

COMMISSIONERS BOOK P

COUNTY BOARD OF COMMISSIONERS
 FEBRUARY 14, 2005 PROCEEDINGS
 COUNTY BOARD MEETING ROOM
 DAKOTA COUNTY COURTHOUSE

Chair Engel called their regular scheduled meeting to order at 1:31 p.m. with Pledge of Allegiance.
 PRESENT: Commissioners Engel, O'Neill, Hartnett, Bousquet, and Ted Piepho, Secretary.
 ABSENT: Commissioner Miller arrived at 1:40 p.m.

Pat Foust, LEC Director, appeared before the board and informed them that they should replace Fred Gay as the lay person on the LEC Board as they have received a written resignation from Mr. Gay.

The consensus of the board was to advertise for volunteers to serve on the LEC Board.

Commissioner Hartnett moved, seconded by Commissioner O'Neill to approve the minutes of January 31, 2004 as typed.

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

Arnie Mellick, Road Foreman, briefed the board on the Bridge South of Homer BRO-7022(11). The consensus of the board was that they wanted someone from the State Department of Roads to come before them to discuss this project.

Chair Engel opened the One and Six Year Road Hearing at 2:00 p.m.
 Mr. Mellick outlined the projects on the One and Six Year Road Plan as follows:

ONE & SIX YEAR
 ROAD IMPROVEMENT PLAN
 DAKOTA COUNTY, NEBRASKA

February 2005

PRIORITY	NO., PROJECT NO.	FISCAL YEAR	IMPROVEMENTS	ESTIMATED COST
1	C22-(179), Road North 1.5 miles to 225th Street, grade & gravel, Squirt Eriksen, between Sec. 12, T27N, R7E and Sec. 8, T27N, R8E.	2005-06	Reconstruct K Avenue from Fiddler Creek	
				\$40,000.00
2	C22-(183) 1 mile to 185th Street, grade & gravel, Salem Lutheran Church road, between Sec. 11 & 12, T28N, R8E.	2005-06	Reconstruct G Avenue from Hwy 35 South	
				\$20,000.00
3	C22-(184) to 230th St. 1 mile, grade and gravel, Merlin Chambers. Sec. 6 T27N, R9E.	2005-06	Reconstruct Elma Road from 220th Street	
				\$20,000.00
4	C22-(123) Sec 23, Metric T27N, R8E Bridge No. 02510P (PR 15T) **Extension of Project - Relocate intersection of Wigle Creek Road and Omaha Avenue .1 mile HOMER SOUTH BRO-7022-(11) Funds 15%= \$71,699.00. (Soft Match Credit)*	2005-06	Homer South, 0.20 Miles South of Homer, Federal Funds 80%. State Funds 5%= \$23,866.00, County	
				\$381,862.00
			Total Project Cost	\$483,327.00
5	C22-(194) Avenue West .5 miles towards K Avenue, grade & gravel, No Hydraulics. Between Sec. 4 & 9, T28N, R8E Beermann Dehy.	2005-06	Reconstruct 170th Street from Hamlin	
				\$10,000.00
6	C22-(122) 02515P (PR 15T) approximately .2 miles West of the center Homer on asphalt HOMER SOUTH- BRO-7022-(14). Federal Funds 80%= \$440,063.00, State Funds 5%= \$27,504.00, County Funds 15%= \$82,512.00. (Soft Match Credit)	2005-06	Remove and replace existing bridge No. Sec. 14, T27N, R8E, 1st bridge South of	
			Total Project Cost:	\$550,079.00
7	C22-(190) Avenue & T Ave., grade & gravel, between Sec. 3 & 34, T27N, R6E Allen Curtiss	2006-07	Reconstruct 220th Street between S	
				\$24,000.00
8	C22-(193) 220th Streets, grade & gravel. Hydraulic Analysis pending. Startbetween Sec. 26 & 27, end between Sec. 34 & 35, T28N, R7E. South of Hubbard	2006-07	Reconstruct M Avenue between 200th &	
				\$50,000.00
9	C22-(185) South to Hwy 35, 2.4 miles. Henry DeGraff Road, Sec. 1, 12, & 13, T28N, R7E and Sec. 5, 8 & 17, T28N, R8E.	2006-07	Reconstruct K Avenue from 160th Street	
				\$30,000.00

