

Dakota County Board of Corrections
Monday, January 14, 2008
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair McLarty called their regular meeting to order at 2:09 p.m.

Present were Board Members: Engel, McLarty, Rohde, O'Neill, Hartnett, and County Clerk Ted Piepho, acting Secretary.
Absent: None

The agenda for this meeting was as follows:

1. 2:00 p.m. Call to Order
 - Roll Call
 - Approve minutes of December 31, 2007
 - Payroll Claims - Employee Handbook and Personnel Policies – Sick Leave, Vacation and benefits.
2. 2:01 p.m. Miscellaneous Agenda Items
 - Jail Report.
 - Muffin Monster Grinder – Report and discussion.
 - Sally Reinert – Jail Advisory Committee applicant recommendations.
 - Schedule interviews for Director of Corrections / Jail Administrator Applicants.
 - Interview applicants for the Jail Administrator.
3. Board Committee Reports
4. Board Member Reports
5. Public Comment
6. Mail and/or Emergency Business
7. 2:15 p.m. Recess or Adjournment depending whether the Board would like to recess to interview applicants for the Jail Administrator Position.

Board Member Rohde moved, seconded by Board Member Engel to approve the minutes of December 31, 2007 as printed and prepared for the Official Record.

Mark Nelson, Interim Jail Administrator, submitted the following Jail Report.

<u>New Facility Population</u>		<u>Old Facility Population</u>	
Male Prisoners:	41	Male Prisoners:	31
Male Federal Prisoners:	36	Female Prisoners:	00
<u>Total Male Prisoners:</u>	77	<u>Total Old Facility Prisoners:</u>	31
Female Prisoners:	18	Woodbury Juveniles	3
Female Federal Prisoners:	2	Male:	3
<u>Total Female Prisoners:</u>	20	Female:	0
<u>Total Federal Prisoners:</u>	38	Madison Juveniles:	1
<u>Total New Facility Population:</u>	92	Male:	1
		Female:	0
		<u>Total Juvenile Population:</u>	04

Work Release: 5
 House Arrest: 3
 Other D&E: 1
Total Population: 136

Comments:

News from the Jail

Upper Tier Shower Issue:

On 1/11/08 one shower curtain was installed in B Block. Staff will monitor this location to make sure that the water is not leaking onto the floor. Seven more will be ordered in the future. I am also looking into replacing the 30 degree shower heads with a 17 degree shower heads as this will help to direct the water flow towards the floor more.

Admin water heater:

Hander arrived 12/21 and corrected the problem by replacing a pump and a heating element.

Staff:

One full time G/G (Adam Hough start date 1/2/08) has been hired to replace Michael Estes who resigned from the jail to take a deputy position. One full time G/G (Daniel Simpson start date 1/23/08) has been hired to replace Daniel Wood who resigned from the jail to take a deputy position. One full time GIO Amanda Ruhrer has been hired to replace Joseph Ramirez who resigned from the jail. One part time C/O (Onedia Hernandez start date 12/31/07) has been hired to replace a part time female that left earlier this year (2007). One part time C/O will need to be hired to replace Stephanie Ryan while she is on military leave. My position in the jail has not been filled with a part time. The Merit Commission has been notified that the hiring list has been depleted.

I have been in contact with Jail Standards twice (1/3/08 last contact) to attempt to get information pertaining to the minimum number of correctional officers that is required to staff this facility as requested by the BOG. Denny Macomber assured me that he will fax this information in the near future. I have compiled a roster of current employees which includes a break down of how many correctional officers are posted on each shift as well as the openings that need to be filled. This information will be presented to the board once I have obtained the requested information from Jail Standards.

Sewer Slicer:

On 1/2/08 the sewage slicer pit backed up due to items being flushed that the slicer could not handle. Rick pumped out the pit, and found a towel that had been flushed plugging one of the pumps which caused it to over heat. Which in turn caused the pit to over flow, in this case into one of the cell blocks drains. The slicer is not designed to grind up items such as these and will continue to pose a problem in the future if not replaced. I have observed the slicer over the period of one month since the water level was lowered, and with the recent events I would recommend that the board look into replacing the pumps that are now in use.

On 1/9/08 I meet with a representative of Electric Pumps out of Omaha to obtain a price quote on upgrading our system with a Muffin Monster. He was very concerned with the design of our facilities grinder pit. He stated that the way the grinder pit is designed it would be virtually impossible to utilize a Muffin Monster inside of the pit. He pointed out that the problem that we would encounter with the poor design was that if one of the pumps were to go down we would not have any way of pulling the pump from the pit to repair it without removing the Muffin Monster (400+ lbs). He also stated that the only feasible way to utilize his product would to be by placing it inline, which would entail cutting through the concrete flooring. This option would be very costly to the county. He also suggested that the contractor that installed the system be accountable for the problems that we are encountering. He suggested that a basket be installed underneath the drainage pipe in the pit to catch solid waste items. This basket would keep items such as towels from reaching the pumps, but would need to be emptied on a regular basis. He will be sending a price quote on the basket in the near future. I believe that the idea of the basket is a good *temporary* solution, but a permanent solution will need to be implemented due to the amount of solid waste that passes through the system.

Work Release Heat:

Suffer was here on 12/27/07 to replace the circuit board in the heating unit that supplies work release. Suffer was called in on Saturday December 29th, due to the heat not working in work release. Suffer responded and repaired the problem. Sutter was called again on January 1, 2008 due to the heat not working in the work release unit. Sutter was unable to get parts due to the holiday, but did bring in space heaters to be placed in work release. Only one space was able to be used due to over loading of the breaker when all three were plugged in. I received a call from Sutter 1/2/08 stating that the heating unit for work release was heating at 138 degrees but it was sending air out at 57 degrees. Sutter advised that they would be at the facility this morning (1/2/08) to address the issue. On 1/2/08 Sutter replaced a vent on the regulator, and relocated the regulator for the heating unit to a different location away from the exhaust vent. Due to the position of the heating unit the exhaust was being blown back onto the regulator causing it to freeze up. Sutter states that relocating the regulator should take care of the issues we have been experiencing with the work release heat. As well the regulator on the heating unit that supplies heat to booking was moved for the same reason. Sutter will return on 1/3/08 to ensure that both heating units are working properly.

BIA Contract:

In November I contacted Lt. Rich Greenwold with the BIA in reference to our contract with their agency. Lt. Greenwold notified me that paperwork was sent to our facility in October 2007 stating that \$15,000.00 dollars for prisoner housing has been allocated. Lt. Greenwold also stated he had not received the signed documents as of yet. After checking with Sandy I was able to verify by receipt that the documents were sent back on November 2nd, 2007. I notified Lt. Greenwold of the date the paperwork was mailed out, but have not had a reply back from the BIA. Our facility is currently housing at capacity as of this time (including 38 federal prisoners), and we do not have the open bed space for BIA prisoners.

Jail Standards:

I have received the inspection report from Jail Standards. The facility was determined to be in full compliance with the exception of hiring a full time nurse, replacing the sewer slicer with a sewer grinder, and the damage that could be caused by the leaking upper tier showers. The shower issue is being addressed as noted above.

Fire / Sprinkler Inspection:

After speaking with Rick Jensen I have learned that we have signed a contract with Barone to inspect our fire alarm and sprinkler system. The contract will include both jails as well as the courthouse. I will be in contact with Rick again to find out when the inspection will take place.

The Board asked Mr. Matney to send Jerry Johnson, with GA Johnson, and Steve Davis, Architect for the Jail Project, a letter advising them that the Sewer Slicer is not handling the job and that it was the wrong equipment for the project.

Sally Reinert with the Jail Advisory Committee appeared before the board with recommendations from the Jail Advisory Committee, as follows:

These recommendations are based on the premise that the candidates are as they represent themselves in their resumes.

Also, that any final candidates will be given a thorough background check to determine that this is indeed the case.

Several of the candidates, though lacking the experience for this position, would be excellent candidates for an assistant director, should such a position arise. We would therefore recommend that the resumes of these candidates be kept on file for future consideration.

In addition to the previously recommended candidates, the following candidates are recommended for consideration for the position of Dakota County Director of Corrections:

Candidates B, C, D

Candidate "I" does not have the education or years of experience specified in the job advertisement. We felt, however, that out of respect for his service to the county, he should be considered for the position.

Board Member McLarty said that he would like to see applicant H added because he has experience in the military that would be comparable to what they are asking for the jail. He has run a military compound for more than 10 years and been with the military police for 15 years.

Board Member O'Neill said that applicant has had too many jobs and that applicant C has had 6 jobs and applicant D has had 10 jobs.

Board Member Rohde moved, seconded by Board Member Hartnett to interview applicants B, C, D, I and H in addition to the three previous applicants that were selected from the first set of applicants that applied for the Jail Administrator Position.

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

There was discussion trying to determine dates that the board could interview the selected applicants for the Jail Administrator Position. There was also discussion whether the full board needed to interview the applicants and it was mentioned to have two board members and two members from the Jail Advisory Committee to recommend the person to hire as Jail Administrator.

Board Member Hartnett moved, seconded by Board Member Rohde to appoint two members of the County Board of Corrections and two members of the Jail Advisory Committee to act as a Review Committee to interview the applicants for the Jail Administrator and to recommend the applicant of choice and an alternate choice. Be it further resolved that Board Members Hartnett and O'Neill from the Board of Corrections and Jail Advisory Committee Members Sally Reinert and Bob Giese be the other two members appointed to the Review Committee or an alternate to be assigned by the city.

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

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

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

Chair McLarty called for the agenda item "Mail and / or Emergency Business". There was none.

With no further business Chair McLarty adjourned their meeting at 2:59 p.m..



ATTEST:

County Board of Corrections

William McLarty, Chairman

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

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

Chair McLarty called their regular meeting to order at 2:00 p.m.

