, Medicare- $230.23, Retirement- $742.89, Health Plan- $350.00, DC Dental Plan- $84.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $281.55, Aflac Health- $91.75, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $105.00 and Union Dues- $120.00.

ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Review and Approve any Accounts Payable Claims required to be paid". There were none.

Chair Bousquet called for the Agenda Item "Leon Pies – Weed Supt. Explain Weed State Reports.

- Motion to authorize receipt of the Annual Weed Report, approve it and to authorize the Chair to sign the reports."

Leon Pies approached the Board and explained the reports that they had been given. The Board Roster is a list of people to contact. The Budget Report shows the available funds and what was spent last year. The Noxious Weed Infestation Report showing the severity of weeds in the county and where they are located. The Activity Report shows the employees employed, the classes attended and number of inspections completed. The last report is the Control Plan that explains the goals. Last year with the

flood the goals weren't all met and hoping this coming year will be better. The State Inspector understood the circumstances. Leon Pies thanked the Board for helping get the updated equipment needed for this job. Commissioner Bousquet stated that Mr. Pies was a very helpful with the flood spraying weeds and helped the Corp find the holes and did a really good job.
Commissioner Gomez moved, seconded by Commissioner Love to approve the Annual Weed Report and to authorize the Chair to sign the reports as submitted by Weed Superintendent Leon Pies. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Haven House Family Services Center, Amber Popovitz – Requesting the County Board to express support of a grant request and commend and support the efforts put forth by Haven House in the reduction of Domestic Violence and sexual assault in Dakota County. Adopt Resolution 12C-001. In order for Haven House Family Services Center, a non-profit corporation, to continue providing services in the area of domestic violence and sexual assault in Northeastern Nebraska including Dakota County in collaboration with the Dakota County Crisis Response Team; Haven House has prepared for submission, a grant request to the Nebraska Crime Commission for funds available under the Violence Against Women Act. Haven House Family Service Center is respectfully requesting that it be resolved that the Board express support of the grant request and commend and support the efforts put forth in the reduction of domestic violence and sexual assault in our county".
Amber Popovitz informed the Board of some statistics from the 2011 calendar year wherein they provided services to 165 community members who were victims of domestic violence and sexual assault in collaboration with the Dakota County Crisis Response Team. This grant gives us $60,000 to work with and without this we would not be able to continue operating in South Sioux City.
Commissioner Gomez moved, seconded by Commissioner McNear to adopt Resolution 12C-001 – Haven House Family Services Center wherein the 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 12C-001

BE IT RESOVED BY THE BOARD OF DAKOTA COUNTY COMMISSIONERS THAT on this 9th day of January 2012 that we the undersigned duly elected commissioners of Dakota County herby 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 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 9th day of January 2012.

/s/ Rick Bousquet
Commissioner

/s/ Scott Love
Commissioner

/s/ Antonio A. Gomez
Commissioner

/s/ Bill B. Rohde
Commissioner

ATTEST:
/s/ Theodore A. Piepho
County Clerk

/s/ Richard McNear
Commissioner

SEAL

ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Miscellaneous Agenda Items. Official's Reports - County Clerk, Clerk of the District Court, Register of Deeds, Veterans Service Officer, County Sheriff and Jail Administrator".
Commissioner Rohde moved, seconded by Commissioner Gomez to approve the Official's Reports submitted by the County Clerk, Clerk of the District Court, Register of Deeds for December, 2011 and the Veterans Service Officer, County Sheriff and Jail Administrator Reports for the calendar year quarter covering October, November and December, 2011. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item "Approve and sign Salary Resolution 12C-002 for County Assessor 2013-2014 term in office. Set the annual salary, cost-of-living adjustment, and benefits".
Commissioner Bousquet stated that this will be an elected office unless some type of legislation comes through that lets the Commissioners appoint this position. It will be an appointed office to begin with and suggests the salary be the same and equal to that of the other elected offices such as the Treasurer and County Clerk and the cost of living and benefits would also be the same except for the union contracts.

Commissioner Gomez moved, seconded by Commissioner Rohde to adopt the Resolution 12C-002 which sets the Assessor's salary, cost-of-living adjustments, and benefits for the 2013-2014 Term, as follows:

BOARD OF COMMISSIONERS
DAKOTA COUNTY, NEBRASKA
RESOLUTION 12C-002
RESOLUTION TO SET SALARY, COST-OF-LIVING ADJUSTMENTS, AND BENEFITS FOR COUNTY ASSESSOR FOR 2013-2014 TERM

WHEREAS, Neb. Rev. Stat. § 23-1114 requires that the salaries of all elected county officers shall be fixed by the county board prior to January 15 of the year in which a general election will be held for the respective offices.

WHEREAS, prior to September 1, 2011, the county board resolved to reassume the assessment function for the fiscal year 2012-2013 pursuant to LB 121 and appointed an individual with a valid assessor's certificate to the position of county assessor beginning July 1, 2012. The appointed assessor shall continue to perform the county assessor's duties until an assessor is elected for the 2013 term.

BE IT THEREFORE RESOLVED that the county board of Dakota County, Nebraska, hereby intends to set the salary of the County Assessor for the appointed term beginning July 1, 2012, and the elected term beginning January 2013.

BE IT FURTHER RESOLVED that the annual salary for the office of County Assessor be established at $46,817.61 for the appointed term beginning July 1, 2012.

BE IT FURTHER RESOLVED that the annual salary for the office of County Assessor be established at $48,222.14 for the calendar year 2013. That for each year thereafter (2014), a three percent (3%) cost-of-living increase shall be added to the previous years' salary.

BE IT FURTHER RESOLVED that in addition to the above salary, the County Assessor shall receive and be a member of the same health and medical group plan as offered to all county employees, which is single coverage.

BE IT FURTHER RESOLVED that in addition to the above salary, the County Assessor shall receive and be a member of the same dental and life insurance group plan as offered to all county employees.

BE IT FURTHER RESOLVED that in addition to the above salary, the County Assessor shall receive and participate in the retirement plan offered to all county employees at the rate set by law.

AND FINALLY BE IT FURTHER RESOLVED that the county reserves the right to enter into any program for the benefit of county employees (including elected officials), such as insurance programs and such other programs as may be approved, with the right of elected officials granted to participate in such programs on the effective date of such programs as approved by the board. It is the intent of the Dakota County Board of Commissioners that participation in such programs shall not constitute an increase in the herein adopted salary but shall be and is part of such salary as adopted and approved by this resolution.

Adopted this 9th day of January, 2012.

/s/ Rick Bousquet
Richard Bousquet
Chair

/s/ Antonio A. Gomez
Antonio Gomez
Commissioner

/s/ Scott Love
Scott Love
Commissioner

/s/ Richard McNear
Richard McNear
Commissioner

/s/ Bill B. Rohde
Bill B. Rohde
Commissioner

/s/ Theodore A. Piepho
ATTEST
Theodore A. Piepho, County Clerk

SEAL

APPROVED AS TO FORM:
/s/ Kim Watson
Kim Watson, County Attorney

ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Approve Salary Resolution 12C-003 for Commissioners if the Board wishes to change the Board's salary from what it is already set".

Commissioner Rohde suggested that because the chair has added responsibilities, reviewing and signing all claims, and other duties it takes a lot of time and I recommend that the $600 per year over commissioner salary that it should be $1200 per year which is an additional $50.00 per month.

Commissioner Rohde moved, seconded by Commissioner Love to approve Resolution 12C-003 with the addition of $1200 per year for the Chair instead of the $600.

County Attorney Kim Watson advised the Board that she sees the problem with the resolution as drafted is the change with the insurance. According to the Attorney General's opinion that is not considered compensation therefore it does not fall under the salary and so that can not be changed during the term of office. Commissioner Bousquet explained that this was to give a Commissioner the option to opt out of county insurance if they are were already covered by another insurance and take the $400 per month instead of the county insurance, but Kim is saying we can not do this. So we need to strike this paragraph from the resolution. Commissioner Bousquet stated that it be further resolved that the Board Chairperson be paid an additional $1200 annual during the term of office of 2013-2014 and strike paragraph #6. Ted Piepho approached the Board and asked that this draft of Resolution 12C-003 be scrapped and suggested that the Board ask the County Attorney to word it as they wished to approve it. Commissioner Bousquet asked County Attorney Kim Watson if the old Resolution could be modified. County Attorney Kim Watson read once salary set for a term of office can not be changed during that term. The only exception is the ability to change the salaries of the Board when a new member is elected; therefore, salaries of County Board Members can be changed every two years. It was decided then that the annual salary can be changed at this time.

Commissioner Rohde moved, seconded by Commissioner Love to approve Resolution 12C-003 setting the salary, cost-of-living adjustments, and benefits for County Commissioners for 2013-2014 striking paragraph 6 and changing the $600 annually to $1200 annually, as follows:

SALARY, COST-OF-LIVING ADJUSTMENTS, BENEFITS
RESOLUTION 12C-003

RESOLUTION TO SET SALARY, COST-OF-LIVING ADJUSTMENTS, AND BENEFITS FOR COUNTY COMMISSIONER FOR 2013-2014

WHEREAS, Section 23-1114 of the Nebraska Revised Statutes 1943 as amended requires that the salaries of all elected officers of the county shall be fixed by the county board prior to January 15 of the year in which a general election will be held for the respective offices.

BE IT THEREFORE RESOLVED that the County Board of Dakota County, Nebraska hereby intends to set the salary of the County Commissioners for the term year beginning January 2013.

BE IT FURTHER RESOLVED that he annual salary for the office of County Commissioners be established at $16,493.16 for the calendar year 2013. That thereafter 2014 a three percent (3%) cost-of-living increase shall be added to the previous year's salary.

$1200
BE IT FURTHER RESOLVED that the Board Chairperson be paid an additional ~~$600~~ annually during the term of the office 2013 and 2014.

BE IT FURTHER RESOLVED that in addition to the above salary, each official shall have the option to receive and be a member of the same health and medical group plan as offered to all county employees, which is single coverage.

~~BE IT FURTHER RESOLVED that In the event that an eligible official elects not to receive county paid health insurance coverage, and provides evidence of coverage with an alternative carrier, he/she will be entitled to receive additional compensation of $400.00 monthly, a portion of the County's cost of such coverage for the employee single coverage only~~.

BE IT FURTHER RESOLVED that in addition to the above salary, each official receive and be a member of the same dental and life insurance group plan as offered to all county employees.

BE IT FURTHER RESOLVED that in addition to the above salary, each official shall receive and participate in the retirement plan offered to all county employees at the rate set by law.

AND FINALLY BE IT FURTHER RESOLVED that the county reserves the right to enter into any program for the benefit of employees of the county (including elected officials), such as insurance programs and such other programs as may be approved, with the right of elected officials granted to participate in such programs on the effective date of such programs as approved by the board. It is the intent of the Dakota County Board of Commissioners that participation in such program shall not constitute an increase in the herein adopted salary, but shall be and is part of such salary as adopted and approved by this resolution.

Adopted this 9th day of January, 2012.

/s/ Richard Bousquet
Richard Bousquet
Chair

/s/ Antonio A. Gomez
Antonio Gomez
Commissioner

/s/ Scott Love
Scott Love
Commissioner

/s/ Richard McNear
Richard McNear
Commissioner

/s/ Bill B. Rohde
Bill B. Rohde
Commissioner

/s/ Theodore A. Piepho
ATTEST
Theodore A. Piepho, County Clerk

SEAL

ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item "Discussion of abandonment of 3rd Avenue off North Shore Drive per request by Russ Albenesius and Scott Love".

Commissioner Love along with Fred Kellogg informed the Board that Mr. Albenesius has a troublesome neighbor that is tearing up the road that he operates on. Fred Kellogg informed the Board that 3rd Avenue is on Dakota County's inventory of roads. We do not have a deed to it so the County can not sell it so that leaves three options. You can vacate the right-of-way and it can revert back to private ownership to the adjacent landowners, which would do him no justification. Or imminent domain which means the County can declare the road that they want to buy it back at market price and sell it. Or abandon it and remain in the public, but that means they would not have access to housing in there. Those are the three options and I suggest that we leave it as is and maybe help him out with some signage and law enforcement or something like that. Commissioner Love asked what signs could be placed. Mr. Kellogg informed No Parking signs could be placed along there. Commissioner Love stated that he was informed that there were a lot of problems with people parking along there and Mr. Albenesius could not get in or out. Mr. Kellogg also informed the Board that the County has not done any maintenance on the road or any snow removal as Mr. Albenesius has been taking care of it. Commission Bousquet commented that if anything was to be done with this road it would have to go to public hearing. Mr. Kellogg stated that it would also have to go through South Sioux City as it is in their zoning. Commissioner Love stated he has spoke with Sheriff Kleinberg to help with this situation.

Commissioner Gomez has also spoken with Mr. Albenesius and advised him to contact law enforcement and ask for their help. Commissioner Bousquet suggested the Road Committee and Sheriff's Department handle this for now.

Chair Bousquet called for the Agenda Item "Commissioner's Committee Reports". Commissioner Rohde reported that there was a SIMPCO Comprehensive meeting on December 28, 2011 and Kristi Quinn met with us and we discussed the need for housing in Dakota County. In the future there may be a need for a Housing Committee for Dakota County. Commissioner Rohde also stated that he feels a County Building Inspector is needed and not sure how we've gotten along without one. Commissioner McNear informed the Board that the only thing the County was to inspect is the footings and then the State Inspector from Norfolk was to come inspect the electrical.

Chair Bousquet called for the Agenda Item "Commissioner's Member Reports" and there were none.

Chair Bousquet called for the Agenda Item "Public Comment".
Sally Reinert informed the Board that February 6, 2012 is the 33rd Annual Governor's Day and the Chamber is in the process of putting together an agenda. One of the things we will be doing is taking to Lincoln the City and the County's priorities. She asked if anyone is working on a list for the County. Commissioner Love and Bousquet advised that there will be a representative at the February 6th meeting.
Kenny Beermann approached the Board and advised that he has concerns regarding County Road 200th street off of Highway 35. He provided pictures of the road and how it has eroded. Mr. Beermann asked that the County Commissioners and Fred Kellogg look into coming up with some options to fix it.

Chair Bousquet called for the Agenda Item "Mail and/or Emergency Business" and there was none.

Chair Bousquet adjourned the meeting at 5:08 p.m.

County Board of Commissioners

_____
Rick Bousquet, Chair Date Chair signed

_____
Cherie Conley, Secretary/Deputy County Clerk Date

DAKOTA COUNTY SEAL NEBRASKA

_____
Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, January 23, 2012
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Rick Bousquet, Chair Cherie Conley, Secretary

Chair Bousquet called their regular scheduled meeting to order at 4:02 p.m. by saying the Pledge of Allegiance. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Bousquet, Love, Rohde, McNear and Gomez and Cherie Conley, Secretary and Deputy County Clerk. Absent were none. Also present was Joan Spencer, Board Assistant.

The agenda for this meeting was as follows:
Meeting was advertised to begin at 4:02 p.m.
This agenda is subject to change up until 24 hours before the start of the meeting.
The Board Chair reserves the right to modify the order of the agenda and to take action on any agenda item.

- Call meeting to Order with Pledge of Allegiance.
  - A current copy of the Open Meetings Act is posted on the east 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 for meeting of January 9, 2012.
- Pat Foust, LEC Director.
  Explain the Starcomm budget.
  State Communications Projects.
- JEO Consulting Group, Inc – Ethan Joy, P.E. or Jerry Ripley.
  - Rural Water Appraisal for Project Area; Dakota County / Thurston County.
    - Update Commissioners as to the scope of the project – Information purposes only.
- Bob Giese to present his Treasurer's Semi-Annual Report.
  Board action will be to acknowledge receipt of and approve the Semi-Annual Report.
- Miscellaneous Agenda Items.
  - NDOR Project Withdrawals – There are two 2003 projects, BRO-7022(15) and BRO-7022(16) that are inactive projects and not on the 5-year Federal-aid program. The State NDOR is requesting that the County voluntarily pass a resolution to withdraw its inactive Federal-aid projects and in return the NDOR will waive all State-incurred expenses relating to these projects.
  - Board to authorize Chairperson to sign Nebraska Crime Commission 2012 State County Aid Juvenile Justice Grant Application being submitted to provide grant dollars for 50% of Caterina Saltzman's salary and benefits as Community Corrections Officer for Juvenile Diversion.
- Board Committee Reports.
- Board Member Reports.
- Public Comment.
- Mail and/or Emergency Business.
- Quarterly Jail Tour.
- Recess: Old Dane Golf Course January 30, 2012 at 6:00 p.m.

Chair Bousquet called for the Agenda Item "Approve Minutes for meeting of January 9, 2012.
Commissioner Gomez moved, seconded by Commissioner Rohde to approve the minutes of the January 9, 2012 Re-Organizational meeting as submitted for record. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Pat Foust, LEC Director. Explain the Starcomm budget and State Communications Projects".
Pat Foust presented to the Board the following information stating that they are waiting for proposals from Motorola to upgrade our Starcomm 800 Megahertz system. It has a remaining life span of maybe 5 years which means that at the end of that period there will be no parts available. Our radio consoles are no longer manufactured so we are going to be looking at replacing those probably in about 5 years and this is something to start thinking about. It will probably take about 3 months to get numbers compiled. Commissioner Rohde asked if there was an escrow account set up for this purpose and Mr. Foust said no, but did inform the Board that the County and the City have been putting a sum of money into a set-a-side or sinking fund five account for major purposes, technology upgrades, and radio upgrades, but as you know, in order to meet budget requirements this year we have had to tap into that. Mr. Foust also stated they get money from the Public Service Commission and other money from various reimbursement types. Mr. Foust reminded the Commissioners of the meetings coming up on the State's Communication Projects on February 7th and 8th in Kearney. Commissioner Gomez asked if anyone from the Board had signed up yet and Mr. Foust said no one from the Board or the City. Mr. Foust informed the Board that the State Communications Projects have about 3 phases of it. There is a Para Cleat system that the State pays for with a 3 year warranty. Ours have been installed now for just over 2 years and we hope to have it up and running some time next month and we will have 8 to 10 months left on the warranty. The second part is the Nebraska Regional Interoperability Network (NRIN) and that is a data network where they use a lot of microwave opts and that is to link the communication centers

across the state with those nearest them. For example, let's say Dixon County goes down due to a tornado then we could pick up their radio traffic through this microwave system. Not sure on the expense of this yet. The third leg of it is called the SRS (State Radio System) for state users such as the Nebraska State Patrol, Game and Parks and the State Fire Marshall's office. Mr. Foust said he would like to invite NIMA and possibly OCIO to a Commissioner's meeting to explain these projects in detail and maybe by that time they will have a better idea of what the costs are going to be.

Chair Bousquet called for the Agenda Item "JEO Consulting Group, Inc – Ethan Joy, P.E. Rural Water Appraisal for Project Area; Dakota County / Thurston County. Update Commissioners as to the scope of the project – Information purposes only".
Mr. Joy informed the Board that this is a study process initiated by the City of South Sioux City to look at a holistic view of the water systems in all of Dakota and Thurston Counties through the Bureau of Reclamation who provided a 100% grant for this project. We are going out and looking at every individual community and rural water system and looking at what the needs are. He stated that the NRD manages the county water systems and they will be contacted. Mr. Joy noted that the biggest thing to know is there is no obligation for the communities. Our timeline is collecting as much data as possible before March, compile a report and then around September hold a series of public meetings across the counties and receive comments from the public and from the Bureau of Reclamation and then return with a final series of meetings in December and present a final report. Commissioner Rohde commented that he was involved with the Dakota County system when it was put in during 1980 and the NRD approached Homer, Hubbard and Jackson to add them onto the system and neither community was interested but he believes the communities would be interest now. Mr. Joy informed that the overall time-frame for this process could take 10 years and depends on funding.

Chair Bousquet called for the Agenda Item "Bob Giese to present his Treasurer's Semi-Annual Report. The Board to acknowledge receipt of and approve the Semi-Annual Report".
Mr. Giese provided each Commissioner with a copy of the report.
Commissioner Gomez moved, seconded by Commissioner McNear to approve the Dakota County Treasurer's Semi-Annual Treasurer's Statement for July 1, 2011 to December 31, 2011 as submitted.
ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "NDOR Project Withdrawals – There are two 2003 projects, BRO-7022(15) and BRO-7022(16) that are inactive projects and not on the 5-year Federal-aid program. The State NDOR is requesting that the County voluntarily pass a resolution to withdraw its inactive Federal-aid projects and in return the NDOR will waive all State-incurred expenses relating to these projects".
Fred Kellogg informed the Board that these 2 projects are due to the Federal buy-out and they have been inactive for five years. One is Rosie Puruckers right-of-way problem and the other is the Martineck bridge waiting for the Pigeon Creek project. If the County agrees to approve the resolution the State will waive all State-incurred expenses relating to those projects.
Commissioner Rohde moved, seconded by Commissioner Love to approve the Chair to sign Resolution 12C-004 Withdrawal of Nebraska Department of Roads Projects BRO-7022(15) and BRO-722(16) from the Federal-aid list.

RESOLUTION 12C-004

Whereas: Certain transportation facilities in Dakota County, Nebraska, have been designated as being eligible for Federal-Aid transportation funds by the State of Nebraska, Department of roads (NDOR) in compliance with Federal laws pertaining thereto; and

Whereas: Dakota County has previously entered into Agreements (Programs) with NDOR, for said Federal-Aid transportation funds for improvements on these transportation facilities; and

Whereas: These projects are not included in NDOR's current long-range plan of projects; and

Whereas: The State of Nebraska, Department of Roads, recommends that Dakota county withdraw these projects and cancel all agreements pertaining to such projects; and

Whereas: The State of Nebraska agrees to not seek reimbursement of State costs incurred on such projects.

Be it Resolved: That Dakota County is hereby requesting that the Nebraska Department of Roads withdraw the following projects from the Federal-Aid list. Those projects are described as:

Control #	Project Number	Project Name
31745	BRO-7022(15)	Hubbard Northeast
31746	BRO-7022(16)	Hubbard Southwest

Adopted this 23rd day of January, 2012, at the Board of Commissioners meeting by Board of County Commissioners of Dakota County, Nebraska.

/s/ Rick Bousquet
Chairman

Attest:

/s/ Theodore A. Piepho
County Clerk

SEAL

Board Member Bill Rohde
Moved the adoption of said Resolution
Roll Call: 5 Yes 0 Nay
Resolution adopted, signed and billed as adopted.

Approved as to Form: */s/ Kim Watson*
Kim Watson, County Attorney

ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Board to authorize Chairperson to sign the Nebraska Crime Commission 2012 State County Aid Juvenile Justice Grant Application being submitted to provide grant dollars for 50% of Caterina Saltzman's salary and benefits as Community Corrections Officer for Juvenile Diversion."
Terry Kern advised the Board that this is an annual grant and continues funding for another year. Commissioner Love stated he thought we had already gone over this previously.
Commissioner Rohde moved, seconded by Commissioner McNear to authorize the Chairperson to sign the Nebraska Crime Commission 2012 State-County Aid Juvenile Justice Grant Application submitted to provide grant dollars of 50% of Caterina Saltzman's salary and benefits as Community Corrections Officer for the Juvenile Division. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called to the attention of the Board that the approval of Payroll and Accounts Payable was inadvertently left off the Agenda and expressed the need to approve and pay these people. Commissioner Bousquet informed the Board that he had gone through the payroll claims and pointed out to the Board members that there are some elected officials making $46,000 per year and then we have the Sheriff's department and he has his guys at $50,000. We just had one go through at a 3% increase and it brings the Sheriff deputy within $515 difference of the Sheriff. Commissioner Bousquet stated that Tim Decker, Randy Walsh, and Doug Johnson are all within $500 to $1000 of the Sheriff and that there are other elected officials at $46,000. He also commented that if he were one of the elected officials making $46,000 that he wouldn't work here. Commissioner Bousquet asked the Board to think about what we need to do here and he commented that in the County Attorney's office there is almost a $9000 difference between the County Attorney and the Chief Deputy which is about right. Commissioner Love asked what needs to be done to discuss these issues. Commissioner Bousquet said that it needs to be studied and talked about to make these salaries right. Commissioner Rohde said this needs to be done before we start budgets for the next year in May. Commissioner Bousquet stated that we are in a unique County as we have Sioux City so we have their problems and our problems and the County Attorney's office has quite a load and now we have other things coming like the expansion at Tyson, the Hyperion projects so more problems are coming. Commissioner Gomez said that the commissioner's have some homework to do and check into this. Commissioner Rohde commented that by the time the Deputies add in their overtime it bumps them right at or above the Sheriff. Commissioner Bousquet stated to the Board that since he is the one going through the claims that he has an obligation to point these things out to the Board members. Commissioner McNear commented that a while back that someone was put in at 15% below the elected official salary. Joan Spencer informed the Board that she can print-out what everyone is making as she has it in an Excel file and she stated that there is a NACO Salary study but not sure if it is done every year, but she does have the most recent one and will provide that.
Commissioner Love moved, seconded by Commissioner McNear to approve the payroll claims as submitted by the County Clerk's office.
COUNTY GENERAL FUND: Gross salaries- $133,913.65, General Fund Employees Net Pay- $95,950.90, Employer deductions paid: Retirement- $9,350.25, FICA- $8,063.06, Medicare- $1,885.74, DC Health Plan- $22,750.00, DC Dental Plan- $988.26 and Life Insurance- $202.62.
Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1406.08, Daniel Christoffers- 602.00, Cherie Conley- 1230.77, Theodore Piepho- 1800.68, Mary C. Wiltgen- 1013.60, Kathy A. Abbe – 792.00, Marisol Curiel- 1014.40, Darlene Davis- 1000.00, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $860.00, Daniel Christoffers- 602.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 163.68, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1581.67, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 1017.38, Sergio Castillo- 1593.60, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 2138.68, Michael Estes- 1663.32, Brent Gilster- 2069.42, Todd Hammer- 2125.10, Richard Hansen- 1854.73, Melvin Harrison III- 2044.40, Jason James- 1876.58, Douglas Johnson- 1903.85, Kimberly Johnson- 506.22, Jared Junge- 2044.40, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1979.44, Michael Kreegar- 1979.43, Gayle Richards- 941.60, Kevin Rohde- 1993.42, Randall Walsh- 1903.85, Bridget Fiedler- 984.00, Kerry Johnson- 960.00, Sara Niles- 1884.62, Peter Parry- 1807.69, Debra Schmiedt- 2554.57, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Caterina Saltzman- 1267.13, Jacob Acero- 1677.66, Ermelinda Ballesteros- 1581.23, Mason Billings- 1420.48, Joshua Blatchford- 1393.06, Rebecca Broer- 1587.30, Judy Case- 1188.00, Elisabet DeRoin- 1366.24, Sandy Dickens- 805.40, Jesse Doelle- 1059.20, Marjorie Donahue- 1637.57, Lisa Ford- 1520.97, Ryan Foster- 1420.48, Linda Frost- 882.40, Alma Gunderson- 1546.56, Deanna Haukap- 1518.96, Jeffrey Heitzman- 1476.00, Adam Hough- 1494.18, Michael Jacobson- 1420.48, Brett Johnson- 1332.80, Brenda Kelly- 1356.80, Terry Kern- 2030.29, Keith Klein- 1276.00, James Kleinberg- 1420.48, Paul Moser- 1366.24, Mark Nelson- 1476.66, Travis Olander- 1333.18, Kimberly Peterson- 1472.00, Cody Roeber- 1420.48, Jutharatana Ruenprom- 1494.18, Timothy Ryan- 1111.68, Linda Schovanec- 1396.80, Jennifer Svendsen- 1525.75, Francis Tope- 1532.72, Jewel Williams- 1604.17, Cara Wood- 1524.00, Jolene Gubbels- 1091.20, Fred Kellogg-

201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 775.45, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $13,496.23, State- $4,713.67, FICA- $5,462.12, Medicare- $1,885.74, Retirement- $6,337.18, Health Plan- $1,850.00, DC Dental Plan- $504.00, Sheriff Union Dues- $435.00, Deferred Comp- $332.00, Garnishments- $1,275.12, Aflac Health- $490.80, Aflac Life/Dsbl- $161.90 and Flex Plan Medical- $731.49, Flex Plan Dependant Care- $287.50.
COUNTY ROAD PAYROLL: Gross salaries- $15,601.56, Road Employees Net Pay- $11,059.21, Employer deductions paid: Retirement- $1,053.08, DC Health Plan- $2750.00, DC Dental Plan- $119.46, Life Insurance- $23.07, FICA- $928.19, and Medicare- $217.08.
Matthew Bartels- 1314.40, Brent Byroad- 1398.40, Robert Hacker- 1314.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40, Matthew Roost- 1234.40.
ROAD FUND: Employee withholding paid to: Federal- $1,380.74, State- $483.29, FICA- $628.74, Medicare- $217.08, Retirement- $702.09, Health Plan- $350.00, DC Dental Plan- $84.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $281.55, Aflac Health- $91.75, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $105.00 and Union Dues- $140.00.
ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet stated the accounts payable claims all looked ok and asked for a motion.
Commissioner Rohde moved, seconded by Commissioner Gomez to approve the Accounts Payable claims as submitted by the County Clerk's office.
GENERAL FUND: Dakota County Star, publishing – 365.67; Gretchen Hirschbach, prior yrs serv – 69.24; NACO, handbook – 122.00; Perkins, supplies – 17.70; Daniel Rohde, prior yrs serv – 23.08; SSC Area Chamber, Gomez Governor's Day – 40.00; US Bank, meals/lodging – 442.48; Dakota County Star, publishing – 50.40; Eloise Gormally, prior yrs serv – 103.86; Microfilm Imaging systems, scanner – 440.00; Midwest Office Automation, printer repair – 110.00; Ted Piepho, cell phone – 30.00; US Bank, website costs – 98.95; Charlotte Doenhoeffer, prior yrs serv - 10.00; Robert Giese, mileage – 106.56; Ruth Jensen, prior yrs serv - 12.00; Mardell Sorensen, prior yrs serv – 26.00; Irene Van Lent, prior yrs serv – 16.00; AS Central Services, computer serv – 115.00; Des Moines Stamp, stamp – 30.70; Dugan Business Forms, laser receipts – 748.62; Pacific City Graphics, envelopes – 245.92; Staples, supplies – 107.75; Terra Scan Inc, Orion/Terra transfer – 3500.00; Robert H. Giese, prior yrs serv – 92.32; Ruth Gillaspie, prior yrs serv – 69.24; Deb Benton, mileage – 26.64; Microfilm Imaging, rent- 240.00; Margie Rahn, prior yrs serv -12.00; Perkins, supplies- 19.97; Mark Dorcey, prior yrs serv – 46.16; Des Moines Stamp, stamp – 71.75; Dept of Rev-Property Assessment, 2nd qrtr pymt – 40,403.48; Dakota City Postmaster, stamps – 74.40; Shelly Hodges, translation – 1300.00; Perkins, supplies – 269.90; Dakota Business Systems, qrtr copier rental – 102.00; Jolene Gubbels, minutes – 30.00; Paul Ireland, mtg reimbursement – 23.33; Jim Jepsen, mtg reimbursement – 16.11; Tom Lynch, mtg reimbursement – 19.44; Dick McCabe, mtg reimbursement – 29.43; Arnie Mellick, phone reimbursement – 30.00; Marlan Millard, mtg reimbursement – 18.89; Harold Moes, mtg reimbursement – 22.77; Joe O'Neill, mtg reimbursement – 18.89; Martin Rohde, mtg reimbursement – 23.88; District Court, reimbursement for checks – 230.39; Executive Technologies, copier contract – 223.67; MIPS, scanning – 86.00; US Bank, lodging – 269.85; AS Central Services, supplies – 133.40; Data Source Technology, toner – 290.00; Des Moines Stamp Co, stamp supplies – 27.50; Paula Jensen, reimbursement – 9.94; Marlin Business Bank, copier contract – 100.00; Microfilm Imaging, scanning – 190.50; New Perspectives, shredding – 24.00' Secretary of State, microfilm – 178.31; US Bank, NCRA dues – 250.00; Abshir Abdi, interpreter – 50.00; Zachary Gerth, reimburse CLE fees – 178.00; John Loos Jr, mileage – 215.89; Perkins, supplies – 171.76; Dakota County Court, court costs – 1075.75; District Court, court costs – 1426.00; Dakota County Sheriff, serving papers – 886.97; Alexander Esteves, atty fees – 982.50; JS Wurm & Associates, atty fees – 132.28; Kueny & Begley Law offices, atty fees – 24.00; Ian McConeghey of Corbett, atty fees – 182.25; Security Shredding, sthredding – 35.00; Richard Thramer, atty fees – 198.88; Patrick Tott, atty fees – 1671.00; Veronica Ysquierdo, witness fees – 22.77; ATeam Heating & Cooling, repairs – 362.13; Barone Security Systems, Inspection fees – 981.96; Bomgaars, bldg supplies – 87.85; Bunkers Feed & Supply, softener salt, 60.50; Dakota City, utilities – 480.25; Klemmett Dean, prior yrs serv – 84.00; Gill Hauling, dumpster serv – 120.00; Joes Dept Store, supplies – 325.93; Menards, building supplies – 662.72; Midamerican Energy, utilities – 836.00; NPPD, utilities – 1728.22; Richard Jensen, mileage – 61.44; Robertson Imp, equip repair – 111.50; Sams Club, supplies – 283.53; Trembly Pest Control, chemicals – 50.00; Verizon Wireless, phone – 53.77; Patricia Stingley, prior yrs serv – 103.86; Papio-Missouri River NRD, rent – 833.33; UNL Extension, reimburse – 1397.26; Kerry Bligh, animal control – 50.00; City of SSC, Sheriff office fuel – 5206.94; Graham Tire, tires – 608.08; Jacks Uniforms Equip, equipment/clothing – 296.30; Moore Wallace, hand gun applications and uniform citations – 344.16191.51; O'Reilly Automotive, oil – 56.93; Ray Allen Manufacturing, supplies – 430.80; Sam's Club, supplies – 69.57; Staples, supplies – 35.55; US Bank, operating supplies – 261.95; Verizon, phone – 430.36; Cartridge World, ink cartridges – 98.97; H204U, water – 28.50; Iowa Office Supply, copier contract – 130.97; New Perspectives Inc, shredding – 81.00; Peter Parry, phone – 20.00; Quill, supplies – 5.39; Secretary of State, certified copies – 20.00; US Bank, supplies/photos – 63.00; Verizon, phone – 135.14; City of SSC, LEC share costs – 32,258.73; BI Inc, electronic monitoring – 776.08; Redwood Biotech, lab/supplies – 80.00; Verizon, phone – 89.72; AmSan LLC, supplies – 2613.65; Aramark, rug service – 84.14; Associated Fire Protection, Semi Annual Inspection – 800.00; CBM Food Service, food – 18,694.14; Cash-Wa Distributing, supplies – 165.96; City of Dakota City, water/sewer – 1,199.74; City of SSC, fuel – 311.77; Dakota County Sheriff, fuel/meals – 150.00; Dakota Family Dentistry, services – 191.00; Dakota One Leasing, copier contract – 220.00; Foulk Brothers Plumbing & Heating, repairs – 113.75; Gill Hauling Inc, dumpster – 120.00; Grainger, supplies – 368.70; Helget Safety Supply, gloves – 752.73; Joe's Dept Store, supplies – 78.71; Kleen Solutions, chemicals – 79.95; McArthur Sheet Metal Works, metal plate – 126.24; Mercy Business Health, services – 1500.00; Mercy Medical Center, services – 826.05; Midamerican Energy Co, utilities – 1850.02; Midwest Office

Automations, copier contract – 158.71; N.E. NE Juvenile Services, inmates – 743.75; NPPD, utilities – 2218.86; NW Iowa Emergency, services – 750.00; Nebraska U.C. Fund, unemployment – 7799.93; Trembly Termite & Pest Control, chemicals – 55.00; US Bank, supplies/meds – 4051.43; Verizon, phone – 222.89; Woodbury Co Juvenile Detention, inmates – 5,100.00; Dodge County Clerk, probation 2nd qrt – 12,667.80; Staples, office supplies – 82.78; US Bank, meals – 24.55; Verizon, phone – 61.17; Advance Auto Parts, parts/oil – 58.73; AZ Inc, fuel – 358.00; FIMCO, sprayer parts – 452.46; Heritage Express-Emerson, fuel – 22.00; NE Weed Control, conference fees – 85.00; Leon Pies, cell reimbursement – 30.00; RC Customos, sprayer repair – 126.93; Staples, office supplies – 72.28; US Bank, meals – 20.31; Jan Brown, prior yrs serv – 23.08; Dakota County Star, publishing – 60.90; Pam DeVries, mileage – 58.83; Gloria Dwyer, prior yrs serv – 11.54; Dr. Thomas Wente, services – 250.00; Bill Johnston, mileage – 277.05; R Warren Johnston, prior yrs serv – 11.54; Midwest Office Automations, office supplies/contract – 448.05; US Bank, lodging/meals – 365.38; Thomson West, law books – 711.10; Shirley Bentz, prior yrs serv – 92.32; Cable One, services – 169.96; City of So Sioux City, storm water grant – 8763.00; Claritus, postage ink – 140.91; Cherie Conley, YMCA reimburse – 19.50; Dakota City Postmaster, presort mail fee – 190.00; FiberComm, phone – 1188.36; Five Star Awards, plaque – 57.00; FSH Communications, payphone – 63.60; IBM Corp, AS/400 maintenance – 225.00; IBM Corp, Power 520 Express contract – 1528.68; MailFinance, postage machine – 227.00; Mercy Business Health Services, EAP agreement – 240.75; MIPS, payroll/claims/budget support – 424.62; NetSys+, router/websites repair – 480.00; Norm Waitt Sr YMCA, member fees – 234.00; Betty O'Neill, prior yrs serv – 46.16; Old Dane, hall rental – 200.00; Region IV Mental Health, qrtly fees – 5320.25; Madelyn Thorsland, prior yrs serv – 10.00; Three Rivers Benefit, flex plan fees – 110.00; US Postal Service, postage – 2500.00; Randy Walsh, YMCA reimburse – 19.50.
ROAD FUND: Adcraft**,** signs – 200.00; Aramark, service- 326.54; AZ Inc, fuel- 478.01; Matt Bartels, phone – 30.00; Bomgaars, supplies – 169.57; Calvillo Electric, repairs – 780.00; City of SSC, salt – 2113.65; Dakota County Star, publishing- 56.54; Electronic Engineering, gps- 900.00; Fastenal, supplies- 218.73; Gill Hauling, dumpster- 55.00; Walter Heinemann, prior yrs serv- 29.00; Hubbard Minimart, fuel- 1364.03; H2O4U, service- 8.50; Industrial tools & Machinery, supplies – 59.37; J & J's Pronto, fuel – 68.52; Joes Dept Store, supplies/tools- 721.21; Kimball Midwest, shop supplies – 112.22; Kinetic Leasing, loader/interest- 2458.00; LG Everist, gravel- 729.50; Matheson Linweld, oxy- 89.08; Richard McNear, prior yrs serv – 57.70; Midwest Service & Sales, signs/culvert- 2326.74; Midwest Wheel, parts/supplies- 107.82; Marlan Millard, prior yrs serv- 15.00; Nebraska Public Power Dist, utilities- 30.82; NE Nebraska Public Power District, utilities- 339.61; NE Nebraska Telephone, phone- 228.79; Pomps, tires- 135.00; Power Plan, parts/supplies- 167.20; Rees Mack Sales, parts- 92.25; Robertson Imp, parts – 136.24; Willis Roeber, prior yrs serv – 69.24; Salmon Well Co, repairs – 458.44; Sapp Bros Petroleum, propane- 4034.94; Siouxland Hydraulics, supplies- 111.98; Stephan Welding, repairs – 196.50; Thermo King, supplies- 241.80; Thurston County, storage- 200.00; US Bank, parts – 21.40; UECO, pipe- 231.60; Verizon, phone- 34.01; Warren Oil, fuel- 7588.70; Zieglers, parts/labor/supplies- 2177.62.
VISITOR PROMOTION: So Sioux City Chamber, lodging tax – 9399.76.
POOR RELIEF: Becker-Hunt Funeral Home, Blunk burial – 1050.00.
INSTITUTIONS: Beatrice State Dev Center, 3 month pymt – 531.00; Lincoln Regional Center, 3 month pymt – 273.00.
VETERANS AID: CVSO, checking – 4500.00.
HEALTH PLANNING GRANT: AT&T, phone- 64.83; Deanna Beckman, hours – 1258.00; Pam Devries, mileage- 72.15.
INHERITANCE TAX: Erma Murphy Estate, refund – 85.76.
PUBLIC SAFETY: City of South Sioux City, sales tax- 2992.62; Jail Bond Fund, sales tax- 27376.00; Road Fund, sales tax- 740.48.
JAIL BOND: Fremont National Bank, annual serv fee – 450.00.
E911: City of So Sioux City, 911 monies – 13,712.91.
ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet – Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item "Commissioner's Board Reports" and Commissioner McNear informed he attended a R C & D meeting in Lyons. The committee is looking for a place to meet in Lyons and they are looking for a secretary who would make $11.00 an hour for approximately 12 hours per week and that they are looking into grants. Commissioner Gomez informed the Board that he attended a Planning and Zoning meeting and they discussed the need for a public hearing regarding FEMA Flood Maps. Commissioner Love stated that the Road Committee met and that he and Fred Kellogg checked into the Beermann road issue and they didn't see or understand what Mr. Beermann was referring to as the road seems to be in good repair at the moment. It is borderline being a regular road and not a minimum maintenance road and that a bus goes up and down it everyday. Mr. Beermann is gone for a few months and he will talk to him when he gets back. Commissioner McNear informed the Board that he had told Mr. Beermann to call the Road Department if it needed maintained and that the road would not be closed. Commissioner Rohde informed the Board that there will be a SIMPCO meeting on Wednesday, January 25th at 4:30 p.m. to discuss land use.

Chair Bousquet called for the Agenda Item "Commissioner's Member Reports" and there were none.

Chair Bousquet called for the Agenda Item "Public Comment". Dennis Reinhart approached the Board and stated his name and address of 729 200th Street. He went on to comment that he wanted to address the Board on the maintenance on the county roads or the lack of maintenance on the county roads would be more in order. Mr. Reinhart stated that he had 3 suggestions to the Board that wouldn't cost the County anything. Mr. Reinhart mentioned the condition of G Avenue, 200th Street, 225th Street and stated that the washboards are terrible and believes there is no excuse for this. Mr. Reinhart suggested that the Board communicate better to the Road Department and that all 5 Commissioner's sit down together to discuss and address the roads. Mr. Reinhart suggested that when the budgets come

out that the Board allocate a few thousand dollars for yourselves so on Friday's when you get that phone call and the Road Department guys are not there you can call and tell them to get out there and take care of this. Mr. Reinhart stated that those are 2 suggestions that wouldn't cost any more. He commented that Bryce Anderson and Tim Heikes use semis and big tanker trucks on these high use roads and he feels they should be maintained at least once a week if not twice a week. Commissioner Love made some comments on receiving phone calls and the procedure he follows. Mr. Reinhart requested a letter or notification from the Board on what they have decided on the road department and road problems. Mr. Reinhart stated he didn't mean for this to be personal to Fred or anybody he just wanted to make the Commissioner's understand that the way it's been done has been done this way a long time and it's not getting any better. Commissioner Bousquet informed Mr. Reinhart that he and the Commissioners will get together and brainstorm and figure out what needs to be done. Commissioner Bousquet informed that if more than 2 Commissioners get together it is a quorum so it will be 2 Commissioners or a session.

Chair Bousquet called for the Agenda Item "Mail and/or Emergency Business" and there was none.

Chair Bousquet called for the Agenda Item "Quarterly Jail Tour". Chair Bousquet stated he was going to stay back to finish signing documents and that Terry Kern would be conducting the Quarterly Jail Tour and asked that Vice-Chair Bill Rohde recess the meeting to Old Dane Golf Course for the 35th Annual Joint City/County/School Meeting on January 30, 2012 at 6:00 p.m. when finished with the jail tour.

Commissioner Rohde recessed the meeting of January 23, 2012 at 5:10 p.m. to the Old Dane Golf Course for the 35th Annual Joint City/County/School Meeting on January 30, 2012 at 6:00 p.m.

DAKOTA COUNTY SEAL NEBRASKA

County Board of Commissioners

_____

Rick Bousquet, Chair Date Chair signed

_____

Cherie A. Conley, Deputy County Clerk/Secretary Date

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, January 23, 2012
Dakota County Courthouse
County Board Basement Meeting Room
Reconvened @ the Old Dane Golf Course on January 30, 2012.
35th ANNUAL JOINT CITY/COUNTY/SCHOOL MEETING
Dakota City, NE 68731

Chair Bousquet reconvened their regular scheduled meeting of January 23, 2012 to order at the Old Dane Golf Course on January 30, 2012 at 6:05 p.m. by all individuals present saying the Pledge of Allegiance.

Roll Call was taken and present were Commissioners Bousquet, Love, Rohde, McNear, Gomez and Ted Piepho, Secretary and County Clerk. Absent were none.

The agenda was as follows:

- Reconvene: Old Dane Golf Course on January 30, 2012 at 6:00 p.m.
  35th ANNUAL JOINT CITY/COUNTY/SCHOOL MEETING
  January 30, 2012 at the Old Dane Golf Clubhouse
  466 Hwy 35, Dakota City NE 68731
  Master of Ceremonies: Rick Bousquet

5:00 p.m. Social Hour

6:00 p.m. Reconvene County Board of Commissioners Meeting and Welcome
Dakota County Board Chair, Rick Bousquet
Pledge of Allegiance
Acknowledgment of Boards to open their meetings and Roll Calls
Invocation – Arlen Kuehn
Dinner - 2011 Missouri River Flood Video will be shown during dinner.

Addresses

- State of Dakota County – Board Chair Rick Bousquet
- State of Dakota City - Mayor James Roberts
- State of South Sioux City - Mayor William McLarty
- State of South Sioux City Schools - School Board President Marcia Mahon
- Comments by other Public Bodies

Presentation of Volunteer Service Award

Partnership Updates

- Cooperative effort during the Missouri Flood event between the cities, school and county – Lance Hedquist
- Economic Development in Dakota County – Dan McNamara
- School Development Plans – Vern Fisher
- Papio-Missouri River NRD – Pigeon/Jones Creek Site 15 Hubbard Recreation area progress report – Lowell Roeber
- Sales Tax Correctional Facility Bond update – Nanci Walsh and Joan Spencer
- College Center update – Pam Miller

Doug Garwood – Litter Reduction Plan
Tony Christiansen - Bicycle Pedestrian Path – Atokad Park area

Adjourn with South Sioux City Schools hosting the 36th Annual Joint Meeting in 2013.

Except for Dr. Vern Fischer standing in for Marcia Mahon to give the State of the South Sioux City Schools address, the agenda was followed by the speakers providing information given to everyone in attendance and no action taken.

Commissioner Love moved, seconded by Commissioner Gomez to adjourn their meeting.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED. 7:58 p.m.

DAKOTA COUNTY SEAL NEBRASKA

County Board of Commissioners

_____
Rick Bousquet, Chair Date Chair signed

_____
Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, February 6, 2012
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Rick Bousquet, Chair Theodore A. Piepho, Secretary

Chair Bousquet called their regular scheduled meeting to order at 4:12 p.m. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Bousquet, Love, Rohde, and McNear and Cherie Conley, Deputy County Clerk/Secretary. Absent was Commissioner Gomez. Also present were Joan Spencer, Board Assistant and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
This meeting was advertised to begin at 4:02 p.m.
This agenda is subject to change up until 24 hours before the start of the meeting.
The Board Chair reserves the right to modify the order of the agenda during the meeting.
The Board reserves the right to call for action on any agenda item.

- Open the meeting by calling the meeting to order.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call.
  - Approve the minutes of the previous meeting.
- Terry Kern, Jail Administrator.
  - CBM Food Contract Renewal - CBM is the Company that provides food services for our inmate population in the jail. The County Board will consider a 2.9% increase to last year's contract for CBM to furnish meals this year. Affirmative action is expected on the amendment to said contract.
- Wayne Nelson - Stastny with the US Fish & Wildlife Service
  - Provide information and an opportunity for questions regarding the Niobrara Confluence and Ponca Bluffs Land Protection and Planning in Nebraska and South Dakota. The U.S. Fish and Wildlife Service (FWS) and National Park Service (NPS) are assessing the potential for increased conservation efforts in cooperation with local communities and willing landowners. The study areas for the proposed project are along the Missouri River—an important natural resource in the United States—in northeastern Nebraska and southeastern South Dakota. Over the next several years, the FWS and the NPS will jointly develop land protection plans for the Ponca Bluffs river segment and the Niobrara confluence river segment. This process is open to the public, and we welcome your comments.
- Fred Kellogg - Highway Supt. seeking Board approval to purchase culverts and road maintenance supplies between 5,000 and 20,000 dollars at an Auction in Tekamah, Nebraska.

  Miscellaneous Agenda Items
  - Officials Reports
  - Approve Payroll Claims
  - Approve Accounts Payable Claims affiliated with payroll and any others filed previous to 8:00 a.m. Friday. County and District Court Jury Fees.
  - Board to appoint and/or re-appoint Planning & Zoning Members on the Planning and Zoning Board for the geographical areas of rural Willis, Village of Emerson and rural Hubbard to 3 year terms 2012 to 2014.
- Commissioner's Committee Reports
- Commissioner's Member Reports
- Mail and/or Emergency Business
- Public Comment
- Adjournment

Commissioner Rohde moved, seconded by Commissioner Love to excuse Commissioner Gomez as he is attending Governor's Day in Lincoln, NE. ROLL CALL VOTE: Bousquet- Yea, Love – Yea, Rohde, - Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item "Approve minutes of the January 23, 2012 meeting". Commissioner Love moved, seconded by Commissioner McNear to approve the minutes of the January 23, 2012 meeting as typed and prepared for the Official Record. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Terry Kern, Jail Administrator, CBM Food Contract Renewal". Commissioner Bousquet stated on the record that during the Board of Corrections meeting held just prior to this meeting that Terry Kern presented this agenda item to the Board and they had gone over the CBM Food Contract wherein the Board of Corrections had approved, voted on and passed the CBM Food Contract with the 2.9% increase for meals.

Commissioner Rohde moved, seconded by Love to approve the CBM Food Contract Renewal agreement with the 2.9% increase for meals and authorize the Chair to sign said contract. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Bousquet – Yea, Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Wayne Nelson-Stastny with the US Fish & Wildlife Service." Mr. Nelson-Stastny provided information on the Niobrara Confluence and Ponca Bluffs Land

Protection and Planning in Nebraska and South Dakota. He advised that the U.S. Fish and Wildlife Service (FWS) and National Park Service (NPS) are assessing the potential for increased conservation efforts in cooperation with local communities and willing landowners. The study areas for the proposed project are along the Missouri River—an important natural resource in the United States—in northeastern Nebraska and southeastern South Dakota. Over the next several years, the FWS and the NPS will jointly develop land protection plans for the Ponca Bluffs river segment and the Niobrara confluence river segment from the Yankton Dam to the Sioux City area.

Chair Bousquet called for the Agenda Item "Fred Kellogg - Highway Supt. seeking Board approval to purchase culverts and road maintenance supplies between 5,000 and 20,000 dollars at an Auction in Tekamah, Nebraska". Fred Kellogg advised the Board that there are some surplus culverts at an auction in Tekamah and can be purchased at a much reduced price than a new one. Mr. Kellogg assured the Board that any surplus supplies purchased would definitely be able to be used by the Road Department.

Commissioner Rohde moved, seconded by Commissioner Love to authorize Fred Kellogg to go to the auction and purchase culverts and/or other supplies with a spending limit of up to $20,000. ROLL CALL VOTE: McNear – Yea, Bousquet – Yea, Love – Yea and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Official Reports." Commissioner Bousquet advised that Official reports had been received from the County Clerk, Register of Deeds, Clerk of District Court, and the Quarterly Report of the Veterans Service Office for October, November and December, 2011.

Commissioner Love moved, seconded by Commissioner McNear to approve the Chair to sign the January ,2012 Official reports as submitted by the County Clerk, Register of Deeds, Clerk of District Court, and the Quarterly Report of the Veterans Service Office for October, November and December, 2011. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Payroll Claims". Chair Bousquet stated that he had gone through the claims and as he had stated in the past he noted he would inform the Board of anything he felt the Board should be made aware of. Chair Bousquet pointed out that a salary increase for Deb Schmiedt, Deputy County Attorney, of 4.26% was submitted which moved her salary from $66,418.72 to $69,250.00 and he stated he feels that is a pretty good increase. He said the budget increase was 3% which would be $68,411.28 and he wanted to point that out. Commissioner Rohde asked County Attorney, Kim Watson, if Ms. Schmiedt would be happy with 3% and Ms. Watson responded by saying right now it is just a claim so you would either approve it or deny it and you wouldn't be able to set it unless it was on the agenda. Commissioner Love said so basically we can not negotiate a percentage right now? Kim answered no, but just so you know Sarah's last one was 4.26% and Peter's was 4.44%. Commissioner Rohde stated that he just knows we are going to get hammered again at budget time and would like to see, too late for this year, but overall 2% or 3% whatever our raises are I'd like to see them stay consistent across the board. Kim Watson said that is actually within what is budgeted for her raise, because what I've got, she didn't get a raise until now so there is still 7 months back that she is not getting anything for. Commissioner Love asked if her last raise was in January and Kim confirmed that. Commissioner Bousquet stated he has the same concerns that Commissioner Rohde has. He said our lid is at $.45 and we are at $.44999 right up against our lid and we are either going to have to come against budget cuts and layoffs so we need to be mindful of our tax dollars and where we are spending them so people can keep their jobs. Commissioner Rohde commented that last year was tough putting the budget together and can only imagine it is going to be tougher this year with the Assessor's office coming back. With that in mind we will recommend next year to keep them within what other employees receive. Commissioner Bousquet stated that at one point in time wages were frozen several years back and there were no rate increases. Commissioner Love stated that maybe this year they need to slaver the flavor because it might not be happening soon. Commissioner McNear stated he would like to see raises stay in a range with a cost of living and stay in that area. Commissioner Love stated that the cost of living will always be going up. Commissioner Bousquet stated that on the State level Governor Heinemann has made some cuts in payroll and stuff like that too for the State workers. Commissioner Rohde recommended that we approve payroll and tighten our budgets next year.

Commissioner Rohde moved, seconded by Commissioner Love to approve payroll as submitted to the County Clerk's office.

COUNTY GENERAL FUND: Gross salaries- $134,055.97, General Fund Employees Net Pay- $95,906.07, Employer deductions paid: Retirement- $9,338.69, FICA- $8,080.41, Medicare- $1,889.78, DC Health Plan- $23,000.00, DC Dental Plan- $999.12 and Life Insurance- $204.86, Principal Mutual Life Insurance- 1,186.47. Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1406.08, Daniel Christoffers- 602.00, Cherie Conley- 1230.77, Theodore Piepho- 1800.68, Mary C. Wiltgen- 1018.35, Kathy A. Abbe – 880.00, Marisol Curiel- 1014.40, Darlene Davis- 1000.00, Stephanie Gatzemeyer- 813.60, Robert Giese- 1800.68, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $860.00, Daniel Christoffers- 602.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 163.68, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1638.85, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 963.20, Sergio Castillo- 1603.56, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 2215.31, Michael Estes- 1892.40, Brent Gilster- 1693.60, Todd Hammer- 1850.72, Richard Hansen- 1568.97, Melvin Harrison III- 1883.00, Jason James- 1635.71, Douglas Johnson- 1903.85, Kimberly Johnson- 514.80, Jared Junge- 1527.92, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1746.53, Michael Kreegar- 1693.60, Gayle Richards- 941.60, Kevin Rohde- 1929.46, Randall Walsh- 1903.85, Bridget Fiedler- 971.70, Kerry Johnson- 960.00, Sara Niles- 1884.62, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Caterina Saltzman- 1267.13, Jacob Acero- 1424.32, Ermelinda Ballesteros- 1386.93, Mason Billings- 1227.48, Joshua Blatchford- 1386.74, Rebecca Broer- 1415.70, Judy Case- 1188.00, Elisabet DeRoin- 1245.55, Sandy

Dickens- 776.00, Jesse Doelle- 1059.20, Marjorie Donahue- 1682.62, Lisa Ford- 1361.75, Ryan Foster- 1235.20, Linda Frost- 882.40, Alma Gunderson- 1344.80, Deanna Haukap- 1320.80, Jeffrey Heitzman- 1308.00, Adam Hough- 1333.18, Michael Jacobson- 3097.46, Brett Johnson- 1332.80, Brenda Kelly- 1356.28, Terry Kern- 2030.29, Keith Klein- 1280.00, James Kleinberg- 1235.20, Paul Moser- 1188.00, Mark Nelson- 1476.66, Travis Olander- 1337.31, Kimberly Peterson- 1280.00, Cody Roeber- 3096.56, Jutharatana Ruenprom- 1320.80, Timothy Ryan- 2936.71, Linda Schovanec- 1396.80, Jennifer Svendsen- 1570.38, Francis Tope- 1332.80, Jewel Williams- 1391.11, Cara Wood- 1345.41, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 778.43, Linda Weitzel- 228.72, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $13,754.93, State- $4,763.18, FICA- $5,473.83, Medicare- $1,889.78, Retirement- $6,322.43, Health Plan- $1,650.00, DC Dental Plan- $567.00, Sheriff Union Dues- $450.00, Deferred Comp- $332.00, Garnishments- $1,275.12, Aflac Health- $490.77, Aflac Life/Dsbl- $161.87 and Flex Plan Medical- $731.49, Flex Plan Dependant Care- $287.50.
COUNTY ROAD PAYROLL: Gross salaries- $15,627.78, Road Employees Net Pay- $11,077.36, Employer deductions paid: Retirement- $1,054.85, DC Health Plan- $3000.00, DC Dental Plan- $130.32, Life Insurance- $25.31, FICA- $929.81, and Medicare- $217.46, Principal Mutual Life Insurance- 212.67. Matthew Bartels- 1314.40, Brent Byroad- 1424.62, Robert Hacker- 1314.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40, Matthew Roost- 1234.40.
ROAD FUND: Employee withholding paid to: Federal- $1,384.50, State- $484.94, FICA- $629.84, Medicare- $217.46, Retirement- $703.27, Health Plan- $350.00, DC Dental Plan- $84.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $281.55, Aflac Health- $91.75, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $105.00 and Union Dues- $140.00.
ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Accounts Payable". Chair Bousquet informed the Board the AP Claims were for District Court and County Court juror fees, joint meeting meals to Gateway and postage.

Commissioner Love moved, seconded by Commissioner McNear to approve the Accounts Payable claims as submitted to the County Clerk's office.
Sarah Andersen-37.22; Gina Anderson-70.56; Gabe Barclay-42.77; Martin Benton-35.56; Judith Bligh- 39.22; Jean Broyhill-35.89; Michele Carpenter-80.43; Norma Delao-39.44; Heather Dickman-78.88; Tyler Donnelly-44.99; Frank Fowler-71.55; Guy Frank-86.65; Dale Gaither-79.99; Philip Garcia-39.44; Jeanne Gill-87.76; Robert Gill-43.88; Anthony Gill-92.20; Tammy Hartnett-35.56; Katie Hauswirth-80.21; Steve Hirsch-81.10; Samantha Holaday-42.77; Angela Jager-39.44; Rodney Jensen-44.99; Suzanne Keizer-36.11; Marilyn Kneifl-39.44; Lynnda R Kramper-40.55; Joy Landholm-40.55; Patricia Lantz- 39.44; Donna Leekley-Garvey-78.88; Dean Lieber-103.30; Patrick Livingston-39.44;John Ludwick- 36.11; Kathy Matthews-40.00;Thomas McGuire-76.66; Joshua McNear-42.77; Gerardo Munoz-39.44; Lisa nelson-43.88; Francisco Nunez-40.55; Robert Oberg-76.66; Daniel Olsen-81.10; Patty Parrish- 71.12;Robin Petrick-35.56; Cy H Pfister-40.55; Teresa Porter-39.44; Laurie Powell-39.44; John Punches-43.88; Maurice Redmond-43.88; Kristin Roost-49.43; Kristen Salas-39.44; Mary Sargent- 40.55; Brenda Schlotman-40.11; Benjamin Stabe-39.44; Barbara Stephan-36.67; Monnie Stoltz-35.56; Jennifer Swanson-47.21;Allen Syhavong-37.22; Kathleen Walker-35.56; Renee Webb-103.30; Connie F Wendte-40.55; Paula Wendte-78.88- All Juror Fees/Mileage; Linda Carter – Bailiff Fees-250.00; Pharyce Eslick-Bailiff-213.10; Paula J Jensen-Postage-48.10; Gateway Bar & Grill Catering Co-Meals- 1864.40
ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Bousquet – Yea and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Board to appoint and/or re-appoint Planning & Zoning Members on the Planning and Zoning Board for the geographical areas of rural Willis, Village of Emerson and rural Hubbard to 3 year terms 2012 to 2014". Commissioner Bousquet stated that there are 3 people that need to be appointed and that Commissioner Gomez is on the Planning and Zoning committee. The committee suggested Brian James Rush, Richard McCabe, and Marlin Millard to be appointed for the geographical areas. Some discussion was had as to who has which areas.

Commissioner Rohde moved, seconded by Commissioner Love to appoint Brian James Rush, Richard McCabe, and Marlin Millard to a three year term on the Planning and Zoning Committee as recommended by the Planning and Zoning Committee.
ROLL CALL VOTE: McNear – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Commissioner's Committee Reports". Commissioner Bousquet stated that the joint meeting held at Old Dane was very successful, with a lot of information passed on. Commissioner Love stated what a wonderful job Joan Spencer did to get it all put together and the Board thanked her. Commissioner Love stated that the City attendees enjoyed themselves.

Chair Bousquet called for the Agenda Item "Commissioner's Member Reports" and there were none.
Chair Bousquet called for the Agenda Item "Public Comment" and there was none.

Chair Bousquet called for the Agenda Item “Mail and/or Emergency Business” and there was none.

Chair Bousquet adjourned the meeting at 4:38 p.m.

DAKOTA COUNTY SEAL NEBRASKA

County Board of Commissioners

_____

Rick Bousquet, Chair Date Chair signed

_____

Cherie A. Conley, Deputy County Clerk Date entered in book

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Tuesday, February 21, 2012
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Rick Bousquet, Chair Theodore A. Piepho, Secretary

Chair Bousquet called their regular scheduled meeting to order at 4:12 p.m. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners McNear, Gomez, Bousquet, and Love, and Cherie Conley, Secretary and Deputy County Clerk. Absent was Commissioner Rohde. Also present were Joan Spencer, Board Assistant and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
This meeting was advertised to begin at 4:02 p.m.
This agenda is subject to change up until 24 hours before the start of the meeting.
The Board Chair reserves the right to modify the order of the agenda during the meeting.
The Board reserves the right to call for action on any agenda item.

- Open the meeting with the Pledge of Allegiance to the U.S. Flag
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve the minutes of the previous meeting of February 6, 2012.
- Fred Kellogg - Public Hearing One and Six Year Road Plan
  - Public Hearing was published to start at 4:02 p.m.
    - Open the Hearing
    - Fred Kellogg to present the One and Six Year Road Plan
    - Comments & questions from the Commissioners then Comments and questions from the public
    - Close the hearing and then adopt the One and Six Road Plan Resolution 12C-005 as presented or amend it, however the Board deems necessary.
- Open Truck Bids for a used 1995 or newer tandem axle semi tractor 400 h/p dump truck with aluminum box. Award bid and authorize the purchase of the truck.
  - The Board may want to add the truck purchase to Claims when they approve them.
- Public Hearing for amending the date for the Flood Maps to be effective. The Public Hearing was published to begin at 4:30 p.m.
- Tony Gomez - Approve Special Designated Liquor License for rodeos held at Old Crystal Lake on May 27, June 17, July 15, August 12, September 2 and September 16.
- Miscellaneous Agenda Items
  - Approve Payroll Claims
  - Approve Accounts Payable Claims
  - 58th Annual Siouxland/Washington Conference & Steak Dinner. County Board to consider representation from Dakota County to go with the tri-state delegation on April 17 - 20, 2012.
  - Employee Handbook. Approve Employee Handbook which reflects the 2009 Smoking Policy as amended to include all courthouse grounds in the smoke-free area. The smoking policy amendment was inadvertently not included in the handbook the Board approved March, 2011.
- Don Faber with Three Rivers Benefit. - 2012 Healthcare Plan Renewal.
  - Provide the Board with information addressing the County's 2012 Healthcare Plan renewal.
    - Motion to renew the Dakota County Healthcare Plan for 2012 with the Carrier identified when negotiations are complete.
- County Clerk to introduce a recommendation that the County Board consider an insurance provider change.
  - Monte Peters with Colonial to address the Board with a proposal for supplemental insurance. This is not to be confused with our health, dental or life insurance.
- Commissioner's Committee Reports
- Commissioner's Member Reports
- Mail and/or Emergency Business
- Public Comment
- County Attorney - Closed session to discuss ongoing Road Department Union contract negotiations.
- Adjournment

Chair Bousquet called for Agenda Item "Approve minutes of the February 6, 2012 meeting".

Commissioner Gomez moved, seconded by Commissioner McNear to approve the minutes of the February 6, 2012 meeting as typed and prepared for the Official Record. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the agenda item "Fred Kellogg - Public Hearing One and Six Year Road Plan. Public Hearing was published to start at 4:02 p.m.

- Open the Hearing
- Fred Kellogg to present the One and Six Year Road Plan
- Comments & questions from the Commissioners then Comments and questions from the public
- Close the hearing and then adopt the One and Six Road Plan Resolution 12C-005 as presented or amend it, however the Board deems necessary."

Chair Bousquet opened the public hearing for the 2012 One and Six Year Road Plan. Fred Kellogg presented to the Board the One and Six Year Road Plan and went over the 13 Projects for the one year road plan and explained some of the details on each. Mr. Kellogg stated that this is a guideline and depends on the budget dollars. Chair Bousquet asked the Commissioners for questions or comments. Chair Bousquet asked for public comment. A gentleman asked about Fiddler Creek Road and Mr. Kellogg informed that Fiddler Creek is on the One and Six Year Plan, just not this year. Commissioner McNear mentioned Omaha Avenue by Homer needs repairs. Chair Bousquet closed the hearing.

Commissioner Love moved, seconded by Commissioner Gomez to approve the One and Six Year County Road Plan 2012-2018 Resolution 12C-005 as submitted by Fred Kellogg, Highway Superintendent. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, McNear – Yea and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for agenda item "Open Truck Bids for a used 1995 or newer tandem axle semi tractor 400 h/p dump truck with aluminum box. Award bid and authorize the purchase of the truck. The Board may want to add the truck purchase to Claims when they approve them".
Fred Kellogg advised the Board that one bid was received from M & M Construction Dennis McManigal for a 1997 Peterbilt 379 Caterpillar C-12 410 HP engine for $30,000.00. Commissioner Gomez asked how many miles and Mr. Kellogg informed 1,206,000 miles and 530,000 miles on in frame major overhaul. Commissioner Love stated that he knows the truck and it is immaculate and that Mr. McManigal is very persistent with his maintenance and it is a nice truck. Mr. Kellogg informed the Board that their intent with the purchase of this truck is to haul broken concrete, fill dirt and other items and the box that is on this truck is nice so we plan on changing out the box with an older one and using this truck to haul the pup in and out of the hills. We need something with more horsepower to do twice the work pulling the pup. Commissioner Bousquet stated he also knows Mr. McManigal and keeps his equipment in good shape. Commissioner McNear asked what the intent for the box that is taken off is and Mr. Kellogg informed the he plans on keeping the box for future use as boxes do wear out.

Commissioner Gomez moved, seconded by Commissioner Love to accept the bid from M & M Construction Dennis McManigal for the 1997 Peterbilt 379 Caterpillar C-12 410 HP engine for $30,000.00 and that a claim be added to the current Accounts Payable claims and be paid this month. ROLL CALL VOTE: Love – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for agenda item "Public Hearing for amending the date for the Flood Maps to be effective. The Public Hearing was published to begin at 4:30 p.m.". Arnie Mellick advised the Board that the Flood Maps had been previously approved at the January 6, 2012 Board meeting and this is before the Board to amend the dates in the regulation policy that were inadvertently not changed to reflect the correct date of January 6, 2012 as they were approved. Chair Bousquet asked if there were any questions or comments and there were none. Chair Bousquet closed the public hearing.

Commissioner McNear moved, seconded by Commissioner Gomez to approve the request and to amend the dates in Section 302, Section 700.2 (a), the last paragraph in Section 700 and Section 700.3 (1) in the Dakota County Zoning Regulation Policy for the FEMA Flood Maps to reflect the correct date of January 6, 2012, as the effective date of the maps. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for agenda item "Approve Special Designated Liquor License for rodeos held at Old Crystal Lake on May 27, June 17, July 15, August 12, September 2 and September 16". Saul Gomez approached the Board and asked that they approve liquor licenses for rodeos held on the dates mentioned, plus adding two additional dates in case of a cancellation of one of the dates requested. Chair Bousquet asked if there were any questions and commented that the dates were approved last year and there is security out there and there were no complaints. Commissioner Gomez stated that there was not one complaint last year and all went well.

Commissioner Love moved, seconded by Commissioner McNear to approve the request for Special Designated Liquor License for rodeos held at Old Crystal Lake on May 27, June 17, July 15, August 12, September 2 and September 16, plus the two additional dates if needed. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for agenda item "Approve Payroll Claims". Chair Bousquet stated he had gone through them and they all looked good.

Commissioner McNear moved, seconded by Commissioner Love to approve the Payroll claims submitted to the County Clerk's office, as follows.
COUNTY GENERAL FUND: Gross salaries- $129,641.37, General Fund Employees Net Pay- $92,779.35, Employer deductions paid: Retirement- $9,033.79, FICA- $7,808.00, Medicare- $1,826.07, DC Health Plan- $23,000.00, DC Dental Plan- $999.12 and Life Insurance- $204.87.
Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1406.08, Daniel Christoffers- 602.00, Cherie Conley- 1230.77, Theodore Piepho- 1800.68, Mary C. Wiltgen- 1013.60, Kathy A. Abbe – 880.00, Marisol Curiel- 1014.40, Darlene Davis- 2456.00, Stephanie Gatzemeyer- 813.60, Robert Giese- 1800.68, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $860.00, Daniel Christoffers- 613.29, Arnold Mellick- 221.67, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 163.68, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 985.78, Sergio Castillo- 1653.36, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 1755.56, Michael Estes-

1653.36, Brent Gilster- 1714.77, Todd Hammer- 1802.30, Richard Hansen- 1549.60, Melvin Harrison III- 1807.68, Jason James- 1710.98, Douglas Johnson- 1903.85, Kimberly Johnson- 466.18, Jared Junge- 1786.16, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1693.60, Michael Kreegar- 1693.60, Gayle Richards- 941.60, Kevin Rohde- 1726.92, Randall Walsh- 1903.85, Bridget Fiedler- 984.00, Kerry Johnson- 960.00, Sara Niles- 1884.62, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Caterina Saltzman- 1267.13, Jacob Acero- 1445.08, Ermelinda Ballesteros- 1420.46, Mason Billings- 1266.08, Joshua Blatchford- 1378.31, Rebecca Broer- 1471.47, Judy Case- 1217.70, Elisabet DeRoin- 1217.70, Sandy Dickens- 809.32, Jesse Doelle- 1069.13, Marjorie Donahue- 1610.54, Lisa Ford- 1391.08, Ryan Foster- 1235.20, Linda Frost- 882.40, Alma Gunderson- 1344.80, Deanna Haukap- 1320.80, Jeffrey Heitzman- 1334.00, Adam Hough- 1473.54, Michael Jacobson- 1189.28, Brett Johnson- 1332.80, Brenda Kelly- 1373.76, Terry Kern- 2030.29, Keith Klein- 1280.00, James Kleinberg- 895.52, Paul Moser- 1217.70, Mark Nelson- 1476.66, Travis Olander- 1320.80, Kimberly Peterson- 1280.00, Cody Roeber- 1256.00, Jutharatana Ruenprom- 1329.06, Timothy Ryan- 1256.00, Linda Schovanec- 1431.72, Jennifer Svendsen- 1551.25, Francis Tope- 1341.13, Jewel Williams- 1261.61, Cara Wood- 1345.41, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 781.42, Linda Weitzel- 705.22, Willard Johnston- 1250.00.

GENERAL FUND: Employee withholding paid to: Federal- $12,833.56, State- $4,516.85, FICA- $5,289.29, Medicare- $1,826.07, Retirement- $6,116.81, Health Plan- $1,650.00, DC Dental Plan- $546.00, Sheriff Union Dues- $450.00, Deferred Comp- $332.00, Garnishments- $1,275.12, Aflac Health- $490.80, Aflac Life/Dsbl- $161.90 and Flex Plan Medical- $731.49, Flex Plan Dependant Care- $287.50.

COUNTY ROAD PAYROLL: Gross salaries- $15,766.57, Road Employees Net Pay- $11,154.76, Employer deductions paid: Retirement- $1,064.22, DC Health Plan- $3000.00, DC Dental Plan- $130.32, Life Insurance- $25.32, FICA- $938.43, and Medicare- $219.47.

Matthew Bartels- 1314.40, Brent Byroad- 1503.28, Robert Hacker- 1314.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Troy Madison- 1326.73, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1339.05, Matthew Roost- 1257.55.

ROAD FUND: Employee withholding paid to: Federal- $1,403.79, State- $492.94, FICA- $635.69, Medicare- $219.47, Retirement- $709.51, Health Plan- $350.00, DC Dental Plan- $84.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $281.55, Aflac Health- $91.75, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $105.00 and Union Dues- $160.00.

ROLL CALL VOTE: Bousquet – Yea, Love – Yea, McNear – Yea and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for agenda item “Approve Accounts Payable Claims”. Chair Bousquet stated he had gone through the claims and they all looked good and we need to add the claim for the 1997 Peterbilt truck.

Commissioner Love moved, seconded by Commissioner Gomez to approve the accounts payable claims as submitted and to add a claim for the 1997 Peterbilt truck to M & M Construction.

GENERAL FUND: Dakota County Star, publishing- 396.54; F & M Bank, stop pay- 20.00; Redfield, books- 377.70; Siouxland Lock & Key, keys- 10.25; Theodore Piepho, phone- 30.00; US Bank, website- 63.65; Perkins, supplies- 71.55; AS Central, services- 115.00; Dakota County Star, publishing- 192.35; Charlotte Doenhoefer, prior yrs- 10.00; Robert Giese, mileage- 133.20; Ruth Jensen, prior yrs- 12.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; US Bank, toner- 501.63; Deb Benton, mileage- 23.31; Margie Rah, prior yrs- 12.00; Microfilm Imaging, rent- 240.00; Perkins, supplies- 9.01; Dakota County Star, publishing- 230.10; Shelly Hodges, interpret- 900.00; Theodore Piepho, postage- 10.80; Secretary of State, cards- 20.00; Irma Watt, interpret- 200.00; Perkins, supplies- 23.34; Dakota County Star, publishing- 14.40; Arnie Mellick, phone- 30.00; NACO Planning & Zoning, dues- 30.00; Nebraska Planning & Zoning Association, conference- 320.00; Executive Technologies, contract- 196.11; MIPS, scanning- 86.00; Perkins, supplies- 51.90; Cartridge World, supplies- 113.09; Paula Jensen, reimburse- 17.09; Marlin Business Bank, contract- 100.00; Microfilm Imaging Systems, scanning- 190.50; Midwest Office Automations, contract- 238.33; Star Printing, envelope- 160.00; US Bank, equipment/supplies/software- 510.47; Perkins, supplies- 39.34; Dakota County Bar Assoc, dues- 50.00; Frank Gonzalez, interpret- 550.00; Net Sys Plus, repair- 180.00; Perkins, supplies- 57.56; Ian McConeghey, court appointed counsel- 564.23; Dakota County Court, costs- 1397.00; District Court, costs- 417.00; Dakota County Sheriff, papers/warrants- 1233.49; Cindy Foley, bill of exceptions- 183.75; Angel Henderson, witness fees- 58.85; Patrick Henderson, witness fees- 20.00; Randy Hisey, court appointed counsel- 2881.50; Hungrys North, meals- 149.89; HyVee, supplies- 87.20; KC Jager, witness fees- 20.55; Jennifer Kassing, witness fees- 22.77; Kueny & Begley, court appointed counsel- 42.00; Stuart Mills, court appointed counsel- 3116.25; Douglas Roehrich, court appointed counsel- 112.50; Michael Schmiedt, court appointed counsel- 112.50; Richard Thramer, court appointed counsel- 1433.41; Patrick Tott, court appointed counsel- 571.50; US Bank, juror meals- 183.96; Woodbury County Sheriff, paper service- 23.43; Executive Tech, ink- 60.00; Maximus, child support recovery- 676.16; Ateam, boiler maint- 320.20; Gill Hauling, service- 120.00; Grainger, building repair- 799.50; Joes Dept Store, repair- 28.82; Menards, supplies- 1561.00; Midamerican Energy, utilities- 836.00; Nebraska Public Power Dist, utilities- 1788.84; O’Keefe Elevator, maintenance- 172.54; Richard Jensen, mileage- 103.17; Sams Club, supplies- 292.51; Share Corp, repair- 923.60; Trembly Pest Control, service- 50.00; Verizon, phone- 53.77; PMNRD, rent- 833.33; UNL Extension, reimburse- 1427.59; Ameritas Investment Corp, lease- 11527.24; Bank of Dixon, leases- 19,139.38; Butch’s Truck Repair, starter- 145.00; City of South Sioux City, fuel- 5636.37; Digital Ally, wireless mic- 372.50; Fremont Tire, repair- 56.00; Graham Tire, tires- 876.26; Jacks Uniforms, supplies- 134.65; Joes Department Store, keys- 4.76; Knoepfler Chevrolet, speakers- 53.31; Midwest Office Automations, toner- 23.50; Moore Wallace, citations- 204.53; O’Reilly Automotive, bulbs- 11.98; Siouxland Federal Credit Union, shelving/wheel/supplies- 175.00; South Sioux Animal Hospital, spray- 19.75; Star Printing, cards- 45.00; US Bank, fuel/supplies- 49.61; Verizon, phone- 430.14; Cartridge World, ink- 203.90; Dakota County Bar Assoc, dues- 100.00; Dakota County Star, publishing- 62.43; Dakota County

Treasurer, handbook- 80.00; Dept of Motor Vehicles, transcripts- 15.00; H2O4U, service- 46.00; Iowa Office Supplies, contract- 151.91; Marcia Mahon, deposition- 312.80; NACO, shipping- 15.45; Tina Nelson, deposition- 257.95; Peter Parry, phone- 20.00; University of Nebraska Medical Center, dna testing- 395.00; US Bank, report- 25.00; Verizon, phone- 136.01; Wagner Post, publishing- 32.34; City of SSC, lec cost share- 32258.71; BI Inc, electric monitoring- 613.18; Verizon, phone- 89.72; Ace Refrigeration, service- 92.00; Amsan, supplies- 1789.18; Aramark, admin- 84.14; Assoc Fire Protection, inspection- 143.00; Bob Barker, supplies- 1002.72; CBM Food Service, meals- 20222.88; CashWa Distr., supplies- 317.00; City of SSC, fuel- 220.89; Dakota One Leasing, contract- 220.00; Electric Innovations, microphones- 180.00; Gill Hauling, service- 120.00; Grainger, handle/gaskets- 151.26; Jacks Uniforms, clothing- 61.90; Joes Dept Store, supplies- 14.64; McArthur Sheet Metal, service- 23.50; Mercy Business Health, medical- 1725.00; Mercy Medical Center, medical- 694.25; Mercy Medical Services, medical- 44.00; Midamerican Energy, utilities- 1990.32; Midwest Office Automations, copies- 200.93; Moore Medical, medical- 119.11; NE Nebr Juvenile Serv, boarding- 2143.75; Nebraska Public Power Dist, utilities- 2355.39; Redlers Pharmacy, medical- 43.75; St Lukes Dept of Lab Services, medical- 11.35; Staples, supplies- 53.07; Trembly Pest Control, service- 55.00; US Bank, prescriptions/supplies/meal- 4843.94; Verizon, phone- 222.38; Walmart, tv- 238.00; Wigman Company, kits- 200.09; Woodbury County Juv. Det, boarding- 7000.00; Dakota Business Sys, rental- 102.00; Nebraska Assoc of County Engineers, dues- 25.00; US Bank, equipment- 137.79; Verizon, phone- 63.16; Alpha Land Surveying, survey- 1200.00; Ace Engine & Parts, parts- 429.80; AZ Inc, fuel- 81.00; Bomgaars, parts- 10.49; Central Community College, training- 115.00; FIMCO, parts- 768.00; Fremont Tire, tires- 20.00; Hubbard Minimart, fuel- 355.00; Motion Industries, parts- 43.06; O'Reilly Auto Parts, parts- 183.15; Leon Pies, meals/mileage- 412.95; Schaben Industries, equipment- 259.94; Steffen, equipment 59.50; US Bank, equipment- 554.41; Pam Devries, mileage- 69.93; Perkins, supplies- 47.97; Pat Glover, hours- 130.00; US Bank, computer- 973.67; Thomas Wente, physician fee- 250.00; CVSOA Treasurer, dues- 135.00; Bill Johnston, mileage- 372.88; Midwest Office Automations, toner- 148.05; US Bank, computer- 587.98; Thomson West, service- 711.10; Cable One, internet- 169.96; Claritus, ink- 370.92; Cherie Conley, membership- 19.50; Fibercomm, phone- 1196.14; FSH Comm, payphone- 63.60; Mailfinance, postage- 227.00; Mercy Business Health, eap agreement- 240.75; MIPS, support/website- 874.62; Net Sys Plus, computer work- 405.00; Norm Waitt YMCA, memberships- 273.00; Phyllis Obermeyer, postage- 14.65; Madelyn Thorsland, prior yrs- 10.00; Three Rivers Benefit, flex admin fee- 110.00; USPS, postage- 2500.00; Randy Walsh, ymca membership- 19.50; XPEDX, paper- 1938.85; CEDE Inc, bond- 3033.33; Steve Harris Construction, project- 35000.00;

ROAD FUND: Allen Heating & Cooling, repair- 6007.00; Aramark, service- 263.75; Axels & Gears, parts- 400.00; AZ Inc, fuel- 66.65; Bank of Dixon, pickup/payment- 20979.87; Matt Bartels, phone- 30.00; Bomgaars, supplies- 119.99; City of SSC, salt- 1509.30; Colonial Research, supplies- 79.42; Electronic Engineering, gps- 900.00; Gill Hauling, service- 55.00; Walter Heinemann, prior yrs- 29.00; Hubbard Minimart, fuel- 1457.70; H2O4U, service- 8.50; Industrial Tools & Machinery, parts- 163.67; Jackson Glass, parts/labor- 549.89; J&J Pronto, fuel- 472.61; Joes Dept Store, parts/supplies- 188.04; Kinetic Leasing, loader/interest- 2458.00; LG Everist, gravel- 1340.77; Lee Valley, culverts- 2600.00; M&M Construction, peterbilt- 30000.00; Matheson Linweld, oxy- 84.40; Medical Enterprises, medical- 31.00; Midwest Wheel, parts/supplies- 74.76; Marlan Millard, prior yrs- 15.00; Nebraska Public Power District, utilities- 31.63; NE Nebraska Public Power District, utilities- 367.47; NE Nebraska Telephone, phone- 209.83; OReilly Auto Parts, parts/supplies- 233.72; Peterson Sand & Gravel, gravel- 1637.50; Pomps, tires- 2020.00; Powerplan, parts- 1018.91; Probuild, bridges/supplies- 250.40; Retriever, parts- 435.00; RMS, parts- 23.08; St Lukes Center for Occupational Health, medical- 20.00; Sapp Bros Petro, propane- 501.99; Sams Club, supplies/memberships- 145.74; Select Fire & Safety, fire extinguishers/inspections- 455.00; Siouxland Hydraulics, parts- 106.38; Standard Bearings, parts- 27.33; Stephan Welding, labor/products- 527.00; Thermo King, supplies- 76.26; Thurston County, storage- 200.00; TriState Comm, repair- 238.00; US Bank, supplies- 95.05; Verizon, phone- 34.13; Warren Oil, diesel- 6058.20; Zieglers, supplies- 424.16;

ROAD IMPROVEMENT FUND: Albenesius Contracting, bridge- 2385.00;

VISITORS PROMOTION: South Sioux City Chamber of Commerce, lodging tax- 7209.75;

STOP FUND: Atv Research, equipment- 2086.00; Police Officers Assoc, handbooks- 280.00; Sams Club, wall mount- 547.97;

HEALTH PLANNING GRANT: AT&T Mobility, phone- 35.33; Deanna Beckman, hours- 1224.00; Claritus, printer- 291.69; Dakota Covington Fire, storage- 600.00; Pam Devries, mileage- 36.08; Midwest Office Automation, toner/copier- 249.51; Net Sys Plus, computer work- 280.00; US Bank, computer- 973.68;

PUBLIC SAFETY: City of SSC, sales tax- 3034.34; Jail Bond Fund, sales tax- 27435.43; Road Fund, sales tax- 706.85;

JAIL BOND FUND: City of SSC, reimburse- 8510.74.

ROLL CALL VOTE: Love – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for agenda item "58th Annual Siouxland/Washington Conference & Steak Dinner. County Board to consider representation from Dakota County to go with the tri-state delegation on April 17 - 20, 2012". Commissioner Bousquet stated that last year Commissioner Gomez was our representative and that representation is important for Dakota County. Commissioner Gomez stated that he feels it is very important that Dakota County has representation. His experience was very good as he was able to meet with congressmen, governors, and senators and was able to visit with them about concerns and they were very pleased to see representation from Dakota County. Commissioner Love asked about the funding for this trip and asked if Chair Bousquet would like to go, but due to his farming operation he is unable to go during this time. Commissioner Gomez stated that he would like to see someone else go, but if they are unable he would be willing to go again as he feels it is very important for Dakota County to have representation. The Board decided that Commissioner Gomez will be the delegate for Dakota County to attend the 58th Annual Siouxland/Washington Conference & Steak Dinner on April 17-20, 2012.

Chair Bousquet called for agenda item "Employee Handbook. Approve Employee Handbook which reflects the 2009 Smoking Policy as amended to include all courthouse grounds in the smoke-free area. The smoking policy amendment was inadvertently not included in the Handbook the Board approved in March of 2011." Chair Bousquet commented that as a whole the State and some other entities have banned smoking throughout their whole area, cars, trucks and such. This is the time to debate this and decide what we want to do and I believe we should follow the State guidelines and follow suit. We have had issues with smoking on the grounds and cigarette butts and debris left behind. Chair Bousquet also commented that Dakota County now has a health and wellness program and smoking should not be allowed on County grounds. Commissioner Gomez and Love agreed. Commissioner Love asked who was to take action if someone was caught smoking on County grounds. Commissioner Bousquet stated that the department head would be the one enforcing the policy and making sure that things are taken care of. In talking with other counties what they do is the first offense is a verbal, the second is a written and the third is termination. Joan Spencer mentioned that the consequences are mentioned in the handbook. Commissioner Bousquet read that the first is verbal, second is written and third is in accordance with the Nebraska Clean Indoor Air Act per statute. Commissioner Gomez commented that the Wellness Program and no smoking will help the health of all employees and long-term insurance premiums. Mr. Kellogg asked if this will include all tobacco products and the Board informed only the kind you light up. Mr. Kellogg asked if this no smoking policy will be posted on county grounds and Commissioner Bousquet informed that this will be posted and that no one is to be smoking on county grounds.