COMMISSIONERS BOOK P

10	C22-(186)	2006-07	Remove and Replace existing CMP culvert located 1.6 miles West of Hwy 35 on 200th Street by Howard Rasmussen. Sec. 29, T28N, R7E	\$7,000.00
11	C22(168)	2006-07	Replace North abutment on Bridge No. 021715P, South Bluff Road. Sec. 13, T28N, R7E Stan Martinek Bridge	\$30,000.00
12	C22-(197)	2006-07	Bomag .3 miles of Lake Avenue between North Shore Drive and Old Sawmill Road. Repair Job. Sec. 18, T29N, R9E.	\$30,000.00
13	C22-(182)	2007-08	Reconstruct 160th Street from K Avenue to Hamlin Avenue, 2 miles, grade & gravel, Bob Boals, Sec. 3, 4, & 5, T28N, R8E	\$40,000.00
14	C22-(119)	2007-08	Remove and Replace existing bridge with CMP near the North 1/4 corner of Sec. 13, T29N, R6E (Not on Bridge Inventory), Frank O'Neill Bridge	\$35,000.00
15	C22(187)	2007-08	Remove & Replace Bridge No. 02405, (PR 7T), Suff. Rating 26.9 - Hubbard SW, Known as Rosie Purucker between Sec. 25 & 36, T28N, R6E. Federal Aid 80%= \$280,000.00, State Aid 5%= \$17,500.00, County 15%= \$52,500.00. (Soft Match Credit)	Total Project Cost \$350,000.00
16	C22-(188)	2007-08	Remove and Replace Bridge 21715P, RP 15T Suff. Rating 42.7, 0.1 mile South of Hwy 35 on South Bluff Road, Sec. 13, T28N, R8E, Hubbard Northeast or Stan Martinek. Federal Aid 80%= \$360,000.00, State Aid 5%= \$22,500.00, County 15%= \$67,500, (Soft Match Credit)	Total \$450,000.00
17	C22-(118)	2008-09	Relocate Oakdale Road around farmstead, grade & gravel, Right of Way donated. Beginning at US HWY 20, .4 miles East of the W 1/4 corner of Sec. 20 T29N, R7E then NE .25 miles. Phil Kramper	\$15,000.00
18	C22-(195)	2008-09	Relocate intersection of Oakdale Road and Nebraska HWY 20, .3 miles East, build road around and gravel, buy Right of Way, size tubes, move utilities farmstead Between Sec. 19 & 20, T29N, R7E. Should be coordinated with Project C22-118.	\$25,000.00
19	C22-(196)	2008-09	Rebuild Intersection of O Avenue and 270th Street this will cover .3 miles, needs grade, gravel, utility adjustments, buy Right-of-Way. This will require engineering. Will be a joint project with Thurston Co.	\$15,000.00
20	C22-(198)	2009-10	Reconstruct E Avenue beginning at 164th Street, go South 1 mile to Nebraska Highway 35, grade & gravel, tubes stay the same. Beginning at Sec. 5 & 6, ending at Sec. 7 & 8, T28N, R9E; Lincoln Grain.	\$24,000.00
21	C22-(124)	2009-10	New construction and Right of Way purchase for a new by-pass between S Sioux City and Dakota City, beginning at the Northeast corner of the Southwest ¼ Northeast 1/4 of Sec. 34, T29N, R9E. River front Road, SIMPCO began environmental study of interchange in 1998. Waiting for results of the N-35 South Sioux City to Norfolk Corridor Study.	\$800,000.00
22	C22-(155)	2010-11	Remove existing bridge #20325 (not posted). Replace with CMP, grade and gravel, .3 miles North of inter- section of 120th Street and S Avenue, Between Sec. 10 & 11, T29N, R6E Bloomfield Bridge.	\$20,000.00
23	C22-(199)	2010-11	Reconstruct 164th Street, starting at E Avenue ending at Nebraska Hwy 110, grade and gravel. Beginning at Sec. 6, T28N, R9E, Ending at Sec. 1, T28N, R8E; Chuck Beermann.	\$30,000.00