Present were Board Members: Engel, McLarty, Rohde, O'Neill, Hartnett, and County Clerk Ted Piepho, acting Secretary.
Absent: None

Board Member Hartnett moved, seconded by Board Member Engel to approve the minutes of January 14, 2008 as printed and prepared for the Official Record.
ROLL CALL VOTE: Rohde- yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea.
UNANIMOUS MOTION CARRIED.

Mark Nelson, Interim Jail Administrator, submitted the following Jail Report.

<u>New Facility Population</u>		<u>Old Facility Population</u>	
Male Prisoners:	40	Male Prisoners:	28
Male Federal Prisoners:	35	Female Prisoners:	00
<u>Total Male Prisoners:</u>	75	<u>Total Old Facility Prisoners:</u>	28
Female Prisoners:	17	Woodbury Juveniles	2
Female Federal Prisoners:	2	Male:	2
<u>Total Female Prisoners:</u>	19	Female:	0
<u>Total Federal Prisoners:</u>	37	Madison Juveniles:	0
<u>Total New Facility Population:</u>	94	Male:	0
		Female:	0
		<u>Total Juvenile Population:</u>	02

Work Release: 4
House Arrest: 3
Other D&E: 1

Total Population: 128

Comments:

Mr. Nelson express concern that he did not have anymore applicants to draw from the Merit Commission's list, as it has been depleted. He asked that they meet and do testing of applicants.

Chair McLarty called for the agenda item Board Member Committee Reports.

Commissioner Hartnett, Chair of the Candidate Nominating Committee, reported that the Candidate Committee met and recommended Candidate A for the position of Director of Corrections. Sally Reinert and Betty O'Neill confirmed that selection.

There was discussion concerning the salary range that could be offered to the proposed candidate.

Chair McLarty said it was not on the agenda and therefore it was not discussed.

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

Chair McLarty adjourned their meeting at 2:38 p.m.



County Board of Corrections

William McLarty, Chairman

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

Dakota County Board of Corrections
MONDAY, January 28, 2008
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair McLarty called their regular meeting to order at 2:00 p.m.

Present were Board Members: Engel, McLarty, Rohde, O'Neill, Hartnett, and County Clerk Ted Piepho, acting Secretary.
Absent: None

The agenda for this meeting was as follows:

2:00 p.m. Call to Order

- Roll Call
- Approve minutes of January 22, 2008

2:01 p.m. Miscellaneous Agenda Items

- Jail Report.
- Quote to add basket in waste system to catch items that the slicer will not handle. Action to accept quote if desired.
- Muffin Monster Grinder – Report and discussion.
- Set wage/salary range for Director of Corrections.
- Hire Director of Correction / Jail Administrator

Board Committee Reports
Board Member Reports
Public Comment
Mail and/or Emergency Business

2:10 p.m. Adjournment

Board Member Hartnett moved, seconded by Board Member Engel to approve the minutes of January 22, 2008 as printed and prepared for the Official Record.

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

Mark Nelson, Interim Jail Administrator, submitted the following Jail Report and was read by Chair McLarty.

<u>New Facility Population</u>		<u>Old Facility Population</u>	
Male Prisoners:	45	Male Prisoners:	27
Male Federal Prisoners:	32	Female Prisoners:	00
<u>Total Male Prisoners:</u>	77	<u>Total Old Facility Prisoners:</u>	27
Female Prisoners:	14	Woodbury Juveniles	1
Female Federal Prisoners:	2	Male:	1
<u>Total Female Prisoners:</u>	16	Female:	0
<u>Total Federal Prisoners:</u>	34	Madison Juveniles:	
<u>Total New Facility Population:</u>	93	Male:	02
		Female:	00
		<u>Total Juvenile Population:</u>	03

Work Release: 3
House Arrest: 4
Other D&E: 1

Total Population: 128

Comments:

Upper Tier Shower Issue:

The shower curtain that was placed in the upper tier of B block is working well at keeping the water runoff from leaving the shower area. Seven more shower curtains of this type have been ordered for the remaining upper tier shower stalls.

Staff:

As of this date I still have not received any information from Denny Macomber.

Sewage Slicer:

I have attached a copy of the quote for the sewage pit trash basket that Electric Pump has provided. The cost of \$2248.71 would include a new access door hatch, aluminum rail system, and the basket. This price does not include the cost of installation. As well it would be the contractor that installs the product to figure out how to attach the guide rails to the bottom and sides of the sewage pit.

Fire / Sprinkler Inspection:

Barone will be here on January 30th, to conduct the fire alarm / sprinkler inspection for the new jail as well as the old jail and courthouse.

Jail Standards:

A full time nurse still needs to be hired in order for the jail to be in compliance with Jail Standards. It would be in the best interest of jail as well as the county to hire a full time and a part time nurse with the amount of prisoners that are detained on a daily basis. Other jails that house similar numbers of prisoners have three full time employees for medical staff to meet the prisoner's needs.

Chair asked the board if they wanted to approve the sewage pit trash basket.

Board Member Rohde said that he thought the basket was a good thing and would solve the problem, but he thought that G. A. Johnson should pay for it. He said that it was either his mistake or the architect's mistake and he didn't feel like Dakota County should pay for it.

Board Member Hartnett agreed with Board Member Rohde and thought that we should wait two weeks to see what happens.

Discussion was had on whether the county was within the one year time frame, in which the County had to notify proper individuals that the County was not satisfied with the Sewer Slicer.

Chair McLarty said that the County Board had raised the red flag, and it was his understanding that as long as we raised a flag within the year that we were okay.

County Attorney, Ed Matney, said that the contracts between the County and G.A. Johnson were looked at by a Sioux City firm, and he did not know what they spelled out. He also said that the board had directed him to write a letter to G. A. Johnson and Steve Davis. He said he had done that and he has received a green card back from that, meaning that those letters were signed by the appropriate individuals for those firms. The letter stated that they should contact Ms. Spencer and he didn't think they have done that yet.

Board Member Rohde said that anytime we have this item on the agenda, he thought Jerry Johnson should be here.

Chair McLarty asked if the board wished to table it for two weeks.

Board Member Hartnett said that if we did not hear back from Jerry Johnson within a week Ms. Spencer should contact Jerry Johnson to see if he could be at our next meeting. She said she thought that Steve Davis lived in Kansas City and thought that Ms. Spencer should contact both of them to come. She said she understood what Board Member Rohde was questioning about whether it is enough just to raise the red flag.

Chair McLarty said that he (Jerry Johnson) sat right there, pointing to the table reserved for the public to speak, and told us that it would be extended since we had brought it up.

Board Member Hartnett pointed out that it was verbal.

Chair McLarty agreed.

Chair McLarty said the discussion was open for the muffin monster, or if the board felt that was in the same category. Board Member Rohde said that he felt that it was.

Chair McLarty called for the agenda item "Set wage/salary range for Director of Corrections." He said that the board has briefly discussed the salary range for the director of Corrections Position. He also said that the individual that was recommended for the position would be comfortable with a salary of \$45,000 annually with pay increases of \$1000 at 3 month, 6 month and one year increments. He said that the position could be a contractual position to allow for two weeks vacation the first year and a vacation schedule comparable to the rest of the employees after the first year. He thought that the benefit package offered to other employees would meet with the satisfaction of the candidate being considered for the Director's Position.

He called for approval, if the board was comfortable with those terms, and he asked the County Attorney to draft the contract.

Board Member O'Neill moved, seconded by Board Member Rohde to set the salary of the Director of Corrections at a starting salary of \$45,000 annually with pay increases of \$1000 to be given after probationary periods of three (3) months, six (6) months and one year of employment. Be it further resolved that a contract for said position be drafted with two weeks vacation the first year and benefits equal to that of other employees and that the County Attorney be authorized and asked to draft the contract with the Director of Corrections.

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

Mr. Kerns, the candidate being considered for the position of Director of Corrections, addressed the board and said that he would be interested in the position and identified a little of what the board could expect should he be hired.

Board Member Engel moved, seconded by Board Member O'Neill to appoint Terry Kerns as Director of Corrections effective Monday, February 5, 2008 and to authorize the chair to sign the contract for employment with Mr. Kerns, as previously discussed.

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

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

Chair McLarty adjourned their meeting at 2:18 p.m.



County Board of Corrections

William McLarty, Chairman

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

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

Chair McLarty called their regular meeting to order at 1:31 p.m. with the Pledge of Allegiance being recited.

Present were Board Members: Engel, McLarty, Rohde, O'Neill, Hartnett, and County Clerk Ted Piepho, Secretary.
Absent: None

The agenda for this meeting was as follows:
Call to Order with reciting the Pledge of Allegiance
Roll Call
Approve Minutes of January 28, 2008.
Review and approve Payroll claims submitted by County Clerk for payment.
Interim Director of Corrections salary.

Terry Kerns – Director of Corrections
Terry Kern's, Director of Corrections Employment Contract
Jail Report
Sewage pit trash basket – Report and / or Accept Bid
Approve installation
Muffin Monster – Report, discussion, possible action to take bids and/or purchase
Miscellaneous Agenda Items
Board Committee Reports
Board Member Reports
Public Comment
Mail and emergency business
Tabled Items – No tabled items to consider
Adjournment

Board Member Engel moved, seconded by Board Member Hartnett to approve the minutes of January 28, 2008 as printed and prepared for the Official Record.
ROLL CALL VOTE: Rohde- yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea and McLarty- Yea.
UNANIMOUS MOTION CARRIED.

Chair McLarty called for the agenda item "interim Director's salary." And explained that this item is on the agenda because the County Board agreed to pay the interim Director \$300 a week for the time he spent in the position. He advised the board that ended Friday and that Mark Nelson will not be getting that pay after this payroll period.

Board Member Hartnett asked if the extra \$10,000 was still being paid to the Sheriff for the jail administrator salary and chair McLarty said that it was.

Board Member Hartnett asked, what are we going to do about that and asked Joan to state it as it was set in the resolution.