Commissioner Gomez moved, seconded by Commissioner McNear to approve the Employee Handbook which reflects the 2009 Smoking Policy as amended to include all courthouse grounds in the smoke-free area as well as all county vehicles and motor graders effective February 21, 2012. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for agenda item "Don Faber with Three Rivers Benefit - 2012 Healthcare Plan Renewal. Provide the Board with information addressing the County's 2012 Healthcare Plan renewal. Motion to renew the Dakota County Healthcare Plan for 2012 with the Carrier identified when negotiations are complete". Don Faber presented the Board with a booklet that outlined the renewal report and explained in detail each area of the report. Mr. Faber informed the Board that the fixed rates and taxment point would be lowered and the max cost would be going up, but out of seven years max cost has never been met.

Commissioner Bousquet moved, seconded by Commissioner Gomez to approve the renewal of the Dakota County Healthcare Plan for 2012 staying with the incumbent carrier as presented by Three Rivers Benefit Corporation. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for agenda item "County Clerk to introduce a recommendation that the County Board consider an insurance provider change. Monte Peters with Colonial to address the Board with a proposal for supplemental insurance. This is not to be confused with our health, dental or life insurance". Ted Piepho informed the Board that over a period of time he had been receiving complaints about the current supplemental insurance carrier that they were not servicing them properly and with that in mind contacted Monte Peters with Colonial Insurance and asked that he present options to the Board. Monte Peters presented to the Board information regarding Colonial Life Supplemental Insurance options and assured that employees would be saving money and this can be run through payroll if they wish or direct bill.

Commissioner Bousquet asked the Board if they would like to authorize Mr. Peters to offer his services to employees. It was noted that this is a supplemental insurance and has nothing to do with our current health and dental policies.

Commissioner Gomez moved, seconded by Commissioner Love to authorize Mr. Peters representing Colonial Life to meet with County employees and offer them the options of accident, cancer, disability, and other supplemental insurance through Colonial Life Insurance. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Ted Piepho took over taking the minutes at 5:11 p.m.

Chair Bousquet called for the Agenda Item "Commissioner's Committee Reports". Commissioner Bousquet informed that he and Commissioner Gomez went to a LEC meeting where they discussed radios that need to be replaced and the sales tax issues. Commissioner McNear reported that he met with the RC&D committee and reported that they will be staying in Lyons and are looking over applications for secretary.

Chair Bousquet called for the Agenda Item "Commissioner's Member Reports" and there were none.

Chair Bousquet called for the Agenda Item "Public Comment" and there was none.

Chair Bousquet called for the Agenda Item "Mail and/or Emergency Business" and there was none.

Chair Bousquet moved, seconded by Commissioner Love to excuse Commissioner Rohde from the meeting today. ROLL CALL VOTE: Love – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "County Attorney - Closed session to discuss ongoing Road Department Union contract negotiations".

Commissioner Love moved, seconded by Commissioner Gomez to go into Closed Session to discuss Road Department Union contract negotiations at 5:13 p.m. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet asked for a motion to come out of Closed Session.

Commissioner McNear moved, seconded by Commissioner Love to reconvene in open Session at 6:21 p.m. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet adjourned the meeting at 6:22 p.m.

County Board of Commissioners

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Rick Bousquet, Chair Date Chair signed

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Cherie A. Conley, Deputy County Clerk Date entered in book

DAKOTA COUNTY SEAL NEBRASKA

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Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, March 5, 2012
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Rick Bousquet, Chair Theodore A. Piepho, Secretary

Chair Bousquet called their regular scheduled meeting to order at 4:25 p.m. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners McNear, Gomez, Bousquet, Love and Rohde, and Cherie Conley, Secretary and Deputy County Clerk. Absent: none. Also present were Joan Spencer, Board Assistant and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
This meeting was advertised to begin at 4:02 p.m.
This agenda is subject to change up until 24 hours before the start of the meeting.
The Board Chair reserves the right to modify the order of the agenda during the meeting.
The Board reserves the right to call for action on any agenda item.

- Open the meeting.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call.
  - Approve the minutes of the previous meeting of February 21, 2012.
- Linda Schovanec - Fraternal Order of Police, Dakota County Lodge #49 (Correctional Officers) request to begin negotiations to modify the current contract.
  - Board approval to begin negotiations.
- Miscellaneous Agenda Items
  - Officials Reports.
  - Approve Payroll Claims.
  - Approve Accounts Payable Claims.
  - Board approval to renew Employee Assistance Program Agreement effective March 1, 2012, for one year with Mercy Business Health. The program will provide services to Dakota County for a fee of $27 per employee per year.
  - Amend the Road Maintenance Contract - The Board may take action to define who is able to schedule Stan Jans & others for occasional maintenance of county roads.
- Commissioner's Committee Reports
- Commissioner's Member Reports
- Mail and/or Emergency Business
- Public Comment
- Adjournment

Chair Bousquet called for Agenda Item "Approve minutes of the February 21, 2012 meeting". Commissioner McNear moved, seconded by Commissioner Rohde to approve the minutes of the February 21, 2012 meeting as typed and prepared for the Official Record. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear - Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Linda Schovanec - Fraternal Order of Police, Dakota County Lodge #49 (Correctional Officers) request to begin negotiations to modify the current contract. The Board approval to begin negotiations". Linda Schovanec requested permission from the Board to begin negotiations of the current contract of Lodge #49. Commissioner Rohde moved, seconded by Commissioner Gomez to approve the request to begin negotiations to modify the current contract of the Fraternal Order of Police, Dakota County Lodge #49 (Correctional Officers) and use County Attorney, Kim Watson, to negotiate the contract for the County. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item "Officials Reports". There were none.

Chair Bousquet called for Agenda Item "Approve Payroll Claims". Chair Bousquet informed the Board that he had gone through the Payroll Claims submitted and they all looked good. Commissioner Love moved, seconded by Commissioner Gomez to approve the Payroll Claims as submitted to the County Clerk's office.

ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear, Gomez – Yea and Bousquet - Yea. UNANIMOUS MOTION CARRIED.
COUNTY GENERAL FUND: Gross salaries- $135261.68, General Fund Employees Net Pay- $97287.22, Employer deductions paid: Retirement- $9441.48, FICA- $8186.89, Medicare- $1914.70, DC Health Plan- $23,000.00, DC Dental Plan- $999.12 and Life Insurance- $204.86, Principal Mutual Life Insurance-1232.84.
Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1406.08, Daniel Christoffers- 602.00, Cherie Conley- 1230.77, Theodore Piepho- 1800.68, Mary C. Wiltgen- 1013.60, Kathy A. Abbe –792.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jalissa Hattig – 704.00, Jolene Heinemann- 1230.77, Tracey Rysavy- 1051.49, Debera Benton- $860.00, Daniel Christoffers- 602.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 163.68, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard

Jensen- 1667.44, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 963.20, Sergio Castillo- 1593.60, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 2182.48, Michael Estes- 1792.80, Brent Gilster- 2095.88, Todd Hammer- 1829.20, Richard Hansen- 1811.13, Melvin Harrison III- 2012.12, Jason James- 1936.79, Douglas Johnson- 1903.85, Kimberly Johnson- 463.32, Jared Junge- 2087.44, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1958.27, Michael Kreegar- 2074.70, Gayle Richards- 941.60, Kevin Rohde- 2009.41, Randall Walsh- 1903.85, Bridget Fiedler- 959.40, Kerry Johnson- 960.00, Sara Niles- 1884.62, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Caterina Saltzman- 1267.13, Jacob Acero- 1551.00, Ermelinda Ballesteros- 1595.38, Mason Billings- 1420.48, Joshua Blatchford- 1393.06, Rebecca Broer- 1529.39, Judy Case- 1188.00, Elisabet DeRoin- 1428.20, Sandy Dickens- 828.92, Jesse Doelle- 1059.20, Marjorie Donahue- 1610.54, Lisa Ford- 1550.30, Ryan Foster- 1420.48, Linda Frost- 882.40, Alma Gunderson- 1546.56, Deanna Haukap- 1523.09, Jeffrey Heitzman- 1284.00, Adam Hough- 1498.31, Michael Jacobson- 1256.00, Brett Johnson- 1332.80, Brenda Kelly- 1322.88, Terry Kern- 2030.29, Keith Klein- 1280.00, James Kleinberg- 1667.52, Paul Moser- 1522.19, Mark Nelson- 1476.66, Travis Olander- 1320.80, Kimberly Peterson- 1472.00, Cody Roeber- 1444.40, Jutharatana Ruenprom- 1494.18, Timothy Ryan- 1256.00, Linda Schovanec- 1396.80, Jennifer Svendsen- 1544.88, Francis Tope- 1532.72, Jewel Williams- 1725.32, Cara Wood- 1524.00, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 775.46, Linda Weitzel- 1324.67, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $13948.23, State- $4885.44, FICA- $5545.93, Medicare- $1914.70, Retirement- $6398.05, Health Plan- $1,650.00, DC Dental Plan- $546.00, Sheriff Union Dues- $460.00, Deferred Comp- $332.00, Garnishments- $1,275.12, Flex Plan Medical- $731.49, Flex Plan Dependant Care- $287.50.
COUNTY ROAD PAYROLL: Gross salaries- $16229.40, Road Employees Net Pay- $11769.80, Employer deductions paid: Retirement- $1095.47, DC Health Plan- $3000.00, DC Dental Plan- $130.32, Life Insurance- $25.31, FICA- $658.98, and Medicare- $227.51, Principal Mutual Life Insurance-220.98.
Matthew Bartels- 1314.40, Brent Byroad- 1634.38, Robert Hacker- 1314.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1554.95, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1400.68, Matthew Roost- 1315.43.
ROAD FUND: Employee withholding paid to: Federal- $1484.43, State- $523.55, FICA- $972.79, Medicare- $227.51, Retirement- $730.33, Health Plan- $350.00, DC Dental Plan- $84.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $69.24, Flex Plan Medical- $105.00 and Union Dues- $160.00.

Chair Bousquet called for Agenda Item “Approve Accounts Payable Claims”. Chair Bousquet advised the Board that the Accounts Payable Claims submitted at this time were mostly for those individuals going to the NACO Spring Workshop and a couple others that looked fine. Commissioner Rohde moved, seconded by Commissioner Love to approve the Accounts Payable Claims as submitted, as follows:
GENERAL FUND: Dakota County Court, court cost- 0.30; F&M Bank, stop payment- 20.00, NE NACO, registrations- 100.00. ROLL CALL VOTE: Rohde – Yea, McNear, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item “Board approval to renew Employee Assistance Program Agreement effective March 1, 2012, for one year with Mercy Business Health. The program will provide services to Dakota County for a fee of $27 per employee per year”.
Commissioner Gomez moved, seconded by Commissioner Love to approve the renewal of the Employee Assistance Program Agreement with Mercy Business Health for one year and that the effective date is March 5, 2012. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item “Amend the Road Maintenance Contract - The Board may take action to define who is able to schedule Stan Jans & others for occasional maintenance of county roads”. Commissioner Love addressed the Board and explained his concerns with these types of contracts as they are written in a way that the only person who can approve additional maintenance of county roads is Fred Kellogg. Commissioner Love believes the contracts should be amended giving more than one person the authority to act on matters concerning the roads. Discussion was had regarding the specifics of the contracts between Stan Jans and Oban Construction and the fees they have agreed to in the contracts. Fred Kellogg advised the Board that he would clarify with Brent Byroad the procedures to follow in case of an emergency and if Fred was ever unavailable. The Road Committee agreed that they would need to always confer with Mr. Kellogg prior to making any decisions regarding the hiring of any additional help for the roads. County Attorney, Kim Watson, advised the Board that these contracts can be amended at any time, that there is no term specified within the contracts, and that they can be terminated at any time with a 7 day written notice by either party.
Commissioner Love moved, seconded by Commissioner McNear to ask County Attorney Kim Watson to notify Stan Jans Construction and Oban Construction, by certified letter, that the contracts previously signed in May 2011 for Road Maintenance be terminated immediately and that an item to request new bids for Road Maintenance Contracts be placed on the next agenda. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item “Commissioner’s Committee Reports.” Commissioner Rohde advised that at the Safety Committee meeting SIMPCO was offering courses on safety around the workplace either on-site or online and he recommended that these courses be offered to all employees online. Commissioner Gomez advised that at the Planning and Zoning meeting discussion was had regarding a County Building Inspector as Arnie Mellick feels he is only qualified on the zoning aspect of things and not the building codes. Further discussion will be had at a later date.

Chair Bousquet called for the Agenda Item “Commissioner’s Member Reports” and there were none.

Chair Bousquet called for the Agenda Item “Public Comment.” Mr. Reinhart commented further on the details of the Planning and Zoning meeting and verified that this matter is still being discussed by the committee.

Chair Bousquet called for the Agenda Item “Mail and/or Emergency Business” and there was none.

Chair Bousquet adjourned the meeting at 4:57 p.m.

Note: Audio for this meeting is unavailable due to technical difficulties.

County Board of Commissioners

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Rick Bousquet, Chair Date Chair signed

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Cherie Conley, Deputy County Clerk Date entered in book

DAKOTA COUNTY SEAL NEBRASKA

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Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, March 19, 2012
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Bill Rohde, Vice Chair Theodore A. Piepho, Secretary

Vice Chair Rohde called their regular scheduled meeting to order at 4:02 p.m. by all reciting the Pledge of Allegiance. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Rohde, Love, McNear, and Gomez, and Cherie Conley, Secretary and Deputy County Clerk. Absent was Commissioner Bousquet. Also present were Joan Spencer, County Board Assistant and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
This meeting was advertised to begin at 4:02 p.m.
This agenda is subject to change up until 24 hours before the start of the meeting.
The Board Chair reserves the right to modify the order of the agenda during the meeting.
The Board reserves the right to call for action on any agenda item.

- Open the meeting with the Pledge of Allegiance to the U.S. Flag.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call.
  - Approve the minutes of the previous meeting of March 5, 2012.
- Fred Kellogg, Highway Supt.
  - Open Gravel Bids, which were advertised to be opened at 4:02 p.m.
    - Award gravel bid.
  - Monthly Road Report for February.
- Discuss advertising for Road Maintenance Contract and designate when, where to advertise and when bids close and when they are to be opened.
- Public Hearing to Amend the Dakota County Road Improvement Fund 0802 Budget was advertised to open at 4:15 p.m. The purpose of the hearing is to hear support, opposition, criticism, suggestions or observations of taxpayers relating to amending the budget. $140,000 additional monies needed because of unanticipated state-inspected bridge closures and FEMA revised project cost.
  - Open the Hearing.
    - Joan Spencer to present the proposed amendment of the 0802 Fund to increase the budget expenditures of the Road Improvement Fund 0802 by $140,000 and transfer, by claim, monies from Inheritance Tax Fund 2700 for said amount to allow the claims submitted in April, May and June, 2012, to be paid.
    - Comments & questions from the Commissioners then comments and questions from the public.
      - Citizens in favor of amendment.
      - Citizens opposed to amendment.
      - Neutral comments concerning amendment.
  - Close the hearing. (The time for action is after the hearing is closed.)
    - Board to approve or disapprove amending the Road Improvement budget to meet unanticipated expenditures.
- Juan Alamillo - Juan is requesting a Special Designated Liquor License for an April 29, 2012 Rodeo.
  - Action on Mr. Alamillo's request.
- Mike Mitchell and others - Discuss the recent weight limit changes to bridges.
  - Action on bridge updating or replacement.
- Miscellaneous Agenda Items.
  - Officials Reports.
  - Approve Payroll Claims.
  - Approve Accounts Payable Claims.
  - Board to pass and approve Resolution 12C-007 to Adopt Guidelines for Drainage and Erosion Control.
  - County Jail.
    - Discuss and pass a resolution adding beds to increase the capacity of the new jail.
    - Discuss and take action whether to formally close the old jail.
- Commissioners' Committee Reports.
- Commissioners' Member Reports.
- Mail and/or Emergency Business.
- Public Comment.
- County Clerk - Closed Session for discussion with respect to collective bargaining.
- Adjournment.

Vice Chair Rohde called for Agenda Item "Approve minutes of the March 5, 2012 meeting". Commissioner Gomez moved, seconded by Commissioner Love to approve the minutes of the March 5,

2012 meeting as typed and prepared for the Official Record. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Rohde – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde asked for a motion to excuse Commissioner Bousquet. Commissioner Love moved, seconded by Commissioner Gomez to excuse Commissioner Bousquet from the meeting. ROLL CALL VOTE: Gomez – Yea, Rohde – Yea, Love – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for Agenda Item "Fred Kellogg, Highway Superintendent to Open Gravel Bids, which were advertised to be opened at 4:02 p.m., Board to award gravel bid/s". Fred Kellogg collected the 4 bids that were turned in to the Clerk's office and proceeded to open them: L.G. Everist, Inc., Peterson Sand and Gravel, Stalp Gravel, and Pilger Sand and Gravel Inc and stated the various bid prices listed on each bid. Commissioner Gomez asked Mr. Kellogg if there was a company that offered better service or that the Road Department would prefer to use. Mr. Kellogg advised that they usually go with the gravel company that best fits the application for the price. This locks them into a price and we could use any one or all of these products. We don't usually accept just one bid; we use the businesses closest to the area needed to put the products on and price per mile. Mr. Kellogg advised that in the past few years all the bids submitted were approved. Vice Chair Rohde asked if the Road Committee would want to review these bids before awarding. Commissioner Love stated that he feels the bids can be approved today. Mr. Kellogg advised that bids are about the same as last year, but they have gone up a little bit.

Commissioner McNear moved, seconded by Commissioner Love to accept the gravel bids from L.G. Everist, Inc., Peterson Sand and Gravel, Stalp Gravel, and Pilger Sand and Gravel Inc. as submitted. ROLL CALL VOTE: Rohde – Yea, Love – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for Agenda Item "Fred Kellogg, Highway Superintendent, Monthly Road Report for February".

DAKOTA COUNTY ROAD DEPARTMENT MONTYLY REPORT: FEBRUARY 2012

ROAD MAINTENANCE:	140 HOURS
TREE CUTTING:	421 HOURS
GRAVEL HAULING:	110 HOUR
TONS OF GRAVEL HAULED:	793.19 CLASS A
	310 PETERSON
	13.09 RR BALLAST
	552.33 1" ROCK
	1,668.61 TOTAL TONS OF GRAVEL
SNOW REMOVAL:	172 HOURS
MAGNET:	19 HOURS

2-21-12 PUT WEIGHT RESTRICTION SIGNS FOR TRAFFIC ON 164TH STREET FROM E AVENUE TO F AVENUE.

Fred Kellogg went through the report and stated these totals were total man hours. He informed that weight restrictions were added to the roads going into Cargill. Commissioner Gomez asked if the maintainer hours were per maintainer or total. Commissioner Love suggested that it would be nice to have the maintainer hours broke down per maintainer. The Commissioners commented that they liked the Road Report.

Vice Chair Rohde called for Agenda Item, "Public Hearing to Amend the Dakota County Road Improvement Fund 0802 Budget was advertised to open at 4:15 p.m. The purpose of the hearing is to hear support, opposition, criticism, suggestions or observations of taxpayers relating to amending the budget. $140,000 additional monies needed because of unanticipated state-inspected bridge closures and FEMA revised project cost".

Vice Chair Rohde opened the Public Hearing at 4:16 p.m. and asked Fred Kellogg to explain why the budget has gone over. Mr. Kellogg explained that there was a bridge in Homer that the State required to be repaired, a payment to So. Sioux City for a pavement agreement on 9th Avenue, and the Monona Blvd. pavement agreement with Jackson, the closing of the Frank O'Neill bridge and Dan Bloomfield bridge, and then the flood and FEMA projects. Commissioner Rohde commented that the FEMA projects are suppose to be reimbursed but that could be a year or two. Joan Spencer commented that it was proposed that the money be transferred from the Inheritance Tax Fund. Commissioner Love stated that it is not uncommon for counties to transfer money out of Inheritance Tax to help maintain the roads. Commissioner McNear asked if the $140,000 needed to be put back into Inheritance Tax and Commissioner's Rohde and Gomez advised that it does not as it is not a loan. Vice Chair Rohde asked for comments from the public and there was none. Vice Chair Rohde asked if anyone was in favor of amendment, no one spoke; Vice Chair Rohde asked if anyone was opposed to the amendment, no one spoke; Vice Chair Rohde asked if their were any neutral comments concerning amendment, no one spoke. Vice Chair Rohde closed the Public Hearing at 4:23 p.m. Vice Chair Rohde asked for a motion to approve or disapprove the amendment.

Commissioner Gomez moved, seconded by Commissioner Love to approve the proposed amendment of the 0802 Fund to increase the budget expenditures of the Road Improvement Fund 0802 by $140,000 and transfer, by claim, monies from Inheritance Tax Fund 2700 for said amount to allow the claims submitted in April, May and June, 2012, to be paid. ROLL CALL VOTE: Love – Yea, McNear – Yea, Gomez – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for Agenda Item, "Discuss advertising for Road Maintenance Contract and designate when, where to advertise and when bids close and when they are to be opened". Commissioner Rohde informed that this is to request a bid for road maintenance help if we were to get into some trouble down the road. Discussion was had and it was decided that Joan Spencer prepare the advertisement in the Star for two weeks and the bids will be opened at the April 16th meeting.

Vice Chair Rohde called for Agenda Item, "Mike Mitchell and others - Discuss the recent weight limit changes to bridges and take any action on bridge updating or replacement". Mike Mitchell, 1647 Q Avenue, Jackson, NE approached the Board and stated that he and many others have concerns regarding the recent weight limit changes put on the bridge on the N/S road in the western part of Dakota County and is asking that it get put on a plan to get it updated so we can safely cross it or replace it. Commissioner Rohde asked what the weight limit was on the bridge before. Mr. Kellogg informed that it was 22 tons and has been reduced to 9 tons. Commissioner McNear asked who is in charge of dropping the weight limits. Mr. Kellogg informed that the State of Nebraska has been sending out their own inspectors to our fracture critical bridges and they sent an engineer from ASGM Steve Mott, who called last fall and informed the Road Department to either post the bridge at 9 ton or close the bridge. Commissioner Gomez asked what it would take to get the bridge up to code. Mr. Kellogg informed that he has not gotten any estimates and stated that it was only 22 ton before and was not a bridge that could hold a 40 ton semi tractor trailer and it is long enough that it takes the full weight of a tractor trailer and is over 80 feet long over a very deep creek. Commissioner Gomez asked if there was any way we could get financial aid from the State. Mr. Kellogg informed that the State has gone through a Federal buy out and there is no aid available.
Commissioner Rohde suggested that all of the Commissioners get together to go out in the County and look at these bridges in questions as well as the roads around the County. Mr. Kellogg informed that there are 51 bridges total in Dakota County and 11 of them are fracture critical. Delbert Lieber of South Sioux City stated his concern is getting his cattle out to pasture and he would have to go clear around by Hubbard or through Waterbury to get to his pasture. He suggested that 164th Street by the Ethanol plant that hooks up to Q Avenue be maintained and fixed so that it could be used. The shape it is currently in is very dangerous and narrow and someone will be injured or killed. Commissioner Rohde asked how long this stretch of 164th Street is and Mike Mitchell stated he drove his pickup and clocked it at 1.3 miles. Commissioner Rohde acknowledged the concerns of all in attendance and stated there is no quick fix but they will look into it. Harlan Lieber of South Sioux City commented that if the bridges are not maintained then before long travel in rural Dakota County will be impossible for the farmers. Commissioner Rohde stated that he feels Dakota County has been somewhat aggressive with the bridges; it's going to take some time. When the Commissioners take the tour they will look at 164th Street and visit with Fred to see what the options are. Delbert Lieber commented that there is a school bus that takes these roads and asked how fire and rescue would get through. Commissioner Gomez suggested to the group that they all contact their Congressman and Senators with their complaints and concerns and ask them what they can do to help.

Vice Chair Rohde called for the Agenda Item, "Juan Alamillo requesting a Special Designated Liquor License for an April 29, 2012 Rodeo". Juan informed the Board that last year he had 5 rodeos and this year they are only planning on having one. Commissioner Love asked if they have security at their rodeos. Mr. Alamillo advised they only have approximately 20 to 30 people in attendance. Commissioner Rohde advised Mr. Alamillo that if the Board approves these liquor licenses then security is required. Commissioner Gomez explained further the need and requirement for having security at the rodeo. Commissioner McNear also explained the need for security. Sheriff Kleinberg advised that security is hired through the Union and that it is very important that the Union Security have set hours so they can plan appropriately. Mr. Alamillo agreed to have security at his rodeo and he would contact Lt. Walsh.

Commissioner Gomez moved, seconded by Commissioner McNear to approve Juan Alamillo's request for a Special Designated Liquor License for an April 29, 2012 Rodeo and that he hire appropriate security for the event. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Rohde – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for Agenda Item, "Official Reports". Commissioner Rohde advised that everyone had a copy and asked for a motion to approve the reports.

Commissioner Love moved, seconded by Commissioner McNear to approve the Officials Reports as submitted by the Clerk of District Court Office, the Register of Deeds Office and the County Clerk's Office for the month of February 2012. ROLL CALL VOTE: Gomez – Yea, Rohde – Yea, Love – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for Agenda Item, "Payroll Claims". Commissioner Rohde reported he had gone through the claims and no red flags.

Commissioner Gomez moved, seconded by Commissioner McNear to approve the Payroll Claims as submitted for payment.
COUNTY GENERAL FUND: Gross salaries- $128,472.35, General Fund Employees Net Pay- $91,913.55, Employer deductions paid: Retirement- $8,951.27, FICA- $7,721.83, Medicare- $1,805.92, DC Health Plan- $23,000.00, DC Dental Plan- $999.12 and Life Insurance- $207.12.
Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1406.08, Daniel Christoffers- 602.00, Cherie Conley- 1230.77, Theodore Piepho- 1800.68, Mary C. Wiltgen- 1013.60, Kathy A. Abbe- 880.00, Marisol Curiel- 963.68, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jalissa Hattig – 880.00, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $860.00, Daniel Christoffers- 602.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 163.68, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 1062.53, Sergio Castillo- 1474.08,

Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 1821.23, Michael Estes- 1633.44, Brent Gilster- 1693.60, Todd Hammer- 1721.60, Richard Hansen- 1549.60, Melvin Harrison III- 1764.64, Jason James- 1605.60, Douglas Johnson- 1903.85, Kimberly Johnson- 540.54, Jared Junge- 1818.44, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1704.19, Michael Kreegar- 1693.60, Gayle Richards- 941.60, Kevin Rohde- 1705.60, Randall Walsh- 1903.85, Bridget Fiedler- 984.00, Kerry Johnson- 960.00, Sara Niles- 1884.62, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Caterina Saltzman- 1267.13, Jacob Acero- 1457.54, Ermelinda Ballesteros- 1570.09, Mason Billings- 1219.76, Joshua Blatchford- 1390.95, Rebecca Broer- 1462.89, Judy Case- 1158.31, Elisabet DeRoin- 1235.20, Sandy Dickens- 817.16, Jesse Doelle- 1059.20, Marjorie Donahue- 1624.05, Lisa Ford- 1357.56, Ryan Foster- 1173.44, Linda Frost- 882.40, Alma Gunderson- 1344.80, Deanna Haukap- 1320.80, Jeffrey Heitzman- 1292.00, Adam Hough- 1463.22, Michael Jacobson- 1287.40, Brett Johnson- 1332.80, Brenda Kelly- 1331.36, Terry Kern- 2030.29, Keith Klein- 1284.00, James Kleinberg- 1466.80, Paul Moser- 1069.20, Mark Nelson- 1476.66, Travis Olander- 1320.80, Kimberly Peterson- 1264.00, Cody Roeber- 1256.00, Jutharatana Ruenprom- 1362.08, Timothy Ryan- 1308.99, Linda Schovanec- 1396.80, Jennifer Svendsen- 1411.00, Francis Tope- 1349.46, Jewel Williams- 1428.71, Cara Wood- 926.01, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 781.42, Linda Weitzel- 1219.84, Willard Johnston- 1250.00.

GENERAL FUND: Employee withholding paid to: Federal- $13948.23, State- $4885.44, FICA- $5545.93, Medicare- $1914.70, Retirement- $6398.05, Health Plan- $1,650.00, DC Dental Plan- $546.00, Sheriff Union Dues- $460.00, Deferred Comp- $332.00, Garnishments- $1,275.12, Flex Plan Medical- $731.49, Flex Plan Dependant Care- $287.50.

COUNTY ROAD PAYROLL: Gross salaries- $16,671.85, Road Employees Net Pay- $12,106.85, Employer deductions paid: Retirement- $1071.47, DC Health Plan- $3000.00, DC Dental Plan- $130.32, Life Insurance- $25.32, FICA- $991.12, and Medicare- $231.80.

Matthew Bartels- 1314.40, Brent Byroad- 1542.61, Robert Hacker- 1314.40, Ronald Harder- 798.00, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1326.73, Matthew Roost- 1350.15.

ROAD FUND: Employee withholding paid to: Federal- $1502.02, State- $521.58, FICA- $671.40, Medicare- $231.80, Retirement- $714.34, Health Plan- $350.00, DC Dental Plan- $84.00, Reassure America Life- $4.88, Colonial Life- $158.30, Deferred Comp.- $61.68, Flex Plan Medical- $105.00 and Union Dues- $160.00.

ROLL CALL VOTE: Rohde – Yea, Love – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for Agenda Item, “Accounts Payable Claims”. Commissioner Rohde informed that Commissioner Bousquet had gone through the claims earlier in the day and no red flags.

Commissioner McNear moved, seconded by Commissioner Gomez to approve the Accounts Payable Claims as submitted for payment.

GENERAL FUND: Dakota County Star, publishing- 345.11; Perkins, supplies- 15.30; US Bank, registration- 550.00; Perkins, supplies- 22.20; Theodore Piepho, phone- 30.00; AS Central Services, services- 115.00; Dakota County Star, publishing- 1687.28; Charlotte Doenhoefer, prior yrs- 10.00; Robert Giese, mileage- 126.54; Ruth Jensen, mileage- 12.00; Net Sys Plus, repair- 120.00; NE Assoc. of Co. Treas., dues- 75.00; Mardell Sorensen, prior yrs- 26.00; Staples, supplies- 33.99; US Bank, paper- 79.49; Irene Van Lent, prior yrs- 16.00; Deb Benton, mileage- 12.21; Margie Rahn, prior yrs- 12.00; Microfilm Imaging, imaging- 1779.01; Iowa Office Supply, supplies- 21.40; Midwest Office Automations, repair- 110.00; AJ Phillips, posters- 897.00; Dakota County Star, publishing- 81.60; Election Systems & Software, charges- 480.00; Shelly Hodges, interpret- 1200.00; Perkins, supplies- 55.49; Secretary of State, id cards- 30.00; Security Shredding, service- 35.00; Staples, posters/lamination- 72.72; US Bank, posters- 87.50; Dakota County Star, publishing- 14.40; Arnie Mellick, phone- 30.00; Executive Tech, contract- 196.11; MIPS, scanning- 86.00; Perkins, supplies- 25.04; AS Central Services, supplies- 170.83; Lawsoft, update- 65.00; Paula Jensen, reimburse- 17.11; Microfilm Imaging Systems, scanning- 190.50; Midwest Office Automations, contract- 356.97; New Perspectives, shredding- 54.75; Office Systems Company, typewriter- 565.00; Thomson West, service- 155.00; Uline, mat- 60.21; US Bank, supplies- 49.17; Cartridge World, toner- 133.98; Frank Gonzalez, interpret- 450.00; Net Sys Plus, repair- 60.00; Perkins, supplies- 33.08; Dakota County Sheriff, papers/warrants- 408.13; Dakota County Court, costs- 1236.50; Dennis Hurley, court appointed counsel- 7215.99; Kueny & Begley, court appointed counsel- 522.00; Ian McConeghey, court appointed counsel- 1027.96; Stuart Mills, court appointed counsel- 3330.00; Douglas Roehrich, court appointed counsel- 870.00; Richard Thramer, court appointed counsel- 638.28; Patrick Tott, court appointed counsel- 2148.00; JURY AND BALIFF FEES: Cindy Anderson, Kenna Anderson, Randall Anderson, Todd Baker, Allison Bayne, Dave Bracht, Clarence Byrne, Lazaro Camarillo, Rachel Connot, Juliette Cooper, Cecil Demke, Chad Donnelly, Linda DeRoin, Cynthia Goetz, David Guldhammer, Lois Harris, Teri Harris, David Hawkins, Ruth Heinemann, Vickie Hirchert, Thomas Hoch Jr., Carrie Jones, Donna Kelly, Roberto Leal Jr., Tim Mast, Karen McKernan, Lois McKivergan, Timothy McNamara, Delores McCauley, Max McDonald, Rory McGinnis, Lanette Moe, Roongravee Mogensen, Ann Nice, Heather Nordstrom, David Oatman, Constance Pichler, Courtney Reed, Anthony Reiners, Sandra Riffenberg, Amanda Rohde, Charles Schram, Scott Sellman, Melanie Venegas, Kimberly Verzani, Eric Waldee, Linda Carter- 5129.26; District Court, court costs- 382.00; Executive Tech, ink- 116.64; Kimberly Fischer, witness fee- 23.33; Aimee Goddard, witness fee- 73.30; HyVee, food/supplies- 159.73; Dennis Hurley, court appointed counsel- 727.50; Michael Jung, witness fee- 31.10; Christina Carpenter, witness fee- 58.85; Tammy McLarty, witness fee- 42.20; David Parks, witness fee- 23.88; Lisa Parks, 57.76; Brandy Porter, witness fee- 20.00; Miguel Pastran, witness fee- 25.55; Amy Scarman, witness fee- 31.10; Michael Schmiedt, court appointed counsel- 187.50; Security Shredding, shredding- 35.00; Kristen Stoeffler, witness fee- 48.86; US Bank, juror meals- 151.15; Karin Ward, witness fee- 84.40; Bomgaars, supplies- 394.40; Bunkers Feed & Supply, salt- 67.28; Gill Hauling, service- 120.00; Curry

Floors, repair- 235.00; Joes Dept Store, repair- 48.32; Menards, supplies- 1383.67; Midamerican Energy, utilities- 1102.00; New Ideas Fabrication, repair- 167.46; Nebr Public Power Dist, utilities- 1874.67; Richard Jensen, mileage- 144.08; Sams Club, supplies- 561.79; Share Corp, repair- 446.15; Trembly Pest Control, service- 50.00; US Bank, supplies- 528.44; Verizon, phone- 53.77; PMNRD, rent- 833.33; UNL Extension, reimburse- 2074.65; AJ Gallagher Risk Management, notary bond- 140.00; Action Target, registration- 250.00; City of South Sioux City, phone/fuel- 5169.76; Consolidated Management, meals- 101.50; Dakota County Sheriff, notary fee- 30.00; Fremont Tire, repair- 20.00; Joes Department Store, keys- 3.57; MOCIC, membership- 150.00; Nebraska Sec of State, notary- 30.00; O'Reilly Automotive, repair/supplies- 357.16; Siouxland Federal Credit Union, fuel/shelves- 93.41; US Bank, fuel/battery/meals/supplies- 420.05; Verizon, phone- 163.18; Cartridge World, ink- 126.99; Dakota County Star, publishing- 124.52; Cindy Foley, transcript- 79.00; H2O4U, service- 31.50; Iowa Office Supply, contract- 162.64; Monona County Clerk of Court, certified copies- 41.00; Peter Parry, phone- 20.00; Pathology Medical Services, costs- 2406.10; Sioux City Journal, publishing- 35.22; Staples, supplies- 47.47; US Bank, meals- 10.27; Verizon, phone- 136.01; City of South Sioux City, lec cost share- 32258.73; BI Inc, electronic monitoring- 573.6; Redwood Biotech, test kits- 65.58; Redwood Toxicology Labs, lab- 39.42; Staples, supplies- 88.28; Verizon, phone- 89.72; Amsan, supplies- 308.08; Aramark, service- 84.14; Associated Fire Protection, inspection/repair- 821.34; ATV Research, part- 8.00; Bob Barker, supplies- 648.84; Bunkers Feed & Supply, salt- 218.77; CBM Food Service, meals- 20737.47; CW Suter, repairs- 570.00; City of South Sioux City, fuel- 404.70; Dakota One Leasing, contract- 220.00; Dept of Correctional Serv, safekeepers- 2255.68; Echo Group, fuses- 49.09; Gill Hauling, service- 120.00; Grainger, valves- 154.50; Jacks Uniforms, clothing- 59.90; Janitor Depot, supplies- 437.93; Joes Dept Store, supplies- 28.73; Kleen Solutions, service- 69.90; Medical Imaging Physicians, medical- 89.00; Mercy Business Health, medical- 1309.00; Mercy Medical Center, medical- 1198.95; Midamerican Energy, utilities- 1790.90; Midwest Office Automations, contract/copies- 291.95; NE Nebr Juvenile Serv, boarding- 1472.50; Nebraska Public Power District, utilities- 2701.28; Net Sys Plus, repair- 567.50; NW IA Yes Center, boarding- 10675.00; St Lukes Dept of Lab Services, medical- 624.84; Sams Club, supplies- 347.77; Siouxland Federal Credit Union, supplies- 13.88; Siouxland Pathology, medical- 225.00; Trembly Pest Control, service- 55.00; US Bank, prescription- 4898.88; Verizon, phone- 222.05; WIT Comm College, cpr renewal- 660.00; Woodbury Co Juvenile Det, boarding- 6700.00; Holiday Inn, lodging- 179.90; Nebraska Assoc. of Co. Engineers, workshop- 85.00; Staples, supplies- 169.77; US Bank, meals- 10.69; Verizon, phone- 61.17; Advance Auto parts, parts- 18.98; AZ Inc, fuel- 100.01; Bomgaars, parts- 56.41; Dakota Business Systems, copier rental- 102.00; FIMCO, parts- 49.41; Hubbard Minimart, fuel- 427.05; Joes Dept Store, parts- 19.51; NAPA, parts- 65.51; Leon Pies, phone- 30.00; Pomps, tires- 588.80; Stephan Welding, repair- 7.00; US Bank, lodging/parts/meals- 2118.56; Pam Devries, mileage- 85.47; Pat Glover, hours- 320.00; Perkins, supplies- 66.52; Sanofi Pasteur, medical- 51.82; Roxanne Voss, hours- 70.00; Thomas Wente, physician fee- 250.00; Bill Johnston, mileage/phone/postage- 133.35; Thomson West, service- 711.10; Cableone, internet- 169.96; Claritus, ink- 149.45; Cherie Conley, membership- 19.50; Fibercomm, phone- 1246.08; FSH Communications, payphone- 63.60; Mailfinance, lease- 227.00; Mercy Business Health, eap agreement- 240.75; MIPS, support- 477.12; Norm Waitt Sr, memberships- 273.00; Region IV Mental Health, qtrly services- 7556.00; SIMPCO, plan- 4551.00; Madelyn Thorsland, prior yrs- 10.00; Three Rivers Benefit, flex admin fees- 1110.00; USPS Hasler, postage- 2500.00; Randy Walsh, membership- 19.50; Road Fund, budget transfer- 30000.00;

ROAD FUND: Aramark, service- 255.94; AZ Inc, fuel- 182.43; Matt Bartels, phone- 30.00; Dakota County Star, publishing- 23.15; Dakota County Treasurer, title- 10.00; Electronic Engineering, gps- 900.00; Fastenal, supplies- 140.96; Gill Hauling, service- 55.00; Walter Heinemann, prior yrs- 29.00; Hubbard Minimart, fuel- 1957.70; H2O4U, service- 8.50; Jackson Glass, parts/labor- 201.26; J&J Pronto, fuel- 139.38; Joes Dept Store, parts/supplies- 134.02; Kinetic Leasing, payment/interest- 2458.00; LG Everist, gravel- 16368.02; Love Brothers, parts/labor- 1049.31; Marx Truck Trailer, parts- 45.28; Matheson-Linweld, oxy- 50.50; Medical Enterprises, testing- 67.00; Midwest Wheel, supplies/parts- 377.00; Marlan Millard, prior yrs- 15.00; Nebraska Public Power District, utilities- 34.08; NE Nebraska Public Power District, utilities- 381.15; Northeast Nebraska Telephone, phone- 207.63; O'Reilly Auto Parts, parts/oil/tools- 494.14; Pomps, tires- 1220.00; Powerplan, parts- 639.81; Probuild, repair- 18.14; Rees Mack Sales, parts- 48.88; Road Machinery & Supplies, parts- 797.65; Robertson Implement, parts/labor- 287.42; St Lukes Center for Occ Health, drug testing- 70.00; Siouxland Hydraulics, parts- 14.00; Stephan Welding, labor- 75.00; Thermo King, supplies- 86.60; Thurston County, storage- 200.00; Titan Access, parts/supplies- 185.95; Torco Manufacture, parts- 359.90; US Bank, parts/fuel- 275.00; Verizon, phone- 33.86; Warren Oil, diesel- 5579.10; Zieglers, oil/blades/supplies- 5871.49;

ROAD IMPROVEMENT: HGM Assoc, engineering- 2000.00;

VISITORS PROMOTION: South Sioux City Chamber of Commerce, lodging tax- 6746.60;

INSTITUTIONS: Beatrice State Dev Center, quarterly payment- 543.00; Lincoln Regional Center, quarterly payment- 273.00;

STOP FUND: South Sioux City Police Dept, equipment- 954.84

HEALTH PLANNING GRANT: AT&T, phone- 35.69; Deanna Beckman, hours- 1309.00; Pam Devries, mileage- 112.11; HyVee, food- 156.66; Midwest Office Automation, copier- 5900.00; Net Sys Plus, computer repair- 180.00; US Bank, conference- 120.00;

PUBLIC SAFETY: City of South Sioux City, sales tax- 3270.35; Road Fund, sales tax- 749.38; Jail Bond Fund, sales tax- 29478.06;

ROLL CALL VOTE: Love – Yea, McNear – Yea, Gomez – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for Agenda Item, "Board to pass and approve Resolution 12C-007 to Adopt Guidelines for Drainage and Erosion Control". Joan Spencer reported that at the February 12, 2012 Storm Water Meeting it was approved by Commissioner Bousquet to adopt this resolution. South Sioux City and Dakota City will also adopt it. Joan Spencer advised that the Storm Water Committee has to adopt a design manual and it was their consensus that if they adopted the Nebraska Department of

Roads Manual they adopted a resolution to follow that manual. Mr. Kellogg informed that it is something the County does not have to follow too closely as there is no storm water sewer system, but to get the funding for this grant we have to adopt their guidelines and there shouldn't be any cost to the County.

Commissioner Gomez moved, seconded by Commissioner Love to approve Resolution 12C-007 Adopting Guidelines for Drainage and Erosion Control as provided in the Nebraska Department of Road Manual.

RESOLUTION ADOPTING GUIDELINES FOR
DRAINAGE AND EROSION CONTROL
RESOLUTION 12C-007

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF DAKOTA COUNTY, NEBRASKA:

That the regulations and manual of the Nebraska Department of Roads – Draining and Erosion Control will provide a general guideline for drainage and erosion control within the County and will serve as a best management practice guide for all construction and storm water management plans.

PASSED AND APPROVED this 19th day of March, 2012.

/s/WILLIAM B. ROHDE
BOARD VICE-CHAIR

ATTEST:
/S/ CHERIE CONLEY, DEPUTY COUNTY CLERK

ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Rohde – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for Agenda Item, "County Jail - Discuss and pass a resolution adding beds to increase the capacity of the new jail. Discuss and take action whether to formally close the old jail". Commissioner Rohde reported that this matter was taken care of during the Board of Corrections meeting held at 10:00 a.m. on March 19, 2012. Sheriff Kleinberg asked the Board what would be done with the space in the old jail and stated that he has an interest in using a portion of the old jail. Commissioners Gomez and Love informed that this subject would be addressed at a later time and that we will possibly be bringing back the Probation office and the Extension office.

Commissioner Love moved, seconded by Commissioner Gomez to approve Resolution 12C-006 to Permanently Close the Old Dakota County Jail Effective April 16, 2012.

BOARD OF COMMISSIONERS
DAKOTA COUNTY, NEBRASKA

RESOLUTION 12C-006
RESOLUTION TO PERMANENTLY CLOSE THE OLD DAKOTA COUNTY JAIL
EFFECTIVE APRIL 16, 2012

WHEREAS, pursuant to Neb. Rev. Stat. § 23-2802, in counties of less than one hundred fifty thousand inhabitants, the County Board may choose to serve as the County Board of Corrections; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-2802, any such County Board that chooses to serve as the County Board of Corrections shall have charge of the county jail and correctional facilities and of all persons by law confined in such jail or correctional facilities; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-2802, such County Board of Corrections shall comply with any rule prescribed by the Jail Standards Board pursuant to Neb. Rev. Stat. §§ 47-101 to 47-104; and,

WHEREAS, the Dakota County Board of Commissioners serves as the County Board of Corrections in Dakota County and pursuant to Neb. Rev. Stat. § 23-2802, has charge of the county jail and correctional facilities; and,

WHEREAS, the Dakota County Jail Administrator has advised the County Board that due to liability issues and cost effective measures, the old jail should be permanently closed effective April 16, 2012; and,

WHEREAS, the County Board wishes to permanently close the old jail due to liability issues and cost effective measures.

THEREFORE, BE IT RESOLVED, by the Dakota County Board of Commissioners that the County Board is hereby permanently closing the old jail effective April 16, 2012.

Resolved this *19TH* day of *MARCH*, 2012.

/s/ Bill B. Rohde
Vice Chair

ATTEST
/s/Cherie Conley, Deputy County Clerk

ROLL CALL VOTE: Gomez – Yea, Rohde – Yea, Love – Yea, and McNear - Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for Agenda Item, "Commissioners' Committee Reports". Commissioner Rohde advised the Board that there will be Comprehensive SIMPCO meeting regarding Economic Development on March 21, 2012 at 4:30 p.m. at the Courthouse.

Vice Chair Rohde called for Agenda Item, "Commissioners' Member Reports" and there were none.

Vice Chair Rohde called for Agenda Item, "Public Comment" and there was none.

Vice Chair Rohde called for Agenda Item, “County Clerk - Closed Session for discussion with respect to collective bargaining.” Vice Chair Rohde informed the Board he had spoken with Ted Piepho and this will not be discussed at today’s meeting.

Vice Chair Rohde called for Agenda Item, “Mail and/or Emergency Business” and there was none.

Vice Chair Rohde adjourned the meeting of March 19, 2012 at 5:01 p.m.

County Board of Commissioners

_____

Bill Rohde, Vice Chair Date Chair signed

_____

Cherie A. Conley, Deputy County Clerk Date

DAKOTA COUNTY SEAL NEBRASKA

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, April 2, 2012
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Rick Bousquet, Chair Theodore A. Piepho, Secretary

Chair Bousquet called their regular scheduled meeting to order at 4:08 p.m. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Rohde, McNear, Gomez, Bousquet, and Love, and Cherie Conley, Deputy County Clerk/Secretary. Absent were none. Also present were Joan Spencer, County Board Assistant and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
This meeting was advertised to begin at 4:02 p.m.
This agenda is subject to change up until 24 hours before the start of the meeting.
The Board Chair reserves the right to modify the order of the agenda during the meeting.
The Board reserves the right to call for action on any agenda item.

- Open the meeting.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call.
  - Approve the minutes of the previous meeting of March 19, 2012.
- Published to open at 4:02 p.m. Open Public Hearing to reclassify a portion of 220th Street from a Minimum Maintenance Road to an RL3 so a residence may be established on 220th Street beginning at Pigeon Avenue east two tenths of a mile on 220th Street to a residence more particularly described as Section 4, Township 27 North, Range 7 East.
  - Hear support, opposition, criticism, suggestions or observations relating to a resolution to reclassify the described road.
  - Close the Hearing
    - Motion on Resolution 12C-009 to reclassify the described stretch of minimum maintenance road between Sections 3 & 4, Township 27 North, Range 7 East to a local County Road.
- John Trecek, Ameritas Investment Corp.
  - To present information and options to bond the $1,333,000 C Avenue, Phase 2, paving project.
  - Board to approve a 15 or 20 year bonding schedule.
- Vicki Boss, 252 Clay Blvd, Homer, NE.
  - Requesting the County to maintain the road leading to her house.
- Fred Kellogg, Bi-weekly Road Report.
- Severe Weather Warning Siren Grant Application and Resolution.
  - Board approval for application and for Chair to sign the project application for NEMA Hazard Mitigation Grant monies to install an outdoor severe weather warning siren in the Tompkins Addition area.
  - Board to approve Resolution 12C-008 to Support 25% Grant Match Funding for Severe Weather Warning Siren. Project estimate $19,800.
- Miscellaneous Agenda Items.
  - Board discussion and possible action regarding creating a new budget function for a mechanic who will service all county-owned vehicles.
  - Approve Payroll Claims.
  - Board Chair to designate the individual who is to prepare agendas.
  - Review and adopt Notice of Meeting and Agenda Policy and Agenda Policy Guidelines.
  - Job Description - Joan Spencer, Administrative Assistant to the Board.
    - Discuss and approve or disapprove to whom the position reports.
- Commissioner's Committee Reports.
- Commissioner's Member Reports.
- Mail and/or Emergency Business.
- Public Comment.
- Closed session to discuss Correctional Officers Union contract negotiations.
- Closed session to discuss Road Department Union negotiations.
- Adjournment.

Chair Bousquet called for Agenda Item "Approve minutes of the March 19, 2012 meeting". Commissioner Gomez moved, seconded by Commissioner McNear to approve the minutes of the March 19, 2012 meeting as typed and prepared for the Official Record. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "John Trecek, Ameritas Investment Corp. to present information and options to bond the $1,333,000 C Avenue, Phase 2, paving project. The Board to approve a 15 or 20 year bonding schedule". Mr. Trecek presented the Board with amortization figures for a 15 year bond and a 20 year bond and explained the variables and rates concerning both terms. Commissioner Rohde commented that his thoughts are to extend the bond out due to upcoming circumstances with taking back the Assessor's office. Commissioner Rohde asked if the bond could be paid early should the County receive a windfall. Mr. Trecek advised that all bonds have to be carried for

a minimum of 5 years, but there is no penalty after that. The Board unanimously agreed to have Mr. Trecek prepare a 20 year bond proposal, which will be brought back before the Board at a later date for official approval.

Chair Bousquet called for the Agenda Item "Published to open at 4:02 p.m. Open Public Hearing to reclassify a portion of 220th Street from a Minimum Maintenance Road to an RL3 so a residence may be established on 220th Street beginning at Pigeon Avenue east two tenths of a mile on 220th Street to a residence more particularly described as Section 4, Township 27 North, Range 7 East. Hear support, opposition, criticism, suggestions or observations relating to a resolution to reclassify the described road. Close the Hearing. Motion on Resolution 12C-009 to reclassify the described stretch of minimum maintenance road between Sections 3 & 4, Township 27 North, Range 7 East to a local County Road". Chair Bousquet asked for a motion to open the public hearing. Commissioner Rohde moved, seconded by Commissioner McNear to Open the Public Hearing to reclassify a portion of 220th Street from a Minimum Maintenance Road to an RL3 (Rural Local Road) so a residence may be established at 4:17 p.m. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Fred Kellogg advised the Board that this resident was relocated due to the Pigeon Creek Project and is building a residence on this section of the road. Commissioner Rohde asked Mr. Kellogg if there was a lot work that needs to be done on this section and Mr. Kellogg advised that there is not. Mr. Kellogg also advised that it was his understanding that if anyone built or moved onto a minimum maintenance road that they were to bring it to standards at least to an RL3. After some research it was found that this policy was discussed back in the 1990's but was never adopted by a resolution. Therefore, there is not much that can be done and the County will be building this road up to an RL3. Commissioner McNear asked how long of a stretch this is and Mr. Kellogg advised 2/10ths of a mile. Chair Bousquet asked for public comment and there was none. Commissioner Rohde moved, seconded by Commissioner Gomez to close the public hearing to reclassify a portion of 220th Street from a Minimum Maintenance Road to an RL3 (Rural Local Road) so a residence may be established at 4:23 p.m. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet stated that there is a Resolution 12C-009 Dakota County Road Reclassification prepared and he needs a motion. Commissioner Love moved, seconded Commissioner McNear to approve Resolution 12C-009 Dakota County Road Reclassification of 220th Street from the intersection of Pigeon Avenue East 2/10ths of a mile be changed from a Minimum Maintenance Road to a RL3 (Rural Local Road).

DAKOTA COUNTY ROAD RECLASSIFICATION
RESOLUTION 12C-009

WHEREAS, a new residence is being constructed at the west end of a minimum maintenance road described as follows: 220th Street from the intersection of Pigeon Ave east two-tenths of a mile, more particularly described as being between Sections 3 & 4, Township 27N, Range 7E of the 6th Principal Meridian, Dakota County, Nebraska; and,

WHEREAS, due to the new residence being constructed, the Dakota County Board of Commissioners wishes to change the functional classification of 220th Street from the intersection of Pigeon Avenue east two-tenths of a mile, more particularly described as being between Sections 3 & 4, Township 27N, Range 7E of the 6th Principal Meridian, Dakota County, Nebraska, from minimum maintenance to that of a Rural Local Road.

THEREFORE, BE IT RESOLVED by the Dakota County Board of Commissioners that the functional classification of 220th Street from the intersection of Pigeon Ave east two-tenths of a mile, more particularly described as being Sections 3 & 4, Township 27N, Range 7E of the 6th Principal Meridian, Dakota County, Nebraska, is hereby changed from minimum maintenance to that of a Rural Local Road.

Adopted this 2nd of April, 2012, at Dakota City, Nebraska.

ATTEST:	Board of County Commissioners of Dakota County, Nebraska
/s/ Cherie Conley, Deputy County Clerk	/s/ Rick Bousquet, Chairperson

Board Member Love moved for the adoption of said resolution and was seconded by Board Member McNear. Roll Call: 5 yea 0 nay

Resolution adopted, signed, & billed as adopted
ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Vicki Boss, 252 Clay Blvd, Homer, NE requesting the County to maintain the road leading to her house". Chair Bousquet advised that Ms. Boss would not be attending as she was sick and she will need to request to get on the agenda again at a later date.

Chair Bousquet called for the Agenda Item "Fred Kellogg - Bi-weekly Road Report. Mr. Kellogg presented the Board with the following report.

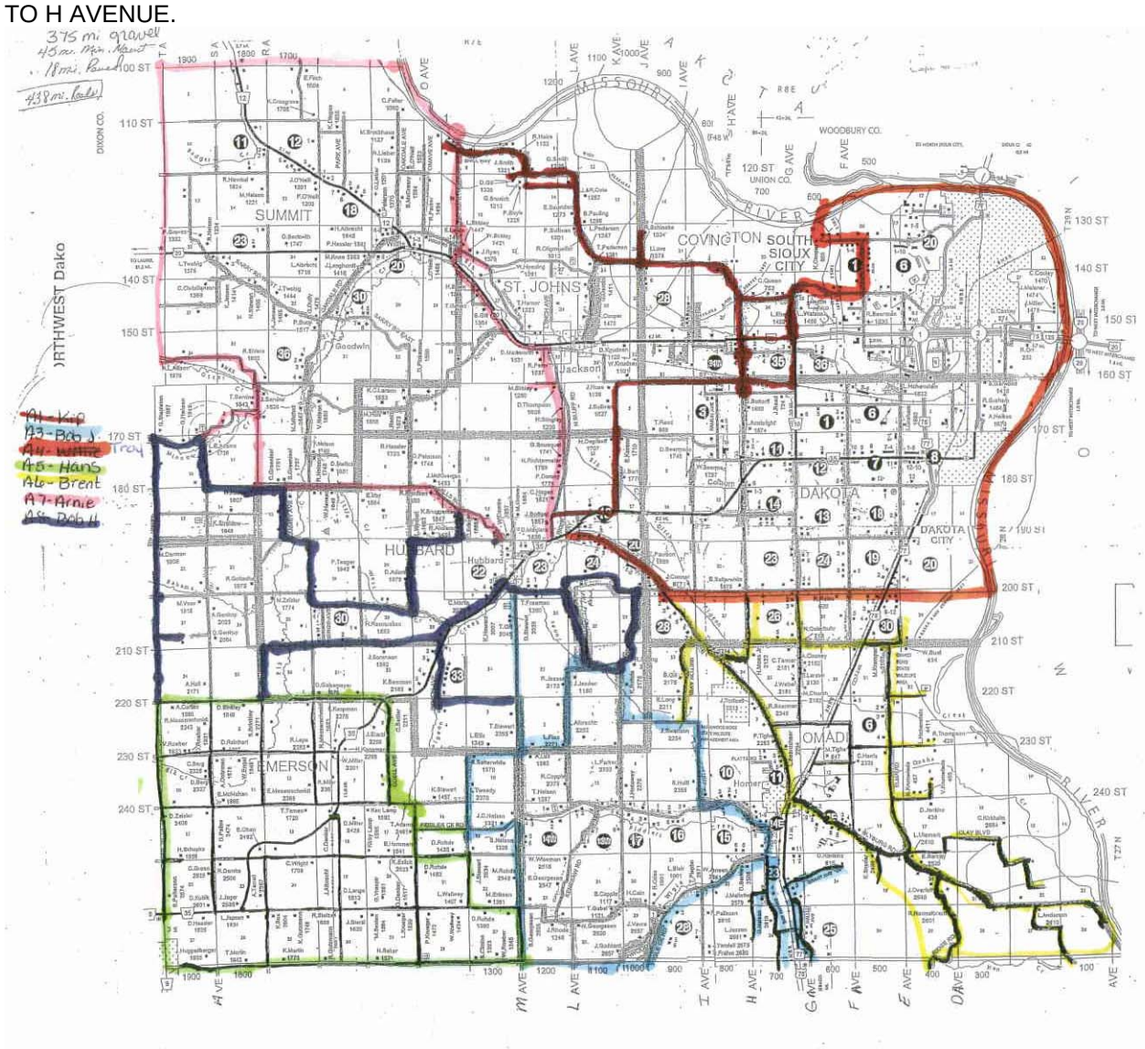
DAKOTA COUNTY ROAD DEPARTMENT MONTYLY REPORT: March

TOTAL ROAD MAINTENANCE: 469 HOURS

DISTRICT TOTALS: A1= 105.5 A3= 121 A4= 152.5 A5= 95.5 A6= 81.5 A7= 123 A8 = 108

OVERTIME HOURS	113 HOURS
TREE CUTTING:	83 HOURS
GRAVEL HAULING:	452.5 HOURS
TONS OF GRAVEL HAULED:	3200.17 CLASS A
	2350 PETERSON
	54.31 RR BALLAST
	1036.92 1" ROCK
	6,641.40 TOTAL TONS OF GRAVEL
SNOW REMOVAL:	0 HOURS
MAGNET:	8 HOURS
ROAD PROJECTS (PERRY AVE)	69 HOURS (3-15, 3-16, 3-17) culvert work

3-02-12 PUT WEIGHT RESTRICTION SIGNS FOR TRAFFIC ON 137TH STREET FROM L AVENUE TO H AVENUE.



Commissioner Bousquet asked Mr. Kellogg what projects they will be working on. Mr. Kellogg advised they will be working on a bridge on S Avenue, Frank O'Neill Bridge, Elgin Avenue, C Avenue, and checking into repairs to bridge on 164th Street to at least get it up to where emergency vehicles and smaller vehicles can cross as it is not able to bring it back up to a 22 ton bridge. Commissioner McNear and Love commented on the condition of Omaha Avenue and asked if it can be repaired.

Chair Bousquet called for the Agenda Item "Severe Weather Warning Siren Grant Application and Resolution. Board approval for application and for Chair to sign the project application for NEMA Hazard Mitigation Grant monies to install an outdoor severe weather warning siren in the Tompkins addition area. Board to approve Resolution 12C-008 to Support 25% Grant Match Funding for Severe Weather Warning Siren. Project estimate $19,800".

Joan Spencer commented that Pat Foust, Fred Kellogg and SIMPCO helped put together the 54 page grant. She stated that the grant required an alternate project which will be to update the current siren in that area as the range is not very far. The Grant requires the Board to sign a resolution for a 25% match of this grant. Commissioner Rohde moved, seconded by Commissioner Love to approve Resolution 12C-008 Support Grant Match Funding of 25% for Severe Weather Warning Siren which will be placed in the Tompkins Addition of South Sioux City.

Resolution to Support Grant Match Funding
for Severe Weather Warning Siren

RESOLUTION 12C-008

BE IT RESOLVED BY THE BOARD OF DAKOTA COUNTY COMMISSIONERS THAT on this 2nd day of April, 2012, that we the undersigned duly elected Commissioners of Dakota County hereby find as follows:

1. The residents of the urbanized area of Dakota County known as Tompkins Addition have expressed a desire to have a severe weather warning siren installed.

2. Dakota County Board of Commissioners support preparedness to provide the citizens of the Tompkins Addition and surrounding area adequate warning to reduce or prevent damage to property and/or prevent loss of life or serious injury during severe weather events.

THEREFORE, BE IT RESOLVED THAT THE UNDERSIGNED COMMISSIONERS HEREBY EXPRESS SUPPORT OF A 25% MATCH FOR THIS GRANT APPLICATION IN PREPARATION FOR A SEVERE WEATHER WARNING SIREN.

DATED this 2nd day of April, 2012.
/s/ Commissioner Rick Bousquet /s/ Commissioner William Rohde
/s/ Commissioner Antonio Gomez /s/ Commissioner Scott Love

ATTEST:
/s/ Cherie Conley, Deputy County Clerk /s/Commissioner Richard McNear

ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.
The Commissioners then extended a Thank You to Joan for all her hard work.

Chair Bousquet called for the Agenda Item "Approve Payroll Claims". Chair Bousquet advised he had gone through the payroll claims and they all looked good. Commissioner Gomez moved, seconded by Commissioner Love to approve the Payroll Claims as submitted to the County Clerk's office for processing.
COUNTY GENERAL FUND: Gross salaries- $129,772.53, General Fund Employees Net Pay- $92,650.68, Employer deductions paid: Retirement- $9,046.05, FICA- $7,802.44, Medicare- $1,824.83, DC Health Plan- $22,750.00, DC Dental Plan- $988.26 and Life Insurance- $202.61, Principal Mutual Life Insurance- $1,223.66.
Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1406.08, Daniel Christoffers- 602.00, Cherie Conley- 1230.77, Theodore Piepho- 1800.68, Mary C. Wiltgen- 1013.60, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jalissa Hattig – 880.00, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $860.00, Daniel Christoffers- 602.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 163.68, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 1098.65, Sergio Castillo- 1713.12, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 1974.48, Michael Estes- 1394.40, Brent Gilster- 1735.94, Todd Hammer- 1721.60, Richard Hansen- 1549.60, Melvin Harrison III- 1979.84, Jason James- 1665.81, Douglas Johnson- 1903.85, Kimberly Johnson- 343.20, Jared Junge- 1831.13, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1804.76, Michael Kreegar- 1693.60, Gayle Richards- 941.60, Kevin Rohde- 1822.86, Randall Walsh- 1903.85, Bridget Fiedler- 984.00, Kerry Johnson- 960.00, Sara Niles- 1884.62, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Caterina Saltzman- 1409.76, Jacob Acero- 1393.17, Ermelinda Ballesteros- 1390.95, Mason Billings- 1227.48, Joshua Blatchford- 1386.74, Rebecca Broer- 1475.76, Judy Case- 1188.00, Elisabet DeRoin- 1235.20, Sandy Dickens- 815.20, Jesse Doelle- 1059.20, Marjorie Donahue- 1603.78, Lisa Ford- 1357.56, Ryan Foster- 1239.06, Linda Frost- 882.40, Alma Gunderson- 1344.80, Deanna Haukap- 1320.80, Jeffrey Heitzman- 1284.00, Adam Hough- 1324.93, Michael Jacobson- 1259.93, Brett Johnson- 1332.80, Brenda Kelly- 1407.68, Terry Kern- 2030.29, Keith Klein- 1280.00, James Kleinberg- 1235.20, Paul Moser- 1188.00, Mark Nelson- 1476.66, Travis Olander- 1287.78, Kimberly Peterson- 1280.00, Cody Roeber- 1256.00, Jutharatana Ruenprom- 1320.80, Timothy Ryan- 1332.54, Linda Schovanec- 1396.80, Jennifer Svendsen- 1538.50, Francis Tope- 1349.46, Jewel Williams- 1395.29, Cara Wood- 1822.96, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 769.49, Linda Weitzel- 1210.31, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $13,115.46, State- $4,555.25, FICA- $5,285.55, Medicare- $1,824.83, Retirement- $6,126.09, Health Plan- $1,650.00, DC Dental Plan- $546.00, Sheriff Union Dues- $460.00, Deferred Comp- $332.00, Garnishments- $1,176.47, Flex Plan Medical- $731.49, Flex Plan Dependant Care- $287.50.
COUNTY ROAD PAYROLL: Gross salaries- $16,799.89, Road Employees Net Pay- $12,120.89, Employer deductions paid: Retirement- $1,082.13, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $25.31, FICA- $999.06, and Medicare- $233.67, Principal Mutual Life Insurance- $219.33..
Matthew Bartels- 1314.40, Brent Byroad- 1398.40, Robert Hacker- 1314.40, Ronald Harder- 768.00, Robert Jacobsen- 1455.15, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1554.95, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40, Matthew Roost- 1315.43.
ROAD FUND: Employee withholding paid to: Federal- $1,577.13, State- $546.13, FICA- $676.77, Medicare- $233.67, Retirement- $721.44, Health Plan- $350.00, DC Dental Plan- $84.00, Reassure America Life- $4.88, Colonial Life- $158.30, Deferred Comp.- $61.68, Flex Plan Medical- $105.00 and Union Dues- $160.00.
ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Board discussion and possible action regarding creating a new budget function for a mechanic who will service all county-owned vehicles". Commissioner Love stated that he recalls going over this last summer and his thoughts are having the Sheriff put money towards a budget so the mechanic at the road department could also work on sheriff vehicles and have the work billed to the appropriate department. County Attorney, Kim Watson, advised that this issue would have to be negotiated with the union and would need to be done during negotiations of such contract. Commissioner Bousquet advised that the Road Mechanic is currently working on sheriff vehicles and that he is being paid out of the Road Department's fund. Mr. Kellogg advised that the mechanic works on the sheriff department's vehicles only when he has time. Mr. Giese approached the Board and suggested possibly partnering with Dakota City or South Sioux City on using their mechanics.

Chair Bousquet called for the Agenda Item "Board chair to designate the individual who is to prepare agendas". Commissioner Bousquet suggested that Joan Spencer, Administrative Assistant to the Board, take over the preparation of the Board Agendas as she currently prepares the packets. Commissioner Love asked who would be the back-up for Joan. Commissioner Bousquet stated possibly Cherie with the County Clerk's office. Commissioner Love questioned whether that would pose problems. County Attorney, Kim Watson, volunteered to be the back-up for Joan Spencer in preparing the agendas. Commissioner Rohde moved, seconded by Commissioner Gomez to appoint Joan Spencer, Administrative Assistant to the Board, as the designated person to prepare the Board Meeting Agendas, and that Kim Watson, County Attorney, be the designated back-up person in Joan Spencer's absence. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Review and adopt Notice of Meeting and Agenda Policy and Agenda Policy Guidelines". Joan Spencer asked the Board Members to refer to the proposed Board Meeting Policy Guidelines she sent out in the mail. Commissioner Bousquet commented that the notices would need to be published by the County Clerk at the direction of the Board. The proposed guidelines were gone through paragraph by paragraph with changes made and agreed on by all Board Members. Commissioner Love moved, seconded by Commissioner Gomez to adopt the revised Dakota County Board of Commissioners Board Meeting Policy Guidelines as discussed and agreed on.

DAKOTA COUNTY BOARD OF COMMISSIONERS
BOARD MEETING POLICY GUIDELINES

The Dakota County Board adopts the following general policy guidelines in accordance with the Open Meetings Act laws as outlined in Nebraska Revised Statutes Section 84-1407 to 84-1414 and Robert's Rules of Order. Any inconsistencies or questions shall be resolved in favor of the statutory provisions, followed by this policy.

NOTICE OF MEETING

The County Board will publish notice of regularly scheduled meetings in the edition of the Dakota County Star published on Thursday prior to the Monday meeting with the time and place of the meeting. [84-1411(1)]

(1) The County Clerk shall publish Notice of Meeting.

Such notice shall be transmitted to all members of the board and to the public. Such notice shall state that the agenda, which shall be kept continually current, shall be readily available for public inspection, along with all attachments, at the County Clerk's office during normal business hours. [84-1411(1)]

(1) The agenda shall also be kept current in the Board Administrative Assistant's office.

The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting. [84-1411(4)]

(1) The Dakota County Board designates the Board Administrative Assistant.

The county clerk shall have the power to call special sessions when the interests of the county demand it, upon giving five days' notice of the time and object of calling the commissioners together, by posting up notices in three public places in the county, or by publication in a newspaper published therein. [23-154]

The Dakota County Board of Commissioners shall meet bi-weekly at the County Courthouse in the Board meeting room. [23-153(1)]

AGENDA

Public bodies shall make available at the meeting or the instate location for a telephone conference call or videoconference, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information. [84-1412(8)]

The Administrative Assistant to the County Board shall maintain the agenda for the County Board meetings. Advance public notice of all regular and special meeting dates and times shall be determined by the Board. Notice of each meeting shall be publicized according to statute. The Administrative Assistant shall keep the agenda continually current and make readily available for public inspection in both the County Clerk's office and the Board Administrative Assistant's office.

Submission of potential agenda items may be made:

(1) By the public to the Board Administrative Assistant in writing during posted business hours until 10 a.m. the Friday prior to the meeting. The Board Administrative Assistant may not accept agenda items without approval of the Board Chair.

Except for items of an emergency nature, the agenda shall not be altered later than (a) twenty-four hours before the scheduled commencement of the meeting or (b) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting. [84-1411(1)]

A tentative agenda shall be posted at each US Post Office in Dakota County and sent electronically to Board Members, media, website and public by 3:00 p.m. the Friday prior to the next board meeting. Distribution of the tentative agenda to the public at this time shall be at the discretion of the Administrative Assistant to the Board. A tentative agenda shall be mailed on Friday prior to the next Board meeting to those who do not have access to the agenda electronically.

Commissioner's packets shall be prepared and available for distribution to board members the Friday afternoon prior to the next scheduled meeting. All materials received by noon the Friday prior to the meeting will be distributed in the board members' packets. Materials received after the packets have been distributed to the board members will be available prior to the meeting.

Any changes in the agenda prior to the statutory 24 hour period shall be noted and the revised agenda shall be prepared in a manner to indicate revisions in bold face type of a different color and made available to all affected parties in a timely fashion.
ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Job Description - Joan Spencer, Administrative Assistant to the Board. Discuss and approve or disapprove to whom the position reports". Commissioner Bousquet informed the Board that currently Joan Spencer, Administrative Assistant to the Board, reports to Ted Piepho, County Clerk and suggests that her position be changed to report to the Board of Commissioners. Joan Spencer asked for verification on who she reports to. Commissioner Bousquet informed that she would report to the Chair and if the Chair is not available then the Vice-Chair. County Treasurer, Bob Giese, addressed the Board and stated that in the short time he has been here he has observed that Ted has done a good job on doing the agendas and he knows that Joan will do just as well. He questions the reason for the change and not so much the reason for the change, but in his mind in seeing day to day Joan and the work that she does wonder if this is something she is going to be able to do and he feels that Joan may not tell the Board no because that is the type of person she is. He hopes that this is not something that will send Joan over the top or over the cliff, my point is that Joan is busy. Commissioner Love advised that he feels Joan will tell them if she is not able to keep up. Commissioner Rohde moved, seconded by Commissioner Gomez to have the job position of the Administrative Assistant to the Board changed to report to the Board of Commissioners Chair and if the Chair is not available then the Vice-Chair. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Commissioner's Committee Reports". Commissioner Rohde informed that he attended the Comprehensive Planning meeting with SIMPCO and that ends the meetings and in a few months they will come back to the Board with a report. Commissioner Gomez informed that he attended a Planning and Zoning meeting and went over a couple of issues that were discussed. Commissioner McNear informed that he attended a Health Department meeting at the LEC and discussed the topics covered at the meeting.

Chair Bousquet called for the Agenda Item "Commissioner's Member Reports" and there were none.

Chair Bousquet called for the Agenda Item "Public Comment" and there was none.

Chair Bousquet called for the Agenda Item "Mail and/or Emergency Business" and there was none.

Chair Bousquet called for the Agenda Item "Closed session to discuss Correctional Officers Union contract negotiations". Commissioner Gomez moved, seconded by Commissioner McNear to go into Closed Session to discuss negotiations of the Correctional Officers Union Contract at 5:11 p.m. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for a motion to come out of Closed Session. Commissioner Love moved, seconded by Commissioner Rohde to come out of Closed Session at 5:26 p.m. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Closed session to discuss Road Department Union negotiations". Commissioner Gomez moved, seconded by Commissioner McNear to go into Closed Session to discuss negotiations of the Road Department Union Contract at 5:27 p.m. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for a motion to come out of Closed Session. Commissioner Rohde moved, seconded by Commissioner Gomez to come out of Closed Session at 5:43 p.m. ROLL CALL VOTE:

Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet adjourned the meeting of April 2, 2012 at 5:44 p.m.

County Board of Commissioners

_____

Rick Bousquet, Chair Date Chair signed

_____

Cherie Conley, Deputy County Clerk Date

DAKOTA COUNTY SEAL NEBRASKA

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, April 16, 2012
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Rick Bousquet, Chair Theodore A. Piepho, Secretary

Chair Bousquet called their regular scheduled meeting to order at 4:09 p.m. The location of the Open Meetings Act was noted. Roll Call was taken and present were Commissioners Rohde, McNear, Gomez, Bousquet, and Love and Cherie Conley, Deputy County Clerk/Secretary. Absent were none. Also present were Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – Excused Absence

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

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

1. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
    a. Approval of the previous minutes - April 2, 2012
    b. Officials Reports
    c. Approve payroll claims
    d. Approve accounts payable claims
    e. Nebraska Liquor Control Commission requests board approval of Gregory C. Hosch as manager for Horseman's Atokad Downs, South Sioux City.
    f. Board to approve Interlocal Agreement between the City of South Sioux City and Dakota County to provide a responsible party consultant in compliance with Nebraska Department of Roads guideline requirements for participation in federal-aid transportation construction programs.
    g. Resolution 12C-010. Support of BPI and their product, Lean Finely Textured Beef, (LFTB) in light of the internet and media campaign to undermine their product.

2. NEW BUSINESS
    a. 4:05 p.m. Open and award Road Grader Contractor bids.
    b. 4:10 p.m. Open and award Elgin Avenue overlay bids.
    c. 4:15 p.m. Public Hearing to approve or disapprove a Conditional Use Permit request from Bernadine Sullivan, American Tower Corporation, to install antennas on the existing self-support tower and install a prefabricated shelter to improve the communication service in Jackson, Nebraska. Property located at 1262 Moody Road, Jackson, Nebraska.
    d. Phil Anderson, Nebraska Dept. of Motor Vehicles, District III Supervisor, to present request for allocation of space in the old jail area to relocate the Driver License Exam Offices.
    e. Vicki Voss, 2525 Clay Blvd, Homer, Nebraska, requesting the County to maintain the road leading to her house.
    f. Tim Decker, Chief Deputy Sheriff, seeking board approval for the purchase of two patrol vehicles.
    g. Chad Kehrt - Olsson Associates Agreement for Professional Services – C Avenue Paving Improvements – Phase 2 project.
    h. Stan Jans to present petition to abandon road and request the Board to hold a Public Hearing. [S4 T28 R9E] 13th Street north of Pine Street to intersection with IBP Avenue.

3. MISCELLANEOUS
    a. Road Report – Fred Kellogg, Highway Superintendent
    b. Discuss Dakota County support for community use of reusable shopping bags and approve or disapprove monetary sponsorship of the "Bring Your Own Bag" campaign and kick-off event.
    c. Quarterly Jail Tour per Statute 47-109

4. COMMISSIONER COMMITTEE REPORTS

5. MAIL AND/OR EMERGENCY BUSINESS

6. PUBLIC COMMENT

7. ADJOURNMENT

The next Board of Commissioner meeting will be April 30, 2012.

Chair Bousquet called for Agenda Item #1 Consent Agenda. Chair Bousquet removed item f. for further discussion. Chair Bousquet asked that Consent Agenda Items "**a.** Approval of the previous minutes – April 2, 2012, **b.** Officials Reports, **c.** Approve Payroll Claims, **d.** Approve Accounts Payable Claims, **e.** Nebraska Liquor Control Commission requests Board approval of Gregory C. Hosch as manager for Horseman's Atokad Downs, South Sioux City, and **g.** Resolution 12C-010 Support of BPI and their product, lean finely Textured Beef (LFTB) in light of the internet and media campaign to undermine their product". Chair Bousquet informed the Board that he had gone through the Payroll Claims and Accounts Payable Claims and they all seem to be in order as do the other items.

Commissioner Gomez moved, seconded by Commissioner Love to approve Consent Agenda items **a.** Approval of the previous minutes – April 2, 2012.
b. Officials Reports from the County Clerk's Office, Register of Deeds Office, Clerk of District Court, Veteran's Service Office, and Sheriff Departments.
c. Approve Payroll Claims.
COUNTY GENERAL FUND: Gross salaries- $127,488.56, General Fund Employees Net Pay- $90,952.31, Employer deductions paid: Retirement- $8,884.04, FICA- $7,660.80, Medicare- $1,791.72, DC Health Plan- $22,750.00, DC Dental Plan- $988.26 and Life Insurance- $202.62.
Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1406.08, Daniel Christoffers- 602.00, Cherie Conley- 1230.77, Theodore Piepho- 1800.68, Mary C. Wiltgen- 1013.60, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jalissa Hattig – 880.00, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $860.00, Daniel Christoffers- 602.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 163.68, Zachary Gerth- 1656.71, Debra Jensen- 1296.901, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 963.20, Sergio Castillo- 1593.60, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 1755.56, Michael Estes- 1593.60, Brent Gilster- 1693.60, Todd Hammer- 1721.60, Richard Hansen- 1549.60, Melvin Harrison III- 1700.08, Jason James- 1665.82, Douglas Johnson- 1903.85, Kimberly Johnson- 411.84, Jared Junge- 1733.60, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1693.60, Michael Kreegar- 1693.60, Gayle Richards- 941.60, Kevin Rohde- 1705.60, Randall Walsh- 1903.85, Bridget Fiedler- 947.10, Kerry Johnson- 960.00, Sara Niles- 1884.62, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Jacob Acero- 1337.11, Ermelinda Ballesteros- 1426.78, Mason Billings- 1235.20, Joshua Blatchford- 1426.78, Rebecca Broer- 1497.21, Judy Case- 1188.00, Elisabet DeRoin- 1235.20, Sandy Dickens- 813.24, Jesse Doelle- 1059.20, Marjorie Donahue- 1567.75, Lisa Ford- 1443.46, Ryan Foster- 1269.94, Linda Frost- 882.40, Alma Gunderson- 1344.80, Deanna Haukap- 1320.80, Jeffrey Heitzman- 1280.00, Adam Hough- 1329.06, Michael Jacobson- 1259.93, Brett Johnson- 1336.97, Brenda Kelly- 1310.16, Terry Kern- 2030.29, Keith Klein- 1280.00, James Kleinberg- 1250.64, Paul Moser- 1284.53, Mark Nelson- 1476.66, Travis Olander- 1320.80, Kimberly Peterson- 1280.00, Cody Roeber- 1256.00, Jutharatana Ruenprom- 1320.80, Timothy Ryan- 1256.00, Linda Schovanec- 1414.26, Jennifer Svendsen- 1672.38, Francis Tope- 1332.80, Jewel Williams- 1412.00, Cara Wood- 1374.48, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 817.20, Linda Weitzel- 1229.37, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $12,864.11, State- $4,460.69, FICA- $5,189.59, Medicare- $1,791.72, Retirement- $6,015.47, Health Plan- $1,650.00, DC Dental Plan- $546.00, Colonial Health- $711.53, Sheriff Union Dues- $460.00, Colonial Life/Disability- $319.68, Deferred Comp- $332.00, Garnishments- $1,176.47, Flex Plan Medical- $731.49, Flex Plan Dependant Care- $287.50.
COUNTY ROAD PAYROLL: Gross salaries- $16,580.66, Road Employees Net Pay- $11,963.88, Employer deductions paid: Retirement- $1,067.33, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $25.32, FICA- $985.47, and Medicare- $230.48.
Matthew Bartels- 1314.40, Brent Byroad- 1529.50, Robert Hacker- 1314.40, Ronald Harder- 768.00, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40, Matthew Roost- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,547.34, State- $535.94, FICA- $667.57, Medicare- $230.48, Retirement- $711.59, Health Plan- $350.00, DC Dental Plan- $84.00, Reassure America Life- $4.88, Colonial Life Health- $147.07, Colonial Life/Disability- $11.23, Deferred Comp.- $61.68, Flex Plan Medical- $105.00 and Union Dues- $160.00.
d. Approve Accounts Payable Claims.
GENERAL FUND: Dakota County Star, publishing- 367.35; Richard McNear, mileage- 30.53; Perkins, supplies- 98.14; F&M Bank, stop pay- 20.00; Nebraska Assoc. of Co Clerks, dues- 75.00; Theodore Piepho, phone- 30.00; Staples, envelopes- 19.99; AS Central Services, services- 115.00; Robert Giese, mileage- 133.20; Charlotte Doenhoeffer, prior yrs- 10.00; Ruth Jensen, prior yrs- 12.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; US bank, toner- 583.52; Deb Benton, mileage- 8.88; Margie Rahn, prior yrs- 12.00; Microfilm Imaging, lease- 240.00; Midwest Office Automation, repair- 160.57; IA Office Supply, supplies- 4.98; AJ Phillips, posters- 20.00; Dakota County Star, publishing- 153.00; Des Moines Stamp, stamps- 27.55; Dugan Business Forms, envelopes- 129.85; Election Systems & Software, ballot layout/ink- 1492.13; Office Elements, supplies- 427.10; Perkins, supplies- 149.68; Theodore Piepho, mileage- 117.67; Staples, supplies- 179.79; US Bank, fonts- 104.94; Dakota Business Systems, copier rental- 102.00; Dakota County Star, publishing- 18.52; Deb Green, mileage/meeting- 101.61; Jolene Gubbels, minutes- 90.00; Holiday Inn, lodging- 420.00; Paul Ireland, mileage/meeting- 46.65; Jim Jepsen, mileage/meeting- 48.33; Tom Lynch, mileage/meeting- 19.44; Dick McCabe, mileage/meeting- 29.43; Arnie Mellick, phone/mileage- 265.03; Marlan Millard, mileage/meeting- 243.14; Harold Moes, mileage/meeting- 68.31; Joe O'Neill, mileage/meeting- 18.89; Martin Rohde, mileage/meeting- 47.76; Brian Rush, mileage/meeting- 26.10;

Executive Tech, contract- 196.11; MIPS, scanning- 86.00; Phyllis Obermeyer, mileage- 77.70; Office Systems, typewriters- 182.50; Century Business Products, toner- 205.98; Paula Jensen, reimburse- 10.74; Marlin Business Bank, copier- 200.00; Microfilm Imaging Systems, scanning- 190.50; New Perspectives, shredding- 30.75; Redfield & Company, folders- 236.12; Thomson West, service- 488.00; US Bank, supplies/equipment- 1940.06; Midwest Office Automations, contract- 94.19; Perkins, supplies- 52.22; Thomson West, service- 711.10; Dakota County Sheriff, papers/warrants- 1185.99; Dakota County Court, bill of exceptions/court costs- 1,731.35; Dixon County Sheriff, subpoenas- 131.83; Randy Hisey, court appointed counsel- 342.00; Kueny & Begley, court appointed counsel- 960.00; Stuart Mills, court appointed counsel- 780.00; Richard Thramer, court appointed counsel- 333.88; Patrick Tott, court appointed counsel- 996.00; District Court, court costs- 742.00; Richard Thramer, court appointed counsel- 555.39; Michael Schmiedt, court appointed counsel- 56.25; US Bank, juror meals- 438.18; Perkins, supplies- 24.70; Amsan, supplies- 118.66; Bomgaars, supplies- 352.23; Chicken Depot, fescue- 65.00; Cummins Central Power, supplies- 1103.39; Display Sales, supplies- 373.00; Gill Hauling, service- 120.00; Grainger, supplies- 883.11; Janitor Depot, supplies- 192.86; Richard Jensen, mileage- 103.01; Joes Dept Store, supplies- 289.20; Menards, supplies- 983.12; Midamerican Energy, utilities- 1102.00; Nebraska Public Power Dist, utilities- 1852.04; Sams Club, supplies- 220.44; Share Corp, repair- 396.15; US Bank, supplies- 30.77; Verizon, phone- 56.59; PMNRD, rent- 833.33; UNL Extension, reimburse- 4287.92; AJ Gallagher Risk Management, notary bond- 40.00; Kerry Bligh, animal control- 350.00; City of South Sioux City, phone/fuel- 5253.81; Consolidated Management, meals- 19.00; Dakota County Sheriff, notary fee- 30.00; Joes Department Store, supplies- 2.34; O'Reilly Automotive, supplies- 734.10; Siouxland Federal Credit Union, software- 94.98; South Sioux Animal Hospital, grooming- 45.00; TAB Products, software- 1930.00; US Bank, supplies/ink/training/fuel/tire repair- 358.09; Verizon, phone- 172.04; Cartridge World, ink- 45.98; Dakota County Treasurer, registration/copies- 117.00; Dakota County Star, publishing- 69.03; Iowa Office Supply, contract- 152.23; Pathology Medical Services, autopsy cost- 1750.00; Peter Parry, phone- 20.00; University of Nebraska Medical Center, testimony- 1000.00; Verizon, phone- 136.01; US Bank, supplies/photos- 85.60; City of South Sioux City, lec cost share- 32258.71; AJ Phillips Publishing, cards- 45.00; Caterina Saltzman, mileage- 171.50; Verizon, phone- 89.68; Addison Electric, video screen/ballast- 335.00; Aramark, service- 84.14; Associated Fire Protection, horn/service- 389.00; Bob Barker, supplies- 395.03; CW Sutter, work- 165.00; CashWa, meals- 104.35; CBM Food Service, meals- 21727.10; City of South Sioux City, fuel- 475.00; Crescent Electric Supply, ballast- 56.67; Dakota County Sheriff, meals/mileage- 550.54; Dakota County Sheriff, medical- 760.00; Dakota One Leasing, contract- 220.00; Gill Hauling, service- 120.00; Grainger, repair kits- 829.39; Jacks Uniforms Equip, supplies- 60.90; Janitor Depot, supplies- 2474.27; Jims Home Health Supplies, medical- 75.00; Joes Department Store, supplies- 10.78; Kleen Solutions, supplies- 34.95; Mercy Business Health, medical- 1575.00; Mercy Medical Center, medical- 4188.10; Midamerican Energy, utilities- 641.82; Midwest Office Automations, contract- 160.50; Moore Medical, medical- 331.80; Nebraska Public Power District, utilities- 2450.23; Nebraska UC Fund, unemployment- 3828.00; Net Sys Plus, computer work- 112.50; NW Iowa Emerg Phys, medical- 477.00; NW IA Yes Center, boarding- 4550.00; Redwood Biotech, drug test- 92.17; St Lukes Dept of Lab Services, medical- 116.99; Siouxland Surgery Center, medical- 1870.40; Staples, chair- 68.24; TriTech Innovations, video controller- 520.00; US Bank, prescriptions/meals- 6573.05; Verizon, phone- 221.12; Virtual Radiological Finals, medical- 423.00; Dodge County Clerk, 3rd qtr- 12667.80; Sams Club, supplies- 78.12; Verizon, phone- 61.13; Advance Auto Parts, parts- 30.72; AZ Inc, fuel- 100.01; Bomgaars, parts- 25.70; Hastings Hotel & Conv. Center, lodging- 129.98; Hubbard Minimart, fuel- 584.00; Nebraska Weed Control Assoc, dues- 135.00; Leon Pies, meals/phone- 36.20; US Bank, meals/fuel/sprayer equip- 4514.85; CLIA Laboratory, license- 150.00; Pam Devries, mileage- 69.93; Pat Glover, hours- 100.00; Linda Weitzel, mileage- 92.69; Thomas Wente, physician fee- 250.00; Bill Johnston, mileage- 346.45; Perkins, supplies- 37.08; Computer Help, service- 115.00; Lukens Memorials, grave markers- 770.00; Cableone, internet- 169.96; Cherie Conley, membership- 19.50; Dakota County Treasurer, taxes- 7800.00; FiberComm, phone- 1232.31; FSH Communications, payphone- 63.60; IBM Corp, maintenance- 225.00; Mail finance, lease payment- 227.00; Mercy Business Health, eap agreement- 240.75; MIPS, support- 477.12; Norm Waitt YMCA, membership- 234.00; Region IV Inc, services- 5320.25; SSC Chamber, sponsorship- 500.00; Madelyn Thorsland, prior yrs- 10.00; Three Rivers Benefit, admin fee- 110.00; USPS Haler, postage- 2500.00; Randy Walsh, membership- 19.50; Road Fund, budget transfer- 135000.00;

ROAD FUND: Aramark, service- 338.48; Atoka Heritage Express, fuel- 115.01; AZ Inc, fuel- 3902.31; B's Enterprises, blades- 4400.00; Matt Bartels, phone- 30.00; Dakota County Star, publishing- 23.15; Electronic Engineering, gaps- 900.00; Fastenal, supplies- 230.79; First National Bank & Trust, grader- 15202.57; Gill Hauling, service- 80.00; Walter Heinemann, prior yrs- 29.00; Heritage Express, fuel- 122.00; Hubbard Minimart, fuel- 6627.21; Hundertmark, parts/labor- 220.02; H2O4U, service- 30.00; J&J Pronto, fuel- 500.01; Joes Dept Store, supplies- 25.81; Kinetic Leasing, loader payment- 2458.00; LG Everist, gravel- 61375.49; Love Brothers, parts- 157.34; Matheson-Linweld, oxy- 57.60; Marlan Millard, prior yrs- 15.00; Nebraska Public Power District, utilities- 34.67; NE Nebraska Public Power District, utilities- 254.75; Northeast Nebraska Telephone, phone- 211.23; O'Reilly Auto Parts, supplies/parts- 520.70; Overhead Door, building repair- 157.00; Peterson Sand & Gravel, gravel- 3993.00; Powerplan Murphy, supplies- 624.50; Probuild, lumber- 7.37; Rees Mack & Sales, parts/supplies- 663.58; Rees Mack Sales, parts/supplies- 663.58; Road Machinery & Supply, parts- 255.73; Robertson Implement, labor- 18.71; Sams Club, supplies- 39.82; Siouxland Hydraulics, parts- 226.03; Thermo King, parts/supplies/tools- 1164.82; Thurston County, storage- 200.00; TriState Communications, radio equipment- 676.00; Verizon, phone- 33.89; Warren Oil, diesel- 15401.67; Zieglers, labor- 153.20;

HARD SURFACE: Olsson Associates, engineering- 315.00;

ROAD IMPROVEMENT: City of South Sioux City, principle/interest- 28392.85; Midwest Service & Sales, culvert- 3689.25;

VETERANS AID: County Veterans Service Office, checking- 4500.00;

HEALTH PLANNING GRANT: AT&T, phone- 65.19; Deanna Beckman, hours- 1275.00; Pam Devries, mileage- 60.49; US Bank, supplies- 672.67;

INHERITANCE TAX: Road Improvement Fund, budget- 140000.00;
E911: City of South Sioux City, 911 monies- 29260.57;
e. Nebraska Liquor Control Commission requests Board approval of Gregory C. Hosch as manager for Horseman's Atokad Downs, South Sioux City.
g. Resolution 12C-010 Support of BPI and their product, lean finely Textured Beef (LFTB) in light of the internet and media campaign to undermine their product.