The following projects were completed during Fiscal Year 2004-2005

PROJECT NO.	DESCRIPTION	
1	C22-175	Reconstruct O Avenue from 190th Street to 200th Street, 1 1/4 miles between Sec 20 & 21, T28N, R7E.
		\$13,000.00

COMMISSIONERS BOOK P

2	C22-191	Bomag West .3 miles of North Shore Drive start at Lake Avenue, go West to dead-end. Beginning in Sec. 18, T29N, R9E.	\$30,000.00
3	C22-192	Bomag East end of North Shore Drive for .5 miles, beginning at Lake Avenue going East .5 miles to Old Sawmill Road. Sec. 18, T29N, R9E.	\$50,000.00

Jim Graham discussed the importance of rebuilding E Avenue. He said that there were no ditches any more and no place for the water to go when it rains and turns into a big mud hole. The consensus of the board was to repair that road this summer.

Dave Rasmussen informed the board that the tube on Wigle Creek Road South of him needs to be lengthened. He said that the water just keeps washing out the road.

Chair Engel closed One and Six Year Road Hearing at 2:30 p.m.

Commissioner Bousquet moved, seconded by Commissioner Miller to adopt the One and Six Year Road Plan Resolution 05C-006 as follows:
Resolution 05C-006
Be it resolved by the Board of Commissioners for Dakota County, Nebraska, that the One and Six Year County Road Program as prepared by Arnold Mellick, Dakota County Highway Superintendent, and attached hereto, be adopted.

BOARD OF COMMISSIONERS FOR
DAKOTA COUNTY, NEBRASKA
/S/W. F. Engel,
Chairman

ATTEST:

/s/Theodore A. Piepho
County Clerk

Passed and approved this 14th day of February, 2005

Motion by Commissioner Bousquet, Seconded by Commissioner

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

Voting YEA: Commissioners Bousquet, Miller, Todd, Engel and Hartnett. Voting NAY: None

The result of the vote being five Yeas and Zero Nays and the Chairman declared the passed and approved.

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

The Board met with several residents that live and/or own land south of Wigle Creed Road to inquire whether the residents out there would support or oppose extending Wigle Creek Road east to US Highway 77 from the intersection of Wigle Creek Road and Omaha Avenue.

Rod Krause, Eldon Vavra and Byron Hall all spoke against the idea. It was the consensus of the board that public support was not to extend Wigle Creek Road east to US Highway 77 from the intersection of Wigle Creek Road and Omaha Avenue.

Chair Engel opened the Public Hearing at 2:50 p.m. to consider whether to approve or disapprove an amendment to the Ag Zoning regulations to allow a towing business under Conditional Use Permits.

County Clerk, Ted Piepho, spoke on behalf of the county and said that to approve this would in essence authorize anybody to put a towing yard within an Ag. Zone and one could be put right next to someone else's house. He asked the P&Z Administrator what the minimum site distance would be from someone's house.

Mr. Mellick, Planning and Zoning Administrator, said it was 100 feet.

Mr. Piepho said that was too close as someone's well could be located in between that distance. He was not in opposition to the present towing for which this hearing is being conducted, but remarked that some of these vehicles would be susceptible to leaking Anti-freeze, oil, gas etc. and with the present wording, a towing business could be put next to a body of water. He continued that this is a type of permit that Planning and Zoning can disapprove depending on the particulars of the site.

Commissioner Miller supported that.

Chair Engel closed the hearing at 3:10 p.m.

Commissioner Hartnett moved, seconded by Commissioner Bousquet that it is the recommendation of the board to refer the regulation back to the Planning and Zoning Board and amend the regulations and better define Towing business.