Joan Spencer, board assistant, read that part of the resolution as it was adopted when they set the salary for the County Sheriff. It read in part as follows: "the salary of the County Sheriff includes a dollar amount for administering the jail without a board of corrections. Be it further resolved that the dollar amount to be considered for the administration of the jail should be the difference between the Sheriff salary and a salary of the County Clerk, County Treasurer and the Clerk of District Court.

Board Member O'Neill asked if the salary change should reverted back to when the Board of Corrections was created September 1, 2007.

Chair McLarty asked the board assistant what the difference in salary would be between the other elected officials and what Mr. Wagner is getting for running the jail. Ms. Spencer replied \$10,430.27.

Chair McLarty asked if they would like to take action on this and Board Member O'Neill said that she would like to have another week.

Board Member Hartnett suggested that they refer this to the County Attorney for his opinion and make sure they are not tied into giving the salary that Mr. Wagner is presently getting.

Terry Kern, Director of Corrections, submitted the following Jail Report.

<u>New Facility Population</u>		<u>Old Facility Population</u>	
Male Prisoners:	34	Male Prisoners:	29
Male Federal Prisoners:	31	Female Prisoners:	00
<u>Total Male Prisoners:</u>	65	<u>Total Old Facility Prisoners:</u>	29
Female Prisoners:	14	Woodbury Juveniles	

Female Federal Prisoners: 2
Total Female Prisoners: 16

Male: 1
 Female: 0

Total Federal Prisoners: 33

Madison Juveniles:
 Male: 01
 Female: 01

Total New Facility Population: 81

Total Juvenile Population: 03

Work Release:** 3
 House Arrest: 3
 Other D&E 3

Total Population: 117

Terry Kern, Director of Corrections, gave staff report.

Board Member Rohde asked Mr. Kern if he had a chance to contact the BIA and Mr. Kern replied that it was his understanding that we have done everything that the county can do and it is up to the BIA now.

Mr. Kern stated that he thought that we may have an opportunity to get more federal prisoners to take up the beds that were expected to be taken up by the BIA contracts because the Feds have made some drug arrests.

Mr. Kern was asked about the trash basket for the slicer. He said that he had talked to Dan Evans and Dennis Macomber, with jail standards and at Mr. Macomber said they fully expect the jail to be in compliance with jail standards and that system will work.

There was discussion about Steve Davis and Jerry Johnson, doing a walk-through of the new jail Wednesday and that this would be the final walk-through that is scheduled at the end of one year's operation. Chair McLarty asked Board Member Hartnett, if she would be available to be with the group on the walk-through.

Chair McLarty asked Mr. Kern if he had a chance to look at the Muffin Monster. Mr. Kern said that he had and that the installation of a Muffin Monster was the ultimate recommendation of jail standards.

Mr. Kern said that when he talked to Mr. Macomber earlier this week, Mr. Macomber said that, in the 20 or so jails that have been put up in Nebraska and all of them installed a Muffin Monster and they have had zero problems.

Chair McLarty asked Mr. Kern if he'd had a chance to look at what the transition period would be like if they switched from the slicer and installed a Muffin Monster.

Mr. Kern said that it would take an engineer to give the answer to that question. He thought that it would make a difference whether we were going to put it in in-line with the current system. Mr. Kern did not know if they could install a bypass system while the Muffin Monster was installed or not.

Board Member Hartnett asked Mr. Kern, if the same company made the slicer as the Muffin Monster and the reason for her question was that she was wondering if there could be any trade-in value by trading in the slicer on a Muffin Monster and Mr. Kern advised her that he would check on that.

Mr. Rohde said that he was disappointed that the engineer did not engineer a Muffin Monster in place of the slicer to begin with.

Mr. Kern said that he had gone through the report and asked Mr. Macomber if he has to notify them whenever he completes a recommendation that was mentioned in the report. Mr. Macomber said that he did not have to do that and that Jail Standards will note that in their final walk-through if it has not been done. Mr. Kern told the board that he has made the part-time nurse full-time and that completes one concern that jail standards had and the shower curtains was the other issue. Mr. Kern reported that the shower curtains would be here later this week and that will be completed also.

The director of corrections employment agreement was discussed. There was discussion in the third paragraph about Terry needing a Certification from Nebraska Jailer Certification and the Nebraska Jail Supervisor/Manager Certification and if those were different.

Board Member Engel moved, seconded by Board Member O'Neill to approve the Employment Agreement with Terry Kerns to serve as Dakota County's Director of Corrections as follows and to authorize the chair to sign said agreement:

February 11, 2008

Mr. Terry Kern
 Director of Corrections
 Dakota County Correctional Facility
 Dakota City, NE 68731

Dear Terry:

This will memorialize our understanding regarding your employment as Dakota County's Director of Corrections. Per our agreement, you commenced work on February 5, 2008. Your starting annual salary is \$45,000.00, which will be paid bi-weekly. After three months of employment and a successful evaluation of your work, your annual salary will be increased by \$1,000.00. After six

months of employment and an additional successful evaluation of your work, your annual salary will be increased by an additional \$1,000.00. After twelve months of employment and an additional successful evaluation of your work, your annual salary will be increased by an additional \$1,000.00.

As we discussed, you will receive the standard insurance, sick-leave, and retirement benefits in accordance with current county policies. You have received a copy of the county's employee handbook from the County Clerk's Office. This handbook governs our relationship.

With respect to vacation time, you will earn two weeks after the first year of service, three weeks after ten years of service, and four weeks after fifteen years of service. Dakota County will supply you with a mobile phone for your work needs. You agree that you must complete the Nebraska jailer certification course in your first year of service and that you must complete the Nebraska jail supervisor/manager certification course before the end of your second year of service.

As provided in the employee handbook, you will be an at-will employee of Dakota County, which means that either you or Dakota County can terminate the employment relationship at any time. If any of the foregoing is inaccurate, please advise. Otherwise, please sign below indicating your understanding. Thank you.

Sincerely,

William I. McLarty, Chairman
Dakota County Board of Corrections

Chair McLarty and Mr. Kerns attached their signatures to this instrument.

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

Mr. Kern said there is one other issue, and it is that Mark Nelson was interim jail director and he is going to serve as Mr. Kern's Deputy and that he still continues his other duties as well. He said that Mark's present salary is \$14.16 an hour and that he wants to increase his pay to \$15 an hour. Chairman McLarty asked that he bring it back to the board next week and Mr. Kern stated that he would.

Chair McLarty said that he would like to express recognition to Mark's service in the interim period. Mr. McLarty said he would also like to express his appreciation to Rod Herron and Randy Walsh, who also served in the interim.

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

Chair McLarty adjourned their meeting at 1:56 p.m.



County Board of Corrections

William McLarty, Chairman

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

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

Chair McLarty called their regular scheduled meeting to order at 1:35 p.m. with the Pledge of Allegiance being recited.

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

Absent: None

The agenda for this meeting was as follows:

- 1:30 p.m. Call to Order with reciting the Pledge of Allegiance
 - Roll Call
 - Approve Minutes of February 11, 2008.
 - Review and approve Accounts Payable Claims submitted by County Clerk for payment.
- 1:35 p.m. Terry Kerns – Director of Corrections
 - Jail Report
 - Sewage pit trash basket – Report and / or Accept Bid
 - Approve installation
 - Muffin Monster – Report, discussion, possible action to take bids and/or purchase
 - Discuss the final walk through of the jail.
- 1:45 p.m. Miscellaneous Agenda Items
 - Board Committee Reports
 - Board Member Reports
 - Public Comment
 - Mail and emergency business
- 1:50 p.m. Tabled Items – No tabled items to consider
Adjournment

Board Member Engel moved, seconded by Board Member Hartnett to approve the minutes of February 11, 2008 as printed and prepared for the Official Record.

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

Chair McLarty called for the agenda item Terry Kern Jail Report.

Terry Kern, Director of Corrections, submitted the following Jail Report.

<u>New Facility Population</u>		<u>Old Facility Population</u>	
Male Prisoners:	36	Male Prisoners:	24
Male Federal Prisoners:	30	Female Prisoners:	00
<u>Total Male Prisoners:</u>	66	<u>Total Old Facility Prisoners:</u>	24
Female Prisoners:	12	Woodbury Juveniles	
Female Federal Prisoners:	2	Male:	2
<u>Total Female Prisoners:</u>	14	Female:	0
<u>Total Federal Prisoners:</u>	32	Madison Juveniles:	
<u>Total New Facility Population:</u>	80	Male:	00
		Female:	00
Work Release:**	5	<u>Total Juvenile Population:</u>	02
House Arrest:	3		
Other D&E	2		
	<u>Total Population:</u>		111

Mr. Kern said that he had been in contact with three companies that have a so called sewer grinder. They were; Municipal Services and Supply Company 13709 B Street Omaha NE, Chicago Pump Sewer Chewer, MC Squared Inc. 2320 S. 156th Circle Omaha, Neb and Franklin -Miller Task-Master Grinder and Electric Pump 4280 E 14th Des Moines , IA.

He said that each company was asked to provide the unit cost, shipping and the cost of post installation startup charges, but none of the companies do the actual installation work.

Chair McLarty asked Mr. Kern if we should pursue the Sewage Trash Basket if the board elects to put in a Muffin Monster. Mr. Kern said no that he has looked at the trash basket and in his opinion it is a make do situation. He said that we would be trying to make a bad move look good. It won't get what we want and the present system won't get what we want. We have to go with an in-line grinder to get where we want to be.

Chair McLarty asked the other board members whether they wanted to make a decision today or whether they wanted to wait until they visit with the engineer next meeting.

Board Member Hartnett said that she didn't think we have a choice and that she would like to see Mr. Kern take it from here and move with all expediency.

Board Member Engel agreed with Mr. Kern because Jail Standards says it has to be done.