BOARD OF COMMISSIONERS
DAKOTA COUNTY, NEBRASKA

RESOLUTION 12C-010

RESOLUTION OF SUPPORT FOR BPI – BEEF PRODUCTS INC.
AND THEIR PRODUCT, LEAN FINELY TEXTURED BEEF (LFTB)

WHEREAS, BPI became a victim of an internet and media campaign to undermine the company product, and

WHEREAS, BPI applies the latest technology and processing techniques to ensure the highest quality products, and

WHEREAS, BPI is recognized for their efforts in advancing food safety and adherence to high standards, and

WHEREAS, their product, Lean Finely Textured Beef (LFTB), is part of nearly 20 billion meals per year with an unsurpassed food safety record.

THEREFORE, BE IT RESOLVED that the Dakota County Board of Commissioners does hereby officially declare their support for BPI and their product, Lean Finely Textured Beef (LFTB),

AND BE IT FURTHER RESOLVED that the County Clerk send copies of this Resolution of Support to the attention of the local media.

Resolved this 16th day of April, 2012.

/s/Richard Bousquet
Chair
/s/Scott Love
Commissioner
/s/Bill B. Rohde
Commissioner

/s/Antonio Gomez
Commissioner
/s/Richard McNear
Commissioner
ATTEST
/s/Cherie Conley, Deputy County Clerk
Theodore A. Piepho, County Clerk

APPROVED AS TO FORM: /s/Kim Watson, County Attorney

ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item **"f."** of the Consent Agenda "Board to approve Interlocal Agreement between the City of South Sioux City and Dakota County to provide a responsible party consultant in compliance with Nebraska Department of Roads guideline requirements for participation in federal-aid transportation construction programs." for discussion.

Chair Bousquet advised that the County Attorney had reviewed this agreement and found that there was some wording in the old agreement that she believes needs to be added into the new agreement. County Attorney, Kim Watson advised that these changes needs to be brought to the City of South Sioux for their approval. Chair Bousquet asked that Joan Spencer, Administrative Assistant to the Board contact the City of South Sioux City and place this item on the agenda for the next meeting.

Chair Bousquet called for the Agenda Item #2 New Business: "**a.** 4:05 p.m. Open and award Road Grader Contractor bids" at 4:15 p.m. Fred Kellogg advised that the contractors were asked to bid by the hour and that there would be no snow removal, just grading roads and that 5 bids were received. Bids were opened by Fred Kellogg and reported as follows:
David Criss of Hubbard, NE $100.00 per hour; Albenesius Construction of Jackson, NE $95.00 per hour; Gill Construction of Jackson, NE $195.00 per hour; Cooney Fertilizer, Inc. of Walthill, NE $100.00 per hour; and Stan Jans Contracting Inc. $112.00 per hour. Chair Bousquet asked the Board what their thoughts were. Commissioner Rohde commented that these hourly rates could possibly be based on the type of machinery they would be using. Commissioner Rohde suggested that the decision should be referred to the Road Committee and Fred Kellogg. Chair Bousquet reviewed the publication for bids and it was decided that it would be turned over to the Road Committee and Fred Kellogg to make decisions as to which contractor would be used and where. Commissioners McNear and Love requested that the policy for approval be changed. County Attorney, Kim Watson advised the policy can be changed, but it will need to be added to a later agenda.

Chair Bousquet called for the Agenda Item #2 New Business: "**b.** 4:10 p.m. Open and award Elgin Avenue overlay bids". Fred Kellogg opened the single bid received from Knife River and stated that this project is 3/10th of a mile to be resurfaced and 3 sections that need to be dug out with a 3 inch overlay. Knife River gave bids for 3 different scenarios of $64,669.70, $48,818.90, and $81,313.50. Mr. Kellogg suggested to the Board that since Knife River was the only bidder that the Road Committee meet with Knife River personally and discuss what would be the best solution. Commissioner Love asked what the one and six plan was for and Mr. Kellogg advised it was for $62,000.00.

Commissioner Rohde moved, seconded by Commissioner Gomez moved to award Knife River the Elgin Avenue overlay project contract and to leave it up to the Road Committee to determine which of the three options given in the bid of $64,669.70, $48,818.90, and $81,313.50 would be best. . ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business: "**c.** 4:15 p.m. Public Hearing to approve or disapprove a Conditional Use Permit request from Bernadine Sullivan, American Tower Corporation, to install antennas on the existing self-support tower and install a prefabricated shelter to improve the communication service in Jackson, Nebraska. Property located at 1262 Moody Road, Jackson, Nebraska." Chair Bousquet Opened the Public Hearing at 4:27 p.m. Chair Bousquet asked if there was anyone there to speak for this project; there was no one. Chair Bousquet asked if there was anyone there to speak against this project; there was no one. Chair Bousquet asked if there was anyone there as a neutral party to speak; there was no one. Chair Bousquet asked if any of the Commissioners had any comments; Commissioner Gomez advised that the Planning and Zoning Committee had met and agreed to approve this project. Chair Bousquet closed the Public Hearing at 4:28 p.m. and asked for a motion.

Commissioner Rohde moved, seconded by Commissioner Love to approve the Conditional Use Permit request from Bernadine Sullivan, American Tower Corporation, to install antennas on the existing self-support tower and install a prefabricated shelter to improve the communication service in Jackson, Nebraska. Said property is located at 1262 Moody Road, Jackson, Nebraska. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business: "**d.** Phil Anderson, Nebraska Department of Motor Vehicles, District III Supervisor, to present request for allocation of space in the old jail area to relocate the Driver License Exam Offices." Mr. Anderson approached the Board and advised that due to the amount of traffic that comes through the Dakota County Driver's License Examiners station, that he is requesting that the space that is becoming available due to the closing of the old jail, that they be considered to relocate to that area if at all possible. Commissioner Love asked Mr. Anderson if the space they currently have is sufficient and Mr. Anderson advised that it is workable, but they would like a backroom for training purposes and other things to accommodate different circumstances. Mr. Anderson stated that being on the main floor of the courthouse would benefit the public as well as the examiners. Commissioner Love informed that there are several possible options being looked at for the space in the old jail and his request would be considered. Chair Bousquet advised that a space study may need to be done and lots of construction to make the space usable by other offices.

Mr. Anderson also brought to the attention of the Board that in the past there was a panic alarm system tied into the exam room that when in need the staff could activate the button and law enforcement would assist. At some point, unknown to them, this system has been deactivated and it causes some concern. The past week there was a situation where the alarm was activated due to a customer having a medical emergency, but there was no response, so the staff called 911 themselves. Mr. Anderson would like this matter looked into. Chair Bousquet advised that this concern will be placed on the next agenda and that they would contact Sheriff Kleinberg to address this issue.

Chair Bousquet called for the Agenda Item #2 New Business: "**e.** Vicki Voss, 2525 Clay Blvd, Homer, Nebraska, requesting the County to maintain the road leading to her house." Ms. Voss addressed the Board and advised them that she has a very long lane and that she is alone and has no one to help her. She also advised that she has an easement which she understands she has to maintain. Fred Kellogg advised that this lane is about 3/10th of a mile long off of Clay Blvd and that it isn't County owned. Chair Bousquet asked Mr. Kellogg what would need to be done to make that part of the County Road system. Mr. Kellogg advised that it would have to go to public hearing, but that it would have to be mapped out and surveyed and would have to meet the Department of Roads Minimum Standards, wherein some right of way would have to be obtained from land owners. Commissioner Bousquet advised Ms. Voss that the County would have to check into this, that she should look into her deed and see exactly how the easement reads and that she can bring this back to the Board as an agenda item.

Chair Bousquet called for the Agenda Item #2 New Business: "**f.** Tim Decker, Chief Deputy Sheriff, seeking board approval for the purchase of two patrol vehicles." Chief Deputy Sheriff, Tim Decker, advised the Board that the Sheriff's Department would like to purchase two new vehicles, and that they are going through NACO to get a loan which has been approved, but they also need the approval of the Board. The cost for the vehicles is $57,430. Commissioner Love asked if they would be getting rid of any other vehicles. Mr. Decker advised that they would be giving one of the vehicles to Deputy Walsh, who is currently driving a vehicle with over 176,000 miles and is in pretty bad shape and getting rid of one. Commissioner Bousquet asked if they had looked into fuel mileage as far as trucks vs. cars. Mr. Decker advised that due to patrolling the County and the need to be able to get around on bad roads and in bad weather it is important that they have reliable 4 wheel drive vehicles. Commissioner Rohde asked about what was in the budget and was informed by Joan that there is not anything left in the budget for this year, and that the first lease payment would come out in September. Commissioner Rohde suggested that the purchase of the vehicles be put off until after the budgets have been approved. Mr. Decker advised that they can wait, the only reason he was before the Board today with this request is because the deadline to order 2012 vehicles has to be in by April 27th. After further discussion the Board decided to wait until after the 2012-2013 budgets have been approved to authorize the purchase of additional vehicles.

Chair Bousquet called for the Agenda Item #2 New Business: "**g.** Chad Kehrt - Olsson Associates Agreement for Professional Services – C Avenue Paving Improvements – Phase 2 project". Mr. Kehrt

presented the project to the Board and asked for their approval. Commissioner Love asked about the fees being assessed in the proposal and Mr. Kehrt advised that he figured the fees at the maximum, but he assured the Board the fees will be around 5% to 7% of the fees stated, but he can not give an exact figure but it would not exceed $79,000.00.

Commissioner Rohde moved, seconded by Commissioner Gomez to approve the Olsson Associates Agreement for Professional Services on the C Avenue Paving Improvements – Phase 2 Project as submitted. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business: "**h.** Stan Jans to present petition to abandon road and request the Board to hold a Public Hearing. [S4 T28 R9E] 13th Street north of Pine Street to intersection with IBP Avenue." Mr. Jans requested that this road be vacated. Commissioner Bousquet advised he had looked at the road and it borders a field. Mr. Jans advised that he had filed the Petition with the County Clerk's Office. Chair Bousquet advised that the next step would be to have a Road Study done and then a Public Hearing. Chair Bousquet asked that Fred Kellogg head up the Road Study and present it to the Board.

Chair Bousquet called for Agenda Item #3 Miscellaneous: "**a.** Road Report – Fred Kellogg, Highway Superintendent." Fred Kellogg presented the Board with the following Road Report:

DAKOTA COUNTY ROAD DEPARTMENT MONTYLY REPORT: April 1, 2012 to April 14, 2012

TOTAL ROAD MAINTENANCE: 243 HOURS
DISTRICT TOTALS:
A1= 53.5 A3= 52 A4= 20 A5= 22.5 A6= 23 A7= 34 A8 = 38
OVERTIME HOURS 5 HOURS
TREE CUTTING: 23.5 HOURS
GRAVEL HAULING: 113.5 HOURS
TONS OF GRAVEL HAULED: 1457.06 CLASS A
1457.06 TOTAL TONS OF GRAVEL

FENCING: 8 HOURS
SNOW REMOVAL: 0 HOURS
MAGNET: 14 HOURS

BLACKTOPPING HOURS: 108 HOURS
BLACKTOPPING TONAGE: 23.83 TONS

ROAD PROJECTS:
Bridge by Dan Bloomfield's closed by state of Nebraska; bridge was taken out and replaced with 48" X 30' culvert. Road is now back open. (61 Man Hours, project total $6,475.00)

Blacktopping patching of hard surface roads.

Chair Bousquet asked that Fred add to the report how many calls are received regarding the roads. Commissioner Love commented that he had received good comments from several people that the tree cutting projects look good and are appreciated. Mr. Kellogg informed that the tree shredder from the grant works excellent.

Commissioner Rohde reminded the Board that at a prior meeting where Mike Mitchell and several other members of the farming community attended, that the Board would schedule a tour of the County and look at various bridges and roads. Commissioner Rohde suggested that this tour take place on May 29th. Joan Spencer advised that this tour would need to be advertised. The Board decided that the tour would start at 11:00 a.m. so that several parts of the County could be observed.

Chair Bousquet called for Agenda Item #3 Miscellaneous: "**b.** Discuss Dakota County support for community use of reusable shopping bags and approve or disapprove monetary sponsorship of the "Bring Your Own Bag" campaign and kick-off event." Sally Reinert presented to the Board that she is part of a group that is taking on the litter issue in the County. She advised that the first thing they are going to take on is the plastic bags as they are very badly behaved and become a nuisance all over the neighborhoods. On May 1st they are launching a campaign "Bring Your Own Bag" and they will be giving away free bags. She informed that there is no such thing as a free bag and is asking for sponsorships and is asking the County to be one of the sponsors.

Commissioner Rohde moved, seconded by Commissioner McNear to donate $250 to the "Bring Your Own Bag" campaign and kick-off event on May 1, 2012. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous: "**c.** Quarterly Jail Tour per Statute 47-109." The Board decided the tour will take place at the next meeting.

Chair Bousquet called for Agenda Item #4 Commissioner Committee Reports. Commissioner Gomez advised that he met with the LEC and they renewed the lease with the State Patrol for the next 3 years. He advised that there was an emergency training exercise done that was very beneficial to all. Commissioner Gomez asked if one of the other Board members could attend the Planning and Zoning meeting on April 17th as he will be leaving for his Washington DC trip. Commissioner McNear volunteered to go in his place. Commissioner Gomez encouraged the other Commissioners that they need to consider going to the convention as it is so very important and informative.

Chair Bousquet called for Agenda Item #5 Mail and/or Emergency Business. There was none.

Chair Bousquet called for Agenda Item #6 Public Comment. Fred Kellogg clarified with the Board the 3 bid figures that Knife River had submitted were for a 3 inch overlay.

Chair Bousquet adjourned the meeting of April 16, 2012 at 5:17 p.m.

County Board of Commissioners

_____

Rick Bousquet, Chair Date Chair signed

_____

Cherie Conley, Deputy County Clerk Date

DAKOTA COUNTY SEAL NEBRASKA

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, April 30, 2012
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called their regular scheduled meeting to order at 4:02 p.m. by all reciting the Pledge of Allegiance. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Bousquet, Love, Rohde, McNear and Gomez, Cherie Conley, Deputy County Clerk/Secretary, Theodore Piepho, County Clerk/Secretary. Absent were none. Also present were Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – Excused Absence

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

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

8. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
    a. Approval of the previous minutes - April 16, 2012
    b. Approval of payroll claims
    c. Approval of accounts payable claims
    d. Board to approve Interlocal Agreement between the City of South Sioux City and Dakota County to provide a responsible party consultant in compliance with Nebraska Department of Roads guideline requirements for participation in federal-aid transportation construction programs.
    e. Approve Resolution 12C-011 directing Highway Superintendent to study the use being made of public road described as a minimum maintenance road north of intersection 13th & Pine Streets, Dakota City, running north to intersection at IBP Avenue and report his recommendation as to the vacation and/or abandonment thereof.
    f. Board to approve Road Maintenance Contract for grading of rural county roads and road maintenance between Dakota County and Albenesius Contracting, Inc., at the rate of $95/hour.
    g. Board to approve Road Maintenance Contract for grading of rural county roads and road maintenance between Dakota County and Cooney Fertilizer, Inc., at the rate of $100/hour.
    h. Board to approve Road Maintenance Contract for grading of rural county roads and road maintenance between Dakota County and David A. Criss at the rate of $100/hour.
    i. Board to approve Road Maintenance Contract for grading of rural county roads and road maintenance between Dakota County and S. Jans Contracting, LLC, at the rate of $112/hour.
    j. Board to approve Road Maintenance Contract for grading of rural county roads and road maintenance between Dakota County and Gill Construction, Inc., at the rate of $195/hour.

9. NEW BUSINESS
    a. UNL Extension in Dakota County - overview of programming by Carol Larvick
    b. Jane Gilbert – update the Board on SIMPCO's services
    c. Road Tour – approve time and date
    d. Sheriff Kleinberg – discussion regarding the courthouse office panic alarm buttons
    e. Board to authorize Fred Kellogg, Highway Superintendent, to sell as surplus property Bridge #C002220510P near NE1/4 of S13, T29N, R6E, known as the Frank O'Neill bridge. Board to declare said surplus bridge material as obsolete and not usable by the County: 15'w x 36'l wood deck and steel span.

10. MISCELLANEOUS
    a. Road Report – Fred Kellogg, Highway Superintendent
    b. Tony Gomez – Washington D.C. trip report
    c. Chair to appoint a board member to participate on the interview team for the position of Community Corrections Officer.
    d. Closed Session to discuss Road Department Union Contract negotiations
    e. Closed Session to discuss Jail Correctional Officers Union Contract negotiations
    f. Jail Tour

11. COMMISSIONER COMMITTEE REPORTS

12. MAIL AND/OR EMERGENCY BUSINESS

13. PUBLIC COMMENT

14. ADJOURNMENT

The next Board of Commissioners meeting will be May 14, 2012

Chair Bousquet called for Agenda Item #1 Consent Agenda.

a. Approval of the previous minutes - April 16, 2012.
b. Approval of payroll claims.
c. Approval of accounts payable claims.
d. Board to approve Interlocal Agreement between the City of South Sioux City and Dakota County to provide a responsible party consultant in compliance with Nebraska Department of Roads guideline requirements for participation in federal-aid transportation construction programs.
e. Approve Resolution 12C-011 directing Highway Superintendent to study the use being made of public road described as a minimum maintenance road north of intersection 13th & Pine Streets, Dakota City, running north to intersection at IBP Avenue and report his recommendation as to the vacation and/or abandonment thereof.
f. Board to approve Road Maintenance Contract for grading of rural county roads and road maintenance between Dakota County and Albenesius Contracting, Inc., at the rate of $95/hour.
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i. Board to approve Road Maintenance Contract for grading of rural county roads and road maintenance between Dakota County and S. Jans Contracting, LLC, at the rate of $112/hour.
j. Board to approve Road Maintenance Contract for grading of rural county roads and road maintenance between Dakota County and Gill construction, Inc., at the rate of $195/hour.

Commissioner Love moved, seconded by Commissioner McNear to approve Consent Agenda items

a. Approval of the previous minutes - April 16, 2012.
b. Approval of payroll claims.

COUNTY GENERAL FUND: Gross salaries- $127,529.31, General Fund Employees Net Pay- $91,081.51, Employer deductions paid: Retirement- $8,888.36, FICA- $7,663.34, Medicare- $1,792.25, DC Health Plan- $22,250.00, DC Dental Plan- $966.54 and Life Insurance- $198.11, Principal Mutual Life Insurance- $1,232.37.

Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1406.08, Daniel Christoffers- 602.00, Cherie Conley- 1230.77, Theodore Piepho- 1800.68, Mary C. Wiltgen- 1013.60, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jalissa Hattig – 880.00, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $860.00, Daniel Christoffers- 709.26, Arnold Mellick- 221.67, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 406.28, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 963.20, Sergio Castillo- 1593.60, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 1755.56, Michael Estes- 1593.60, Brent Gilster- 1693.60, Todd Hammer- 1743.12, Richard Hansen- 1549.60, Melvin Harrison III- 1721.60, Jason James- 1693.60, Douglas Johnson- 1903.85, Kimberly Johnson- 374.66, Jared Junge- 1776.94, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1757.11, Michael Kreegar- 1677.72, Gayle Richards- 941.60, Kevin Rohde- 1705.60, Randall Walsh- 1903.85, Bridget Fiedler- 934.80, Kerry Johnson- 960.00, Sara Niles- 1961.54, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Jacob Acero- 1524.00, Ermelinda Ballesteros- 1386.74, Mason Billings- 1223.62, Joshua Blatchford- 1441.53, Rebecca Broer- 1480.05, Judy Case- 950.40, Elisabet DeRoin- 1408.90, Sandy Dickens- 856.36, Jesse Doelle- 1059.20, Marjorie Donahue- 1725.42, Lisa Ford- 1391.08, Ryan Foster- 1242.92, Linda Frost- 882.40, Alma Gunderson- 1344.80, Deanna Haukap- 1336.97, Jeffrey Heitzman- 1300.00, Adam Hough- 1329.06, Michael Jacobson- 1256.00, Brett Johnson- 1332.80, Brenda Kelly- 1441.60, Terry Kern- 2030.29, Keith Klein- 1276.00, James Kleinberg- 1397.32, Paul Moser- 594.00, Mark Nelson- 1476.66, Travis Olander- 1320.80, Kimberly Peterson- 1280.00, Cody Roeber- 1256.00, Jutharatana Ruenprom- 1349.69, Timothy Ryan- 1240.30, Linda Schovanec- 1396.80, Jennifer Svendsen- 1640.50, Francis Tope- 1332.80, Jewel Williams- 1395.29, Cara Wood- 1344.99, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 781.42, Linda Weitzel- 1191.25, Willard Johnston- 1250.00.

GENERAL FUND: Employee withholding paid to: Federal- $12,788.12, State- $4,442.53, FICA- $5,191.31, Medicare- $1,792.25, Retirement- $6,018.92, Health Plan- $1,650.00, DC Dental Plan- $546.00, Colonial Health- $711.53, Sheriff Union Dues- $460.00, Colonial Life/Disability- $319.68, Deferred Comp- $332.00, Garnishments- $1,176.47, Flex Plan Medical- $731.49, Flex Plan Dependant Care- $287.50.

COUNTY ROAD PAYROLL: Gross salaries- $16,630.61, Road Employees Net Pay- $12,030.97, Employer deductions paid: Retirement- $1,083.67, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $25.31, FICA- $988.55, and Medicare- $231.20, Principal Mutual Life Insurance- $220.90.

Matthew Bartels- 1314.40, Brent Byroad- 1398.40, Robert Hacker- 1314.40, Ronald Harder- 576.00, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1604.85, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40, Matthew Roost- 1413.00.

ROAD FUND: Employee withholding paid to: Federal- $1,521.46, State- $530.98, FICA- $669.66, Medicare- $231.20, Retirement- $722.48, Health Plan- $350.00, DC Dental Plan- $84.00, Reassure America Life- $4.88, Colonial Life Health- $147.07, Colonial Life/Disability- $11.23, Deferred Comp.- $61.68, Flex Plan Medical- $105.00 and Union Dues- $160.00.

c. Approval of accounts payable claims.
GENERAL FUND: F&M Bank, stop payments- 40.00; Carol Albenesius, Cecilia Alvarez, Gary Beebe, Barbara Blackwell, Christopher Chester, Justin Classsen, Debra Colton, Stephanie Conlon, Lawrence Crowe, Leonard Cunningham, Felizardo Curiel, Suzanne Dailey, Ashley Dummer, Greg Engel, Fernando Escalante, Pharyce Eslick, Thomas Henry Jr., Dori Koster, Howard Larson, Arlen Leinart, Anselmo Lira, Wayne Luber, Mary Lussier, Daniel Lux, William Nelson, Patrick O'Halloran, Janice Olson, Sharon Prenger, Patricia Rohde, Nathan Schable, Mark Scott, Charles Smith, Steven Spencer, Justin Susana, Matthew Swisher, Sandra Vanfossen, Paola Velazquez-Magana, Sandra Willems, Victoria Winterlin, Paul Young, juror fees- 2110.35, Linda Carter, bailiff fees- 200.00; **HEALTH PLANNING GRANT:** Deana Beckman, hours- 1292.00;

d. Board to approve Interlocal Agreement between the City of South Sioux City and Dakota County to provide a responsible party consultant in compliance with Nebraska Department of Roads guideline requirements for participation in federal-aid transportation construction programs.

INTERLOCAL AGREEMENT

THIS INTERLOCAL AGREEMENT made and entered into this 30th day of April, 2012, by and between THE CITY OF SOUTH SIOUX CITY, DAKOTA COUNTY, NEBRASKA, a municipal corporation ("SSC") and THE COUNTY OF DAKOTA COUNTY, NEBRASKA, a political subdivision ("County"), WITNESSETH:

WHEREAS, SSC is a City of the First Class with extraterritorial jurisdiction extending two (2) miles beyond its corporate limits; and,

WHEREAS, County is a political subdivision in Nebraska; and,

WHEREAS, SSC and County are required to comply with the Local Public Agencies Guidelines Manual of the Nebraska Department of Roads including the consultant selection process as stated in the LPA Guidelines Manual, the National Environmental Policy Act (NEPA), and the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act); and,

WHEREAS, all recipient participation in Federal-Aid transportation construction programs is required to have a responsible party for consultant selection and compliance with NEPA and the Uniform Act; and,

WHEREAS, Kent Zimmerman, Senior Code Official, Gene Maffit, Buildings and Grounds Supervisor, and Bob Livermore, Public Works Director of SSC, have met all requirements to be the responsible parties for management of those processes for SSC; and,

WHEREAS, the parties desire to enter into an agreement whereby Kent Zimmerman, Senior Code Official, Gene Maffit, Buildings and Grounds Supervisor, and Bob Livermore, Public Works Director of SSC, would be designated as the responsible parties for management of the processes on behalf of County; and,

WHEREAS, this agreement is intended to make efficient use of the authorities of the parties and enable them to cooperate and provide services which will assist County; and,

WHEREAS, it is in the best interest of each of the parties to enter into this Interlocal Agreement regarding compliance with the rules and regulations of the Federal Highway Administration, all state law and requirements of the LPA Guidelines Manual of the Nebraska Department of Roads, including the consultant selection process stated in the LPA Guidelines Manual, the National Environmental Policy Act (NEPA), and the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act); and,

WHEREAS, the governing body of each of the aforesaid governmental subdivisions has duly adopted an Ordinance or Resolution authorizing the execution of this Interlocal Agreement pursuant to the provisions of the Interlocal Cooperation Act (Sections 13-801 to 13-827, R.R.S. 1943, as amended).

NOW THEREFORE, pursuant to the authority of said Interlocal Cooperation Act and pursuant to the authority and direction of the ordinances and resolutions herein above referred to as adopted by each of the governmental subdivisions who are parties hereto, and in consideration of the mutual covenants and undertakings herein contained, IT IS HEREBY AGREED by and between each of the aforesaid governmental subdivisions, and each of them, and each of their successors, as follows:

1. **Duration**. The term of this agreement shall be for two (2) years from the date of execution. This agreement may be extended for an additional two (2) year term upon mutual agreement of the parties.

2. **Administration**. Due to the nature of the agreement and the responsibilities of each governmental subdivision, it is determined that it is not necessary to create any separate legal or administrative entity for administration of this agreement. In the alternative, administration of the agreement shall be the joint responsibility of the SSC City Administrator and the County Chairman of the Board of Commissioners.

3. **Purpose**. The purpose of this agreement is to provide a responsible party to County for management of the following processes:

a) Consultant selection process;
b) The National Environmental Policy Act (NEPA); and,
c) The Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act).

4. **Statement of Principle and Policy**. The parties recognize that this agreement includes a general statement of principle and policy, and that addenda to the Interlocal Agreement or additional agreements on specific subjects relating to compliance by County may be developed subsequently.

5. **Responsibilities of County**. The staff of County will provide all record-keeping, filing, and other requirements set forth in Exhibit "A," which is attached hereto and made a part hereof by this reference. All records will be reviewed by Kent Zimmerman, Senior Code Official, Gene Maffit, Buildings and Grounds Supervisor, and Bob Livermore, Public Works Director of SSC, but all record-keeping responsibility shall remain with the County staff.

6. **Compensation**. County will pay to SSC $60.00 per hour for the services provided by Kent Zimmerman, Senior Code Official, Gene Maffit, Buildings and Grounds Supervisor, and Bob Livermore, Public Works Director of SSC, plus all out-of-pocket expenses, including copying, mileage, and a proportionate share of continuing education requirements.

7. **Indemnification**. It is understood and agreed that by execution of this Interlocal Agreement, County assumes the entire responsibility and liability for any and all damage caused by or resulting from or arising out of any act or omission on the part of SSC or Kent Zimmerman, Senior Code Official, Gene Maffit, Buildings and Grounds Supervisor, and Bob Livermore, Public Works Director of SSC, under or in connection with this Interlocal Agreement or the performance or failure to perform any work required herein and done in good faith. County shall save harmless and indemnify SSC and Kent Zimmerman, Senior Code Official, Gene Maffit, Buildings and Grounds Supervisor, and Bob Livermore, Public Works Director of SSC, from and against any and all claims, losses or expenses, including repayment of any funds received by County as a recipient of federal aid funding by the Federal Highway Administration as administered by the Nebraska Department of Roads, rising out of or in connection with any and all such damage, real or alleged, and County shall, upon written demand by SSC or Kent Zimmerman, Senior Code Official, Gene Maffit, Buildings and Grounds Supervisor, and Bob Livermore, Public Works Director of SSC, assume and defend at County's sole cost and expense any and all such claims.

8. **Designation of Responsible Party**. County may designate Kent Zimmerman, Senior Code Official, Gene Maffit, Buildings and Grounds Supervisor, and Bob Livermore, Public Works Director of SSC, as the responsible parties for management of the processes for consultant selection, the National Environmental Policy Act (NEPA), and the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act).

9. **Third Party Beneficiaries**. There are no third party beneficiaries to this agreement and this agreement shall not be interpreted to create such rights.

10. **Relationship to Existing Laws and Statutes**. This agreement does not modify or supersede any existing state or federal law or statute. The parties will comply with all applicable state statutes.

11. **Amendments**. The parties recognize that amendments to this agreement may be necessary to clarify particular sections or to update or expand the agreement. Any addendum or amendment must be mutually agreed upon by the parties and executed in writing before becoming effective. Nothing in this agreement limits the parties entering into interlocal agreements on additional issues not covered by the terms of this agreement.

12. **Effective Date**. This agreement shall become effective following the approval by the governing bodies of each of the parties hereto and the signing of the agreement by the duly authorized representatives of each of the parties.

13. **Budgets**. It is not necessary to create a separate budget for this agreement.

14. **Severability**. If any provision of this agreement is determined to be invalid, such invalidity shall not affect the other provisions of this agreement which can be given effect without the invalid provisions. Each provision of this agreement is declared to be severable.

15. **Entire Agreement**. This agreement constitutes the entire agreement between the parties with respect to the framework issues for annexations. It is anticipated that the parties may enter into further interlocal agreements on specific subject areas as indicated in the text of this agreement.

IN WITNESS WHEREOF, the governmental subdivisions who are parties hereto have, on the day and year first above written, caused this agreement to be executed by the respective officers as duly authorized by the governing body.

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

BY: */S/William McLarty*
MAYOR

ATTEST:
/S/ Sue Murray Lee
CITY CLERK

THE COUNTY OF DAKOTA COUNTY,
NEBRASKA, a political subdivision,

BY: */S/ Rick Bousquet*
CHAIRMAN, BOARD OF
COMMISSIONERS

ATTEST:
/S/ Cherie Conley
DEPUTY COUNTY CLERK

e. Approve Resolution 12C-011 directing Highway Superintendent to study the use being made of public road described as a minimum maintenance road north of intersection 13th & Pine Streets, Dakota City, running north to intersection at IBP Avenue and report his recommendation as to the vacation and/or abandonment thereof.

ROAD VACATION OR ABANDONMENT
BOARD DIRECTING STUDY OF ROAD
RESOLUTION 12C-011

WHEREAS, Neb. Rev. Stat. § 39-1722 makes provisions for a county board of commissioners to commence the process of vacation or abandonment of public roads in its county; and

WHEREAS, a clear and unambiguous description of the road to be vacated or abandoned is as follows, to-wit:

Minimum maintenance road north of intersection 13th and Pine Streets, Dakota City, and running north to intersection at IBP Avenue located in Section 4, Township 28N, Range 9E, Dakota County, Nebraska.

WHEREAS, the map showing said County Road to be vacated or abandoned in Dakota County, Nebraska, is attached to this resolution, marked as Exhibit "A," and made a part of this resolution by reference. The road to be vacated or abandoned is marked in green on said map; and

WHEREAS, the vacation or abandonment of said road is for the following reason: to limit access to properties on either side, except for land owners or their agents.

NOW THEREFORE, BE IT RESOLVED, that the Dakota County, Nebraska, Board of Commissioners deems that the public interest may require the vacation and/or abandonment of said public roads described above.

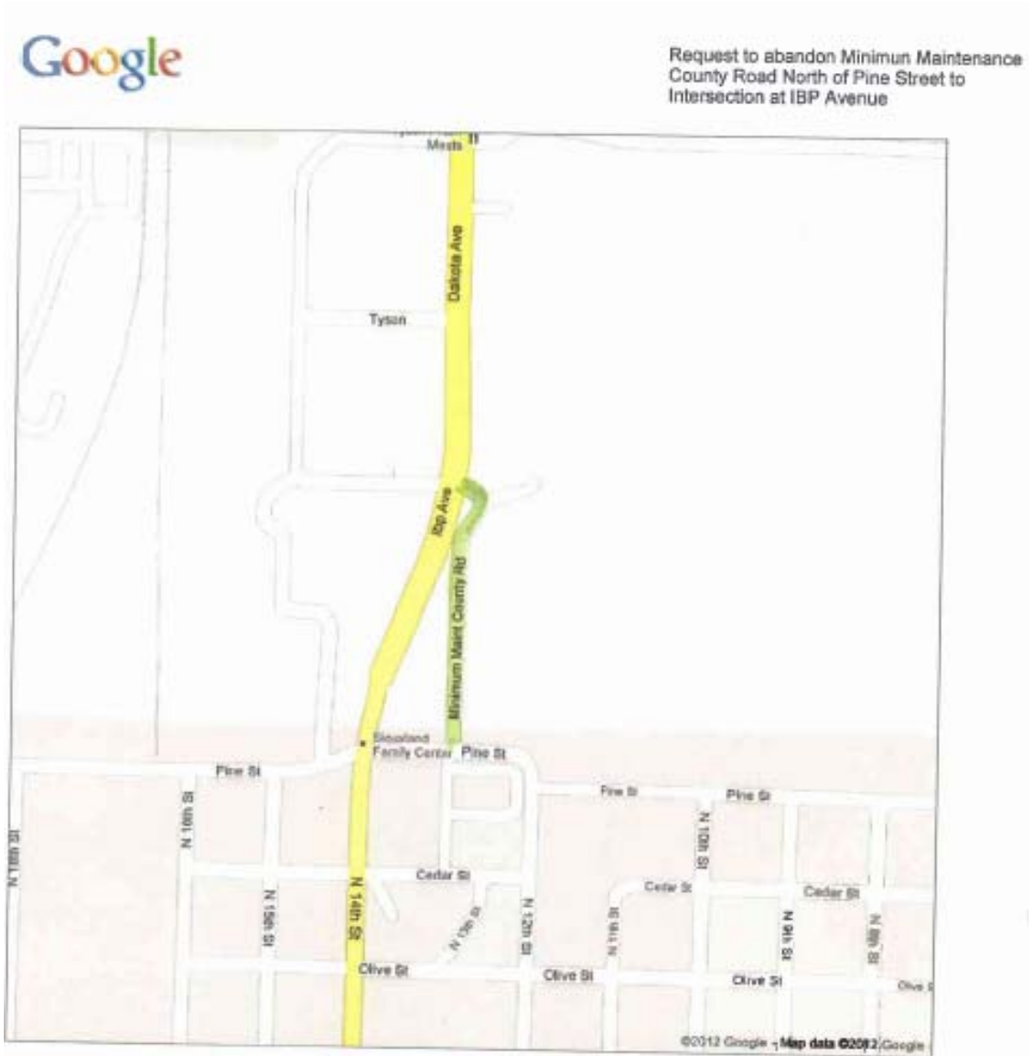
AND BE IT FURTHER RESOLVED, that the Dakota County Highway Superintendent be directed, and he hereby is directed, to study the use being made of such public road and that said County Highway Superintendent be directed, and he hereby is directed, to submit in writing to the Dakota County, Nebraska, Board of Commissioners, within thirty (30) days from this date, a report upon the study made of his recommendation as to the vacation and/or abandonment thereof.

AND BE IT FURTHER RESOLVED, that this Resolution and the written report of the Dakota County Highway Superintendent be retained in the office of the County Clerk of Dakota County, Nebraska, as a part of the permanent public records of the Dakota County, Nebraska, Board of Commissioners.

Dated this 30th of April, 2012.

Dakota County, Nebraska
Board of Commissioners
/S/ Rick Bousquet
Rick Bousquet, Chairman

Attest:
/S/ Cherie Conley
Theodore A. Piepho
County Clerk of Dakota County, Nebraska
or
Cherie Conley
Deputy County Clerk of Dakota County, Nebraska



f. Board to approve Road Maintenance Contract for grading of rural county roads and road maintenance between Dakota County and Albenesius Contracting, Inc., at the rate of $95/hour.

ROAD MAINTENANCE CONTRACT WITH ALBENESIUS CONTRACTING, INC.

This contract is entered into this 30th day of April, 2012, by and between the Dakota County Board of Commissioners ("County") and Albenesius Contracting, Inc. ("Contractor").

The parties agree as follows:

1. **PURPOSE**. The County shall pay Contractor an hourly rate of $95.00 for grading of rural county roads and road maintenance. Contractor shall submit monthly claims to the County for all work performed. Contractor agrees to provide all of the labor, fuel, and equipment necessary to perform the work.

2. **RECORDS**. The County shall have access to Contractor's books, records, correspondence, instructions, receipts, vouchers, and memoranda of every description pertaining to work done under this Contract.

3. **INSURANCE**. Contractor shall not begin work under this Contract until it has obtained all insurance coverages required under this section and such insurance has been approved by the County. The following insurance coverages shall be kept in force during the life of the Contract and shall be primary with respect to any insurance or self-insurance programs covering the County, its commissioners, officials, agents, representatives, and employees.

   A. Workers Compensation and Employers Liability Insurance
   The minimum acceptable limits shall be the statutory limits as required by the State of Nebraska for Coverage A, Workers Compensation and $100,000 each accident for Coverage B, Employers Liability.

   B. Commercial General Liability Insurance
   Coverage shall include liability coverage addressing premises and operations, contractual, independent contractors, and products/completed operations. The coverage must protect against claims for damages resulting from bodily injury, including death, personal injury, and property damage.

   The minimum acceptable limits of liability shall be $1,000,000 each occurrence. If the coverage contains a general aggregate, such limit shall not be less than $2,000,000. The products/completed operations limit shall not be less than $2,000,000. If written on

a claims made form, the products/completed operations coverage is to be maintained for two (2) years after final payment.

The County is to be named as an additional insured on the insurance coverage required under this section.

C. Automobile Liability Insurance
Coverage shall include liability coverage addressing claims for damages resulting from bodily injury, including death and property damage, which may arise from the operations of any owned, hired, or non-owned automobile. The minimum acceptable limit of liability shall be $1,000,000 Combined Single Limit for each accident.

The County is to be named as an additional insured on the insurance coverage required under this section.

D. Certificate of Insurance
Contractor shall furnish the County with a certificate(s) of insurance evidencing the coverages required in this section. Such certificate(s) shall specifically state that the insurance company or companies underwriting these insurance coverages shall give the County at least thirty (30) days written notice in the event of cancellation of, or material change in, any of the coverages. If the certificate(s) is shown to expire prior to completion of all the terms of this Contract, Contractor shall furnish a certificate(s) of insurance evidencing renewal of its coverage to the County.

Contractor shall require each and every subcontractor performing work under this Contract to maintain the same coverages required of Contractor in this section, and upon the request by the County, shall furnish the County with a certificate(s) of insurance evidencing the Subcontractors insurance coverages required in this section.

4. **INDEMNIFICATION AND HOLD HARMLESS**. Contractor agrees to indemnify and hold harmless, protect and defend County and its elected and appointed officials, employees, agents, and representatives against any and all claims, demands, suits, actions, payments, and judgments, including any and all costs and expenses connected therewith, legal cost or otherwise, for any damages which may be asserted, claimed, or recovered against or from County or its insurers, because of personal injury, including bodily injury or death, or on account of property damage, including loss of use thereof, sustained by any person or persons which arises out of, is in any way connected with, or results from any and all work or activity associated with the services provided under this agreement unless such damages are the direct and sole result of County's negligence.

5. **EQUIPMENT**. Contractor assumes all responsibility for the condition of the tools and equipment used in the performance of this Contract. County shall not be responsible or be held liable for any injury or damage to person or property resulting from the use, misuse, or failure of any equipment used by Contractor, or Contractor's employees, even if such equipment is furnished, rented, or loaned to Contractor by County. The use of any equipment by Contractor shall be construed to mean that Contractor accepts full responsibility for, and agrees to indemnify County against liability for injury or damage resulting from the use, misuse, or failure of such equipment, whether such injury or damage is to an employee or property of Contractor, other contractors, County, or other persons. Contractor shall take all precautions necessary and shall be responsible for the safety of the work hereunder and shall maintain all lights, guards, signs, temporary passages, or other protection necessary for that purpose. All work shall be done at the Contractor's risk.

6. **TERMINATION**. This Contract may be terminated at any time by either party upon seven (7) days' written notice to the other party by certified mail return receipt requested at the following addresses:

Dakota County Board of Commissioners
1601 Broadway Street
P.O. Box 338
Dakota City, NE 68731

Albenesius Contracting, Inc.
1050 Joseph's Way
P.O. Box 93
Jackson, NE 68743

The termination will be effective seven (7) calendar days from the mailing date.

7. **CONTACT**. The County's contact person shall be the Head of the Dakota County Road Department, or the Road Committee if the Head of the Road Department is unavailable. The Head of the Road Department, or the Road Committee if the Head of the Road Department is unavailable, shall observe and inspect Contractor's work to ensure Contractor is performing the work in accordance with this Contract and the state and local laws, standards, and requirements.

8. **AGENT**. Contractor shall not be an agent or employee of the County.

9. **EXCLUSIVITY**. The County makes no agreement to use Contractor exclusively.

10. **PROVISIONS BINDING**. Each and every agreement and condition herein shall extend to and

be binding on the respective successors, heirs, administrators, executors, and assigns of the parties hereto.

11. **SEVERABILITY**. Should a court of competent jurisdiction render any part of this Contract invalid or unenforceable, that part of the Contract shall be severed and the remainder of the Contract will continue in full force and effect.

12. **CONSENT TO JURISDICTION**. Should any dispute arise relating to this Contract, the parties agree that any court action shall be under the jurisdiction of courts of Dakota County, Nebraska.

Larry Albenesius, Albenesius Contracting, Inc.	Board Chair, Dakota County Board of Commissioners
_____	_____
Larry Albenesius	Rick Bousquet
_____	_____
Date	Date

ATTEST

_____

THEODORE A. PIEPHO
COUNTY CLERK

g. Board to approve Road Maintenance Contract for grading of rural county roads and road maintenance between Dakota County and Cooney Fertilizer, Inc., at the rate of $100/hour.

ROAD MAINTENANCE CONTRACT WITH COONEY FERTILIZER, INC.

This contract is entered into this 30th day of April, 2012, by and between the Dakota County Board of Commissioners ("County") and Cooney Fertilizer, Inc. ("Contractor").

The parties agree as follows:

1. **PURPOSE**. The County shall pay Contractor an hourly rate of $100.00 for grading of rural county roads and road maintenance. Contractor shall submit monthly claims to the County for all work performed. Contractor agrees to provide all of the labor, fuel, and equipment necessary to perform the work, including, but not limited to, a 2002 140H CAT Series II, VHP Plus.

2. **RECORDS**. The County shall have access to Contractor's books, records, correspondence, instructions, receipts, vouchers, and memoranda of every description pertaining to work done under this Contract.

3. **INSURANCE**. Contractor shall not begin work under this Contract until it has obtained all insurance coverages required under this section and such insurance has been approved by the County. The following insurance coverages shall be kept in force during the life of the Contract and shall be primary with respect to any insurance or self-insurance programs covering the County, its commissioners, officials, agents, representatives, and employees.

A. Workers Compensation and Employers Liability Insurance
The minimum acceptable limits shall be the statutory limits as required by the State of Nebraska for Coverage A, Workers Compensation and $100,000 each accident for Coverage B, Employers Liability.

B. Commercial General Liability Insurance
Coverage shall include liability coverage addressing premises and operations, contractual, independent contractors, and products/completed operations. The coverage must protect against claims for damages resulting from bodily injury, including death, personal injury, and property damage.

The minimum acceptable limits of liability shall be $1,000,000 each occurrence. If the coverage contains a general aggregate, such limit shall not be less than $2,000,000. The products/completed operations limit shall not be less than $2,000,000. If written on a claims made form, the products/completed operations coverage is to be maintained for two (2) years after final payment.

The County is to be named as an additional insured on the insurance coverage required under this section.

C. Automobile Liability Insurance
Coverage shall include liability coverage addressing claims for damages resulting from bodily injury, including death and property damage, which may arise from the operations of any owned, hired, or non-owned automobile. The minimum acceptable limit of liability shall be $1,000,000 Combined Single Limit for each accident.

The County is to be named as an additional insured on the insurance coverage required under this section.

D. Certificate of Insurance
Contractor shall furnish the County with a certificate(s) of insurance evidencing the

coverages required in this section. Such certificate(s) shall specifically state that the insurance company or companies underwriting these insurance coverages shall give the County at least thirty (30) days written notice in the event of cancellation of, or material change in, any of the coverages. If the certificate(s) is shown to expire prior to completion of all the terms of this Contract, Contractor shall furnish a certificate(s) of insurance evidencing renewal of its coverage to the County.

Contractor shall require each and every subcontractor performing work under this Contract to maintain the same coverages required of Contractor in this section, and upon the request by the County, shall furnish the County with a certificate(s) of insurance evidencing the Subcontractors insurance coverages required in this section.

4. **INDEMNIFICATION AND HOLD HARMLESS**. Contractor agrees to indemnify and hold harmless, protect and defend County and its elected and appointed officials, employees, agents, and representatives against any and all claims, demands, suits, actions, payments, and judgments, including any and all costs and expenses connected therewith, legal cost or otherwise, for any damages which may be asserted, claimed, or recovered against or from County or its insurers, because of personal injury, including bodily injury or death, or on account of property damage, including loss of use thereof, sustained by any person or persons which arises out of, is in any way connected with, or results from any and all work or activity associated with the services provided under this agreement unless such damages are the direct and sole result of County's negligence.

5. **EQUIPMENT**. Contractor assumes all responsibility for the condition of the tools and equipment used in the performance of this Contract. County shall not be responsible or be held liable for any injury or damage to person or property resulting from the use, misuse, or failure of any equipment used by Contractor, or Contractor's employees, even if such equipment is furnished, rented, or loaned to Contractor by County. The use of any equipment by Contractor shall be construed to mean that Contractor accepts full responsibility for, and agrees to indemnify County against liability for injury or damage resulting from the use, misuse, or failure of such equipment, whether such injury or damage is to an employee or property of Contractor, other contractors, County, or other persons. Contractor shall take all precautions necessary and shall be responsible for the safety of the work hereunder and shall maintain all lights, guards, signs, temporary passages, or other protection necessary for that purpose. All work shall be done at the Contractor's risk.

6. **TERMINATION**. This Contract may be terminated at any time by either party upon seven (7) days' written notice to the other party by certified mail return receipt requested at the following addresses:

Dakota County Board of Commissioners
1601 Broadway Street
P.O. Box 338
Dakota City, NE 68731

Cooney Fertilizer, Inc.
1030 26th Road
Walthill, NE 68067

The termination will be effective seven (7) calendar days from the mailing date.

7. **CONTACT**. The County's contact person shall be the Head of the Dakota County Road Department, or the Road Committee if the Head of the Road Department is unavailable. The Head of the Road Department, or the Road Committee if the Head of the Road Department is unavailable, shall observe and inspect Contractor's work to ensure Contractor is performing the work in accordance with this Contract and the state and local laws, standards, and requirements.

8. **AGENT**. Contractor shall not be an agent or employee of the County.

9. **EXCLUSIVITY**. The County makes no agreement to use Contractor exclusively.

10. **PROVISIONS BINDING**. Each and every agreement and condition herein shall extend to and be binding on the respective successors, heirs, administrators, executors, and assigns of the parties hereto.

11. **SEVERABILITY**. Should a court of competent jurisdiction render any part of this Contract invalid or unenforceable, that part of the Contract shall be severed and the remainder of the Contract will continue in full force and effect.

12. **CONSENT TO JURISDICTION**. Should any dispute arise relating to this Contract, the parties agree that any court action shall be under the jurisdiction of courts of Dakota County, Nebraska.

Cooney Fertilizer, Inc.

_____

_____
Date

Board Chair,
Dakota County Board of Commissioners

_____
Rick Bousquet

_____
Date

ATTEST

_____
THEODORE A. PIEPHO
COUNTY CLERK

h. Board to approve Road Maintenance Contract for grading of rural county roads and road maintenance between Dakota County and David A. Criss at the rate of $100/hour.

ROAD MAINTENANCE CONTRACT WITH DAVID CRISS

This contract is entered into this 30th day of April, 2012, by and between the Dakota County Board of Commissioners ("County") and David Criss ("Contractor").

The parties agree as follows:

1. **PURPOSE**. The County shall pay Contractor an hourly rate of $100.00 for grading of rural county roads and road maintenance. Contractor shall submit monthly claims to the County for all work performed. Contractor agrees to provide all of the labor, fuel, and equipment necessary to perform the work.

2. **RECORDS**. The County shall have access to Contractor's books, records, correspondence, instructions, receipts, vouchers, and memoranda of every description pertaining to work done under this Contract.

3. **INSURANCE**. Contractor shall not begin work under this Contract until it has obtained all insurance coverages required under this section and such insurance has been approved by the County. The following insurance coverages shall be kept in force during the life of the Contract and shall be primary with respect to any insurance or self-insurance programs covering the County, its commissioners, officials, agents, representatives, and employees.

   A. Workers Compensation and Employers Liability Insurance
   The minimum acceptable limits shall be the statutory limits as required by the State of Nebraska for Coverage A, Workers Compensation and $100,000 each accident for Coverage B, Employers Liability.

   B. Commercial General Liability Insurance
   Coverage shall include liability coverage addressing premises and operations, contractual, independent contractors, and products/completed operations. The coverage must protect against claims for damages resulting from bodily injury, including death, personal injury, and property damage.

   The minimum acceptable limits of liability shall be $1,000,000 each occurrence. If the coverage contains a general aggregate, such limit shall not be less than $2,000,000. The products/completed operations limit shall not be less than $2,000,000. If written on a claims made form, the products/completed operations coverage is to be maintained for two (2) years after final payment.

   The County is to be named as an additional insured on the insurance coverage required under this section.

   C. Automobile Liability Insurance
   Coverage shall include liability coverage addressing claims for damages resulting from bodily injury, including death and property damage, which may arise from the operations of any owned, hired, or non-owned automobile. The minimum acceptable limit of liability shall be $1,000,000 Combined Single Limit for each accident.

   The County is to be named as an additional insured on the insurance coverage required under this section.

   D. Certificate of Insurance
   Contractor shall furnish the County with a certificate(s) of insurance evidencing the coverages required in this section. Such certificate(s) shall specifically state that the insurance company or companies underwriting these insurance coverages shall give the County at least thirty (30) days written notice in the event of cancellation of, or material change in, any of the coverages. If the certificate(s) is shown to expire prior to completion of all the terms of this Contract, Contractor shall furnish a certificate(s) of insurance evidencing renewal of its coverage to the County.

   Contractor shall require each and every subcontractor performing work under this Contract to maintain the same coverages required of Contractor in this section, and upon the request by the County, shall furnish the County with a certificate(s) of insurance evidencing the Subcontractors insurance coverages required in this section.

4. **INDEMNIFICATION AND HOLD HARMLESS**. Contractor agrees to indemnify and hold harmless, protect and defend County and its elected and appointed officials, employees, agents, and representatives against any and all claims, demands, suits, actions, payments, and judgments, including any and all costs and expenses connected therewith, legal cost or otherwise, for any damages which may be asserted, claimed, or recovered against or from County or its insurers, because of personal injury, including bodily injury or death, or on account

of property damage, including loss of use thereof, sustained by any person or persons which arises out of, is in any way connected with, or results from any and all work or activity associated with the services provided under this agreement unless such damages are the direct and sole result of County's negligence.

5. **EQUIPMENT**. Contractor assumes all responsibility for the condition of the tools and equipment used in the performance of this Contract. County shall not be responsible or be held liable for any injury or damage to person or property resulting from the use, misuse, or failure of any equipment used by Contractor, or Contractor's employees, even if such equipment is furnished, rented, or loaned to Contractor by County. The use of any equipment by Contractor shall be construed to mean that Contractor accepts full responsibility for, and agrees to indemnify County against liability for injury or damage resulting from the use, misuse, or failure of such equipment, whether such injury or damage is to an employee or property of Contractor, other contractors, County, or other persons. Contractor shall take all precautions necessary and shall be responsible for the safety of the work hereunder and shall maintain all lights, guards, signs, temporary passages, or other protection necessary for that purpose. All work shall be done at the Contractor's risk.

6. **TERMINATION**. This Contract may be terminated at any time by either party upon seven (7) days' written notice to the other party by certified mail return receipt requested at the following addresses:

Dakota County Board of Commissioners
1601 Broadway Street
P.O. Box 338
Dakota City, NE 68731

David Criss
1005 260th Street
Hubbard, NE 68741

The termination will be effective seven (7) calendar days from the mailing date.

7. **CONTACT**. The County's contact person shall be the Head of the Dakota County Road Department, or the Road Committee if the Head of the Road Department is unavailable. The Head of the Road Department, or the Road Committee if the Head of the Road Department is unavailable, shall observe and inspect Contractor's work to ensure Contractor is performing the work in accordance with this Contract and the state and local laws, standards, and requirements.

8. **AGENT**. Contractor shall not be an agent or employee of the County.

9. **EXCLUSIVITY**. The County makes no agreement to use Contractor exclusively.

10. **PROVISIONS BINDING**. Each and every agreement and condition herein shall extend to and be binding on the respective successors, heirs, administrators, executors, and assigns of the parties hereto.

11. **SEVERABILITY**. Should a court of competent jurisdiction render any part of this Contract invalid or unenforceable, that part of the Contract shall be severed and the remainder of the Contract will continue in full force and effect.

12. **CONSENT TO JURISDICTION**. Should any dispute arise relating to this Contract, the parties agree that any court action shall be under the jurisdiction of courts of Dakota County, Nebraska.

David Criss, Contractor

_____
David Criss

_____
Date

Board Chair,
Dakota County Board of Commissioners

_____
Rick Bousquet

_____
Date

ATTEST

_____
THEODORE A. PIEPHO
COUNTY CLERK

i. Board to approve Road Maintenance Contract for grading of rural county roads and road maintenance between Dakota County and S. Jans Contracting, LLC, at the rate of $112/hour.

ROAD MAINTENANCE CONTRACT WITH S. JANS CONTRACTING, LLC

This contract is entered into this 30th day of April, 2012, by and between the Dakota County Board of Commissioners ("County") and S. Jans Contracting, LLC ("Contractor").

The parties agree as follows:

1. **PURPOSE**. The County shall pay Contractor an hourly rate of $112.00 for grading of rural county roads and road maintenance. Contractor shall submit monthly claims to the County for

all work performed. Contractor agrees to provide all of the labor, fuel, and equipment necessary to perform the work.

2. **RECORDS**. The County shall have access to Contractor's books, records, correspondence, instructions, receipts, vouchers, and memoranda of every description pertaining to work done under this Contract.

3. **INSURANCE**. Contractor shall not begin work under this Contract until it has obtained all insurance coverages required under this section and such insurance has been approved by the County. The following insurance coverages shall be kept in force during the life of the Contract and shall be primary with respect to any insurance or self-insurance programs covering the County, its commissioners, officials, agents, representatives, and employees.

   A. Workers Compensation and Employers Liability Insurance
   The minimum acceptable limits shall be the statutory limits as required by the State of Nebraska for Coverage A, Workers Compensation and $100,000 each accident for Coverage B, Employers Liability.

   B. Commercial General Liability Insurance
   Coverage shall include liability coverage addressing premises and operations, contractual, independent contractors, and products/completed operations. The coverage must protect against claims for damages resulting from bodily injury, including death, personal injury, and property damage.

   The minimum acceptable limits of liability shall be $1,000,000 each occurrence. If the coverage contains a general aggregate, such limit shall not be less than $2,000,000. The products/completed operations limit shall not be less than $2,000,000. If written on a claims made form, the products/completed operations coverage is to be maintained for two (2) years after final payment.

   The County is to be named as an additional insured on the insurance coverage required under this section.

   C. Automobile Liability Insurance
   Coverage shall include liability coverage addressing claims for damages resulting from bodily injury, including death and property damage, which may arise from the operations of any owned, hired, or non-owned automobile. The minimum acceptable limit of liability shall be $1,000,000 Combined Single Limit for each accident.

   The County is to be named as an additional insured on the insurance coverage required under this section.

   D. Certificate of Insurance
   Contractor shall furnish the County with a certificate(s) of insurance evidencing the coverages required in this section. Such certificate(s) shall specifically state that the insurance company or companies underwriting these insurance coverages shall give the County at least thirty (30) days written notice in the event of cancellation of, or material change in, any of the coverages. If the certificate(s) is shown to expire prior to completion of all the terms of this Contract, Contractor shall furnish a certificate(s) of insurance evidencing renewal of its coverage to the County.

   Contractor shall require each and every subcontractor performing work under this Contract to maintain the same coverages required of Contractor in this section, and upon the request by the County, shall furnish the County with a certificate(s) of insurance evidencing the Subcontractors insurance coverages required in this section.

4. **INDEMNIFICATION AND HOLD HARMLESS**. Contractor agrees to indemnify and hold harmless, protect and defend County and its elected and appointed officials, employees, agents, and representatives against any and all claims, demands, suits, actions, payments, and judgments, including any and all costs and expenses connected therewith, legal cost or otherwise, for any damages which may be asserted, claimed, or recovered against or from County or its insurers, because of personal injury, including bodily injury or death, or on account of property damage, including loss of use thereof, sustained by any person or persons which arises out of, is in any way connected with, or results from any and all work or activity associated with the services provided under this agreement unless such damages are the direct and sole result of County's negligence.

5. **EQUIPMENT**. Contractor assumes all responsibility for the condition of the tools and equipment used in the performance of this Contract. County shall not be responsible or be held liable for any injury or damage to person or property resulting from the use, misuse, or failure of any equipment used by Contractor, or Contractor's employees, even if such equipment is furnished, rented, or loaned to Contractor by County. The use of any equipment by Contractor shall be construed to mean that Contractor accepts full responsibility for, and agrees to indemnify County against liability for injury or damage resulting from the use, misuse, or failure of such equipment, whether such injury or damage is to an employee or property of Contractor, other contractors, County, or other persons. Contractor shall take all precautions necessary and shall be responsible for the safety of the work hereunder and shall maintain all lights,

guards, signs, temporary passages, or other protection necessary for that purpose. All work shall be done at the Contractor's risk.

6. **TERMINATION**. This Contract may be terminated at any time by either party upon seven (7) days' written notice to the other party by certified mail return receipt requested at the following addresses:

Dakota County Board of Commissioners
1601 Broadway Street
P.O. Box 338
Dakota City, NE 68731

S. Jans Contracting, LLC
c/o Stan Jans
766 Dakota Flats Drive
Dakota City, NE 68731

The termination will be effective seven (7) calendar days from the mailing date.

7. **CONTACT**. The County's contact person shall be the Head of the Dakota County Road Department, or the Road Committee if the Head of the Road Department is unavailable. The Head of the Road Department, or the Road Committee if the Head of the Road Department is unavailable, shall observe and inspect Contractor's work to ensure Contractor is performing the work in accordance with this Contract and the state and local laws, standards, and requirements.

8. **AGENT**. Contractor shall not be an agent or employee of the County.

9. **EXCLUSIVITY**. The County makes no agreement to use Contractor exclusively.

10. **PROVISIONS BINDING**. Each and every agreement and condition herein shall extend to and be binding on the respective successors, heirs, administrators, executors, and assigns of the parties hereto.

11. **SEVERABILITY**. Should a court of competent jurisdiction render any part of this Contract invalid or unenforceable, that part of the Contract shall be severed and the remainder of the Contract will continue in full force and effect.

12. **CONSENT TO JURISDICTION**. Should any dispute arise relating to this Contract, the parties agree that any court action shall be under the jurisdiction of courts of Dakota County, Nebraska.

Stan Jans
S. Jans Contracting, LLC

_____
Stan Jans

_____
Date

Board Chair,
Dakota County Board of Commissioners

_____
Rick Bousquet

_____
Date

ATTEST

_____
THEODORE A. PIEPHO
COUNTY CLERK

j. Board to approve Road Maintenance Contract for grading of rural county roads and road maintenance between Dakota County and Gill construction, Inc., at the rate of $195/hour.

ROAD MAINTENANCE CONTRACT WITH GILL CONSTRUCTION, INC.

This contract is entered into this 30th day of April, 2012, by and between the Dakota County Board of Commissioners ("County") and Gill Construction, Inc. ("Contractor").

The parties agree as follows:

1. **PURPOSE**. The County shall pay Contractor an hourly rate of $195.00 for grading of rural county roads and road maintenance. Contractor shall submit monthly claims to the County for all work performed. Contractor agrees to provide all of the labor, fuel, and equipment necessary to perform the work.

2. **RECORDS**. The County shall have access to Contractor's books, records, correspondence, instructions, receipts, vouchers, and memoranda of every description pertaining to work done under this Contract.

3. **INSURANCE**. Contractor shall not begin work under this Contract until it has obtained all insurance coverages required under this section and such insurance has been approved by the County. The following insurance coverages shall be kept in force during the life of the Contract and shall be primary with respect to any insurance or self-insurance programs covering the County, its commissioners, officials, agents, representatives, and employees.

A. <u>Workers Compensation and Employers Liability Insurance</u>
The minimum acceptable limits shall be the statutory limits as required by the State of

Nebraska for Coverage A, Workers Compensation and $100,000 each accident for Coverage B, Employers Liability.

B. Commercial General Liability Insurance
Coverage shall include liability coverage addressing premises and operations, contractual, independent contractors, and products/completed operations. The coverage must protect against claims for damages resulting from bodily injury, including death, personal injury, and property damage.

The minimum acceptable limits of liability shall be $1,000,000 each occurrence. If the coverage contains a general aggregate, such limit shall not be less than $2,000,000. The products/completed operations limit shall not be less than $2,000,000. If written on a claims made form, the products/completed operations coverage is to be maintained for two (2) years after final payment.

The County is to be named as an additional insured on the insurance coverage required under this section.

C. Automobile Liability Insurance
Coverage shall include liability coverage addressing claims for damages resulting from bodily injury, including death and property damage, which may arise from the operations of any owned, hired, or non-owned automobile. The minimum acceptable limit of liability shall be $1,000,000 Combined Single Limit for each accident.

The County is to be named as an additional insured on the insurance coverage required under this section.

D. Certificate of Insurance
Contractor shall furnish the County with a certificate(s) of insurance evidencing the coverages required in this section. Such certificate(s) shall specifically state that the insurance company or companies underwriting these insurance coverages shall give the County at least thirty (30) days written notice in the event of cancellation of, or material change in, any of the coverages. If the certificate(s) is shown to expire prior to completion of all the terms of this Contract, Contractor shall furnish a certificate(s) of insurance evidencing renewal of its coverage to the County.

Contractor shall require each and every subcontractor performing work under this Contract to maintain the same coverages required of Contractor in this section, and upon the request by the County, shall furnish the County with a certificate(s) of insurance evidencing the Subcontractors insurance coverages required in this section.

4. **INDEMNIFICATION AND HOLD HARMLESS**. Contractor agrees to indemnify and hold harmless, protect and defend County and its elected and appointed officials, employees, agents, and representatives against any and all claims, demands, suits, actions, payments, and judgments, including any and all costs and expenses connected therewith, legal cost or otherwise, for any damages which may be asserted, claimed, or recovered against or from County or its insurers, because of personal injury, including bodily injury or death, or on account of property damage, including loss of use thereof, sustained by any person or persons which arises out of, is in any way connected with, or results from any and all work or activity associated with the services provided under this agreement unless such damages are the direct and sole result of County's negligence.

5. **EQUIPMENT**. Contractor assumes all responsibility for the condition of the tools and equipment used in the performance of this Contract. County shall not be responsible or be held liable for any injury or damage to person or property resulting from the use, misuse, or failure of any equipment used by Contractor, or Contractor's employees, even if such equipment is furnished, rented, or loaned to Contractor by County. The use of any equipment by Contractor shall be construed to mean that Contractor accepts full responsibility for, and agrees to indemnify County against liability for injury or damage resulting from the use, misuse, or failure of such equipment, whether such injury or damage is to an employee or property of Contractor, other contractors, County, or other persons. Contractor shall take all precautions necessary and shall be responsible for the safety of the work hereunder and shall maintain all lights, guards, signs, temporary passages, or other protection necessary for that purpose. All work shall be done at the Contractor's risk.

6. **TERMINATION**. This Contract may be terminated at any time by either party upon seven (7) days' written notice to the other party by certified mail return receipt requested at the following addresses:

Dakota County Board of Commissioners
1601 Broadway Street
P.O. Box 338
Dakota City, NE 68731

Gill Construction, Inc.
116 Monona Blvd.
P.O. Box 86
Jackson, NE 68743

The termination will be effective seven (7) calendar days from the mailing date.

7. **CONTACT**. The County's contact person shall be the Head of the Dakota County Road Department, or the Road Committee if the Head of the Road Department is unavailable. The Head of the Road Department, or the Road Committee if the Head of the Road Department is unavailable, shall observe and inspect Contractor's work to ensure Contractor is performing the work in accordance with this Contract and the state and local laws, standards, and requirements.

8. **AGENT**. Contractor shall not be an agent or employee of the County.

9. **EXCLUSIVITY**. The County makes no agreement to use Contractor exclusively.

10. **PROVISIONS BINDING**. Each and every agreement and condition herein shall extend to and be binding on the respective successors, heirs, administrators, executors, and assigns of the parties hereto.

11. **SEVERABILITY**. Should a court of competent jurisdiction render any part of this Contract invalid or unenforceable, that part of the Contract shall be severed and the remainder of the Contract will continue in full force and effect.

12. **CONSENT TO JURISDICTION**. Should any dispute arise relating to this Contract, the parties agree that any court action shall be under the jurisdiction of courts of Dakota County, Nebraska.

Mildred C. Gill, President
Gill Construction, Inc.

_____
Mildred C. Gill Rick Bousquet

_____
Date

Board Chair,
Dakota County Board of Commissioners

_____

_____
Date

ATTEST

_____
THEODORE A. PIEPHO
COUNTY CLERK

ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business "a. UNL Extension in Dakota County – overview of programming by Carol Larvick." Ms. Larvick addressed the Board along with Angela Abts informing the Board that some of the office is supported by State dollars, but the County supports the operating and office management support for them. Ms. Larvick informed the Board of several of the programs they offer through the Extension office such as 4-H, food safety, lawn care pesticide application training, entrepreneur classes, Bed Bug seminar, Operation Military Kids, 4 Day Throw Away, Extension Publications, Robotics for kids and many others. Ms. Larvick mentioned that they are always looking for used laptops to run the robots. Ms. Larvick informed that the Garden Show pulled in just under 4000 people and it was a good show. Commissioner Rohde thanked them for all the work they did with the flood recovery efforts.

Chair Bousquet called for the Agenda Item #2 New Business "b. Jane Gilbert – update the Board on SIMPCO's services." Ms. Gilbert informed the Board that SIMPCO was established on March 11, 1965 and it is the oldest council government in the United States and their first project was the bridge over the Missouri River from South Sioux City to Sioux City. SIMPCO serves 75 local governments in the Tri-State area. The focus of SIMPCO is public participation through group meetings or individual meetings. Keep Northeast Nebraska Beautiful is one of the projects they have started and Bring Your Own Bag kicks off May 1st to get the public to stop using plastic bags. Ms. Gilbert informed that SIMPCO has many other programs offered to the cities and counties to help them with housing and transportation programs. SIMPCO belongs to Association of the Nebraska Economic Development Districts. Ms. Gilbert invited everyone to the annual meeting at the Lewis and Clark Interpretive Center at 5:30 p.m. with dinner to follow on May 10, 2012.

Chair Bousquet called for the Agenda Item #2 New Business "c. Road Tour – Approve time and date." Commissioner Rohde reminded the Board that they had previously discussed May 29th and meeting at noon or 1:00 o'clock. Commissioner Rohde stated he wants to look at the Mitchell bridge and over by Homer to look at a bridge. Commissioner Bousquet moved, seconded by Commissioner Rohde to set the Road Tour for May 29, 2012 at 1:00 p.m. with the Commissioners meeting at the Courthouse using the van from the jail. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea and Love – Yea. UNANIMOUS MOTION CARRIED.

Commissioner Rohde and McNear asked Fred Kellogg to notify the parties involved with the troubled roads and bridges.

Chair Bousquet called for the Agenda Item #2 New Business "d. Sheriff Kleinberg – discussion regarding the courthouse office panic alarm buttons." Sheriff Kleinberg informed the Board that the old panic button system has not been working for some time. He reminded the Commissioners that last

year when the metal detector was removed from the entry to the courts that he had contacted a security company about a device that could be connected to the radio system and provided a panic button for every office and when activated it went directly to the Sheriff's department radios. Sheriff Kleinberg offered to check into the pricing of this system and get back to the Commissioners. The Commissioner's would like to look into this type of security system and asked Sheriff Kleinberg to get back to them with the prices.

Chair Bousquet called for the Agenda Item #2 New Business "e. Board to authorize Fred Kellogg, Highway Superintendent, to sell as surplus property Bridge #C002220510P near NE1/4 of S13, T29N, R6E, known as the Frank O'Neill bridge. Board to declare said surplus bridge material as obsolete and not usable by the County: 15'w x 36'l wood deck and steel span." Fred Kellogg informed the Board that the bridge is worth less than $2500 therefore no sealed bid or advertising is required. He informed that there is an interested party. Commissioner Bousquet advised the interested party is Leonard Gill and he and his company have been very generous to the County over the years in donations of products and work. Commissioner Bousquet advised he would like to give the bridge to the Gills for services rendered which off-set the bridge. All of the Commissioners agreed with this. Fred Kellogg asked if he could get with Commissioner Gomez to meet with Leonard Gill to see if he is interested. Commissioner Bousquet moved, seconded by Commissioner Gomez to authorized Fred Kellogg to sell bridge #C002220510P near NE1/4 of S13, T29N, R6E, known as the Frank O'Neill bridge and to render said bridge obsolete. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous "a. Road Report – Fred Kellogg, Highway Superintendent."
DAKOTA COUNTY ROAD DEPARTMENT BIWEEKLY REPORT: April 15, 2012 to April 28, 2012

TOTAL ROAD MAINTENANCE: 243 HOURS
DISTRICT TOTALS:
A1= 31 A3= 41.5 A4= 40 A5= 35 A6= 13.5 A7= 45 A8 = 20

OVERTIME HOURS 39 HOURS
TREE CUTTING: 58 HOURS
GRAVEL HAULING: 125 HOURS

TONS OF GRAVEL HAULED: 2294.7 CLASS A
2294.7 TOTAL TONS OF GRAVEL

BRIDGE GUARDRAIL REPAIR 14 HOURS
SHOP DEBRIS CLEANUP 49 HOURS

MAGNET: 29 HOURS

BLACKTOPPING HOURS: 0 HOURS
BLACKTOPPING TONAGE: TONS

ROAD PROJECTS:
Removed all the debris at Sivil Way from flood as part of a FEMA project.
Cleaned up flood sandbag debris and hauled to Gill Landfill
Bid was accepted for 3" overlay on Elgin Ave at a cost of $64,669.70
Road concerns from county residents 22

Fred Kellogg advised that the wood chipper is working very well and the chips are being placed in the ditches and that no one has contacted them wanting the chips.

Commissioner Gomez asked about the overtime hours and Mr. Kellogg informed that it is due to working Saturday's when the roads are bad due to rains.

Chair Bousquet called for Agenda Item #3 Miscellaneous "b. Tony Gomez – Washington D.C. trip report." Commissioner Gomez informed that he had a really good experience and he highly recommends that the County continue with this tradition and that one of the other Commissioners go next year. He stated that this was the 58th annual meeting and it was very well attended by the surrounding area representatives. Commissioner Gomez advised that he was able to visit with various Senators and Governors and they are interested in what we have to say. He informed that Dakota County needs to be on the agenda next year to present the concerns about Dakota County such as the bridges and he believes that by being consistent and persistent that with time it will benefit Dakota County. The Board thanked Commissioner Gomez for going on the trip and representing Dakota County.

Chair Bousquet called for Agenda Item #3 Miscellaneous "c. Chair to appoint a board member to participate on the interview team for the position of Community Corrections Officer." Commissioner Bousquet asked for a volunteer to sit on the interview team. Terry Kern informed the Board that the Community Corrections Officer is partially funded by a grant and this position oversees those who are out on bond with conditions. There are a significant number of people on this program and the County Attorney's office and the Courts benefit from this program the most. Mr. Kern advised that approximately 23 people have applied and they have narrowed it down to 9 applicants. Commissioner Love volunteered to be on the interview team for the Community Corrections Officer.

Chair Bousquet called for Agenda Item #3 Miscellaneous "f. Jail Tour." At 4:50 p.m. the Commissioner's went with Terry Kern for a tour of the "Old" jail and it was decided that the various items left behind in the old jail that can not be used in the new jail will be put on a surplus sale.

Chair Bousquet called for Agenda Item #3 Miscellaneous "d. Closed Session to discuss Road Department Union Contract negotiations." Commissioner Rohde moved, seconded by Commissioner McNear to go into Closed Session to discuss Road Department Union Contract negotiations at 5:20 p.m. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner Gomez to come out of Closed Session of the Road Department Union Contract negotiations at 5:37 p.m. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous "e. Closed Session to discuss Jail Correctional Officers Union Contract negotiations." Commissioner Gomez moved, seconded by Commissioner McNear to go into Closed Session to discuss Jail Correctional Officers Union Contract negotiations at 5:40 p.m. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Year. UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Gomez to come out of Closed Session of the Jail Correctional Officers Union Contract negotiations at 6:04 p.m. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Year, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet adjourned the meeting of April 30, 2012 at 6:04 p.m.

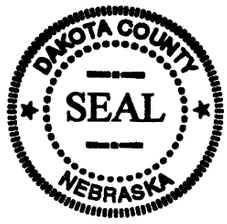
County Board of Commissioners

_____

Rick Bousquet, Chair Date Chair signed

_____

Cherie Conley, Deputy County Clerk Date



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Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, May 14, 2012
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called their regular scheduled meeting to order at 4:05 p.m. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Rohde, McNear, Gomez, Bousquet, and Love, and Cherie Conley, Deputy County Clerk/Secretary. Absent were none. Also present were Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – Excused Absence

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

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

15. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
    a. Approval of the previous minutes - April 30, 2012
    b. Approval of payroll claims

16. NEW BUSINESS
    a. John Trecek, Ameritas Investment Corp. Board to approve Resolution 12C-012 providing for the issuance of $1,330,000 highway allocation fund pledge 20-yr bonds for the payment of costs in connection with C Avenue paving and road improvement construction project; prescribing the form of said bonds; pledging funds to be received by the County from the State of Nebraska Highway Allocation Fund; agreeing to levy taxes; providing for the sale of the bonds; authorizing the delivery of the bonds to the purchaser and providing for the disposition of the bond proceeds.
    b. 4:10 p.m. Public Hearing for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comments regarding changes in the following planning and zoning forms: (1) Informational Statement (2) Zoning Permit Application and (3) Zoning Permit; and to amend the Zoning Ordinances for Dakota County to reflect all references to 'building' permit now as 'zoning' permit.
    c. Request from representative of the Fraternal Order of Police, Dakota County Lodge #49 to begin contract negotiations with Dakota County.
    d. Fred Kellogg, Highway Superintendent - Road Study Report and recommendation to the Board as to the abandonment of the county minimum maintenance road located north of intersection 13th & Pine Streets in Dakota City.
    e. Approve Resolution 12C-013 setting the Public Hearing date and time in the matter of vacating or abandonment of minimum maintenance road north of intersection 13th & Pine Streets, Dakota City, and running north to intersection at IBP Avenue.
    f. Kira Oregon, Mercy Business Health Services, requesting board approval for 2012 Dakota County Employee Core Wellness Screening.

17. MISCELLANEOUS
    a. Road Report – Fred Kellogg, Highway Superintendent
    b. Fred Kellogg - Bridge Inspections. Discuss and take possible action on making bridge inspections a county employee position or advertise for outside contractor bids.
    c. Sheriff Kleinberg – security courthouse office panic alarm buttons. Discussion and possible action on purchase of system with SecureTech.
    d. Form a committee to address clean up, remodeling and use of old jail space.

18. COMMISSIONER COMMITTEE REPORTS

19. MAIL AND/OR EMERGENCY BUSINESS

20. PUBLIC COMMENT

21. ADJOURNMENT

The next Board of Commissioners meeting will be May 29, 2012.

Chair Bousquet called for Agenda Item #1 Consent Agenda. a. Approval of the previous minutes - April 30, 2012 and b. Approval of payroll claims.

Commissioner Love moved, seconded by Commissioner Gomez to approve Consent Agenda items: a. Approval of the previous minutes - April 16, 2012.
b. Approval of payroll claims.

COUNTY GENERAL FUND: Gross salaries- $125,074.32, General Fund Employees Net Pay- $89,115.81, Employer deductions paid: Retirement- $8,725.95, FICA- $7,511.15, Medicare- $1,756.66, DC Health Plan- $22,250.00, DC Dental Plan- $966.54 and Life Insurance- $198.12.
Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1406.08, Daniel Christoffers- 684.78, Cherie Conley- 1230.77, Theodore Piepho- 1800.68, Mary C. Wiltgen- 1146.67, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jalissa Hattig – 880.00, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $946.00, Daniel Christoffers- 641.52, Arnold Mellick- 221.67, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 360.25, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 963.20, Sergio Castillo- 1653.36, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 1755.56, Michael Estes- 1593.60, Brent Gilster- 1693.60, Todd Hammer- 1721.60, Richard Hansen- 1549.60, Melvin Harrison III- 1721.60, Jason James- 1693.60, Douglas Johnson- 2075.18, Kimberly Johnson- 100.10, Jared Junge- 1776.94, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1820.62, Michael Kreegar- 1714.77, Gayle Richards- 941.60, Kevin Rohde- 1726.92, Randall Walsh- 1903.85, Bridget Fiedler- 984.00, Kerry Johnson- 960.00, Sara Niles- 1961.54, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1134.12, Kimberly Watson- 2913.34, Jacob Acero- 1374.40, Ermelinda Ballesteros- 1390.95, Mason Billings- 1235.20, Joshua Blatchford- 1386.74, Rebecca Broer- 1411.41, Elisabet DeRoin- 1273.80, Sandy Dickens- 779.92, Jesse Doelle- 1069.13, Marjorie Donahue- 1585.77, Lisa Ford- 1361.75, Ryan Foster- 1235.20, Linda Frost- 882.40, Alma Gunderson- 1344.80, Deanna Haukap- 1332.80, Jeffrey Heitzman- 1300.00, Adam Hough- 1320.80, Michael Jacobson- 1256.00, Brett Johnson- 1332.80, Brenda Kelly- 1428.88, Terry Kern- 2030.29, Keith Klein- 1280.00, James Kleinberg- 1242.92, Mark Nelson- 1476.66, Travis Olander- 1320.80, Kimberly Peterson- 1280.00, Cody Roeber- 1256.00, Jutharatana Ruenprom- 1320.80, Timothy Ryan- 1256.00, Linda Schovanec- 1431.72, Jennifer Svendsen- 1368.50, Francis Tope- 1332.80, Jewel Williams- 1370.33, Cara Wood- 1357.56, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 736.68, Linda Weitzel- 1134.07, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $12,595.87, State- $4,364.15, FICA- $5,088.18, Medicare- $1,756.66, Retirement- $5,911.75, Health Plan- $1,650.00, DC Dental Plan- $546.00, Colonial Health- $711.53, Sheriff Union Dues- $460.00, Colonial Life/Disability- $319.68, Deferred Comp- $332.00, Garnishments- $1,203.70, Flex Plan Medical- $731.49, Flex Plan Dependant Care- $287.50.
COUNTY ROAD PAYROLL: Gross salaries- $16,085.56, Road Employees Net Pay- $11,599.66, Employer deductions paid: Retirement- $1,085.75, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $25.32, FICA- $954.76, and Medicare- $223.29.
Matthew Bartels- 1314.40, Brent Byroad- 1398.40, Robert Hacker- 1318.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Nicholas Long- 400.00, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40, Matthew Roost- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,443.18, State- $504.93, FICA- $646.77, Medicare- $223.29, Retirement- $723.87, Health Plan- $350.00, DC Dental Plan- $84.00, Reassure America Life- $4.88, Colonial Life Health- $147.07, Colonial Life/Disability- $11.23, Deferred Comp.- $61.68, Flex Plan Medical- $105.00 and Union Dues- $180.00.
ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde - Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business

a. John Trecek, Ameritas Investment Corp. Board to approve Resolution 12C-012 providing for the issuance of $1,330,000 highway allocation fund pledge 20-yr bonds for the payment of costs in connection with C Avenue paving and road improvement construction project; prescribing the form of said bonds; pledging funds to be received by the County from the State of Nebraska Highway Allocation Fund; agreeing to levy taxes; providing for the sale of the bonds; authorizing the delivery of the bonds to the purchaser and providing for the disposition of the bond proceeds.

Mr. Trecek presented to the Board the 20 year bond for the paving project of C Avenue and went over a few of the details with regards to the interest which is all detailed in the Resolution 12C-012 and stated that the money would be available on May 24, 2012.