Chair McLarty asked the Deputy County Attorney, that given the cost of the sewage grinder's, being about \$15,000 and the other two in the \$13, 500 range, whether the purchase of a sewage grinder had to be advertised. It was the opinion of the Deputy County Attorney that the County would have to advertise for bids and an exception to that is if it was an emergency.

Deputy County Attorney said she thought that it would be like any other type purchase and Ms. Spencer said that anything costing \$20,000 or over requires competitive bids and anything \$5,000.00 up to \$20,000.00 have informal bid proposals.

Mr. Kern said that we have those from three different vendors.

Chair McLarty asked the Deputy County Attorney if we were within the statutes to do something today and Ms. Fergen said that it depends if we have advertised for those informal bids or if they were solicited.

Mr. Kern said the original bid from the Muffin Monster was here when he started employment with the County and he went to the internet for the names of 150 companies and chose several that were close to Dakota County to lessen the cost of shipping.

Ms. Fergen, reading from the County Board Handbook, said that if the amount of the purchase is more than \$5,000 but less than \$20,000, but the complicating factor here is going to be the installation with the purchase price and if you are going more than \$20,000 total, you may have to have competitive bids, but if the estimated amount is between \$5,000 and \$20,000, three informal bids must be secured and recorded, if practical.

Chair McLarty said that if we take this as an emergency issue, something that has to be done right away, then it doesn't become practical, because it is something we have to have in place before the next Jail Standards Inspection.

Ms. Fergen said that if you legitimately think it's an emergency, the County Board may, by majority vote, waive the bidding requirements to meet an emergency, which threatens serious loss of life, health or property in the County. If you legitimately think that the sewage slicer or grinder threatens County property.

Chair McLarty asked if income could be considered county property.

Ms. Fergen thought maybe it could, but the board could also believe that the sewage being collected on top could be a health concern and health hazard.

Chair McLarty said we were told in the last inspection that the stuff that is being collected in the pit is a health hazard because of possible bacteria.

Ms. Fergen said that the board would also have Jail Standards backing that up as well.

The board and the Deputy County Attorney looked at the last page of the Jail Standards inspection done on December 14, 2007, and it was as follows:

The Dakota County Jail consists of two secure detention areas, one at each end of the courthouse. At the east end is the grandfathered jail, and at the west end is the new Chapter 15 jail. Both of these areas are managed as one facility thus they are inspected as one facility. Both areas were very clean and well maintained. It is clear that the jail administration has been proactive in maintaining the cleanliness in the new jail area, as it was very clean and no inmate graffiti was present anywhere. There are three issues that need to be addressed in the new jail area.

-The first is the damage being caused by the water leaking out from the shower areas on the top tiers in each inmate living area. A solution to this problem should be pursued immediately before permanent damage to the walls takes place.

-The second issue is the lack of adequate medical personnel for a facility of this size. The jail administration needs to pursue expanding provision of nursing services within the facility from 20 hours per week to at least 40 hours per week. It is clear that the current nurse in the 20 hours she is in the facility does not have time to adequately address inmate medical issues, provide minimal treatments, schedule inmate appointments, set up med pass and document and file as is necessary for a facility of this size. This is a critical issue that should be addressed immediately.

-The third issue is related to the lack of an adequate grinder for the sewage system in this facility. Jail administration should purchase and have installed an adequate grinding system to assure that sewage backup, related to inmates flushing plastics and clothing down their toilets, does not occur. The current system is clearly not adequate to handle the unique issues that a jail sewage system encounters, resulting in regular backups. These backups constitute a health hazard for inmates and staff.

This jail appears to be running remarkably well considering it is newly opened and is staffed with many personnel with limited jail or corrections experience. It is clear that the administration has provided more than minimal training. A review of all policy and procedures should be completed before next year's inspection.

Mr. Kern thought they were separate bidding issues because the installation should be a continuation of the original building project.

Board Member Hartnett thought that we have an emergency situation and the possibility is there for more flies, gnats and more bacteria.

Chair McLarty thought we had a timing issue. We have to get it in and it is not a situation where we can be in the process of putting it in when jail standard comes, but it has to be in working and functioning and if it is not, it shuts the jail down.

Board Member O'Neill asked if anyone knew how long it would take and chair McLarty said that's the other issue. The other issue is installation and we won't know about that until next week, because the engineers are going to look over the plans and the drawings and then they are going to give us a report on what we have to do to put a muffin monster or the grinder in.

Board Member Hartnett moved that our jail administrator proceed with whatever he deems necessary at this point in time to assure that we either have a muffin monster, task-master, or Sewer Chewer installed in the jail sewer system, and
BE IT FURTHER RESOLVED to give Mr. Kern the authority to purchase whichever one he thinks is the best.

Chair McLarty noted that muffin monsters are being used throughout the State of Nebraska and have had zero troubles or problems with them.

Mr. Kern said outside Grinder and Electric Pump, who has the muffin monster, none of the other companies can give him the names of law enforcement agencies that have their grinder, but if they do come up with references, he will call those agencies to see how well they work.

Board Member Hartnett rescinded her motion to first consider whether it is an emergency situation.

Chair McLarty asked for a motion to waive the bidding process.

Board Member Engel moved, seconded by Board Member Hartnett to waive the bidding process, to purchase the sewer grinder and to declare the purchase of a sewage grinder an emergency due to the health of inmates in the jail system.

There was discussion on how long it would take to complete the installation of the sewer grinder. It was noted that it would take four to six weeks to just get a Muffin Monster and installation would take additional time.

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

Commissioner Hartnett moved, seconded by Commissioner Engel that Terry Kern, the jail administrator, take the necessary action to purchase a sewage grinder and for him to use his own judgment on which of the three is best for the County's situation.

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

Chair McLarty touched on some of the problems that were discussed during the walk through (final inspection) of the jail with Jerry Johnson and others. He said that there were some screws missing out the window frames and they put that on the list repair. They also talked about the shower curtains and the curtain that has already been installed seems to be working. The only suggestion was that instead of going down over the lip of the sill, they should stay at sill level. There also seems to be a crack where the buildings are joined and that was pointed out. They also talked about the need to clean out the maintenance areas between the pods, which still have trash. The major issue was the sally port where the water comes off the roof and drains right down on the drive and then the water goes under the drive causing the cement to heave up and the result is that the door that serves the kitchen area can only be opened about a third of the way. There is a problem in the exercise area and they want to install a shield over the fire alarm so the inmates cannot set off the alarm.

Mr. Kern mentioned water running off the roof to the front of the building and that they need to come and look at the screws situation soon because inmates managed to remove some screws and use them in a fight.

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

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

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

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

There were no tabled items.

Chair McLarty adjourned their meeting at 2:07 p.m.



County Board of Corrections

William McLarty, Chairman

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

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

Chair McLarty called their regular meeting to order at 5:15 p.m. with the Pledge of Allegiance being recited.

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

Absent: None

The agenda for this meeting was as follows:

5:15 p.m. Call to Order with reciting the Pledge of Allegiance

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

- Roll Call
- Approve Minutes of February 19, 2008.
- Review and approve Payroll and Accounts Payable Claims for correctional employees.

5:20 p.m. Terry Kern – Director of Corrections

- Jail Report
- Report on purchase of sewage grinder.

5:25 p.m. Recess to 6:15 p.m.

6:15 p.m. Reconvene

- Miscellaneous Agenda Items
 - Jerry Johnson and others to discuss the construction of the jail and the design and installation of a sewage slicer vs. a sewage grinder.
 - Possible Exec. Session to follow for possible litigation
 - Discuss and approve Installation of a sewage grinder.
 - Review of the final walk through of the jail
 - Board Committee Reports
 - Board Member Reports
 - Public Comment
 - Mail and emergency business

Tabled Items – No tabled items to consider

6:45 p.m. Adjournment

Board Member Hartnett moved, seconded by Board Member Engel to approve the minutes of February 11, 2008 as printed and prepared for the Official Record.

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

Chair McLarty called for the agenda item Terry Kern Jail Report.

Terry Kern, Director of Corrections, submitted the following Jail Report.

<u>New Facility Population</u>		<u>Old Facility Population</u>	
Male Prisoners:	36	Male Prisoners:	21
Male Federal Prisoners:	28	Female Prisoners:	00
<u>Total Male Prisoners:</u>	64	<u>Total Old Facility Prisoners:</u>	21
Female Prisoners:	16	Woodbury Juveniles	
Female Federal Prisoners:	2	Male:	4
<u>Total Female Prisoners:</u>	18	Female:	0
<u>Total Federal Prisoners:</u>	30	Madison Juveniles:	
<u>Total New Facility Population:</u>	82	Male:	00
		Female:	00
Work Release:**	3	<u>Total Juvenile Population:</u>	04
House Arrest:	3		
Other D&E	1		

Total Population: 111

Comments: Received a check from the US Marshal's Service for the month of January, 2008 for \$74,381.55.

Chair McLarty recessed their meeting at 5:20 p.m.

Chair McLarty reconvened their meeting at 6:44 p.m.

Mr. Johnson continued going through the Walk Through starting with Item 3 as follows: Item 2 was taken up in the County Board of Commissioners.