Commissioner Gomez moved, seconded by Commissioner Rohde to approve Resolution 12C-012 providing for the issuance of $1,330,000 highway allocation fund pledge 20-yr bonds for the payment of costs in connection with C Avenue paving and road improvement construction project; prescribing the form of said bonds; pledging funds to be received by the County from the State of Nebraska Highway Allocation Fund; agreeing to levy taxes; providing for the sale of the bonds; authorizing the delivery of the bonds to the purchaser and providing for the disposition of the bond proceeds. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business

b. 4:10 p.m. Public Hearing for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comments regarding changes in the following planning and zoning forms: (1) Informational Statement (2) Zoning Permit Application and (3) Zoning Permit; and to amend the Zoning Ordinances for Dakota County to reflect all references to 'building' permit now as 'zoning' permit.

Chair Bousquet opened the Public Hearing at 4:10 p.m. for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comments regarding changes in the following planning and zoning forms: (1) Informational Statement (2) Zoning Permit Application and (3) Zoning Permit; and to

amend the Zoning Ordinances for Dakota County to reflect all references to 'building' permit now as 'zoning' permit.

Arnie Mellick advised the Board that the Dakota County Joint Planning Commissioner has approved and recommends that the County switch the current Building Permit applications and permits to Zoning Permit applications and permits as the County Planning and Zoning is approving only that the zoning is correct. Mr. Mellick also advised that when at the State meeting in Grand Island he was informed that a majority of the other counties in northeast Nebraska are going to Zoning Permits. He also advised that if this change is approved then the Dakota County Zoning Regulations would be amended to read Zoning Permits.

Chair Bousquet asked for any support, opposition or neutral comments from the public and there were none. Chair Bousquet closed the Public Hearing at 4:13 p.m.

Commissioner Rohde moved, seconded by Commissioner Love to approve the recommended changes to the Planning and Zoning forms: (1) Informational Statement (2) Zoning Permit Application and (3) Zoning Permit; and to amend the Zoning Ordinances for Dakota County to reflect all references to 'building' permit now as 'zoning' permit. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business

c. Request from representative of the Fraternal Order of Police, Dakota County Lodge #49 to begin contract negotiations with Dakota County.

Sheriff Deputy Kevin Rohde requested that the negotiations be started for the Fraternal Order of Police, Dakota County Lodge #49. It was the consensus of the Board that negotiations would begin.

Chair Bousquet called for the Agenda Item #2 New Business

d. Fred Kellogg, Highway Superintendent - Road Study Report and recommendation to the Board as to the abandonment of the county minimum maintenance road located north of intersection 13th & Pine Streets in Dakota City.

Fred Kellogg presented the Board with a copy of the Road Study Report

DAKOTA COUNTY ROAD STUDY

May 14, 2012

TO: Dakota County Board of Commissioners
RE: Results of study for vacating a county road located and described as follows:
Located north of intersection 13th & Pine Street in Dakota City, at Section 4, Range 9E, Township 28N, classified as a minimum maintenance road

As directed by the Dakota County Board of Commissioners on April 30, 2012, I have inspected the aforementioned road being considered for vacation and my findings are as follows:

- Road has not had a traffic study done
- Road has little or no traffic
- County does little or no maintenance
- Road has good location for further development
- Road could be utilized as an alternate route/detour if IBP Ave/Dakota Ave is under construction.
- Local land owners are in disagreement as to whether road should remain open or closed
- City of Dakota City has plans for possible future annexation of property
- North end of said road leading to Heikes property is also mail route and would have to be discussed with U.S. Postal Service

Recommendation:

My recommendation, after performing a study on the aforementioned road, is for the road to remain open and have it surveyed and named for legal purposes.

Submitted,
Fred Kellogg,
Dakota County Highway Superintendent

Mr. Kellogg stated that if the Board deems to keep the road open he would request that a survey be done so the road could be named. Some discussion was had in regards to ownership on either side of the road and as to why the Mr. Jans petitioned to have it closed.

Chair Bousquet called for the Agenda Item #2 New Business

e. Approve Resolution 12C-013 setting the Public Hearing date and time in the matter of vacating or abandonment of minimum maintenance road north of intersection 13th & Pine Streets, Dakota City, and running north to intersection at IBP Avenue.

Commissioner Bousquet moved, seconded by Commissioner Gomez to approve Resolution 12C-013 Road Study Regarding Abandonment of Public Road and Board to Set Public Hearing wherein stating that a road study had been done and therefore set it for Public Hearing on June 11, 2012 at 4:10 p.m.

ROAD STUDY REGARDING ABANDONMENT OF PUBLIC ROAD
BOARD TO SET PUBLIC HEARING
RESOLUTION 12C-013

WHEREAS, Neb. Rev. Stat. § 39-1722 makes provisions for a county board of commissioners to vacation or cause abandonment of public roads in its county; and

WHEREAS, a clear and unambiguous description of the road to be vacated or abandoned is as follows, to-wit:

Minimum maintenance road north of intersection 13th and Pine Streets, Dakota City, and running north to intersection at IBP Avenue located in Section 4, Township 28N, Range 9E, Dakota County, Nebraska.

WHEREAS, the Dakota County Highway Superintendent has performed a study of said road, and recommends that the road remain open, said report to be filed with the Dakota County Clerk.

NOW THEREFORE, BE IT RESOLVED, by the Dakota County, Nebraska, Board of Commissioners, that the matter of vacating or abandonment of said road shall be set for Public Hearing on June 11, 2012, at 4:10 p.m. in the Dakota County Board of Commissioners room, Dakota County Courthouse, Dakota City, Nebraska.

Dated this 14th day of May, 2012.

Dakota County, Nebraska
Board of Commissioners
/s/ Rick Bousquet, Chairman

Attest:
/s/Theodore A. Piepho
County Clerk of Dakota County, Nebraska

ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business

f. Kira Oregon, Mercy Business Health Services, requesting board approval for 2012 Dakota County Employee Core Wellness Screening.

Ms. Oregon addressed the Board asking for approval of the Dakota County Employee Core Wellness Screening program and the $50 per participant fee is unchanged and the only change is for mileage to the Hubbard employees. Ms. Oregon thanked the Board and Commissioner Gomez for the support and help in the past years. Commissioner Gomez expressed his backing of this program and highly recommends that all of the county employees participate.

Commissioner Gomez moved, seconded by Commissioner Love to approve the 2012 Dakota County Employee Core Wellness Screening program offered through Mercy Business Health Services. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous:

a. Road Report – Fred Kellogg, Highway Superintendent

Fred Kellogg presented the following:

DAKOTA COUNTY ROAD DEPARTMENT BIWEEKLY REPORT: April 29, 2012 to May 12, 2012

TOTAL ROAD MAINTENANCE: 271.5 HOURS

DISTRICT TOTALS:

A1= 45 A3= 24 A4= 30.5 A5= 41.5 A6= 33.5 A7= 52.5 A8 = 44.5

OVERTIME HOURS	7 HOURS
MOWING	1.5 HOURS
GARBAGE CLEANUP	31 HOURS
O'NEILL BRIDGE	101.50 HOURS
GRAVEL HAULING:	90.5 HOURS
TONS OF GRAVEL HAULED:	822.69 CLASS A 490.00 Peterson **1,312.69** TOTAL TONS OF GRAVEL
MAGNET:	30 HOURS
BLACKTOPPING HOURS:	14.5 HOURS
BLACKTOPPING TONAGE:	3.54 TONS

ROAD PROJECTS:
Garbage cleanup on Oakdale Rd
Culvert on Minimum Maintenance on 190th Street West of S Avenue (16 hours)
Blacktopping on Elgin
Frank O'Neill Bridge
9 Road Concerns

Discussion was had on the various roads regarding nails and pot holes and what type of concerns people are calling in on and what the Road Department is doing to resolve these issues.

Chair Bousquet called for Agenda Item #3 Miscellaneous:

b. Fred Kellogg - Bridge Inspections. Discuss and take possible action on making bridge inspections a county employee position or advertise for outside contractor bids.

Fred Kellogg advised the Board that this is for insurance and bonding purposes and trying to save the County money and still have our bridges inspected. In the past the County has utilized Arnie Mellick as a private inspector and if Arnie has to purchase his own insurance and bonding his rates are going to go up. If we hire an engineer to inspect our bridges it will cost about $1500 per bridge and Mr. Mellick is at $49 per bridge. Fred Kellogg stated that he would like to have it in writing that Arnie Mellick is our Bridge Inspector and as an employee be covered under the counties insurance and that a yearly contract be written.

Commissioner Rohde moved, seconded by Commissioner Gomez to appoint Arnie Mellick as the County Bridge Inspector as a County Employee and that he will be bonded and insured under the County's insurance. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous:

c. Sheriff Kleinberg – security courthouse office panic alarm buttons. Discussion and possible action on purchase of system with SecureTech.

Sheriff Kleinberg informed the Board that he had contact with SecureTech Systems regarding the purchase and installation of panic buttons and the cost will be roughly $6800 which is more than he thought it was initially going to cost. After some discussion regarding cost and possible other options it was decided that this matter will come before the Board after the budgets have been set and approved.

Chair Bousquet called for Agenda Item #3 Miscellaneous:

d. Form a committee to address clean up, remodeling and use of old jail space.

Commissioner Bousquet requested that a committee be formed to help decide how and what to do with the space in the old jail. Sheriff Klienberg expressed his concern and desire to have some additional space for long-term evidence storage as he has no space left at the LEC and currently they are using a small portion above the "Sally Port" in the old jail, but need more space. It was brought up that roughly $32,000 per month is being paid to the LEC for using the space at the LEC by the Sheriff's department and perhaps that needs to be looked at. After further discussion, Commissioner Bousquet advised that after an inventory of items was taken that an auction or sale would take place and further decisions would be discussed regarding renovating the old jail.

Chair Bousquet called for Agenda Item #4 Commissioner Committee Reports. There were none.

Chair Bousquet called for Agenda Item #5 Mail and/or Emergency Business. There was none.

Chair Bousquet called for Agenda Item #6 Public Comment. There was none.

Chair Bousquet adjourned the meeting of May 14, 2012 at 4:56 p.m.

County Board of Commissioners

_____

Rick Bousquet, Chair Date Chair signed

_____

Cherie Conley, Deputy County Clerk/Secretary Date

DAKOTA COUNTY SEAL NEBRASKA

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Tuesday, May 29, 2012
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called the scheduled meeting to order at 1:00 p.m. by all reciting the Pledge of Allegiance. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Bousquet, Love, Rohde, McNear and Gomez, and Cherie Conley, Deputy County Clerk/Secretary. Absent were none. Also present was Joan Spencer, Administrative Assistant to the Board.

The agenda for this meeting was as follows:
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – Excused Absence

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

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

ROAD TOUR – includes but not limited to Axel Rasmussen bridge on 160th Street and J Vavra bridge on Inwood Avenue.

Recess to 4:02 p.m. regular meeting at the conclusion of the Road Tour.

22. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
    a. Approval of the previous minutes – May 14, 2012
    b. Approval of payroll claims
    c. Approval of accounts payable claims
    d. Officials Reports
    e. Board to approve Agreement with the Nebraska Department of Roads to provide a Registered Land Surveyor to tie out Land Monuments prior to and re-monument after the Hwy 20 maintenance milling project in Dakota County.

23. NEW BUSINESS
    a. Kyle Krumwiede, Vice President, Dakota County Ag Society, to request approval for a Special Designated Liquor License for the beer tents at the Dakota-Thurston County Fair for the dates of July 19, 20, 21 & 22.
    b. Grievance Hearing—Second Step appeal to Board of Commissioners. Jail union employee Jewel Williams, Jr., alleging violation of Article 23 Non-Discrimination, Section 1: Prohibition Against Discrimination. The parties hereby agree not to discriminate against any individual because of age, race, religion, creed, color, sex, national origin, disability or union or non-union membership. The Board shall make a decision on the grievance, enter such decision on the Grievance Report Form, and communicate such decision in writing to the grievant within seven (7) days following the hearing.
    c. Dick Erickson and NetSys+. Board approval for spending over $5,000 to bring the Assessor's office online as they transition from state to county.
    d. Approve Resolution 12C-014 to declare personal property and mobile equipment as surplus property and appoint county official or employee to sell the surplus property.
    e. Approve Resolution 12C-015 to appropriate transfer of funds for over-expended budget of Election Commissioner.

24. MISCELLANEOUS
    a. Road Report – Fred Kellogg, Highway Superintendent
    b. Dick Erickson - Transitioning of Assessor personnel from State to County. Clarification from Board on anniversary date and sick and vacation pay as set forth in LB121.
    c. Closed Session to discuss Road Department union contract negotiations.
    d. Closed Session to discuss Jail Correctional Officers union contract negotiations.

25. COMMISSIONER COMMITTEE REPORTS

26. MAIL AND/OR EMERGENCY BUSINESS

27. PUBLIC COMMENT

28. ADJOURNMENT

The next Board of Commissioner's meeting will be Monday, June 11, 2012.

Chair Bousquet called for Agenda Item ROAD TOUR. Commissioners dispersed and met on Elgin Avenue in South Sioux City where they were joined by Road Superintendent Fred Kellogg, Senator Dave Bloomfield and Knife River representative Bruce Jorgensen. They discussed the issue of water pooling on a portion of the road by the mailboxes. Mr. Jorgensen assured the Commissioners that they guarantee their work and if the road should start to break up or deteriorate they would make it right. The amount of water that is pooling is 1/16 of an inch and is so minimal that it would be very hard to add a layer and make the road look smooth. Fred Kellogg concurred with Mr. Jorgensen and advised that this situation be monitored and should it worsen then action will be taken. Mr. Kellogg also advised the Board that they would be putting some crushed rock alongside the edges of the road to fill in the drop-off area along the shoulder. The Board thanked Mr. Jorgensen for his time and commitment and the Road Tour continued to the bridge on 160th Street east of Oakdale Road west and south of Jackson.

The Commissioners were met at this bridge by several of the local farmers in that area that utilize this bridge. Road Superintendent Fred Kellogg and Senator Bloomfield also joined the group at the bridge. Commissioner Bousquet advised the group that they do understand the frustrations of all those involved with the weight limit change and they do recognize the need to have this bridge either repaired or replaced. Several of the local farmers expressed their concerns and made comments in regards to the County needing to take responsibility to repair these old bridges. Mr. Kellogg advised that he had contacted the State Bridge Inspector to see what would need to be done to bring this bridge back up to 22 ton and they informed that all of the rivets would need to be tested and replaced to start as many of them are showing fatigue. A rough estimate to repair this bridge would be $250,000.00 and a rough estimate to replace this bridge would be $400,000.00. Senator Bloomfield advised that he would talk to some people in Lincoln and see if there was anything he could do to help. It was brought up by one of the local farmers that the County repairs the 264th street minimum maintenance road so that the farmers could safely use this stretch of road as a way to their properties. Mr. Kellogg advised that it would be very costly to bring this road up to a RL3 road as surveys and engineering would need to be done before any work could begin. The Commissioner's drove the minimum maintenance road to inspect its condition and discussion was had amongst the group as to how the road could be made safer to drive on as there were a couple of narrow areas and blind spots. Commissioner Bousquet asked that this bridge be added to the 1 & 6 Year Road Plan.

The Commissioners and Fred Kellogg proceeded then to the bridge south of Homer on Inwood Avenue. There they were met by the two residents that would be land-locked should the bridge go out. Mr. Kellogg advised the Board that he had been in contact with someone who would be able to replace this bridge for approximately $62,000.00. After some discussion it was decided that this matter will be placed on the next agenda for action. The Road Tour ended at approximately 3:30 wherein the Commissioners headed back to the courthouse to resume their regularly scheduled meeting.

Chair Bousquet recessed the Board of Commissioners' meeting at 4:00 p.m. to go in to the Board of Equalization.

Chair Bousquet reconvened the meeting at 4:06 p.m. Roll Call was taken. Present were Commissioners Rohde, McNear, Gomez, Bousquet, Love, and Cherie Conley, Deputy County Clerk/Secretary. Absent were none. Also present was Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney.

Chair Bousquet called for Agenda Item #1 Consent Agenda.

a. Approval of the previous minutes – May 14, 2012
b. Approval of payroll claims
c. Approval of accounts payable claims
d. Officials Reports
e. Board to approve Agreement with the Nebraska Department of Roads to provide a Registered Land Surveyor to tie out Land Monuments prior to and re-monument after the Hwy 20 maintenance milling project in Dakota County.

Commissioner Love moved, seconded by Commissioner Gomez to approve the following Consent Agenda items as presented to the Board for the official record:

a. Approval of the previous minutes – May 14, 2012;

b. Approval of payroll claims - COUNTY GENERAL FUND: Gross salaries- $126,027.32, General Fund Employees Net Pay- $89,736.58, Employer deductions paid: Retirement- $8,789.29, FICA- $7,568.90, Medicare- $1,770.19, DC Health Plan- $22,000.00, DC Dental Plan- $955.68 and Life Insurance- $195.86, Principal Mutual Life Insurance- $1,157.43.
Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1448.26, Daniel Christoffers- 1367.71, Cherie Conley- 1230.77, Theodore Piepho- 1800.68, Mary C. Wiltgen- 1146.67, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jalissa Hattig – 880.00, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $900.63, Arnold Mellick- 221.67, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 168.96, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 963.20, Sergio Castillo- 1673.28, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 1755.56, Michael Estes- 1593.60, Brent Gilster- 1714.77, Todd Hammer- 1721.60, Richard Hansen- 1607.72, Melvin Harrison III- 1721.60, Jason James- 1693.60, Douglas Johnson- 1960.96, Kimberly Johnson- 251.68, Jared Junge- 1798.62, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1714.77, Michael Kreegar- 1693.60, Gayle Richards- 941.60, Kevin Rohde- 1748.24, Randall Walsh- 1903.85, Bridget Fiedler- 947.10 Kerry Johnson- 960.00, Sara Niles- 1961.54, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Jacob Acero- 1378.58, Ermelinda Ballesteros- 1390.95, Mason Billings- 1235.20, Joshua Blatchford- 1386.74, Rebecca Broer- 1424.28, Elisabet DeRoin- 1285.38, Sandy Dickens- 787.76, Jesse Doelle-

1059.20, Marjorie Donahue- 1603.78, Lisa Ford- 1349.18, Ryan Foster- 1352.93, Linda Frost- 882.40, Alma Gunderson- 1344.80, Deanna Haukap- 1332.80, Jeffrey Heitzman- 1280.00, Adam Hough- 1324.93, Michael Jacobson- 1256.00, Brett Johnson- 1332.80, Brenda Kelly- 1369.52, Terry Kern- 2030.29, Keith Klein- 1981.20, James Kleinberg- 1235.20, Mark Nelson- 1476.66, Travis Olander- 1320.80, Kimberly Peterson- 1320.80, Cody Roeber- 1256.00, Jutharatana Ruenprom- 1320.80, Timothy Ryan- 1256.00, Linda Schovanec- 1422.99, Jennifer Svendsen- 1538.50, Francis Tope- 1332.80, Jewel Williams- 1345.41, Cara Wood- 1357.56, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 781.43, Linda Weitzel- 1205.55, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $12,755.09, State- $4,421.56, FICA- $5,127.37, Medicare- $1,770.19, Retirement- $5,953.63, Health Plan- $1,650.00, DC Dental Plan- $567.00, Colonial Health- $711.53, Sheriff Union Dues- $460.00, Colonial Life/Disability- $319.68, Deferred Comp- $332.00, Garnishments- $1,203.70, Flex Plan Medical- $731.49, Flex Plan Dependant Care- $287.50.
COUNTY ROAD PAYROLL: Gross salaries- $17,289.56, Road Employees Net Pay- $12,528.82, Employer deductions paid: Retirement- $1,112.75, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $25.31, FICA- $1,029.41, and Medicare- $240.75, Principal Mutual Life Insurance- $207.46.
Matthew Bartels- 1314.40, Brent Byroad- 1398.40, Robert Hacker- 1318.40, Ronald Harder- $804.00, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Nicholas Long- 800.00, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40, Matthew Roost- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,590.19, State- $546.73, FICA- $697.34, Medicare- $240.75, Retirement- $741.87, Health Plan- $350.00, DC Dental Plan- $84.00, Reassure America Life- $4.88, Colonial Life Health- $147.07, Colonial Life/Disability- $11.23, Deferred Comp.- $61.68, Flex Plan Medical- $105.00 and Union Dues- $180.00.;

c. Approval of accounts payable claims - **GENERAL FUND:** Dakota County Star, publishing- 214.85; Tony Gomez, reimburse- 418.75; Nebraska Notary Assoc, bond- 154.23; Perkins, supplies- 54.09; US Bank, dinner/conference fee/lodging- 1223.96; Midwest Office Automation, toner- 343.94; Office Elements, folders/three hole punch- 323.28; Theodore Piepho, phone- 30.00; US Bank, online backup- 255.55; AS Central Services, service- 115.00; Charlotte Doenhoeffer, prior yrs- 10.00; Robert Giese, supplies- 286.94; Jolene Heinemann, supplies- 67.56; Ruth Jensen, prior yrs- 12.00; Net Sys Plus, computer work- 120.00; Pacific City, envelopes- 220.48; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; US Bank, supplies/toner- 312.60; Deb Benton, mileage- 15.54; Microfilm Imaging, lease- 240.00; Margie Rahn, prior yrs- 12.00; Dept of Revenue, 3rd qtr payment- 33092.85; AJ Phillips, stickers- 180.00; Daniel Christoffers, mileage- 10.11; City of Dakota City, coffee- 15.25; Dakota County Star, publishing- 3202.40; Election Systems & Software, pens/ballots/coding/posters/printing/ shipping- 6902.80; ELECTION WORKERS HOURS AND MILEAGE [Clara Woten, Leticia Olague, Patricia Giese, Marjorie Jarvill, Martha Jaramillo, Linda Brostad, Judy Curry, Peggy Demke, Galdino Guzman, Madeline Horner, Joanne Mast, Claudia Hernandez-Ibarra, Joan Koch, Mary Wolf, Laura Perea, Franklin Morse, Lucia Castillo, Claudia Horner, Mary Krommenhoek, Jackie Gierman, Jan Johansen, Tiffany Zermeno, Cynder Flores, Mary Coziahr, Aloise Ferris, Ada Hunt, Bertha Hines, Shirley Colwell, Mary Kleinberg, Betty Bliven, Beverly Bliven, Ruby Mendoza, Elda Raudales, Julie Schram, Kimberly Archer, Betty Jorgensen, Virginia Stainbrook, Norma DeLao, Terrance Koebernick, Shirley Uhl, Jannette Burns, Carlos Salas, Josephine Cain, Sally Reinert, Christy Henjes, Dorothy Kramper, Geraldine Tramp, Ginger Huggenberger, Bonnie Pallas, Myra Gentrup, Janice Roeber, Jane Bonderson, Charlene Jensen, Trudy Jepsen, Mary McGowen, Jana Adam, Randy Lussier, Diann Albertson, Pat Donnelly, Linda Torticill, Shirley Bentz, Dave Donnelly, Trish Mari, Jean Lynch, Phyllis Cleveland, Sharon Greenleaf, Patricia Stingley, Delmer Adam, Kathy Bruyere, Joe Conley, Ronald Dahlman, Stacey Dahlman, Brandi McManigal, Marsha Reynolds, Nicholas Walsh, Nanci Walsh, Shelby Walsh, Joe Wiltgen, Richard Wiseman, Cherie Conley, Craig Dean, Deb Benton, Cherie Conley]- 12274.76; Emerson Legion Hall, rental- 100.00; First Lutheran Church, rental- 75.00; Homer Legion Post, rental- 60.00; Inclusion Solutions, handicap bell- 260.00; Knights of Columbus, rental- 60.00; Mundo Latino Newspaper, publishing- 2172.82; Perkins, supplies- 123.45; Print Elect, poster- 30.80; Salem Lutheran, rental- 60.00; Secretary of State, registration cards- 60.00; Shirley Sides, canvass board- 47.50; SSC Legion Hall, rental- 60.00; SSC Fire Dept, rental- 60.00; Staples, supplies- 127.66; Geraldine Tramp, canvass board- 50.28; US Bank, toner/signs/handicap tool- 1142.95; Mary Wiltgen, training/mileage- 35.60; Mary Wolf, canvass board- 51.94; Theodore Piepho, mileage- 100.57; Dakota County Star, meeting- 9.26; Arnie Mellick, phone- 30.00; Staples, supplies- 166.87; Clerk of District Court, dues/workshop- 100.00; Executive Tech, contract- 215.72; MIPS, scanning- 86.00; US Bank, coffee pot- 248.95; AS Central Services, supplies- 427.17; Des Moines Stamp, stamp- 229.50; Iowa Office Supply, supplies- 132.40; Paula Jensen, reimburse- 10.48; Marlin Business Bank, contract- 100.00; Microfilm Imaging, scanning- 190.50; Midwest Office Automation, contract- 567.17; Kurt Rager, reimbursement- 74.88; Star Printing, envelopes- 320.00; Thomson West, service- 210.00; US Bank, supplies- 102.38; Cartridge World, toner- 133.98; Frank Gonzalez, interpret- 550.00; Shelly Hodges, interpret- 600.00; Perkins, supplies- 65.85; Thomson West, service- 366.00; Dakota County Sheriff, papers/warrants- 1091.28; Matthew Connealy, court appointed counsel- 1103.40; Dakota County Court, court costs- 2487.31; Jessilyn Haden, witness fee/mileage- 31.10; Randy Hisey, court appointed counsel- 462.00; Michael Isom, witness fee/mileage- 73.30; Valerie Isom, witness fee/mileage- 73.30; Vivienne Iverson, witness fee/mileage- 36.65; Jennifer Kassing, witness fee- 21.66; Kueny & Begley, court appointed counsel- 210.00; Ian McConeghey, court appointed counsel- 256.65; Dennis Miller, witness fee- 20.00; Jean Miller, witness fee/mileage- 51.10; Stuart mills, court appointed counsel- 795.00; Douglas Roehrich, court appointed counsel- 606.00; Daniel Smith, court appointed counsel- 117.00; Jane Snieder, witness fee/mileage- 51.10; Amanda Snoozy, witness fee/mileage- 53.32; Patrick Tott, court appointed counsel- 835.50; Clerk of District Court, court costs- 469.00;Randy Hisey, court appointed counsel- 780.00; US Bank, juror meals- 243.51; Woodbury County Sheriff, paper service- 23.93; Perkins, supplies- 4.05; Bomgaars, repair- 524.59; Bunkers Feed & Supply, salt- 69.94; H2O4U, repair-

143.10; City of Dakota City, utilities- 721.50; Gill Hauling, service- 125.00; Grainger, repair kit- 237.14; Janitor Depot, supplies- 540.74; Joes Dept Store, repair- 158.61; Menards, supplies- 2717.75; Midamerican Energy, utilities- 1102.00; Nebraska Public Power Dist, utilities- 1546.54; O'Keefe Elevator, maintenance- 172.54; Richard Jensen, mileage- 187.83; Share Corporation, repair- 288.53; Meyer Inc, repair- 187.50; Trembly Pest Control, service- 100.00; US Bank, supplies- 573.34; Verizon, phone- 53.73; PMNRD, rent- 833.33; UNL Extension, reimburse- 782.19; AJ Gallagher Risk Management, notary bond- 100.00; Art & Science Veterinary Services, service- 65.00; Kerry Bligh, animal control- 100.00; City of South Sioux City, phone/fuel- 4904.61; Dakota County Sheriff, notary fee- 30.00; Fremont Tire, repair- 40.00; JP Cooke Company, stamps- 119.39; Lynn Peavey Company, kits- 39.90; O'Reilly Automotive, service/repair- 105.20; US Bank, supplies/repair- 89.59; Verizon, phone- 150.32; James Wagner, prior yrs- 46.16; Willis Animal Clinic, spray- 21.95; Dakota County Treasurer, copies/books- 220.80; H2O4U, water- 46.00; Iowa Office Supply, contract- 137.75; Nebraska County Attorney Assoc, registrations/dues- 1896.00; Peter Parry, phone- 20.00; Secretary State, copies- 20.00; US Bank, photos/laptop- 781.20; Verizon, phone- 135.86; City of South Sioux City, LEC cost share- 32258.71; BI Inc, tracking- 54.00; Dakota County Star, publishing- 159.00; Redwood Toxicology, drug test- 130.00; Sioux City Journal, publishing- 625.54; Verizon, phone- 89.68; AJ Gallagher Risk Management, notary bond- 50.00; Ateam Heating & Cooling, repair- 1075.21; Aramark, service- 158.37; Associated Fire Protection, service/inspection- 965.00; Bob Barker, supplies- 1396.33; CBM Food Service, meals- 26233.84; CashWa Distribution, supplies/food- 290.52; City of Dakota City, utilities- 2417.24; City of South Sioux City, fuel- 485.95; Com-Tec Security, repairs/travel- 5210.70; Crittenton Center, medical- 1010.20; Dakota County Sheriff, meal/law books/dues- 217.02; Dakota Family Dentistry, medical- 553.00; Dakota One Leasing, contract- 220.00; Dept of Correctional Services, medical/safekeepers- 5641.18; Family Medicine Center, medical- 596.00; Foulk Brothers Plumbing, service/repair- 1771.57; Gill Hauling, service- 125.00; JP Cooke Company, stamps- 31.89; Jacks Uniforms, supplies- 101.85; Jackson Glass, glass- 1195.00; Janitor Depot, supplies- 2777.62; Jims Home Health Supplies, unit- 75.00; Joes Department Store, supplies- 437.08; McArthur Sheet Metal, steel- 191.52; Mercy Business Health, medical- 1200.00; Mercy Medical Center, medical- 6569.10; Midamerican Energy, utilities- 513.84; Midwest Office Automations, contract- 303.35; Moore Medical, medical- 74.71; NE Nebr Juvenile Serv, boarding- 2231.25; Nebraska Public Power Dist, utilities- 2249.39; Net Sys Plus, computer work- 1045.99; NW Iowa Emerg Phys, medical- 2897.00; Overhead Door Company, interpret- 225.30; Perkins, supplies- 520.00; St Lukes Dept of Lab Services, medical- 72.06; Sams Club, supplies- 382.38; Siouxland Federal Credit Union, tires/meals/batteries- 397.35; Siouxland Radiology Partners, medical- 371.00; South Sioux City Rescue, transport- 555.00; Speedy Rooter, repair- 135.00; Text & Data, software support- 2100.00; Trembly Pest Control, service- 110.00; US Bank, prescriptions/meals/fuel- 5466.50; Veterans Memorial Fund, flag- 70.00; Verizon, phone- 225.03; Woodbury Co Juvenile Det, boarding- 9200.00; Dakota Business Systems, copier rental- 102.00; Midwest Office Automation, contract- 111.74; Verizon, phone- 61.13; Alpha Land, surveying- 3400.00; AZ Inc, fuel- 148.50; Bomgaars, parts- 102.29; Central Valley Ag, chemicals- 209.98; Dakota County Star, publishing- 122.40; Heritage Express, fuel- 207.02; Hubbard Minimart, fuel- 313.00; Joes Dept Store, parts- 7.88; Motion Industries, parts- 22.00; Leon Pies, phone- 30.00; RC Customs, parts- 254.40; Staples, supplies- 15.99; Pam Devries, mileage- 52.76; Pat Glover, hours- 50.00; Bonnie Kahler, paint- 69.99; Linda Weitzel, mileage/paint- 151.96; Thomas Wente, physician- 250.00; US Bank, meals/mileage- 287.07; Bill Johnston, mileage/phone/meals- 490.15; Thomson West, service- 753.77; Cableone, internet- 169.96; City of South Sioux City, library- 40000.00; Claritus, toner- 149.45; Cherie Conley, membership- 19.50; Fibercomm, phone- 1246.35; FSH Comm, payphone- 63.60; Keep Northeast Nebraska Beautiful, sponsorship- 250.00; Mailfinance, lease- 397.16; Mercy Business Health, eap agreement- 240.75; MIPS, support- 498.79; Norm Waitt YMCA, memberships- 214.50; Madelyn Thorsland, prior yrs- 10.00; Three Rivers Benefit, flex admin fees- 110.00; US Bank, error- 17.10; USPS Hasler, postage- 2500.00; XPEDX, paper- 2375.00; Road Fund, budget transfer- 120000.00;

ROAD FUND: Aramark, service- 327.49; Axles & Gears, parts- 100.00; AZ Inc, fuel- 3561.66; Matt Bartels, phone- 30.00; Bomgaars, supplies- 198.69; Dakota County Star, bids- 27.01; Electronic Engineering, gps- 900.00; Fastenal, supplies- 405.44; Gill Hauling, service- 55.00; Walter Heinemann, prior yrs- 29.00; Hubbard Minimart, fuel- 3903.73; H2O4U, service- 8.50; Iowa Nebraska State Bank, grader payment- 19346.07; J&J Pronto, fuel- 238.66; Joes Dept Store, supplies/tools- 130.91; Kimball Midwest, supplies- 177.77; Kinetic Leasing, loader/interest- 2458.00; LG Everist, gravel- 49883.76; Love Brothers, parts/labor- 878.51; Matheson-Linweld, oxy- 232.78; Midwest Service & Sales, signs- 3132.57; Midwest Wheel, parts- 87.82; Marlan Millard, prior yrs- 15.00; Nebraska Public Power Dist, utilities- 34.67; NE Nebraska Public Power Dist, utilities- 208.43; NE Nebraska Telephone, phone- 220.94; O'Reilly Auto Parts, parts/supplies- 378.16; Peterson Sand & Gravel, gravel- 60759.80; Pomps tires- 2378.00; Powerplan, parts/labor- 1177.67; Rees Mack Sales, supplies/parts- 214.91; Road Machinery & Supplies, parts- 101.19; Robertson Implement, parts/equipment- 2252.06; Sapp Bros, propane- 1342.15; Siouxland Hydraulics, parts- 6.58; Sioux Plating, parts- 200.00; South Side Glass, parts/labor- 514.08; Steffen, parts/labor- 78.30; Thermo King, supplies- 145.54; US Bank, parts- 23.02; Verizon, phone- 33.76; Warren Oil, diesel- 5476.38; Zieglers, parts/oil- 2136.77;

ROAD IMPROVEMENT: Verzani Farms, culvert- 2500.00; Village of Jackson, paving payment- 12000.00; Olsson Associates, engineering- 2072.00;

VISITORS PROMOTION: South Sioux City Chamber of Commerce, lodging tax- 14703.95;

STOP FUND: Jacks Uniforms, equipment- 1464.00;

HEALTH PLANNING GRANT: AT&T, phone- 29.73; Pam Devries, mileage- 130.98; Bonnie Kahler, mileage- 91.58; Midwest Office Automations, contract- 133.80; US Bank, fuel- 74.00; US Bank, rental/fuel- 329.88;

d. Officials Reports – County Clerk, Register of Deeds, and Clerk of District Court for month of April 2012;

e. Board to approve Agreement with the Nebraska Department of Roads to provide a Registered Land Surveyor to tie out Land Monuments prior to and re-monument after the Hwy 20 maintenance milling project in Dakota County.

ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #2 New Business "a. Kyle Krumwiede, Vice President, Dakota County Ag Society, to request approval for a Special Designated Liquor License for the beer tents at the Dakota-Thurston County Fair for the dates of July 19, 20, 21 & 22." Mr. Krumwiede approached the Board and asked for approval for a Special Designated Liquor License as has been approved in the past.

Commissioner Gomez moved, seconded by Commissioner Rohde to approve the request of the Dakota County Ag Society for the Special Designated Liquor License for the Dakota-Thurston County Fair for the dates of July 19, 20, 21 and 22, 2012. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea and McNear – Abstain. MOTION CARRIED.

Chair Bousquet called for Agenda Item #2 New Business "b. Grievance Hearing—Second Step appeal to Board of Commissioners. Jail union employee Jewel Williams, Jr., alleging violation of Article 23 Non-Discrimination, Section 1: Prohibition Against Discrimination. The parties hereby agree not to discriminate against any individual because of age, race, religion, creed, color, sex, national origin, disability or union or non-union membership. The Board shall make a decision on the grievance, enter such decision on the Grievance Report Form, and communicate such decision in writing to the grievant within seven (7) days following the hearing." Terry Kern, Director of Corrections, asked the Board if they had received a copy of his Grievance Report and they all had. He stated that the contract requires that the grievance be filed within 10 days of the event that triggered this and that didn't happen in this case, so he denied it on the grounds of timeliness. Mr. Kern went on to state that he also was unable to find anything that there was discrimination in this particular case. Mr. Kern indicated that Mr. William's had informed him orally that he had not been properly supported during the time period he had been an acting Sergeant. Mr. Kern went on to say that Mr. Williams did have some issues with members of his own shift, but if there are disciplinary issues it is up to the Supervisor to take care of it. Mr. Kern stated he looked at this situation from the 3rd step of the contract which is arbitration and tried to figure out how to take care of the grievance but could not because it is perceptual and could not deal with the perceptual issue so it was sent on to the next level. Chair Bousquet asked the Board if they had any other questions for Mr. Kern and commented that Mr. Williams was not in attendance. Chair Bousquet inquired if Mr. Williams was still employed and if he was on duty. Mr. Kern advised he is employed and is on duty. Commissioner Gomez asked County Attorney, Kim Watson, what could be done if Mr. Williams is not present. Ms. Watson informed the Board that if Mr. Williams does not appear the Board will have to rule based on what they have received. Chair Bousquet suggested that since Mr. Williams was not in attendance that this grievance be dismissed. Commissioner Gomez was in agreement with the Chair.

Commissioner Bousquet moved, seconded by Commissioner Gomez to dismiss the Grievance filed by Mr. Jewel Williams, Jr. as he was properly notified of the time and place of the hearing and he did not appear on his behalf and based on the information provided there is insufficient evidence to support the grievance. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #2 New Business "c. Dick Erickson and NetSys+. Board approval for spending over $5,000 to bring the Assessor's office online as they transition from state to county." Mr. Erickson expressed to the Board the need for the computer system that will allow the Assessor's office to have access to the rest of the county as far as email, Word, Excel and so on as well as being able to communicate between the offices. Mr. Erickson stated that the Assessor's office is currently tied into the State and when they become a County office they will no longer be tied to the State. Mr. Erickson had contacted NetSys+ to come up a plan to bring the Assessor's office and the County all into one system. Bob Prince, President of NetSys+, approached the Board and informed them that he has done work for the County for 6 or 7 years working as the IT oversight person and over this time they have worked to tie some things together and do some clean-up work. Mr. Prince informed that when the jail was built they were the ones that put in the new system which is now getting antiquated as well. With computers and computer systems the technology ages quickly. Mr. Prince is recommending that the county go with the technology called Virtualization where multiple servers are able to run on the same box. Currently the Treasurer's office uses the TerraScan system and after the first of June their systems will be useless. The Plan they are presenting will put in a core server which will be used by other departments and is a network system. It will allow unified security, the ability to segregate the different departments and build what is needed for the Treasurers office and the Assessor's office. This plan will allow the County to get away from the pop-mail and have a backed-up email system. Mr. Erickson expressed to the Board the importance of getting the County back on TerraScan so that the computer systems can communicate with each other and avoid errors made on the Dakota County Taxpayers documents. Mr. Prince commented to the Board that the timing is now to upgrade the computer systems within the County as the Assessor's office is transitioning and in the long run this will save the County money. Mr. Erickson also informed the Board that the County needs somebody they can go to and depend on when a computer problem occurs and he feels the NetSys+ business already knows our system and is the best choice.

Commissioner Gomez moved, seconded by Commissioner Love to approve NetSys+ to install a Virtualization Computer System that will replace the current county computer systems and bring the Assessor's office online as they transition from state to county. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet - Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet recognized that Mr. Jewell Williams, Jr. was present and would like to approach the Board regarding Agenda Item #2 New Business "b. Grievance Hearing—Second Step appeal to Board of Commissioners. Jail union employee Jewel Williams, Jr., alleging violation of Article 23 Non-Discrimination, Section 1: Prohibition Against Discrimination. The parties hereby agree not to

discriminate against any individual because of age, race, religion, creed, color, sex, national origin, disability or union or non-union membership. The Board shall make a decision on the grievance, enter such decision on the Grievance Report Form, and communicate such decision in writing to the grievant within seven (7) days following the hearing." Mr. Williams stated that his grievance is more of a "buddy-buddy" deal and he feels it needs to be addressed. Mr. Williams stated he had gone to Mr. Kern with his grievance that he was not getting the support he felt he deserved from his superior. Mr. Williams gave several examples to support his belief and felt he was not being treated fairly. He informed the Board of various comments he had heard and referred to emails he had sent and received. He felt that his staff was not performing their duties and when he approached them and asked them to perform their duties he would receive comments that were not fitting and received further unfair treatment. Mr. Williams informed that he didn't receive complaints until he started to tell his staff to do their jobs and stop playing computer games and card games. Commissioner Gomez asked Mr. Williams to verify that before he started reprimanding his staff he didn't have any problems and Mr. Williams confirmed that. Mr. Williams informed the Board that he has already decided that he has had enough and he is currently looking for another job, but until he finds another job he will continue to do his job. Mr. Williams stated that Mr. Kern told him to hang out with his staff, but Mr. Williams informed that he doesn't believe in the buddy-buddy system and he feels he shouldn't have to hang out with them at the bar to get along. Mr. Williams informed that as of the 10th of June he will be going to the night shift and he hopes things will get better. Commissioner Gomez asked Mr. Williams if he will stay with the county if things get better and Mr. Williams stated he doesn't think so as he feels the retaliation will still occur. Commissioner Gomez suggested that the Board visit with Mr. Kern to see what needs to be done.

Commissioner Bousquet moved, seconded by Commissioner Gomez to rescind the previous motion to dismiss the Grievance filed by Mr. Jewel Williams, Jr. as he was properly notified of the time and place of the hearing and he did not appear on his behalf and based on the information provided there is insufficient evidence to support the grievance. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Commissioner Gomez suggested that the Board meet with Mr. Kern to discuss this issue. Commissioner Rohde confirmed to Mr. Williams the 10 day filing deadline and Mr. Williams stated he understands that but he just wanted to get this issue out. Commissioner Gomez asked Mr. Williams what he would like done and Mr. Williams said at this point he really doesn't know, but he feels those involved need to be addressed. Commissioner Bousquet commented that he feels there is a management issue that needs addressed and the supervisors should be respected and everyone should be doing their jobs. Commissioner Bousquet suggested that this management issue needs to be turned over to Terry Kern who answers to the Board of Corrections and this will be turned over to the Board of Corrections. Mr. Kern addressed Mr. Williams by saying, "You are a man, aren't you? Act like one. If this guy comes to you and he gives you some kind of flack that you don't think is appropriate, bring him in and say, "I am bringing him here because I want something done." Don't be passing it off to someone else and say, "Oh, you take care of it; you are not supporting me". He sent you an email that says the people on your shift don't respect you and I am here to tell you, Jewell, they don't. That is one of the reasons for it…you didn't step up and say this is my shift and I'm running it. That is the problem you've got and it is a problem you helped to create." Mr. Williams said "ok and stated to Mr. Kern that at one time before when dealing with inmates, "those inmates are not marines, they are inmates" same thing with the staff, they are not marines, they are civilians and I could go in and step on them, but they may not like what comes back." Commissioner Bousquet stated they don't need that here and this will be brought before the Board of Corrections.

Commissioner Bousquet moved, seconded by Commissioner McNear, after hearing oral testimony and reviewing written responses, the Board will address the issues Jewel Williams Jr. presented through jail management staff under the authority of the Board of Corrections. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #2 New Business "d. Approve Resolution 12C-014 to declare personal property and mobile equipment as surplus property and appoint county official or employee to sell the surplus property." Commissioner's discussed perhaps having an auction versus a sale.

Commissioner Gomez moved, seconded by Commissioner McNear to approve Resolution 12C-014 to declare personal property and mobile equipment as surplus property and appoint Terry Kern and Joan Spencer as county employees to sell the surplus property.

BOARD OF COUNTY COMMISSIONERS
DAKOTA COUNTY, NEBRASKA
RESOLUTION 12C-014
RESOLUTION TO DECLARE PERSONAL PROPERTY
AND MOBILE EQUPMENT AS SURPLUS PROPERTY

WHEREAS, the County owns personal property which is not usable by the County and/or is obsolete; and

WHEREAS, the County owns mobile equipment valued at less than five thousand dollars which is not usable by the County and/or is obsolete; and

WHEREAS, said property and mobile equipment consists of the property listed in Exhibit 1 attached and incorporated herein; and,

WHEREAS, the County intends to dispose of said property as surplus pursuant to Nebraska Revised Statute 23-3107 (as amended),

NOW THEREFORE BE IT RESOLVED BY THIS BOARD OF COUNTY COMMISSIONERS THAT the property and mobile equipment listed in Exhibit 1 is unusable by the County and/or obsolete and is therefore declared surplus property.

IT IS FURTHER RESOLVED THAT Terry Kern and Joan Spencer are directed to dispose of said property and mobile equipment in accordance with the laws of the State of Nebraska.

DATED this 29th day of May, 2012.

/S/Rick Bousquet, Board Chair

ATTEST:
/S/ Theodore A. Piepho, County Clerk
ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #2 New Business "e. Approve Resolution 12C-015 to appropriate transfer of funds for over-expended budget of Election Commissioner." Commissioner Rohde moved, seconded by Commissioner Gomez to approve Resolution 12C-015 to appropriate transfer of funds for over-expended budget of Election Commissioner."

BOARD OF COMMISSIONERS
DAKOTA COUNTY
RESOLUTION 12C-015
RESOLUTION TO APPROPRIATE TRANSFER OF FUNDS
FOR OVER-EXPENDED BUDGET

WHEREAS, the office of Election Commissioner will exceed its budget with the payment of the submitted May, 2012, accounts payable and payroll claims; and,

WHEREAS, an emergency exists; and,

WHEREAS, the office of County Clerk will have un-appropriated moneys left.

BE IT THEREFORE RESOLVED, that the Dakota County Board of Commissioners hereby authorize the un-appropriated moneys of the County Clerk's Office of the General Fund to be utilized for the payment of the over expended budget of Election Commissioner of the General Fund and that said budget be increased by $8000.00 to $64,088.58 for fiscal year 2011-2012.

BE IT FURTHER RESOLVED, that the County Clerk's Office be reduced by $8000.00 to $172,682.81 for fiscal year 2011-2012.

Passed and adopted this 29th day of May, 2012.

/s/ Rick Bousquet, Chair
Dakota County Board of Commissioners

ATTEST:
/s Theodore A. Piepho, County Clerk
ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous: "a. Road Report – Fred Kellogg, Highway Superintendent." Mr. Kellogg presented the following Road Report.
DAKOTA COUNTY ROAD DEPARTMENT BIWEEKLY REPORT: May 13, 2012 to May 26, 2012

TOTAL ROAD MAINTENANCE: 327 HOURS

DISTRICT TOTALS:
A1= 63.5 A3= 37.5 A4= 39 A5= 34.5 A6= 35 A7= 57.5 A8 = 60

OVERTIME HOURS	0 HOURS
MOWING:	20 HOURS
TREE CUTTING	10 HOURS
BRIDGES:	
VITITO BRIDGE(washout/debris)	18 HOURS
S. BLUFF BRIDGE (guardrail)	15 HOURS
WACHTER BRIDGE (guardrail)	4 HOURS
160TH STREET BRIDGE(replaced planks)	5 HOURS

GRAVEL HAULING: 112 HOURS

TONS OF GRAVEL HAULED: 701.87 CLASS A
1975.85 Peterson

2,677.72 TOTAL TONS OF GRAVEL

CULVERTS:
M AVE & 260TH 7 HOURS
S BLUFF & 225TH 27 HOURS

OMAHA AVE	10 HOURS
MAGNET:	13 HOURS
BLACKTOPPING HOURS:	128 HOURS
BLACKTOPPING TONAGE:	18.81 TONS

5 Road Concerns

Commissioner Rohde complimented the road department on the good shape the roads are currently in.

Chair Bousquet called for Agenda Item #3 Miscellaneous: "b. Dick Erickson - Transitioning of Assessor personnel from State to County. Clarification from Board on anniversary date and sick and vacation pay as set forth in LB121." Mr. Erickson approached the Board and asked for some clarification on what is going to happen July 1st when the Assessor's office transfers back to the County. Mr. Erickson asked County Attorney, Kim Watson to explain what the statute says. Ms. Watson advised that the statute does not answer the question that everyone wants answered and NACO informed that it isn't clear and there is no precedence as this situation is unusual. The statute does not tell us which date to use for an anniversary date. There was one other county that has done this, Keith County, and they used their original hire dates. Mr. Erickson informed the Board that the people in his office will loose a combined 1450 hours of sick pay and states that he feels the worst for Dave Hauf as he has Parkinson's and has been saving his time to use when he can't work anymore and he will be loosing 500 hours just himself. Also, if someone in the office needs a sick day he feels they should get it. There are 52 combined years of experience in the office. For the amount of years in the office he feels that they deserve vacation and there are enough people in the office that no additional costs will be incurred by the office for vacations taken. Commissioner Rohde asked Kim what the County can do. Ms. Watson informed that under the statute they will be paid for their accrued vacation hours and also 25% of the accrued sick leave hours. Basically the Board needs to decide what their anniversary date will be and under the statute they will still get credit for the time they've worked and have credit for that amount of time. Mr. Erickson feels the employees should be given one week vacation until their anniversary date when they would get vacation based on the County Handbook.

Commissioner Rohde moved, seconded by Commissioner Love to approve the County to use the original hire dates of the employees in the Assessor's Office as their anniversary date. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Mr. Erickson asked the Board what their desire is for vacation for the employees between now and their anniversary dates. Commissioner Love stated that he feels one week is satisfactory. Kim Watson stated that the statute reads, "That a transferred employee may credit years of service with both the county and the state toward the accrual rate for sick leave and vacation leave plan. Transferred employees shall not receive any additional accrual rate value for county benefits until the employee meets the qualifications for the increased accrual rates pursuant to the county's requirements." Some examples were given and discussed.

Commissioner Rohde moved, seconded by Commissioner Love to rescind their prior motion to approve the County to use the original hire dates of the employees in the Assessor's Office as their anniversary date. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea. UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner Love to approve the County to use July 1, 2012 as the anniversary date for the employees in the Assessor's Office and they will each be given their seniority and benefits according to the County Handbook. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #4, Commissioner Committee Reports and there were none.

Chair Bousquet called for Agenda Item #5, Mail and/or Emergency Business and there was none.

Chair Bousquet called for Agenda Item #6, Public Comment and there was none.

Chari Bousquet recessed for 5 minutes for a quick break at 5:22 p.m.

Chair Bousquet reconvened the meeting at 5:30 p.m. and called for Agenda Item #3 Miscellaneous: "c. Closed Session to discuss Road Department union contract negotiations."

Commissioner Rohde moved, seconded by Commissioner Gomez to convene into Closed Session to discuss the Road Department Union Contract negotiations.. ROLL CALL VOTE: Bousquet – Yea, Gomez – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED at 5:30 p.m.

Commissioner Gomez moved, seconded by Commissioner McNear to reconvene into Open Session from discussing the Road Department Union Contract negotiations in Closed Sesson. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED at 5:44 p.m.

Chair Bousquet called for Agenda Item #3 Miscellaneous: "d. Closed Session to discuss Jail Correctional Officers union contract negotiations."

Commissioner Gomez moved, seconded by Commissioner Love to convene into Closed Session to discuss the Jail Correctional Officers Union Contract negotiations. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED at 5:45 p.m..

Commissioner Love moved, seconded by Commissioner Rohde to reconvene into Open Session from discussing the Jail Correctional Officers Union Contract negotiations in Closed Session. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED at 6:28 p.m.

Chair Bousquet adjourned the meeting of May 29, 2012 at 6:28 p.m.

County Board of Commissioners

_____

Rick Bousquet, Chair Date Chair signed

_____

Cherie Conley, Secretary/Deputy County Clerk Date

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, June 11, 2012
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called their regular scheduled meeting to order at 4:08 p.m. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Bousquet, Love, Rohde, McNear and Gomez, and Cherie Conley, Deputy County Clerk and Secretary. Absent were none. Also present were Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – Excused Absence

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

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

29. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
    a. Approval of the previous minutes – May 29, 2012
    b. Approval of payroll claims
    c. Approve DHHS Amendment to Subgrant Agreement for Child Support Enforcement Services/Clerk of the District Court
    d. Approve 2010 Storm Water Grant Extension/Amendment of activity elements and timeline to November 30, 2012.
30. NEW BUSINESS
    a. 4:09 p.m. Board to open and award sealed bids for a 2" asphalt overlay, leveling and driveway shaping on Atokad Drive north of Gateway Drive approximately 0.3 miles.
    b. 4:10 p.m. Public Hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the abandonment or vacation of the minimum maintenance road north of intersection 13th & Pine Streets, Dakota City, and running north to intersection at IBP Avenue. The request was made to Stan Jans for the reason to limit access to properties on either side except for landowners or their agents.
    c. Board to discuss and take action if necessary regarding the repair of the Rasmussen Bridge on 160th Street and the J Vavra Bridge on Inwood Avenue.
    d. Board to take action on the option to choose a higher property deductible to reduce the premium contribution for the NIRMA/NIRMA II 2012-13 insurance renewals for Auto Physical Damage, Inland Marine and Property, Building & Contents for a cost savings of $935.
    e. Appoint or re-appoint members of the County Veterans Service Committee for five-year terms per Statute 80-101(2).
31. MISCELLANEOUS
    a. Road Report – Fred Kellogg, Highway Superintendent
    b. Closed Session to discuss Sheriff FOP Lodge 49 union contract negotiations
    c. Closed Session to discuss Correctional Officer (Jail) union contract negotiations
    d. Closed Session to discuss Road Department union contract negotiations

Chair Bousquet called for Agenda Item #1 Consent Agenda.
    a. Approval of the previous minutes – May 29, 2012.
    b. Approval of payroll claims and after looking through them they look to be in order.
    c. Approve DHHS Amendment to Subgrant Agreement for Child Support Enforcement Services/Clerk of the District Court.
    d. Approve 2010 Storm Water Grant Extension/Amendment of activity elements and timeline to November 30, 2012.

Commissioner Love moved, seconded by Commissioner Gomez to approve #1 Consent Agenda a. Approval of the previous minutes – May 29, 2012.
    b. Approval of payroll claims and after looking through them they look to be in order.
HEALTH PLANNING GRANT: Deanna Beckman, hours- 1258.00;
COUNTY GENERAL FUND: Gross salaries- $132,344.43, General Fund Employees Net Pay- $93,907.86, Employer deductions paid: Retirement- $9,254.10, FICA- $7,960.60, Medicare- $1,861.80, DC Health Plan- $22,000.00, DC Dental Plan- $955.68 and Life Insurance- $195.87.
Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1448.26, Daniel Christoffers- 1204.00, Cherie Conley- 1230.77, Theodore Piepho- 1800.68, Mary C. Wiltgen- 1013.60, Kathy A. Abbe- 880.00, Marisol Curiel- 912.96, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jalissa Hattig – 880.00, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $880.00, Arnold Mellick- 385.55, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 168.96, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 1017.38, Sergio Castillo- 1922.28, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 1755.56, Michael Estes- 1792.80, Brent Gilster- 1979.43, Todd Hammer- 2108.96, Richard Hansen- 1811.13, Melvin Harrison III- 2270.36, Jason James- 2042.94,

Douglas Johnson- 1960.96, Kimberly Johnson- 423.28, Jared Junge- 2058.70, Christopher Kleinberg- 1980.77, Penny Kleinberg- 2095.88, Michael Kreegar- 2032.37, Gary Powell- 164.70, Gayle Richards- 941.60, Kevin Rohde- 2249.26, Randall Walsh- 1903.85, Bridget Fiedler- 885.60, Kerry Johnson- 960.00, Sara Niles- 1961.54, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Jacob Acero- 1560.33, Ermelinda Ballesteros- 1591.16, Mason Billings- 1444.40, Joshua Blatchford- 1384.63, Rebecca Broer- 1557.27, Elisabet DeRoin- 1358.72, Sandy Dickens- 832.84, Jesse Doelle- 1079.06, Marjorie Donahue- 1745.69, Lisa Ford- 1365.94, Ryan Foster- 1456.18, Linda Frost- 882.40, Alma Gunderson- 1773.52, Deanna Haukap- 1336.97, Jeffrey Heitzman- 1308.00, Adam Hough- 1510.71, Michael Jacobson- 1472.00, Brett Johnson- 1561.88, Brenda Kelly- 1382.24, Terry Kern- 2030.29, James Kleinberg- 1420.48, Mark Nelson- 1476.66, Travis Olander- 1518.96, Kimberly Peterson- 1518.96, Cody Roeber- 1488.00, Jutharatana Ruenprom- 1696.47, Timothy Ryan- 1499.35, Linda Schovanec- 1396.80, Jennifer Svendsen- 1627.75, Francis Tope- 1332.80, Jewel Williams- 1592.53, Cara Wood- 1805.89, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 778.44, Linda Weitzel- 1332.29, Willard Johnston- 1250.00.

GENERAL FUND: Employee withholding paid to: Federal- $13,845.76, State- $4,797.10, FICA- $5,392.67, Medicare- $1,861.80, Retirement- $6,276.34, Health Plan- $1,650.00, DC Dental Plan- $567.00, Colonial Health- $711.53, Sheriff Union Dues- $460.00, Colonial Life/Disability- $319.68, Deferred Comp- $332.00, Garnishments- $1,203.70, Flex Plan Medical- $731.49, Flex Plan Dependant Care- $287.50.

COUNTY ROAD PAYROLL: Gross salaries- $16,505.56, Road Employees Net Pay- $11,914.97, Employer deductions paid: Retirement- $1,106.00, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $25.32, FICA- $980.80, and Medicare- $229.38.

Matthew Bartels- 1314.40, Brent Byroad- 1398.40, Robert Hacker- 1318.40, Ronald Harder- $120.00, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Nicholas Long- 700.00, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40, Matthew Roost- 1314.40.

ROAD FUND: Employee withholding paid to: Federal- $1,495.47, State- $520.10, FICA- $664.41, Medicare- $229.38, Retirement- $737.37, Health Plan- $350.00, DC Dental Plan- $84.00, Reassure America Life- $4.88, Colonial Life Health- $147.07, Colonial Life/Disability- $11.23, Deferred Comp.- $61.68, Flex Plan Medical- $105.00 and Union Dues- $180.00.

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c. Approve DHHS Amendment to Subgrant Agreement for Child Support Enforcement Services/Clerk of the District Court.

CHILD SUPPORT ENFORCEMENT SUBGRANT

BETWEEN THE

NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF CHILDREN AND FAMILY SERVICES CHILD SUPPORT ENFORCEMENT AND DAKOTA COUNTY

AMENDMENT ONE, JULY 2012

This agreement is entered into by and between the Nebraska Department of Health and Human Services, **DIVISION OF CHILDREN AND FAMILY SERVICES CHILD SUPPORT ENFORCEMENT** (hereinafter "DHHS"), and **DAKOTA COUNTY** (hereinafter "Subrecipient").

The agreement between the parties effective JULY 1, 2011 through JUNE 30, 2012 is hereby amended as follows:

Article **I. PERIOD OF PERFORMANCE AND TERMINATION.**, Paragraph A. TERM is amended to read:

A. TERM. This award is in effect from July 1, 2011 through September 30, 2012, the completion date.

All other terms and conditions remain in full force and effect.

IN WITNESS THEREOF, the parties have duly executed this subgrant hereto, and each party acknowledges the receipt of a duly executed copy of this subgrant with original signatures.

FOR DHHS:	FOR SUBRECIPIENT:
_____	_____
Signature	Signature
Thomas Pristow, Director Department of Health and Human Services Children and Family Services Child Support Enforcement	Board of Commissioners Chair DAKOTA COUNTY
DATE: _____	DATE: _____

THE REST OF THIS PAGE IS LEFT BLANK INTENTIONALLY BECAUSE THE IMAGE ON THE NEXT PAGE WOULD NOT BE LEGIBLE IF SHRUNK TO FIT THE REMAINDER OF THE PAGE.

d. Approve 2010 Storm Water Grant Extension/Amendment of activity elements and timeline to November 30, 2012.

INTERGOVERNMENTAL AGREEMENT AMENDMENT

This is an amendment to the Intergovernmental Agreement between the Nebraska Department of Environmental Quality and Dakota County that was executed on November 1, 2010. The project is regarding the Implementation of the Storm Water Management Plan Program for Dakota County.

Pursuant to Section II subsection E of the above referenced Intergovernmental Agreement, the following amendments are made to the Intergovernmental Agreement.

Work Description. The workplan Minimum Control Measures will be amended as per Attachment A.

Term of the agreement. Termination date of the agreement shall be amended from June 30, 2012 to November 30, 2012.

IN WITNESS THEREOF, the parties hereto have executed this amendment.

NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

BY Thomas R Lamberson DATE June 6, 2012
Thomas R. Lamberson, Deputy Director

DAKOTA COUNTY

BY Rick Bousquet DATE 6-11-2012
Rick Bousquet, Commissioner

ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business

a. 4:09 p.m. Board to open and award sealed bids for a 2" asphalt overlay, leveling and driveway shaping on Atokad Drive north of Gateway Drive approximately 0.3 miles.

Fred Kellogg advised that there were two bids turned in for this job from Knife River and Barclay Asphalt. Mr. Kellogg advised the Board that there are five areas that need repaired the same as was done on Elgin, plus 2 inch resurfacing. The Knife River bid was opened and specks were read for a bid of $46,626.30. The Barclay Asphalt bid was opened and specks were read for a bid of $52,259.40.
Chair Bousquet asked for discussion. Commissioner Love asked if there were going to be any surprises that may pop up. Mr. Kellogg advised you just don't know, but if there are any problems they will be fixed right way. You can only see what is on the surface. Commissioner Love stated he understands that but with the last job the bid was a ways off, and it can't be predicted. Chair Bousquet stated the price of the two bids and asked what the Board wanted to do.

Commissioner Rohde moved, seconded by Commissioner Gomez to approve Knife River with the bid of $46,626.30 to complete the 2" asphalt overlay, leveling and driveway shaping on Atokad Drive north of Gateway Drive approximately 0.3 miles. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business

b. 4:10 p.m. Public Hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the abandonment or vacation of the minimum maintenance road north of intersection 13th & Pine Streets, Dakota City, and running north to intersection at IBP Avenue. The request was made to Stan Jans for the reason to limit access to properties on either side except for landowners or their agents.

Chair Bousquet opened the Public Hearing at 4:15 p.m. for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the abandonment or vacation of the minimum maintenance road north of intersection 13th & Pine Streets, Dakota City, and running north to intersection at IBP Avenue. The request was made to Stan Jans for the reason to limit access to properties on either side except for landowners or their agents. Chair Bousquet asked for anyone who was in opposition of this issue. Bob Arnold advised the Board that he is a property owner on the east side of the road and his wish is that the road be left as is. Commissioner Bousquet asked Mr. Arnold if this road was used to gain access to his property and Mr. Arnold informed that this was true. Brent Clark, City of Dakota City Administrator, advised the Board that the City and the Mayor of Dakota City would like to keep this road open for future expansion or development to use for detours or other use. Molliann Heikes stated she wasn't really in opposition but that she likes the road and it doesn't really matter to her, but she would like the road to remain open from her property line on to the north so that her kids would not have to go through the trouble of having a road should she pass away. She stated that she was told that if the road is closed there would be no maintenance on it and she questioned that because she hasn't seen much maintenance done on that road. Chair Bousquet asked

for support of closing the road. Stan Jans stated to the Board that no one really needs that road to gain access to their property as the properties can be accessed by other means. It serves the County no purpose to leave it as an open road. It starts on a street and the destination is such that the public doesn't need access. No one has an address along that road on the part that is being requested to be closed from Ms. Heikes property line to the South. Mr. Jans stated he would actually leave the road there and maintain it, but also limit access. Mr. Jans commented that the City of Dakota would have to buy property and put a street through there and the land owners won't sell and the easements are already there. Chair Bousquet asked for neutral comments from the audience. Bill Johnston spoke in support of Mr. Jans saying that Mr. Jans has taken care of the property for a long time and the County and City has not spent any money on this road and don't plan to. Mrs. Stan Jans commented that there are people and trucks that go down the road to turn around and there are people who don't have any business being on the road just sitting there. Bob Arnold commented that his family has owned the farm there for many years and would hate to see the road closed.

Chair Bousquet closed the public hearing at 4:25 p.m. and opened it up for discussion amongst the Commissioners. Commissioner Gomez suggested this matter go to the Road Committee for further review. Commissioner Love asked what more can be done. Fred Kellogg advised that his recommendation was have the road remain open, have it surveyed and have the road legally named for the reason that Dakota City might zone that into their city limits and once a road is closed it's hard to get the road back. Commissioner Bousquet suggested leaving the road as is and to gate the road. Mr. Kellogg informed that this is against the law to do such. Further discussion was had as to exactly where the road was located and that other access is available to the properties. Chair Bousquet suggested that this matter be turned over to the Road Committee for further review and discussion with the property owners and city and informed that this matter would be put on the next agenda for discussion and action. The other Board members agreed.

Chair Bousquet called for the Agenda Item #2 New Business

c. Board to discuss and take action if necessary regarding the repair of the Rasmussen bridge on 160th Street and the J Vavra bridge on Inwood Avenue.

Chair Bousquet informed that the Board went out and looked at both of these bridges and the Rasmussen bridge tonnage has been dropped to 9 tons and has pretty much limited the access for farmers. Rebuilding the minimum maintenance road to that area was discussed but the cost to do that was quite a chunk of money. The Vavra bridge also limits access for trucks and equipment. Fred Kellogg advised the Board that without an engineer study the Rasmussen bridge would cost at a guess around a half million/$500,000. The Vavra bridge, after the hydraulic study was submitted to Husker Steel, they gave us a bid on a 20 foot structure, but it was determined that due to water flow the 20 foot steel bridge would not work. The engineer study suggested putting in two 6.5 feet by 40 foot culverts which is sufficient and would be in the range of $60 to $70 thousand but needs to be agreed on by the State of Nebraska Department of Roads. Chair Bousquet asked that these two projects be added to the 1 and 6 Year Road Plans.

Commissioner Rohde moved, seconded by Commissioner McNear to allow the Road Department to start moving forward with replacing the Vavra bridge on Inwood Avenue. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet asked for discussion on the Rasmussen bridge on 160th Street. Commissioner Gomez highly recommends that this bridge be replaced and that the County start working on getting that done. Darrell Podany, Constituent Services Representative with US Senator Mike Johanns of Nebraska office stated he had gone out and looked at the bridge and agrees that it needs replaced. He informed that he will do some research and take this situation to Mr. Johanns to see if there is something that can be done to help with the bridges. Commissioner Rohde informed that Dakota County has 12 bridges that are in fracture critical stages and the State and Federal funding has stopped and the County needs help. Mike Mitchell asked if there was any aid or funding that could be available and Mr. Podany informed that he would research this and get back to the county.

Commissioner Gomez moved, seconded by Commissioner Love to approve Fred Kellogg with the Road Department to start the process of having an engineer study done on the Rasmussen Bridge on 160th Street using some funds from the Inheritance Tax Fund. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Commissioner Gomez commented that there are many other bridges in the County that need to be repaired and the County can only do so much as it is very difficult to come up with money to repair the bridges and that out of the 59 bridges in the County, 9 of them need repairs. The County only gets $33,000 per year from the Federal Buyout program. Commissioner Bousquet stated that after the engineering information comes back this project can be put out for bid and perhaps money can be taken from the Inheritance fund to pay for this.

Chair Bousquet called for the Agenda Item #2 New Business

d. Board to take action on the option to choose a higher property deductible to reduce the premium contribution for the NIRMA/NIRMA II 2012-13 insurance renewals for Auto Physical Damage, Inland Marine and Property, Building & Contents for a cost savings of $935.

Chair Bousquet reviewed the cost of the different deductibles and the County has not had any claims come in at $2500. Commissioner Rohde commented that he feels it makes sense to raise the deductible.

Commissioner Rohde moved, seconded by Commissioner Gomes to raise the property deductible to $5000 for the NIRMA/NIRMA II 2012-13 insurance renewals for Auto Physical Damage, Inland Marine and Property, Building & Contents. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business

e. Appoint or re-appoint members of the County Veterans Service Committee for five-year terms per Statute 80-101(2).

Commissioner Rohde moved, seconded by Commissioner Gomez to affirm Larry Brostad, Virgil Kleve, Arnold Andree, Russ Clingenpeel, Bill Wiseman, Sr. and Rod Snyder Alternate as members of the Dakota County Veteran's Service Officer Oversight Committee. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous

a. Road Report – Fred Kellogg, Highway Superintendent

DAKOTA COUNTY ROAD DEPARTMENT BIWEEKLY REPORT: May 27, 2012 to June 9, 2012

TOTAL ROAD MAINTENANCE: 312 HOURS
DISTRICT TOTALS:
A1= 45 A3= 35.5 A4= 51.50 A5= 50 A6= 20 A7= 54 A8 = 56
OVERTIME HOURS 7.5 HOURS
MOWING: 7 HOURS
TREE CUTTING 29.5 HOURS
BRIDGES: 5 HOURS
GRAVEL HAULING: 103.5 HOURS
TONS OF GRAVEL HAULED: 699.44 CLASS A
2103.32 Peterson
2,802.76 TOTAL TONS OF GRAVEL

CULVERTS:
RIDGE ROAD 85 HOURS (A6 DISTRICT)
MAGNET: 20 HOURS
BLACKTOPPING HOURS: 0 HOURS
BLACKTOPPING TONAGE: 0 TONS

3 Road Concerns

Commissioner Bousquet commented that he had run into Chris Gill and Marlyn Stewart and they both commented on how happy they are with their roads. Weeds in the ditches and spraying them were discussed. Mr. Kellogg advised that the mowing of the road ditches is the responsibility of the land owner and it isn't enforced very heavily.

Chair Bousquet called for Agenda Item #4 Commissioner Committee Reports. There were none.

Chair Bousquet called for Agenda Item #5 Mail and/or Emergency Business. There was none.

Chair Bousquet called for Agenda Item #6 Public Comment. There was none.

Chair Bousquet asked for a motion to go into Closed Session. Commissioner Love moved, seconded by Commissioner Rohde to convene into Closed Session to discuss Sheriff FOP Lodge 49 union contract negotiations at 4:55 p.m. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea and Love – Yea. UNANIMOUS MOTION CARRIED.

County Clerk Ted Piepho assumed the duties of Secretary.

Commissioner Gomez moved, seconded by Commissioner McNear to go out of Closed Session from discussing the Sheriff FOP Lodge 49 union contract negotiations at 5:04 p.m. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet asked for a motion to go into Closed Session. Commissioner Gomez moved, seconded by Commissioner Rohde to go into Closed Session to discuss Correctional Officer (Jail) union contract negotiations at 5:04 p.m. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea and Love – Yea. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Gomez to go out of Closed Session from discussing the Correctional Officer (Jail) union contract negotiations at 5:16 p.m. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet asked for a motion to go into Closed Session. Commissioner Rohde moved, seconded by Commissioner McNear to go into Closed Session to discuss Road Department union contract negotiations at 5:16 p.m. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner Love to go out of Closed Session from discussing the Road Department union contract negotiations at 5:28 p.m. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet adjourned the meeting of June 11, 2012 at 5:28 p.m.

County Board of Commissioners

_____

Rick Bousquet, Chair Date Chair signed

_____

Cherie Conley, Deputy County Clerk/Secretary Date

DAKOTA COUNTY SEAL NEBRASKA

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, June 25, 2012
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called their regular scheduled meeting to order at 4:02 p.m. by reciting the Pledge of Allegiance. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Bousquet, Rohde, McNear and Gomez, and Cherie Conley, Deputy County Clerk and Secretary. Absent was Commissioner Love. Also present were Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney.

The agenda for this meeting was as follows:

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL - Excused Absence

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

1. CONSENT AGENDA Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.
    a. Approval of the previous minutes - June 11, 2012
    b. Approval of payroll claims
    c. Approval of accounts payable claims
    d. Approve Officials Reports
    e. Approve Resolution 12C-016 to appropriate transfer of general funds for over-expended Noxious Weed Control budget.
    f. Approve Resolution 12C-018 to appropriate transfer of general funds for over-expended County Clerk budget.

2. NEW BUSINESS
    a. Doug Garwood, CVB Director, to present 2012-13 Convention & Visitor's Bureau budget
    b. Eldon Vavra regarding repair of the Nelson bridge on 265th Street
    c. Approve Resolution 12C-017 stating the Board's decision regarding the request by S. Jans for the abandonment of the minimum maintenance road north of intersection 13th & Pine Streets, Dakota City, and running north to the intersection at IBP Avenue.
    d. Approve Contract with Manatron to provide TST1 Assessor Assessment Software and Support effective July 1, 2012.
    e. Approve letter notifying Ruth Sorensen, Property Tax Administrator with the Nebraska Department of Revenue, and Tyler Technologies that Dakota County does not wish to use the Orion System for assessor assessment software and support effective July 1, 2012.
    f. Approve the hiring of legal counsel with the firm of Baylor Evnen Curtiss & Grimit, if necessary, regarding termination of the Tyler Technologies contract through the State.

3. MISCELLANEOUS
    a. Road Report - Fred Kellogg, Highway Superintendent
    b. Board to declare additional personal property as surplus to be sold at County Surplus Auction on June 30th and amend Exhibit 1 attachment to Res. 12C-014.
    c. Dick Erickson - update regarding Board of Equalization protest process
    d. Closed Session to discuss Correctional Officer (jail) union contract negotiations

4. COMMISSIONER COMMITTEE REPORTS
5. MAIL AND/OR EMERGENCY BUSINESS
6. PUBLIC COMMENT
7. ADJOURNMENT

The next Board of Commissioner meeting will be July 9, 2012.

Commissioner Bousquet moved, seconded by Commissioner Gomez to excuse Commissioner Love from the meeting. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #1 Consent Agenda.

a. Approval of the previous minutes - June 11, 2012
b. Approval of payroll claims
c. Approval of accounts payable claims
d. Approve Officials Reports
e. Approve Resolution 12C-016 to appropriate transfer of general funds for over-expended Noxious Weed Control budget.
f. Approve Resolution 12C-018 to appropriate transfer of general funds for over-expended County Clerk budget.

Commissioner Rohde moved, seconded by Commissioner McNear to approve Agenda Item #1 – Consent Agenda

a. Approval of the previous minutes - June 11, 2012
b. Approval of payroll claims

Commissioner Bousquet stated that he had reviewed the payroll claims and all looked to be in order except for one from the Public Defender's office that needed to be adjusted by 1.5 hours.
COUNTY GENERAL FUND: Gross salaries- $126,511.11, General Fund Employees Net Pay- $93,697.20, Employer deductions paid: Retirement- $8,834.01.
Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1448.26, Daniel Christoffers- 1204.00, Cherie Conley- 1230.77, Theodore Piepho- 1800.68, Mary C. Wiltgen- 1013.60, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jalissa Hattig – 880.00, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $880.00, Arnold Mellick- 228.32, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 84.48, Zachary Gerth- 1625.74, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 963.20, Sergio Castillo- 1643.40, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 1919.75 Michael Estes- 1593.60, Brent Gilster- 1947.67, Todd Hammer- 1721.60, Richard Hansen- 1549.60, Melvin Harrison III- 2077.76, Jason James- 1947.66, Douglas Johnson- 1960.96, Kimberly Johnson- 469.04, Jared Junge- 2134.54, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1693.60, Michael Kreegar- 1705.60, Gayle Richards- 941.61, Kevin Rohde- 1705.60, Randall Walsh- 1903.85, Bridget Fiedler- 984.00, Kerry Johnson- 960.00, Sara Niles- 1961.54, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Cara Wood- 1267.13, Jacob Acero- 1395.29, Ermelinda Ballesteros- 1679.68, Mason Billings- 1256.00, Joshua Blatchford- 1483.68, Rebecca Broer- 1415.70, Elisabet DeRoin- 1594.18, Sandy Dickens- 828.92, Jesse Doelle- 1059.20, Marjorie Donahue- 1644.33, Lisa Ford- 1386.89, Ryan Foster- 1341.26, Linda Frost- 882.40, Alma Gunderson- 1344.80, Deanna Haukap- 1332.80, Jeffrey Heitzman- 1406.00, Adam Hough- 1324.93, Michael Jacobson- 1402.00, Brett Johnson- 1336.97, Brenda Kelly- 1390.72, Terry Kern- 2030.29, James Kleinberg- 1737.00, Mark Nelson- 1476.66, Travis Olander- 1329.06, Kimberly Peterson- 1320.80, Cody Roeber- 1280.00, Jutharatana Ruenprom- 1320.80, Timothy Ryan- 1256.00, Linda Schovanec- 1414.26, Jennifer Svendsen- 1396.13, Francis Tope- 1332.80, Jewel Williams- 1349.56, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 775.45, Linda Weitzel- 1219.84, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $13,478.71, State- $4,664.14, FICA- $5,313.45, Medicare- $1,834.44, Retirement- $5,987.47.
COUNTY ROAD PAYROLL: Gross salaries- $16,567.56, Road Employees Net Pay- $12,687.82, Employer deductions paid: Retirement- $1,109.38.
Matthew Bartels- 1314.40, Brent Byroad- 1398.40, Robert Hacker- 1318.40, Ronald Harder- $132.00, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Nicholas Long- 750.00, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40, Matthew Roost- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,588.96, State- $553.43, FICA- $695.81, Medicare- $240.24, Retirement- $739.62.

c. Approval of accounts payable claims

Commissioner Bousquet stated that he had gone through the accounts payable claims and they all looked to be in order.
GENERAL FUND: Dakota County Star, publishing- 246.35; Perkins, supplies- 7.89; Theodore Piepho, phone- 30.00; Perkins, supplies- 56.28; Charlotte Doenhoeffer, prior yrs- 10.00; Robert Giese, mileage- 126.54; Ruth Jensen, prior yrs- 12.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; AS Central Services, services- 147.00; Net Sys Plus, updates- 380.00; US Bank, supplies/equipment- 787.68; Deb Benton, mileage- 14.43; Iowa Office Supply, toner- 200.21; Microfilm Imaging, scanning/rental- 10932.00; Margie Rahn, prior yrs- 12.00; Net Sys Plus, thumb drives- 46.99; Elections Systems & Software, ballots- 600.00; Theodore Piepho, supplies- 33.48; Security Shredding, shredding- 35.00; US Bank, supplies/rentals/toner- 954.66; Dakota County Star, publishing- 9.26; Arnie Mellick, phone- 30.00; Executive Technology, contract- 215.72; MIPS, scanning- 86.00; Phyllis Obermeyer, mileage/meals- 394.25; Quality Inn & Suites, workshop- 154.00; AS Central Services, supplies- 89.53; Marlin Business Bank, contract/tax estimate- 205.85; Microfilm Imaging, scanning- 190.50; New Perspectives, shredding- 36.00; US Bank, chair/subscription/supplies- 364.99; Frank Gonzalez, interpret- 850.00; Midwest Office Automation, contract- 85.92; Perkins, supplies- 71.06; Matthew Connealy, court appointed counsel- 12.00; Dakota County Court, costs- 2049.99; District Court, costs- 927.00; Dakota County Sheriff, papers/warrants- 788.63; Alexander Esteves, court appointed counsel- 472.50; Executive Technologies, ink- 84.99; Dennis Hurley, court appointed counsel- 4447.50; Kueny & Begley, court appointed counsel- 1104.00; Ian McConeghey, court appointed counsel- 1928.95; Stuart Mills, court appointed counsel- 1856.25; Douglas Roehrich, court appointed counsel- 762.00; Security Shredding, shredding- 35.00; Patrick Tott, court appointed counsel- 906.00; US Bank, juror meals- 34.03; Woodbury Co Sheriff, paper service- 35.32; Bunkers Feed & Supply, salt- 53.48; Ateam Heating & Cooling, ac repair- 1709.26; Gill Hauling, service- 125.00; Joes Department Store, repair- 208.10; Menards, supplies- 547.91; Midwest Office Automation, supplies- 330.00; Midamerican Energy, utilities- 1045.00; Nebraska Dept of Labor, inspection- 407.00; Knife River, parking lot- 1206.60; Nebraska Public Power Dist, utilities- 2014.80; O'Keefe Elevator, maintenance- 1374.04; Richard Jensen, mileage- 107.95; Robertson Implement, equipment- 3425.00; Share Corporation, repair- 213.33; Trembly Pest Control, service- 50.00; US Bank, supplies- 283.25; Verizon, phone- 53.73; PMNRD, rent- 833.33; UNL Extension, reimburse- 1670.37; Kerry Bligh, animal control- 50.00; City of South Sioux City, fuel/phone- 5342.66; Dakota County Sheriff, notary fee- 60.00; Electronic Engineering, radio- 280.00; Fremont Tire, repair/supplies- 40.00; J P Cooke Company, stamps- 60.14; Joes Department Store, supplies- 13.10; K & S Auto Service, repair- 15.00; O'Reilly Automative, supplies- 145.83; Siouxland Federal Credit Union, interest- 7.10; Siouxland Towing, towing- 125.00; Star Printing, cards- 45.00; US Bank, supplies- 825.73; Verizon, phone- 160.04; Wingate Inn, lodging- 923.40; Cartridge World, ink- 261.92; Deb Fergen, meals/mileage- 405.87; H2O4U, water- 50.12; Iowa Office Supply, contract- 135.85; Marcia Mahon, deposition- 214.00; Monte Miller, deposition- 337.50; Sarah Niles, meals/mileage- 311.80; Pathology Medical Services, autopsy- 2679.65; Peter Parry, phone/meals- 85.79; Quill, supplies- 411.32; Barbara Sturgis, witness- 1454.50; Thurston

County Court, certified copies- 2.75; Kim Watson, parking- 1.50; US Bank, internet security/photographs- 265.85; Verizon, phone- 135.86; City of South Sioux City, lec cost share/equipment set-aside- 56658.71; BI Inc, tracking- 540.00; Verizon, phone- 89.68; Advanced Energy Fuels, fuel- 845.62; Ameri-Tech, service/repair- 782.87; Aramark, service- 90.75; Bob Barker, supplies- 1583.38; Bryan LGH Medical Center- 969.00; CBM Food Service, meals- 20679.11; CashWa Distributing, meal products- 84.66; City of South Sioux City, fuel- 669.01; Crescent Electric, ballasts- 622.85; Dakota County Star, publishing- 81.60; Dakota Family Dentistry- 298.00; Dakota Food & Fuel, fuel- 53.33; Dakota One Leasing, contract- 220.00; Dept of Correctional Services, safekeepers- 3223.02; Gill Hauling, service- 125.00; Grainger, supplies – 1274.30; Intoximeters, supplies- 385.00; Jacks Uniforms, supplies- 60.90; Janitor Depot, supplies- 1353.12; Jims Home Health Supplies, unit- 75.00; Joes Department Store, supplies- 20.69; Kleen Solutions, supplies- 89.95; Mercy Business Health, medical- 2457.00; Mercy Medical Center, medical- 5073.30; Mercy Medical Services, medical- 88.00; Midamerican Energy, utilities- 388.02; Midwest Office Automations, copies- 163.51; Moore Medical, medical- 118.55; Nebraska Public Power District, utilities- 3650.02; Net Sys Plus, computer work- 280.00; NW Iowa Emerg Phys, medical- 1675.00; Perkins, supplies- 3705.00; St Lukes Dept of Lab Services, medical- 388.01; Sioux City Journal, publishing- 472.40; Siouxland Radiology Partners, medical- 213.00; Staples, supplies- 393.77; Trembly Pest Control, service- 55.00; Tri-Tech Innovations, surveillance dvr racks- 12855.00; US Bank, prescriptions/supplies/meal- 5119.55; Verizon, phone- 229.92; Virtual Radiological Finals, medical- 198.00; Woodbury Co Juvenile Det, boarding- 12100.00; US Bank, meals- 39.11; Verizon, phone- 61.13; AZ Inc, fuel- 261.00; Dakota Business Systems, rental- 102.00; Heritage Express, fuel- 113.01; Hubbard Minimart, fuel- 727.03; Joes Department Store, parts- 84.05; O'Reilly Auto Parts, parts- 56.66; Leon Pies, phone/workshop- 40.00; South Side Glass, parts/labor- 248.10; US Bank, parts- 252.42; Van Diest Supply, chemical- 810.18; Bengtsons Cardinal Floor, carpet- 4299.37; Pam Devries, mileage- 39.96; Pat Glover, hours- 50.00; Phan, membership- 50.00; Sanofi Pasteur, medical- 6232.23; US Bank, statement- 146.43; US Bank, computer- 641.98; Linda Weitzel, mileage- 91.58; Dr Thomas Wente, physician fee- 250.00; Bill Johnston, mileage- 321.00; Perkins, supplies- 17.48; Thomson West, service- 753.77; Cableone, internet- 169.96; Cherie Conley, membership- 19.50; Dakota City Postmaster, box rental- 992.00; Fibercomm, phone- 718.35; FSH Communications, payphone- 63.60; Mailfinance, lease- 227.00; Mercy Business Health, eap agreement- 240.75; MIPS, support/web hosting- 498.79; NACO, dues- 1517.01; Net Sys Plus, computer work- 280.99; NIRMA, workman's comp/liability ins- 148278.00; Norm Waitt YMCA, memberships- 234.00; Region 4 Behavioral Health, qtrly services- 7546.00; Madelyn Thorsland, prior yrs- 10.00; Three Rivers Benefit, admin fees- 110.00; US Bank, training/canine- 383.13; USPS-Hasler, postage- 3000.00; Randy Walsh, ymca membership- 19.50; Road Fund, budget transfer- 155,000.00; Road Improvement Fund, transfer- 345.00;

ROAD FUND: Aramark, service- 338.74; AZ Inc, fuel- 834.35; Bank of Dixon, grader payment- 16351.77; Matt Bartels, phone- 30.00; Bomgaars, supplies- 83.88; Dakota County Star, overlay/bridge- 43.47; Electronic Engineering, gps- 900.00; Fastenal, supplies- 274.82; Gill Hauling, dumpster- 55.00; Grossenburg Implement, tractor- 900.00; Walter Heinemann, prior yrs- 29.00; Hubbard Minimart, fuel- 4864.13; H2O4U, service- 8.50; Icon Ag Solutions, supplies- 31.21; J & J Pronto, fuel- 561.26; Joes Department Store, supplies/parts- 111.70; Kimball Midwest, supplies- 88.99; Kinetic Leasing, loader/interest- 2458.00; Knife River, asphalt- 1564.50; LG Everist, gravel- 24948.07; Love Brothers, tires/parts- 2360.82; Lux Bros Trucking, hauling- 1260.00; Matheson-Linweld, oxy- 57.60; Medical Enterprises, testing- 67.00; Midwest Service & Sales, signs- 2222.65; Midwest Wheel, parts- 258.04; Marlan Millard, prior yrs- 15.00; Nebraska Culverts & Steel, pipe- 1052.50; Nebraska Dept of Roads, barricades- 466.30; Nebraska Public Power Dist, utilities- 32.42; NIRMA, workman comb/liability ins- 26166.00; NE Nebraska Public Power Dist, utilities- 184.91; NE Nebraska Telephone, phone- 206.05; O'Reilly Auto Parts, supplies/parts- 246.75; Peterson Sand & Gravel, gravel- 39311.20; Pomps, tires- 215.00; Powerplan, parts/supplies- 1275.93; Rees Mack Sales, parts- 225.52; Robertson Implement, tools/supplies- 741.19; St Lukes Center for Occupational, testing- 70.00; Sams Club, supplies- 53.04; Siouxland Hydraulics, parts- 46.03; South Side Glass, parts/labor- 295.00; Stephan Welding, bridge- 223.00; Thermo King, parts/supplies- 356.30; Tri-State Comm, license renewal- 310.00; US Bank, supplies/fuel- 119.50; UECO, pipe- 464.80; Verizon, phone- 34.35; Warren Oil, diesel- 18906.66; Wilmes Hardware Hank, supplies- 5.97; Zieglers, parts/oil/supplies- 341.75;

HARD SURFACE FUND: C Avenue Paving Fund, payment- 61782.50; Dakota County Treasurer, wire fee- 15.00;

ROAD IMPROVEMENT FUND: Albenesius Contracting, bridge- 8085.00; Knife River, asphalt/overlay- 85941.00;

VISITORS PROMOTION: South Sioux City Chamber of Commerce, lodging tax- 7636.64;

INSTITUTIONS: Beatrice State Dev. Center, quarterly payment- 549.00; Lincoln Regional Center, quarterly payment- 276.00;

HEALTH PLANNING GRANTING: AT&T Mobility, phone- 46.25; Pam Devries, mileage- 50.51; Midwest Office Automation, contract- 133.80; Security Shredding, services- 35.00; US Bank, clothes- 85.49;

JAIL BOND FUND: Fremont National Bank, principal/interest- 522,740.00

d. Approve Officials Reports from the following offices for June 2012: County Clerk, Register of Deed and Clerk of District Court.

e. Approve Resolution 12C-016 to appropriate transfer of general funds for over-expended Noxious Weed Control budget.

BOARD OF COMMISSIONERS
DAKOTA COUNTY
RESOLUTION 12C-016
RESOLUTION TO APPROPRIATE TRANSFER OF FUNDS
FOR OVER-EXPENDED BUDGET

WHEREAS, the office of Noxious Weed Control will exceed its budget with the payment of the submitted June, 2012, accounts payable and payroll claims; and,
WHEREAS, an emergency exists; and,
WHEREAS, the office of Planning & Zoning will have un-appropriated moneys left.
BE IT THEREFORE RESOLVED, that the Dakota County Board of Commissioners hereby authorize the un-appropriated moneys of the Planning & Zoning Department of the General Fund to be utilized for the payment of the over expended budget of Noxious Weed Control of the General Fund and that said budget be increased by $1,000.00 to $61,358.15 for fiscal year 2011-2012.
BE IT FURTHER RESOLVED, that the budget of the Planning & Zoning Department be reduced by $1,000.00 to $11,705.34 for fiscal year 2011-2012.

Passed and adopted this 25th day of June, 2012.

/S/ Rick Bousquet, Chair
Dakota County Board of Commissioners

ATTEST:
/S/ Cherie Conley
Deputy County Clerk
Theodore A. Piepho
County Clerk

f. Approve Resolution 12C-018 to appropriate transfer of general funds for over-expended County Clerk budget.

BOARD OF COMMISSIONERS
DAKOTA COUNTY
RESOLUTION 12C-018
RESOLUTION TO APPROPRIATE TRANSFER OF FUNDS
FOR OVER-EXPENDED BUDGET

WHEREAS, the office of County Clerk will exceed its budget with the payment of the submitted June, 2012, accounts payable and payroll claims; and,
WHEREAS, an emergency exists; and,
WHEREAS, the office of Register of Deeds will have un-appropriated moneys left.
BE IT THEREFORE RESOLVED, that the Dakota County Board of Commissioners hereby authorize the un-appropriated moneys of the Register of Deeds Office of the General Fund to be utilized for the payment of the over expended budget of County Clerk of the General Fund and that said budget be increased by $1,500.00 to $174,182.81 for fiscal year 2011-2012.
BE IT FURTHER RESOLVED, that the budget of the Register of Deeds Office be reduced by $1,500.00 to $54,260.83 for fiscal year 2011-2012.

Passed and adopted this 25th day of June, 2012.

/S/Rick Bousquet, Chair
Dakota County Board of Commissioners

ATTEST:
/S/ Cherie Conley
Deputy County Clerk
Theodore A. Piepho
County Clerk

ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, and Rohde – Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 NEW BUSINESS

a. Doug Garwood, CVB Director, to present 2012-13 Convention & Visitor's Bureau budget

Mr. Garwood passed out a copy of the budget and explained a few of the line items on the budget. Mr. Garwood advised that there is a new Chamber President CVB Director who currently holds this position with Beatrice and her first day on the job will be July 16, 2012.

Chair Bousquet called for the Agenda Item #2 NEW BUSINESS

b. Eldon Vavra regarding repair of the Nelson bridge on 265th Street

Mr. Vavra approached the Board and stated he lives at 2590 Omaha Avenue. His concern is with the bridge on 265th Street and Omaha Avenue and stated that he has used this bridge for 44 years and the weight limit is 3 Ton and stated that the maintainer weighs more than 3 Ton and he believes the shape of the bridge could be improved if some of the dirt and gravel was shaved off of the decking. Mr. Vavra stated that this bridge is used by semi's and as a detour route when Hwy 77 is closed. He also stated that this bridge is a high traffic bridge and is used by schools and many others. He went on to state that there is a tube on Omaha Avenue where the tube is too high and plugs during heavy rains and floods and there is a tube on the top of a hill at 2590 that does not serve as a drainage tube, but was put in for animals to get from one side to the other. The tube has been cut off by a maintainer and is dangerous and there are also several deep washouts. He is asking that the County look into these matters.

Commissioner Rohde inquired about the condition of the tubes and the bridge and was informed by Mr. Vavra that the tubes are silted in and plug easily and Fred Kellogg informed that the bridge was inspected by the State in 2006 and reposted in 2007. Mr. Kellogg informed that the County has nothing to do with posting tonnage as the State is in charge of that. Further discussion was had in regards to the condition and traffic on the bridge. Commissioner Bousquet stated that these issues will be looked into.

Chair Bousquet called for the Agenda Item #2 NEW BUSINESS

c. Approve Resolution 12C-017 stating the Board's decision regarding the request by S. Jans for the abandonment of the minimum maintenance road north of intersection 13th & Pine Streets, Dakota City, and running north to the intersection at IBP Avenue.

Commissioner Bousquet informed that this agenda item was turned over to the Road Department for their recommendation and over the last couple of weeks several phone calls and letters had been received. Commissioner McNear stated that there are three (3) options how this issue can be handled. Fred Kellogg informed the three (3) possible options are: 1) leave the road open; 2) close the road; or 3) close the road and the County retain right-of-way. Commissioner Bousquet asked for comments from the public. Doug Garwood stated he was before the Board on behalf of the landlord Bob Arnold who could not be in attendance and confirmed that the Board Members had in deed received the letters he had sent and also informed that the owners to the east of the road do strongly oppose closing the road and prefer to keep their options open. Brent Clark, Dakota City Administrator, informed that he believes the 3rd option with closing the road and retaining the right-of-way thinks that would be fine in the eyes of the Mayor and Council of Dakota City and having that right-of-way is vital to Dakota City for future development. Commissioner Bousquet asked Mr. Garwood if he believed the Arnolds would agree to the 3rd option and Mr. Garwood informed that they had not been advised of the options but he felt they would probably be in favor. Mr. Clark asked if the road is closed would be it gated or posted? Fred Kellogg informed that if the road is closed with county retaining ROW the landowners would split their property off and he recommends that a survey be done to determine the ROW's and the landowners would be liable for taking care of their section and they would have access to that ROW. Stan Jans addressed the Board and stated that even if the road is abandoned the county would still have a ROW which they already own on the east side of the section line for whatever they need. Mr. Jans stated that, as far as Mayor and Council, Mr. Clark is speaking a bit out of turn as the Mayor would prefer to see it closed and one of the councilmen would like to see it remain open. He believes there is really no need to keep it open and he believes the County does not want to pay another dime on it as they haven't for 40 years and they won't start now. As far as future city development they are still going to have to go through the landowners to get there, so it is not an issue for the city and there is no reason for them to want that road to stay open. Mr. Kellogg informed that if closed with ROW there would be a gate or fence and road closure signage and the landowners would be allowed to do with the land as they wish, but no permanent structures up to the Heikes property.

Commissioner Rohde moved, seconded by Commissioner Gomez to approve the 3rd option, close the road and the county retains the right-of-way by approving Resolution 12C-017 Road Closure Fenced to Center of Right-of-Way.

DAKOTA COUNTY
BOARD OF COMMISSIONERS
ROAD CLOSURE
FENCED TO CENTER OF RIGHT-OF-WAY
RESOLUTION 12C-017

The Dakota County Board of Commissioners hereby grants landowners Jans Properties, LLC and Robert W. & Patricia E. & Mary A. Arnold & John F. Tanck, Trustees. permission to fence to the center of the public right-of-way adjoining their property located at the SW quarter of Section 4, Township 28, Range 9E described as a minimum maintenance road north of intersection 13th & Pine Streets, Dakota City, and running north to south property line of Trustees Allen L. & Molliann F. Heikes.

Landowners must maintain the property in a reasonable and prudent manner and assume liability for bodily injury and property damage loss associated with said property up to the center of said right-of-way and agrees to indemnify and hold harmless Dakota County for any and all claims, demands, suits, actions, payments and judgments, including any and all costs and expenses connected therewith, legal cost or otherwise, which may be asserted, claimed, or recovered against or from Dakota County or its insurers.

Landowners acknowledges that said right-of-way remains the property of Dakota County and if a road is to be constructed on said right-of-way, that landowner must move fences back to the original right-of-way boundaries. Absolutely no construction is to take place on county right-of-way except for pasture fencing.

Commissioner Rohde moved and Commissioner Gomez seconded the motion to grant Jans Properties, LLC and Trustees Robert W. Arnold & Patricia E Arnold & Mary A. Arnold & John F. Tanck permission to fence county right-of-way at the above location.

Motion: Passed unanimously.

/s/ Rick Bousquet
Chairman, Dakota County Board of Commissioners

Attest: Cherie Conley
Deputy Dakota County Clerk

ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Rohde – Yea, and McNear – Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 NEW BUSINESS

d. Approve Contract with Manatron to provide TST1 Assessor Assessment Software and Support effective July 1, 2012.

Dick Erickson advised the Board that this contract would refer to going back to the program that worked. Commissioner Bousquet reminded the Board of all the issues that have taken place with the current program and that he is in favor of going back to the previous software program.

Commissioner Gomez moved, seconded by Commissioner Rohde to approve the contract with Manatron to provide TST1 Assessor Assessment Software and Support effective July 1, 2012.

ROLL CALL VOTE: Bousquet – Yea, Rohde – Yea, McNear – Yea and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 NEW BUSINESS

e. Approve letter notifying Ruth Sorensen, Property Tax Administrator with the Nebraska Department of Revenue, and Tyler Technologies that Dakota County does not wish to use the Orion System for assessor assessment software and support effective July 1, 2012.

Commissioner Rohde moved, seconded by Commissioner McNear to approve a letter notifying Ruth Sorensen, Property Tax Administrator with the Nebraska Department of Revenue, and Tyler Technologies that Dakota County does not wish to use the Orion System for assessor assessment software and support effective July 1, 2012.

ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 NEW BUSINESS

f. Approve the hiring of legal counsel with the firm of Baylor Evnen Curtiss & Grimit, if necessary, regarding termination of the Tyler Technologies contract through the State.

Commissioner Bousquet informed that he, McNear and Love went to Lincoln and met with this law firm and they are willing to represent Dakota County should the need arise regarding the transition between State and County and the software program. Commissioner Bousquet stated that LB 121 was passed in 2009 and in 2010 Ruth Sorensen signed Dakota County into a contract with Orion knowing that Dakota County would be going back to the County and believes it is not right we be forced to stay with a 10 year program and then have it not work.

Commissioner Rohde moved, seconded by Commissioner Gomez to approve the hiring of legal counsel with the firm of Baylor Evnen Curtiss & Grimit, if necessary, regarding termination of the Tyler Technologies contract through the State should the need arise.

ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #3 MISCELLANEOUS

a. Road Report - Fred Kellogg, Highway Superintendent

DAKOTA COUNTY ROAD DEPARTMENT BIWEEKLY REPORT: June 10, 2012 to June 23, 2012

TOTAL ROAD MAINTENANCE:	242 HOURS
DISTRICT TOTALS:	
A1= 25 A3= 42.5 A4= 40	A5= 37.5 A6= 13.5 A7= 49.5 A8 = 34
OVERTIME HOURS	3 HOURS (garbage on N. Bluff Rd)
MOWING:	25 HOURS
TREE CUTTING	14 HOURS
TRASH/TIRE PICKUP	14 HOURS
SPRAYING DITCHES	6 HOURS
BRIDGES:	3 HOURS
GRAVEL HAULING:	61 HOURS
TONS OF GRAVEL HAULED:	418.78 CLASS A
	1,171.70 Peterson
	1,590.48 TOTAL TONS OF GRAVEL
CULVERTS:	
RIDGE ROAD	116.5 HOURS (A6 DISTRICT)
MAGNET:	27.5 HOURS
BLACKTOPPING HOURS:	42 HOURS
BLACKTOPPING TONAGE:	6.30 TONS

6 Road Concerns

Fred informed the Board that the "spraying ditches" is a trial project where 6 miles of road was sprayed to see if it will cut back on the mowing. Ridge road was repaired trying to make it as safe as possible. The trash and tire pickup was North of the high bridge where someone dropped 50 to 60 tires.

Commissioner Bousquet informed Mr. Kellogg that he had received some complaints about Foundry Road. Mr. Kellogg informed that only a portion of that road is county road to the fence and the other part is owned by the Core of Engineer. Commissioner Bousquet requested that a sign be posted stating end of county maintenance and Fred advised there is signage and he would post it.

Chair Bousquet called for the Agenda Item #3 MISCELLANEOUS

b. Board to declare additional personal property as surplus to be sold at County Surplus Auction on June 30th and amend Exhibit 1 attachment to Res. 12C-014.

Commissioner Gomez moved, seconded by Commissioner McNear to declare additional personal property as surplus to be sold at County Surplus Auction on June 30th and amend Exhibit 1 attachment to Res. 12C-014.

ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #3 MISCELLANEOUS

c. Dick Erickson - update regarding Board of Equalization protest process.

Dick Erickson informed the Board that to date there are only approximately 58 protests filed and a year ago there was around 130 filed. He advised his belief for the low numbers is when the office started having trouble with Orien the office only did the minimum to get by. Mr. Erickson explained that they have had one set of hearings and would like clarification on the form used by the referee and advised that between the two forms the one currently used works and takes less time to fill out and he plans on continuing to use the current form if ok by the Board. The Board said that was good.

Chair Bousquet called for Agenda Item #4 COMMISSIONER COMMITTEE REPORTS.

Commissioner Gomez advised that there was a LEC meeting and an insurance package was discussed.

Sally Reinert advised the Board that the State was up last week and met with Dakota County Connections fka Cardinal Connections and advised they would like to give to the Dakota county Connections $600,000 over the next five years.

Chair Bousquet called for Agenda Item #5 MAIL AND/OR EMERGENCY BUSINESS – there was none.

Chair Bousquet called for Agenda Item #6 PUBLIC COMMENT – there was none.

Chair Bousquet called for the Agenda Item #3 MISCELLANEOUS

d. Closed Session to discuss Correctional Officer (jail) union contract negotiations.

Commissioner Gomez moved, seconded by Commissioner McNear to convene into Closed Session to discuss the Correctional Officer (jail) union contract negotiations at 4:41 p.m.

ROLL CALL VOTE: Bousquet – Yea, Rohde – Yea, McNear – Yea and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Commissioner Gomez moved, seconded by Commissioner McNear to reconvene from Closed Session from discussing the Correctional Officer (jail) union contract negotiations at 5:00 p.m.

ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet adjourned the meeting of June 29, 2012 at 5:00 p.m.

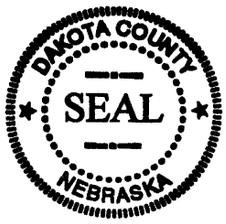
County Board of Commissioners

_____

Rick Bousquet, Chair Date Chair signed

_____

Cherie Conley, Deputy County Clerk Date



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Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Emergency Meeting
Friday, June 29, 2012
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called the Emergency meeting to move monies to the County Clerk's budget to avoid being in violation of Neb. Rev. Stat. §23-919 to order at 9:00 a.m. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Bousquet, Rohde, and Love, and Cherie Conley, Deputy County Clerk and Secretary. Absent were Commissioners McNear and Gomez. Also present was Joan Spencer, Administrative Assistant to the Board.

The agenda for this meeting was as follows:

The Agenda shall be for the Board to state the nature of the emergency and to approve Resolution 12C-019.

Chair Bousquet read Resolution 12C-019 for the record. Commissioner Rohde moved, seconded by Commissioner Love to approve the following Resolution 12C-019.

BOARD OF COMMISSIONERS
DAKOTA COUNTY
RESOLUTION 12C-019
RESOLUTION TO APPROPRIATE TRANSFER OF FUNDS
FOR OVER-EXPENDED BUDGET

WHEREAS, the office of County Clerk will exceed its budget with the payment of the submitted June, 2012, accounts payable and payroll claims; and,

WHEREAS, an emergency exists; and,

WHEREAS, the office of Register of Deeds will have un-appropriated moneys left.

BE IT THEREFORE RESOLVED, that the Dakota County Board of Commissioners hereby authorize the un-appropriated moneys of the Register of Deeds Office of the General Fund to be utilized for the payment of the over expended budget of County Clerk of the General Fund and that said budget be increased by an additional $1,500.00 to $175,682.81 for fiscal year 2011-2012.

BE IT FURTHER RESOLVED, that the budget of the Register of Deeds Office be reduced by an additional $1,500.00 to $52,760.83 for fiscal year 2011-2012.

Passed and adopted this 29th day of June, 2012. (Emergency Meeting)

/S/ Rick Bousquet, Chair
Dakota County Board of Commissioners

ATTEST:
/S/ Cherie Conley, Deputy County Clerk
Theodore A. Piepho
County Clerk

ROLL CALL VOTE: Rohde – Yea, Love – Yea and Bousquet - Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet adjourned the Emergency meeting of June 29, 2012 at 9:03 a.m.

County Board of Commissioners

_____
Rick Bousquet, Chair Date Chair signed

_____
Cherie Conley, Deputy County Clerk Date

_____
Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, July 9, 2012
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called their regular scheduled meeting to order at 4:21 p.m. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Bousquet, Love, Rohde, McNear and Gomez, and Cherie Conley, Deputy County Clerk and Secretary. Absent were none. Also present were Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – Excused Absence

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

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

32. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
    a. Approval of the previous minutes – June 25, 2012 and June 29, 2012
    b. Approval of payroll claims
    c. Approve Amendment to Food Service Contract between Dakota County Nebraska and CBM Managed Services pursuant to item 4.0 of the Entire Agreement, the parties agree to an increase of .02 cents per meal effective July 16, 2012.

33. NEW BUSINESS
    a. Cindy Krusemark – present a petition requesting the Board to approve money expended from the General Fund of the county for the continuous preservation and maintenance, including mowing, of an abandoned or neglected pioneer cemetery. Statute 12-807.
    b. Board to approve paying one-third the cost of completing the bike path over the driveway into Cardinal Farms [1212 Dakota Ave., Dakota City] at a depth consistent for truck traffic.

34. MISCELLANEOUS
    a. Road Report – Fred Kellogg, Highway Superintendent
    b. Set Board meeting date for August 27th to set political subdivision levy allocation by September 1st per statute 77-3443(4).
    c. County Surplus Sale – remaining scrap metal disposal
    d. Dick Erickson – closed session to discuss insurance HIPPA issues
    e. Closed Session to discuss Correctional Officer and Sheriff Department union contract negotiations.
    f. Jail Tour – County Board shall make quarterly visit to county jail – §47-109.

35. COMMISSIONER COMMITTEE REPORTS
36. MAIL AND/OR EMERGENCY BUSINESS
37. PUBLIC COMMENT
38. ADJOURNMENT

The next Board of Commissioner meeting will be July 23, 2012.

Chair Bousquet called for Agenda Item #1 CONSENT AGENDA
    a. Approval of the previous minutes – June 25, 2012 and June 29, 2012
    b. Approval of payroll claims
    c. Approve Amendment to Food Service Contract between Dakota County Nebraska and CBM Managed Services pursuant to item 4.0 of the Entire Agreement, the parties agree to an increase of .02 cents per meal effective July 16, 2012.

Commissioner Rohde moved, seconded by Commissioner Love to approve the Consent Agenda items a. Approval of the previous minutes for June 25, 2012 and June 29, 2012;
    b. Approval of payroll claims;

COUNTY GENERAL FUND: Gross salaries- $134,356.79, General Fund Employees Net Pay- $96,381.50, Employer deductions paid: Retirement- $9,372.09, FICA- $8,076.04, Medicare- $1,888.76, DC Health Plan- $22,500.00, DC Dental Plan- $1,020.84 and Life Insurance- $213.86, COBRA- $1,046.76, Principal Mutual Life Insurance- $1,178.61.
Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1448.26, Daniel Christoffers- 602.00, Cherie Conley- 1230.77, Theodore Piepho- 1800.68, Mary C. Wiltgen- 1013.60, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jalissa Hattig – 880.00, Jolene Heinemann-

1230.77, Tracey Rysavy- 1064.80, Debera Benton- $913.00, Christy Abts- $620.19, Jeffrey Curry- $680.00, Rita Deichert- $480.00, Richard Erickson- $900.34, David Hauf- $708.40, Daniel Christoffers- $602.00, Arnold Mellick- 228.32, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 168.96, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 963.20, Sergio Castillo- 1862.52, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 2083.96, Michael Estes- 1713.12, Brent Gilster- 1979.43, Todd Hammer- 1721.60, Richard Hansen- 1549.60, Melvin Harrison III- 2111.12, Jason James- 1979.43, Douglas Johnson- 1960.96, Kimberly Johnson- 408.98, Jared Junge- 2058.70, Christopher Kleinberg- 1980.77, Penny Kleinberg- 2011.20, Michael Kreegar- 1716.26, Gayle Richards- 941.60, Kevin Rohde- 1705.60, Randall Walsh- 1903.85, Bridget Fiedler- 934.80, Kerry Johnson- 960.00, Sara Niles- 1961.54, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Cara Wood- 1267.13, Jacob Acero- 1593.76, Ermelinda Ballesteros- 1778.74, Mason Billings- 1444.40, Joshua Blatchford- 1591.16, Rebecca Broer- 1473.62, Elisabet DeRoin- 2053.52, Sandy Dickens- 760.32, Jesse Doelle- 1059.20, Marjorie Donahue- 1495.66, Lisa Ford- 1608.96, Ryan Foster- 1621.60, Linda Frost- 898.95, Alma Gunderson- 2193.73, Deanna Haukap- 1478.58, Jeffrey Heitzman- 2018.00, Adam Hough- 1452.88, Michael Jacobson- 1418.00, Brett Johnson- 1536.89, Brenda Kelly- 1356.80, Terry Kern- 2030.29, Mark Nelson- 1476.66, Travis Olander- 1527.22, Kimberly Peterson- 1518.95, Cody Roeber- 1448.00, Jutharatana Ruenprom- 1494.18, Timothy Ryan- 2048.00, Linda Schovanec- 1396.80, Jennifer Svendsen- 1615.00, Francis Tope- 1532.72, Jewel Williams- 1563.46, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 775.46, Linda Weitzel- 1048.30, Willard Johnston- 1250.00.

GENERAL FUND: Employee withholding paid to: Federal- $13,488.79, State- $4,672.19, FICA- $5,470.90, Medicare- $1,888.76, Retirement- $6,348.97, Health Plan- $1,400.00, DC Dental Plan- $651.00, Colonial Health- $711.53, Sheriff Union Dues- $460.00, Colonial Life/Disability- $222.93, Deferred Comp- $352.00, Garnishments- $972.93, Flex Plan Medical- $756.49, Flex Plan Dependant Care- $287.50, COBRA- $291.30.

COUNTY ROAD PAYROLL: Gross salaries- $16,465.56, Road Employees Net Pay- $11,897.29, Employer deductions paid: Retirement- $1,103.30, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $25.31, FICA- $978.32, and Medicare- $228.80, Principal Mutual Life Insurance- $211.26.

Matthew Bartels- 1314.40, Brent Byroad- 1398.40, Robert Hacker- 1318.40, Ronald Harder- $120.00, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Nicholas Long- 660.00, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40, Matthew Roost- 1314.40.

ROAD FUND: Employee withholding paid to: Federal- $1,482.72, State- $514.59, FICA- $662.73, Medicare- $228.80, Retirement- $735.57, Health Plan- $350.00, DC Dental Plan- $84.00, Reassure America Life- $4.88, Colonial Life Health- $147.07, Colonial Life/Disability- $11.23, Deferred Comp.- $61.68, Flex Plan Medical- $105.00 and Union Dues- $180.00.

c. Approve Amendment to Food Service Contract between Dakota County Nebraska and CBM Managed Services pursuant to item 4.0 of the Entire Agreement, the parties agree to an increase of .02 cents per meal effective July 16, 2012.

THE REST OF THIS PAGE IS LEFT BLANK INTENTIONALLY BECAUSE THE SCANNED IMAGE ON THE NEXT PAGE WOULD NOT BE LEGIBLE IF SHRUNK TO FIT THE REMAINDER OF THE PAGE.

AMENDMENT TO
FOOD SERVICE CONTRACT BETWEEN
DAKOTA COUNTY NEBRASKA AND CBM MANAGED SERVICES

This amendment to the original contract is entered into this 16th day of July, 2012 by and between Dakota County Nebraska at 1601 Broadway, Dakota City, Nebraska 68731 and Catering By Marlins, Inc., d.b.a. CBM Managed Services business address 500 East 52nd Street, North, Sioux Falls, South Dakota 57104.

Pursuant to item 4.0 of the Entire Agreement, the parties agree to the following price increase of 0.02 cents per meal to begin July 16, 2012 through December 31, 2012. New prices will take effect on July 16, 2012.

Inmate Population	140 +	130-139	120-129	110-119	100-109	90-99	80-89
Current Price	$2.07	$2.15	$2.22	$2.35	$2.48	$2.64	$2.83

Inmate Population	140 +	130-139	120-129	110-119	100-109	90-99	80-89
.02 Cent Price Increase	$2.09	$2.17	$2.24	$2.37	$2.50	$2.66	$2.85

.02 Cent Price Increase

A minimum price adjustment of 2% may be applied when the Consumer Price Index for Food Away From Home falls below 2%. Additional adjustments may be made where circumstances beyond the control of either party require adjustments due to a federally mandated legislation for medical coverage and any other uncontrollable circumstances.

This amendment shall be attached to the original contract dated February 21, 2007as an addendum and all other original contract provisions shall remain in full force and effect.

Dated this 9 **day of** July, **2012**

DAKOTA COUNTY, NEBRASKA:

Rick Bousquet
Chair-Bd of Commissioners

Terry Kerns
Jail Administrator

Rick Bousquet
Chair - Bd. of Corrections

Dated this 19 **day of** June, **2012**

CBM MANAGED SERVICES:

Shane V. Sejnoha
Vice President of Operations

Witness

ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 NEW BUSINESS

a. Cindy Krusemark – present a petition requesting the Board to approve money expended from the General Fund of the county for the continuous preservation and maintenance, including mowing, of an abandoned or neglected pioneer cemetery. Statute 12-807.

Cindy Kruesmark handed out to each Board Member a packet with information regarding the Old Log Church Pioneer Cemetery and went through the packet explaining the issues regarding the forgotten cemetery. She stated that according to the Nebraska Statues that by submitting a petition for help with 35 signatures the County can grant up to $1000 per year to help with the preservation of the cemetery. Commissioner Gomez informed the Board that he had gone and looked at this cemetery and he is in favor of giving $1000 per year to clean up and continuation of preservation and maintenance. Ms. Krusemark stated that she has several people willing to volunteer their time to carefully go into the cemetery to clean it up and keep it preserved and that it will take several years to document those graves without headstones and preserve it as a pioneer cemetery. Ms. Krusemark also noted that eventually she would like the County's help in establishing a historical marker.

Commissioner Gomez moved, seconded by Commissioner Love to approve paying $1000.00 per year towards the care and preservation of the Old Log Church Pioneer Cemetery pursuant to Nebraska Statutes §12-807. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 NEW BUSINESS

b. Board to approve paying one-third the cost of completing the bike path over the driveway into Cardinal Farms [1212 Dakota Ave., Dakota City] at a depth consistent for truck traffic.

Commissioner Bousquet mentioned that he and Fred Kellogg had met with the City of South Sioux City regarding this bike path and this is a portion by Cardinal Farms across their driveway. Doug Goddard

with Cardinal Farms advised the Board that it was his understanding the bike trail would be finished at some point but to date it hasn't been done. Some discussion was had as to how much concrete would be needed based on the truck traffic and discussion with Fred Kellogg on whether the County Road Department could complete this project. Mr. Goddard asked if this project could be done in two sections so that customers could still access the Cardinal Store. The third of the costs would be a majority of the labor done by the road department and have Fred Kellogg with the road department meet with Bob Livermore to work out the details.

Commissioner Rohde moved, seconded by Commissioner McNear to approve the County paying for one-third the cost of completing the bike path over the driveway into Cardinal Farms at a depth consistent for truck traffic and that Road Superintendent, Fred Kellogg, to get with Bob Livermore to discuss the details of getting this project done.
ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 MISCELLANEOUS

a. Road Report – Fred Kellogg, Highway Superintendent

DAKOTA COUNTY ROAD DEPARTMENT BIWEEKLY REPORT: June 23, 2012 to July 07, 2012

TOTAL ROAD MAINTENANCE: 265 HOURS

DISTRICT TOTALS:

A1= 47.5 A3= 41 A4= 27.5 A5= 36.5 A6= 32 A7= 40.5 A8 = 40

OVERTIME HOURS	6 HOURS (tree limbs on Ireton Ave)
MOWING:	4 HOURS
TREE CUTTING	1 HOURS
TRASH/TIRE PICKUP	0 HOURS
SPRAYING DITCHES	9 HOURS
BRIDGES:	0 HOURS
GRAVEL HAULING:	30 HOURS
TONS OF GRAVEL HAULED:	82.38 1"
	167.23 CLASS A
	400.00 Peterson
	649.61 TOTAL TONS OF GRAVEL
CULVERTS:	43.5 HOURS (Odell Ave, & 240th St)
ELGIN AVE	70 HOURS
OAKDALE RD	52 HOURS
MAGNET:	30 HOURS
BLACKTOPPING HOURS:	0 HOURS
BLACKTOPPING TONAGE:	0 TONS

7 Road Concerns

Commissioner McNear stated that he had received a call from Roger Bartels regarding the bridge off of HWY 35 and was wondering if the dam was going to have any part of that. Mr. Kellogg informed that the NRD has changed the design and will not have any part of the bridge and any further questions can be reverted to Lowell Roeber of the NRD.

Chair Bousquet called for Agenda Item #3 MISCELLANEOUS

b. Set Board meeting date for August 27th to set political subdivision levy allocation by September 1st per statute 77-3443(4).

Commissioner Gomez moved, seconded by Commissioner Rohde to set an additional Board of Commissioners meeting for August 27, 2012 at 9:00 a.m. to set the political subdivision levy allocation.
ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 MISCELLANEOUS

c. County Surplus Sale – remaining scrap metal disposal

Commissioner Bousquet informed the Board that the day of the sale some of the smaller items sold well, but when moving into the jail where the large scrap irons was it just fell apart. There was one bid of $425 on one side of one cell. At that time Commissioner Bousquet said he decided to stop the sale. Commissioner Bousquet informed the Board that liability insurance is needed and the individual who bid on the cell has one million dollars worth of insurance, but there is a concern that a million dollars may not be enough. Commissioner Bousquet advised that he believes NIRMA needs to be contacted for details on liability and insurance coverage.

Chair Bousquet called for Agenda Item #4 Commissioner Committee Reports. There were none.

Chair Bousquet called for Agenda Item #5 Mail and/or Emergency Business. There was none.

Chair Bousquet called for Agenda Item #6 Public Comment. There was none.

Chair Bousquet called for Agenda Item #3 MISCELLANEOUS

d. Dick Erickson – closed session to discuss insurance HIPPA issues

Commissioner Gomez moved, seconded by Commissioner McNear to convene into closed session to discuss insurance HIPPA issues with the Assessor's office.
ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea and Gomez – Yea. UNANIMOUS MOTION CARRIED at 4:55 p.m.

Commissioner Love moved, seconded by Commissioner Rohde to reconvene into regular session coming out of closed session from discussing insurance HIPPA issues with the Assessor's office.
ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED at 5:08 p.m.

Chair Bousquet called for Agenda Item #3 MISCELLANEOUS

e. Closed Session to discuss Correctional Officer and Sheriff Department union contract negotiations.

Commissioner Rohde moved, seconded by Commissioner McNear to convene into closed session to discuss Correctional Officer and Sheriff Department union contract negotiations.
ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED at 5:09 p.m.

Commissioner Love moved, seconded by Commissioner Gomez to reconvene into regular session coming out of closed session from discussing Correctional Officer and Sheriff Department union contract negotiations.
ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea,. UNANIMOUS MOTION CARRIED at 5:25 p.m.

The County Clerk questioned having an Emergency Meeting. He said that if there was an emergency why can the Board not take care of the emergency now because there is an agenda item "Mail and/or Emergency Business.

Mr. Bousquet said that they have

Chair Bousquet called for Agenda Item #3 MISCELLANEOUS

f. Jail Tour – County Board shall make quarterly visit to county jail – §47-109.

The Commissioners met with Terry Kern in the jail for a tour. All was running smoothly.

Chair Bousquet adjourned the meeting of July 9, 2012 at 5:45 p.m.

County Board of Commissioners

_____
Richard (Rick) Bousquet, Chair Date Chair signed

_____
Cherie Conley, Deputy County Clerk/Secretary Date

_____
Theodore A. Piepho, County Clerk Date entered in book

DAKOTA COUNTY SEAL NEBRASKA

Dakota County Board of Commissioners
Emergency Meeting
Tuesday, July 10, 2012
Dakota County Courthouse
Jail Conference Room
Dakota City, NE 68731

Chair Bousquet called the Emergency meeting to approve an accounts payable claim to the State of Nebraska for COBRA payment 9:13 a.m. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Bousquet, Rohde, and Love, and Cherie Conley, Deputy County Clerk and Secretary. Absent were Commissioners McNear and Gomez. Also present was Joan Spencer, Administrative Assistant to the Board.

The agenda for this meeting was as follows:

PUBLIC NOTICE

An Emergency Meeting of the Dakota County Board of Commissioners has been called by Chair Bousquet for Tuesday, July 10, 2012, at 9:00 a.m.

The Agenda shall be for the Board to state the nature of the emergency and to approve an Accounts Payable claim to the State of Nebraska for COBRA payment.

AGENDA
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – Excused Absence

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

39. EMERGENCY BUSINESS
    a. Approve Accounts Payable claim to the State of Nebraska for COBRA payment
40. ADJOURNMENT

Chair Bousquet called for agenda item #1 Emergency Business – a. Approve Accounts Payable claim to the State of Nebraska for COBRA payment.
Chair Bousquet stated that the Accounts Payable claim to the State of Nebraska for the COBRA payment is $1338.06.
Commissioner Love moved, seconded by Commissioner Rohde to approve the Accounts Payable claim to the State of Nebraska for the COBRA payment in the amount of $1338.06. ROLL CALL VOTE: Rohde – Yea, Love – Yea, Bousquet – Yea, Gomez – Absent and McNear – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet adjourned the Emergency meeting of July 10, 2012 at 9:15 a.m.

County Board of Commissioners

_____
Rick Bousquet, Chair Date Chair signed

_____
Cherie Conley, Deputy County Clerk Date

DAKOTA COUNTY SEAL NEBRASKA

_____
Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, July 23, 2012
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called their regular scheduled meeting to order at 4:02 p.m. and stated that the Pledge was recited during the Board of Equalization meeting just prior to this. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Bousquet, Love, Rohde, McNear and Gomez, and Cherie Conley, Deputy County Clerk and Secretary. Absent were none. Also present were Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – Excused Absence

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

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

41. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
    a. Approval of the previous minutes – July 9, 2012 and July 10, 2012
    b. Approval of payroll claims
    c. Approval of accounts payable claims
    d. Officials Reports
    e. Approval of Surplus Sale Report
    f. Approve renewal of Dakota City Volunteer Fire Department Agreement to transport inmates from Dakota County Jail to medical facility at $2,000 for first 25 transports and $175 per transport exceeding said 25
42. NEW BUSINESS
    a. Bob Giese, Treasurer, to present semi-annual report. Board to approve chair signing same. 23-1605; 77-1745
    b. Pat Foust requesting Board to approve an Emergency Management Agreement with Northeast Community College Area and to authorize Dakota County Emergency Management Director sign the Agreement.
    c. Jared Angell, Tyler Technologies, to discuss the recent decision for the Assessor's Office to discontinue using the Orion Software package and what issues they were having that helped make that decision.
    d. Lynn Stoltze – requesting the county to send a Base Flood Elevation request to FEMA to help determine if home at 2585 Hwy 35 is in a flood zone.
    e. Fred Kellogg, Hwy Superintendent – grant applications
        1. Board to approve Resolution 12C-020 (Federal project HRRR-STWD(116)) for installation of advance railroad signing on rural county roads to prevent or minimize rail-vehicle crashes. No estimated cost to the County.
        2. Board to certify that no new right-of-way was required for Advance Railroad Signing project.
        3. Board to approve Resolution 12C-021 (Federal project HRRR-STWD(117))for installation of advance railroad pavement markings on rural county roads to prevent or minimize rail-vehicle crashes. The 10% cost to the county is estimated to be $1320.
        4. Board to certify that no new right-of-way was required for Advance Railroad Pavement Markings project.
43. MISCELLANEOUS
    a. Road Report – Fred Kellogg, Highway Superintendent
    b. Approve advertising for Planning & Zoning member to represent the Village of Hubbard
    c. Closed Session – discuss negotiations regarding Sheriff union contract
44. COMMISSIONER COMMITTEE REPORTS
45. MAIL AND/OR EMERGENCY BUSINESS
46. PUBLIC COMMENT
47. ADJOURNMENT

Chair Bousquet called for Agenda Item #1 Consent Agenda:
a. Approval of the previous minutes – July 9, 2012 and July 10, 2012
b. Approval of payroll claims
c. Approval of accounts payable claims
d. Officials Reports
e. Approval of Surplus Sale Report

f. Approve renewal of Dakota City Volunteer Fire Department Agreement to transport inmates from Dakota County Jail to medical facility at $2,000 for first 25 transports and $175 per transport exceeding said 25.

Commissioner Love moved, seconded by Commissioner Gomez to approve the Consent Agenda items as follows:

a. Approval of the minutes from the July 9, 2012 meeting and the July 10, 2012 Emergency meeting;

b. Approval of payroll claims: COUNTY GENERAL FUND: Gross salaries- $129,628.23, General Fund Employees Net Pay- $92,769.78, Employer deductions paid: Retirement- $9,042.91, FICA- $7,729.92, Medicare- $1,807.84, DC Health Plan- $22,500.00, DC Dental Plan- $1,020.84 and Life Insurance- $213.87, COBRA- $3,701.95.

Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1448.26, Daniel Christoffers- 602.00, Cherie Conley- 1107.69, Theodore Piepho- 1800.68, Mary C. Wiltgen- 1023.11, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jalissa Hattig – 880.00, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $836.00, Christy Abts- $1240.38, Jeffrey Curry- $1360.00, Rita Deichert- $960.00, Richard Erickson- $1800.68, David Hauf- $1416.80, Daniel Christoffers- $754.42, Arnold Mellick- 228.32, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 351.12, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 1216.04, Dannie Caskey- 329.40, Sergio Castillo- 1693.20, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 1755.56, Michael Estes- 2221.08, Brent Gilster- 1693.60, Todd Hammer- 1764.64, Richard Hansen- 1588.34, Melvin Harrison III- 1831.36, Jason James- 1772.99, Douglas Johnson- 1960.96, Kimberly Johnson- 469.04, Jared Junge- 1733.60, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1693.60, Michael Kreegar- 1710.93, Gayle Richards- 941.60, Kevin Rohde- 1705.60, Randall Walsh- 1903.85, Bridget Fiedler- 971.70, Kerry Johnson- 960.00, Sara Niles- 741.47, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Cara Wood- 1267.13, Jacob Acero- 1871.61, Ermelinda Ballesteros- 1626.99, Mason Billings- 1256.00, Joshua Blatchford- 1390.95, Rebecca Broer- 1591.59, Elisabet DeRoin- 1250.64, Sandy Dickens- 834.80, Jesse Doelle- 1079.06, Marjorie Donahue- 1410.07, Lisa Ford- 1353.37, Ryan Foster- 1353.72, Linda Frost- 882.40, Alma Gunderson- 1344.80, Deanna Haukap- 1332.80, Jeffrey Heitzman- 1340.00, Adam Hough- 1324.93, Michael Jacobson- 1660.00, Brett Johnson- 1336.97, Brenda Kelly- 1221.12, Terry Kern- 2030.29, Mark Nelson- 1476.66, Travis Olander- 1329.06, Kimberly Peterson- 1320.80, Cody Roeber- 1280.00, Jutharatana Ruenprom- 1320.80, Linda Schovanec- 1396.80, Jennifer Svendsen- 1481.13, Francis Tope- 1199.52, Jewel Williams- 1505.30, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 790.37, Linda Weitzel- 1324.67, Willard Johnston- 1250.00.

GENERAL FUND: Employee withholding paid to: Federal- $12,054.57, State- $4,204.58, FICA- $5,236.43, Medicare- $1,807.84, Retirement- $6,126.26, Health Plan- $1,400.00, DC Dental Plan- $651.00, Colonial Health- $729.52, Sheriff Union Dues- $445.00, Colonial Life/Disability- $302.48, Deferred Comp- $352.00, Garnishments- $972.93, Flex Plan Medical- $856.49, Flex Plan Dependant Care- $287.50, COBRA- $1027.22.

COUNTY ROAD PAYROLL: Gross salaries- $15,885.58, Road Employees Net Pay- $11,439.43, Employer deductions paid: Retirement- $1,072.25, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $25.32, FICA- $941.91, and Medicare- $220.29.

Matthew Bartels- 1314.41, Brent Byroad- 1398.40, Robert Hacker- 1318.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Nicholas Long- 200.00, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40, Matthew Roost- 1314.41.

ROAD FUND: Employee withholding paid to: Federal- $1,398.30, State- $498.35, FICA- $638.07, Medicare- $220.29, Retirement- $714.87, Health Plan- $350.00, DC Dental Plan- $84.00, Reassure America Life- $4.88, Colonial Life Health- $154.48, Colonial Life/Disability- $11.23, Deferred Comp.- $61.68, Flex Plan Medical- $105.00 and Union Dues- $180.00;

c. Approval of accounts payable claims: **GENERAL FUND:** Net Sys Plus, repair- 140.00; US Bank, meals/phone/lodging- 376.74; Verizon, phone- 223.28; Alpha Land, surveying- 1850.00; Heritage Express, fuel- 191.00; Hubbard Minimart, fuel- 270.85; Joes Dept Store, supplies- 28.32; Leon Pies, workshop/phone- 40.00; Wilmes Hardware Hank, supplies- 78.46; Pam Devries, mileage- 67.71; Pat Glover, hours- 100.00; Net Sys Plus, computer work- 80.00; Linda Weitzel, mileage- 68.82; Thomas Wente, physician fee- 250.00; Perkins, supplies- 384.22; US Bank, supplies- 67.33; Bill Johnston, mileage/phone- 158.00; Midwest Office Automation, toner- 236.15; Perkins, supplies- 21.74; US Bank, signs- 13.52; Thomson West, service- 753.77; Cableone, internet- 169.96; FiberComm, telephone- 704.57; FSH Communications, payphone- 63.60; IBM Corp, maintenance service- 150.00; Mailfinance, postage- 227.00; Mercy Business Health, eap agreement- 240.75; MIPS, support- 514.54; NE Nebraska Area Agency, fiscal match- 6956.00; Nebraska Dept of HHS, rental agreement- 6800.00; Net Sys Plus, licenses/exchange server- 11355.98; NIRMA, claim- 3510.05; Region IV, services- 5320.25; Romans & Wiemer, audit- 12650.00; Joan Spencer, reimburse- 68.81; Three Rivers, flex admin fees- 110.00; USPS Hasler, postage- 2500.00; Road Fund, budget transfer- 25000.00; Kerry Bligh, animal control- 160.00; City of South Sioux City, copies/fuel- 5938.32; Fremont Tire, repair- 77.00; Jacks Uniforms, supplies- 406.60; O'Reilly Automotive, supplies- 582.80; TAB Products, software renewal- 1638.00; US Bank, supplies/fuel/meal/rope/vehicle repair- 636.92; Verizon, data cards- 160.06; Voss Equipment, radio install- 534.62; Walmart, battery- 99.87; H2O4U, service- 32.18; Iowa Office Supply, contract- 205.12; Madison County Court, copies- 2.50; Peter Parry, phone- 20.00; Verizon, phone- 135.86; City of South Sioux City, lec cost share- 32258.71; BI Inc, tracking- 1037.08; Dakota County Sheriff, mileage- 255.30; Redwood Toxicology, test- 1.95; Verizon, phone- 89.58; Verizon, phone- 319.76; Woodbury Co Juvenile Det, boarding- 700.00; Ace Refrigeration, sensors/garbage disposal- 1651.90; Addison Electric Inc, service- 245.97; Aramark, service- 105.58; Bob Barker, supplies- 1073.40; Bryan LGH Heart Institute, medical- 55.00; CBM Food Service, meals- 20675.94; CashWa Distributing, meals/supplies-

145.17; City of Dakota City, utilities- 1586.24; City of South Sioux City, fuel- 355.34; ComTec Security, supplies- 878.84; Crittenton Center, medical- 957.34; Cummins Central Power, maintenance- 1103.39; Dakota City Fire Department, transport agreement- 2000.00; Dakota Family Dentistry, medical- 706.00; Dakota Food & Fuel, fuel- 81.96; Dakota One Leasing, contract- 220.00; Gill Hauling, service- 125.00; Jacks Uniforms, supplies- 120.60; Janitor Depot, supplies- 1535.43; Jims Home Health Supplies, unit- 75.00; Joes Dept Store, supplies- 33.83; Mercy Business Health, house calls- 2355.00; Midamerican Energy, utilities- 363.23; Midwest Office Automation, copies- 170.62; Moore Medical, medical- 71.95; Nebraska UC Fund Dept of Labor, unemployment- 2748.72; NE Nebraska Juvenile Serv, boarding- 393.75; Nebraska Public Power Dist, utilities- 5200.31; Net Sys Plus, computer repair- 1197.99; Office Systems Company, contract- 214.00; Siouxland Federal Credit Union, hose- 75.37; US Bank, prescriptions/supplies/fuel/meal- 2953.69; Dodge County Clerk, contract- 12667.80; Dakota County Star, publishing- 500.97; Perkins, supplies- 24.50; Bear Graphics, security paper- 126.43; Midwest Office Automation, copies- 189.92; Perkins, supplies- 12.70; AS Central Service, service- 423.65; Charlotte Doenhoeffer, prior yrs- 10.00; Robert Giese, mileage- 133.20; Ruth Jensen, prior yrs- 12.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; US Bank, ink- 76.92; Debera Benton, mileage- 8.88; Microfilm Imaging, equipment- 240.00; Iowa Office Supply, supplies- 12.97; Margie Rahn, prior yrs- 12.00; Manatron, software- 10,115.00; Madelyn Thorsland, prior yrs- 10.00; Daniel Christoffers, mileage/meals- 215.92; Colfax County Clerk, translations- 35.00; Holiday Inn, lodging- 77.00; Mundo Latino, publishing- 123.24; Perkins, supplies- 257.96; Theodore Piepho, phone- 30.00; Secretary of State, id cards- 20.00; Dakota Business Systems, copier rental- 102.00; Deb Green, mileage/meeting- 67.74; Jolene Gubbels, minutes- 60.00; Paul Ireland, mileage/meeting- 46.65; Jim Jepsen, mileage/meeting- 16.11; Dick McCabe, mileage/meeting- 58.86; Arnie Mellick, phone- 30.00; Harold Moes, mileage/meeting- 22.77; Joe O'Neill, mileage/meeting- 18.89; Martin Rohde, mileage/meeting- 47.76; Brian Rush, mileage/meeting- 26.10; District Court, deposit slips/postage- 49.40; Executive Technologies, contract- 215.72; Marathon, sheets- 158.00; MIPS, scanning- 87.00; Office Elements, desk chairs- 285.00; Perkins, supplies- 42.39; Creighton Law Review, subscription- 26.75; Dakota County Star, publishing- 64.00; Marlin Business Bank, contract- 100.00; Microfilm Imaging, scanning- 190.50; Nebraska Law Review, book/subscription- 118.75; US Bank, supplies- 630.59; Cartridge World, printer- 496.95; Frank Gonzalez, interpret- 450.00; Perkins, supplies- 55.12; Randy Hisey, court appointed counsel- 1050.00; Kueny & Begley, court appointed counsel- 1002.00; Richard Thramer, court appointed counsel- 2446.95; AJ Phillips, envelopes- 395.00; District Court, costs- 1172.00; Madison County Court, mental health board- 492.94; MIPS, jury listing- 630.47; Michael Schmiedt, health board fees- 75.00; Dakota County Sheriff, papers/warrants- 1222.52; Dakota County Court, costs- 1411.60; John Ehrich, court appointed counsel- 90.00; Leticia Garcia, witness fee- 22.22; Stuart Mills, court appointed counsel- 6090.00; Douglas Roehrich, court appointed counsel- 2187.45; Patrick Tott, court appointed counsel- 780.00; Curry Flooring, supplies- 2643.00; Ateam Heating & Cooling, repair- 92.00; Barone security, inspection- 396.96; Bomgaars, repair- 100.35; City of Dakota City, utilities- 570.25; Gill Hauling, service- 125.00; Grainger, air filter- 67.20; Janitor Depot, supplies- 429.43; Joes Dept Store, repair- 104.18; Menards, supplies- 1595.63; Midamerican Energy, utilities- 1045.00; Nebraska Public Power District, utilities- 2934.91; Richard Jensen, mileage- 132.03; Share Corp, repair- 288.33; Siouxland Lock & Key, supplies- 14.35; O'Keefe Elevator, maintenance- 172.54; Trembly Pest Control, service- 55.00; US Bank, supplies- 434.20; Verizon, phone- 53.60; UNL Extension, reimburse- 1552.63; PMNRD, rent- 833.33;

ROAD FUND: Aramark, service- 397.47; AZ Inc, fuel- 1072.20; Matt Bartels, phone- 30.00; Tim Butler, tools- 28.70; Colonial Research, supplies- 124.06; Electronic Engineering, gps- 900.00; Fastenal, supplies- 79.01; Gill Hauling, service- 55.00; Grossenburg Implement, tractor- 900.00; Walter Heinemann, prior yrs- 29.00; HME Inc, repair- 10.00; Hubbard Minimart, fuel- 2597.11; H2O4U, service- 30.00; J&J Pronto, fuel- 512.14; Joes Department Store, parts/supplies- 114.88; Kinetic Leasing, loader payment- 2458.00; Knife River, asphalt- 441.00; K & S Service, repair- 15.00; LG Everist, gravel- 13683.28; Matheson-Linweld, oxy- 56.00; Midwest Service & Sales, signs/bridge- 5634.76; Marlan Millard, prior yrs- 15.00; Nebraska Public Power Dist, service- 32.42; NE Nebraska Public Power Dist, utilities- 225.35; NE Nebraska Telephone, phone- 212.69; O'Reilly, oil- 168.45; Peterson Sand Gravel, gravel- 20599.50; POMPS, tires- 3207.00; Powerplan, supplies- 223.76; ProBuild, lumber- 21.01; Sapp Bros Petroleum, oil- 601.85; Stephan Welding, parts/labor- 289.00; Titan Access, parts/labor/supplies- 754.03; US Bank, chemicals- 385.75; UECO, pipes- 2189.20; Verizon, phone- 33.66; Warren Oil, diesel- 6130.50; Zieglers, blades- 5766.12; **VISITORS PROMOTION:** South Sioux City Chamber, lodging tax- 11107.58; **STOP FUND:** TAB Products, equipment- 1638.00; **HEALTH PLANING GRANT:** Dakota County General Fund, reimburse for salary- 16628.90; AT&T Mobile, phone- 46.25; Deanna Beckman, hours- 1173.00; Pam Devries, mileage- 238.65; US Bank, food- 74.01; **PUBLIC SAFETY:** City of South Sioux City, sales tax- 393.34; Jail Bond Fund, sales tax- 3603.88; Road Fund, sales tax- 97.65; **E911:** City of South Sioux City, 911 monies- 12714.04;

d. Officials Reports: June 2012 Clerk of District Court, June 2012 Register of Deeds, June 2012 County Clerk, quarterly report for County Clerk, quarterly report for Veterans office, quarterly report for Sheriff Department, and quarterly report for Corrections Department;

e. Approval of Surplus Sale Report;

f. Approval of the renewal of the Dakota City Volunteer Fire Department Agreement 2012 to transport inmates from Dakota County Jail to medical facility at $2000 for first 25 transports and $175 per transport exceeding said 25.

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AGREEMENT - 2012

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

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

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

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

Dakota City Volunteer Fire and Rescue Board of Directors:

ROBERT KRATKY
ANDY ZAHME
PATRICK MOORE
JAMES MANNING
RANDALL GROETKEN

Dakota County Board of Commissioners: 7-23-2012

Attest: Cherie Conley
Deputy County Clerk
7-23-12

ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Betty O'Neill asked the Chair if she could ask a question and was informed she would have to wait until public comment.

Chair Bousquet called for the Agenda Item #2 New Business:

a. Bob Giese, Treasurer, to present semi-annual report. Board to approve Chair signing same. 23-1605; 77-1745

Bob Giese presented the Board with a copy of the semi-annual report and asked if there were any questions.

Commissioner Gomez moved, seconded by Commissioner McNear to approve the semi-annual report of the Dakota County Treasurer's office as submitted. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business

b. Pat Foust requesting Board to approve an Emergency Management Agreement with Northeast Community College Area and to authorize Dakota County Emergency Management Director to sign the Agreement.

Pat Foust verified that each Board member had received a copy of the agreement for review and stated that the County Attorney would like one correction which is to change the reference to Dakota County rather than as a Municipal Corporation to a Political Subdivision for the State of Nebraska. Mr. Foust also inquired of the County Attorney as to whether he should sign the agreement or the Board Chair to sign. Kim Watson advised that the Board Chair should sign the agreement.

Commissioner Rohde moved, seconded by Commissioner Gomez to approve the Emergency Management Agreement with Northeast Community College Area and authorized the Chair to sign.
ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business

c. Jared Angell, Tyler Technologies, to discuss the recent decision for the Assessor's Office to discontinue using the Orion Software package and what issues they were having that helped make that decision.

Mr. Angell stated he had some questions for the Board and was wondering what went into the decision to discontinue using the Orion Software. Commissioner Bousquet informed that there were several

issues, but basically it wasn't working for the County in transferring information from the Assessor's to the Treasurer's office and that TerraScan in the past worked well and that is why the County went back to that program. Mr. Angell inquired as to what the plan was to get the data out of Orion and back into TerraScan. Commissioner Bousquet advised he would have to get with Dick Erickson. Mr. Angell stated that Mr. Erickson told him to ask the Board. Mr. Angell also stated that there was a time period where information was not being entered into TerraScan and into Orion and was wondering what the plan was to pull that information and get it into TerraScan. Commissioner Bousquet informed that some of it would be manual and they are working on it. Commissioner Bousquet then directed Mr. Angell to Scott Davis, the Attorney for the County in Lincoln, to ask the rest of his questions. Mr. Angell then asked about the contract that was entered into with Orion and Commissioner Bousquet again informed Mr. Angell to discuss that with Mr. Davis, and he also informed that when LB121 was passed turning the Assessor's office back over the County, the State Assessor's office knew at that time the County would be taking the Assessor's office back and the County did not sign the contract. Commissioner Bousquet again advised Mr. Angell to discuss this matter further with Mr. Davis.

Chair Bousquet called for the Agenda Item #2 New Business

d. Lynn Stoltze – requesting the county to send a Base Flood Elevation request to FEMA to help determine if the home at 2585 Hwy 35 is in a flood zone.

Ms. Stoltze advised that she had been working on this issue since April and advised that when FEMA updated their flood zone maps she was placed in a Class A Flood Zone. She does not believe she is in a flood zone. She has talked to Arnie Mellick and asked for the County's elevation and would like the County to provide that information to her and to FEMA. Commissioner Gomez informed that Mr. Mellick had called and informed that he had been on vacation and would be getting back to her. Ms. Stoltze advised the Board that she has been working on this since April and has put out over $1300 on this and no one seems to know what is going on with the base flood elevation. Commissioner Bousquet confirmed with Ms. Stoltze that he believes she is asking the County to request a base elevation from FEMA and that he believes there was a period of time when the maps where done there as a time frame to appeal the elevations. Ms. Stoltze informed that Lincoln referred her back to Mr. Mellick and that she needed to dispute that she is in a flood zone. Commissioner Rohde asked Ms. Stoltze how long she had lived there. Ms. Stoltze advised she has lived there 8 years and the house has been there since 1880 and she had never been notified that she was in a flood plain and she does not remember ever being told she was in a flood zone and that she understands these are new flood zone maps, but she does not believe she is in a flood zone and she does not believe she should have to do all the work. Chair Bousquet informed Ms. Stoltze that Arnie Mellick would be contacted and instructed to obtain the base flood elevation and get that information to her by August 6, 2012. Commissioner Gomez obtained Ms. Stoltze's contact information and assured her he would be in contact with Arnie Mellick and let her know.

Chair Bousquet called for the Agenda Item #2 New Business

e. Fred Kellogg, Hwy Superintendent – grant applications

1. Board to approve Resolution 12C-020 (Federal project HRRR-STWD(116)) for installation of advance railroad signing on rural county roads to prevent or minimize rail-vehicle crashes. No estimated cost to the County.
2. Board to certify that no new right-of-way was required for Advance Railroad Signing project.
3. Board to approve Resolution 12C-021 (Federal project HRRR-STWD(117)) for installation of advance railroad pavement markings on rural county roads to prevent or minimize rail-vehicle crashes. The 10% cost to the County is estimated to be $1320.
4. Board to certify that no new right-of-way was required for Advance Railroad Pavement Markings project.

Fred Kellogg advised the Board that he had applied for some sign grants through LTAP and they need some resolutions signed. On Resolution 12C-020 the only County cost is for installation and the County will be able to absorb that pretty easily. Mr. Kellogg also advised that no new ROW is required and needs certified. Resolution 12C-021 is for pavement markers which get ground into the concrete and there are 3 spots for these markers - the Ethanol Plant, North Bluff Road and by Cargill. The cost to the County for these markings will be approximately $1320. Mr. Kellogg informed that other grants have been used in the past to keep the signage and retroflectivity on the roads.

Commissioner Love moved, seconded by Commissioner Gomez to approve Resolution 12C-020 Federal project HRRR-STWD(116)-Advance Railroad Signing C.N. 00868 for installation of advance railroad signing on rural county roads to prevent or minimize rail-vehicle crashes; to approve the Right of Way Certificate for County or City Federal-Aid Highway Project HRRR-STWD (116); to approve Resolution 12C-021 Federal project HRRR-STWD(117) for installation of advance railroad pavement markings on rural county roads to prevent or minimize rail-vehicle crashes; and to approve the Right of Way Certificate for County or City Federal-Aid Highway Project HRRR-STWD (117) and to authorize the Chair to sign all.

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Resolution

County of Dakota

Resolution No. 12C-020

Project No. HRRR-STWD(116)–Advance Railroad Signing C.N. 00868

Whereas: The Hazard Elimination Program is a "core safety program" for Highway Safety Construction. This program is provided for in *Title 23, Section 148 of U.S. Code*, and is part of the Highway Safety Improvement Program (HSIP) which is provided for in *23 CFR, Part 924*, which is administered by the Federal Highway Administration,

Whereas: The State of Nebraska maintains a Multi-Disciplinary High Risk Rural Road Committee to oversee facets of the HSIP,

Whereas: The High Risk Rural Road Committee has determined that it is desirable to install Advance Railroad Signing on rural county roads to prevent or minimize rail-vehicle crashes on rural county roads throughout the State of Nebraska.,

Whereas: The High Risk Rural Road Committee on September 14, 2010 approved a project known as HRRR-STWD(116)–Advance Railroad Signing to accomplish the following:

Purchase and distribution of Advance Railroad Signing, by the State of Nebraska Department of Roads with installation of said signing materials by the County.

Be It Resolved: That the State of Nebraska is hereby requested to act on behalf of said County to program a project for the installation of the advance railroad signing shown on Exhibit "A" (Response Form) attached,

Be It Further Resolved: That sufficient funds of said County are now available or will be made available and are hereby pledged to the Nebraska Department of Roads in the amount and at the required time for the purpose of matching Federal funds for the contemplated construction.

The estimated cost to said County is $0.00.

Be It Further Resolved: That the Chairman of the County Board is authorized to sign this Resolution on behalf of said Board. In addition the Chairman and the Highway Superintendent are hereby authorized to sign the Certificate of Compliance after completion of the work.

Adopted this 23rd day of July, 2012, at Dakota City, Nebraska,

By Board of County Commissioners of Dakota County, Nebraska.

Attest: Cherie Conley
Deputy County Clerk

DAKOTA COUNTY CLERK OF DAKOTA COUNTY NEBRASKA

Chairman

Board Member Love

moved the adoption of said Resolution

Roll Call: 5 Yes 0 Nay

Resolution adopted, signed, and billed as adopted.

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Right of Way Certificate
for County or City Federal-Aid Highway Project

(This certificate must be furnished to the Department of Roads before a project can be advertised for letting.)

TO: THE NEBRASKA DEPARTMENT OF ROADS

FEDERAL AID PROJECT NO.: HRRR-STWD (116) C.N. 00868

NAME OF PROJECT: Advance Railroad Signing

DESCRIPTION OF PROJECT Installation of Advance Railroad Signing on Rural County Roads.

This is to certify that **NO new right-of-way** was required on the above captioned project.

All encroachments including improvements and signs
(No Encroachments/have/have not)
been removed from the right-of-way or provisions
(have/have not)
been made for their removal by .
(date)

CITY OR COUNTY OF DAKOTA

CERTIFIED BY:

Title Board Chair

ATTEST:

Cherie Conley
(City or County Clerk) Deputy County Clerk

DAKOTA COUNTY CLERK OF DAKOTA COUNTY NEBRASKA

If there are encroachments, list on additional page.

THIS CERTIFICATE TO BE USED ONLY WHEN NO ADDITIONAL RIGHT OF WAY IS NEEDED TO COMPLETE THE PROJECT.

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Resolution

County of Dakota

Resolution No. 12C-021

Project No. HRRR-STWD(117) – AdvanceRailroad Pavement Markings C.N. 00869

Whereas: The Hazard Elimination Program is a "core safety program" for Highway Safety Construction. This program is provided for in *Title 23, Section 148 of U.S. Code*, and is part of the Highway Safety Improvement Program (HSIP) which is provided for in *23 CFR, Part 924*, which is administered by the Federal Highway Administration,

Whereas: The State of Nebraska maintains a Multi-Disciplinary High Risk Rural Road Committee to oversee facets of the HSIP,

Whereas: The High Risk Rural Road Committee has determined that it is desirable to install advance railroad pavement markings on rural county roads to prevent or minimize rail-vehicle crashes on rural county roads throughout the State of Nebraska.,

Whereas: The High Risk Rural Road Committee on September 14, 2010 approved a project known as HRRR-STWD(117)– Advance Railroad Pavement Marking to accomplish the following:

For the purchase and installation, by the Nebraska Department of Roads, of Advance Railroad Pavement Markings on rural county roads throughout the State.

Be It Resolved: That the State of Nebraska is hereby requested to act on behalf of said County to program a project for the purchase of Railroad Signing and Marking devices shown on Exhibit "A" (Response Form) attached,

Be It Further Resolved: That sufficient funds of said county are now available or will be made available and are hereby pledged to the Nebraska Department of Roads in the amount and at the required time for the purpose of matching Federal funds for the contemplated construction.

The cost to said County is 10% of the work described herein which is estimated to be $1,320.

Be It Further Resolved: That the Chairman of the County Board is authorized to sign this Resolution on behalf of said Board. In addition the Chairman and the Highway Superintendent are hereby authorized to sign the Certificate of Compliance after completion of the work.

Adopted this 23rd day of July, 2012, at Dakota City, Nebraska.

By Board of Commissioners, County of Dakota County, Nebraska.

Attest: Cherie Conley
Deputy County Clerk

DAKOTA COUNTY CLERK OF DAKOTA COUNTY NEBRASKA

Board Chairman

Board Member Love
moved the adoption of said Resolution
Roll Call: 5 Yes 0 Nay
Resolution adopted, signed, and billed as adopted.

THE REST OF THIS PAGE IS LEFT BLANK INTENTIONALLY BECAUSE THE IMAGE ON THE NEXT PAGE WOULD NOT BE LEGIBLE IF SHRUNK TO FIT THE REMAINDER OF THE PAGE.

Right of Way Certificate
for County or City Federal-Aid Highway Project

(This certificate must be furnished to the Department of Roads before a project can be advertised for letting.)

TO: THE NEBRASKA DEPARTMENT OF ROADS

FEDERAL AID PROJECT NO.: HRRR-STWD (117) C.N. 00869

NAME OF PROJECT: Advance Railroad Pavement Markings

DESCRIPTION OF PROJECT Installation of Advance Railroad Pavement Markings on Paved Rural County Roads.

This is to certify that **NO new right-of-way** was required on the above captioned project.

All encroachments including improvements and signs
(No Encroachments/have/have not)
been removed from the right-of-way or provisions
(have/have not)
been made for their removal by .
(date)

CITY OR COUNTY OF DAKOTA

CERTIFIED BY:

Title Board Chair

ATTEST:

Cherie Conley
(City or County Clerk) Deputy County Clerk

DAKOTA COUNTY CLERK OF DAKOTA COUNTY NEBRASKA

If there are encroachments, list on additional page.

THIS CERTIFICATE TO BE USED ONLY WHEN NO ADDITIONAL RIGHT OF WAY IS NEEDED TO COMPLETE THE PROJECT.

ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous:

a. Road Report – Fred Kellogg

DAKOTA COUNTY ROAD DEPARTMENT BIWEEKLY REPORT: July 8, 2012 to July 23, 2012

TOTAL ROAD MAINTENANCE: 148.5 HOURS
DISTRICT TOTALS:
A1= 35 A3= 7 A4= 32 A5= 4.5 A6= 8 A7= 25 A8 = 37

OVERTIME HOURS	0 HOURS
MOWING:	10 HOURS
TREE CUTTING	28.5 HOURS
TRASH/TIRE PICKUP	4 HOURS
SPRAYING DITCHES	0 HOURS
BRIDGES:	40 HOURS (planks on Wachter, O Ave, Q Ave, 220th, & S Ave)
GRAVEL HAULING:	16 HOURS

TONS OF GRAVEL HAULED:	0 CLASS A
	215 Peterson
	215 TOTAL TONS OF GRAVEL
CULVERTS:	153 HOURS (Odell Ave, 240th, & 260th St)
ELGIN AVE	1.5 HOURS
N. Bluff Rd	90.5 HOURS (480 tons of crushed concrete hauled in)
MAGNET:	30 HOURS
BLACKTOPPING HOURS:	0 HOURS
BLACKTOPPING TONAGE:	0 TONS

6 Road Concerns

Commissioner Bousquet stated he had received a call regarding the corner by Martin Airfield there is a big dip and would like it filled in. Mr. Kellogg advised he already has a contractor coming out to look at this part of the road and would have it repaired with crushed concrete. Commissioner McNear stated he had been contacted with some concerns of the paving breaking up with the heavy loads. Mr. Kellogg advised that Gills have looked into this road and there are approximately 9 spots that are starting to break up on the east side of the road and they are checking into getting them repaired. He also advised that road had a lot of heavy truck traffic and there isn't anything that can be done with that. Commissioner Rohde commented on the spraying of the road ditches and the grading and advised that he believes it is working well.

Chair Bousquet called for Agenda Item #4 Commissioner Committee Reports and there were none.

Chair Bousquet called for Agenda Item #5 Mail and/or Emergency Business. There was none.

Chair Bousquet called for Agenda Item #6 Public Comment and there was none.

Chair Bousquet called for Agenda Item #3 Miscellaneous:

b. Approve advertising for Planning and Zoning member to represent the Village of Hubbard.

Commissioner Gomez moved, seconded by Commissioner Love to approve advertising for a Planning and Zoning member to represent the Village of Hubbard. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous:

c. Closed Session to discuss negotiations regarding the Sheriff Union Contract.

Commissioner Rohde moved, seconded by Commissioner Gomez to convene into Closed Session to discuss negotiations regarding the Sheriff Union Contract. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea at 4:32 p.m. UNANIMOUS MOTION CARRIED.

Commissioner Gomez moved, seconded by Commissioner McNear to reconvene into Regular Session from Closed Session from discussing negotiations regarding the Sheriff Union Contract. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Absent at 5:41 p.m. UNANIMOUS MOTION CARRIED.

Chair Bousquet adjourned the meeting of July 23, 2012 at 5:42 p.m.

County Board of Commissioners

_____

Rick Bousquet, Chair Date Chair signed

_____

Cherie Conley, Deputy County Clerk Date

DAKOTA COUNTY SEAL NEBRASKA

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, August 6, 2012
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Vice-Chair Rohde called their regular scheduled meeting to order at 4:05 p.m. following the Board of Corrections meeting. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Rohde, Love, McNear and Gomez, and Cherie Conley, Deputy County Clerk/Secretary. Absent was Commissioner Bousquet. Also present was Joan Spencer, Administrative Assistant to the Board.

The agenda for this meeting was as follows:
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – Excused Absence

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

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

48. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
    a. Approval of the previous minutes – July 23, 2012
    b. Approval of payroll claims
    c. Approve written response to Ruth Sorensen, Property Tax Administrator, regarding the Department of Revenue continuing to bill Dakota County for the CAMA system provided by Tyler Technologies, Inc.
    d. Approve contract with Eric Heinemann, E. H. Hauling, to remove surplus metal from old jail.
    e. Approve Crime Commission Grant Award and Special Conditions [12-CA-510] awarded in the amount of $19,645 for the period of July 1, 2012 to June 30, 2013, affirming the special conditions will be met and that the required cash match of $7,858 will be appropriated for the Community Corrections Juvenile Accountability project.
49. NEW BUSINESS
    a. 4:05 p.m. Chad Kehrt, Olsson Associates – open sealed bids for C Avenue Phase 2 project. Board to award bid for construction of project.
    b. Board to vote on whether or not to take action on Leon Jessen's drainage request of June 27, 2011.
50. MISCELLANEOUS
    a. Road Report – Fred Kellogg, Highway Superintendent
    b. Board to discuss and take action on a hiring freeze.
    c. Closed Session to conduct Union contract negotiations with the Dakota County Correctional Officers.
51. COMMISSIONER COMMITTEE REPORTS
52. MAIL AND/OR EMERGENCY BUSINESS
53. PUBLIC COMMENT
54. ADJOURNMENT

The next Board of Commissioners meeting will be August 20, 2012.

Vice-Chair Rohde called for Agenda Item #1 Consent Agenda.

a. Approval of the previous minutes – July 23, 2012
b. Approval of payroll claims
c. Approve written response to Ruth Sorensen, Property Tax Administrator, regarding the Department of Revenue continuing to bill Dakota County for the CAMA system provided by Tyler Technologies, Inc.
d. Approve contract with Eric Heinemann, E. H. Hauling, to remove surplus metal from old jail.
e. Approve Crime Commission Grant Award and Special Conditions [12-CA-510] awarded in the amount of $19,645 for the period of July 1, 2012 to June 30, 2013, affirming the special conditions will be met and that the required cash match of $7,858 will be appropriated for the Community Corrections Juvenile Accountability project.

Chair Rohde stated to the Board that he had gone through the Payroll Claims and only one required changing in the Sheriff's department with an employee timesheet that was of $12.75 off and has been corrected.

Commissioner Love moved, seconded by Commissioner Gomez to approve the Consent Agenda Items as follows:

a. Approval of the previous minutes – July 23, 2012;
b. Approval of payroll claims:

COUNTY GENERAL FUND: Gross salaries- $130,900.65, General Fund Employees Net Pay- $94,108.01, Employer deductions paid: Retirement- $9,140.05, FICA- $7,854.69, Medicare- $1,837.03, DC Health Plan- $21,250.00, DC Dental Plan- $944.82 and Life Insurance- $180.80, COBRA- $1,187.17, Principal Mutual Life Insurance- $1,222.94.
Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1448.26, Daniel Christoffers- 602.00, Cherie Conley- 1230.77, Theodore Piepho- 1800.68, Mary C. Wiltgen- 1013.60, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40,

Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jalissa Hattig – 880.00, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $792.00, Christy Abts- $1240.38, Jeffrey Curry- $1360.00, Rita Deichert- $960.00, Richard Erickson- $1800.68, David Hauf- $1416.80, Daniel Christoffers- $602.00, Arnold Mellick- 228.32, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 337.92, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 1161.86, Dannie Caskey- 1334.07, Sergio Castillo- 1653.36, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 1755.56, Michael Estes- 2409.52, Brent Gilster- 1693.60, Todd Hammer- 1764.64, Richard Hansen- 1588.34, Melvin Harrison III- 1820.60, Jason James- 1735.94, Douglas Johnson- 1960.96, Kimberly Johnson- 460.46, Jared Junge- 1733.60, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1693.60, Michael Kreegar- 1726.92, Gayle Richards- 941.60, Kevin Rohde- 1705.60, Randall Walsh- 1903.85, Bridget Fiedler- 984.00, Kerry Johnson- 744.00, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Cara Wood- 1267.13, Jacob Acero- 1432.88, Ermelinda Ballesteros- 1378.31, Mason Billings- 1256.00, Joshua Blatchford- 1386.74, Rebecca Broer- 2222.22, Elisabet DeRoin- 1663.66, Sandy Dickens- 836.76, Jesse Doelle- 1059.20, Marjorie Donahue- 1759.20, Lisa Ford- 1340.80, Ryan Foster- 1611.22, Linda Frost- 882.40, Alma Gunderson- 1344.80, Deanna Haukap- 1336.97, Jeffrey Heitzman- 1376.00, Adam Hough- 1320.80, Michael Jacobson- 1494.00, Brett Johnson- 1328.64, Brenda Kelly- 1356.80, Terry Kern- 2030.29, Mark Nelson- 1476.66, Travis Olander- 1324.93, Kimberly Peterson- 1320.80, Cody Roeber- 1328.00, Jutharatana Ruenprom- 1382.72, Linda Schovanec- 1431.72, Jennifer Svendsen- 1704.25, Francis Tope- 1432.76, Jewel Williams- 1345.41, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 787.39, Linda Weitzel- 1219.84, Willard Johnston- 1250.00.

GENERAL FUND: Employee withholding paid to: Federal- $12,781.46, State- $4,374.00, FICA- $5,320.90, Medicare- $1,837.03, Retirement- $6,194.70, Health Plan- $1,400.00, DC Dental Plan- $609.00, Colonial Health- $729.52, Sheriff Union Dues- $445.00, Colonial Life/Disability- $302.48, Deferred Comp- $352.00, Garnishments- $972.93, Flex Plan Medical- $856.49, Flex Plan Dependant Care- $287.50, COBRA- $329.63.

COUNTY ROAD PAYROLL: Gross salaries- $17,015.38, Road Employees Net Pay- $12,254.14, Employer deductions paid: Retirement- $1,148.52, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $25.31, FICA- $1,011.96, and Medicare- $236.68, Principal Mutual Life Insurance- $219.21.

Matthew Bartels- 1314.40, Brent Byroad- 1398.40, Robert Hacker- 1318.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Nicholas Long- 760.00, Troy Madison- 1314.40, Arnold Mellick- 1567.43, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1499.29, Matthew Roost- 1462.30.

ROAD FUND: Employee withholding paid to: Federal- $1,572.11, State- $549.97, FICA- $685.51, Medicare- $236.68, Retirement- $765.70, Health Plan- $350.00, DC Dental Plan- $84.00, Reassure America Life- $4.88, Colonial Life Health- $154.48, Colonial Life/Disability- $11.23, Deferred Comp.- $61.68, Flex Plan Medical- $105.00 and Union Dues- $180.00.

c. Approve written response to Ruth Sorensen, Property Tax Administrator, regarding the Department of Revenue continuing to bill Dakota County for the CAMA system provided by Tyler Technologies, Inc.;

d. Approve contract with Eric Heinemann, E. H. Hauling, to remove surplus metal from old jail;

CONTRACT

This contract is entered into this 6th day of August, 2012, by and between the Dakota County Board of Commissioners ("County") and E. H. Hauling, ("Contractor").

The parties agree as follows:

13. **PURPOSE**. The Contractor bid at the County Surplus Sale held on June 30, 2012, to purchase and remove scrap metal from the old jail - four (4) holding cells, urinal, table & benches, four (4) bunk beds and the northeast section of the south jail cells.

14. **INSURANCE**. Contractor shall not begin work under this Contract until it has obtained all insurance coverage's required under this section and such insurance has been approved by the County. The following insurance coverage's shall be kept in force during the life of the Contract and shall be primary with respect to any insurance or self-insurance programs covering the County, its commissioners, officials, agents, representatives, and employees.

B. Workers Compensation and Employers Liability Insurance
The minimum acceptable limits shall be the statutory limits as required by the State of Nebraska for Coverage A, Workers Compensation and $100,000 each accident for Coverage B, Employers Liability.

B. Commercial General Liability Insurance
Coverage shall include liability coverage addressing premises and operations, contractual, independent contractors, and products/completed operations. The coverage must protect against claims for damages resulting from bodily injury, including death, personal injury, and property damage.

The minimum acceptable limits of liability shall be $1,000,000 each occurrence. If the coverage contains a general aggregate, such limit shall not be less than $2,000,000. The products/completed operations limit shall not be less than $2,000,000. If written on a claim made form, the products/completed operations coverage is to be maintained for two (2) years after final payment.

The County is to be named as an additional insured on the insurance coverage required under this section.

D. Certificate of Insurance
Contractor shall furnish the County with a certificate(s) of insurance evidencing the coverage's required in this section. Such certificate(s) shall specifically state that the insurance company or

companies underwriting these insurance coverage's shall give the County at least thirty (30) days written notice in the event of cancellation of, or material change in, any of the coverage's. If the certificate(s) is shown to expire prior to completion of all the terms of this Contract, Contractor shall furnish a certificate(s) of insurance evidencing renewal of its coverage to the County.

Contractor shall require each and every subcontractor performing work under this Contract to maintain the same coverage's required of Contractor in this section, and upon the request by the County, shall furnish the County with a certificate(s) of insurance evidencing the Subcontractors insurance coverage's required in this section.

15. **INDEMNIFICATION AND HOLD HARMLESS**. Contractor agrees to indemnify and hold harmless, protect and defend County and its elected and appointed officials, employees, agents, and representatives against any and all claims, demands, suits, actions, payments, and judgments, including any and all costs and expenses connected therewith, legal cost or otherwise, for any damages which may be asserted, claimed, or recovered against or from County or its insurers, because of personal injury, including bodily injury or death, or on account of property damage, including loss of use thereof, sustained by any person or persons which arises out of, is in any way connected with, or results from any and all work or activity associated with the services provided under this agreement unless such damages are the direct and sole result of County's negligence.
16. **EQUIPMENT**. Contractor assumes all responsibility for the condition of the tools and equipment used in the performance of this Contract. County shall not be responsible or be held liable for any injury or damage to person or property resulting from the use, misuse, or failure of any equipment used by Contractor, or Contractor's employees, even if such equipment is furnished, rented, or loaned to Contractor by County. The use of any equipment by Contractor shall be construed to mean that Contractor accepts full responsibility for, and agrees to indemnify County against liability for injury or damage resulting from the use, misuse, or failure of such equipment, whether such injury or damage is to an employee or property of Contractor, other contractors, County, or other persons. Contractor shall take all precautions necessary and shall be responsible for the safety of the work hereunder and shall maintain all lights, guards, signs, temporary passages, or other protection necessary for that purpose. All work shall be done at the Contractor's risk.
17. **TERMINATION**. This Contract may be terminated at any time by either party upon seven (7) days' written notice to the other party by certified mail return receipt requested at the following addresses:

    Dakota County Board of Commissioners
    1601 Broadway Street
    P.O. Box 338
    Dakota City, NE 68731

    Eric Heinemann
    E. H. Hauling
    541 North Shore Drive
    South Sioux City, NE 68776
18. **CONTACT**. The County's contact person shall be Rick Jensen. Contact person shall observe and inspect Contractor's work to ensure Contractor is performing the work in accordance with this Contract and the state and local laws, standards, and requirements.
19. **AGENT**. Contractor shall not be an agent or employee of the County.
20. **EXCLUSIVITY**. The County makes no agreement to use Contractor exclusively.
21. **PROVISIONS BINDING**. Each and every agreement and condition herein shall extend to and be binding on the respective successors, heirs, administrators, executors, and assigns of the parties hereto.
22. **SEVERABILITY**. Should a court of competent jurisdiction render any part of this Contract invalid or unenforceable, that part of the Contract shall be severed and the remainder of the Contract will continue in full force and effect.
23. **CONSENT TO JURISDICTION**. Should any dispute arise relating to this Contract, the parties agree that any court action shall be under the jurisdiction of courts of Dakota County, Nebraska.

Eric Heinemann,
E. H. Hauling

/s/ Eric Heinemann
8-6-2012
Date

Board Chair, Vice-Chair
Dakota County Board of Commissioners

/s/ ~~Rick Bousquet~~ William Rohde
8-6-2012
Date

ATTEST

/s/ *THEODORE A. PIEPHO*
COUNTY CLERK

e. Approve Crime Commission Grant Award and Special Conditions [12-CA-510] awarded in the amount of $19,645 for the period of July 1, 2012 to June 30, 2013, affirming the special conditions will be met and that the required cash match of $7,858 will be appropriated for the Community Corrections Juvenile Accountability project.

ROLL CALL VOTE: Love – Yea, McNear – Yea, Gomez – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED. Bousquet – Absent.

Vice-Chair Rohde called for the Agenda Item #2 New Business: a. Chad Kehrt, Olsson Associates – open sealed bids for C Avenue Phase 2 project. Board to award bid for construction of project.
Chad Kehrt received the sealed bids and opened them in the order they were received.
Sioux City Engineering, Sioux City, IA Bid Bond signed for $957,355.00.
A & R Construction, Plainview, NE Bid Bond signed for $923,077.00.
Gill Construction, Jackson, NE Bid Bond signed for $931,803.50.
Mark Albenesius Inc, So Sioux City, NE Bid Bond signed for $898,811.00.
Steve Harris Construction, Homer, NE Bid Bond signed for $863,254.96.
Vice-Chair Rohde asked when the completion date is for this project. Mr. Kehrt informed the substantial completion date is December 1, 2012 and final completion is December 15, 2012.

Commissioner Love moved, seconded by Commissioner Gomez to accept the bid from and award Steve Harris Construction the C Avenue Phase II Project in the amount of $863,254.96.

ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Rohde – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED. Bousquet – Absent.

Vice-Chair Rohde called for the Agenda Item #2 New Business: b. Board to vote on whether or not to take action on Leon Jessen's drainage request of June 27, 2011.
Commissioner Rohde reminded the Board that they had gone into closed session to discuss this issue and came out of closed session and no action was taken, and action needs to be taken today if possible.

Commissioner Love moved, seconded by Commissioner McNear to not take action on Leon Jessen's drainage request of June 27, 2011. ROLL CALL VOTE: Gomez – Yea, Rohde – Yea, Love – Yea and McNear – Yea. UNANIMOUS MOTION CARRIED. Bousquet – Absent.

Vice-Chair Rohde called for Agenda Item #3 Miscellaneous: Road Report – Fred Kellogg, Highway Superintendent.
Fred Kellogg presented the Board with a copy of his Road Report.

DAKOTA COUNTY ROAD DEPARTMENT BIWEEKLY REPORT: July 22, 2012 to August 4, 2012

TOTAL ROAD MAINTENANCE: 195 HOURS

DISTRICT TOTALS:
A1= 17.5 A3=22 A4= 37.5 A5= 24.5 A6= 18.5 A7= 19 A8 = 56

OVERTIME HOURS:	47 HOURS
MOWING:	18 HOURS
TREE CUTTING	46 HOURS
SCRAP TIRE PICKUP	18 HOURS
DITCH CLEANING	38.5 HOURS
BRIDGES:	0 HOURS
GRAVEL HAULING:	78 HOURS
TONS OF GRAVEL HAULED:	253.48 TONS CLASS A
	920 TONS Peterson
	1,173.48 TOTAL TONS OF GRAVEL
CULVERTS:	84.5 HOURS (2 culverts on M Avenue)
	16 HOURS (Omaha Ave0

BACKFILLING HARDSURFACE W/AGGREGATE 114.75 HOURS (Atokad, Old Hwy 20, Elgin Ave, N. Bluff Rd)

MAGNET:	48 HOURS
BLACKTOPPING HOURS:	0 HOURS
BLACKTOPPING TONAGE:	0 TONS

4 Road Concerns

Commissioner Rohde commented that with the small rains and the grading the roads look good. Commissioner Love asked about the tire grant. Mr. Kellogg informed that there was approximately 75 to 80 ton and a farmer came asking for scrap tires for a silage pit tarp.

Vice-Chair Rohde called for Agenda Item #3 Miscellaneous: b. Board to discuss and take action on a hiring freeze.
Commissioner Rohde informed that he believes this should be something that is temporary until the budget is set and approved and a date should be put on it and it can always be extend should the need be. Joan Spencer informed that August 20, 2012 is the deadline to have the budget done. It was noted in discussion that the hiring freeze is necessary because of the budget situation and the budget shortfall. Mr. Kern approached the Board and stated that before the Board votes on the hiring freeze he wanted to note that there would be a safety issue in the jail and he stated he is already 5 people short and he offered to give up 1 position, and right now people are already working overtime and he is going to burnout his people. Commissioner Love inquired as to whether the motion could exclude the jail and sheriff's department for safety reasons. Commissioner Rohde commented that he felt the Commissioner's could do what was necessary. Commissioner Gomez stated he understood Mr. Kern's concerns. Mr. Kern stated that with 4 employees he could stay at a level where they were in a safe zone and he could maintain that ration and giving up that one is giving the County $50,000 per year and stated that he has to stay at a certain staffing level to avoid issues with Jail Standards. Commissioner Rohde stated that he know Sherriff Kleinberg knew this issue was on the agenda and if he had an issue he would have been here so if the motion just wants to include the jail that would be good.