<p>3</p>	<p>Second floor showers have water leaking onto the balcony. Current shower curtains extend below lip of shower pan and are hanging on the outside, so that any water hitting the curtain will drain outside the pan to the balcony. Recommend cutting shower curtains so they hang to the inside of the shower pan.</p>	<p>Owner</p>
<p>4</p>	<p>Concrete heaving at north drive and walks. Appears that water from downspouts may be contributing to problem when water is discharged, flows under drive, freezes and expands. Recommend – After spring thaw see if drive returns to original elevation. Look at piping downspout water away for drive. We might have to have a curb installed so the water goes over the drive way. The other option is to pipe underneath it tying into the storm drain, which is what was done in the front.</p>	<p>GA Johnson</p>
<p>5</p>	<p>Some chase doors on modules chase sticking. Recommend – Provide shim on door hinge to adjust door fit and he showed Rick how to do that.</p>	<p>GA Johnson</p>
<p>6</p>	<p>The two collector heads on the east front of the building were leaking when heavy rains occurred last fall. Recommend – System was designed to overflow in torrential rains. If joints of collector head are leaking they may need to be resealed. Check joints and seal if necessary.</p>	<p>GA Johnson</p>
<p>7</p>	<p>There was a question about combo unit valves and push-buttons sticking. Part of the problem appears to be inadequate water softening. (These items typically do require periodic cleaning, but hard water or other debris in the system would make it more frequent than typical.) Recommend – Next time softener guy is by he will stop and check softener levels and see if an adjustment needs to be made. Ken was going to have his guys come in tomorrow and if they can't resolve it, factory personnel will look at it.</p>	<p>GA Johnson</p>
<p>8</p>	<p>Heating and Cooling – Owner does not know how to adequately run & trouble-shoot the system. That noted that training at transition, was conducted before the system was fully functioning. Recommend – confirm that training was provided before entire system was up and running. If so, contractor needs to come back and train staff now. Terry Jager from Star Controls was contacted and he will contact Terry Kern tomorrow to set up training for these systems</p>	<p>GA Johnson</p>
<p>9</p>	<p>Security doors – Some doors have trouble latching and appear to need adjusting. Recommend – Contact Chief about coming up and making some door adjustments. Show owner personal how to make these adjustments in the future.</p>	<p>GA Johnson</p>
<p>10</p>	<p>Missing security screws – There are screws missing from some security stops. Recommend – Contact Chief about installing security screws and have some spare screws left with owner.</p>	<p>GA Johnson</p>
<p>11</p>	<p>Food Pass on Dayroom doors – Some hatches are sticking and not working. Dayroom door keyed the same as the corresponding food-pass. Recommend – Contact Chief to fix non-working food-passes. Move dayroom food-pass so it's on a different dayroom door. Have a separate set of keys for food-passes</p>	<p>GA Johnson</p>
<p>12</p>	<p>Cold air infiltrating around Work Release windows Recommend – check if windows are adequately glazed. If not re-glaze.</p>	<p>GA Johnson</p>
<p>13</p>	<p>Outside strobe on front of building not working and appears to be shorting out. Owner suspects it's not an exterior device. Recommend – Contact appropriate contractor to replace strobe. Muth will replace at no cost.</p>	<p>GA Johnson</p>
<p>14</p>	<p>The Fire Marshall is requiring sprinkler heads on each side of the exterior cooler freezer. Terry Kern will contact Marlon with CBM Foods to have these installed.</p>	<p>GA Johnson</p>

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

Chair McLarty adjourned their meet at 6:59 p.m.



County Board of Corrections

William McLarty, Chairman

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

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

Vice Chair Hartnett called their regular meeting to order at 2:00 p.m.
Present were Board Members: Engel, Rohde, O'Neill, Hartnett, and County Clerk Ted Piepho, Secretary.

Absent: Board Member McLarty.

The agenda for this meeting was as follows:

2:00 p.m. Call to Order

- Roll Call
- Approve Minutes of February 25, 2008.
- Review and approve Payroll and Accounts Payable Claims for correctional employees.

Terry Kern – Director of Corrections

- Jail Report

Miscellaneous Agenda Items

- Board Committee Reports
- Board Member Reports
- Public Comment
- Mail and emergency business

Tabled Items – No tabled items to consider

Adjournment

Board Member Hartnett moved, seconded by Board Member Engel to approve the minutes of February 25, 2008 as printed and prepared for the Official Record.

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

Vice Chair Hartnett called for the agenda item Terry Kern Jail Report.

Terry Kern, Director of Corrections, submitted the following Jail Report.

<u>New Facility Population</u>		<u>Old Facility Population</u>	
Male Prisoners:	38	Male Prisoners:	21
Male Federal Prisoners:	32	Female Prisoners:	00
<u>Total Male Prisoners:</u>	70	<u>Total Old Facility Prisoners:</u>	21
Female Prisoners:	12	Woodbury Juveniles	
Female Federal Prisoners:	1	Male:	5
<u>Total Female Prisoners:</u>	13	Female:	0
<u>Total Federal Prisoners:</u>	33	Madison Juveniles:	
<u>Total New Facility Population:</u>	83	Male:	00
		Female:	00
Work Release: ** 2		<u>Total Juvenile Population:</u>	05
House Arrest: 3			
Other D&E 3			
	<u>Total Population: 115</u>		

Comments: Amount billed to the US Marshal's Service for the month of February, 2008 for \$63,895.95.

Mr. Kern continued his report as follows:

- 1) Muffin Monster has been ordered. Delivery is expected to be closer to the four week target than six. The expectation is for May 1st installation.
- 2) Roof leaks in the old facility are beyond individual repair. The roof will have to be replaced. This condition also exists in the Court House roof as well so it's not particular to the jail.
- 3) Conversation with Marlin of CBM concerning sprinkler heads for the cooler. He was given the phone number and contact person for Total Fire Protection.
- 4) Outside fire alarm will be replaced, or if possible, removed. It serves to warn people outside the building that there is a fire/alarm within the building. There is some question as to just how much good that does.

Contract

- 1) Contacted Scott Baniecke of Immigration Customs Enforcement in the St. Paul office concerning housing Federal Immigration prisoners. Seventy-two hour holds plus transportation are available. He's looking for that service at the present time, but not if it does not include transport. We can piggyback Marshal Service transport agreements. I offered up to 20 spaces plus transport. I met with Eric Ouellette SDDO with ICE on March 7, 2008. He took a copy of the Marshal's agreement with him and INS was already on it. This makes the process possible. Reaffirmed the 72 hour detention and need for transport. Per Diem rate of \$65.00 plus mileage for transport.
- 2) If successful this will require 2 transport vans. Bids are being examined for this contingency. In any event the current van has 104,000 miles and is in need of replacement.

- 3) Dixon County was contacted on March 5th. I spoke with Dean Chase concerning housing their prisoners. He would be open to it, especially women. I have written a draft copy of an agreement.
- 4) I received a call on Friday March 7, 2008 from Rick Greenwald of the BIA wanting to finalize an agreement with us. He came in today and said that there is \$90,000.00 set aside for a contract with us. This pays \$96 per day per inmate. We are responsible for transport to and from Court at Winnebago every Monday and Thursday. We are responsible for transport to IHS Hospital. When the \$90,000.00 is gone we can close our doors to BIA prisoners. The 90,000.00 buys 937 prisoner days. The current average population at Macy is 15 prisoners. There are sometimes as many as 25. At a 15 prisoner per day average we would close our doors to them in 2 months. We are not set up to provide transportation. He will re-negotiate a contract for Federal per diem and they provide the transport. At that rate the \$90,000.00 buys 1884 inmate days and should last 3 months. At present we have a Statement of Work but no signed contract. The questions are: Do we sign the present agreement? Do we modify the agreement to remove transport? Do we not sign at all?

Personnel

- 1) We will begin testing on March 29th at South Sioux City. There are 33 applicants for the job. Contacted Denny Macomber about training here as we will have 12 in need of training.
- 2) The Sheriff's Office will take Correctional Officers as Reserve Deputies. This will give them arrest powers, firearms and permit them to transport inmates on Federal contracts when required. This will help to position us for an ICE contract. Six Correctional Officers will undergo on-line training plus two weekends at Grand Island starting September 5th. Registration required by August 21st.
- 3) Pre employment physicals and drug testing. Dr. Grote, our jail doctor, is willing to do both.
- 4) Random drug screening. We have a substance free facility; a contractual requirement with Jail Standards. We should be testing.

Citizens Advisory Meeting

There will be a meeting on Friday at 0730 in the Jail Conference Room. Items to be discussed are the repairs to the old jail and a strategic planning process for the future. Hyperion will create some enforcement problems.

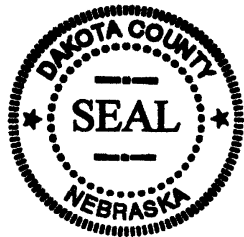
Vice Chair Hartnett called for the agenda item Board Committee Reports and there were none.

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

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

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

Vice Chair Hartnett adjourned their meet at 2:30 p.m.



County Board of Corrections

 Jacqueline Harnett, Vice Chair Date Chair signed

 Theodore A. Piepho, County Clerk Date entered in book

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

Chair McLarty called their regular scheduled meeting to order at 2:09 p.m.
Present: Board Members McLarty, Engel, Hartnett, O'Neill, Rohde and County Clerk Ted Piepho, Secretary.

Absent: none

The agenda for this meeting was as follows:
Call meeting to order.

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

- Roll Call
- Approve Minutes of March 10, 2008.
- Review and approve Payroll and Accounts Payable Claims for correctional employees.

Terry Kern – Director of Corrections

- Jail Report
- Agreement with Dixon County to house prisoners.
 - Approve and Chair needs to sign the agreement

Miscellaneous Agenda Items

- Board Committee Reports
- Board Member Reports
- Public Comment
- Mail and emergency business

Tabled Items – No tabled items to consider

Adjournment

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

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

Chair McLarty called for the agenda item Terry Kern Jail Report.

Terry Kern, Director of Corrections, submitted the following Jail Report.

<u>New Facility Population</u>		<u>Old Facility Population</u>	
Male Prisoners:	45	Male Prisoners:	32
Male Federal Prisoners:	40	Female Prisoners:	00
<u>Total Male Prisoners:</u>	85	<u>Total Old Facility Prisoners:</u>	32
Female Prisoners:	19	Woodbury Juveniles	
Female Federal Prisoners:	03	Male:	07
<u>Total Female Prisoners:</u>	22	Female:	00
<u>Total Federal Prisoners:</u>	43	Madison Juveniles:	
<u>Total New Facility Population:</u>	107	Male:	01
		Female:	00
Work Release: **	13	<u>Total Juvenile Population:</u>	08
House Arrest:	1		
Other D&E	4		
<u>Total Population:</u>			152

*** Amount billed to US Marshall Service for the month of March, 2008 \$76,777.71
*** Amount billed to US Marshall Service for Calendar Year of 2008 \$287,437.27

Mr. Kern reported that the insert for the van has arrived and is in storage. Mr. Trecek is working on the paperwork for the NACO lease purchase agreement of the van, which is on order.