Commissioner Gomez moved, seconded by Commissioner McNear to enforce a hiring freeze for the County effective August 6, 2012 through October 1, 2012 with the exception of the Dakota County Jail Department. ROLL CALL VOTE: Rohde – Yea, Love – Yea, McNear – Yea and Gomez – Yea. UNANIMOUS MOTION CARRIED. Bousquet – Absent.

Vice-Chair Rohde called for Agenda Item #4 Commissioner Committee Reports.
Commissioner Gomes reported that Planning and Zoning will be meeting on August 7th. Commissioner McNear announced a tire collection in West Point, NE on August 25th. Commissioner Love informed that the Budget committee met Monday, July 30th and went over the spreadsheet to see where we are sitting at money wise. This week budget meetings were scheduled with the officials to see where budget cuts can be made and then another budget meeting will be scheduled. Commissioner Love also advised that the budget is at a huge deficit and not a good situation.

Vice-Chair Rohde called for Agenda Item #5 Mail and/or Emergency Business. There was none.

Vice-Chair Rohde called for Agenda Item #6 Public Comment.

Dennis Reinert commented on the Road Report and was wondering where A2 was at and was informed there is not an A2.

County Attorney, Kim Watson, joined the meeting.

Vice-Chair Rohde called for Agenda Item #3 Miscellaneous: c. Closed Session to conduct Union contract negotiations with the Dakota County Correctional Officers.

Commissioner Love moved, seconded by Commissioner McNear to convene into Closed Session to conduct Union contract negotiations with the Dakota County Correctional Officers. ROLL CALL VOTE: Love – Yea, McNear – Yea, Gomez – Yea and Rohde – Yea at 4:26 p.m. UNANIMOUS MOTION CARRIED. Bousquet – Absent.

Commissioner Love moved, seconded by Commissioner Gomez to convene into Regular Session coming out of Closed Session from discussing Union contract negotiations with the Dakota County Correctional Officers. ROLL CALL VOTE: Love – Yea, McNear – Yea, Gomez – Yea and Rohde – Yea at 5:36 p.m. UNANIMOUS MOTION CARRIED. Bousquet – Absent.

Scott Japp, NRD Director, updated the Board on the Hubbard Damn which should be completed in about one year and after that will be the park around it. Somewhere down the road there will be maintenance issues and the NRD should be responsible for the maintenance. The plan was for the NRD to build it and have the Game and Parks take over the maintenance of the park, but due to budget restraints that may not happen. Further discussion was had regarding parks and budgets.

Vice-Chair Rohde adjourned the meeting of August 6, 2012 at 5:45 p.m.

County Board of Commissioners

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William (Bill) Rohde, Vice-Chair Date Chair signed

_____

Cherie A. Conley, Deputy County Clerk/Secretary Date

DAKOTA COUNTY SEAL NEBRASKA

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, August 20, 2012
Dakota County Courthouse
County Board Meeting Room – Basement
Dakota City, NE 68731

Chair Bousquet called their regular scheduled meeting to order at 4:02 p.m. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Bousquet, Love, Rohde, McNear and Gomez, and Cherie Conley, Deputy County Clerk and Secretary. Absent were none. Also present were Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – Excused Absence

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

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

55. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
    a. Approval of the previous minutes – August 6, 2012
    b. Approval of payroll claims
    c. Approval of accounts payable claims
    d. Officials Reports
    e. Approve Chair to sign Nebraska 2012 Storm Water Management Plan Program Grant Application for $8,763 grant funding.
    f. Approve Chair to sign Baylor Evnen law firm Terms of Engagement with respect to the interpretation of state statutes and related matters arising out of the decision of Dakota County to reassume the assessment function.
56. NEW BUSINESS
    a. 4:05 p.m. PUBLIC HEARING for the purpose of hearing public comments regarding the Board to approve Preliminary Plat of subdivision Rottunda Place Phase 3 (Lots 1 – 13). Subdivision plat has been found to comply with the Subdivision Zoning Regulations Resolution, Dakota County, Nebraska, with the exception of such variances, if any, as are noted in the minutes of the Board of County Commissioners. County to accept and maintain all streets of the subdivision and approve utilities and other public areas as indicated on said Plat, and that it has been approved for recording in the office of the County Register of Deeds.
    b. Board to take action to approve or disapprove the Rottunda Place Preliminary Plat
    c. 4:06 p.m. PUBLIC HEARING for the purpose of hearing public comments regarding the Board to approve Final Plat of subdivision Rottunda Place Phase 3 (Lots 1 – 13). Subdivision plat has been found to comply with the Subdivision Zoning Regulations Resolution, Dakota County, Nebraska, with the exception of such variances, if any, as are noted in the minutes of the Board of County Commissioners. County to accept and maintain all streets of the subdivision and approve utilities and other public areas as indicated on said Plat, and that it has been approved for recording in the office of the County Register of Deeds.
    d. Board to take action to approve or disapprove the Rottunda Place Final Plat
57. MISCELLANEOUS
    a. Road Report – Fred Kellogg, Highway Superintendent
    b. Board to discuss and take action on whether or not to extend the Correctional Officers' Union Contract.
    c. Closed Session to discuss Road Department union contract negotiations.
    d. Closed Session to discuss Sheriff Department union contract negotiations.
    e. Closed Session to discuss Correctional Officers' union contract negotiations.
58. COMMISSIONER COMMITTEE REPORTS
59. MAIL AND/OR EMERGENCY BUSINESS
60. PUBLIC COMMENT

ADJOURNMENT

Chair Bousquet called for Agenda Item #1 Consent Agenda.

a. Approval of the previous minutes – August 6, 2012
b. Approval of payroll claims
c. Approval of accounts payable claims
d. Officials Reports
e. Approve Chair to sign Nebraska 2012 Storm Water Management Plan Program Grant Application for $8,763 grant funding.
f. Approve Chair to sign Baylor Evnen law firm Terms of Engagement with respect to the interpretation of state statutes and related matters arising out of the decision of Dakota County to reassume the assessment function.

Chair Bousquet informed the Board that he had gone through the Payroll Claims and would like to pull a timesheet from the Sheriff's Department claims to be acted on separately as there is currently a wage freeze in place and there has been an increase request submitted. Commissioner Love asked if the memo didn't get sent out about the wage freeze and asked when the wage increase is dated. Chair Bousquet stated it is dated August 5, 2012 with an effective date of August 5, 2012 which is a Sunday. Commissioner Bousquet commented that business should not be conducted on Sunday it needs to be conducted on a working day Monday through Friday. Commissioner Love commented that it is ironic that it was on the agenda for Monday and things happen over the weekend.

Chair Bousquet informed the Board that he went through the Accounts Payable claims and something he'd like to bring to everyone's attention is that there are claims submitted for mileage and the County does have a "pool" car that is available to anyone who is taking deposits or something to the bank. The Treasurer is taking deposits to the bank and has turned in a claim for $133.20 and he feels the "pool" car should be used or Sheriff Kleinberg has said that he would take the Treasurer to make the deposits if the "pool" car wasn't available. Commissioner Love stated that the "pool" car is there to conduct County business and should be used. Commissioner Bousquet reminded everyone to be mindful of what the budget looks like and where we need to go from here.

Chair Bousquet advised that he had received a salary increase as Chair and he has decided to turn that back to the County. He also suggested that a freeze be placed on the Commissioner's wages and any increases in January and noted that these items would be placed on the agenda for action.

Chair Bousquet informed the Board that there were some scrap tire clean-up claims in Accounts Payable and he thought they should be moved to Payroll and DEQ will reimburse. Joan Spencer corrected the Chair and stated that the DEQ ruled they were a contract worker for DEQ and that DEQ set the wage and hours and are contract workers under the grant and are ok to pay through Accounts Payable.

Commissioner Rohde moved, seconded by Commissioner Gomez to approve the Consent Agenda items as follows minus the one Payroll Claim:

a. Approval of the previous minutes – August 6, 2012

b. Approval of payroll claims

COUNTY GENERAL FUND: Gross salaries- $128,046.65, General Fund Employees Net Pay- $91,999.28, Employer deductions paid: Retirement- $8,918.63, FICA- $7,679.75, Medicare- $1,796.09, DC Health Plan- $21,250.00, DC Dental Plan- $944.82 and Life Insurance- $180.81, COBRA- $1,187.18.

Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1448.26, Daniel Christoffers- 481.60, Cherie Conley- 1230.77, Theodore Piepho- 1800.68, Mary C. Wiltgen- 826.72, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jalissa Hattig – 880.00, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $880.00, Christy Abts- $1240.38, Jeffrey Curry- $1360.00, Rita Deichert- $960.00, Richard Erickson- $1800.68, David Hauf- $1416.80, Daniel Christoffers- $602.00, Arnold Mellick- 228.32, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 179.52, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 963.20, Dannie Caskey- 1383.48, Sergio Castillo- 1653.36, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 1755.56, Brent Gilster- 1693.60, Todd Hammer- 1743.12, Richard Hansen- 1162.20, Melvin Harrison III- 1723.76, Jason James- 1746.53, Douglas Johnson- 1960.96, Kimberly Johnson- 331.76, Jared Junge- 1733.60, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1735.94, Michael Kreegar- 1705.60, Gayle Richards- 941.60, Kevin Rohde- 1705.60, Randall Walsh- 1903.85, Bridget Fiedler- 984.00, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Melinda Wicks- 1576.92, Cara Wood- 1267.13, Jacob Acero- 1491.37, Ermelinda Ballesteros- 1390.95, Mason Billings- 1256.00, Joshua Blatchford- 1428.89, Rebecca Broer- 1956.24, Elisabet DeRoin- 1428.20, Sandy Dickens- 889.68, Jesse Doelle- 1079.06, Marjorie Donahue- 1671.36, Lisa Ford- 1353.37, Ryan Foster- 1370.33, Linda Frost- 882.40, Alma Gunderson- 1344.80, Deanna Haukap- 1336.12, Jeffrey Heitzman- 1590.00, Adam Hough- 1320.80, Michael Jacobson- 1280.00, Brett Johnson- 1695.16, Brenda Kelly- 1445.84, Terry Kern- 2030.29, Mark Nelson- 1476.66, Travis Olander- 1500.37, Kimberly Peterson- 1320.80, Cody Roeber- 1568.00, Jutharatana Ruenprom- 1353.82, Linda Schovanec- 1396.80, Jennifer Svendsen- 1506.63, Francis Tope- 1332.80, Jewel Williams- 1341.26, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 775.45, Linda Weitzel- 1219.84, Willard Johnston- 1250.00.

GENERAL FUND: Employee withholding paid to: Federal- $12,460.76, State- $4,313.54, FICA- $5,202.43, Medicare- $1,796.09, Retirement- $6,037.57, Health Plan- $1,400.00, DC Dental Plan- $609.00, Colonial Health- $696.95, Sheriff Union Dues- $430.00, Colonial Life/Disability- $302.48, Deferred Comp- $352.00, Garnishments- $972.93, Flex Plan Medical- $856.49, Flex Plan Dependant Care- $287.50, COBRA- $329.63.

COUNTY ROAD PAYROLL: Gross salaries- $17,134.95, Road Employees Net Pay- $12,324.28, Employer deductions paid: Retirement- $1,156.59, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $25.32, FICA- $1,019.37, and Medicare- $238.40.

Matthew Bartels- 2363.79, Brent Byroad- 1398.40, Robert Hacker- 1318.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Nicholas Long- 400.00, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40, Matthew Roost- 1314.40.

ROAD FUND: Employee withholding paid to: Federal- $1,592.72, State- $566.65, FICA- $690.54, Medicare- $238.40, Retirement- $771.09, Health Plan- $350.00, DC Dental Plan- $84.00, Reassure America Life- $4.88, Colonial Life Health- $154.48, Colonial Life/Disability- $11.23, Deferred Comp.- $61.68, Flex Plan Medical- $105.00 and Union Dues- $180.00.

c. Approval of accounts payable claims

GENERAL FUND: Dakota County Star, publishing- 389.32; Amsterdam Printing, employee folders- 72.60; Arthur J. Gallagher, notary bond- 40.00; Dakota County Star, publishing- 14.40; Des Moines Stamp, stamp- 28.80; Midwest Office Automation, contract- 511.00; Perkins, supplies- 64.70; Secretary

of State, notary fee- 30.00; US Bank, web renew- 53.94; Charlotte Doenhoeffer, prior yrs- 10.00; Robert Giese, mileage- 133.20; Ruth Jensen, prior yrs- 12.00; Mardell Sorenson, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; AS Central Service, services- 192.00; Dakota County Star, publishing- 73.03; Net Sys Plus, compute repair- 80.00; Debera Benton, mileage- 11.10; IA Office Supply, supplies- 28.68; Microfilm Imaging, rental- 240.00; Margie Rahn, prior yrs- 12.00; Marian Richards, contract labor- 160.00; David Hauf, mileage- 266.96; Madelyn Thorsland, prior yrs- 10.00; NACO, workshop- 150.00; Perkins, supplies- 52.10; Dakota County Star, publishing- 112.20; Office Elements, labels- 98.97; Theodore Piepho, phone- 30.00; Dakota County Star, publishing- 8.23; Arnie Mellick, phone- 30.00; Executive Technologies, contract- 215.72; MIPS, scanning- 87.00; US Bank, court calendar- 28.99; AS Central Services, supplies- 173.25; Dakota County Court, check order- 110.25; Paula Jensen, reimburse- 26.19; Marlin Business Bank, contract- 100.00; Microfilm Imaging Systems, scanning- 190.50; Midwest Office Automation, contract- 646.97; Office Systems Co, contract- 464.00; Star Printing, stationary- 210.00; Cindy Foley, postage/supplies- 28.24; US Bank, supplies- 406.79; Dakota County Jail, phone cards- 50.00; M&M Court Reporting, deposition- 74.50; NCDAA, dues- 125.00; Perkins, supplies- 33.76; Thomson West, service- 753.77; Clerk of the Supreme Court, appeal- 125.00; Dakota County Court, costs- 2127.50; District Court, costs- 550.00; Executive Technologies, ink- 60.00; Randy Hisey, court appointed counsel- 4270.50; Kueny & Begley, court appointed counsel- 1188.00; Ian McConeghey Corbett, 3465.86; Stuart Mills, court appointed counsel- 1995.00; Douglas Roehrich, court appointed counsel- 702.00; Security Shredding, service- 35.00; Richard Thramer, court appointed counsel- 1692.42; Patrick Tott, court appointed counsel- 2688.00; Dakota County Sheriff, papers/warrants- 611.04; Ateam Heating & Cooling, ac repair- 92.00; Bomgaars, repair/supplies- 505.51; Bunkers Feed I& Supply, salt- 66.07; Gill Hauling, service- 125.00; Janitor Depot, supplies- 545.84; Joes Dept Store, repair/supplies- 38.95; Menards, supplies- 821.13; Midamerican Energy, utilities- 1045.00; Nebraska Public Power Dist, utilities- 3470.82; Richard Jensen, mileage- 131.90; Sams Club, supplies- 185.15; Trembly Pest Control, service- 55.00; US Bank, supplies- 229.91; Verizon, phone- 53.60; UNL Extension, reimburse- 1767.10; PMNRD, rent- 833.33; Arthur J Gallagher Risk Management, notary bond- 50.00; Ameritas Investment Corp, lease payment- 11527.23; Bank of Dixon, lease payment- 13780.37; Kerry Bligh, animal control- 50.00; City of South Sioux City, fuel- 5510.32; Dakota County Sheriff, notary fee- 30.00; Dakota County Star, publishing- 108.04; JP Cooke Co, stamps- 31.89; Jacks Uniforms, supplies- 288.35; Joes Dept Store, supplies- 12.20; Knoepfler Chevrolet, parts- 452.53; O'Reilly Automotive, supplies/parts- 1081.23; Sioux City Ford, fan- 106.80; Siouxland Federal Credit Union, printer/oil/supplies- 191.02; US Bank, supplies/radio/fuel/repair- 377.48; Verizon, phone- 160.04; Dakota County Treasurer, notary bond- 93.65; H2O4U, service- 10.00; Iowa Office Supply, contract- 132.73; Marcia Mahon, deposition- 14.50; Peter Parry, phone- 20.00; Sioux Falls Shopping, publishing- 50.00; US Bank, photos- 8.54; Verizon, phone- 135.58; City of South Sioux City, lec cost share- 32258.71; BI Inc, electric monitoring- 516.00; Verizon, phone- 89.58; Aramark, service- 105.58; AS Central Service, services- 18.00; Bob Barker, supplies- 530.94; CBM Food Service, meals- 22000.54; CW Suter, repair/motor- 579.96; CashWa Distributing, meals- 231.87; City of South Sioux City, fuel- 661.25; Dakota Family Dentistry, medical- 561.00; Dakota One Leasing, contract- 220.00; Dept of Correction Services, safekeepers/medical- 4310.39; Gill Hauling, service- 125.00; Graham Tire, tires- 646.56; Jacks Uniforms, cuffs- 197.90; Janitor Depot, supplies- 1853.86; Jims Home Health Supplies, unit- 75.00; MHC Anesthesia, medical- 450.00; Mercy Business Health, medical- 1725.00; Mercy Medical Center, medical- 11934.00; Mercy Medical Services, medical- 1574.00; Midamerican Energy, utilities- 421.55; Midwest Office Automation, contract copies- 155.80; Nebraska Public Power District, utilities- 5717.87; Net Sys Plus, computer work- 280.00; NW Iowa Emergency Phys, medical- 1726.00; NW IA Yes Center, boarding- 7431.00; Overhead Door Company, repair- 125.50; St Lukes Medical Center, medical- 2014.73; Sams Club, supplies- 305.49; Siouxland Radiology Partners, medical- 110.00; Trembly Pest Control, service- 50.00; Tristate Communications, microphones- 361.88; US Bank, prescriptions/supplies/parts/meal/ fuel - 4216.58; Verizon, phone- 224.56; Woodbury County Juvenile Det, boarding- 12100.00; Dakota Business Systems, copier rental- 102.00; Midwest Office Automation, contract- 38.80; Staples, supplies- 14.26; Verizon, phone- 86.44; Heritage Express, fuel- 79.00; Hubbard Minimart, fuel- 266.00; Leon Pies, workshop/phone- 40.00; Pam Devries, mileage- 29.42; Pat Glover, clinic hours- 200.00; Sanofi Pasteur, antigen- 126.78; Smilemakers, stickers- 204.52; Linda Weitzel, mileage- 84.92; Dr Thomas Wente, physician fee- 250.00; Bill Johnston, mileage/cell- 189.84; Perkins, supplies- 23.95; Baylor Evnen Curtiss, legal work- 500.00; Cableone, internet- 169.96; Claritus, cartridge- 149.45; Cherie Conley, ymca membership- 39.00; Dakota County Star, publishing- 14.40; Fibercomm, phone- 763.51; FSH Communication, payphone- 63.60; Helvig Agricultural, referee- 862.50; Mailfinance, lease payment- 227.00; Mercy Business Health, testing/agreement- 1390.75; MIPS, support- 514.54; Net Sys Plus, computer work/processors/project- 13838.98; Norm Waitt YMCA, memberships- 409.50; Shanes Towing, towing- 100.00; SIMPCO, dues- 3565.00; Sioux Air, spray backwaters- 1520.00; Three Rivers Benefit, admin fees- 130.00; Todd Realty, referee- 1050.00; USPS Hasler, postage- 2500.00; Randy Walsh, ymca membership- 39.00; CEDE Inc, bond- 3250.00; Road Fund, budget transfer- 85000.00; Road Improvement Fund, budget transfer- 50000.00; Miller & Associates, study- 1600.00; US Bank, ribbons/ink- 418.51;

ROAD FUND: Aramark, service- 223.22; ATCO, supplies- 281.90; AZ Inc, fuel- 1753.23; Bank of Dixon, pickup payment- 4593.46; Matt Bartels, phone/cleanup- 118.00; Champlin Tire Recycling, tire cleanup- 6426.30; Dakota County Star, publishing- 244.80; Gill Construction, concrete- 9826.75; Gill Hauling, service- 55.00; Grossenburg Implement, tractor- 900.00; Jolene Gubbels, tire cleanup- 176.00; Samuel Gubbels, tire cleanup- 176.00; Walter Heinemann, prior yrs- 29.00; HME Inc, repair- 10.00; Hubbard Minimart, fuel- 2414.64; H2O4U, service- 30.00; J&J Pronto, fuel- 124.63; Joes Dept Store, supplies- 165.40; Kinetic Leasing, loader payment/interest- 2458.00; Lamp Construction, repair- 3175.00; LG Everist, gravel- 2460.50; Marx Distribution, dust control- 690.00; Matheson Linweld, oxy- 57.60; Arnie Mellick, inspections- 1862.00; Marlan Millard, prior yrs- 15.00; Nebraska Public Power District, service- 32.42; NE Nebraska Public Power Dist, utilities- 246.75; NE Nebraska Telephone, phone- 206.52; O'Reilly Auto Parts, supplies- 59.94; Peterson Sand & Gravel, gravel- 52030.50; Leon Pies, tire cleanup- 176.00; Pomps, tires- 293.00; Rees Mack Sales, parts- 549.21; Sams Club, supplies- 8.88;

Sapp Bros Petro, oil- 2136.75; Siouxland Hydraulic, parts- 35.56; Straight-Line Striping, markings- 11632.80; Thermo King, supplies- 206.38; Titan Access, parts- 9.96; US Bank, supplies- 159.25; UECO, pipe- 169.00; Verizon, phone- 33.93; Warren Oil, diesel- 4917.00; Warren Oil, diesel- 5824.50; Cindy Weyh, tire cleanup- 88.00; Ziegler, blades/supplies- 6338.50;
HARD SURFACE: Olsson Associates, engineering- 49730.36;
ROAD IMPROVEMENT: Knife River, asphalt- 38635.70; LG Everist, oakdale- 910.78; Miller & Associates, culvert- 1800.00;
VETERANS AID: County Veterans Office, checking- 4500.00;
HEALTH PLANNING GRANT: Deanna Beckman, hours- 1224.00; Dakota County general Fund, salary- 5446.12; Pam Devries, mileage- 14.43; Midwest Office Automation, contract- 133.80; US Bank, tent/bandages/bags- 898.30;
INHERITANCE TAX: Wayne State Foundation, contribution- 10000.00;
PUBLIC SAFETY: City of South Sioux City, sales tax- 2948.54; Jail Bond Fund, sales tax- 28054.54; Road Fund, sales tax- 877.08;

d. Officials Reports: Dakota County Clerk report for July 2012, Register of Deeds report for July 2012 and Clerk of District Court's report for July 2012 as submitted by each office.
e. Approve chair to sign Nebraska 2012 Storm Water Management Plan Program Grant Application for $8,763 grant funding.

NEBRASKA STORM WATER MANAGEMENT PLAN PROGRAM

GRANT APPLICATION

From the Dakota County (Sponsor)
Regarding Implementation of the
Storm Water Management Plan for Permit NE0134007

Submittal of this application constitutes a request for grant funding from the Storm Water Management Plan Program. Requirements of this grant are as follows:

- The Sponsor must provide at least a 20% cash match for any funds received.
- This cash match and the grant award must be kept together in an account separate from any other funds.
- These funds must be used only for implementation of the NPDES Municipal Separate Storm Sewer permit **#NE0134007.**
- These funds may not be used for normal operations and maintenance or flood control.
- The project duration must not go beyond June 30, 2014.
- The Sponsor must provide an annual report, for each grant, due at the end of each state fiscal year.

To request these forms electronically, call or e-mail Mary Schroer at 402-471-6988 or mary.schroer@nebraska.gov

PROJECT MANAGER INFORMATION – PLEASE PRINT OR TYPE

PROJECT MANAGER NAME	TITLE
Joan Spencer	Administrative Assistant
STREET ADDRESS	**E-MAIL ADDRESS**
1601 Broadway	jspencer@dakotacountyne.org
CITY / STATE / ZIP CODE	**PHONE NUMBER**
Dakota City, NE 68731	(402) 987-2130
MAXIMUM AWARD AMOUNT REQUESTED	**PROJECT END DATE**
$100,000	6-30-2014
COGNIZANT OFFICIAL SIGNATURE	**DATE**
Jack Bongard	8-20-12

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f. Approve Chair to sign Baylor Evnen law firm Terms of Engagement with respect to the interpretation of state statutes and related matters arising out of the decision of Dakota County to reassume the assessment function.

BAYLOR EVNEN
BAYLOR, EVNEN, CURTISS, GRIMIT & WITT, LLP

RANDALL L. GOYETTE* · STEPHEN S. GEALY · GAIL S. PERRY · DALLAS D. JONES · JILL GRADWOHL SCHROEDER · DAVID A. DUDLEY · BRENDA S. SPILKER · W. SCOTT DAVIS · MARK A. HUNZEKER · WILLIAM G. BLAKE

PETER W. KATT · CHRISTOPHER M. FERDICO · DARLA S. IDEUS · JARROD S. BOTTNOTT · TIMOTHY E. CLARKE* · ANDREW M. LOUDON · CHRISTINA L. BALL** · JENNY L. PANKO · CAROLINE M. WESTERHOLD*

JARROD P. CROUSE · ANDREA D. SNOWDEN · DEREK C. ZIMMERMAN · PAUL T. BARTA* · COLIN A. MUES* · TORREY L. JANIS GERDES · CHRISTOPHER M. REID

OF COUNSEL
WALTER E. ZINK II · DONALD R. WITT · ROBERT T. GRIMIT · J. ARTHUR CURTISS

ALSO ADMITTED IN:
*IOWA
**KANSAS

August 7, 2012

Dakota County Board of Commissioners
c/o Rick Bousquet, Dakota County Board Chair
PO Box 338
Dakota City, NE 68731

Joan Spencer
Dakota County Board Administrative Assistant
jspencer@dakotacountyne.org

Dear Dakota County Commissioners:

Thank you for choosing the Baylor Evnen law firm as your legal counsel with respect to the interpretation of state statutes and related matters arising out of the decision of Dakota County to reassume the assessment function. We appreciate your confidence in our Firm.

We have found it helpful for both our clients and our Firm to confirm, at the outset, our agreement concerning our engagement. Accordingly, we submit this letter for your approval. If you agree with these terms, please sign the enclosed copy in the space provided and return it to us. If you have any questions about the provisions, or if you would like to discuss possible modifications, do not hesitate to call.

Client and Scope of Representation

Our client will be the Dakota County Board of Commissioners and your County Assessor. In the event other counties wish to participate in the engagement, we will confirm such participation at that time.

The undersigned will be principally in charge of our services, assisted by partners or associates as needed. If you wish, we will discuss with you any substantial changes in staffing which may become necessary or which you may desire.

Term of Engagement

Our representation will terminate in the ordinary course upon completion of our work on the engagement described above, unless you ask us to perform further services and we agree to do so. However, either of us may terminate the engagement earlier for any reason by written notice, subject on

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our part to applicable rules of professional conduct including our obligation to take such steps as may be reasonably practicable to protect your interests in the matter for which we were engaged.

Following termination of our representation, if you wish to have any documents delivered to you, please advise us. We will maintain our files in accordance with the terms of our records retention program, which provides for destruction of files at designated periods, typically after three years.

Our engagement is for a specific matter. After completion of the engagement, changes may occur in applicable laws or regulations that could have an impact upon your future rights and liabilities. Unless you specifically engage us to provide additional services concerning such future occurrences, we have no obligation to advise you with respect to future legal developments.

Fees and Expenses

The starting point in establishing our fee for professional services is the hourly time rate for each of our lawyers and other timekeeping personnel. The rates for the individuals expected to work on this engagement are currently $225 for the undersigned and all other partners. Associates are billed at $185 per hour. Changes for our legal assistants and clerks range from $50 to $100 per hour depending on the assigned task. For this engagement my hourly rate will be at the $225 rate.

When preparing our statements for services, we review the time expended. In special circumstances, we may also take into account important factors in performing our services (such as special time limitations), the amounts involved in the matter, unusual results obtained, the level of skill or expertise required, the efficiency with which the services were performed, and other relevant factors as provided by the Nebraska Rules for Professional Conduct.

Our statements will also include out-of-pocket expenses and client support charges incurred on your behalf. These charges include expenses of others (such as experts, consultants, court reporters and other service providers) which we advance on your behalf.

We expect to bill monthly. Our statements are due and payable upon receipt.

Conflicts

During the course of our representation of you, other individuals and entities are likely to ask us to represent them, and current clients will ask us to represent them in new matters. Many of these clients rely upon us for general representation. Although we hope it never happens, it is possible that an adverse relationship (including, possibly, litigation) may develop in the future between you and one of these other clients. We would not undertake to represent another client adverse to you in a matter substantially related to a matter in which we have represented you. Nor would we represent another client adverse to you in a matter in which proprietary or other confidential information of a nonpublic nature which we have obtained from you, could, if known to the other client, be used by the other client in that matter to your material disadvantage. Otherwise, however, you agree that we may represent other clients in unrelated matters directly adverse to you, even though such a representation involves a conflict of interest.

We appreciate the opportunity to work with you. If you have any questions or comments during the course of our representation, please call me. I am enclosing a statement of legal services. There is no charge for the initial meeting, and that time has been discounted as a professional courtesy. There is a balance of $500.00 on the enclosed statement. Since March, our firm has incurred time of approximately $1,500.00, which will be billed shortly. By separate letter, I have outlined several strategies for you to consider and an estimate of cost.

Very truly yours,

W. Scott Davis
For the firm

Agreed to and accepted:

By: _____
Rick Bousquet, Dakota County Board Chair

ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for discussion on the Richard Hansen payroll claim. Commissioner Love stated he believes it is fair until after October.

Commissioner Love moved, seconded by Commissioner McNear to keep Richard Hansen at his current rate of pay with no increase at this time. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business:

a. 4:05 p.m. PUBLIC HEARING for the purpose of hearing public comment regarding the Board to approve Preliminary Plat of Subdivision Rottunda Place Phase 3 (Lots 1 – 13). Subdivision plat has been found to comply with the Subdivision Zoning Regulations Resolution, Dakota County, Nebraska, with the exception of such variances, if any, as are noted in the minutes of the Board of County Commissioners. County to accept and maintain all streets of the subdivision and

approve utilities and other public areas as indicated on said Plat, and that it has been approved for recording in the office of the County Register of Deeds.

Chair Bousquet opened the Public Hearing at 4:13 p.m. for approval of the Preliminary Plat of Subdivision Rottunda Place Phase 3 (Lots 1-13). Arnie Mellick informed the Board that the Planning and Zoning Committee held a Public Hearing to approve the Preliminary Plat of this subdivision and then forwarded on to the Commissioner's for approval. Mr. Mellick confirmed that all minimum requirements for road standards have been met.

Chair Bousquet asked if there was anyone in favor of and there were no comments.
Chair Bousquet asked if there was anyone against and there were no comments.
Chair Bousquet asked if there were any neutral comments and there were none.
Chair Bousquet closed the public hearing at 4:15 p.m.

Chair Bousquet called for the Agenda Item #2 New Business:

b. Board to take action to approve or disapprove the Rottunda Place Preliminary Plat.

Commissioner Rohde moved, seconded by Commissioner Love to approve the Preliminary Plat of Subdivision Rottunda Place Phase 3 (Lots 1-13) as submitted. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business:

c. 4:06 p.m. PUBLIC HEARING for the purpose of hearing public comments regarding the Board to approve Final Plat of Subdivision Rottunda Place Phase 3 (Lots 1 – 13). Subdivision plat has been found to comply with the Subdivision Zoning Regulations Resolution, Dakota County, Nebraska, with the exception of such variances, if any, as are noted in the minutes of the Board of County Commissioners. County to accept and maintain all streets of the subdivision and approve utilities and other public areas as indicated on said Plat, and that it has been approved for recording in the office of the County Register of Deeds.

Chair Bousquet opened the Public Hearing at 4:16 p.m. for approval of the Final Plat of Subdivision Rottunda Place Phase 3 (Lots 1-13). Arnie Mellick informed the Board that the Planning and Zoning Committee held a Public Hearing to approve the Final Plat of this subdivision and then forwarded on to the Commissioner's for approval. Mr. Mellick confirmed that all minimum requirements for road standards have been met.

Chair Bousquet asked if there was anyone in opposition and there were no comments.
Chair Bousquet asked if there was anyone against and there were no comments.
Chair Bousquet asked if there were any neutral comments and there were none.
Chair Bousquet closed the public hearing at 4:17 p.m.

Chair Bousquet called for the Agenda Item #2 New Business:

d. Board to take action to approve or disapprove the Rottunda Place Final Plat

Commissioner Rohde moved, seconded by Commissioner Gomez to approve the Final Plat of Subdivision Rottunda Place Phase 3 (Lots 1-13) as submitted. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous:

a. Road Report – Fred Kellogg, Highway Superintendent

Mr. Kellogg was not present but had given a copy of the Road Report to each Board Member for review.

DAKOTA COUNTY ROAD DEPARTMENT BIWEEKLY REPORT: August 5, 2012 to August 18, 2012

TOTAL ROAD MAINTENANCE: 316 HOURS
DISTRICT TOTALS:

A1= 57 A3=36.5 A4= 43 A5= 44 A6= 32.5 A7= 40 A8 = 63

OVERTIME HOURS:	0	HOURS	
MOWING:	1	HOURS	
TREE CUTTING	12	HOURS	
DITCH CLEANING	0	HOURS	
BRIDGES:	0	HOURS	
MAGNET:	34	HOURS	
GRAVEL HAULING:	127.5	HOURS	
TONS OF GRAVEL HAULED:	125.38	TONS	CLASS A
	2128	TONS	PETERSON
	2253.38	TOTAL TONS OF GRAVEL	
SPRAYING ROAD EDGES BY A6:	8.5	HOURS	
M AVENUE PROJECT:	85.5	HOURS	
BLACKTOPPING HOURS:	0	HOURS	
BLACKTOPPING TONAGE:	0	TONS	
ATODAK OVERLAY COMPLETED:	$46,626.30		

3 Road Concerns

Chair Bousquet called for Agenda Item #3 Miscellaneous:

b. Board to discuss and take action on whether or not to extend the Correctional Officers' Union Contract.

Linda Schovanec appeared before the Board on behalf of the Correctional Officers and asked that the Board extend the contract until negotiations are over. Chair Bousquet asked what the Board wanted to do. Commissioner Love asked for clarification. Chair Bousquet stated they want their old contract which expired on July 31st extended. Commissioner Gomez asked extended for how long and

Commissioner Bousquet informed until the Union negotiations are done and also informed that the Board does not have to extend the contract, but if we extend this one all other contracts will expect to be extended.

Commissioner Rohde moved, seconded by Commissioner McNear to approve the extension of the old Correctional Officers' Union Contract until the new contract is finalized. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous:

c. Closed Session to discuss Road Department Union Contract negotiations.

Commissioner Love moved, seconded by Commissioner McNear to convene into Closed Session to discuss the Road Department Union Contract negotiations. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet – Yea at 4:22 p.m. UNANIMOUS MOTION CARRIED.

Commissioner Gomez moved, seconded by Commissioner McNear to reconvene into Regular Session from the Closed Session discussing the Road Department Union Contract. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea at 4:28 p.m. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous:

d. Closed Session to discuss Sheriff Department Union Contract negotiations.

Commissioner Rohde moved, seconded by Commissioner Gomez to convene into Closed Session to discuss the Sheriff Department Union Contract negotiations. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea at 4:29 p.m. UNANIMOUS MOTION CARRIED.

Commissioner Gomez moved, seconded by Commissioner Love to reconvene into Regular Session from the Closed Session discussing the Sheriff Department Union Contract. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea at 4:53 p.m. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous:

e. Closed Session to discuss Correctional Officers' Union Contract negotiations.

Commissioner Gomez moved, seconded by Commissioner McNear to convene into Closed Session to discuss the Correctional Officers' Union Contract negotiations. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea at 4:53 p.m. UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner Love to reconvene into Regular Session from the Closed Session discussing the Correctional Officers' Union Contract. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet – Yea at 6:00 p.m. UNANIMOUS MOTION CARRIED

Chair Bousquet called for Agenda Item #4 Commissioner Committee Reports.
Commissioner Rohde commented on the budget committee meetings.

Chair Bousquet called for Agenda Item #5 Mail and/or Emergency Business. There was none.

Chair Bousquet called for Agenda Item #6 Public Comment. There was none.

Chair Bousquet adjourned the meeting of August 20, 2012 at 6:02 p.m.

County Board of Commissioners

_____
Rick Bousquet, Chair Date Chair signed

_____
Cherie Conley, Deputy County Clerk/Secretary Date

DAKOTA COUNTY SEAL NEBRASKA

_____
Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, August 27, 2012
Dakota County Courthouse
County Board Meeting Room – Basement
Dakota City, NE 68731

Chair Bousquet called their regular scheduled meeting to order at 9:00 a.m. by reciting the Pledge of Allegiance. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Love, Rohde, McNear and Bousquet, and Cherie Conley, Deputy County Clerk and Secretary. Absent was Commissioner Gomez. Also present were Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – Excused Absence

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

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

61. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
    a. Approval of the previous minutes – August 20, 2012
    b. Approve Resolution 12C-022 to certify approval of Final Subdivision Plat, Lots 1 – 13, Rottunda Way, Phase Three
62. NEW BUSINESS
    a. Approve Resolution 12C-023 – Ag Society preliminary levy allocation for miscellaneous subdivision.
    b. Approve Resolution 12C-024 – Homer Fire preliminary levy allocation for miscellaneous subdivision.
    c. Approve Resolution 12C-025 – MFO Fire preliminary levy allocation for miscellaneous subdivisions.
    d. Approve Resolution 12C-026 – Historical society preliminary levy allocation for miscellaneous subdivision.
    e. Randy Walsh to report to the Board regarding the total amount the Sheriff collected on current distress warrants and the amount remaining uncollected.
    f. Discuss and take action on wage freeze.
    g. Discuss and take possible action on Merit Commission.
    h. Rescind motion approved at the August 20, 2012, meeting to extend the Correctional Officers' union contract.
    i. Discuss and take possible action to extend the Correctional Officers' union contract within a set time frame.
63. MISCELLANEOUS
    a. Closed Session to discuss Road Department union contract negotiations.
    b. Closed Session to discuss Sheriff Department union contract negotiations.
    c. Closed Session to discuss Correctional Officers' union contract negotiations.
64. COMMISSIONER COMMITTEE REPORTS
65. MAIL AND/OR EMERGENCY BUSINESS
66. PUBLIC COMMENT
67. ADJOURNMENT

Commissioner Rohde moved, seconded by Commissioner McNear to excuse Commissioner Gomez from the meeting. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. Gomez – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #1 CONSENT AGENDA:
a. Approval of the previous minutes – August 20, 2012
b. Approve Resolution 12C-022 to certify approval of Final Subdivision Plat, Lots 1 – 13, Rottunda Way, Phase Three

Commissioner Love moved, seconded by Commissioner Rohde to approve Consent Agenda Item a. Approval of the previous minutes from the August 20, 2012 meeting; and b. Approval of Resolution 12C-022 Final Subdivision Plat Rottunda Way, Phase Three, Lots 1-13.

BOARD OF COMMISSIONERS
DAKOTA COUNTY
RESOLUTION 12C-022
RESOLUTION TO CERTIFY APPROVAL OF
FINAL SUBDIVISION PLAT LOTS 1 - 13
ROTTUNDA WAY, PHASE THREE

WHEREAS, the Dakota County Board of Commissioners held a public hearing on August 20, 2012, regarding the approval of the preliminary and final subdivision plats for Lots 1 – 13, Rottunda Place, Phase Three, located in South Sioux City extraterritorial jurisdiction; and

WHEREAS, said plats have been recommended for approval by the Director of the Planning Commission of Dakota County;

WHEREAS, the Board does hereby certify that the final subdivision plat was found to comply with the subdivision zoning regulations, with the exception of such variances, if any, as are noted in the minutes of the Board of County Commissioners; and

WHEREAS, the Board certifies acceptance and maintenance of all streets, utilities and other public areas as indicated on said final plat; and

BE IT THEREFORE RESOLVED, that the Dakota County Board of Commissioners approve said final plat for recording in the Office of the County Clerk.

Resolved this 27th day of August, 2012.

/s/ Rick Bousquet, Chair
Dakota County Board of Commissioners

ATTEST:
Theodore A. Piepho / Cherie Conley
County Clerk / Deputy County Clerk/Secretary

ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Bousquet – Yea and Love – Yea. Gomez – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 NEW BUSINESS:

a. Approve Resolution 12C-023 – Ag Society preliminary levy allocation for miscellaneous subdivision.

Commissioner Love moved, seconded by Commissioner McNear to approve Resolution 12C-023 – Ag Society preliminary levy allocation for miscellaneous subdivision, which allocates the Dakota County Ag. Society a levy of .006194 per one hundred of value for their General Fund Property Tax Request of $82,200 and Property Tax Allocation of $82,200 and allocates the Dakota County Ag. Society a levy of .001507 per one hundred of value for their Capital Improvement Fund Property Tax Request of $20,000 and Property Tax Allocation of $20,000.

DAKOTA COUNTY
BOARD OF COMMISSIONERS
LEVY ALLOCATION FOR MISCELLANEOUS SUBDIVISION
RESOLUTION 012C-0023

Whereas, Nebraska Revised Statute 77-3443(3) 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 subdivision as follows:

Subdivision	Property Tax Request	Property Tax Allocation	Levy*
Dakota Co Ag Society			
General	$ 82,200.00	$ 82,200.00	.006194
Capital Improvement	20,000.00	20,000.00	.001507
Total	$102,200.00	$102,200.00	.007701

*Levy Allocation is the rate per $100 valuation.

Passed and adopted this 27th day of August, 2012.

ATTEST:
/s/ Theodore A. Piepho / Cherie Conley
County Clerk / Deputy County Clerk/Secretary

/s/ Rick Bousquet
Board Chair

ROLL CALL VOTE: McNear – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. Gomez – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 NEW BUSINESS:

b. Approve Resolution 12C-024 – Homer Fire preliminary levy allocation for miscellaneous subdivision.

Commissioner Rohde moved, seconded by Commissioner Love to approve Resolution 12C-024 – Homer Fire preliminary levy allocation for miscellaneous subdivision, which allocates the Fire Protection District #1, Homer a levy of .022366 per one hundred of value for their General Fund Property Tax Request of $33,346.99 and Property Tax Allocation of $33,346.99 and allocates the Homer Fire District a levy of .002764 per one hundred of value for their Sinking Fund Property Tax Request of $4,121.54 and Property Tax Allocation of $4,121.54..

DAKOTA COUNTY
BOARD OF COMMISSIONERS
LEVY ALLOCATION FOR MISCELLANEOUS SUBDIVISION
RESOLUTION 012C-024

Whereas, Nebraska Revised Statute 77-3443(3) 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 subdivision as follows:

Subdivision	Property Tax Request	Property Tax Allocation	Levy*
Fire Protection Dist #1, Homer			
General Fund	$33,346.99	$33,346.99	.022366
Sinking Fund	4,121.54	4,121.54	.002764
TOTAL	$37,468.53	$37,468.53	.025130

*Levy Allocation is the rate per $100 valuation.

Passed and adopted this 27th day of August, 2012.

ATTEST:

/s/ Theodore A. Piepho / Cherie Conley — /s/ Rick Bousquet

County Clerk / Deputy County Clerk/Secretary — Board Chair

ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea and McNear – Yea. Gomez – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 NEW BUSINESS:

c. Approve Resolution 12C-025 – MFO Fire preliminary levy allocation for miscellaneous subdivisions.

Commissioner Love moved, seconded by Commissioner McNear to approve Resolution 12C-025 – MFO Fire preliminary levy allocation for miscellaneous subdivision, which allocates the Dakota-Covington Rural Fire Protection District a levy of .023800 per one hundred of value for their General Fund Property Tax Request of $71,968.45 and Property Tax Allocation of $77,489.25 and allocates the Dakota-Covington Rural Fire Protection District a levy of .008200 per one hundred of value for their Sinking Fund Property Tax Request of $24,633.50 and Property Tax Allocation of $26,523.17 and; BE IT FURTHER RESOLVED to allocate the Emerson Rural Fire District a levy of .032000 per one hundred of value for their General Fund Property Tax Request of $73,402.00 and Property Tax Allocation of $69,822.59.

DAKOTA COUNTY
BOARD OF COMMISSIONERS
LEVY ALLOCATION FOR MISCELLANEOUS SUBDIVISION
RESOLUTION 012C-025

Whereas, Nebraska Revised Statute 77-3443(3) 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			
General	$71,968.45	$77,489.25	.023800
Sinking	24,633.50	26,523.17	.008200
Total	$96,601.95	$104,012.42	.032000
Emerson Rural Fire			
General	$73,402.00	$69,822.59	.032000
Total	$73,402.00	$69,822.59	.032000

*Levy Allocation is the rate per $100 valuation.

Passed and adopted this 27th day of August, 2012.

ATTEST:

/s/ Theodore A. Piepho / Cherie Conley — /s/ Rick Bousquet

County Clerk / Deputy County Clerk/Secretary — Board Chair

ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea and Bousquet – Yea. Gomez – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 NEW BUSINESS:

d. Approve Resolution 12C-026 – Historical Society preliminary levy allocation for miscellaneous subdivision.

Commissioner McNear moved, seconded by Commissioner Rohde to approve Resolution 12C-026 – Historical Society preliminary levy allocation for miscellaneous subdivision, which allocates the Dakota County Historical Society a levy of .001653 per one hundred of value for their Property Tax Request of $21,935 and Property Tax Allocation of $21,935.

DAKOTA COUNTY
BOARD OF COMMISSIONERS
LEVY ALLOCATION FOR MISCELLANEOUS SUBDIVISION
RESOLUTION 012C-026

Whereas, Nebraska Revised Statute 77-3443(3) provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivision has 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 subdivision as follows:

Subdivision	Property Tax Request	Property Tax Allocation	Levy*
Dakota Co Historical Society	21,935	21,935	.001653

*Levy Allocation is the rate per $100 valuation.

Passed and adopted this 27th day of August, 2012.

ATTEST:

/s/ Theodore A. Piepho / Cherie Conley — /s/ Rick Bousquet

County Clerk / Deputy County Clerk/Secretary — Board Chair

ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Bousquet – Yea, and Love – Yea. Gomez – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 NEW BUSINESS:

e. Randy Walsh to report to the Board regarding the total amount the Sheriff collected on current distress warrants and the amount remaining uncollected.

Deputy Randy Walsh handed out a report with the Distress Warrant figures and explained this is the yearly Distress Warrant report. Deputy Walsh asked that the Board take action on removing the properties from the Property Tax Roll that were sold at Sheriff's sale and that are vacant. Chair Bousquet informed that this was not on the Board's Agenda for action and would therefore be place on the agenda for September 4, 2012.

Chair Bousquet called for the Agenda Item #2 NEW BUSINESS:

f. Discuss and take action on wage freeze.

Chair Bousquet commented that the Board thought they had taken action on a wage freeze but had not and would be doing so today due to the budget on the entire courthouse/county staff. Commissioner Love stated that without a doubt this has to happen. Commissioner Bousquet stated that the Commissioner's had agreed that they too would fall under this same wage freeze and the additional pay compensation the Chair was to receive in January would be given back to the County.

Commissioner Bousquet moved, seconded by Commissioner Love to put into effect a wage freeze on all Dakota County offices. ROLL CALL VOTE: McNear – Yea, Bousquet – Yea, Love – Yea and Rohde – Yea. Gomez – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 NEW BUSINESS:

g. Discuss and take possible action on Merit Commission.

Commissioner Bousquet informed the Board that he and Terry Kern had discussed the Merit Commission program and he wanted everyone to know that this commission ties Terry's hands and Sheriff Kleinberg's hands when it comes to hiring a qualified applicant. With the Merit Commission it requires several steps for hiring and without it some time and money could be saved. Terry Kern informed the Board that the Merit Commission that they operate under through the Jail is different than the Merit Commissioner for the Sheriff's Department as their Commission is provided for by Nebraska Statute. Further discussion was had as to the pros and cons of the Merit Commission.

Chair Bousquet called for the Agenda Item #2 NEW BUSINESS:

h. Rescind motion approved at the August 20, 2012, meeting to extend the Correctional Officers' union contract.

Commissioner Bousquet stated that the reason the previous motion to extend is on the agenda to be rescinded is because there was no time limit mentioned and this contract negotiation could go on indefinitely.

Commissioner Rohde moved, seconded by Commissioner McNear to rescind the August 20, 2012, motion to extend the Correctional Officers' union contract. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. Gomez – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 NEW BUSINESS:

i. Discuss and take possible action to extend the Correctional Officers' union contract within a set time frame.

Commissioner Love asked what Commissioner Rohde what kind of timeframe he was thinking. Commissioner Rohde stated 60 or 30 days and could extend again if needed to.

Commissioner Rohde moved, seconded by Commissioner Love to extend the current Correctional Officers' Union Contract for another 30 days. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, and Bousquet – Yea. Gomez – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet requested that the Board of Commissioners' meeting be recessed for the Board of Equalization meeting.

Commissioner Love moved, seconded by Commissioner McNear to recess the Board of Commissioners' meeting until after the Board of Equalization meeting. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Bousquet – Yea and Love – Yea. Gomez – Absent. UNANIMOUS MOTION CARRIED at 9:18 a.m.

Commissioner Love moved, seconded by Commissioner McNear to reconvene the Board of Commissioners' meeting. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Bousquet – Yea and Love – Yea. Gomez – Absent. UNANIMOUS MOTION CARRIED at 9:32 a.m.

Chair Bousquet called for Agenda Item #3 Miscellaneous. Chair Bousquet noted on the record that the union contract negotiations for the Road Department, Sheriff Department and Correctional Officer Department would be moved to the September 4, 2012 Board of Commissioners' meeting.

Commissioner Love moved, seconded by Commissioner McNear to move the union contract negotiations for the Road Department, Sheriff Department and Correctional Officer Department to the September 4, 2012 Board of Commissioners' meeting agenda. ROLL CALL VOTE: McNear – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. Gomez – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #4 Commissioner Committee Reports. There were none.

Chair Bousquet called for Agenda Item #5 Mail and/or Emergency Business. There was none.

Chair Bousquet called for Agenda Item #6 Public Comment. There was none.

Chair Bousquet adjourned the meeting of August 27, 2012 at 9:32 a.m.

County Board of Commissioners

_____

Rick Bousquet, Chair Date Chair signed

_____

Cherie Conley, Deputy County Clerk/Secretary Date

_____

Theodore A. Piepho, County Clerk Date entered in book

DAKOTA COUNTY SEAL NEBRASKA

Dakota County Board of Commissioners
Tuesday, September 4, 2012
Dakota County Courthouse
County Board Meeting Room – Basement
Dakota City, NE 68731

Chair Bousquet called their regular scheduled meeting to order at 4:12 p.m. following the Board of Corrections meeting. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Bousquet, Love, McNear and Gomez, and Cherie Conley, Deputy County Clerk and Secretary. Absent was Commissioner Rohde. Also present were Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – Excused Absence

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

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

68. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
    a. Approval of the previous minutes – August 27, 2012
    b. Approval of payroll claims
69. NEW BUSINESS
    a. Discuss salary resolutions passed December 21, 2009, which set the wages for elected officials holding office January, 2011, to December, 2014, in relationship to a wage freeze for budget year 2012-13.
    b. Deputy Sheriff – requesting board approval to extend the Sheriff union contract which expired June 30, 2012.
    c. Board to direct the Assessor to remove from the tax rolls the 19 properties consisting of business equipment and mobile homes that have been removed from the County as stated in the Sheriff's Distress Warrant Report.
    d. Sheriff Kleinberg – ask the Board to approve renegotiation of the South Sioux City – Dakota County Law Enforcement Co-Location Agreement.
    e. Duane Kotalik – address the Board regarding his lay off from the position of courthouse janitor.
70. MISCELLANEOUS
    a. Road Report – Fred Kellogg, Highway Superintendent
    b. Closed Session to discuss Road Department Union Contract negotiations.
    c. Closed Session to discuss Sheriff Department Union Contract negotiations.
    d. Closed Session to discuss Correctional Officer Union Contract negotiations.
71. COMMISSIONER COMMITTEE REPORTS
72. MAIL AND/OR EMERGENCY BUSINESS
73. PUBLIC COMMENT
74. ADJOURNMENT

Commissioner Bousquet moved, seconded by Commissioner Love to excuse Commissioner Rohde from the meeting. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea and McNear – Yea. UNANIMOUS MOTION CARRIED. Rohde – Absent.

Chair Bousquet called for Agenda Item #1 Consent Agenda.
    a. Approval of the previous minutes – August 27, 2012
    b. Approval of payroll claims

Chair Bousquet informed the Board that he had gone through all claims and they all looked to be in order.

Commissioner Gomez moved, seconded by Commissioner McNear to approve the Consent Agenda items: a. Minutes from the previous meeting of August 27, 2012, and b. All Payroll Claims as submitted.
COUNTY GENERAL FUND: Gross salaries- $137,676.66, General Fund Employees Net Pay- $98,288.23, Employer deductions paid: Retirement- $9,617.63, FICA- $8,276.77, Medicare- $1,935.76, DC Health Plan- $21,250.00, DC Dental Plan- $944.82 and Life Insurance- $191.80, COBRA- $1,187.18, Principal Mutual Life Insurance- $1171.00.
Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1448.26, Daniel Christoffers- 602.00, Cherie Conley- 1176.93, Theodore Piepho- 1800.68, Mary C. Wiltgen- 1013.60, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jalissa Hattig – 880.00, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $880.00, Christy Abts- $1240.38, Jeffrey Curry- $1360.00, Rita Deichert- $960.00, Richard Erickson- $1800.68, David Hauf- $1416.80, Daniel Christoffers- $602.00, Arnold Mellick- 228.32, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 150.48, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 963.20, Dannie Caskey- 1334.07, Sergio Castillo- 1962.12, Timothy Decker- 2475.74, Sandy Dickens- 501.65, Brian Ellinger- 2138.69, Brent Gilster- 2106.48, Todd Hammer- 2119.72, Richard Hansen- 1869.25, Melvin Harrison III- 2210.12, Jason James- 2042.96, Douglas Johnson- 1960.96, Kimberly Johnson- 326.04, Jared Junge- 2102.04, Christopher Kleinberg- 1980.77, Penny Kleinberg- 2114.41, Michael Kreegar- 2057.38, Gayle Richards- 941.60, Kevin Rohde- 2068.04, Randall Walsh-

1903.85, Bridget Fiedler- 885.60, Jill Merica- 460.00, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Melinda Wicks- 1576.92, Cara Wood- 1267.13, Jacob Acero- 1637.58, Cassandra Androy- 339.84, Ermelinda Ballesteros- 2062.32, Mason Billings- 1256.00, Joshua Blatchford- 1390.95, Rebecca Broer- 1994.85, Elisabet DeRoin- 1574.88, Sandy Dickens- 787.76, Jesse Doelle- 1079.06, Marjorie Donahue- 1590.27, Lisa Ford- 2022.09, Ryan Foster- 1341.26, Linda Frost- 882.40, Alma Gunderson- 1344.80, Deanna Haukap- 1332.80, Jeffrey Heitzman- 1530.00, Adam Hough- 1324.93, Michael Jacobson- 1458.00, Brett Johnson- 1332.80, Brenda Kelly- 1373.76, Terry Kern- 2030.29, Mark Nelson- 1476.66, Travis Olander- 1320.80, Kimberly Peterson- 1324.93, Cody Roeber- 1452.00, Jutharatana Ruenprom- 1494.18, Linda Schovanec- 1859.49, Jennifer Svendsen- 1589.50, Francis Tope- 3140.08, Tabitha Uhl- 467.28, Jewel Williams- 1378.63, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 805.28, Linda Weitzel- 1219.84, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $13,863.81, State- $4,820.52, FICA- $5,606.86, Medicare- $1,935.76, Retirement- $6,519.87, Health Plan- $1,400.00, DC Dental Plan- $609.00, Colonial Health- $696.95, Sheriff Union Dues- $430.00, Colonial Life/Disability- $302.48, Deferred Comp- $352.00, Garnishments- $972.93, Flex Plan Medical- $856.49, Flex Plan Dependant Care- $287.50, COBRA- $329.63.
COUNTY ROAD PAYROLL: Gross salaries- $14,383.49, Road Employees Net Pay- $10,246.96, Employer deductions paid: Retirement- $970.86, DC Health Plan- $2,750.00, DC Dental Plan- $119.46, Life Insurance- $23.06, FICA- $848.78, and Medicare- $198.51, Principal Mutual Life Insurance- $209.90.
Brent Byroad- 1398.40, Robert Hacker- 1318.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40, Matthew Roost- 1326.73.
ROAD FUND: Employee withholding paid to: Federal- $1,281.13, State- $458.38, FICA- $574.97, Medicare- $198.51, Retirement- $647.27, Health Plan- $350.00, DC Dental Plan- $84.00, Reassure America Life- $4.88, Colonial Life Health- $154.48, Colonial Life/Disability- $11.23, Deferred Comp.- $61.68, Flex Plan Medical- $105.00 and Union Dues- $180.00.
ROLL CALL VOTE: Bousquet – Yea, Love – Yea, McNear – Yea and Gomez – Yea. UNANIMOUS MOTION CARRIED. Rohde – Absent.

Chair Bousquet called for the Agenda Item #2 New Business.

a. Discuss salary resolutions passed December 21, 2009, which set the wages for elected officials holding office January, 2011, to December, 2014, in relationship to a wage freeze for budget year 2012-13.

Commissioner Bousquet stated that at the previous meeting it was discussed that the Commissioner's would not be given any pay increases, but according to statute the Board can not change Elected Official salaries once they have been set. Chair Bousquet stated again that he will be turning over his pay increase back to the County.

Chair Bousquet called for the Agenda Item #2 New Business.

b. Deputy Sheriff – requesting Board approval to extend the Sheriff Union Contract which expired June 30, 2012.

Deputy Junge and Deputy Ellinger appeared before the Board and asked that the Sheriff Union Contract be extended until there is finalization of the contract negotiations. Deputy Ellinger suggested that the extension be the same as was granted for the jail of 30 days to start and so on. Commissioner Bousquet stated that he opposes the extension as he believes it drags out the negotiation process. Commissioner Love also stated that he agrees with Commissioner Bousquet and opposes the extension. Deputy Ellinger stated their biggest concern is they have no protection right now as the contract is expired. Commissioner Gomez questioned the downside to the extension and Commissioner Bousquet stated we may be tied into giving raises, and also prolonging the negotiation process. Commissioner McNear stated that the union negotiation will be discussed later in this meeting and he feels no extension should be granted at this time and see how the meeting goes today. Deputy Ellinger informed the Board that the contract protects what is currently in place and this isn't a ploy to drag our feet as they too want to come to an agreement, but the union would like to see the contract extended for protection.

Commissioner Love moved, seconded by Commissioner McNear to wait on extending the Sheriff Union Contract which expired June 30, 2012 until the September 17th Board meeting to see how the contract negotiations are progressing. ROLL CALL VOTE: Love – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED. Rohde – Absent.

Chair Bousquet called for the Agenda Item #2 New Business.

d. Sheriff Kleinberg – ask the Board to approve renegotiation of the South Sioux City – Dakota County Law Enforcement Co-Location Agreement.

Sheriff Kleinberg asked the Board to approve renegotiation suggestions regarding the agreement and he stated he will provide information to the Board for their review. Commissioner Love agrees that the co-location agreement needs to be looked at and reviewed.

Commissioner Bousquet moved, seconded by Commissioner Love to approve Sheriff Kleinberg to start the renegotiation process regarding the Law Enforcement Co-Location Agreement between the City of South Sioux City and Dakota County which was established back on August 16, 1996. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea and Love – Yea. UNANIMOUS MOTION CARRIED. Rohde – Absent.

Chair Bousquet called for the Agenda Item #2 New Business.

e. Duane Kotalik – address the Board regarding his lay off from the position of courthouse janitor.

Duane Kotalik appeared before the Board and stated that he had started 8 years ago and informed the Board of the many duties he has done over the years regarding the maintenance and upkeep of the Courthouse. He expressed his concern that Rick Jensen will not be able to keep up with the cleaning and the current courthouse staff will not be able to clean as he does. The Commissioner's all assured Mr. Kotalik that the layoff was not personal or in no way reflects the work that has been done by him. It is strictly due to budget restraints. The Commissioner's thanked Mr. Kotalik for the work he has done and they feel bad and do not like letting employees go, but their hands are tied due to the budget. Commissioner Love advised Mr. Kotalik that they would take his concerns under consideration.

Chair Bousquet called for the Agenda Item #2 New Business.

c. Board to direct the Assessor to remove from the tax rolls the 19 properties consisting of business equipment and mobile homes that have been removed from the County as stated in the Sheriff's Distress Warrant Report.

Chief Deputy Walsh presented the following report at the August 27, 2012 meeting.
Dick Erickson advised the Board that there are 19 mobile homes that are no longer in Dakota County and they need to be removed from the property files and then the Board of Equalization will have to approve a Tax List Correction.

Commissioner Gomez moved, seconded by Commissioner McNear to direct the Assessor to remove from the tax rolls the 19 properties consisting of business equipment and mobile homes that have been removed from the County as stated in the Sheriff's Distress Warrant Report dated August 1, 2012 and presented to the Board on August 27, 2012.

The Dakota County Sheriff's Department returned the 2011 Distress Warrants to the Dakota County Treasurer on August 1st, 2012.

There were 178 Distress Warrants issued on November 1st, 2011 totaling $42,034.36.

Of the 178 Distress Warrants:

154	are satisfied totaling	$ 36939.78
	Additional interest collected	$ 2057.68
	Paid to County Treasurer	$ 2845.61

****

Total Amount Uncollected:
(this amount includes ones sold at Sheriff's sale, ones to be stricken, any removed by correction, and any unsatisfied distress warrants)

5	were sold at sheriff's sale	$ 459.30
19	are to be stricken	$ 3680.34
0	removed by correction	$ 0.00
		==========
	Less amount garnered from sheriff's sale:	$ 584.00
		==========
		$ 3555.64

****

Total Collected:	$ 41843.07
Additional Collection from sheriff's sale	$ 584.00
	==========
GRAND TOTAL COLLECTED:	**$ 42427.07**

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Attached is a list a list of the parcels that were sold at Sheriff's Sale:
PROPERTIES SOLD AT SHERIFF"S SALE:

DW#	Property ID #	Name	Amount
2074	220143579	Victor Lemus-Chavez	$ 54.61
2121	220110794	Renee L Powelson	$ 77.47
2047	220182655	Moises Garza	$ 87.59
2084	220119430	Samuel / Barbara Macias	$ 88.66
2048	220119597	Jason Greeley/Alicia LaPointe	$ 150.97
			========

Total # of Properties sold at Sheriff's Sale: **5**
Total Amount of Taxes due on property sold at Sheriff's Sale = $ 459.30

Attached is a list of the parcels that the sheriff's office is recommending to strike:
Personal Property Taxes to be Stricken

DW#	Property ID#	Property Description	Reason	Amount
2066	220219239	Business Equipment	Out of Business	$2640.45
2101	220219436	Business Equipment	Out of Business	$ 282.04
2024	220157731	1972 Champion Mobile Home	Vacant Lot	$ 48.75
2025	220199485	1968 Frontier Mobile Home	Vacant Lot	$ 28.65
2026	220157367	1973 Meridan Mobile Home	Vacant Lot	$ 59.61
2062	220158029	1968 Commodore Mobile Home	Vacant Lot	$ 11.15
2142	220157952	1969 Skyline Mobile Home	Vacant Lot	$ 30.70
2143	220157715	1971 Hillcrest Mobile Home	Vacant Lot	$ 33.36
2144	220158169	1971 Mandalay Mobile Home	Vacant Lot	$ 46.78
2145	220191239	1972 Cedar Chalet Mobile Home	Vacant Lot	$ 9.73
2147	220157537	1970 Champion Mobile Home	Vacant Lot	$ 27.55
2149	220157294	1971 Hillcrest Mobile Home	Vacant Lot	$ 26.96
2150	220143641	1978 American Family Mobile Home	Vacant Lot	$ 51.95
2151	220157502	1964 New Moon Mobile Home	Vacant Lot	$ 27.35

2152	220157618	1969 Elcona Mobile Home	Vacant Lot	$ 25.05
2153	220157650	1968 Champion Mobile Home	Vacant Lot	$ 30.50
2044	220157359	1973 Bell Mobile Home	Vacant Lot	$ 86.51
2174	220183686	1976 Rosewood Mobile Home	Vacant Lot	$ 93.99
2139	220169322	1983 Bonnavilla Mobile Home	Vacant Lot	$ 119.26
				========

Total # of Properties to be Stricken at request of Sheriff's Office = 19
Total Amount of Personal Property Taxes to be Stricken = $ 3680.34

ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea and McNear – Yea. UNANIMOUS MOTION CARRIED. Rohde – Absent.

Chair Bousquet called for Agenda Item #3 Miscellaneous.

a. Road Report – Fred Kellogg, Highway Superintendent

Fred Kellogg presented the Board with the following Road Report.

DAKOTA COUNTY ROAD DEPARTMENT BIWEEKLY REPORT:
August 19, 2012 to September 1, 2012

TOTAL ROAD MAINTENANCE: 211.5 HOURS

DISTRICT TOTALS:
A1= 33 A3= 18.5 A4= 40 A5= 19 A6= 49 A7= 8 A8 = 44

OVERTIME HOURS	6 HOURS (garbage on road, 210th St grading)
MOWING	24 HOURS
TREE CUTTING	39 HOURS
DITCH CLEANING	0 HOURS
GARBAGE PICKUP	1 HOURS
MAGNET	19.5 HOURS
GRAVEL HAULING	65.5 HOURS
TONS OF GRAVEL HAULED	100.54 TONS CLASS A
	49.62 TONS 1"
	100.6 TONS 3/4 CLEAN
	789 TONS PETERSON
	1039.8 TOTAL TONS OF GRAVEL
180TH CULVERT & RD BUILDUP	17 HOURS
R AVENUE CULVERT	28 HOURS
M AVENUE PROJECT	11 HOURS
S. BLUFF CATTLE CROSSING	48 HOURS
KNOX BLVD CULVERT	29.5 HOURS
164TH STREET CULVERT	7 HOURS

8 Road Concerns

The Commissioner's asked Mr. Kellogg how the roads and the equipment were holding up due to the drought. Mr. Kellogg informed that the roads are tough and the washboards are bad and due to the condition of the roads they have been very hard on the blades. Deputy Junge inquired about 164th Road where there is a drop-off. Mr. Kellogg informed that there has been some work done on that road and some reflectors will be put up.

Chair Bousquet called for Agenda Item #4 Commissioner Committee Reports. There were none.

Chair Bousquet called for Agenda Item #5 Mail and/or Emergency Business. There was none.

Chair Bousquet called for Agenda Item #6 Public Comment. Dennis Reinhart commented on the hours documented for the road graders and gave some suggestions for road upkeep and repair.

Chair Bousquet called for Agenda Item #3 Miscellaneous.

b. Closed Session to discuss Road Department Union Contract negotiations.

Commissioner Love moved, seconded by Commissioner Gomez to go into Closed Session to discuss negotiations of the Road Department Union Contract. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, McNear – Yea, and Gomez – Yea at 4:40 p.m. UNANIMOUS MOTION CARRIED at 4:40 p.m. Rohde Absent.

Commissioner McNear moved, seconded by Commissioner Gomez to come out of Closed Session from discussing negotiations of the Road Department Union Contract. ROLL CALL VOTE: Love – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED at 5:01 p.m. Rohde Absent.

Chair Bousquet called for Agenda Item #3 Miscellaneous.

c. Closed Session to discuss Sheriff Department Union Contract negotiations.

Commissioner Love moved, seconded by Commissioner Gomez to go into Closed Session to discuss negotiations of the Sheriff Department Union Contract. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED at 5:02 p.m. Rohde Absent.

Commissioner Gomez moved, seconded by Commissioner McNear to come out of Closed Session from discussing negotiations of the Sheriff Department Union Contract. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED at 5:25 p.m. Rohde Absent.

Chair Bousquet called for Agenda Item #3 Miscellaneous.

d. Closed Session to discuss Correctional Officer Union Contract negotiations.

Commissioner Love moved, seconded by Commissioner Gomez to go into Closed Session to discuss negotiation of the Correctional Officer Union Contract. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, McNear – Yea and Gomez – Yea. UNANIMOUS MOTION CARRIED at 5:25 p.m. Rohde Absent.

Commissioner Gomez moved, seconded by Commissioner McNear to come out of Closed Session from discussing negotiations of the Correctional Officer Union Contract. ROLL CALL VOTE: Love – Yea, McNear – Yea, Gomez – Yea and Bousquet - Yea. UNANIMOUS MOTION CARRIED at 5:47 p.m. Rohde Absent.

Chair Bousquet adjourned the meeting of September 4, 2012 at 5:47 p.m.

County Board of Commissioners

_____

Rick Bousquet, Chair Date Chair signed

_____

Cherie Conley, Deputy County Clerk/Secretary Date

_____

Theodore A. Piepho, County Clerk Date entered in book

DAKOTA COUNTY SEAL NEBRASKA

Dakota County Board of Commissioners
Monday, September 17, 2012
Dakota County Courthouse
County Board Meeting Room – Basement
Dakota City, NE 68731

Chair Bousquet called their regular scheduled meeting to order at 4:02 p.m. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Bousquet, Love, Rohde, and Gomez, and Cherie Conley, Deputy County Clerk and Secretary. Absent was McNear. Also present were Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – Excused Absence

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

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

75. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
    a. Approval of the previous minutes – September 4, 2012
    b. Approval of payroll claims
    c. Approval of accounts payable claims
    d. Officials Reports
76. NEW BUSINESS
    a. Kim Jorgensen, Mercy Business Health Services, will present the Dakota County Executive Summary of the Health Risk Assessment administered by Mercy in July, 2012.
    b. 4:05 p.m. Public Hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the 2012-2013 proposed County Budget.
    c. Board to approve an increase in the base restricted funds by an additional 1% - $52,224.29.
    d. Board to approve Resolution 12C-027 for the adoption and appropriations for the proposed 2012-2013 County Budget.
    e. 4:10 p.m. 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.
    f. Board to approve Resolution 12C-028 setting the property tax request.
77. MISCELLANEOUS
    a. Rick Jensen – approve claim over $5,000 to repair traveling cable on elevator
    b. Fred Kellogg, Highway Superintendent - Road Report
    c. Fred Kellogg – present the Annual Road Report for 2011-12 and request approval for Chair to sign same.
    d. Fred Kellogg – request County Board to declare 2000 Caterpillar 140H, VIN number 2ZK05673, as surplus to be advertised and sold by competitive bidding and grant Fred Kellogg the authority to sell.
    e. Board to appoint Planning and Zoning member from the geographical area of the Village of Hubbard to fulfill term expiring in 2014.
    f. County Board to examine and approve Office Inventories filed with the County Clerk for fiscal year July, 2011 to June, 2012.
    g. Closed Session to discuss Road Department union contract negotiations.
    h. Closed Session to discuss Sheriff Department union contract negotiations.
    i. Closed Session to discuss Correctional Officer union contract negotiations.
    j. Board to discuss, approve and give the Chair permission to sign the Union contract with the Sheriff's deputies.
78. COMMISSIONER COMMITTEE REPORTS
79. MAIL AND/OR EMERGENCY BUSINESS
80. PUBLIC COMMENT
81. ADJOURNMENT

Chair Bousquet moved, seconded by Commissioner Gomez to excuse Commissioner McNear from the meeting of September 17, 2012. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea and Gomez – Yea. McNear – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #1 Consent Agenda.
a. Approval of the previous minutes – September 4, 2012
b. Approval of payroll claims
c. Approval of accounts payable claims
d. Officials Reports

Chair Bousquet informed that he had gone through the Payroll Claims and the Accounts Payable Claims submitted and they all look to be in order.

Commissioner Love moved, seconded by Commissioner Gomez to approve the Consent Agenda as submitted for the record:

a. Approval of the previous minutes – September 4, 2012 as submitted.

b. Approval of payroll claims as submitted.

COUNTY GENERAL FUND: Gross salaries- $134,717.25, General Fund Employees Net Pay- $96,983.80, Employer deductions paid: Retirement- $9,393.62, FICA- $8,095.94, Medicare- $1,893.45, DC Health Plan- $21,750.00, DC Dental Plan- $966.54 and Life Insurance- $196.35, COBRA- $1,187.17.

Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1448.26, Daniel Christoffers- 602.00, Cherie Conley- 1230.77, Theodore Piepho- 1800.68, Mary C. Wiltgen- 1013.60, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jalissa Hattig – 880.00, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $880.00, Christy Abts- $1240.38, Jeffrey Curry- $1360.00, Rita Deichert- $960.00, Richard Erickson- $1800.68, David Hauf- $1416.80, Daniel Christoffers- $602.00, Arnold Mellick- 228.32, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 316.80, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 1026.41, Dannie Caskey- 1004.67, Sergio Castillo- 1862.52, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 1755.56, Brent Gilster- 2154.11, Todd Hammer- 2039.02, Richard Hansen- 1646.50, Melvin Harrison III- 2177.84, Jason James- 2011.20, Douglas Johnson- 1960.96, Kimberly Johnson- 466.18, Jared Junge- 2058.70, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1693.60, Michael Kreegar- 2036.06, Gayle Richards- 941.60, Kevin Rohde- 1769.56, Randall Walsh- 1903.85, Jill Merica- 828.00, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Melinda Wicks- 1576.92, Cara Wood- 1267.13, Jacob Acero- 1771.34, Cassandra Androy- 1189.44, Mason Billings- 1444.40, Joshua Blatchford- 1393.06, Rebecca Broer- 2080.65, Elisabet DeRoin- 1582.60, Sandy Dickens- 817.16, Jesse Doelle- 1059.20, Marjorie Donahue- 1678.11, Ryan Foster- 1524.00, Linda Frost- 882.40, Alma Gunderson- 1546.56, Deanna Haukap- 1532.72, Jeffrey Heitzman- 1555.14, Adam Hough- 1558.17, Michael Jacobson- 1511.54, Stephanie Jensen- 906.24, Brett Johnson- 1520.23, Michelle Jones- 1302.72, Brenda Kelly- 1394.96, Terry Kern- 2030.29, Mark Nelson- 1476.66, Travis Olander- 1312.55, Kimberly Peterson- 1494.18, Terry Poland- 1188.00, Cody Roeber- 1472.00, Jutharatana Ruenprom- 1518.96, Linda Schovanec- 1746.00, Jennifer Svendsen- 1464.13, Tabitha Uhl- 1189.44, Jewel Williams- 1515.69, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 778.44, Linda Weitzel- 1343.73, Willard Johnston- 1250.00.

GENERAL FUND: Employee withholding paid to: Federal- $13,279.914, State- $4,582.21, FICA- $5,484.38, Medicare- $1,893.45, Retirement- $6,362.39, Health Plan- $1,400.00, DC Dental Plan- $609.00, Colonial Health- $664.38, Sheriff Union Dues- $400.00, Colonial Life/Disability- $269.18, Deferred Comp- $352.00, Garnishments- $972.93, Flex Plan Medical- $846.49, Flex Plan Dependant Care- $287.50, COBRA- $329.63.

COUNTY ROAD PAYROLL: Gross salaries- $14,397.38, Road Employees Net Pay- $10,256.37, Employer deductions paid: Retirement- $971.80, DC Health Plan- $2,750.00, DC Dental Plan- $119.46, Life Insurance- $23.07, FICA- $849.64, and Medicare- $198.71.

Brent Byroad- 1424.62, Robert Hacker- 1318.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40, Matthew Roost- 1314.40.

ROAD FUND: Employee withholding paid to: Federal- $1,308.13, State- $459.44, FICA- $575.56, Medicare- $198.71, Retirement- $647.90, Health Plan- $350.00, DC Dental Plan- $84.00, Reassure America Life- $4.88, Colonial Life Health- $154.48, Colonial Life/Disability- $11.23, Deferred Comp.- $61.68, Flex Plan Medical- $105.00 and Union Dues- $180.00.

c. Approval of accounts payable claims as submitted.

GENERAL FUND: Dakota County Star, publishing- 828.10; Charlotte Doenhoeffer, PRIOR YRS- 10.00; Des Moines Stamp, stamp- 86.55; Ruth Jensen, PRIOR YRS- 12.00; Mardell Sorenson, PRIOR YRS- 26.00; Pacific City, tax receipts- 165.30; US Bank, toner/SUPPLIES/meals /prescriptions/fuel/CPR manual/dictionary- 7816.75; Irene Van Lent, PRIOR YRS- 16.00; Debera Benton, mileage- 5.55; Margie Rahn, PRIOR YRS- 12.00; Microfilm Imaging, rental- 240.00; David Hauf, mileage- 277.50; Madelyn Thorsland, PRIOR YRS- 10.00; Office Elements, copier lease/furniture- 2286.46; Colfax County Clerk, election translations- 70.00; Perkins, election tape- 35.40; Theodore Piepho, phone- 30.00; US Bank, bilingual handicap signs/ballot printer drum- 579.99; Dakota County Star, publishing- 12.34; Executive Technologies, contract- 215.72; MIPS, scanning/support/shipping- 614.60; Perkins, SUPPLIES- 231.86; AJ Phillips, appt. cards- 95.00; AS Central Services, supplies- 28.44; Des Moines Stamp, stamp pad- 27.50; Microfilm Imaging Systems, scanning- 190.50; New Perspectives, shredding- 33.00; Office Systems Co, contract- 633.00; US Bank, software agreement- 595.00; Frank Gonzalez, interpret- 350.00; Jami Johnson, depositions- 609.50; Record Printing, business cards- 66.95; District Court, costs- 897.00; Dennis Hurley, COURT APPOINTED COUNSEL- 6113.18; K&M Reporting, transcript prep- 180.75; Stuart Mills, COURT APPOINTED COUNSEL- 3765.00; Douglas Roehrich, COURT APPOINTED COUNSEL- 2908.50; Richard Thramer, COURT APPOINTED COUNSEL- 862.89; Dakota County Court, costs- 2330.84; Randy Hisey, COURT APPOINTED COUNSEL- 840.00; Kueny & Begley, COURT APPOINTED COUNSEL- 588.00; Patrick Tott, COURT APPOINTED COUNSEL- 1746.00; A Team, ac repair- 314.30; Bomgaars, repair/SUPPLIES- 391.37; Gill Hauling, service- 250.00; Grainger, SUPPLIES- 1556.17; Joes Dept Store, repair/SUPPLIES- 480.05; Menards, SUPPLIES- 1262.29; Midamerican Energy, utilities- 1282.30; NEBRASKA Public Power Dist, utilities- 8146.80; O'Keefe Elevator, maint.- 172.54; Richard Jensen, mileage- 123.88; Share Corp, repair- 196.82; Tool Depot, tools- 81.86; Trembly Pest Control, service- 100.00; US Bank, ground supplies- 260.31; Verizon, phone- 724.87; PMNRD, rent- 833.33; UNL Extension, reimburse- 832.58; Hurley Reporting, transcript- 14.00; Iowa Office Supply, contract- 150.87; Peter Parry, phone- 20.00; H2O4U,

service- 28.00; SC Journal, ads- 1364.31; City of South Sioux City, fuel/lec cost share- 38707.54; Jacks Uniforms, vests/clothing/ speakers/siren/cartridges- 3695.70; Dakota County Sheriff, papers/warrants/postage- 1052.88; Electronic Engineering, repair- 220.00; Graham Tire, tires- 893.26; InterAct Public Safety Systems, licenses- 537.30; Nebraska Sheriff's Assoc., conference- 190.00; O'Reilly Automotive, SUPPLIES/parts- 138.12; Sioux City Ford, sensor- 141.00; Steffen, Inc., parts/labor- 137.49; Torco Remfg, alternator- 155.00; BI Inc, electric monitoring- 342.00; Addison Electric, kiosk electrical- 295.55; Aramark, service- 105.58; Associated Fire Protection, inspection- 159.00; ATV Research, conversion part- 158.00; Bob Barker, SUPPLIES- 1202.75; Bierschbach Equip & Supply, lift rental- 135.00; Bunkers Feed & Supply, salt- 281.20; BryanLGH Medical Center, medical- 2234.00; CBM Food Service, meals- 21514.04; CashWa Distributing, SUPPLIES- 34.07; Consultants in Gastroenterology, medical- 2092.00; Dakota One Leasing, contract- 220.00; Dept. of Correctional Service, safekeepers/medical- 3564.26; Janitor Depot, SUPPLIES- 1861.28; Kleen Solutions, SUPPLIES- 169.90; Mercy Business Health, medical/EAP- 4074.75; Mercy Medical Center, medical- 12899.40; Mercy Medical Services, medical- 209.00; Midwest Office Automation, copies- 326.28; Moore Medical, SUPPLIES- 328.42; Net Sys Plus, computer work/project- 647.00; NW Iowa Emergency Phys, medical- 34.16; NW IA Yes Center, boarding- 3150.00; Oral Surgery Associates, PC; dental- 670.00; Safeguard Business Systems, cash receipt slips- 774.08; Dan Samani MD PC; medical- 512.00; Siouxland Federal Credit Union, cable- 220.49; Stericycle, Inc, biohazard removal- 1262.52; Virtual Radiologic Finals Adv, medical- 2.29; Wigman Company, parts- 210.50; Woodbury County Juvenile Det, boarding- 300.00; Dakota County Road Petty Cash, postage/workshop/misc- 56.50; AZ Inc, fuel- 272.02; Central Comm College, training- 120.00; Dakota Business Systems, copier rental- 102.00; Hubbard Minimart, fuel- 348.02; Pat Glover, clinic hours- 200.00; Sanofi Pasteur, fluzone- 2535.68; Linda Weitzel, mileage- 87.69; Dr Thomas Wente, physician fee- 250.00; Bill Johnston, mileage/cell/meals- 229.96; Baylor Evnen Curtiss, legal work- 1557.50; Cable One, internet- 169.96; Claritus, cartridge- 176.45; Cherie Conley, ymca membership- 19.50; Fibercomm, phone- 729.35; F&M Bank, stop pays- 60.00; FSH Communication, payphone- 63.60; IBM, server maint-79.29; Mailfinance, lease payment- 227.00; Norm Waitt YMCA, memberships- 195.00; Region IV Mental Health, medical- 7546.00; Three Rivers Benefit, admin fees- 120.00; US Bank, domain renewal- 25.36; USPS Hasler, postage- 2500.00; Randy Walsh, ymca membership- 19.50; Road Fund 300, budget transfer- 40000.00;
ROAD FUND: Aramark, service- 126.39; Atokad Heritage Express, fuel- 117.00; AZ Inc, fuel- 1757.75; Fastenal, SUPPLIES- 138.51; Gill Hauling, service- 55.00; Grossenburg Implement, tractor- 900.00; Walter Heinemann, PRIOR YRS- 29.00; Hubbard Minimart, fuel- 1892.22; H2O4U, service- 30.00; J&J Pronto, fuel- 341.00; Joes Dept Store, SUPPLIES- 143.44; Kinetic Leasing, loader payment/interest- 2458.00; LG Everist, gravel- 5746.11; Love Brothers, parts/labor- 559.40; Matheson-Linweld, oxygen/acetylene- 57.60; Midwest Service & Sales, traffic signs- 496.68; Marlan Millard, PRIOR YRS- 15.00; NEBRASKA Public Power District, service- 32.42; NE NEBRASKA Public Power Dist, utilities- 354.85; NE NEBRASKA Telephone, phone- 215.48;
O'Reilly Auto Parts, SUPPLIES- 198.80; Peterson Sand & Gravel, gravel- 37868.85; Pomps, tires- 327.00; Power Plan/Murphy, parts/SUPPLIES- 105.37; Rees Mack Sales, parts- 3962.66; Robertson Imp, parts- 17.80; Siouxland Hydraulic, parts- 117.60; Thermo King, SUPPLIES- 328.06; US Bank, SUPPLIES/equipment- 2630.57; UECO, pipe- 535.00; Verizon, phone- 32.09; Warren Oil, diesel- 15151.50; Ziegler, SUPPLIES- 947.43;
HARD SURFACE: Olsson Associates, engineering- 38168.00; Steve Harris Construction, C Ave Paving- 383059.03;
VISITORS PROMOTION: South Sioux City Chamber of Commerce, lodging tax- 25799.15;
POOR RELIEF: Becker-Hunt Funeral Home, burial- 2130.00;
INSTITUTIONS: Beatrice State Dev Center, qtrly. services- 543.00; Lincoln Regional Center, qtrly. services- 183.00;
HEALTH PLANNING GRANT: Deanna Beckman, hours- 1258.00; Pam Devries, mileage- 4.99; Midwest Office Automation, contract- 133.80; US Bank, training- 178.00;
PUBLIC SAFETY: City of South Sioux City, sales tax- 3356.10; Jail Bond Fund, sales tax- 32101.13; Road Fund, sales tax- 1021.33;

d. Officials Reports as submitted by the County Clerk for August 2012, Register of Deeds for August 2012, and Clerk of District Court for August 2012.

ROLL CALL VOTE: Love – Yea, Rohde – Yea, Gomez – Yea and Bousquet - Yea. McNear – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business.

a. Kim Jorgensen, Mercy Business Health Services, will present the Dakota County Executive Summary of the Health Risk Assessment administered by Mercy in July, 2012.

Kim Jorgensen presented the Board with a packet of information and went through the Employer Solutions document and the Biometric Graphs. She did inform that this is the 3rd year that Mercy has been involved with Dakota County through a Wellness Program. She advised that participation throughout the Courthouse employees is down and they will be working on getting participation numbers up.

Chair Bousquet called for the Agenda Item #2 New Business.

b. 4:05 p.m. Public Hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the 2012-2013 proposed County Budget.

Chair Bousquet opened the Public Hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the 2012-2013 proposed County Budget at 4:14 p.m. Chair Bousquet asked if anyone had any questions regarding the budget. Commissioner Rohde stated that he wanted to thank all of the departments as everyone had to sacrifice this year. Stated that everyone knew what the Board was up against and the problems starting way back in April. He stated that everyone had to give a little bit this year and it wasn't easy, but they made it through. Commissioner Rohde thanked Joan and Scott as they have worked on the budget for months and Joan has put in time working at night and weekends. They finally came to a resolution and it is appreciated.

Chair Bousquet asked for any comments in opposition of the budget and there was none. Chair Bousquet asked for any comments in regards to criticism, suggestions or observations. Ted Piepho, County Clerk, approached the Board and stated that he didn't have any criticism, but more neutral and supportive comments. Ted handed out a letter he had prepared for the Board and asked that it be made part of the official record.