Mr. Kern said that he had heard from Customs and Immigration and they are sending an inspection team to inspect our jail on May 13th. They are inspecting in the areas of Medical, Food, Safety and Security. This will be the same rate as with the Federal Marshall Service.

Mr. Kern reported that he had received an Amendment of Work from the BIA. He said that they have modified the agreement that Mr. Herron signed with them for \$15,000 and have increased that to \$90,000. He wasn't sure if the Omaha Natives would use our facility or not.

The board discussed the agreement with Dixon County to house prisoners. Mr. Kern reported that the agreement was for \$50.00 a day and that our cost was \$48.31 a day to house a prisoner. He said that in talking to Dean it is a specific agreement and he needs a place for his female prisoners.

Commissioner Hartnett said that she had some misgivings about the agreement and one of her concerns was Section 4 – Transportation because it doesn't say anything about money. She also said that the contract does not state that it would be a specific agreement to house mainly female prisoners.

The major concern of the Board Members was that the agreement states that the county would be responsible for accident or injury or if they were assaulted and Dakota County would be on the hook for that as well. Ms. Fergen pointed out that if there is a death that occurs in the jail, that involves a Grand Jury proceeding and there are costs associated with that. She also said that if an inmate is taken to the hospital, the hospital would bill Dakota County because we are the ones that brought them there and then we would have to bill Dixon County. Ms. Fergen also noted that there is some confusion with the language.

Board Member Rohde suggested that we could negotiate the rate per day and identify who would be responsible for the transportation cost.

Board Member Hartnett asked Mr. Kern if he and the County Attorney's Office would work together to see if the issues that were talked about could be cleared up.

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

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

Chair McLarty adjourned their meeting at 2:30 p.m.



County Board of Corrections

William McLarty, Chair

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

Dakota County Board of Corrections
Monday, June 2, 2008
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

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

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

Absent: none

The agenda for this meeting was as follows:

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

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

- Roll Call
- Approve Minutes of May 5, 2008.
- Review and approve Payroll and Accounts Payable Claims for correctional employees.

1:37 p.m. Terry Kern – Director of Corrections

- Jail Report

Miscellaneous Agenda Items

- Board Committee Reports
- Board Member Reports
- Public Comment
- Mail and emergency business

Tabled Items – No tabled items to consider

1:45 p.m. Adjournment

Board Member Hartnett moved, seconded by Board Member Engel to approve the minutes of May 5, 2008 as typed and prepared for the official record.

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

Chair McLarty called for the agenda item "Terry Kern Jail Report".

Terry Kern, Director of Corrections, submitted the following Jail Report.

<u>New Facility Population</u>		<u>Old Facility Population</u>	
Male Prisoners:	42	Male Prisoners:	15
Male Federal Prisoners:	37	Female Prisoners:	00
<u>Total Male Prisoners:</u>	79	<u>Total Old Facility Prisoners:</u>	15
Female Prisoners:	17	Woodbury Juveniles	
Female Federal Prisoners:	05	Male:	06
<u>Total Female Prisoners:</u>	22	Female:	02
<u>Total Federal Prisoners:</u>	42	Madison Juveniles:	
<u>Total New Facility Population:</u>	101	Male:	00
		Female:	00
Work Release: ** 13		<u>Total Juvenile Population:</u>	08
House Arrest: 1			
Other D&E 4			
<u>Total Population:</u> 132 Down about 20 from Average.			

*** Amount billed to US Marshall Service for the month of March, 2008 \$87,342.82

*** Amount billed to US Marshall Service for Calendar Year of 2008 \$374,780.09

Mr. Kern reported that Immigration and Customs was going to come and finish the inspection of the jail to house ICE holds. He said that there were about 5 areas that needed improvement from their first inspection and Dakota County would be getting about \$72 for ICE holds.

He also reported that the Muffin Monster is installed and working great.

Chair McLarty called for the agenda item "Committee Reports" and there were none.

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

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

Chair McLarty adjourned their meeting at 1:38 p.m.



County Board of Corrections

William McLarty, Chair

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

Dakota County Board of Corrections
Monday, July 14, 2008
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City NE 68731

Chair McLarty called their regularly scheduled meeting to order at 5:15 p.m. with the Pledge of Allegiance. Posting of Open Meetings Act was noted.

Present: Board Members Hartnett, McLarty, Rohde, Engel and O'Neill. Absent: None
Joan Spencer, Administrative Assistant acted as secretary.

The agenda for this meeting was as follows:

1. 5:15 p.m. Call to Order with reciting the Pledge of Allegiance
2. A current copy of the Open Meeting Act is posted on the back wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
 - Roll Call
 - Approve Minutes of June 2, 2008.
 - Review and approve Payroll and Accounts Payable Claims for correctional employees, if necessary.
3. 5:20 p.m. Terry Kern – Director of Corrections
 - Jail Report
4. Miscellaneous Agenda Items
 - Board Committee Reports
 - Board Member Reports
 - Public Comment
 - Mail and emergency business
5. Tabled Items – No tabled items to consider
6. 5:25 p.m. Adjournment

Board Member Hartnett moved, seconded by Board Member Engel, to approve the minutes of June 2, 2008, as typed and prepared for the Official Record.

Roll Call Vote: Hartnett- yea, McLarty- yea, Rohde- yea, Engel- yea, O'Neill- yea. Unanimous motion carried.

Terry Kern, Director of Corrections, gave the Jail Report. Jail population total is 138. Total new facility population is 109. Total old facility population is 16. Total Juvenile population is 7. Two (2) inmates are on house arrest and 4 are in D&E, Norfolk and York.

Total amount billed to the US Marshal Service for the month of June was \$89,119.60. Total amount billed year-to-date is \$463,899.69.

A summary of the 07-08 budget shows \$232,583.87 of an authorized \$2,367,432.58 budget not spent

The jail received 1,706 inmates of which a vast majority were males. The residency breakdown was 38% Dakota County, 35% other counties or states and 27% federal inmates. The average cost per day was \$50.04. Juvenile housing costs were \$162,250.00 split between Woodbury County and NE Nebraska Juvenile Services at Madison.

The Correctional Facility generated cash income sufficient to offset 48% of its actual operating costs for the fiscal year.

The Federal Marshals Service contract is still in place for another two years. The paperwork has been completed for ICE and hope to hear from them soon. No inmates have been housed from BIA.

Two employees are set for basic jail management training in Grand Island.

The contract to house juveniles with NE Nebraska Juvenile Services in Madison has some wording issues to the effect of using them exclusively. The juvenile services board is meeting this week with the hope of getting that wording changed. Terry was of the understanding that they were aware our first choice would be to board juveniles at Woodbury. Mr. Kern believes a contract with Madison would save the county money. The contract with Woodbury has also saved the county money; however, Woodbury cannot house all juveniles per statute.

Terry Kern would propose to the Board that we modify the current contract between the Sheriff's Office and the Jail. The contract provides for 2 deputies being paid out of the jail budget to be available for transporting prisoners. On days when no transports are required, it would free them to do "deputy" work. Sandy's pay is split 60/40 between Sheriff and Jail budgets. Terry would like to see Sandy's pay as 100% jail budget, but her duties remain split 60/40. He would like to see the contract replaced with a memorandum of understanding. The Sheriff's Office could train jailers as reserve deputies that can be used to transport inmates.

Terry would like to have an accreditation program and re-do the policy and procedures manual.

The transport van is being built July 29th for an August delivery.

Chair McLarty asked for Board Committee Reports. Chair McLarty reported that the Jail Advisory Committee voted to recommend the Board move forward with a contract with Madison. Chair McLarty

would like it to be put on the July 28th Board of Commissioner agenda. Board Member Hartnett would like the County Attorney to also look at the contract and Chair McLarty concurred.

Chair McLarty would also like the contract between the Sheriff and Board to be on the July 28th Board of Commissioner agenda. Chair would like the County Attorney to work with the Sheriff and Terry to change the contract to a Memorandum of Understanding with changes addressed.

There was no public comment or mail and emergency business.

Chair McLarty adjourned the meeting at 5:30 p.m.



County Board of Corrections

William I. McLarty, Chair

Date Chair Signed

Theodore A. Piepho, County Clerk

Date entered in book

Dakota County Board of Corrections
Monday, August 11, 2008
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair McLarty called their regular scheduled meeting to order with the Pledge of Allegiance at 1:30 p.m. Present: Board Members McLarty, Engel, Hartnett, O'Neill, Rohde and County Clerk Ted Piepho, Secretary.

Absent: none

The agenda for this meeting was as follows:

The agenda for this meeting was as follows:

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

- Roll Call
- Presiding Chair person's statement concerning Nebraska Open Meetings Act.
 - A current copy of the Open Meeting Act is posted on the back wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
- Approve Minutes of July 14, 2008.
- Review and approve Payroll and Accounts Payable Claims for correctional employees, if necessary.

1:31p.m. Terry Kern – Director of Corrections

- Jail Report
- Miscellaneous Agenda Items
 - Board Committee Reports
 - Board Member Reports
 - Public Comment
 - Mail and emergency business

Tabled Items – No tabled items to consider

1:40 p.m. Adjournment

Board Member Hartnett moved, seconded by Board Member Engel to approve the minutes of July 14, 2008 as typed and prepared for the official record.

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

Chair McLarty called for the agenda item "Terry Kern Jail Report".