September 17, 2012

Dakota County Commissioners
PO Box 338
Dakota City NE 68731-0338

RE: County Clerk, Register of Deeds and Election Commissioner Budgets

Dear Mr. Bousquet and Fellow Board Members:

I am writing in regard to the Board's 2012-2013 County Clerk's proposed budget. Earlier in this process, I submitted my budget proposal to the Budget Committee. During that session I informed them that their proposed budget was inadequate and when I asked if my budget was unreasonable and I understood their response was no and agreed.

According to the Budget received from the Budget Committee and your assistant, you are proposing to cut my proposed budget by approximately $16,290 less than what was spent last year. In freezing my employee's wages and cutting them back to 36 hours a week still leaves me about $4,500 short. I believe to expect that is unreasonable and inadequate to perform the duties of my office. Therefore I respectively ask that the Board increase the County Clerk's Budget by $4,500 and I will try my best to make that work.

According to the Budget received from the Budget Committee and your assistant for the Register of Deeds, you are proposing to cut my proposed budget by approximately $12,151 (24.12% less than what was spent last year). In freezing my employee's wages and cutting them back to 36 hours a week still leaves me about $3,000 short. I believe to expect that is unreasonable and inadequate to perform the duties of the Register of Deeds Office. Therefore I respectively ask that the Board increase the Register of Deeds Budget by $3,500.00 and I will try my best to make that work.

My last budget deals with the Election Commissioner. According to the Budget received from the Budget Committee and your assistant for the Election Commissioner, you are proposing to cut my budget by approximately $13,973 (25%) less than what was spent last year.

I am under a mandate by the Federal Government to provide Spanish Ballots and everything that I do must be bi-lingual. I made great strides to do that in the primary and I feel that we have done well to get there. There is more to do. I will try to live within that budget, but I am advising that there are no shortcuts for me. I have to do what I have to do and if I fall short I will need additional dollars. Not only I, but I believe that you are bound by Federal Law as well and whether we like it or not, Federal politicians don't care what something costs when it comes to elections.

I suggested to the Budget Committee that they put on the General Ballot two questions for next year's budget. One to allow the County Board to go over the 50 cent Lid that is imposed on the County by the Legislature. The other question was to authorize the County to exceed the lid for restricted funds. I also suggested that they notify the misc. subdivisions that have the 5 cents of the County's 50 cent levy that budgets could be very tight next year and the county is going to need the levy for the County's Budget. That was not received well and I don't think any further consideration was given.

One more thing that I would like to bring to the table is that the Register of Deeds Office brings in about $80,000 into the County General Fund each year. Our recording is up 11% this year over last year. We spent $50,000 last year and that leaves a surplus of $30,000 to attribute to the clerk's budget.

Thank you for your time and I appreciate the Board's time today. I further ask that you take my requests seriously and approve same.

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Thank you.

Sincerely,
Theodore A. Piepho
Dakota County Clerk

Ted Piepho then asked of the Board how they decided each department's Budget? Commissioner Rohde responded that for the most part every department was asked to come forward and were talked to one on one and asked that they make their own cuts and for the most part most of them did that and if there were further cuts that needed to be made they acted accordingly. Then the Budget Committee met with everyone a week ago as a group and after that meeting asked that if you had any other comments, problems or concerns that you come forward. He stated that he hates that it is in the final hour now and that Ted is coming to them now when there was a week to discuss this. Mr. Rohde commented that as he remembers Ted didn't come forward with any cuts of his own so they made cuts that they had to make to make this budget process work.

Ted Piepho then asked why there is such a disparity between departments as far as budget cuts go? Some departments received close to what they spent in their budgets last year, while others are being forced to cut personnel or reduce work hours. How does that come about? Commissioner Rohde stated that if you are talking about the jail – they have so many staff that they have to have according to prison population you can hardly cut the budget in some of those areas. Commissioner Rohde stated that he feels the Road Department got cut more than anybody and that is one budget he does not like to cut. That is part of the reason he got on the Board was to improve roads and they probably got hit harder than anybody. Commissioner Rohde stated that he doesn't feel they picked on any one department they did what they thought each department could live with and went accordingly. Ted stated he understood that but made note that the County Commissioner's budget is $18.66 less than what was spent last year. Commissioner Rohde stated that isn't much of a budget. Ted stated that the Board's budget is $184,000 and his is at $159,000 so roughly $25,000 more than the County Clerks. Ted stated that the Public Defender gets 99.89% of their budget, Legal Services gets 114.23% of their budget and there are

a few more similar to that. One other point is the Miscellaneous General budget where you are proposing to spend $1,062,000 out of that budget when last year you spent $431,000. That is $655,000 increase. Over the last 3 years the most ever spent out of that budget is $665,000. Ted then concluded his comments with that.

Bob Giese, County Treasurer, approached the Board and stated that it has been a difficult time and a lot of the office's here have no other place to cut other than wages. He stated that his office for instance in this next budget year has $0 spent for anything and that includes the wage freeze, other than basic services. Bob stated that he is opposed to any cuts to the office as the citizens of Dakota County have come to expect a level of service here at the Courthouse and the roads and we will do our best. The reality of the matter is that, in the Treasurer's office, cutting 4 hours per person per week would still not get within the budget so he has decided to eliminate one staff person. Bob stated that they will do what they have to do but does oppose the cuts.

Chair Bousquet asked for any other comments and there were none. Chair Bousquet closed the Public Hearing at 4:27 p.m.

Chair Bousquet called for the Agenda Item #2 New Business.

c. Board to approve an increase in the base restricted funds by an additional 1% - $52,224.29.

Commissioner Rohde moved, seconded by Commissioner Gomez moved to approve an increase in the base restricted funds by an additional 1% - $52,224.29.
ROLL CALL VOTE: Rohde – Yea, Gomez – Yea, Bousquet – Yea and Love - Yea. McNear – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business.

d. Board to approve Resolution 12C-027 for the adoption and appropriations for the proposed 2012-2013 county budget.

Commissioner Love moved, seconded by Commissioner Gomez moved to approve Resolution 12C-027 for the adoption and appropriations for the proposed 2012-2013 county budget.

DAKOTA COUNTY
RESOLUTION OF ADOPTION AND APPROPRIATIONS
RESOLUTION 12C-027

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2012, to June 30, 2013, prepared by the Budget Making Authority, was transmitted to the County Board on the 4th day of September, 2012.

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, 2012, to June 30, 2013, 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, 2012, and ending June 30, 2013.

SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and

DATED AND PASSED THIS 17TH DAY OF SEPTEMBER, 2012.

COUNTY BOARD

/s/ Chair Rick Bousquet
/s/ William B. Rohde
/s/ Scott Love
/s/ Richard McNear
/s/ Antonio A. Gomez

ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea and Rohde - Yea. McNear – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business.

e. 4:10 p.m. 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.

Chair Bousquet 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 at 4:30 p.m.

Chair Bousquet asked for any comments of support, opposition, criticism, suggestions or observations and there were none. Chair Bousquet closed the Public Hearing at 4:31 p.m.

Chair Bousquet called for the Agenda Item #2 New Business.

f. Board to approve Resolution 12C-028 setting the property tax request.

Commissioner Gomez moved, seconded by Commissioner Rohde moved to approve Resolution 12C-028 setting the property tax request.

DAKOTA COUNTY
BOARD OF COMMISSIONERS
SETTING THE PROPERTY TAX REQUEST
RESOLUTION 12C-028

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 interest 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 2012-2013 property tax request be set at $5,959,832.56
2. A copy of this resolution be certified and forwarded to the County Clerk prior to October 15, 2012.

Adopted this 17th day of September, 2012.

Attest:
/s/ Cherie Conley — Deputy County Clerk
/s/ Rick Bousquet — Chair

ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea and Gomez - Yea. McNear – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous.

a. Rick Jensen – approve claim over $5,000 to repair traveling cable on elevator.

Rick Jensen was not available, but Mr. Jensen had given the Board members a bid from O'Keefe Elevator Company for their review. Some discussion was had as to the necessity of replacing said cable and the time frame.

Commissioner Love moved, seconded by Commissioner Gomez to approve Rick Jensen to have the traveling cable on the elevator repaired by O'Keefe Elevator Company, Inc. ROLL CALL VOTE: Love – Yea, Rohde – Yea, Gomez – Yea and Bousquet - Yea. McNear – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous.

b. Fred Kellogg, Highway Superintendent - Road Report

Fred presented the following report.

DAKOTA COUNTY ROAD DEPARTMENT BIWEEKLY REPORT:
September 2, 2012 to September 15, 2012

TOTAL ROAD MAINTENANCE: 156.5 HOURS

DISTRICT TOTALS:
A1 = 15 A3 = 0 A4 = 18 A5 = 24 A6 = 29 A7 = 32 A8 = 38.5

OVERTIME HOURS	1	HOURS
MOWING	11	HOURS
TREE CUTTING	16	HOURS
DITCH CLEANING	0	HOURS
GARBAGE PICKUP	0	HOURS
MAGNET	0	HOURS
GRAVEL HAULING	37	HOURS
TONS OF GRAVEL HAULED	75.63 TONS	CLASS A
	580 TONS	PETERSON
	655.63	TOTAL TONS OF GRAVEL
GUARDRAIL ON 240TH STREET	24	HOURS
M AVENUE PROJECT	131.5	HOURS
KNOX BLVD CULVERT	6	HOURS

7 Road Concerns

Chair Bousquet called for Agenda Item #3 Miscellaneous.

c. Fred Kellogg – present the Annual Road Report for 2011-12 and request approval for Chair to sign same.

Fred presented the Annual Road Report and explained that it is a mandatory report by the State and is a list of all of the projects and final costs, and a list of inventory.

Commissioner Rohde moved, seconded by Commissioner Love to approve the Annual Road Report for 2011-12 as presented and approved the Chair to sign the same for submission to State of Nebraska Department of Roads. ROLL CALL VOTE: Rohde – Yea, Gomez – Yea – Bousquet – Yea, and Love - Yea. McNear – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous.

d. Fred Kellogg – request County Board to declare 2000 Caterpillar 140H, VIN number 2ZK05673, as surplus to be advertised and sold by competitive bidding and grant Fred Kellogg the authority to sell.

Commissioner Bousquet informed that this grader has been retired and the guys are spread out to cover more area. Fred added that they do have the right to deny a bid if the bid falls short.

Commissioner Gomez moved, seconded by Commissioner Rohde to approve Fred Kellogg to sell the 2000 Caterpillar 140H, VIN number 2ZK05673, as surplus to be advertised and sold by competitive bidding. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea and Rohde - Yea. McNear – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous.

e. Board to appoint Planning and Zoning member from the geographical area of the Village of Hubbard to fulfill term expiring in 2014.

Commissioner Bousquet informed that there was one applicant, Scott Gubbels, from Hubbard.

Commissioner Rohde moved, seconded by Commissioner Gomez to appoint Scott Gubbels to the Planning and Zoning Member position for the Village of Hubbard to fulfill the term expiring in 2014. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea and Gomez - Yea. McNear – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous.

f. County Board to examine and approve Office Inventories filed with the County Clerk for fiscal year July, 2011, to June, 2012.

Commissioner Rohde stated that he had gone through the inventories submitted by each office and everything is in order.

Commissioner Gomez moved, seconded by Commissioner Rohde to approve the Office Inventories filed with the County Clerk's office for Fiscal year July 2011 to June 2012: 601 - Commissioners, Commissioners Real Estate, Driver Examiners, Miscellaneous; 602 – County Clerk; 604 – Register of Deeds; 607 – Election Commissioner; 603 – County Treasurer; 608 – Planning and Zoning;
621 – Clerk of District Court; 625 – Public Defender; 622 – County Court; 624 – District Judge;
641 – Building and Grounds; 645 – Extension Office; 651 – Sheriff Department; 671 – Jail Department; 652 – County Attorney; 860 – Law Library and STOP Fund; 669 – Community Corrections; 653 – LEC; 753 – Health Department; 803 – Veterans Office; 300 – Road Department; 701 – Highway Superintendent; and 733 – Weed. ROLL CALL VOTE: Love – Yea, Rohde – Yea, Gomez – Yea and Bousquet - Yea. McNear – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #4 Commissioner Committee Reports.

Commissioner Rohde reported on the Safety Committee that there will be a fire drill, some videos, and a CPR class offered. Commissioner Gomez stated that there was a LEC meeting but there were not enough Board Members present so there was not a meeting.

Chair Bousquet called for Agenda Item #5 Mail and/or Emergency Business. There was none.

Chair Bousquet called for Agenda Item #6 Public Comment. There was none.

Chair Bousquet called for Agenda Item #3 Miscellaneous.

g. Closed Session to discuss Road Department union contract negotiations.

Commissioner Gomez moved, seconded by Commissioner Love to go into Closed Session to discuss the Road Department Union Contract negotiations. ROLL CALL VOTE: Rohde – Yea, Gomez – Yea, Bousquet – Yea and Love - Yea. McNear – Absent. UNANIMOUS MOTION CARRIED at 4:45 p.m.

Commissioner Rohde moved, seconded by Commissioner Gomez to convene back into Regular Session from Closed Session discussing the Road Department Union Contract negotiations. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea and Rohde - Yea. McNear - Absent UNANIMOUS MOTION CARRIED at 4:50 p.m.

Chair Bousquet called for Agenda Item #3 Miscellaneous.

h. Closed Session to discuss Sheriff Department Union Contract negotiations.

Commissioner Gomez moved, seconded by Commissioner Love to go into Closed Session to discuss the Sheriff Department Union Contract negotiations. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, and Gomez – Yea. McNear – Absent. UNANIMOUS MOTION CARRIED at 4:51 p.m.

Commissioner Love moved, seconded by Commissioner Gomez to convene back into Regular Session from Closed Session discussing the Sheriff Department Union Contract negotiations. ROLL CALL VOTE: Love – Yea, Rohde – Yea, Gomez – Yea and Bousquet - Yea. McNear – Absent. UNANIMOUS MOTION CARRIED at 5:00 p.m.

Chair Bousquet called for Agenda Item #3 Miscellaneous.

j. Board to discuss, approve and give the Chair permission to sign the Union Contract with the Sheriff's deputies.

Commissioner Love moved, seconded by Commissioner Gomez to approve the Chair to sign the Sheriff's Department Union Contract as discussed and approved by all parties involved.
ROLL CALL VOTE: Rohde – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. McNear – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous.

i. Closed Session to discuss Correctional Officer Union Contract negotiations.

Commissioner Rohde moved, seconded by Commissioner Gomez to go into Closed Session to discuss the Correctional Officer Union Contract negotiations. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea and Rohde - Yea. McNear – Absent. UNANIMOUS MOTION CARRIED at 5:03 p.m.

Commissioner Love moved, seconded by Commissioner Rohde to convene back into Regular Session from Closed Session discussing the Correctional Officer Union Contract negotiations. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, and Gomez - Yea. McNear – Absent. UNANIMOUS MOTION CARRIED at 5:38 p.m.

Chair Bousquet adjourned the meeting of September 17, 2012 at 5:38 p.m.

County Board of Commissioners

_____

Rick Bousquet, Chair Date Chair signed

DAKOTA COUNTY SEAL NEBRASKA

_____

Cherie Conley, Deputy County Clerk/Secretary Date

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, October 1, 2012
Dakota County Courthouse
County Board Meeting Room – Basement
Dakota City, NE 68731

Vice Chair Rohde called their regular scheduled meeting to order at 4:06 p.m. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Commissioners Rohde, Love, McNear and Gomez, and Cherie Conley, Deputy County Clerk and Secretary. Absent was Commissioner Bousquet. Also present were Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – Excused Absence

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

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

82. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
    a. Approval of the previous minutes – September 17, 2012
    b. Approval of payroll claims
    c. Approve Resolution 12C-029 proclaiming October as Cyber Security Awareness Month
83. NEW BUSINESS
    a. Sheriff Kleinberg – approve the law enforcement contract with the Village of Homer.
84. MISCELLANEOUS
    a. Road Report – Fred Kellogg, Highway Superintendent
    b. Closed Session to discuss Road Department union contract negotiations.
    c. Closed Session to discuss Correctional Officer union contract negotiations.
85. COMMISSIONER COMMITTEE REPORTS
86. MAIL AND/OR EMERGENCY BUSINESS
87. PUBLIC COMMENT
88. ADJOURNMENT

The next Board of Commissioner's meeting will be October 15, 2012.

Vice Chair Rohde called for Agenda Item #1 Consent Agenda.
a. Approval of the previous minutes – September 17, 2012
b. Approval of payroll claims
c. Approve Resolution 12C-029 proclaiming October as Cyber Security Awareness Month

Vice Chair Rohde stated that he had gone through the Payroll claims and they were all in order.

Commissioner Gomez moved, seconded by Commissioner Love to approve the consent Agenda items a. Approval of the previous minutes of the Board of Commissioner from September 17, 2012 as submitted for the record;
b. Approval of payroll claims as submitted;
COUNTY GENERAL FUND: Gross salaries- $131,393.71, General Fund Employees Net Pay- $95,222.60, Employer deductions paid: Retirement- $9,136.33, FICA- $7,889.90, Medicare- $1,845.31, DC Health Plan- $22,250.00, DC Dental Plan- $988.26 and Life Insurance- $200.80, COBRA- $1,187.17, Principal Mutual Life Insurance- $1,138.91. Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1448.26, Daniel Christoffers- 229.51, Cherie Conley- 1107.36, Theodore Piepho- 1800.68, Mary C. Wiltgen- 912.24, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jalissa Hattig – 924.00, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $792.00, Christy Abts- $1240.38, Jeffrey Curry- $1360.00, Rita Deichert- $960.00, Richard Erickson- $1800.68, David Hauf- $1416.80, Daniel Christoffers- $842.80, Arnold Mellick- 228.32, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 264.00, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Duane Kotalik- 4011.64, Tammy Dunn-Peterson- 963.20, Dannie Caskey- 345.87, Sergio Castillo- 1533.84, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 1755.56, Brent Gilster- 1772.99, Todd Hammer- 1721.60, Richard Hansen- 1527.32, Melvin Harrison III- 1725.92, Jason James- 1693.60, Douglas Johnson- 1960.96, Kimberly Johnson- 454.74, Jared Junge- 1733.60, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1693.60, Michael Kreegar- 1705.60, Gayle Richards- 941.60, Kevin Rohde- 1705.60, Randall Walsh- 1903.85, Jill Merica- 920.00, Lisa Olsen- 506.00, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Melinda Wicks- 1576.92, Cara Wood- 1267.13, Jacob Acero- 1892.51, Cassandra Androy- 1161.12, Mason Billings- 1381.60, Joshua Blatchford- 1390.95, Rebecca Broer- 1793.22, Elisabet DeRoin- 1273.80, Sandy Dickens- 781.88, Jesse Doelle- 1059.20, Marjorie Donahue- 1716.41, Ryan Foster- 1204.23, Linda Frost- 882.40, Alma Gunderson- 1664.19, Deanna Haukap- 1349.46, Jeffrey Heitzman- 1366.17, Adam Hough- 1320.80, Michael Jacobson- 1341.26, Stephanie Jensen- 1189.44, Brett Johnson- 1332.80, Michelle Jones- 1196.52, Brenda Kelly- 1361.04, Terry Kern- 2030.29, Mark Nelson- 1476.66, Travis Olander- 1333.18, Kimberly Peterson- 1320.80, Terry Poland- 1217.70, Cody Roeber- 1280.00, Jutharatana Ruenprom- 1320.80, Linda Schovanec- 1396.80, Jennifer Svendsen- 1472.63, Tabitha Uhl- 1189.44, Jewel Williams- 1328.80, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 787.39, Linda Weitzel- 1281.79, Willard Johnston- 1250.00.

GENERAL FUND: Employee withholding paid to: Federal- $12,355.76, State- $4,253.32, FICA- $5,344.80, Medicare- $1,845.31, Retirement- $6,179.90, Health Plan- $1,400.00, DC Dental Plan- $609.00, Colonial Health- $664.38, Sheriff Union Dues- $400.00, Colonial Life/Disability- $269.18, Deferred Comp- $352.00, Garnishments- $1033.84, Flex Plan Medical- $846.49, Flex Plan Dependant Care- $287.50, COBRA- $329.63.
COUNTY ROAD PAYROLL: Gross salaries- $38,041.80, Road Employees Net Pay- $29,982.28, Employer deductions paid: Retirement- $2567.80, DC Health Plan- $2,250.00, DC Dental Plan- $97.74, Life Insurance- $20.25, FICA- $1,570.21, and Medicare- $542.10, Principal Mutual Life Insurance- $204.15.
Brent Byroad- 1398.40, Robert Hacker- 1318.40, Robert Jacobsen- 26315.44, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $2,438.34, State- $914.79, FICA- $1570.21, Medicare- $542.10, Retirement- $1711.89, Health Plan- $350.00, DC Dental Plan- $63.00, Reassure America Life- $4.88, Colonial Life Health- $137.63, Colonial Life/Disability- $137.63, Deferred Comp.- $61.68, Flex Plan Medical- $105.00 and Union Dues- $160.00.
and c. Approve Resolution 12C-029 proclaiming October as Cyber Security Awareness Month

DAKOTA COUNTY
BOARD OF COMMISSIONERS
RESOLUTION 12C-029

Cyber Security Month - October 2012

WHEREAS, counties recognize the vital role that the Internet and information technology play in their county staffs and residents daily lives,
WHEREAS, counties understand that critical sectors are increasingly reliant on information systems to support financial services, energy, telecommunications, transportation, utilities, health care, and emergency response systems; and
WHEREAS, Internet users and the nation's information infrastructure face an increasing threat of malicious cyber attack, loss of privacy from spyware and adware and significant financial and personal privacy losses due to identity theft and fraud; and
WHEREAS, National Association of Counties President Chris Rodgers has established Cyber Security Awareness as a principal focus of his term and is encouraging the nation's county governments to enhance their cyber security efforts and encourage their citizens to adopt secure online practices , and
WHEREAS, The Stop.Think.Connect. Campaign (www.stoptCo) is a national effort coordinated by a coalition of private companies, nonprofits and government organizations to help all digital citizens stay safer and more secure online; and
WHEREAS, the Multi-State Information Sharing and Analysis Center (www.msisac.org) is designated by the U.S. Department of Homeland Security as a key resource for cyber threat prevention, protection, response and recovery for the nation's state, local, territorial and tribal governments, and
WHEREAS, maintaining the security of cyberspace is a shared responsibility in which each of us has a critical role, and awareness of computer security essentials will improve the security of Dakota County information infrastructure and economy; and
WHEREAS, the U.S. Department of Homeland Security, and the National Cyber Security Alliance (www.staysafeonline.org) have declared October as National Cyber Security Awareness Month; and all citizens are encouraged to visit their sites, to learn about cyber security and put that knowledge into practice in their homes, schools, workplaces, and businesses.
NOW, THEREFORE, I, Rick Bousquet, chief elected official of the County of Dakota do hereby proclaim the month of October 2012 as: Cyber Security Awareness Month in the County of Dakota.

Passed and proclaimed this 1st day of October, 2012.
/s/ William "Bill" Rohde, Board Vice Chair
ATTEST:
/s/ Cherie Conley, Deputy County Clerk

ROLL CALL VOTE: Love – Yea, McNear – Yea, Gomez – Yea and Rohde – Yea. Bousquet - Absent. UNANIMOUS MOTION CARRIED.

Commissioner Gomez moved, seconded by Commissioner McNear to excuse Commissioner Bousquet from the October 1, 2012 Board of Commissioner's meeting. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Rohde – Yea and Love – Yea, Bousquet – Absent. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for the Agenda Item #2 New Business.
a. Sheriff Kleinberg – approve the law enforcement contract with the Village of Homer.
Sheriff Kleinberg had provided a copy of the proposed contract to each member prior to the meeting for their review. Sheriff Kleinberg asked if any of the members had any questions. Vice Chair Rohde asked if this dollar amount is what he asked for or if it was reduced. Sheriff Kleinberg advised that is the amount he had asked for. Each Board Member stated they approve the contract and informed Sheriff Kleinberg that he has done a good job.
Commissioner Gomez moved, seconded by Commissioner Love to approve the Law Enforcement Agreement between Dakota County, Nebraska and the Village of Homer, Nebraska as follows:

LAW ENFORCEMENT AGREEMENT

BETWEEN DAKOTA COUNTY, NEBRASKA, AND THE VILLAGE OF HOMER, NEBRASKA

THIS AGREEMENT entered into on this 1st day of October, 2012, by and between DAKOTA COUNTY, NEBRASKA, ("County"), a political subdivision, and the VILLAGE OF HOMER, DAKOTA COUNTY, NEBRASKA, ("Village"), a municipal corporation.

WHEREAS, the Village wishes to obtain dedicated Law Enforcement Services; and

WHEREAS, the Dakota County Sheriff is responsible for law enforcement in the County generally; and

WHEREAS, the Village wishes to contract with the County for the services of law enforcement officers supervised by the Sheriff and supported by the full resources of the Dakota County Sheriff's Department; and

WHEREAS, such contracts are authorized by the Interlocal Cooperation Act, Nebraska Revised Statutes §§ 13-801 to 13-827; and

WHEREAS, the County is willing to contract for the rendition of such services on the terms and conditions set forth in this Agreement; and

NOW, THEREFORE, in consideration of the mutual covenants contained in this Agreement, the parties agree as follows:

The County, through the Dakota County Sheriff, agrees to provide law enforcement services within the corporate limits of the Village to the extent and in the matter hereinafter set forth:

1) The Sheriff shall assign deputies for duty in the Village. Such deputies shall cover all calls within the corporate limits of the Village, except when an emergency requires his/her presence elsewhere. In addition, the Sheriff shall assign the deputies to provide patrol duty within the Village limits and perform tasks within the Village that are required to be performed by state statute, i.e., paper service.
2) All matters relating to the duties, standards of service, discipline of deputies, rendition of performance, training, and other such matters incident to the performance of this Agreement and the personnel employed in the performance of this Agreement shall be under the Sheriff's exclusive control. In exercising this control, the Sheriff shall give due consideration to the Village's reasonable requests that are properly brought to his attention. In order to adequately serve the Village's needs, the deputies shall, at the beginning of each shift or as early as possible each day, report directly to the Village office to pick up any verbal or written complaints or requests for special assignments in the Village.
3) The deputies shall perform their duties under this Agreement in accordance with a regular schedule. Said schedule shall be in writing and filed with the Village Clerk.
4) In order to adequately serve the Village's needs, a deputy shall keep a log of physical patrol hours and other services performed while on duty as the deputy assigned to Homer. Said log shall be filed at the Sheriff's office and be made available for review during normal business hours (Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m.) upon request. The Sheriff shall make quarterly reports, either oral or written, of law enforcement activities and patrol hours in the Village to the Homer Village Council.
5) The deputies shall be members of the Sheriff's Department, trained by the Sheriff, and under the Sheriff's direct and exclusive control and the County shall be solely responsible for their actions. The deputies shall have all authority of any other Sheriff's Department deputy. The personnel performing such law enforcement duties may be reassigned or released as the Sheriff shall determine.
6) The services to be rendered under this Agreement shall include, but are not limited to, routine residential patrol, traffic enforcement, enforcement of Village ordinances, security of businesses, enforcement of the laws of the State of Nebraska, and other services in the areas of public safety and law enforcement as are provided by the Sheriff's office in the unincorporated areas of the County. The services shall also include issuance of citations for building code violations, parking violations, and other municipal code violations as directed by the Mayor. It is understood and agreed that all prosecutions arising from Municipal Ordinance violations shall be the Village's sole responsibility.
7) All animal control problems shall be handled by the Village of Homer. When such problems cannot be adequately handled by the Village Worker, animal control shall be called to assist at the Village's cost under existing Sheriff's Office policies.
8) The County and its agencies shall assume responsibility for supplying all supervision, materials, communications, and equipment necessary for the performance of law enforcement services in the Village.
9) The deputies' compensation and provision for bonds, fringe benefits, insurance, and Workers' Compensation shall be the County's sole responsibility. The County shall also pay all overhead costs, including training expenses, record-keeping expenses, and all other administrative costs.
10) The Village shall not assume any liability for (i) the direct payment of any salaries, wages, or other compensation for the deputies' services, including payments for injury or sickness; or (ii) the deputies' actions taken in their positions as deputies acting on behalf of the Village, unless such sickness, injury, or other claim is caused by the intentional or negligent act of the Village.
11) Any provision to the contrary notwithstanding, the Village and County hereby agree:
    a) The County shall be responsible for any overtime pay to which the deputies shall

become entitled as a result of conducting investigations or appearing in court in connection with violations of state statutes; and

b) The County shall be responsible for any overtime pay to which the deputies shall become entitled as a result of performing their regular duties as Sheriff's deputies and not on behalf of the Village.

12) Notwithstanding the other terms and conditions of this Agreement to the contrary, the Village, at its own expense, shall provide liability insurance to indemnify itself in the event that it becomes liable for payment of a judgment based on a deputy's acts in enforcing Municipal Ordinances as provided in Nebraska Revised Statutes §13-1801 and §13-1802.
13) The Village shall pay the County for law enforcement services at the rate of $3,093.00 per month, $37,116.00 per year. Payment shall be due and payable on the 1st day of each calendar month, commencing on September 1, 2012.
14) The monetary amount the Village shall pay the County for law enforcement services provided under this Agreement may be adjusted annually based on the actual increased or decreased cost for the County to provide law enforcement services for the Village. The County shall keep books and records showing its cost to provide law enforcement services to the Village. Such books and records shall be open to inspection by the Village Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m. to enable the Village to confirm the correctness of any increase in annual payments permissible under this paragraph. In no event shall the annual payments for providing law enforcement services to the Village exceed the following:
    a) First year of the agreement (2012-2013) ---------- 0.5%
    b) Second year of the agreement (2013-2014) ---------- 0.5%
    c) Third year of the agreement (2014-2015) ---------- 0.5%
    d) Fourth year of the agreement (2015-2016) ---------- 0.5 %

The parties intend the annual increase in payments by the Village to the County for law enforcement services to be based on the above schedule or the actual increase in cost of providing law enforcement services, whichever is less. In the event that the cost of providing law enforcement services to the Village decreases during any year of the Agreement, such decreases shall be reflected in the amounts the Village pays the following year. Any adjustment in the rate set herein shall be made at least one month prior to the date of which the Sheriff's budget is required to be submitted to the Dakota County Board of Commissioners and will take effect at the beginning of the Village's fiscal year.

15) The initial term of this Agreement is September 1, 2012, to September 30, 2016. This Agreement shall automatically continue in full force and effect for each year thereafter for a minimum of four (4) years, unless terminated by either party.
16) This Agreement may be terminated by either party notifying the other party in writing of its intention to terminate the Agreement not less than ninety (90) days prior to the end of the September 30th year term. In the event this Agreement is terminated by either party, all equipment, materials, and supplies provided by the County for law enforcement in the Village shall be retained by the County. Any supplies that the Village furnishes for Village purposes shall be retained by the Village.
17) This Agreement may be expanded upon the Village's request and Agreement by the County to include additional deputies as needed. The need for such additional deputies shall be determined by the Sheriff.
18) Any previous Agreements between the parties, and any amendments to this Agreement, are terminated at such time as this Agreement becomes effective.

EXECUTED this _____ day of _____, 2012, by the Village of Homer, Nebraska.

THE VILLAGE OR HOMER, DAKOTA COUNTY, NEBRASKA, a municipal corporation,

BY: _____
MAYOR

ATTEST:

_____
VILLAGE CLERK

APPROVED AS TO FORM this _____ day of _____, 2012.

_____
VILLAGE ATTORNEY

EXECUTED this 1st day of October, 2012, by Dakota County, Nebraska.

THE DAKOTA COUNTY BOARD OF COMMISSIONERS, DAKOTA COUNTY, NEBRASKA, a political subdivision,

BY: /s/ Antonio A Gomez
/s/ Richard McNear
/s/ Scott Love
/s/ William "Bill" Rohde
/s/ Absent – Rick Bousquet

ATTEST:
/s/ Cherie Conley

DEPUTY COUNTY CLERK

APPROVED AS TO FORM this 1ST day of OCTOBER, 2012.
/s/ Kim Watson
COUNTY ATTORNEY

ROLL CALL VOTE: Gomez – Yea, Rohde – Yea, Love – Yea and McNear – Yea. Bousquet – Absent. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for Agenda Item #3 Miscellaneous.

a. Road Report – Fred Kellogg, Highway Superintendent

DAKOTA COUNTY ROAD DEPARTMENT BIWEEKLY REPORT:
September 16, 2012 to September 29, 2012

TOTAL ROAD MAINTENANCE: 295.5 HOURS

DISTRICT TOTALS:
A1= 33.5 A3=68 A4=68 A5=8 A6=50.5 A7=67.5

OVERTIME HOURS:	0 HOURS	
MOWING:	0 HOURS	
TREE CUTTING:	0 HOURS	
DITCH CLEANING:	0 HOURS	
GARBAGE PICKUP:	0 HOURS	
MAGNET:	0 HOURS	
GRAVEL HAULING:	59 HOURS	
TONS OF GRAVEL HAULED:	0 TONS	CLASS A
	938 TONS	PETERSON
	938 TOTAL TONS OF GRAVEL	

3 Road concerns

Vice-Chair Rohde asked if the tractor had been taken back to Wayne and Fred Kellogg advised that it had been returned a week ago. Further discussion was had on the use of the tractor and the rent.

Vice Chair Rohde called for Agenda Item #4 Commissioner Committee Reports. There were none.

Vice Chair Rohde called for Agenda Item #5 Mail and/or Emergency Business. There was none.

Vice Chair Rohde called for Agenda Item #6 Public Comment.

Jolene Heinemann with the Treasurer's office approached the Board regarding the budget cuts and the approval of the Sheriff's contract. Ms. Heinemann asked how the Board can justify giving the deputies an additional 5 days of personal leave when the other courthouse budgets have been cut. Commissioner Love stated that didn't really factor money, besides wages, but that was ironed out with them. Commissioner Rohde asked for Jolene to explain more. Jolene stated that the sheriff's department received 5 more personal days, yet the Treasurer's office lost a whole person. She explained that this week one of the gals is out from a surgery leaving only 3 gals to work the windows, none of them were able to take lunches or breaks and the customers were complaining. When the State turned the title process over to the Treasurer's office their work load doubled and they were given one more person, which now has been taken away but the work load is the same. The gal that was let go is a single mother who was excellent with the customers and did her job well. Commissioner Rohde advised that no one department went without sacrifices and some had to do layoffs some did not. Jolene commented that no one received raises, but the workload increased and the sheriff's department received 5 more days off. She isn't sure how anyone will be able to take vacation or what they will do if someone is sick. Commissioner Rohde said this can't be tied to the budget, contract negotiations are separate from the budget. Commissioner Love commented that they know where she is coming from. Further discussion was had as to vacations, sick time, and lunch time working with a reduced staff. Commissioner Gomez said that he understands the frustrations and assured that in contract negotiations it is a give and take. Commissioner Gomez said they will look into the problem and see what could be done and he said that if the public is upset to have them call the commissioners. Commissioner Love said he doesn't want to see animosity between offices, but it is going to have to work it's course and see how it plays out. Commissioner Love said they will talk about this issue and they didn't mean to create problems, but this is what they had to do from the money standpoint. Commissioner Love said that they will look into this situation.

Bob Giese, Treasurer, approached the Board and stated that there is a lot of frustration within the courthouse. He stated that he understands the need for budget cuts and they did what they needed to do. He informed that the frustration that he is hearing is that when the budget was approved and done, then the sheriff's contract was approved with these additional days and somebody has to pay when those people are off and when you look at the reality of it, the other offices had to make cuts and the work still needs to be done, but in the end we had to let one person go and now we have to clean the toilets. So it is what it is and everybody will share the pain and it is a lot of give and take, but to a lot of folks it is more take than give. Commissioner Rohde stated that one official came to them and suggested that we get put on the ballot and let the people decide in the county to exceed our LID and he doesn't believe that is the answer and he thinks people in this county are taxed to death so somebody had to tighten their belts and some departments were hit harder than others. Bob Giese agrees, but when you hear wage freeze and hiring freeze within the offices and then you hear of these contracts getting approved with more benefits. Commissioner Rohde said they had to give up some things. Bob Giese said if it is not such a big deal we will all take 5 more days next year in this contract. Commissioner Love stated that they are trying to prepare themselves for next year's budget.

Dennis Reinert commented that the school districts are really taking a big chunk of the tax money and he doesn't know if Homer has any constraints, he believes every teacher has an aid and that is reckless. Dennis Reinert asked that Dakota County look into considering making UTV's legal in Dakota County and possibly make it a revenue for the County. Some further discussion was had. Mr. Reinert will bring this matter before the Board as an agenda item.

Vice Chair Rohde called for Agenda Item #3 Miscellaneous.
b. Closed Session to discuss Road Department union contract negotiations.
Commissioner Love moved, seconded by Commissioner Gomez to convene into Closed Session to discuss the Road Department Union Contract. ROLL CALL VOTE: Rohde – Yea, Love – Yea, McNear – Yea, and Gomez – Yea. Bousquet – Absent. UNANIMOUS MOTION CARRIED at 4:35 p.m.

Commissioner Gomez moved, seconded by Commissioner Love to reconvene into Regular Session from discussing the Road Department Union Contract. ROLL CALL VOTE: Love – Yea, McNear – Yea, Gomez – Yea and Rohde – Yea. Bousquet – Absent. UNANIMOUS MOTION CARRIED at 4:42 p.m.

Vice Chair Rohde called for Agenda Item #3 Miscellaneous.
c. Closed Session to discuss Correctional Officer Union Contract negotiations.
Commissioner Gomez moved, seconded by Commissioner McNear to convene into Closed Session to discuss the Correctional Officer Union Contract. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Rohde – Yea, and Love – Yea. Bousquet – Absent. UNANIMOUS MOTION CARRIED at 4:42 p.m.

Commissioner Gomez moved, seconded by Commissioner McNear to reconvene into Regular Session from discussing the Correctional Officer Union Contract. ROLL CALL VOTE: Gomez – Yea, Rohde – Yea, Love – Yea, and McNear – Yea. Bousquet – Absent. UNANIMOUS MOTION CARRIED at 5:30 p.m.

Vice Chair Rohde adjourned the meeting of October 1, 2012 at 5:31 p.m.

County Board of Commissioners

_____
William "Bill" Rohde, Vice Chair Date Chair signed

_____
Cherie Conley, Deputy County Clerk/Secretary Date

DAKOTA COUNTY SEAL NEBRASKA

_____
Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, October 15, 2012
Dakota County Courthouse
County Board Meeting Room – Basement
Dakota City, NE 68731

Chair Bousquet called their regular scheduled meeting to order at 4:01 p.m. The Pledge of Allegiance was recited and the meeting was convened into the Board of Equalization wherein Chair Gomez took over. Chair Bousquet reconvened the Board of Commissioner's meeting at 4:04 p.m. and the location of the Open Meetings Act was noted. Roll Call was taken and present were Commissioners McNear, Gomez, Bousquet, Love and Rohde, and Cherie Conley, Deputy County Clerk and Secretary. Absent were none. Also present were Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – Excused Absence

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

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

1. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
    a. Approval of the previous minutes – October 1, 2012
    b. Approval of payroll claims
    c. Approval of accounts payable claims
    d. Officials Reports
    e. Approve Subgrant Agreement for Child Support Enforcement Services between the Clerk of District Court and Department of Health and Human Services Child Support Enforcement program effective October 1, 2012 until September 30, 2013. The purpose of this agreement is to account for the work of the Clerk of the District Court as it relates to Child Support Enforcement and provide the mechanism for the DHHS to provide reimbursement to the County for the Clerk's child support related work.
    f. Approve Amendment Two, September 2012, to the Child Support Enforcement Subgrant Agreement between the Nebraska Department of Health and Human Services Division of Children and Family Services Child Support Enforcement and Dakota County effective July 1, 2011 to September 30, 2012, to allow reimbursement for an additional quarter.
2. NEW BUSINESS
    a. Chair to change appointment of member serving on the Road Committee.
    b. Discuss the use of time clocks for hourly and non-exempt salary employees.
3. MISCELLANEOUS
    a. Road Report – Fred Kellogg, Highway Superintendent
    b. Closed Session to discuss Road Department union contract negotiations.
    c. Closed Session to discuss Correctional Officer union contract negotiations.
    d. Board to discuss, approve and give the Chair permission to sign the Union contract with the Road Department.
    e. Board to discuss, approve and give the Chair permission to sign the Union contract with the Correctional Officer's.
4. COMMISSIONER COMMITTEE REPORTS
5. MAIL AND/OR EMERGENCY BUSINESS
6. PUBLIC COMMENT
7. ADJOURNMENT

The next Board of Commissioner's meeting will be October 29, 2012.

Chair Bousquet called for Agenda Item #1 Consent Agenda:

a. Approval of the previous minutes – October 1, 2012
b. Approval of payroll claims
c. Approval of accounts payable claims
d. Officials Reports
e. Approve Subgrant Agreement for Child Support Enforcement Services between the Clerk of District Court and Department of Health and Human Services Child Support Enforcement program effective October 1, 2012 until September 30, 2013. The purpose of this agreement is to account for the work of the Clerk of the District Court as it relates to Child Support Enforcement and provide the mechanism for the DHHS to provide reimbursement to the County for the Clerk's child support related work.
f. Approve Amendment Two, September 2012, to the Child Support Enforcement Subgrant Agreement between the Nebraska Department of Health and Human Services Division of Children and Family Services Child Support Enforcement and Dakota County effective July 1, 2011 to September 30, 2012, to allow reimbursement for an additional quarter.

Chair Bousquet stated that he had gone through the Payroll Claims and the Accounts Payable Claims and all seemed to be in order.

Commissioner Gomez moved, seconded by Commissioner McNear to approve the Consent Agenda items as presented: a. Minutes of the October 1, 2012 Board of Commissioner's meeting;

b. Payroll Claims: COUNTY GENERAL FUND: Gross salaries- $127,555.95, General Fund Employees Net Pay- $92,025.51, Employer deductions paid: Retirement- $8,881.33, FICA- $7,580.94, Medicare- $1,772.99, DC Health Plan- $21,250.00, DC Dental Plan- $944.82 and Life Insurance- $191.85, COBRA- $1,187.18.

Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1448.26, Daniel Christoffers- 240.80, Cherie Conley- 1107.36, Theodore Piepho- 1800.68, Mary C. Wiltgen- 912.24, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $792.00, Christy Abts- $1240.38, Jeffrey Curry- $1360.00, Rita Deichert- $960.00, Richard Erickson- $1800.68, David Hauf- $1416.80, Daniel Christoffers- $1038.48, Arnold Mellick- 228.32, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 337.92, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Tammy Dunn-Peterson- 1017.38, Sergio Castillo- 1708.14, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 1837.65, Brent Gilster- 1748.24, Todd Hammer- 1721.60, Richard Hansen- 1623.48, Melvin Harrison III- 1768.96, Jason James- 1878.85, Douglas Johnson- 1960.96, Kimberly Johnson- 603.46, Jared Junge- 1793.19, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1783.58, Michael Kreegar- 1737.58, Gayle Richards- 941.60, Kevin Rohde- 1726.92, Randall Walsh- 1903.85, Jill Merica- 851.00, Lisa Olsen- 880.00, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Melinda Wicks- 1576.92, Cara Wood- 1267.13, Jacob Acero- 1589.57, Cassandra Androy- 1132.80, Joshua Blatchford- 1386.74, Rebecca Broer- 1823.25, Elisabet DeRoin- 1239.06, Sandy Dickens- 801.48, Jesse Doelle- 1059.20, Marjorie Donahue- 1599.28, Ryan Foster- 1337.11, Linda Frost- 882.40, Alma Gunderson- 1647.38, Deanna Haukap- 1332.80, Jeffrey Heitzman- 1600.83, Adam Hough- 1324.93, Michael Jacobson- 1345.41, Stephanie Jensen- 1132.80, Brett Johnson- 1332.80, Michelle Jones- 1277.94, Brenda Kelly- 1356.80, Terry Kern- 2030.29, Mark Nelson- 1476.66, Travis Olander- 1329.06, Kimberly Peterson- 1494.18, Terry Poland- 1191.71, Cody Roeber- 1280.00, Jutharatana Ruenprom- 1333.18, Alicia Schoenberner- 1195.43, Linda Schovanec- 1,396.80, Jennifer Svendsen- 1608.63, Tabitha Uhl- 1132.80, Jewel Williams- 1328.80, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 657.07, Pamela DeVries- 1728.15, Bonnie Kahler- 775.45, Linda Weitzel- 1281.84, Willard Johnston- 1250.00.

GENERAL FUND: Employee withholding paid to: Federal- $12,531.54, State- $4,328.37, FICA- $5,135.52, Medicare- $1,772.99, Retirement- $6,011.38, Health Plan- $1,400.00, DC Dental Plan- $609.00, Colonial Health- $664.38, Sheriff Union Dues- $400.00, Colonial Life/Disability- $269.18, Deferred Comp- $352.00, Garnishments- $642.46, Flex Plan Medical- $821.49, Flex Plan Dependant Care- $262.50, COBRA- $329.63.

COUNTY ROAD PAYROLL: Gross salaries- $12,297.27, Road Employees Net Pay- $8,785.55, Employer deductions paid: Retirement- $830.05, DC Health Plan- $2,250.00, DC Dental Plan- $97.74, Life Insurance- $20.25, FICA- $687.29, and Medicare- $160.74.

Brent Byroad- 1398.40, Kevin Chambers- 570.91, Robert Hacker- 1318.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40.

ROAD FUND: Employee withholding paid to: Federal- $1,118.58, State- $388.18, FICA- $465.57, Medicare- $160.74, Retirement- $553.39, Health Plan- $350.00, DC Dental Plan- $63.00, Reassure America Life- $2.44, Colonial Life Health- $123.14, Deferred Comp.- $41.68, Flex Plan Medical- $105.00 and Union Dues- $140.00.

c. Accounts Payable Claims: **GENERAL FUND:** Dakota County Star, publishing- 748.38; Holiday Inn, lodging- 179.90; Perkins, supplies/toner- 85.89; Perkins, supplies/envelopes- 516.93; Charlotte Doenhoefer, prior yrs- 10.00; Ruth Jensen, prior yrs- 12.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; AS Central Service, services- 192.00; Dakota County Treasurer, postage- 14.58; US Bank, supplies/toner 839.32; Deb Benton, mileage- 9.99; Des Moines Stamp, ink- 6.90; Microfilm Imaging Systems, rental- 240.00; Margie Rahn, prior yrs- 12.00; AJ Phillips, signs/cards- 325.00; David Hauf, mileage- 276.95; Net Sys Plus, computer work- 20.00; Office Elements, lease- 79.00; Madelyn Thorsland, prior yrs- 10.00; American Made Election Equipment, bag- 130.00; Dakota County Star, publishing- 700.00; Election Systems & Software, ballots/coding- 5570.12; Mundo Latino, publishing- 853.20; Perkins, supplies- 33.48; Theodore Piepho, phone- 30.00; Secretary of State, voter reg. cards- 50.00; US Bank, pens/booths/toner- 661.50; Dakota Business Systems, copier rental- 102.00; Deb Green, mileage/meeting- 33.87; Jolene Gubbels, taking minutes- 30.00; Paul Ireland, mileage/meeting- 23.33; Arnie Mellick, mileage- 73.26; Marlan Millard, mileage/meeting- 18.89; Harold Moes, mileage/meeting- 22.77; NACO, convention- 120.00; Joe O'Neill, mileage/meeting- 18.89; Martin Rohde, mileage/meeting- 23.88; Executive Tech, contract- 215.72; Executive Technologies, ink- 37.51; MIPS, scanning- 87.00; Perkins, supplies- 24.28; AS Central Service, supplies- 428.85; Iowa Office Supply, ribbon- 26.25; Paula Jensen, supplies- 19.09; Marlin Business Bank, contract- 200.00; Microfilm Imaging Systems, scanning- 190.50; Office Systems Company, contract- 125.00; Cindy Foley, supplies/bill of exceptions- 409.27; US Bank, real time- 49.00; Midwest Office Automation, contract- 103.26; Net Sys Plus, internet- 220.00; Perkins, supplies- 31.34; Dakota County Court, costs- 2040.15; Dakota County Sheriff, papers/warrants- 533.87; Kueny & Begley Law, court appointed counsel- 240.00; Stuart Mills, court appointed counsel- 3236.25; Pell Reporting, bill of exceptions- 3177.00; District Court, costs- 1095.00; Douglas Roehrich, court appointed counsel- 1526.30; Richard Thramer, court appointed counsel- 1091.77; Woodbury County Sheriff, service- 26.35; Barone Security, inspection fees- 228.00; Bomgaars, repair- 43.54; Bunkers Feed & Supply, salt- 11.62; City of Dakota City, utilities- 607.00; Gill Hauling Inc, service- 125.00; Janitor Depot, supplies- 1474.67; Richard Jensen, mileage- 137.14; Joes Dept Store, repair/supplies- 85.16; Menards, supplies- 908.08; MidAmerican Energy, utilities- 841.00; Nebraska Public Power District, utilities- 2909.39; O'Keefe Elevator, maintenance- 1704.98; Sams Club, supplies- 302.26; Share Corporation, repair- 1104.40; Tool Depot, repair- 309.27; Trembly Pest Control, service- 5.00; US Bank, supplies- 385.07; Verizon, phone- 51.68; UNL Extension, reimburse- 821.37; PMNRD, rent- 833.33; City of South Sioux City, fuel-

5580.33; Dakota County Sheriff, course- 250.00; Dept of Correctional Serv, spike strips- 50.00; Dakota County Treasurer, registration- 6.50; Dakota Food & Fuel, fuel- 51.35; Electronic Engineering, repair/replace- 930.00; Fremont Tire, repair- 745.36; Janitor Depot, gloves- 6.40; Joes Department Store, keys- 79.90; Joes Towing, tow- 60.00; Knoepfler Chevrolet, canister- 335.46; Midwest Office Automation, toner- 25.17; O'Reilly Automotive, supplies- 325.87; Sioux City Ford, repair supplies- 1587.01; Siouxland Federal Credit Union, fuel- 84.50; Staples, ink/toner- 244.40; Troys Auto World, trailer- 650.00; US Bank, mail/toner/repair/supplies/fuel- 190.25; Verizon, phone- 160.04; Cartridge World, toner- 57.69; Dakota County Treasurer, cash advance- 51.15; Des Moines Stamp, ink pads- 16.50; H2O4U, expenses- 10.00; Iowa Office Supply, contract- 156.81; Peter Parry, phone- 20.00; Verizon, phone- 130.72; City of South Sioux City, lec cost share- 32581.87; Verizon, phone- 87.49; Aramark, admin- 113.50; Associated Fire Protection, inspection- 585.00; Bob Barker, supplies- 534.13; CBM Food Service, meals- 26848.98; CNOS, medical- 205.00; CashWa Distributing, meals/supplies- 166.13; City of Dakota City, utilities- 1764.74; City of South Sioux City, fuel- 241.23; Dakota Family Dentistry, medical- 871.00; Dakota One Leasing, contract- 220.00; Dept of Correctional Serv, safekeepers/medical- 3733.90; Gill Hauling, service- 125.00; Grainger, supplies- 816.32; Jacks Uniforms Equip, supplies- 776.70; Janitor Depot, supplies- 840.75; Joes Dept Store, supplies- 43.73; Mercy Business Health, medical- 2776.75; Mercy Medical Center, medical- 6270.91; Mercy Medical Center, medical- 70.00; MidAmerican Energy, utilities- 429.22; Midwest Office Automations, copies- 196.75; Moore Medical, medical- 76.95; Nebraska Public Power Dist, utilities- 3551.37; Net Sys Plus, computer work- 220.00; Redwood Toxicology, tests- 92.12; Siouxland Federal Credit Union, pegs/paint- 51.96; Siouxland Radiology Partners, medical- 440.00; Trembly Pest Control, service- 50.00; US Bank, prescriptions/meal/supplies- 5916.11; Verizon, phone- 216.23; Virtual Radiological Finals, medical- 45.00; Wigman Company, supplies- 305.62; Woodbury Co Juvenile Det, boarding- 9500.00; Dodge County Clerk, quarterly building- 11587.80; NACO, convention- 120.00; US Bank, lodging- 205.52; Verizon, phone- 81.59; Advance Auto Parts, parts- 87.06; Bomgaars, antifreeze/parts- 62.81; Hubbard Minimart, fuel- 471.00; NACO, conference- 120.00; Pam Devries, mileage- 39.96; Pat Glover, hours- 100.00; Sanofi Pasteur, syringes- 1167.80; US Bank, fee- 523.00; Roxanne Voss, hours- 140.00; Linda Weitzel, mileage- 79.92; Thomas Wente, physician fee- 250.00; Perkins, supplies- 15.41; Bill Johnston, mileage- 325.35; Quality Inn, lodging/meals- 309.81; US Bank, meals- 41.65; CVSOAN, registration- 35.00; Perkins, supplies- 26.94; Thomson West, service- 1507.54; Baylor Evnen Curtiss, legal fees- 292.50; Cable One, internet- 169.96; Cherie Conley, membership- 19.50; Fibercomm, phone- 704.58; F&M Bank, stop pay- 100.00; Mailfinance, lease- 227.00; Mercy Business Health, eap agreement- 240.75; MIPS, support- 514.54; Net Sys Plus, computer work- 210.00; Norm Waitt YMCA, memberships- 195.00; Region IV Inc, qtrly services- 5320.25; Three Rivers Benefit, admin fees- 115.00; USPS Hasler, postage- 2500.00; Randy Walsh, membership- 19.50; Road Fund, budget transfer- 30000.00; Road Improvement Fund, budget transfer- 50000.00; Nebraska UC Fund, unemployment- 2713.37;

ROAD FUND: ATCO, supplies- 182.00; Atokad Heritage Express, fuel- 122.00; AZ Inc, fuel- 530.75; Bomgaars, supplies- 81.15; Dakota County Star, publishing- 85.50; Emerson Heritage Express, fuel- 121.00; First National Bank, grader payment- 15202.57; GCR Tire, tires- 8544.00; Gill Hauling, service- 55.00; Grossenburg Implement, tractor rental- 900.00; Bob Hacker, clothing allowance- 75.00; Walter Heinemann, prior yrs- 29.00; Hubbard Minimart, fuel- 1355.77; H2O4U, service- 8.50; Independent Radiator Works, parts/labor- 90.95; Joes Dept Store, supplies- 112.76; Kinetic Leasing, loader/interest- 2458.00; LG Everist Inc, gravel- 1005.88; Matheson Linweld, oxy- 56.00; Medical Enterprises, testing- 67.00; Midwest Service & Sales, signs- 1815.50; Midwest Wheel, supplies- 8.05; Marlan Millard, prior yrs- 15.00; Nebraska Culverts & Steel, pipe- 1645.30; Nebraska Public Power District, service- 32.42; NE Nebraska Public Power Dist, utilities- 232.35; NE Nebraska Telephone, phone- 220.31; Peterson Sand & Gravel, gravel- 38903.55; Pomps Tire, rental- 85.00; Powerplan Murphy, supplies- 402.17; Rees Mack Sales, parts/labor- 552.22; St Lukes Center for Occ Health, testing- 70.00; Siouxland Hydraulics, supplies- 52.09; Torco Remfg, parts- 290.35; US Bank, supplies- 17.84; Verizon, phone- 32.61; Warren Oil, diesel- 4742.80; Zieglers, oil/blades/supplies- 7830.78;

HARD SURFACE: Olsson Associates, engineering- 21385.01; US Bank, publishing- 195.26;

ROAD IMPROVEMENT: Dale Hans Excavating, culvert- 58000.00; **VETERANS AID:** County Veterans Office, checking for vets- 4500.00; **STOP FUND:** Dakota County K-9 Foundation, training- 396.59; **HEALTH PLANNING GRANT:** Deanna Beckman, hours- 1224.00; Pam Devries, mileage- 11.66; US Bank, food- 295.00; **INHERITANCE TAX:** NECC Foundation, contribution- 5000.00;

PUBLIC SAFETY: City of South Sioux City, sales tax- 3072.82; Jail Bond Fund, sales tax- 27681.14; Road Fund, sales tax- 701.88; **E911:** City of South Sioux City, 911 monies- 22703.79;

d. Officials Reports for September 2012 for the County Clerk, Register of Deeds and Clerk of District Court and the Quarterly Official Reports for July, August and September 2012 for the Sheriff's Department, Corrections Department and the Veterans Office Department.

e. Approve Subgrant Agreement for Child Support Enforcement Services between the Clerk of District Court and Department of Health and Human Services Child Support Enforcement program effective October 1, 2012 until September 30, 2013. The purpose of this agreement is to account for the work of the Clerk of the District Court as it relates to Child Support Enforcement and provide the mechanism for the DHHS to provide reimbursement to the County for the Clerk's child support related work.

f. Approve Amendment Two, September 2012, to the Child Support Enforcement Subgrant Agreement between the Nebraska Department of Health and Human Services Division of Children and Family Services Child Support Enforcement and Dakota County effective July 1, 2011 to September 30, 2012, to allow reimbursement for an additional quarter.

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CHILD SUPPORT ENFORCEMENT SUBGRANT
BETWEEN THE
NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF CHILDREN AND FAMILY SERVICES CHILD SUPPORT ENFORCEMENT
AND
DAKOTA COUNTY

AMENDMENT TWO, SEPTEMBER 2012

This agreement is entered into by and between the Nebraska Department of Health and Human Services, **DIVISION OF CHILDREN AND FAMILY SERVICES CHILD SUPPORT ENFORCEMENT** (hereinafter "DHHS"), and **DAKOTA COUNTY** (hereinafter "Subrecipient").

The agreement between the parties effective JULY 1, 2011 through SEPTEMBER 30, 2012 is hereby amended as follows:

Article II. AMOUNT OF SUBGRANT, Paragraph A. TOTAL AWARD is amended to read:

A. TOTAL AWARD. DHHS shall pay the Subrecipient a total amount of $13,983. This amount is an estimate based upon the claim and reimbursement amounts from the prior year and current year projections. The State may, with written notice to the subrecipient, increase the total amount payable, if the subrecipient provides a written statement of costs which are determined to be allowable and approved.

All other terms and conditions remain in full force and effect.

IN WITNESS THEREOF, the parties have duly executed this subgrant hereto, and each party acknowledges the receipt of a duly executed copy of this subgrant with original signatures.

FOR DHHS:

_____
Signature

Jill Schreck
Deputy Director
Department of Health and Human Services

DATE: _____

FOR SUBRECIPIENT:

_____
Signature

Chairperson, County Board

DATE: _____

ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea and McNear - Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #2 New Business:

a. Chair to change appointment of member serving on the Road Committee – REMOVED.

Chair Bousquet called for Agenda Item #2 New Business:

b. Discuss the use of time clocks for hourly and non-exempt salary employees.

Commissioner Love stated that this is something that has been talked about over the last couple of years and was amazed that there were no time clocks being used and based on honor system. Commissioner Love informed that he and Commissioner Bousquet had talked and decided to bring it before the Board for discussion. Commissioner Rohde asked how many time clocks would be needed. Chair Bousquet commented that City Hall in South Sioux City has one time clock in a centralized location and everyone goes into this room and their hand is scanned. There is no way to cheat the scanned system. He stated that there are other options of scanning. Joan Spencer referred to an estimate that Ted Piepho had obtained back in November 2011 and the quote from Qwest Software Systems was $7849 which was a finger scanning and 3 time clocks and would tie into the payroll system. After further discussion it was decided that Joan would collect quotes from other companies and this matter would be placed on the agenda for the next meeting for possible action.

Chair Bousquet called for Agenda Item #3 Miscellaneous:

a. Road Report – Fred Kellogg, Highway Superintendent
DAKOTA COUNTY ROAD DEPARTMENT BIWEEKLY REPORT
September 30, 2012 to October 13, 2012

TOTAL ROAD MAINTENANCE:	236 HOURS
DISTRICT TOTALS: A1 = 38.5	A3 = 56 A4 = 50.5 A5 = 27 A6 = 18.5 A7 = 45.5
OVERTIME HOURS:	0 HOURS
MOWING:	0 HOURS
S AVE CULVERT/DITCH WORK	16 HOURS
L AVE & M AVE PROJECT	122 HOURS
GARBAGE PICKUP	2 HOURS
MAGNET:	8 HOURS
GRAVEL HAULING:	3.5 HOURS
TONS OF GRAVEL HAULED:	0 TONS CLASS A
	45 TONS PETERSON
	45 TOTAL TONS OF GRAVEL

Surplus bids open 10-15-12 for motor grader
Bids - Ziegler: $76,150.00 and **Murphy:** $80,100.00
0 Road Concerns

Fred stated that the bids received were right where they should be. Joan made note that Fred was appointed as agent to receive, accept and sell the motor grader. The Board was in approval of accepting the Murphy bid as Fred recommended.

Chair Bousquet called for Agenda Item #6 Public Comment.

Jolene Heinemann with the Treasurer's office approached the Board for follow-up from the last meeting on October 1, 2012. Commissioner Love informed that some discussion has been had but there are no answers yet, but they are hoping some decisions will be made prior to the next meeting. Chair Bousquet informed Jolene that in the future she would need to be placed on the agenda to discuss budget issues.

Stephanie Gatzemeyer with the Treasurer's office approached the Board with a couple of questions at which time Chair Bousquet informed Stephanie that the Board may not be able to answer her questions and she would need to be placed on the next agenda. Stephanie commented that she had concerns regarding the cleaning of the courthouse and the bathroom duties. She stated that cleaning in work attire can damage clothing, and that cleaning after hours would require overtime and stated that overtime has been cut due to the budget and if clothing is ruined would employees be compensated. She suggested that perhaps the prisoners could clean the bathrooms. Chair Bousquet stated that they would check into it.

Don Clayton from North of Jackson. Mr. Clayton wanted the Board to know that L Avenue North of Jackson is in terrible condition and it is beating the cars to death. He stated that after driving on other County roads, L Avenue is the worst. Commissioner Love commented that because this year is so dry the roads are harder to maintain and the truck traffic makes a difference. Further discussion between the Commissioners, Fred Kellogg and Mr. Clayton was had and the Commissioner's asked that Fred Kellogg check into repairing this road.

Chair Bousquet called for Agenda Item #3 Miscellaneous:

b. Closed Session to discuss Road Department Union Contract Negotiations.

Commissioner Love moved, seconded by Commissioner Rohde to convene into Closed Session to discuss the Road Department Union Contract. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea and Gomez – Yea. UNANIMOUS MOTION CARRIED at 4:25 p.m.

Commissioner Love moved, seconded by Commissioner Rohde to reconvene into Regular Session from Closed Session discussing the Road Department Union Contract. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED at 4:26 p.m.

Commissioner Bousquet moved, seconded by Commissioner McNear to excuse Commissioner Gomez from the remainder of the meeting. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Abstain, Bousquet – Yea and Love – Yea. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Rohde to convene into Closed Session to discuss the Road Department Union Contract. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea and McNear – Yea. Gomez – Absent. UNANIMOUS MOTION CARRIED at 4:27 p.m.

Commissioner McNear moved, seconded by Commissioner Love to reconvene into Regular Session from Closed Session discussing the Road Department Union Contract. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED at 4:45 p.m.

Chair Bousquet called for Agenda Item #3 Miscellaneous:

c. Closed Session to discuss Correctional Officer Union Contract negotiations.

Commissioner Love moved, seconded by Commissioner Rohde to convene into Closed Session to discuss the Correctional Officer Union Contract. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea and Bousquet – Yea. Gomez – Absent. UNANIMOUS MOTION CARRIED at 4:45 p.m.

Commissioner Rohde moved, seconded by Commissioner McNear to reconvene into Regular Session from Closed Session discussing the Correctional Officer Union Contract. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED at 5:30 p.m.

Chair Bousquet adjourned the Board of Commissioner's meeting of October 15, 2012 at 5:30 p.m.

County Board of Commissioners

_____
Rick Bousquet, Chair Date Chair signed

_____
Cherie Conley, Deputy County Clerk/Secretary Date

DAKOTA COUNTY SEAL NEBRASKA

_____
Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, October 29, 2012
Dakota County Courthouse
County Board Meeting Room – Basement
Dakota City, NE 68731

Chair Bousquet called their regular scheduled meeting to order at 4:02 p.m. The Pledge of Allegiance was recited and the location of the Open Meetings Act was noted. Roll Call was taken and present were Commissioners Bousquet, Love, Rohde, McNear and Gomez, and Cherie Conley, Deputy County Clerk and Secretary. Absent were none. Also present were Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL - Excused Absence

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

1. CONSENT AGENDA Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.
   a. Approval of the previous minutes - October 15, 2012
   b. Approval of Payroll Claims
2. NEW BUSINESS
   a. Sandy Dickens requesting board approval to allow county employees to donate sick time hours to co-worker with cancer.
   b. Jolene Heinemann and Stephanie Gatzemeyer - 2012 /2013 Budget concerns and job duties.
   c. Time clocks - discussion, review proposals and possible board action.
3. MISCELLANEOUS
   a. Road Report - Fred Kellogg, Highway Superintendent.
   b. Closed Session to discuss imminent threat of litigation regarding the County's obligation in the contractual relationship between Tyler Technologies and the State of Nebraska.
   c. Closed Session to discuss Road Department Union Contract negotiations.
   d. Closed Session to discuss Correctional Officer Union Contract negotiations.
   e. Board to discuss, approve and give the Chair permission to sign the Union Contract with the Road Department.
   f. Board to discuss, approve and give the Chair permission to sign the Union Contract with the Correctional Officer's.
   g. Quarterly Jail Tour. County board shall make quarterly visit to county jail during the month of October. 47-109
4. COMMISSIONER COMMITTEE REPORTS
5. MAIL AND/OR EMERGENCY BUSINESS
6. PUBLIC COMMENT
7. ADJOURNMENT

The next Board of Commissioner meeting will be Tuesday, November 13, 2012.

Chair Bousquet called for Agenda Item #1 Consent Agenda: a. Approval of the previous minutes - October 15, 2012 and b. Approval of Payroll Claims. Chair Bousquet stated that he had gone through the payroll claims and all looked good with one resignation.

Commissioner Love moved, seconded by Commissioner Rohde to approve the Consent Agenda items: a. Approval of the October 15, 2012 minutes as submitted, and b. Approval of the Payroll Claims as submitted.

COUNTY GENERAL FUND: Gross salaries- $127,761.67, General Fund Employees Net Pay- $91,759.81, Employer deductions paid: Retirement- $8,903.07, FICA- $7,593.01, Medicare- $1,775.79, DC Health Plan- $21,500.00, DC Dental Plan- $955.68 and Life Insurance- $194.05, COBRA- $1,187.17, Principal Mutual Life Insurance- $1,127.61.

Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1448.26, Daniel Christoffers- 308.54, Cherie Conley- 1351.89, Theodore Piepho- 1800.68, Mary C. Wiltgen- 521.06, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $880.00, Christy Abts- $1240.38, Jeffrey Curry- $1360.00, Rita Deichert- $960.00, Richard Erickson- $1800.68, David Hauf- $1416.80, Daniel Christoffers- $1166.42, Mary C. Wiltgen- 549.57, Arnold Mellick- 228.32, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 327.36, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Tammy Dunn-Peterson- 963.20, Sergio Castillo- 1633.44, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 1755.56, Brent Gilster- 2718.30, Todd Hammer- 1872.24, Richard Hansen- 1633.44, Melvin Harrison III- 1812.00, Jason James- 1704.19, Douglas Johnson- 1960.96, Kimberly Johnson- 497.64, Jared Junge- 1776.94, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1735.94, Michael Kreegar- 1726.92, Gayle Richards- 941.60, Kevin Rohde- 1737.58, Randall Walsh- 1903.85, Jill Merica- 770.50, Lisa Olsen- 880.00, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Melinda Wicks- 1576.92, Cara Wood- 1267.13, Jacob Acero- 1407.82, Cassandra Androy- 1125.72, Joshua Blatchford- 1420.46, Rebecca Broer- 1428.57, Elisabet DeRoin- 1443.64, Sandy Dickens- 823.04, Jesse Doelle- 1059.20, Marjorie Donahue- 1500.17, Ryan Foster- 1195.92, Linda Frost- 876.89, Alma Gunderson- 1647.38, Deanna Haukap- 1382.78, Jeffrey Heitzman- 1405.62, Adam Hough- 1510.68, Michael Jacobson-

1474.16, Stephanie Jensen- 1161.12, Brett Johnson- 1366.12, Michelle Jones- 1161.12, Brenda Kelly- 1403.44, Terry Kern- 2030.29, Mark Nelson- 1476.66, Travis Olander- 1329.06, Kimberly Peterson- 1320.80, Terry Poland- 1217.70, Cody Roeber- 1312.00, Jutharatana Ruenprom- 1452.88, Alicia Schoenberner- 1206.56, Linda Schovanec- 1431.72, Jennifer Svendsen- 1332.38, Tabitha Uhl- 1214.22, Jewel Williams- 863.72, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 781.42, Linda Weitzel- 1219.84, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $12,454.27, State- $4,319.15, FICA- $5,143.65, Medicare- $1,775.79, Retirement- $6,028.36, Health Plan- $1,400.00, DC Dental Plan- $609.00, Colonial Health- $664.38, Sheriff Union Dues- $400.00, Colonial Life/Disability- $269.18, Deferred Comp- $882.00, Garnishments- $642.46, Flex Plan Medical- $821.49, Flex Plan Dependant Care- $262.50, COBRA- $329.63.
COUNTY ROAD PAYROLL: Gross salaries- $12,491.72, Road Employees Net Pay- $8,964.66, Employer deductions paid: Retirement- $843.17, DC Health Plan- $2,500.00, DC Dental Plan- $108.60, Life Insurance- $22.50, FICA- $688.82, and Medicare- $161.09, Principal Mutual Life Insurance- $202.12.
Brent Byroad- 1398.40, Kevin Chambers- 740.64, Robert Hacker- 1343.12, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,118.58, State- $388.18, FICA- $465.57, Medicare- $160.74, Retirement- $553.39, Health Plan- $350.00, DC Dental Plan- $63.00, Reassure America Life- $2.44, Colonial Life Health- $123.14, Deferred Comp.- $41.68, Flex Plan Medical- $105.00 and Union Dues- $140.00.
ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet - Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business: a. Sandy Dickens requesting board approval to allow county employees to donate sick time hours to co-worker with cancer. Sandy approached the Board with a request to allow county employees to donate their own sick time to an employee who has cancer or any employee experiencing an illness. Sandy stated that she is capped out on sick time and she would like to donate some of her sick time to this employee. Commissioner Bousquet asked County Attorney, Kim Watson, what the procedure would be for this. Kim Watson advised that there currently is no policy for this in the County Handbook and there would need to be a policy established and put into place for this. Chair Bousquet informed that the appropriate steps will be taken to get this policy in place and thanks Sandy for bringing this to the Board and that it is very noble of her to offer her sick time to someone else.

Chair Bousquet called for the Agenda Item #2 New Business: b. Jolene Heinemann and Stephanie Gatzemeyer - 2012 /2013 Budget concerns and job duties. Jolene commented that she is back and is wondering if the Board has made any decisions in regards to the budget, cleaning duties, staffing and job duties. Commissioner Rohde informed that the Budget Committee met and they came to the conclusion that they feel bad, but there really isn't any extra money to fund an additional position in the Treasurer's office. Jolene asked if there was someway a part-time position could be created with the hopes that full-time will be available in the future. Jolene asked if anyone else got laid off. Commissioner Rohde informed that the Budget Committee presented each Department Head with their budget and what they had to do to make that budge work was up to their discretion whether they did layoffs or cut back to 36 hours or however they wanted to handle that, it was up to them and they didn't mandate that they layoff anyone. Jolene commented that she feels their office took the hardest hit. Commissioner Rohde informed that they tried to treat everyone fairly and equally and he feels they did that. Jolene then asked about why in the Road Department someone was paid $25,000 to retire early and then the last person hired quit so they turned around and hired someone. Commissioner Love explained that what they were trying to do was to eliminate a Grader District. He stated that they had 7 machines and wanted to get down to 6 machines and carry the extra miles to the 6 machines. Yes there was a retirement buyout, there was one machine that had some issues so they wanted to get rid of that machine instead of replacing it and eliminate a person as well and basically what was done is we went from 7 to 6 machines and the way it all cash-flowed out looking at the money situation on the buyout, what the machine was worth and that money went back into the General Fund. Commissioner Love stated that he understands their concerns but it all made sense for the Road Department. Commissioner Rohde commented that "You just have to trust us, we are trying to the best for the County." Jolene commented that she understands on the budget, but that there are other issues going on such as the cleaning of the bathrooms and not everything is straight across the board. Commissioner Bousquet thanked Jolene and Stephanie for coming to the Board with concerns. Jolene asked how items in the Handbook can be changed and who is on the Handbook Committee. Commissioner Rohde informed that Handbook issues need to be brought to the Board and will be reviewed and acted on in that manner. Jolene did ask again about the part-time position possibility and the Board said they would check into it. Stephanie then approached the Board and stated that she had done some research on job descriptions where she found that Rick Jensen is suppose to be doing the cleaning of the courthouse and grounds which is fine, and is wondering if there are any OSHA codes concerning the employees cleaning the bathrooms and using chemicals to clean the public bathrooms. Commissioner Rohde informed that Terry Kern, Correctional Director, has agreed to let some of the inmates, under supervision, clean the public bathrooms.

Chair Bousquet called for the Agenda Item #2 New Business: c. Time clocks - discussion, review proposals and possible board action. Commissioner Bousquet informed that they had met with 3 vendors on time clocks and suggested that the Board take more time to review the various quotes. Commissioner Love advised that he too thinks more time is needed to make sure the right decision is made. Commissioner Bousquet suggested they set up meetings with each of the vendors for more review and will be placed on the next agenda. Bob Giese, Treasurer, approached the Board and

advised them that their office has used a software system in their office since June which is a time clock where the girls punch in and punch out and it computes comp time and that this software is at no cost. Bob also informed that there are some really strong people in the courthouse that can do wonders with computers and offered to the Board that they consider check with in-house staff. Phyllis Obermeyer, Clerk of District Court, approached the Board and stated that she is opposed to this and stated, "You are freezing these peoples wages, making them clean their office and the toilets, and in our office we do not have a public one, so we clean our own, and there hasn't been a complaint about it. Now you are going to slap them in the face and make them punch a time clock as well and spend $9000.00 on it and tell them they don't get a raise. I feel it is atrocious that you would do that. If you have a problem with a certain department then you should address that with that department and not as a whole." Commissioner Love said that is basically what we are looking at, just a couple of departments, not the Courthouse as a whole and taking baby steps to see how this works out. Phyllis asked if they are spending money to see how this is going to work out. Commissioner Love said it's not a matter of how it is going to work out and he feels it is absurd that 100 plus employees that don't punch a time clock and doesn't make sense to him. Commissioner Love believes it would pay for itself in a short time. Phyllis asked, "With the budget crunch we are in, how do you explain to the people that are working in the courthouse, and I am sorry that I don't know enough about what goes on in the Road Department or in the Jail as to their departments, but how do you explain to the people here, that I am sorry we are going to spend this money to make sure you are not late one minute, but yet we are not going to give you a raise, and by the way, clean you own bathrooms". Commissioner Bousquet stated then how do you explain to the people that are timely and the people that are not timely and the overtime we may be paying somebody. He stated that a time clock is a tool to make those people who are tardy and not showing up and make them pay attention. Phyllis commented that is what Department Heads are for. Commissioner Bousquet commented that as Commissioners they can not control the departments and the only control they have is at budget time and they are accountable for everyone's budget and when departments go over it comes back to the Commissioners and they need management tools. Phyllis commented that she understands management tools outside of the courthouse where the people are your employees, but putting in a time clock in the courthouse when you have Department Heads in here that are suppose to be managing that. Arnie Mellick with the Road Department commented that he knows the Road Department is one of the areas they are looking at putting in time clocks and informed that he is opposed stating that the Department Head has done a good job controlling anyone who has been tardy by writing them up or letting them go. Arnie stated he is half hour to forty minutes early every morning and has been ever since he worked for the County. Arnie commented that he understands time clocks are being looked at being placed in Emerson, Hubbard and Homer and that would have to be a fairly decent expense plus the monthly costs. Commissioner Bousquet informed that the Board does not have all the facts and figures together yet on how much it is going to save and they are investigating that, but when we get this information it will be shared and it has to be a full Board decision. Arnie expressed a couple other concerns with the lunch hours. The Board informed that they are looking into everything. Terry Kern, Correctional Director, asked the Board if there was anyway the time clock could be interfaced to create a paperless payroll and the persons coming and going can make it to the payroll records. Commissioner Rohde informed that it appears this can be done. Commissioner Bousquet informed that once all the information is gathered it will be placed on the agenda and everyone is welcome to come to the meeting.

Chair Bousquet called for Agenda Item #3 Miscellaneous: a. Road Report - Fred Kellogg, Highway Superintendent.

DAKOTA COUNTY ROAD DEPARTMENT BIWEEKLY REPORT:
October 14, 2012 to October 27, 2012

TOTAL ROAD MAINTENANCE: 220.5 HOURS

DISTRICT TOTALS:
A1 = 31 A3 = 47.5 A4 = 40 A5 = 40 A6 = 16 A7 = 46

OVERTIME HOURS:	4	HOURS downed trees
TREE REMOVAL:	12	HOURS
M AVE PROJECT	50.5	HOURS
GARBAGE PICKUP	0	HOURS
MAGNET:	0	HOURS
GRAVEL HAULING:	81	HOURS
TONS OF GRAVEL HAULED:	0	TONS CLASS A
	1546	TONS PETERSON
	1546	TOTAL TONS OF GRAVEL

9 Road Concerns

Commissioner Love asked how C Avenue was coming along and Fred informed that they are continuing to work on it and its completion date is the first part of December.

Chair Bousquet called for Agenda Item #3 Miscellaneous: b. Closed Session to discuss imminent threat of litigation regarding the County's obligation in the contractual relationship between Tyler Technologies and the State of Nebraska.

Commissioner Gomez moved, seconded by Commissioner McNear to go into Closed Session to discuss imminent threat of litigation regarding the County's obligation in the contractual relationship between Tyler Technologies and the State of Nebraska. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea and Love – Yea. UNANIMOUS MOTION CARRIED at 4:30 p.m.

Commissioner Love moved, seconded by Commissioner Rohde to reconvene back into Regular Session from Closed Session from discussing imminent threat of litigation regarding the County's

obligation in the contractual relationship between Tyler Technologies and the State of Nebraska. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea and Rohde – Yea. UNANIMOUS MOTION CARRIED at 4:44 p.m.

Chair Bousquet called for Agenda Item #3 Miscellaneous: d. Closed Session to discuss Correctional Officer Union Contract negotiations.

Commissioner Rohde moved, seconded by Commissioner Gomez to go into Closed Session to discuss Correctional Officer Union Contract negotiations. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea and McNear – Yea. UNANIMOUS MOTION CARRIED at 4:45 p.m.

Commissioner Rohde moved, seconded by Commissioner Gomez to reconvene back into Regular Session from Closed Session to discussing the Correctional Officer Union Contract negotiations. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea and Gomez – Yea. UNANIMOUS MOTION CARRIED at 4:47 p.m.

Commissioner Gomez moved, seconded by Commissioner Love to accept and to sign the Correctional Officer Union Contract. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous: c. Closed Session to discuss Road Department Union Contract negotiations.

Commissioner Gomez moved, seconded by Commissioner McNear to go into Closed Session to discuss Road Department Union Contract negotiations. ROLL CALL VOTE: Rohde – Yea, McNear – Yea Gomez – Yea, Bousquet – Yea and Love – Yea. UNANIMOUS MOTION CARRIED at 4:50 p.m.

Commissioner McNear moved, seconded by Commissioner Gomez to reconvene back into Regular Session from Closed Session discussing the Road Department Union Contract negotiations. ROLL CALL VOTE: McNear – Yea Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED at 5:31 p.m.

Chair Bousquet called for Agenda Item #4 Commissioner Committee Reports.
Commissioner McNear reported that Health Department was informed they will no longer be able to give shots to those with insurance according to a bill passed by the State. Commissioner Love reported that the Budget Committee met with all of the Department heads and everyone is in pretty good shape.

Chair Bousquet called for Agenda Item #5 Mail and/or Emergency Business. There was none.

Chair Bousquet called for Agenda Item #6 Public Comment.

Commissioners then headed over to the Jail for the quarterly jail tour pursuant to Neb. Rev. Stat. §47-109. It was noted that tinting had been added to the Pod windows and the booking area was viewed by all.

Chair Bousquet adjourned the Board of Commissioner's Meeting of October 29, 2012 at 6:00 p.m.

County Board of Commissioners

_____

Rick Bousquet, Chair Date Chair signed

_____

Cherie Conley, Deputy County Clerk/Secretary Date

DAKOTA COUNTY SEAL NEBRASKA

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Tuesday, November 13, 2012
Dakota County Courthouse
County Board Meeting Room – Basement
Dakota City, NE 68731

Vice Chair Rohde called their regular scheduled meeting to order at 4:08 p.m. The Pledge of Allegiance was recited during the Board of Corrections meeting just prior to this. The location of the Open Meetings Act was noted. Roll Call was taken and present were Commissioners Love, McNear, Gomez and Rohde, and Cherie Conley, Deputy County Clerk and Secretary. Absent was Chair Bousquet. Also present were Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – Excused Absence

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

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

1. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
    a. Approval of the previous minutes – October 29, 2012
    b. Approval of payroll claims
    c. Approval of accounts payable claims
2. NEW BUSINESS
    a. Time clocks – discussion, review proposals and possible board action.
    b. Handbook – board action to revise sick pay policy to allow fellow county employees to donate sick time hours to co-worker with cancer or catastrophic illness.
    c. Dick Erikson, Assessor - asking Board to approve and support financially Attorney W. Scott Davis, Baylor Evnen, to engage the firm of Walt Radcliffe and Associates to lobby and obtain a legislative amendment to LB121 in the hope of avoiding litigation with the State Department of Revenue regarding the County's obligation to continue the Tyler Technology contract for Orion assessment software and support services.
    d. Chris Kleinberg – asking Board to approve and adopt with all its terms and conditions the Joint Memorandum Agreement between Dakota and Thurston County Agricultural Societies to hold a joint Dakota-Thurston County Fair.
    e. Tim Decker, Chief Deputy Sheriff – asking Board to approve Chair to sign the Equitable Sharing Agreement and Certification which brings into compliance and is an accounting of the Federal Forfeiture Fund monies.
3. MISCELLANEOUS
    a. Road Report – Fred Kellogg, Highway Superintendent
    b. Board Chair to designate person and alternate person for casting ballot for the County at the NACO Annual Conference business meeting December 14, 2012.
    c. Closed Session to discuss Road Department union contract negotiations.
    d. Board to discuss, approve and give the Chair permission to sign the Union contract with the Road Department.
4. COMMISSIONER COMMITTEE REPORTS
5. MAIL AND/OR EMERGENCY BUSINESS
6. PUBLIC COMMENT
7. ADJOURNMENT

Commissioner Gomez moved, seconded by Commissioner Love to excuse Chair Bousquet from the November 13, 2012 Board of Commissioner's meeting. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Rohde – Yea and Love – Yea. Bousquet – Absent. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for Agenda Item #1 Consent Agenda: a. Approval of the previous minutes – October 29, 2012; b. Approval of payroll claims and c. Approval of accounts payable claims.

Commissioner Love moved, seconded by Commissioner Gomez to approve the Consent Agenda items as follows: a. minutes of the October 29, 2012 Board of Commissioners as submitted; b. Payroll Claims as submitted: COUNTY GENERAL FUND: Gross salaries- $125,717.06, General Fund Employees Net Pay- $90,707.41, Employer deductions paid: Retirement- $8,754.75, FICA- $7,747.73, Medicare- $1,748.17, DC Health Plan- $21,500.00, DC Dental Plan- $955.68 and Life Insurance- $194.10, COBRA- $1,187.18. Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1448.26, Daniel Christoffers- 361.20, Cherie Conley- 1230.77, Theodore Piepho- 1800.68, Mary C. Wiltgen- 506.80, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $880.00, Christy Abts- 1240.38, Jeffrey Curry- 1360.00, Rita Deichert- $960.00, Richard Erickson- $1800.68, David Hauf- $1416.80, Debera Benton-

74.25, Daniel Christoffers- 1119.41, Cherie Conley- 114.00, Mary C. Wiltgen- 639.87, Arnold Mellick- 228.32, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 327.36, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Tammy Dunn-Peterson- 963.20, Sergio Castillo- 1623.48, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 1755.56, Brent Gilster- 1705.60, Todd Hammer- 1721.60, Richard Hansen- 1593.60, Melvin Harrison III- 1871.18, Jason James- 1884.15, Douglas Johnson- 1960.96, Kimberly Johnson- 557.70, Jared Junge- 1773.60, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1714.77, Michael Kreegar- 1769.56, Gayle Richards- 847.44, Kevin Rohde- 1705.60, Randall Walsh- 1903.85, Jill Merica- 920.00, Lisa Olsen- 880.00, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1141.39, Kimberly Watson- 2913.34, Melinda Wicks- 1576.92, Cara Wood- 1267.13, Jacob Acero- 1374.40, Cassandra Androy- 1047.84, Joshua Blatchford- 1433.11, Rebecca Broer- 1471.47, Elisabet DeRoin- 1316.26, Sandy Dickens- 823.04, Jesse Doelle- 1059.20, Marjorie Donahue- 1621.80, Linda Frost- 882.40, Alma Gunderson- 1356.80, Deanna Haukap- 1353.63, Jeffrey Heitzman- 1405.62, Adam Hough- 1382.72, Michael Jacobson- 1353.72, Stephanie Jensen- 1228.38, Brett Johnson- 1332.80, Michelle Jones- 1233.69, Brenda Kelly- 1365.28, Terry Kern- 2030.29, Mark Nelson- 1476.66, Travis Olander- 1320.80, Kimberly Peterson- 1329.06, Terry Poland- 1288.25, Cody Roeber- 1352.00, Jutharatana Ruenprom- 1320.80, Alicia Schoenberner- 1069.20, Linda Schovanec- 1414.26, Jennifer Svendsen- 1513.00, Tabitha Uhl- 1207.14, Jewel Williams- 1362.02, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 778.44, Linda Weitzel- 1219.84, Willard Johnston- 1250.00. GENERAL FUND: Employee withholding paid to: Federal- $12,319.84, State- $4,266.38, FICA- $5,063.53, Medicare- $1,748.17, Retirement- $5926.09, Health Plan- $1,400.00, DC Dental Plan- $609.00, Colonial Health- $664.38, Sheriff Union Dues- $385.00, Colonial Life/Disability- $269.18, Deferred Comp- $302.00, Garnishments- $642.46, Flex Plan Medical- $821.49, Flex Plan Dependant Care- $262.50, COBRA- $329.63. COUNTY ROAD PAYROLL: Gross salaries- $13,577.96, Road Employees Net Pay- $9,898.60, Employer deductions paid: Retirement- $916.49, DC Health Plan- $2,500.00, DC Dental Plan- $108.60, Life Insurance- $22.50, FICA- $725.56, and Medicare- $169.69.
Brent Byroad- 1398.40, Kevin Chambers- 1234.40, Robert Hacker- 1318.40, Fred Kellogg- 1748.36, David Kneifl- 617.20, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40. ROAD FUND: Employee withholding paid to: Federal- $1,177.94, State- $403.96, FICA- $491.49, Medicare- $169.69, Retirement- $611.02, Health Plan- $350.00, DC Dental Plan- $63.00, Reassure America Life- $2.44, Colonial Life Health- $123.14, Deferred Comp.- $41.68, Flex Plan Medical- $105.00 and Union Dues- $140.00.
and c. Accounts Payable Claims as submitted: GENERAL FUND: Roxanne Voss, hours- 110.00
HEALTH PLANNING GRANT: Deanna Beckman, hours- 1173.00.
ROLL CALL VOTE: Gomez – Yea, Rohde – Yea, Love – Yea and McNear – Yea. Bousquet – Absent. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for the Agenda Item # 2 New Business: a. Time clocks – discussion, review proposals and possible Board action.

Vice Chair Rohde informed that this matter will be tabled and that Commissioner Love will be attending the NACO meeting in December. He further informed that MIPS has a new program out that the County wants to explore before a decision is made.

Vice Chair Rohde called for the Agenda Item # 2 New Business: b. Handbook – Board action to revise sick pay policy to allow fellow county employees to donate sick time hours to co-worker with cancer or catastrophic illness.

County Attorney, Kim Watson, informed that she had contacted Pam Born and this type of policy is a bigger issuer than you would think. County Attorney Watson, informed that Pam Born offered to help the County write the policy if we wish. Further discussion was had as to the various factors that would be included in the policy. The Board asked that County Attorney Watson, contact Pam Born and start working on drafting this policy and bring it back before the Board at the December 10, 2012 Board meeting.

Vice Chair Rohde called for the Agenda Item # 2 New Business: c. Dick Erikson, Assessor - asking Board to approve and support financially Attorney W. Scott Davis, Baylor Evnen, to engage the firm of Walt Radcliffe and Associates to lobby and obtain a legislative amendment to LB 121 in the hope of avoiding litigation with the State Department of Revenue regarding the County's obligation to continue the Tyler Technology contract for Orion assessment software and support services.

Dick Erikson informed the Board that the State is resisting the county changing to the Terra Scan program and informed that last year over $30,000 was spent on the Orion program and the annual cost on the Terra Scan program is right at $10,000 so money will be saved there. Dick informed the Board that what the Attorney W. Scott Davis with Baylor Evnen needs is a letter to engage the firm of Walt Radcliffe to start the legislative process. Mr. Erikson stated that the Nebraska Statute needs to be changed and the litigation will be over. The firm is asking for $10,000 commitment fee which will go towards fighting for this bill to be passed. Further discussion was had regarding the legal process, the fees involved, possible litigation and getting a Senator committed to introduce and fight for the bill. Bob Giese informed the Board that he believes it is necessary for the County to be sure there is a commitment from either Senator Bloomfield or Senator Jansen who is willing to draft a bill and introduce it to the legislature which needs to be done the first part of January. After much discussion the Board decided that one of the Senators needed to be contacted and asked to commit to this issue.

Commissioner Gomez moved, seconded by Commissioner Love to approve the financial commitment of $10,000 via letter to Attorney W. Scott Davis, with Baylor Evnen, to engage the firm of Walt Radcliffe and Associates to lobby and obtain a legislative amendment to LB 121 contingent upon a State Senator sponsoring this bill. ROLL CALL VOTE: Rohde – Yea, Love – Yea, McNear – Yea and Gomez – Yea. Bousquet – Absent. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for the Agenda Item # 2 New Business: d. Chris Kleinberg – asking Board to approve and adopt with all its terms and conditions the Joint Memorandum Agreement between Dakota and Thurston County Agricultural Societies to hold a joint Dakota-Thurston County Fair.

Commissioner Gomez moved, seconded by Commissioner Love to approve and adopt with all its terms and conditions the Joint Memorandum Agreement between Dakota and Thurston County Agricultural Societies to hold a joint Dakota-Thurston County Fair as submitted. ROLL CALL VOTE: Love – Yea, McNear – Abstain, Gomez – Yea, and Rohde – Yea. Bousquet – Absent. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for the Agenda Item # 2 New Business: e. Tim Decker, Chief Deputy Sheriff – asking Board to approve Chair to sign the Equitable Sharing Agreement and Certification which brings into compliance and is an accounting of the Federal Forfeiture Fund monies.

Chief Deputy Sheriff, Tim Decker, informed the Board that there is $915.63 in the Federal Forfeiture Fund and there is also some money in the DEA that was seized last year and will be transferred to this fund.

Commissioner McNear moved, seconded by Commissioner Gomez to approve Chair Bousquet to sign the Equitable Sharing Agreement and Certification which brings into compliance and is an accounting of the Federal Forfeiture Fund monies. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Rohde – Yea and Love – Yea. Bousquet – Absent. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for Agenda Item #3 Miscellaneous: a. Road Report – Fred Kellogg, Highway Superintendent.

DAKOTA COUNTY ROAD DEPARTMENT BIWEEKLY REPORT:
October 28, 2012 to November 10, 2012

TOTAL ROAD MAINTENANCE: 275 HOURS

DISTRICT TOTALS:

A1 = 45.5 A3 = 63 A4 = 41.5 A5 = 33 A6 = 57.5 A7 = 34.5

OVERTIME HOURS:	0	HOURS
TREE REMOVAL	38.5	HOURS
BLACKTOPPING	26	HOURS
GARBAGE PICKUP	9	HOURS
MAGNET:	0	HOURS
GRAVEL HAULING:	49.5	HOURS
SALT AND SAND HAULING:	16	HOURS

TONS OF SAND HAULED:	26.05	TONS	SAND
TONS OF SALT HAULED:	28.36	TONS	SALT

TONS OF GRAVEL HAULED:	0	TONS	L.G. EVERIST
	864	TONS	PETERSON
	864		TOTAL TONS OF GRAVEL

6 Road Concerns

Some discussion was had regarding the redistricting of the graders from 7 to 6 and once things are scheduled and assigned a new map will be distributed. Discussion was had regarding Old Sawmill Road wherein Larry Albenesius informed that he wanted to continue maintaining this road. The speed limit on that road was discussed and to be changed would have to go through an engineering study. Commissioner Rohde asked if there were any agreements with the contractors regarding snow removal. The Board agreed that it may be a good idea to have an agreement with contractors to help with snow removal should we have another bad winter and have the insurance in line.

Vice Chair Rohde called for Agenda Item #3 Miscellaneous: b. Board Chair to designate person and alternate person for casting ballot for the County at the NACO Annual Conference business meeting December 14, 2012.

Commissioner Gomez moved, seconded by Commissioner to authorize Chair Bousquet to sign the appointments of Commissioner Scott Love as the designated person and Veterans Service Officer Bill Johnston as the alternate to cast ballot votes for the County at the NACO Annual Conference business meeting on December 14, 2012. ROLL CALL VOTE: Gomez – Yea, Rohde – Yea, Love – Yea and McNear – Yea. Bousquet – Absent. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for Agenda Item #4 Commissioner Committee Reports. There were none.

Vice Chair Rohde called for Agenda Item #5 Mail and/or Emergency Business. Joan reminded the Board that on Monday, November 26, 2012 at 5:00 p.m. the City of South Sioux City will be having a public hearing for Blight and Substandard Determination and if there is a quorum there the meeting will need to be recessed to their meeting.

Vice Chair Rohde called for Agenda Item #6 Public Comment. There was none.

Vice Chair Rohde called for Agenda Item #3 Miscellaneous: c. Closed Session to discuss Road Department union contract negotiations.

Commissioner Love moved, seconded by Commissioner McNear to go into Closed Session to discuss and negotiate the Road Department Union Contract. ROLL CALL VOTE: Rohde – Yea, Love – Yea, McNear – Yea and Gomez – Yea. Bousquet – Absent. UNANIMOUS MOTION CARRIED at 4:48 p.m.

Commissioner McNear moved, seconded by Commissioner Gomez to convene back into Regular Session from discussing and negotiating the Road Department Union Contract. ROLL CALL VOTE: Love – Yea, McNear – Yea, Gomez – Yea and Rohde – Yea. Bousquet – Absent. UNANIMOUS MOTION CARRIED at 5:10 p.m.

Vice Chair Rohde adjourned the Board of Commissioner's Meeting of November 13, 2012 at 5:10 p.m.

County Board of Commissioners

_____

William “Bill” Rohde, Vice Chair Date Chair signed

_____

Cherie Conley, Deputy County Clerk/Secretary Date

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, November 26, 2012
Dakota County Courthouse
County Board Meeting Room – Basement
Dakota City, NE 68731

Chair Bousquet called their regular scheduled meeting to order at 4:02 p.m. The Pledge of Allegiance was recited and the location of the Open Meetings Act was noted. Roll Call was taken and present were Commissioners Bousquet, Love, Rohde and Gomez, and Cherie Conley, Deputy County Clerk and Secretary. Absent was Commissioner McNear. Also present were Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
CALL TO ORDER
PLEDGE OF ALLEGIANCE

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

ROLL CALL – Excused Absence
The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

1. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
    a. Approval of the previous minutes – November 13, 2012
    b. Approval of Payroll Claims
    c. Approval of Accounts Payable Claims
    d. Officials Reports
2. NEW BUSINESS
3. MISCELLANEOUS
    a. Road Report – Fred Kellogg, Highway Superintendent
    b. Fred Kellogg – approve Chair to sign Certification of Fred Kellogg as County Highway Superintendent for year 2012.
    c. Closed Session to discuss Road Department union contract negotiations.
    d. Board to discuss, approve and give the Chair permission to sign the Union contract with the Road Department.
4. COMMISSIONER COMMITTEE REPORTS
5. MAIL AND/OR EMERGENCY BUSINESS
6. PUBLIC COMMENT
7. RECESS to the November 26th Public Hearing at 5:00 p.m. in the City Hall Council Chambers, 1615 First Avenue, South Sioux City, Nebraska.
8. RECONVENE if quorum is present
9. ADJOURNMENT

The next meeting of the Board of Commissioners will be December 10, 2012.

Commissioner Gomez moved, seconded by Commissioner Love to excuse Commissioner McNear from the November 26, 2012 Board of Commissioner's meeting. ROLL CALL VOTE: Love – Yea, Rohde – Yea, Gomez – Yea, and Bousquet – Yea. McNear – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #1 Consent Agenda: a. Approval of the previous minutes – November 13, 2012; b. Approval of Payroll Claims; c. Approval of Accounts Payable Claims: d. Officials Reports.

Commissioner Love moved, seconded by Commissioner Gomez to approve the Consent Agenda items as follows: a. Approval of the minutes from the November 13, 2012 Board of Commissioners meeting as submitted; b. Approval of the Payroll claims as submitted: COUNTY GENERAL FUND: Gross salaries- $142,952.81, General Fund Employees Net Pay- $104,188.51, Employer deductions paid: Retirement- $10,014.28, FICA- $8,697.62, Medicare- $2,034.15, DC Health Plan- $16,500.00, DC Dental Plan- $716.76 and Life Insurance- $147.71, COBRA- $25.73.
Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1448.26, Daniel Christoffers- 361.20, Cherie Conley- 1230.77, Theodore Piepho- 1800.68, Mary C. Wiltgen- 1013.60, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $880.00, Christy Abts- 1240.38, Jeffrey Curry- 1360.00, Rita Deichert- $960.00, Richard Erickson- $2168.64, David Hauf- $1708.10, Daniel Christoffers- 842.80, Arnold Mellick- 228.32, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 316.80, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Tammy Dunn-Peterson- 963.20, Sergio Castillo- 2828.64, Timothy Decker- 2383.82, Sandy Dickens- 501.65, Brian Ellinger- 2675.06, Brent Gilster- 2345.20, Todd Hammer- 2238.08, Richard Hansen- 2430.24, Melvin Harrison III- 2705.08, Jason James- 3027.51, Douglas Johnson- 1960.96, Kimberly Johnson- 314.60, Jared Junge- 2784.74, Christopher Kleinberg- 1980.77, Penny Kleinberg- 2741.67, Michael Kreegar- 2132.00, Gayle Richards- 894.52, Kevin Rohde- 2355.86, Randall Walsh- 1903.85, Jill Merica- 552.00, Lisa Olsen- 528.00, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Melinda Wicks- 1576.92, Cara Wood- 1267.13, Jacob Acero- 1623.03, Cassandra Androy- 1192.98, Joshua Blatchford- 1359.34, Rebecca Broer- 1585.16, Elisabet DeRoin- 1686.24, Sandy Dickens- 752.48, Jesse Doelle- 1069.13, Marjorie Donahue- 1637.57, Linda Frost- 882.40, Alma Gunderson- 1941.92, Deanna Haukap- 1913.82, Jeffrey

Heitzman- 2485.45, Adam Hough- 1890.50, Michael Jacobson- 1931.02, Stephanie Jensen- 1407.15, Brett Johnson- 1763.88, Michelle Jones- 1299.18, Brenda Kelly- 1365.28, Terry Kern- 2030.29, Shawn McKenna- 1246.08, Mark Nelson- 1476.66, Travis Olander- 1508.63, Kimberly Peterson- 1898.76, Terry Poland- 1113.87, Cody Roeber- 1640.00, Jutharatana Ruenprom- 1932.56, Alicia Schoenberner- 1370.03, Linda Schovanec- 1396.80, Jennifer Svendsen- 1487.50, Tabitha Uhl- 1189.44, Jewel Williams- 1951.79, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1722.75, Bonnie Kahler- 769.49, Linda Weitzel- 1219.85, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $14,875.43, State- $5,031.54, FICA- $5,891.96, Medicare- $2,034.15, Retirement- $6,797.75, Health Plan- $950.00, DC Dental Plan- $462.00, Colonial Health- $504.72, Sheriff Union Dues- $385.00, Colonial Life/Disability- $135.63, Deferred Comp- $302.00, Garnishments- $642.46, Flex Plan Medical- $455.82, Flex Plan Dependant Care- $262.50, COBRA- $33.34.
COUNTY ROAD PAYROLL: Gross salaries- $14,195.16, Road Employees Net Pay- $10,108.97, Employer deductions paid: Retirement- $985.15, DC Health Plan- $2,500.00, DC Dental Plan- $108.60, Life Insurance- $22.50, FICA- $763.82, and Medicare- $178.64.
Brent Byroad- 1398.40, Kevin Chambers- 1234.40, Robert Hacker- 1318.40, Fred Kellogg- 1748.36, David Kneifl- 1234.40, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,266.35, State- $437.26, FICA- $517.41, Medicare- $178.64, Retirement- $638.80, Health Plan- $350.00, DC Dental Plan- $63.00, Reassure America Life- $2.44, Colonial Life Health- $123.14, Deferred Comp.- $41.68, Garnishments- $222.47, Flex Plan Medical- $105.00 and Union Dues- $140.00; c. Approval of the Accounts Payable claims as submitted: **GENERAL FUND:** Dakota County Star, publishing- 399.87; Perkins, supplies- 14.61; Bear Graphics, security paper- 110.00; Des Moines Stamp, stamp- 26.70; MIPS, cartridge/w2s- 397.97; Perkins, supplies- 47.44; Charlotte Doenhoefer, prior yrs- 10.00; Ruth Jensen, prior yrs- 12.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; AS Central Services, service- 384.00; Automated Systems, services- 1488.00; Dugan Business Forms, tax statements- 492.00; Pacific City Graphics, envelopes- 579.83; Manatron Inc, services- 4861.20; US Bank, clips/toner/cartridges- 205.80; Bear Graphics, binder/pages- 443.30; Deb Benton, mileage- 14.43; Microfilm Imaging, equipment rental- 240.00; IA Office Supply, toner- 192.11; Margie Rahn, prior yrs- 12.00; David Hauf, mileage- 273.06; Office Elements, lease- 90.02; Madelyn Thorsland, prior yrs- 10.00; Net Sys Plus, repair/update- 272.50; Thomson Reuters, data import- 200.00; Daniel Christoffers, mileage- 5.55; CoverOne, register covers- 37.71; ELECTION WORKERS: [Clara Woten, Letty Olague, Patricia Giese, Shirley Colwell, Laura Magana, Martha Jaramillo, Judy Curry, Linda Brostad, Peggy Demke, Chavez Itzel, Abdiwali Adall, Abdi Jama, Joanne Mast, Claudia Hernandez-Ibarra, Joan Koch, Mary Wolf, Laura Perea, Franklin Morse, Lucia Castillo, Yobitza Colindres-Rodriguez, Mary Krommenhoek, Jackie Gierman, Carol Johnston, Jan Johansen, Ada Hunt, Cynder Flores, Mary Coziahr, Aloise Ferris, Tiffany Zermeno-Lopez, Mohamed Kulmi-Ye, Marivel Becerra, Bertha Hines, Mary Kleinberg, Betty Bliven, Beverly Bliven, Ruby Mendoza, Elda Raudales, Julie Schram, Kimberly Archer, Betty Jorgensen, Vanessa Topete, Virginia Stainbrook, Norma DeLao, Terrance Koebernick, Shirley Uhl, Lloyd Fickler, Anali Becerra, Dorothy Kramper, Jeffrey Ungs, Christy Henjes, Diana Kincaid, Geraldine Tramp, Ginger Huggenberger, Bonnie Pallas, Myra Gentrup, Janice Roeber, Jane Bonderson, Charlene Jensen, Trudy Jensen, Mary McGowen, Jana Adam, Randy Lussier, Diann Albertson, Pat Donnelly, Linda Torticill, Shirley Bentz, Dave Donnelly, Trish Mari, Maxine Rasmussen, Phyllis Cleveland, Sharon Greenleaf, Patricia Stingley, Debera Benton, Kathy Bruyere, Marion Cain, Joe Conley, Cherie Conley, Ronald Dahlman, Stacey Dahlman, Whitney Dean, Chrissy Fahey, Nathan Hogan, Bill Johnston, Teresa Johnston, Bonnie Kahler, Chris Knudsen, Jason Martineck, Brandi McManigal, Marsha Piepho, Carlos Salas, Shirley Sides, Geraldine Tramp, Nanci Walsh, Karilyn Watkins, Joe Wiltgen, Richard Wiseman, Mary Wolf]- 13763.99; Elections Systems & Software, ballot stock/seals/coding- 5799.45; Emerson Legion Hall, polling place rental- 100.00; First Lutheran Church, polling place rental- 100.00; Homer Legion Post, polling place rental- 100.00; Jackson Legion Hall, polling place rental- 100.00; Knights of Columbus, polling place rental- 125.00; Mundo Latino Newspaper, publishing- 1592.64; Perkins, supplies- 250.59; Theodore Piepho, phone- 30.00; Salem Lutheran Church, polling place rental- 100.00; SSC Volunteer Fire Dept, polling place rental- 100.00; SSC Legion Hall, polling place rental- 100.00; Security Shredding, shredding- 52.50; Staples, indexes/covers/binding- 149.11; US Bank, drums/equipment rental- 117.99; Executive Technologies, contract- 215.72; MIPS, scanning- 87.00; Net Sys Plus, repair- 268.99; Perkins, supplies- 62.70; Elda Raudales, mileage/meals/parking- 151.86; Cartridge World, ink- 79.13; Lexis Nexis Matthew Bender, subscription- 108.04; Marlin Business Bank, lease- 100.00; Microfilm Imaging Systems, scanning- 190.50; Midwest Office Automation, contract- 594.35; New Perspectives Inc, shredding- 41.25; Office Systems Company, ribbon & correction- 53.70; Star Printing, envelopes- 480.00; Thomson West, service- 127.00; US Bank, maintenance agreement- 344.50; Zachary Gerth, registration fee/hotel room- 664.92; Frank Gonzalez, interpret- 650.00; Matthew Bender & Co, service- 108.04; John Loos, Jr.- registration fee/mileage- 210.43; Nebraska State Bar Association, dues- 670.00; Perkins, supplies- 97.43; Dakota County Sheriff, papers/warrants- 2441.08; District Court, costs- 446.00; Randy Hisey, court appointed counsel- 712.50; Douglas Roehrich, court appointed counsel- 825.00; Security Shredding, shredding- 35.00; Richard Thramer, court appointed counsel- 2160.78; Patrick Tott, court appointed counsel- 255.00; Safi Goabdi, witness fee- 20.00; Oscar Bolanos, witness fee/mileage- 23.33; LaDonna Carrillo, witness fee- 40.00; Dakota County Court, costs- 1490.23; Randy Hisey, court appointed counsel- 2670.00; Kueny & Begley Law, court appointed counsel- 78.00; Stuart Mills, court appointed counsel- 1035.00; Steve Moore, witness fee/mileage- 25.55; Douglas Roehrich, court appointed counsel- 2221.70; Richard Thramer, court appointed counsel- 2048.24; Patrick Tott, court appointed counsel- 2094.00; Maximus Inc, child support recovery- 1150.00; Barone Security Systems, inspection fees- 115.00; Bunkers Feed & Supply, salt- 60.50; Gill Hauling, service- 125.00; Janitor Depot, supplies- 1094.84; Joes Dept Store, repair/supplies- 213.94; Menards, supplies- 574.08; MidAmerican, utilities- 841.00; Nebraska Dept of Labor, inspection fees- 100.00; Nebraska Public Power Dist, utilities- 3485.62; O'Keefe Elevator, maintenance- 6533.44; Richard Jensen, mileage- 67.54; Share Corp, repair- 191.49; Tool Depot, supplies- 59.67; Trembly Pest Control,

service- 110.00; US Bank, supplies- 32.25; Verizon, phone- 51.68; PMNRD, rent- 833.33; UNL Extension, reimburse- 826.75; Linda Carson, prior yrs- 11.00; City of South Sioux City, phone/fuel- 5173.43; Crystal Oil, fuel- 80.00; Dakota Food & Fuel, fuel- 69.09; Fremont Tire, tires- 1135.36; Graham Tire, tires- 360.69; Jacks Uniforms, supplies- 88.40; Joes Department Store, supplies- 214.93; Knoepfler Chevrolet, repair/parts- 613.88; Lexis Nexis Matthew Bender, service- 108.04; MPH Industries, radar- 231.25; Midwest Office Automation, repairs/toner- 116.80; Midwest Radar, recertification- 560.00; Nebraska Sheriff's Association, conference- 95.00; O'Reilly Automotive, speakers/outlet- 41.18; Sams Club, supplies- 108.04; Sioux City Ford, repair/parts- 142.64; Siouxland Federal Credit Union, ticket/meals/fuel- 1213.59; South Side Glass, repair- 40.00; Torco Remfg, alternator- 45.00; US Bank, meal/rental/parking/supplies/training/fuel- 1851.57; Verizon, phone- 160.06; Wal-Mart, battery- 99.87; AJ Phillips, cards- 75.00; Cartridge World, ink- 105.98; Dept of Motor Vehicles, transcripts- 61.00; Cindy Foley, transcript- 67.50; Dakota County Treasurer, copies- 19.15; Debra Fergen, mileage/meals- 195.52; H2O4U, service- 28.00; Iowa Office Supply, contract- 196.53; Kim Watson, meals- 48.82; Lexis Nexis Matthew Bender, books- 312.31; Melinda Wicks, meals- 43.65; NE State Bar Association, dues- 1225.00; New Perspectives, document destruction- 72.00; Peter Parry, mileage/phone/meals- 212.03; Stanton County Court, copies- 3.50; United Bank of Iowa, research fee- 75.00; US Bank, lodging/supplies- 1641.76; Verizon, phone- 131.05; City of South Sioux City, lec cost share- 32581.87; Redwood Toxicology Lab, test- 298.00; Verizon, phone- 87.49; AJ Gallagher Risk Management, bond- 50.00; ATeam Heating & Cooling, service/repair- 1607.04; Aramark, service- 182.13; Bob Barker, supplies- 1555.57; Bekins Fire & Safety, extinguisher service- 218.80; Bruening Eye Specialist, medical- 257.00; CBM Food Service, meals- 25289.32; Cash-Wa Distributing, meals- 113.64; City of SSC, fuel- 422.51; Dakota County Sheriff, notary dues- 30.00; Dakota One Leasing, contract- 220.00; Dakota Family Dentistry, medical- 269.00; Dakota Food & Fuel, fuel- 183.23; Dept Correctional Serv, safekeepers/medical- 5451.69; Gill Hauling, service- 125.00; JP Cooke Company, stamp- 31.89; Jacks Uniforms, supplies/uniforms- 965.95; Janitor Depot, supplies- 2850.64; Joes Department Store, supplies- 160.00; Lincoln Radiology Group, medical- 252.00; Mercy Business Health, medical- 2054.80; Mercy Medical Center, medical- 4036.05; MidAmerican Energy Company, utilities- 679.65; Midwest Office Automation, contract/repair- 409.63; NE Nebraska Juvenile Serv, boarding- 1857.50; Nebraska Public Power District, utilities- 2701.28; Net Sys Plus, repair- 146.25; NW Iowa Emergency Phys, medical- 1190.00; O'Reilly Automotive, tie rod ends- 56.78; Pathology Medical Services, medical- 180.00; Pathology Medical Services of Siouxland, medical- 120.00; Redlers Pharmacy, medical- 47.97; St. Elisabeth Regional Medical Center, medical- 4197.32; St Lukes Dept of Lab Services, medical- 251.68; Dan Samani MD PC, medical- 512.00; Sams Club, supplies- 160.02; Sioux City Ford, alignment- 76.95; Sioux City Wintronics, lever- 8.82; Siouxland Cytology Consultants, medical- 141.00; Siouxland Federal Credit Union, casters- 85.45; Siouxland Lock & Key, keys- 36.00; Siouxland Radiology Partners, medical- 46.00; Speedy Rooter, repair- 135.00; Stanard & Associates, tests- 407.00; Tint Masters, tinting- 630.00; Trembly Pest Control, service- 100.00; US Bank, prescriptions/fuel/meal- 2651.05; Verizon, phone- 205.03; Veterans Memorial Fund, flag- 70.00; Wal-Mart, tint/water- 93.45; WIT Community College, class- 74.00; Woodbury County Juvenile Det, boarding- 3500.00; Dakota Business Systems, copier rental- 102.00; Jolene Gubbels, mileage- 22.20; Midwest Office Automation, contract- 138.63; Sams Club, supplies- 28.17; Staples, supplies- 46.99; Verizon, phone- 83.03; Alpha Land Surveying, corners- 500.00; AZ Inc, fuel- 242.01; Emerson Heritage Express, fuel- 164.00; Hubbard Minimart, fuel- 190.00; Hastings Hotel & Conv Center, lodging- 119.98; Nebraska Weed Control Assoc, dues- 220.00; US Bank, fuel- 100.50; Dakota County Star, publishing- 61.20; Pam Devries, mileage- 11.65; Pat Glover, hours- 120.00; Perkins, supplies- 248.07; Roxanne Voss, hours- 60.00; Linda Weitzel, mileage- 94.91; Thomas Wente, physician fee- 250.00; Bill Johnston, mileage/supplies- 469.58; Thomson West, service- 753.77; Baylor Evnen Curtiss Grimit, attorney fees- 13968.34; Business Telecomm System, service- 1836.50; Cable One, internet- 169.96; Claritus, toner- 149.45; Cherie Conley, YMCA membership- 19.50; FiberComm, phone- 726.98; FSH Communication, payphone- 120.00; IBM Corp, service- 237.87; Justice Benefits, scaap collection fee- 3694.02; Mailfinance, lease- 227.00; Mercy Business Health, eap agreement- 240.75; MIPS, support- 514.54; Norm Waitt YMCA, memberships- 234.00; Siouxland Pathology, payment correction- 175.00; Three Rivers Benefit, admin fees- 110.00; USPS Hasler, postage- 5000.00; Randy Walsh, YMCA membership- 19.50; Road Improvement, budget transfer- 1500.00; Road Fund, transfer- 90000.00;

ROAD FUND: Aramark, service- 48.37; Atokad Heritage Express, fuel- 271.01; AZ Inc, fuel- 988.00; Bort Auto Body, parts- 2500.00; Kevin Chambers, supplies- 103.55; Dakota County Star, publishing- 27.01; Fastenal, supplies- 170.85; Frame Aligners, parts/labor- 1935.13; Gill Hauling, service- 55.00; Walter Heinemann, prior yrs- 29.00; Hubbard Minimart, fuel- 3026.22; H2O4U, service- 8.50; Iowa-Nebraska State Bank, grader payment- 19346.06; Robert Jacobsen, prior yrs- 17.00; Joes Department Store, supplies/oil- 609.33; Kinetic Leasing, loader payment/interest- 2458.00; Dave Kneifl, clothing allowance- 44.80; Knife River, asphalt- 564.86; LG Everist, gravel- 319.11; Love Brothers, parts- 2574.50; Matheson Linweld, oxy- 57.60; Medical Enterprises, testing- 62.00; Marlan Millard, prior yrs- 15.00; Nebraska Public Power District, service- 32.42; NE Nebraska Public Power Dist, utilities- 198.75; NE Nebraska Telephone- 223.49; O'Reilly Auto Parts, parts- 38.21; Peterson Sand & Gravel, gravel- 35270.23; Leon Pies, clothing allowance- 75.00; Pomps, tires- 620.00; Powerplan, supplies/parts- 563.79; Rees Mack Sales, parts- 24.44; St Lukes Center for Occ Health, testing- 20.00; Sams Club, supplies- 119.02; Siouxland Hydraulics, labor- 106.85; Titan Access, parts- 468.22; US Bank, supplies- 24.83; Verizon, phone- 58.52; Warren Oil, diesel- 10247.40; Wilmes Hardware Hank, supplies- 26.99; Zieglers, supplies- 390.34;

HARD SURFACE: Olsson Associates, engineering/phase2- 25625.41;

ROAD IMPROVEMENT: Peterson Sand & Gravel, gravel- 1740.00;

VISITORS PROMOTION: SSC Chamber of Commerce, lodging tax- 27329.79;

HEALTH PLANNING GRANT: AJ Phillips, cards- 60.00; Pam Devries, mileage- 22.20; Midwest Office Automation, contract- 133.80; Pacific City Graphics, envelopes- 139.00;

PUBLIC SAFETY: City of South Sioux City, sales tax- 3446.22; Jail Bond Fund, sales tax- 30410.36; Road Fund, sales tax- 700.65; and d. Approval of the Official Reports as submitted by the County Clerk,

Register of Deeds, and Clerk of District Court. ROLL CALL VOTE: Rohde – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. McNear – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous: a. Road Report – Fred Kellogg, Highway Superintendent.

DAKOTA COUNTY ROAD DEPARTMENT BIWEEKLY REPORT:
November 11, 2012 to November 24, 2012

TOTAL ROAD MAINTENANCE: 181.50 HOURS
DISTRICT TOTALS: A1 = 31 A3 = 44 A4 = 22.5 A5 = 13 A6 = 30 A7 = 41
OVERTIME HOURS: 0 HOURS
TREE REMOVAL 106 HOURS
BLACKTOPPING 14 HOURS
GARBAGE PICKUP 8 HOURS
MAGNET: 0 HOURS
GRAVEL HAULING: 6 HOURS
CONCRETE HAULING: 20 HOURS TONS OF GRAVEL HAULED: 0 TONS L.G. EVERIST
60 TONS PETERSON
60 TOTAL TONS OF GRAVEL
CULVERT WORK ON S. BLUFF RD 16 HOURS
CULVERT WORK ON S AVE 6 HOURS
4 Road Concerns

Commissioner Love asked if Omaha Avenue was in bad shape and stated that he had received a phone call from one of Barclay's people stating it was bad. Fred Kellogg informed that road is black topped and was patched up two weeks ago.

Chair Bousquet called for Agenda Item #3 Miscellaneous: b. Fred Kellogg – approve Chair to sign Certification of Fred Kellogg as County Highway Superintendent for year 2012.

Commissioner Rohde moved, seconded by Commissioner Gomez to approve the Chair sign the Certification of County Highway Superintendent for Determining Incentive Payment from January 1, 2012 to December 31, 2012 for Fred C. Kellogg. ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. McNear – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #6 Public Comment. There was none.

Chair Bousquet called for Agenda Item #5 Mail and/or Emergency Business. There was none.

Chair Bousquet called for Agenda Item #4 Commissioner Committee Reports. There were none.

Chair Bousquet called for Agenda Item #3 Miscellaneous: c. Closed Session to discuss Road Department Union Contract negotiations.

Commissioner Gomez moved, seconded by Commissioner Love to go into Closed Session to negotiate the Road Department Union Contract at 4:09 p.m. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea and Gomez – Yea. McNear – Absent. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Gomez to reconvene back into Regular Session from the Closed Session of the Road Department Union Contract negotiations at 4:33 p.m. ROLL CALL VOTE: Love – Yea, Rohde – Yea, Gomez – Yea and Bousquet – Yea. McNear – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet requested a motion to Recess the meeting to the City of South Sioux City Council Meeting at the South Sioux City Hall at 5:00 p.m. to attend the Public Hearing of the Blight & Substandard real estate located in the corporate limits of the City of South Sioux City.

Commissioner Gomez moved, seconded by Commissioner Rohde to Recess the meeting of November 26, 2012 to the City of South Sioux City Council Meeting on November 26, 2012 at the South Sioux City Hall at 5:00 p.m. to attend the Public Hearing of the Blight & Substandard real estate located in the corporate limits of the City of South Sioux City at 4:34 p.m.. ROLL CALL VOTE: Rohde – Yea, Gomez – Yea, Bousquet – Yea and Love – Yea. McNear – Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet reconvened the Board of Commissioner's meeting of November 26, 2012 at 4:55 p.m. at the City of South Sioux City Council Meeting. Roll Call was taken and present were Commissioners Bousquet, Love, Rohde and Gomez, and Cherie Conley, Deputy County Clerk and Secretary.

South Sioux City Mayor McLarty opened the Public Hearing and Resolution concerning whether the described real estate located within the corporate limits of the City of South Sioux City, Nebraska, should be declared blighted and substandard at or about 5:35 p.m. Mayor McLarty asked for any comments in favor – there were none; Opposed – there were none; Neutral – Chair Bousquet approached the City Council and stated his name and position. Chair Bousquet stated he was there on behalf of the County and expressed his concerns regarding the City eventually placing these propertied in a TIF district that this would negatively affect the County's Tax Rolls and the County Budget. Chair Bousquet further expressed his concerns that this would affect the County for the next 15 years and the County is experiencing financial hardships at the present time and can not afford to lose any revenue. City Administrator Lance Hedquist explained the TIF process and stated that after 15 years the County would see a possible increase on the tax rolls from the improvements made in these TIF districts. County Assessor Dick Erickson approached the Council and stated his name and that he was there on behalf of the County. Mr. Erickson explained to the Council the depreciation and value of the properties

and expressed sternly that this will most definitely affect the County revenue for the next 15 years and the County can not absorb this loss. Mr. Erickson stated that he felt the City of South Sioux should give the County a percentage of the TIF revenue for the next 15 years. Council Member Bruce Davis, Dennis Nelson and Jason Bowman commented on the issues. Chair Bousquet thanked the City of South Sioux for their willingness to work with the County. Mayor McLarty asked for a vote and the Council approved the Resolution and added that the County Commissioner's will be notified of the next hearing regarding this matter and consideration will be given regarding a portion of the TIF revenue.

Chair Bousquet adjourned the Board of Commissioner's Meeting of November 26, 2012 at 6:00 p.m.

County Board of Commissioners

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Rick Bousquet, Chair Date Chair signed

_____

Cherie Conley, Deputy County Clerk/Secretary Date

DAKOTA COUNTY SEAL NEBRASKA

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, December 10, 2012
Dakota County Courthouse
County Board Meeting Room – Basement
Dakota City, NE 68731

Chair Bousquet called their regular scheduled meeting to order at 3:30 p.m. The Pledge of Allegiance was recited and the location of the Open Meetings Act was noted. Roll Call was taken and present were Commissioners Bousquet, Love, Rohde, McNear and Gomez, and Cherie Conley, Deputy County Clerk and Secretary. Absent were none. Also present was Kim Watson, County Attorney.

The agenda for this meeting was as follows:
CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – Excused Absence

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

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

1. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
    a. Approval of the previous minutes – November 26, 2012
    b. Approval of Payroll Claims
    c. Approval of Accounts Payable Claims
    d. Approve Chair to sign the Intergovernmental Agreement between the Nebraska Department of Environmental Quality and Dakota County regarding the Implementation of the Storm Water Management Plan Program for awarded grant funds of $8,763
    e. Approve Chair to sign the Construction Agreement for awarded grant Siren Project DR-4013-NE-0010
    f. Approve Chair to sign the Grant Agreement between Nebraska Emergency Management Agency (NEMA) and Dakota County for the Dakota County Siren Project DR-4013-NE-0010
2. NEW BUSINESS
    a. Ed Gilliland – Gallagher Benefit Services, Inc presentation
    b. Approve Resolution 12C-030 in support of keeping the Inheritance Tax Fund as a revenue source for counties
3. MISCELLANEOUS
    a. Road Report – Fred Kellogg, Highway Superintendent
    b. Dick Erickson – update the Board on CAMA program process
    c. Closed Session to discuss Road Department union contract negotiations
    d. Board to discuss, approve and give the Chair permission to sign the Union contract with the Road Department
4. COMMISSIONER COMMITTEE REPORTS
5. MAIL AND/OR EMERGENCY BUSINESS
6. PUBLIC COMMENT
7. ADJOURNMENT

The next Board of Commissioner's meeting will be Wednesday, December 26, 2012

Chair Bousquet called for Agenda Item #1 Consent Agenda:
a. Approval of the previous minutes – November 26, 2012; b. Approval of Payroll Claims; c. Approval of accounts payable claims; d. Approve Chair to sign the Intergovernmental Agreement between the Nebraska Department of Environmental Quality and Dakota County regarding the Implementation of the Storm Water Management Plan Program for awarded grant funds of $8,763; e. Approve Chair to sign the Construction Agreement for awarded grant Siren Project DR-4013-NE-0010; and f. Approve Chair to sign the Grant Agreement between Nebraska Emergency Management Agency (NEMA) and Dakota County for the Dakota County Siren Project DR-4013-NE-0010.

Commissioner Love moved, seconded by Commissioner McNear to approve the Consent Agenda items as submitted for approval: a. Approval of the previous minutes of the November 26, 2012 Board of Commissioners;

b. Approval of Payroll Claims: COUNTY GENERAL FUND: Gross salaries- $125,753.06, General Fund Employees Net Pay- $92,922.84, Employer deductions paid: Retirement- $8,765.02, FICA- $7,726.44, Medicare- $1,807.03, DC Health Plan- $5,250.00, DC Dental Plan- $249.78 and Life Insurance- $48.59, COBRA- $25.73, Principal Mutual Life Insurance- $1173.36.
Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1448.26, Daniel Christoffers- 240.80, Cherie Conley- 1107.69, Theodore Piepho- 1800.68, Mary C. Wiltgen- 912.24, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $836.00, Christy Abts- 1240.38, Jeffrey Curry- 1360.00, Rita Deichert- $960.00, Richard Erickson- $1800.68, David Hauf- $1416.80, Daniel Christoffers- 842.80, Arnold Mellick- 228.32, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 316.80, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1524.49, Tammy Dunn-Peterson- 963.20, Dannie Caskey- 337.64, Sergio Castillo- 210.20, Timothy Decker- 2052.89, Sandy Dickens- 501.65, Brian Ellinger- 1999.02, Brent Gilster- 1993.42, Todd

Hammer- 1995.98, Richard Hansen- 1633.44, Melvin Harrison III- 2091.76, Jason James- 1884.16, Douglas Johnson- 1960.96, Kimberly Johnson- 534.82, Jared Junge- 2026.17, Christopher Kleinberg- 1980.77, Penny Kleinberg- 2146.17, Michael Kreegar- 1705.60, Gayle Richards- 912.18, Kevin Rohde- 1748.24, Randall Walsh- 1903.85, Jill Merica- 184.00, Lisa Olsen- 880.00, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Melinda Wicks- 1576.92, Cara Wood- 1267.13, Jacob Acero- 1370.22, Cassandra Androy- 1129.26, Joshua Blatchford- 1374.09, Rebecca Broer- 1437.15, Elisabet DeRoin- 1235.20, Sandy Dickens- 834.80, Jesse Doelle- 1098.92, Marjorie Donahue- 1443.85, Linda Frost- 882.40, Alma Gunderson- 1356.80, Deanna Haukap- 1336.97, Jeffrey Heitzman- 1345.41, Adam Hough- 1320.80, Michael Jacobson- 1345.41, Stephanie Jensen- 1132.80, Brett Johnson- 1332.80, Michelle Jones- 1132.80, Brenda Kelly- 1386.48, Terry Kern- 2030.29, Shawn McKenna- 1132.80, Mark Nelson- 1476.66, Travis Olander- 1337.31, Kimberly Peterson- 1320.80, Terry Poland- 1188.00, Cody Roeber- 1280.00, Jutharatana Ruenprom- 1332.80, Alicia Schoenberner- 1188.00, Linda Schovanec- 1396.80, Jennifer Svendsen- 1570.38, Tabitha Uhl- 1132.80, Jewel Williams- 1382.70, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 1256.28, Pamela DeVries- 1522.80, Bonnie Kahler- 769.49, Linda Weitzel- 1219.84, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $12,951.64, State- $4,446.01, FICA- $5,234.06, Medicare- $1,807.03, Retirement- $5,935.59, Health Plan- $450.00, DC Dental Plan- $168.00, Colonial Health- $115.32, Sheriff Union Dues- $, Colonial Life/Disability- $133.55, Deferred Comp- $302.00, Garnishments- $888.01, Flex Plan Medical- $365.67, COBRA- $33.34.
COUNTY ROAD PAYROLL: Gross salaries- $14,199.27, Road Employees Net Pay- $10,719.36, Employer deductions paid: Retirement- $958.43, FICA- $803.81, and Medicare- $188.00, Principal Mutual Life Insurance- $210.32. Brent Byroad- 1398.40, Kevin Chambers- 1234.40, Robert Hacker- 1318.40, Fred Kellogg- 1748.36, David Kneifl- 1234.40, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1318.51, Leon Pies- 661.20, Kip Reinbold- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,369.81, State- $474.46, FICA- $544.51, Medicare- $188.00, Retirement- $638.98, Deferred Comp.- $41.68, Garnishments- $222.47;

c. Approval of Accounts Payable Claims: Deanna Beckman – hours - $1296.00, Fremont Nat'l Bank – Jail Bond Interest & Fees - $11,150.00;

d. Approved Chair to sign the Intergovernmental Agreement between the Nebraska Department of Environmental Quality IA#: STW12003 and Dakota County regarding the Implementation of the Storm Water Management Plan Program for awarded grant funds of $8,763;

e. Approved Chair to sign the Nebraska HMGP Administrative Plan - Assurances - Construction Programs Agreement for awarded grant Siren Project DR-4013-NE-0010; and

f. Approved Chair to sign the Grant Agreement #4013 between Nebraska Emergency Management Agency (NEMA) and Dakota County for the Dakota County Siren Project DR-4013-NE-0010. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business: a. Ed Gilliland – Gallagher Benefit Services, Inc. presentation.
Mr. Gilliland presented to the Board various ways the County could possibly save on the insurance plan. Mr. Gilliland's presentation lasted approximately 25 minutes. The Board asked a few questions and Mr. Gilliland finished up.

Chair Bousquet called for a motion to recess the Board of Commissioners meeting for the purpose of conducting the regularly scheduled Board of Corrections meeting scheduled to begin at 4:00 p.m.

Commissioner Gomez moved, seconded by Commissioner Love to recess the Board of Commissioners meeting for the purpose of conducting the regularly scheduled Board of Corrections meeting at 4:05 p.m. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea and Love – Yea. UNANIMOUS MOTION CARRIED.

Commissioner Gomez moved, seconded by Commissioner McNear to reconvene the Board of Commissioner's meeting at 4:08 p.m. ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business: b. Approve Resolution 12C-030 in support of keeping the Inheritance Tax Fund as a revenue source for counties.

Commissioner Rohde moved, seconded by Commissioner Gomez to Approve Resolution 12C-030 in support of keeping the Inheritance Tax Fund that Dakota County opposes any legislation to eliminate the county inheritance tax, and as a revenue source for counties and that the County Clerk send copies of this Resolution of Support to the attention of Nebraska State Senators, NACO and the local media.

BOARD OF COMMISSIONERS
DAKOTA COUNTY, NEBRASKA
RESOLUTION 12C-030

RESOLUTION OF SUPPORT FOR KEEPING THE INHERITANCE TAX FUND

WHEREAS, Dakota County supports keeping the Inheritance Tax fund as a revenue source for counties; and

WHEREAS, Dakota County data for the past 4 years shows of the 20,913 citizens of Dakota County, only an average of 27 per year paid inheritance taxes. Yet, during this same period, taxpayers of 10,216 parcels of land and 18,000 motor vehicles paid taxes on these properties continuously each year; and

WHEREAS, LB502, effective January 1, 2008, changed the rate from ten to forty thousand for property valued in excess which could be taxed for immediate family and put more of the burden on non-immediate family and other beneficiaries; and

WHEREAS, by having inheritance tax, property taxes in Dakota County were able to be levied lower at 2.1 to 3.7 cents per $100 valuation and comply with the levy lid. Inheritance tax monies have been used in part to pay for new jail construction, new courthouse roof, bridge repair and to allow a pledge donation to the Northeast Community College of Nursing in Norfolk and the Wayne State College Center in South Sioux City.

THEREFORE, BE IT RESOLVED by the Dakota County Board of Commissioners that Dakota County opposes any legislation to eliminate the county inheritance tax for the above stated reasons, and

BE IT FURTHER RESOLVED that the County Clerk send copies of this Resolution of Support to the attention of Nebraska State Senators, NACO and the local media.

Resolved this 10th day of December, 2012.

/s/ Richard Bousquet
Chair
/s/ Scott Love
Commissioner
/s/ William B. Rohde
Commissioner
/s/ Antonio Gomez
Commissioner
/s/ Richard McNear
Commissioner
ATTEST
/s/ Theodore A. Piepho, County Clerk

APPROVED AS TO FORM: /s/ Kim Watson, County Attorney
ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #3 Miscellaneous: a. Road Report – Fred Kellogg, Highway Superintendent.

DAKOTA COUNTY ROAD DEPARTMENT BIWEEKLY REPORT:
November 25, 2012 to December 8, 2012

TOTAL ROAD MAINTENANCE: 234.25 HOURS

DISTRICT TOTALS:
A1 = 44.5 A3 = 15.5 A4 = 51.5 A5 = 15 A6 = 44 A7 = 63.75

OVERTIME HOURS	0	HOURS
TREE REMOVAL	0	HOURS
BLACKTOPPING	0	HOURS
GARBAGE PICKUP	1.5	HOURS
MAGNET	0	HOURS
GRAVEL HAULING	0	HOURS
CONCRETE HAULING	10	HOURS
TONS OF GRAVEL HAULED	0	TONS L.G. EVERIST
	0	TONS PETERSON
	0	TOTAL TONS OF GRAVEL
CLEANED CULVERTS & DITCHES ON FIDDLER CREEK, 240TH, & 180TH	8	HOURS

7 Road Concerns

Commissioner McNear asked that Fred have the road employee worksheets forwarded to the Board.

Chair Bousquet called for Agenda Item #3 Miscellaneous: b. Dick Erickson – update the Board on CAMA program process.

County Assessor, Dick Erickson gave each member a copy of the letter that was sent out with all tax statements. Mr. Erickson further informed the Board that the all tax statements have been mailed and they have only received a couple of phone calls as the addresses were wrong and/or a double parcel billing. They have received several calls on land values and comments that their value is too high per acre. Mr. Erickson advised that he feels the Legislature needs to be lobbied to decrease the agricultural level of assessment to bring the tax rates down to a more reasonable level on Ag ground. Mr. Erickson informed the conversion from the Orien program to the TerraScan program went very well. He asked that the Board thank his staff for all of the hard work they have done to get this conversion done on time. He commended his staff for the level of work they have done.

Chair Bousquet called for Agenda Item #4 Commissioner Committee Reports. Commissioner McNear mentioned they had a Safety meeting but it was uneventful.

Chair Bousquet called for Agenda Item #5 Mail and/or Emergency Business. There was none.

Chair Bousquet called for Agenda Item #6 Public Comment.

Sally Reinart informed the Board that she had gone to Omaha to the State School Board Conference and the Governor and a lot of the Senator's were there and they all stated that they do not know what the counties need and encourage the Boards to tell them what is needed.

Lori Warner with the South Sioux City Chamber of Commerce came to introduce herself and to encourage a unified unit between Dakota County and South Sioux City and present their concerns to the legislature. Ms. Warner encouraged the Board members to attend the Legislative meetings held

every other Monday at the Marina. Commissioner Gomez commented on the importance of attending legislative meetings.

Dennis Reinart questioned the hours of the Road Department being 7 am to 3:30 pm and wondered what the Road Department would be doing at 7 am. Commissioner Love assured that the employees were preparing for the day and heading out to their assigned tasks. Fred Kellogg assured that all of the equipment is well equipped with the proper lighting.

Chair Bousquet called for Agenda Item #3 Miscellaneous: c. Closed Session to discuss Road Department Union Contract negotiations.

Commissioner Gomez moved, seconded by Commissioner McNear to convene into Closed Session to discuss the Road Department Union Contract at 4:25 p.m. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Commissioner Gomez moved, seconded by Commissioner Rohde to reconvene into Regular Session from Closed Session discussing the Road Department Union Contract at 4:54 p.m. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet adjourned the Board of Commissioner's Meeting of December 10, 2012 at 4:55 p.m.

County Board of Commissioners

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Rick Bousquet, Chair Date Chair signed

DAKOTA COUNTY SEAL NEBRASKA

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Cherie Conley, Deputy County Clerk/Secretary Date

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Wednesday, December 26, 2012
Dakota County Courthouse
County Board Meeting Room – Basement
Dakota City, NE 68731

Chair Bousquet called their regular scheduled meeting to order at 4:02 p.m. The Pledge of Allegiance was recited and the location of the Open Meetings Act was noted. Roll Call was taken and present were Commissioners Bousquet, Love, Rohde, McNear and Gomez, and Cherie Conley, Deputy County Clerk and Secretary. Absent were none. Also present were Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney.

The agenda for this meeting was as follows:

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL – Excused Absence

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

The Dakota County Board of Commissioners reserves the right to adjust the order of items on this agenda if necessary.

1. CONSENT AGENDA *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
    a. Approval of the previous minutes – December 10, 2012
    b. Approval of payroll claims
    c. Approval of C Avenue Phase 2 change form adjustment to the effect of a net decrease of $29,223.12 to the contract price and contract time.
    d. Approval of accounts payable claims
    e. Officials Reports
    f. Approval of Amendment to the Food Service Contract between Dakota County Nebraska and CBM Managed Services effective December 1 to 31, 2012, to reflect added price scales showing a decrease in inmate population.
    g. Approval of Amendment to the Food Service Contract between Dakota County Nebraska and CBM Managed Services to reflect a per meal price increase of 2.9% CPI adjustment for January 1, 2013 through December 31, 2013.
    h. Approve 2013 Siouxland Humane Society contract for animal shelter. No increase in fees--$10 incoming fee and $9/day (minimum 3 days).
    i. Approve and authorize Chair to sign the Dakota County Juvenile Services Comprehensive Plan 2012-2015.
    j. Approve and have chair sign the 2013-14 County Aid Grant for juvenile diversion services to be contracted with Siouxland CARES and the Teen Court program.
    k. Approve and have Chair sign Contract with Siouxland CARES About Substance Abuse identifying the intent of both parties to support the activities of the Teen Court Juvenile Diversion program.

2. NEW BUSINESS
    a. Lori Warner, President, South Sioux City Area Chamber of Commerce
    - ❖ Update the Board on tourism and future planning
    - ❖ Ask the Board to approve and pass Resolution 12C-031—a resolution to promote the industrial, agricultural, commercial, educational, social and civic growth and development of Dakota County for the benefit, welfare and prosperity of the county.

    b. Don Faber, Three Rivers Benefit Inc, informational update on county health insurance
    c. Nancy Tatou- Requesting Board to approve Resolution 12C-032 in order for Haven House Family Services Center, a non-profit corporation, to continue providing services in the area of domestic violence and sexual assault in Northeastern Nebraska including Dakota County in collaboration with the Dakota County Crisis Response Team; Haven House has prepared for submission, a grant request to the Nebraska Crime Commission for funds available under the Violence Against Women Act. Haven House Family Service Center is respectfully requesting that it be resolved that the Board express support of the grant request and commend and support the efforts put forth in the reduction of domestic violence and sexual assault in our county.
    d. Time clocks – Review MIPS software and time clocks and previous time clock proposals and take possible board action.
    e. Chris Kleinberg – approve Chair to sign revised Homer Village Law Enforcement contract.
3. MISCELLANEOUS
    a. Road Report – Fred Kellogg, Highway Superintendent
    b. Approve Planning & Zoning ad for 2013 membership applications.
    c. Closed Session to discuss Road Department union contract negotiations.
    d. Board to discuss, approve and give the Chair permission to sign the Union contract with the Road Department.
4. COMMISSIONER COMMITTEE REPORTS

5. MAIL AND/OR EMERGENCY BUSINESS
6. PUBLIC COMMENT
7. ADJOURNMENT

The next Board of Commissioner's meeting will be re-organizational meeting January 7, 2013.

Chair Bousquet called for Agenda Item #1 Consent Agenda:

a. Approval of the previous minutes – December 10, 2012
b. Approval of payroll claims
c. Approval of C Avenue Phase 2 Change Form adjustment to the effect of a net decrease of $29,223.12 to the contract price and contract time.
d. Approval of accounts payable claims
e. Officials Reports.
f. Approval of Amendment to the Food Service Contract between Dakota County Nebraska and CBM Managed Services effective December 1 to 31, 2012, to reflect added price scales showing a decrease in inmate population.
g. Approval of Amendment to the Food Service Contract between Dakota County Nebraska and CBM Managed Services to reflect a per meal price increase of 2.9% CPI adjustment for January 1, 2013 through December 31, 2013.
h. Approve 2013 Siouxland Humane Society contract for animal shelter. No increase in fees--$10 incoming fee and $9/day (minimum 3 days).
i. Approve and authorize Chair to sign the Dakota County Juvenile Services Comprehensive Plan 2012-2015.
j. Approve and have chair sign the 2013-14 County Aid Grant for juvenile diversion services to be contracted with Siouxland CARES and the Teen Court program.
k. Approve and have Chair sign Contract with Siouxland CARES About Substance Abuse identifying the intent of both parties to support the activities of the Teen Court Juvenile Diversion program.

Chair Bousquet pulled item #1 - c. Approval of C Avenue Phase 2 Change Form adjustment to the effect of a net decrease of $29,223.12 to the contract price and contract time, for discussion. Chad Kehrt with Olsson Associates informed the Board that change order is for the Steve Harris Construction Contract where a couple of things were done differently therefore decreasing the price of the project. Mr. Kehrt did state that there are a few driveways that need additional work done and that may change the decrease price a little bit.

Commissioner Rohde moved, seconded by Commissioner Gomez to approve Consent Agenda Item (c) – the C Avenue Phase 2 Change Form adjustment to the effect of a net decrease of $29,223.12 to the Steve Harris Contract Price and Contract Time. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Commissioner Gomez moved, seconded by Commissioner McNear to approve the Consent Agenda items as presented

a. Approval of the previous minutes – December 10, 2012
b. Approval of payroll claims

COUNTY GENERAL FUND: Gross salaries- $127,421.64, General Fund Employees Net Pay- $91,740.19, Employer deductions paid: Retirement- $8,897.18, FICA- $7,671.20, Medicare- $1,794.10, DC Health Plan- $21500.00, DC Dental Plan- $955.68 and Life Insurance- $194.10. Richard Bousquet- 638.95, Antonio Gomez- 615.88, Scott Love- 615.88, Richard McNear- 615.88, William Rohde- 615.88, Joan Spencer- 1448.26, Daniel Christoffers- 361.20, Cherie Conley- 1107.36, Theodore Piepho- 1800.68, Mary C. Wiltgen- 912.24, Kathy A. Abbe- 880.00, Marisol Curiel- 1014.40, Stephanie Gatzemeyer- 904.00, Robert Giese- 1800.68, Jolene Heinemann- 1230.77, Tracey Rysavy- 1064.80, Debera Benton- $800.25, Christy Abts- 1240.38, Jeffrey Curry- 1360.00, Rita Deichert- $960.00, Richard Erickson- $1800.68, David Hauf- $1416.80, Daniel Christoffers- 842.80, Arnold Mellick- 228.32, Phyllis Obermeyer- 1800.68, Cheryl Perkins- 1242.73, Elda Raudales- 316.80, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2252.19, Katherine Wiltgen- 1000.00, Richard Jensen- 1638.85, Tammy Dunn-Peterson- 963.20, Dannie Caskey- 65.88, Sergio Castillo- 1855.02, Timothy Decker- 1960.96, Sandy Dickens- 501.65, Brian Ellinger- 1763.20, Brent Gilster- 1705.60, Todd Hammer- 1721.60, Richard Hansen- 1782.84, Melvin Harrison III- 2974.08, Jason James- 2328.80, Douglas Johnson- 1960.96, Kimberly Johnson- 497.64, Jared Junge- 1733.60, Christopher Kleinberg- 1980.77, Penny Kleinberg- 1947.68, Michael Kreegar- 1769.56, Gayle Richards- 941.60, Kevin Rohde- 2169.31, Randall Walsh- 1903.85, Lisa Olsen- 880.00, Peter Parry- 1807.69, Debra Schmiedt- 2663.46, Aimee Uhl- 1163.20, Kimberly Watson- 2913.34, Melinda Wicks- 1576.92, Cara Wood- 1267.13, Jacob Acero- 1378.58, Cassandra Androy- 1019.52, Joshua Blatchford- 1357.23, Rebecca Broer- 1445.73, Elisabet DeRoin- 1250.64, Sandy Dickens- 752.48, Jesse Doelle- 1079.06, Marjorie Donahue- 1574.50, Linda Frost- 882.40, Alma Gunderson- 1356.80, Deanna Haukap- 1341.13, Jeffrey Heitzman- 1482.46, Adam Hough- 1320.80, Michael Jacobson- 1337.11, Stephanie Jensen- 1371.75, Brett Johnson- 1353.63, Michelle Jones- 1309.80, Brenda Kelly- 1356.80, Terry Kern- 2030.29, Shawn McKenna- 1067.31, Mark Nelson- 1476.66, Travis Olander- 1353.82, Kimberly Peterson- 1320.81, Terry Poland- 1061.78, Cody Roeber- 1284.00, Jutharatana Ruenprom- 1332.80, Alicia Schoenberner- 1188.00, Linda Schovanec- 1396.80, Jennifer Svendsen- 1355.75, Tabitha Uhl- 1136.34, Jewel Williams- 1382.70, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 775.45, Linda Weitzel- 1219.85, Willard Johnston- 1250.00.

GENERAL FUND: Employee withholding paid to: Federal- $12,677.96, State- $4,346.25, FICA- $5,196.63, Medicare- $1,794.10, Retirement- $6,030.22, Health Plan- $1400.00, DC Dental Plan- $588.00, Colonial Health- $620.04, Sheriff Union Dues- $385.00, Colonial Life/Disability- $269.18, Deferred Comp- $302.00, Garnishments- $988.08, Flex Plan Medical- $821.49, Flex Plan Dependant Care- $262.50.

COUNTY ROAD PAYROLL: Gross salaries- $14,308.56, Road Employees Net Pay- $9,622.02, Employer deductions paid: Retirement- $965.81, DC Health Plan- $2,750.00, DC Dental Plan- $119.46, Life Insurance- $24.75, FICA- $1156.93, and Medicare- $270.58.

Brent Byroad- 1450.84, Kevin Chambers- 1245.98, Robert Hacker- 1318.40, Fred Kellogg- 1748.36, David Kneifl- 1234.40, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 673.60, Kip Reinbold- 1314.40.

ROAD FUND: Employee withholding paid to: Federal- $1,426.79, State- $491.82, FICA- $783.72, Medicare- $270.58, Retirement- $643.90, Health Plan- $350.00, DC Dental Plan- $63.00, Reassure America Life- $2.44, Colonial Life Health- $123.14, Deferred Comp.- $41.68, Garnishments- $222.47, Flex Plan Medical- $127.00 and Union Dues- $140.00.

c. Pull and approved above.

d. Approval of accounts payable claims

GENERAL FUND: Linda Carson, prior yrs- 11.00; City of South Sioux City, fuel- 5098.96; Jacks Uniforms Equip, clothing/supplies- 167.50; Joes Department Store, supplies- 29.48; Midwest office Automation, repairs- 63.80; O'Reilly Automotive, supplies- 575.78; Troys Auto World, repairs- 999.59; US Bank, oil/supplies/stamps/fuel- 246.24; Verizon, data cards- 160.12; Walmart, batteries- 9.97; Des Moines Stamp, stamps- 70.00; H2O4U, service- 28.50; Iowa Office Supply, contract- 121.83; NE Nebraska Attorney Assoc, meals- 40.00; Peter Parry, phone- 20.00; Quill, supplies- 80.27; Verizon, phone- 131.05; City of South Sioux City, lec cost share- 32581.82; Redwood Toxicology Lab, panels- 43.80; Verizon, phone- 87.49; AJ Gallagher Risk Management, notary bond- 150.00; Aramark, service- 121.42; Bob Barker, supplies- 540.14; CBM Food Service, meals- 19675.69; CW Suter, service- 105.00; CashWa Distributing, meals- 269.46; City of South Sioux City, fuel- 428.00; Dakota County Sheriff, notary dues- 30.00; Dakota Family Dentistry, medical- 766.00; Dakota Food & Fuel, fuel- 61.01; Dakota One Leasing, contract- 220.00; Dept of Correctional Serv, safekeepers/medical- 823.39; Fremont Tire, service/repair- 17.00; Gill Hauling, service- 125.00; Grainger, actuators/modulars- 1484.56; Jacks Uniforms, supplies- 1543.85; Janitor Depot, supplies- 1094.63; Joes Department Store, supplies- 22.21; Mercy Business Health, medical- 1807.50; Mercy Medical Center, medical- 1102.50; Midamerican Energy, utilities- 1447.66; Midwest Office Automation, contract/copies- 328.42; NE Nebraska Juvenile Serv, boarding- 9742.50; Nebraska Public Power District, utilities- 2617.60; NW Iowa Emergency Phys, medical- 690.00; Net Sys Plus, computer work- 240.00; Siouxland Federal Credit Union, batteries- 70.59; Staples, supplies- 111.38; US Bank, prescriptions/supplies/fuel/meals- 2137.08; Verizon, phone- 206.38; Walmart, heater- 27.86; Woodbury County Juvenile Det, boarding- 1000.00; Dakota County Sheriff, subscription- 64.00; Verizon, phone- 81.59; AZ Inc, fuel- 94.00; Dakota Business Systems, copier rental- 102.00; Emerson Heritage Express, fuel- 151.51; Hubbard Minimart, diesel- 166.00; Leon Pies, workshop- 20.00; Staples, supplies- 81.75; Wingate, lodging- 284.85; Pam Devries, mileage- 13.32; Pat Glover, hours- 120.00; Linda Weitzel, mileage- 65.49; Dr. Thomas Wente, consulting physician- 250.00; Bill Johnston, mileage/postage- 377.03; Luken Memorials, markers- 620.00; Perkins, supplies- 23.58; Cableone, internet- 169.96; Claritus, ink- 149.45; Cherie Conley, membership- 19.50; Fibercomm, phone- 700.46; FSH Communications, payphone- 60.00; Mailfinance, lease payment- 227.00; Mercy Business Health, eap agreement- 240.75; MIPS, support- 514.54; NACO, membership dues- 1517.01; Nebraska Loess Hills, sponsor dues- 350.00; Net Sys Plus, computer work- 100.00; Norm Waitt Sr. YMCA, memberships- 256.00; Perkins, supplies- 293.63; Region IV Mental health, qtrly services- 7546.00; Three Rivers Benefit, flex admin fees- 110.00; US Bank, wit books- 160.00; USPS Hasler, postage- 2500.00; Randy Walsh, ymca membership- 19.50; XPEDX, paper- 2375.00; Road Improvement Fund, budget transfer- 32000.00; Dakota County Star, publishing- 387.02; US Bank, registration- 120.00; Des Moines Stamp, stamps- 172.05; US Bank, tape- 13.65; Perkins, supplies- 61.00; Charlotte Doenhoefer, prior yrs- 10.00; Ruth Jensen, prior yrs- 12.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; AS Central Services, services- 192.00; Net Sys Plus, computer work- 80.00; Deb Benton, mileage- 12.21; Margie Rahn, prior yrs- 12.00; Microfilm Imaging Systems, scanning- 360.00; Office Elements, supplies- 11.14; AJ Phillips, printing- 240.00; David Hauf, mileage- 238.65; Dick Erickson, mileage- 309.14; Madelyn Thorsland, prior yrs- 10.00; Net Sys Plus, computer work- 140.00; Office Elements, lease- 119.86; Perkins, supplies- 133.68; US Bank, toner- 199.35; Dakota County Star, publishing- 750.00; Election Systems & Software, seals- 30.79; Perkins, supplies- 52.40; Theodore Piepho, phone- 30.00; Shirley Sides, election worker- 50.00; Geraldine Tramp, election worker- 53.33; US Bank, meals/truck rental/fuel- 441.37; Karilyn Watkins, election worker- 61.10; Mary Wolf, election worker- 61.10; Arnie Mellick, mileage- 276.88; Wingate, lodging- 284.85; Executive Tech, contract- 215.72; MIPS, scanning- 87.00; Net Sys Plus, computer work- 269.99; Phyllis Obermeyer, meals/mileage- 270.66; Perkins, supplies- 109.94; US Bank, supplies/naco- 135.95; AS Central Services, supplies- 16.64; Des Moines Stamp, stamp- 240.00; Paula Jensen, reimburse supplies- 5.35; Marlin Business Bank, contract- 100.00; Microfilm Imaging Systems, scanning- 190.50; Midwest Office Automation, supplies- 123.48; Kurt Rager, reimburse- 130.06; Frank Gonzalez, interpret- 300.00; David Kauffman, report- 900.00; Midwest Office Automation, contract/toner- 195.59; Perkins, supplies- 47.90; Thomson West, service- 996.97; Dakota County Sheriff, papers/warrants- 1272.00; District Court, court costs- 443.00; Stuart Mills, court appointed counsel- 3610.75; Richard Thramer, court appointed counsel- 3245.25; Patrick Tott, court appointed counsel- 1971.00; Dakota County Court, court costs- 1021.35;

Randy Hisey, court appointed counsel- 144.00; Kueny & Begley, court appointed counsel- 150.00; Alondra Magana, witness fee- 20.00; Douglas Roehrich, court appointed counsel- 1092.00; Barone Security Systems, repair- 115.00; Addison Electric, supplies- 75.00; Ateam Heating & Cooling, repair- 143.50; Bekins Fire, inspections- 428.41; Bunkers Feed & Supply, salt- 119.06; G&R Controls, repair- 375.50; Gill Hauling, service- 125.00; Menards, supplies- 555.15; Midamerican Energy, utilities- 711.00; Nebraska Dept of Labor, inspection fees- 100.00; Nebraska State Fire Marshall, inspection fees- 120.00; New Ideas Fabrication, repair- 240.00; Nebraska Public Power District, utilities- 37.90; Richard Jensen, mileage- 77.15; Robertson Implement, repair- 1182.18; Trembly Pest Control, service- 55.00; US Bank, supplies/software/service- 123.00; Verizon, phone- 51.68; UNL Extension, reimburse- 812.77; PMNRD, rent- 833.33;

ROAD FUND: Aramark, service- 22.10; Atokad Heritage Express, fuel- 251.52; Bank of Dixon, grader payment- 16351.76; Kevin Chambers, clothing allowance- 114.82; Brent Byroad, clothing allowance- 74.89; City of South Sioux City, salt- 1559.80; Dakota County Petty Cash, supplies- 62.44; Fastenal, supplies- 155.53; Gill Hauling, service- 55.00; Walter Heinemann, prior yrs- 29.00; Hubbard Minimart, fuel- 721.18; H2O4U, service- 26.50; Bob Jacobsen, prior yrs- 17.00; J&J Pronto, fuel- 515.43; Joes Department Store, supplies/tools- 112.56; Kinetic Leasing, loader/interest- 2458.00; Matheson Linweld, oxy- 56.00; Medical Enterprises, testing- 36.00; Arnie Mellick, clothing allowance- 75.00; Midwest Service & Sales, signs- 720.00; Midwest Wheel, parts/supplies- 293.27; Marlan Millard, prior yrs- 15.00; NAPA Auto Parts, supplies- 29.03; Nebraska Culverts & Steel, pipe- 360.00; Nebraska Public Power Dist, utilities- 32.42; NE Nebraska Public Power Dist, utilities- 199.07; NE Nebraska Telephone- 213.59; O'Reilly Auto Parts, parts- 76.41; Dean Pallas, clothing allowance- 71.68; Peterson Sand & Gravel, gravel- 34834.80; Pomps, tires- 149.50; Powerplan, parts/labor- 4305.92; Rees Mack Sales, parts- 90.18; Kip Reinbold, clothing allowance- 62.15; Robertson Implement, parts- 132.59; St. Lukes Center for Occupational Health, testing- 70.00; Siouxland Hydraulics, parts- 41.57; Stephan Welding, parts/supplies- 57.50; Thermo King Christensen, supplies- 224.68; Titan Access, parts- 791.40; US Bank, utilities- 374.00; Verizon, phone- 45.54; Warren Oil, diesel- 7552.00; Zieglers, parts/labor- 310.56; **HARD SURFACE:** C Avenue Paving Fund, interest payments- 30271.33; Olsson Associates, engineering- 20222.14; Steve Harris Construction, paving improvement- 442632.49; **ROAD IMPROVEMENT:** City of South Sioux City, principle- 31611.62; **VISITORS PROMOTION:** South Sioux City Chamber of Commerce, lodging tax- 11717.77;

INSTITUTIONS: Beatrice State Dev Center, qtrly payments- 524.00; **HEALTH PLANNING GRANT:** Pam Devries, mileage- 46.62; Midwest Office Automation, contract- 133.80; US Bank, software- 85.59; **PUBLIC SAFETY:** City of South Sioux City, sales tax- 3248.54; Jail Bond Fund, sales tax- 27920.07; Road Fund, sales tax- 558.74

e. Officials Reports approved as submitted from the Register of Deeds Office for November 2012, Dakota County Clerk for November 2012 and Clerk of District Court for November 2012.
f. Approval of Amendment to the Food Service Contract between Dakota County Nebraska and CBM Managed Services effective December 1 to 31, 2012, to reflect added price scales showing a decrease in inmate population.
g. Approval of Amendment to the Food Service Contract between Dakota County Nebraska and CBM Managed Services to reflect a per meal price increase of 2.9% CPI adjustment for January 1, 2013 through December 31, 2013.
h. Approval of 2013 Siouxland Humane Society contract for animal shelter. No increase in fees--$10 incoming fee and $9/day (minimum 3 days).
i. Approval of and authorization for Chair to sign the Dakota County Juvenile Services Comprehensive Plan 2012-2015.
j. Approval of and authorization for chair to sign the 2013-14 County Aid Grant for juvenile diversion services to be contracted with Siouxland CARES and the Teen Court program.
k. Approval of and authorization for Chair to sign Contract with Siouxland CARES About Substance Abuse identifying the intent of both parties to support the activities of the Teen Court Juvenile Diversion program.

ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 Miscellaneous

a. Lori Warner, President, South Sioux City Area Chamber of Commerce
   - ❖ Update the Board on tourism and future planning
   - ❖ Ask the Board to approve and pass Resolution 12C-031 Resolution in Support of Agriculture -- a resolution to promote the industrial, agricultural, commercial, educational, social and civic growth and development of Dakota County for the benefit, welfare and prosperity of the county.

Lori Warner appeared before the Board asking for support of Resolution 12C-031 Support of Agriculture. She informed that the Chamber had someone from *We Support Ag* give a presentation wherein they talked about how important agriculture is to our community and the State of Nebraska.
Ms. Warner also informed the Board on what the Chamber is doing to support tourism for Dakota County and the City of South Sioux City. One of the projects is the Stay-N-Play Rewards where any team that comes into our community and books the entire team to stay in South Sioux City, then the Team would receive a $100 cash reward. This project will be done for one year and will be tracked to see if this is a beneficial project. Ms. Warner informed that she would be coming to the Board with quarterly reports for their information.

Commissioner Gomez moved, seconded by Commissioner Love to approve Resolution 12C-031 Resolution in Support of Agriculture that Dakota County pledges our support to the livestock and

agriculture industry and opposes any current or future actions by any organization that would work to eliminate livestock for food production, harm our economy and local way of life, and diminish the use of local, precious resources to feed the people of our world, as follows:

BOARD OF COMMISSIONERS
DAKOTA COUNTY, NEBRASKA
RESOLUTION 12C-031
RESOLUTION IN SUPPORT OF AGRICULTURE

WHEREAS, Dakota County promotes the industrial, agricultural, commercial, educational, social and civic growth and development of Dakota County and Northeast Nebraska for the benefit, welfare and prosperity of such area; and

WHEREAS, Dakota County has established as a priority the retention, development and promotion of existing businesses, and the recruitment of new businesses to our area, and the agriculture industry is our state's largest industry, providing over 1 of every 3 jobs in our state; and

WHEREAS, cash receipts from farm markets contributed over $15 billion to the Nebraska economy; and

WHEREAS, Nebraska ranks nationally in several areas of livestock production, including, first in red meat production and second on feed;

WHEREAS, Dakota County recognizes the importance of our agriculture heritage and supports current production agriculture methods, the agriculture practice of breeding and raising livestock and current regulations for humane treatment in food production;

NOW, THEREFORE BE IT RESOLVED that Dakota County pledges our support to the livestock and agriculture industry and opposes any current or future actions by any organization that would work to eliminate livestock for food production, harm our economy and local way of life, and diminish the use of local, precious resources to feed the people of our world.

BE IT FURTHER RESOLVED, that Dakota County Board of Commissioners will encourage all individuals and entities to act in support of our agricultural producers in the State of Nebraska and oppose all organizations and groups that have an agenda that would have a detrimental effect on our agricultural producers.

Passed and approved this 26th day of December, 2012.

/s/ Richard Bousquet, Chair
/s/ William B. Rohde, Commissioner
/s/ Scott Love, Commissioner
/s/ Antonio A. Gomez, Commissioner
/s/ Richard McNear, Commissioner
ATTEST: /s/ Cherie Conley
Deputy County Clerk

APPROVED AS TO FORM: /s/ Kim Watson, County Attorney

ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 Miscellaneous

b. Don Faber, Three Rivers Benefit Inc, informational update on county health insurance

Don Faber with Three Rivers Benefit presented the Board with some informational figures reassuring them that the current insurance plan is working well for the County. The numbers presented show that the County is doing quite well. Mr. Faber assured the Board that they work for the County and their job is to get the County the best values. Mr. Faber reminded the Board that he will be back in a couple of months when the renewal is due.

Chair Bousquet called for the Agenda Item #2 Miscellaneous

c. Nancy Tatou- Requesting Board to approve Resolution 12C-032 in order for Haven House Family Services Center, a non-profit corporation, to continue providing services in the area of domestic violence and sexual assault in Northeastern Nebraska including Dakota County in collaboration with the Dakota County Crisis Response Team; Haven House has prepared for submission, a grant request to the Nebraska Crime Commission for funds available under the Violence Against Women Act. Haven House Family Service Center is respectfully requesting that it be resolved that the Board express support of the grant request and commend and support the efforts put forth in the reduction of domestic violence and sexual assault in our county.

Nancy Tatou with Haven House approached the Board and asked for their support of the Haven House Family Services Center and gave statistics on the types of individuals helped and the number of individuals and families helped through this program.

Commissioner Gomez moved, seconded by Commissioner Rohde to approve Resolution 12C-032 Resolution in support of the Haven House Family Services Center grant request and support the efforts put forth in the reduction of domestic violence and sexual assault in our county, as follows:

RESOLUTION 12C-032
Haven House Family Services

BE IT RESOVED BY THE BOARD OF DAKOTA COUNTY COMMISSIONERS THAT on this 26th day of December 2012 that we the undersigned duly elected commissioners of Dakota County herby 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 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 26th day of December 2012.

/s/ Richard Bousquet, Chair
/s/ William B. Rohde, Commissioner
/s/ Scott Love, Commissioner
/s/ Antonio A. Gomez, Commissioner
/s/ Richard McNear, Commissioner
ATTEST: /s/ Cherie Conley
Deputy County Clerk

APPROVED AS TO FORM: /s/ Kim Watson, County Attorney

ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 Miscellaneous

e. Chris Kleinberg – approve Chair to sign revised Homer Village Law Enforcement contract.

Sheriff Kleinberg informed the Board that the Village of Homer had a slight problem raising their rate the $20,000 so what was done is the $20,000 was broke up over 3 years with monthly payments.

Rohde "-" Love to approve the revised Homer Village Law Enforcement Contract and to authorize Chair Bousquet to sign the revised Homer Village Law Enforcement Contract with Dakota County that the County, through the Sheriff of Dakota County, agrees to provide law enforcement services within the corporate limits of the Village to the extent and in the manner set forth and agreed to in the CONTRACT FOR LAW ENFORCEMENT, as follows:

CONTRACT FOR LAW ENFORCEMENT
Dakota County and Village of Homer

This agreement made and entered into this 1st day January, 2013, by and between the County of Dakota, Nebraska, hereinafter referred to as "County", and the Village of Homer, Nebraska, hereinafter referred to as "Village."

WHEREAS, the Village of Homer located in Dakota County, Nebraska, is desirous of obtaining the services of the Dakota County Sheriff's Department.

WHEREAS, the Dakota County Sheriff is charged with responsibility for the law enforcement in the County generally; and,

WHEREAS, the Village desires to contract with the County for the services of the Sheriff's Department; and

WHEREAS, such contracts are authorized by the Interlocal Cooperation's Act, Nebraska Revised Statutes, Sections 23-2201 to 23-2207; and,

WHEREAS, the County is willing to contract for the rendition of such services on the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, it is agreed as follow by the parties hereto:

The County, through the Sheriff of Dakota County, agrees to provide law enforcement services within the corporate limits of the Village to the extent and in the manner hereafter set forth:

1. All matters relating to the duties, standards of service, discipline of officers, rendition of performance, training, and other such matters incident to the performance of this contract and the personnel employed in the performance of this contract shall be under the exclusive control of the Sheriff. In exercising this control, the Sheriff shall give due consideration to those reasonable requests of the Village which are properly brought to this attention. In order to more adequately serve the need of the Village of Homer, a Deputy shall, on a daily basis check with the Village Office of Homer to pick up any verbal or written complaints, or requests for special assignments in Homer. The Dakota County Sheriff shall make a monthly report of activities in the Village of Homer, either orally or in writing to the Mayor and Village Board.
2. The deputy shall be a member of the Sheriff's Department, trained by the Sheriff, and under the direct and exclusive control of the Sheriff. He shall have all the authority of any other Deputy of the Sheriff's Department.
3. The services to be rendered under this contract shall include, but are not limited to, enforcement of the statutes of the State of Nebraska and those municipal ordinances of the Village which are normal considered to be of a low enforcement nature. It is understood and agreed, however, that all prosecutions arising from violations of municipal ordinances shall be the sole responsibility of the Village.
4. The County and its agencies shall assume responsibility for supplying all supervision materials, communications, and equipment, which are necessary for the performance of law enforcement services in the Village. Maintenance, fuel and repair costs of the vehicles shall be provided by the County in the same manner as provided for the vehicles and equipment used by all other Sheriff's Deputies and the same shall be replaced by the County with new equipment at the same intervals equipment utilized by the other Sheriff's Deputies is replaced.
5. Compensation for the Deputy assigned, and provision for bonds, fringe benefits, insurance, and Workmen's Compensation shall be the sole responsibility of the County. The County shall also

pay all overhead costs, to include: training expenses, record keeping expenses, and other administrative costs.

6. The Village shall not be called upon to assume any liability for the direct payment of salaries, wages, or other compensation for the services of the Deputies, including payments for injury or sickness, unless such sickness or injury is caused by the intentional or negligent acts of the Village.
7. Any provisions to the contrary notwithstanding, the Village hereby agrees:
   (a) Any overtime pay to which the Deputies shall become entitled as a result of his conducting investigations, or appearing in Court, in connection with violations of State Statutes shall be the responsibility of the County.
   (b) That the Village, at its own expense, shall provide liability insurance to indemnify itself in the event that it becomes liable for the payment of a judgment based upon the acts of the Deputy in the enforcement of a municipal ordinance, as provided in Neb. Revised Stat. 28-1417 (Reissue 1979).
9. The Village shall pay Dakota County for such law enforcement service at the rate of $2,003.22 per month for the Deputy assigned in the Village ($24,038.64/Deputy Annual for 2013). The Village shall pay Dakota County for such law enforcement service at the rate of $2,548.11 per month for the Deputy assigned in the Village ($30,577.32/Deputy Annual for 2014). The Village shall pay Dakota County for such law enforcement service at the rate of $3,093.00 per month for the Deputy assigned in the Village ($37,116.00/Deputy Annual for 2015). Payment shall be due and payable from the Village to the County on the 1st day of each calendar month, commencing January 1, 2013 and each consecutive January 1st thereafter. Service under this contract shall commence January 1, 2013.
10. This agreement may be expanded upon request by the Village and agreement by the County to include additional Deputies as the need for such additional Deputies is determined by the Sheriff.
11. This contract shall be effective for one year from January 1, 2013. It shall automatically be extended for six months unless canceled by either party at least ninety (90) days prior to the end of the first year.
12. Services to be provided by the Deputies shall include but are not limited to, routine residential patrol, traffic enforcement, security of businesses, enforcement of State Statutes and Village ordinances, and other services in the areas of public safety and law enforcement as are provided by the Sheriff's Office in unincorporated areas of the County. All dog control problems shall be handled, by the Village of Homer. When such problems cannot be adequately handled by the Village Worker, animal control shall be called to assist at the Village's cost under existing Sheriff's policies.
13. This agreement shall continue in full force and effect for each year thereafter, such termination may be accomplished by either party to the agreement notifying the other party, in writing, of such party's intention to terminate the agreement not less than ninety (90) days prior to the desired date of termination. In the event of the termination of this agreement by either party, all equipment, materials, and supplies provided by the County for law enforcement in the Village shall be retained by the County. Any supplies furnished by the Village, for Village purposes, shall be retained by the Village.
14. The monetary amount the Village shall pay for the County for the law enforcement services provided shall be renegotiated if desired by either party, with the first renegotiating taking place on or before August 1, 2013, and any such renegotiating on the next succeeding year; this negation may reflect increased wage or salary expenses including but not limited to recertification of officers, or increases in other operating expenses incurred by the County which shall have occurred since the last prior year in which the rate was adjusted. Any adjustment in the rate set forth herein shall be made at least one month prior to the date on which the Sheriff's budget is required to be submitted to the County Commissioners of Dakota County.

ATTEST:	VILLAGE OF HOMER:
/s/ Jeanine Webb	/s/ Angela Kent
Village Clerk	Mayor
ATTEST:	COUNTY OF DAKOTA:
/s/ Cherie Conley	/s/Richard Bousquet
County Clerk – Deputy	Chairman
APPROVED AS TO FORM THIS: 13th day of December, 2012 BY:	
/s/Kim Watson	/s/ Chris Kleinberg
Dakota County Attorney	Dakota County Sheriff
/s/Sarah K. Kleber	
Homer Village Attorney	

ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 Miscellaneous

d. Time clocks – Review MIPS software and time clocks and previous time clock proposals and take possible board action.

Commissioner Love informed the Board that while he was in Kearney at the conference he visited with different counties regarding the time-clocks and they couldn't talk a lot about the software, but they did inform that within 4 months they would have the software compatible. Love informed that the machines are $500 a piece and they are a finger reading or a picture id. More information will be coming down the road.

Chair Bousquet called for Agenda Item #3 Miscellaneous

a. Road Report – Fred Kellogg, Highway Superintendent

DAKOTA COUNTY ROAD DEPARTMENT BIWEEKLY REPORT

December 9, 2012 to December 22, 2012

TOTAL ROAD MAINTENANCE:	135.5	HOURS
DISTRICT TOTALS: A1 = 14 A3 = 36 A4 = 23 A5 = 13 A6 = 27 A7 = 22.5		
OVERTIME HOURS	13	HOURS
TREE REMOVAL	0	HOURS
BLACKTOPPING	0	HOURS
GARBAGE PICKUP	8.5	HOURS
MAGNET	0	HOURS
GRAVEL HAULING	13	HOURS
SNOW REMOVAL	104.5	HOURS
TONS OF GRAVEL HAULED:	0	TONS L.G. EVERIST
	165	TONS PETERSON
	165	TOTAL TONS OF GRAVEL
CULVERT 260TH STREET & M AVE	55.5	HOURS
7 Road Concerns		

Fred informed the Board that C Avenue is now open and some are using it as a “drag strip” unfortunately.

Chair Bousquet called for Agenda Item #3 Miscellaneous

b. Approve Planning & Zoning Ad for 2013 membership applications.

Arnie Mellick informed the Board that there will be 3 memberships open – Moes, Green and O’Neill.

Commissioner Love moved, seconded by Commissioner McNear to approve the Planning and Zoning Ad for the 2013 Membership Applications. ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for Agenda Item #4 Commissioner Committee Reports.

Commissioner Gomez reported that he went to the Legislative Committee meeting and informed that they would be lobbying for us in favor of keeping the Inheritance Tax monies, allowing the County to choose a County manager and not the State, and also keeping sex offenders away from the public parks. Commissioner Gomez also commented on the LEC meeting.

Commissioner Love informed that while he was at the Kearney conference and in visiting with other counties, he found that there are a lot of other counties in way worst shape then Dakota County and those who are in glory land.

Chair Bousquet called for Agenda Item #5 Mail and/or Emergency Business. There was none.

Chair Bousquet called for Agenda Item #6 Public Comment.

Dennis Reinart commented on the need for people to lobby the legislature. He informed that he has done some research on how to do so. He encouraged our Board and others to lobby.

Lori Warner with the Chamber commented on perhaps our county looking into something like an Occupational Tax on the lodging.

Chair Bousquet called for Agenda Item #3 Miscellaneous

c. Closed Session to discuss Road Department Union Contract negotiations.

Commissioner Gomez moved, seconded by Commissioner Love to convene into Closed Session to discuss negotiations on the Road Department Union Contract at 4:50 p.m. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner McNear to reconvene into Regular Session from Closed Session discussing negotiation of the Road Department Union Contract at 5:25 p.m. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet adjourned the meeting of December 26, 2012 at 5:26 p.m.

County Board of Commissioners

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Rick Bousquet, Chair Date Chair signed

_____

Cherie Conley, Deputy County Clerk/Secretary Date

DAKOTA COUNTY SEAL NEBRASKA

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Theodore A. Piepho, County Clerk Date entered in book