Terry Kern, Director of Corrections, submitted the following Jail Report.

<u>New Facility Population</u>		<u>Old Facility Population</u>	
Male Prisoners:	42	Male Prisoners:	22
Male Federal Prisoners:	34	Female Prisoners:	00
<u>Total Male Prisoners:</u>	76	<u>Total Old Facility Prisoners:</u>	22
Female Prisoners:	14	Woodbury Juveniles	
Female Federal Prisoners:	06	Male:	02
<u>Total Female Prisoners:</u>	20	Female:	00
<u>Total Federal Prisoners:</u>	40	Madison Juveniles:	
<u>Total New Facility Population:</u>	96	Male:	00
		Female:	02
		Sarpy County Juveniles:	
		Male:	00
		Female:	00
Work Release: ** 04		<u>Total Juvenile Population:</u>	04
House Arrest: 1			
Other D&E 4			

Total Population: 127

** Work Release population is included in the total overall population.

*** Amount billed to US Marshall Service for the month of March, 2008 \$98,524.32

*** Amount billed to US Marshall Service for Calendar Year of 2008 \$562,424.01

Mr. Kern reported that he is asking that Denny McCumber come to Dakota County to provide a seven day training program for personnel that need it. All personnel need a three day in house training so by October first everybody should be trained. He had to send two jailers to Grand Island.

He also reported that the Fire Marshall has confirmed that the jail is back in compliance with Jail Standards.

He also reported that the Muffin Monster is installed and working great.

Chair McLarty called for the agenda item "Committee Reports" and there were none.

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

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

Chair McLarty adjourned their meeting at 1:35 p.m.



County Board of Corrections

William McLarty, Chair

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

Dakota County Board of Corrections
Monday, September 8, 2008
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair McLarty called their regular scheduled meeting to order with the Pledge of Allegiance at 1:32 p.m.
Present: Board Members McLarty, Engel, Hartnett, O'Neill, Rohde and County Clerk Ted Piepho, Secretary.

Absent: none

The agenda for this meeting was as follows:

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

- Roll Call
- Presiding Chair person's statement concerning Nebraska Open Meetings Act.
 - A current copy of the Open Meeting Act is posted on the back wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
- Approve Minutes of previous meeting.
- Review and approve Payroll and Accounts Payable Claims for correctional employees, if necessary.

1:31p.m. Terry Kern – Director of Corrections

- Jail Report
- Approve new contract with CBM for jail meals – Requires Chairs Signature.

Miscellaneous Agenda Items

- Board Committee Reports
- Board Member Reports
- Public Comment
- Mail and emergency business

Tabled Items – No tabled items to consider

1:40 p.m. Adjournment

Board Member Rohde moved, seconded by Board Member Hartnett to approve the minutes of August 11, 2008 as typed and prepared for the official record.

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

Chair McLarty called for the agenda item "Terry Kern Jail Report".

Terry Kern, Director of Corrections, submitted the following Jail Report.

August 2008 Average Prisoner Population

<u>New Facility Population</u>		<u>Old Facility Population</u>	
Male Prisoners:	39.45	Male Prisoners:	20.32
Male Federal Prisoners:	<u>35.58</u>	Female Prisoners:	<u>00.00</u>
<u>Total Male Prisoners:</u>	74.93	<u>Total Old Facility Prisoners:</u>	22.32
Female Prisoners:	10.00	Juveniles at Woodbury County	
Female Federal Prisoners:	06.74	Male:	01.64
<u>Total Female Prisoners:</u>	16.74	Female:	00.19
<u>Total Federal Prisoners:</u>	42.22	Juveniles at Madison County:	
<u>Total New Facility Population:</u>	91.67	Male:	00.00
		Female:	01.06
		Juveniles at Sarpy County:	
		Male:	00.00
		Female:	00.00
Work Release: **	04.29	<u>Total Juvenile Population:</u>	02.89
House Arrest:	1.96		
Other D&E	3.54		

Total Population: 120.41

** Work Release population is included in the total overall population.

*** Amount billed to US Marshall Service for the month of August, 2008 \$98,524.32

*** Amount billed to US Marshall Service for Calendar Year of 2008 \$562424.01

September 2008 Average Prisoner Population

<u>New Facility Population</u>		<u>Old Facility Population</u>	
Male Prisoners:	41.75	Male Prisoners:	26.50
Male Federal Prisoners:	<u>41.00</u>	Female Prisoners:	<u>00.00</u>
<u>Total Male Prisoners:</u>	82.75	<u>Total Old Facility Prisoners:</u>	26.50
Female Prisoners:	12.75	Juveniles at Woodbury County	

Female Federal Prisoners:	<u>05.00</u>	Male:	01.10
<u>Total Female Prisoners:</u>	17.75	Female:	01.10
<u>Total Federal Prisoners:</u>	46.00	Juveniles at Madison County:	
		Male:	0.125
<u>Total New Facility Population:</u>	99.50	Female:	0.125
		Juveniles at Sarpy County:	
		Male:	00.00
		Female:	00.00
Work Release: **	06.60	<u>Total Juvenile Population:</u>	02.575
House Arrest:	3.00		
Other D&E:	1.10		
		<u>Total Population:</u>	134.75

** Work Release population is included in the total overall population from Sept.1 through Sept. 8th.
 *** Amount billed to US Marshall Service for the month of August, 2008 \$ 88,492.52
 *** Amount billed to US Marshall Service for Calendar Year of 2008 \$ 650,916.53

Mr. Kern asked the Board to enter into a 4.6% increase in meals in the agreement with CBM for cost of inflation.
 Board Member Hartnett moved, seconded by Board Member Rohde to approve the Amendment to the Food Service Contract between Dakota County and CBM increasing the cost of the meals by 4.6% as follows:

**AMENDMENT TO
 FOOD SERVICE CONTRACT BETWEEN
 DAKOTA COUNTY NEBRASKA AND CBM FOODSERVICE**

This amendment to the original contract is entered into this 21st day of February, 2008 by and between Dakota County Nebraska at 1601 Broadway, Dakota City, Nebraska 68731 and Catering By Marlins, Inc., d.b.a. CBM Foodservice business address 2219 East Benson Road, Sioux Falls, South Dakota 57104.

Pursuant to item 4.0 of the entire agreement, the parties agree to retain the following cost per meal for the contract year (January 1, 2009 through December 31, 2009). New prices will take effect on January 1, 2009.

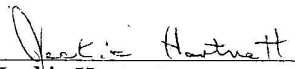
Inmate Population	140 +	130-139	120-129	110-119	100-109	90-99	80-89
Current Price	\$1.68	\$1.75	\$1.82	\$1.93	\$2.04	\$2.18	\$2.34
Inmate Population	140 +	130-139	120-129	110-119	100-109	90-99	80-89
CPI Adjustment 4.6%	\$1.76	\$1.83	\$1.90	\$2.02	\$2.13	\$2.28	\$2.45

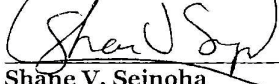
Rates reflect CPI Adjustment Rate of 4.6%

This amendment shall be attached to the original contract as an addendum and all other original contract provisions shall remain in full force and effect.

Dated this 8 day of Sept, 2008

Dated this 25th day of August, 2008


 Jackie Hartnett
 Dakota County, Nebraska


 Shane V. Sejnoha
 President of Corrections
 CBM Foodservice


 Terry Kerns
 Jail Administrator


 Doreen Gorman
 Witness



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

Chair McLarty called for the agenda item "Committee Reports" and there were none.

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

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

Chair McLarty adjourned their meeting at 1:43 p.m.



County Board of Corrections

William McLarty, Chair

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

Dakota County Board of Corrections
Monday, October 6, 2008
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair McLarty called their regular scheduled meeting to order with the Pledge of Allegiance at 1:30 p.m.
Present: Board Members McLarty, Engel, Hartnett, O'Neill, Rohde and County Clerk Ted Piepho, Secretary.

Absent: none

The agenda for this meeting was as follows:
Call to Order with reciting the Pledge of Allegiance

- Roll Call
- Presiding Chair person's statement concerning Nebraska Open Meetings Act.
 - A current copy of the Open Meeting Act is posted on the back wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
- Approve Minutes of previous meeting.
- Review and approve Payroll and Accounts Payable Claims for correctional employees, if necessary.

Terry Kern – Director of Corrections

- Jail Report

Tabled Items – No tabled items to consider

Miscellaneous Agenda Items

- Board Committee Reports
- Board Member Reports
- Public Comment
- Mail and emergency business

Adjournment (Chair Hartnett to open Board of Equalization Meeting at 1:40 p.m.)

Board Member Hartnett moved, seconded by Board Member Engel to approve the minutes of September 8, 2008 as typed and prepared for the official record.

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

Chair McLarty called for the agenda item "Terry Kern Jail Report".

Terry Kern, Director of Corrections, submitted the following Jail Report.

September 2008 Average Prisoner Population

<u>New Facility Population</u>		<u>Old Facility Population</u>	
Male Prisoners:	39.66	Male Prisoners:	26.60
Male Federal Prisoners:	<u>41.20</u>	Female Prisoners:	<u>00.00</u>
<u>Total Male Prisoners:</u>	80.80	<u>Total Old Facility Prisoners:</u>	26.60
Female Prisoners:	13.76	Juveniles at Woodbury County	
Female Federal Prisoners:	05.06	Male:	01.80
<u>Total Female Prisoners:</u>	18.83	Female:	01.03
<u>Total Federal Prisoners:</u>	46.26	Juveniles at Madison County:	
<u>Total New Facility Population:</u>	99.63	Male:	00.06
		Female:	00.33
		Juveniles at Sarpy County:	
		Male:	00.00
		Female:	00.00
Work Release: **	07.06	<u>Total Juvenile Population:</u>	03.23
House Arrest:	1.76		
Other D&E:	.03		

Total Population: 131.53

** Work Release population is included in the total overall population.

*** Amount billed to US Marshall Service for the month of September, 2008 \$91,838.57

*** Amount billed to US Marshall Service for Calendar Year of 2008 \$742,755.10

Mr. Kern reported that Denny Macumber had completed the Jail Training last week and the average test scores were 95%.

He reported that the next Jail Inspection was scheduled for December 10, 2008 and in summarizing his report he said that he had hired a Janitor for the jail.

Chair McLarty called for the agenda item "Committee Reports" and there were none.

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

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

Lue Franco appeared before the board under public comment and had a couple questions concerning the Special Election and an agreement that the County entered into with South Sioux City to hold the election.

Her questions regarding the agreement that the County Board of Commissioners entered into with South Sioux City, June 7, 2004, is an agreement where the County agreed to certain projects for the opportunity to have a jail bond election, but were subject to the passage of the Jail Bond Election.

Ms. Franco asked about the Special Election being held August 10, 2004 and a general election was held November 4, 2004. She asked why a special election was not held with the general election, and commented that this an additional cost to the taxpayers and cost more money.

Then she quoted part of the agreement dated June 7, 2004 as follows: "administrative entity for administration of the agreement. In the alternative, administration of the agreement shall be the responsibility of the City Administrator of the City of South Sioux City, Nebraska , and the County Clerk of the County of Dakota , State of Nebraska and number 3 Purpose. The purpose of this agreement is to provide funds for the following projects. She mentioned items C & D of that agreement, which was not put on the ballot for the taxpayers to vote on and was concerned why it was not part of what the taxpayers voted on because the agreement agreed to give South Sioux City \$40,000 for 10 years, which is \$400,000 to the city and then phase 1 and phase 2 of C Avenue. Phase 1, according to the minutes will cost \$618,000 and Phase 2 is \$823,000 and that amounts to 1.8 million dollars that the tax payers in Dakota County will be paying in order to have had the Special Election for the new Jail.

She read number 6 of the agreement, which says: Distribution of Funds; In the event that both of the sales and use tax questions are approved by the respective electors of the City and County, the sales tax receipts shall be deposited by each entity in a special account and distributed as set forth herein" and she said, "at this time the half cent sales tax is going to the city." My question is why the receipts are not coming to the Treasurer of Dakota City meaning the Dakota County Treasurer.

She identified the months in which Dakota County received the tax monies and how much they received for the various months. She said that Dakota County is not receiving all the funds from South Sioux City that the tax payers voted on and that should be changed to where Dakota County receives the monies directly.

Chair McLarty explained that the City Sales Tax has to be paid to the City of South Sioux City.

There was discussion with Chair McLarty explaining why South Sioux City gets the money and he told Ms. Franco to write her questions down, submit them and the County would answer them.

Chair McLarty adjourned their meeting at 2:02 p.m.



County Board of Corrections

William McLarty, Chair

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book

Dakota County Board of Corrections
Monday, November 3, 2008, Regular Meeting
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City NE 68731

Chair McLarty called the meeting to order at 1:30 p.m. Roll Call was taken and Pledge of Allegiance was said.

Present: Commissioners Hartnett, McLarty, Rohde, Engel and O'Neill. Joan Spencer, Administrative Assistant to the Board acted as secretary.

Absent: None

The agenda for the meeting was as follows:

2. 1:30 p.m. Call to Order with reciting the Pledge of Allegiance
 - Roll Call
 - Presiding Chair person's statement concerning Nebraska Open Meetings Act.
 - A current copy of the Open Meeting Act is posted on the back wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
 - Approve Minutes of previous meeting.
 - Review and approve Payroll and Accounts Payable Claims for correctional employees, if necessary.
3. 1:31p.m. Terry Kern – Director of Corrections
 - Jail Report
4. Tabled Items – No tabled items to consider
5. Miscellaneous Agenda Items
 - Board Committee Reports
 - Board Member Reports
 - Public Comment
 - Mail and emergency business
6. 1:40 p.m. Adjournment

Board Member Hartnett moved, seconded by Board Member Engel to approve the minutes of October 6, 2008, as typed and prepared for the Official Record.

Roll Call Vote: Engel- yea, Rohde- yea, McLarty- yea, Hartnett- yea, O'Neill- yea.

Director of Corrections, Terry Kern, gave the Jail Report for the first 4 months of this budget year—July 1 to October 31, 2008.

Mr. Kern stated that the Dakota County Correctional Facility received 540 inmates so far this fiscal year. Of those inmates received, 177 were residents of Dakota County.

The average daily population for the period was 129.08. That figure includes County and Federal adults as well as juveniles housed in contracted facilities. The average daily population for juveniles was 3.97. The average per diem cost across the board was \$50.51 per inmate which is up from \$50.04 for fiscal year 2008. The average cost per diem was \$48.60 for each adult housed within the Correctional Facility and \$121.13 per day for each juvenile in contracted housing.

Income from the US Marshal Service for October was \$100,440.26, which is the highest monthly total ever. This figure does not include FBI inmates housed for a short term. We also saw the highest number of US Marshal Service inmates at 55 inmates in October. For calendar year 2008, we have received \$843,195.36; and for fiscal 2008-09 budget year to date we have received \$379,295.67. We need only to average 40 US Marshal Service inmates for the next two months to break \$1 million in income for calendar year 2008. We have not been below 40 US Marshal Service inmates during this period. The first three days of November we have averaged 51 US Marshal Service inmates.

When the current county budget was prepared, we estimated \$80,000 per month in Federal revenue. That figure included ICE inmates but we have not yet completed our contract arrangements with the Immigration Service. Still, we are averaging \$94,823.91 per month, which is well above projections. We are on a pace to garner \$1,137,000 in fiscal budget year 2008-09.

For the first 3 months of fiscal year 2008-09, Work Release and House Arrest have generated \$9,570. We have received \$29,344 in SCAAP money, which exceeded projections.

The Correctional Facility has expended 3% or \$25,000 less than budgeted from this point in the fiscal year.

A contract has been awarded for the new roof and that should be taken care of in time for the Jail Standards on-site inspection December 10th.

In July the new jail exceeded its 99 inmate capacity. The problem was handled by putting to-be-sentenced inmates classified as non-violent with the sentenced inmates classified as non violent together in the old jail. Mr. Kern stated that by keeping inmates in classification, we avoided problems.

The Board Members complimented Mr. Kern on the thorough data of his report.

There were no tabled items.

Board Committee Reports were asked for by Chair McLarty. There were none.
Board Member Reports were asked for by Chair McLarty. There were none.
No Public Comment.
No Mail or emergency business.

Chair McLarty adjourned their meeting at 1:37 p.m.



County Board of Corrections

William I. McLarty, Chair Date Chair signed

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Corrections
Monday, December 1, 2008, Regular Meeting
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City NE 68731

Chair McLarty called the meeting to order at 1:30 p.m. Roll Call was taken and Pledge of Allegiance was said.

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

Absent: None

The agenda for the meeting was as follows:

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

- Roll Call
- Presiding Chair person's statement concerning Nebraska Open Meetings Act.
 - A current copy of the Open Meeting Act is posted on the back wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
- Approve Minutes of previous meeting.
- Review and approve Payroll and Accounts Payable Claims for correctional employees, if necessary.

1:31p.m. Terry Kern – Director of Corrections

- Jail Report

Tabled Items – No tabled items to consider

Miscellaneous Agenda Items

- Board Committee Reports
- Board Member Reports
- Public Comment
- Mail and emergency business

1:40 p.m. Adjournment

Board Member Engel moved, seconded by Board Member Hartnett to approve the minutes of November 3, 2008, as typed and prepared for the Official Record.

Roll Call Vote: Engel- yea, Rohde- yea, McLarty- yea, Hartnett- yea, O'Neill- yea.

Chair McLarty called for the agenda item "Terry Kern Jail Report".

Terry Kern, Director of Corrections, submitted the following Jail Report.

<u>New Facility Population</u>		November 2008 Average Prisoner Population		<u>Old Facility Population</u>	
Male Prisoners:	31.83	Male Prisoners:		Male Prisoners:	28.36
Male Federal Prisoners:	<u>46.50</u>	Female Prisoners:		Female Prisoners:	<u>00.00</u>
<u>Total Male Prisoners:</u>	78.33	<u>Total Old Facility Prisoners:</u>		<u>Total Old Facility Prisoners:</u>	28.36
Female Prisoners:	14.83	Juveniles at Woodbury County			
Female Federal Prisoners:	04.00	Male:	03.46		
<u>Total Female Prisoners:</u>	18.83	Female:	00.50		
<u>Total Federal Prisoners:</u>	50.50	Juveniles at Madison County:			
<u>Total New Facility Population:</u>	97.16	Male:	00.80		
		Female:	00.00		
		Juveniles at Cherokee:			
		Male:	00.10		
		Female:	00.00		
		<u>Total Juvenile Population:</u>		<u>Total Juvenile Population:</u>	04.86
Work Release: **	10.03				
House Arrest:	.90				
Other D&E	.00				
		<u>Total Population:</u>			131.30

** Work Release population is included in the total overall population.

*** Amount billed to US Marshal Service for the month of November 2008: \$100,500.00

*** Amount billed to US Marshal Service for the year 2008: 943,697.30

Mr. Kern noted that they only need to average 28 Federal inmates in December to gross \$1,000,000.00. He said that the average since July is 48.

He also reported that Jail Standards is going to inspect the jail December 10, 2008.

He reported that we have averaged 48 Federal Prisoners' a month since July, 2008.

Board Committee Reports were asked for by Chair McLarty. There were none.

Board Member Reports were asked for by Chair McLarty. There were none.

No Public Comment.

No Mail or emergency business.

Chair McLarty adjourned their meeting at 1:38 p.m.



County Board of Corrections

William I. McLarty, Chair

Date Chair signed

Theodore A. Piepho, County Clerk

Date entered in book