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

COMMISSIONERS BOOK P

Commissioner Bousquet said that he had asked Brad Bare, with Smith Hayes, and Sheriff Wagner to come in and talk about doing both phases of the Jail project. Phase I was a 116 bed facility with Phase II adding another pod making a 230 bed facility.

Commissioner Bousquet suggested issuing more bonds and to do Phase II of the jail project along with phase I. He said that would allow the county to house prisoners for other agencies. Mr. Bousquet and Sheriff said that Woodbury County was interested in 130 beds.

The county can build the second phase without a vote if we can show where we can allocate 5.2 cents per hundred dollars of value. It is not necessary to use 5.2 cents per hundred dollars of value, but it has to be available.

Phase I gives us 116 beds through the sales tax. Jerry Johnson said it depends on whether Jail Standards allows us to build with 70 square feet per cell or mandate that we allocate 90 square feet per cell. If we were able to use 70 feet per cell that would qualify more than 116 beds to be built in Phase I.

It was heavily debated which would be the best way to proceed on the jail. Whether to build Phase 1 and use our existing jail or to construct phase I and II, which would mean that we could construct a 230 bed facility.

Commissioner Bousquet and Sheriff Wagner had an appointment to meet with Dan from Jail Standards to lobby for the smaller jail cells.

Duane Kotalik appeared before the board to discuss the cleaning of the courthouse. He is going to think about it and let the board know if he would be interested in taking over the cleaning of the courthouse.

Payroll claims paid February 18, 2005:

COUNTY GENERAL FUND: Gross salaries- \$78,235.43, General Fund Employees Net Pay- \$54,781.27, Employer deductions paid: Retirement- 5,072.43, Social Security Tax- 4,687.02, Medicare- 1,096.15, DC Health Plan- 15,603.22, Delta Dental- 604.80.

Richard Bousquet- 495.95, William Engel- 520.95, Jackie Hartnett- 495.95, Pamela Miller- 495.95, Betty O'Neill- 495.95, Nanci Walsh- 1098.47, Daniel Christoffers- 378.81, Bobbi Jo Harsma- 891.25, Theodore Piepho- 1450.04, Lora Skow- 790.13, Joan Spencer- 1077.64, Darlene Davis- 795.20, Robert Giese- 1450.04, Ruth Gillaspie- 1055.94, Jolene Heinemann- 851.20, Kimberly Kuehl- 780.29, Phyllis Ridge- 872.80, Lyn Beltz- 45.00, Mark J. Dorsey- 556.29, Margaret Rahn- 1055.94, Daniel Christoffers- 378.80, Arnold Mellick- 242.68, Lynette Beermann- 1450.04, Michelle Criss- 769.60, Carol Dunham- 1055.94, Scott M Dugan- 1813.63, Joe Flynn- 1538.46, Mary Gamble- 944.00, Dustin Kinsey- 769.60, Richard Jensen- 1233.74, Duane Kotalik- 415.00, Tammy Dunn-Peterson- 755.25, Sandy Beers- 1000.08, Jeremy Bermel- 1400.00, Anthony Bos- 1452.38, Sergio Castillo- 1136.52, Brian Ellinger- 1633.36, Todd Hammer- 1373.33, Melvin Harrison III- 1727.39, Rodney Herron- 1564.33, Kimberly Johnson- 549.18, Jared Junge- 1401.76, Michael Kreegar- 1609.07, Gayle Richards- 744.80, Kevin Rohde- 1161.88, James Wagner- 1813.63, Randall Walsh- 2149.03, Rita Chase- 890.82, Amber Hegarty- 1633.98, Aimee Kennedy- 826.40, John Loos, Jr.- 1557.06, Edward Matney III- 2346.03, Debra Schmiedt- 1884.62, Bobbi Strong- 758.16, Amanda Jones- 582.00, Nicole Sims- 1538.93, Rebecca Broer- 1236.46, Richard Criss- 1024.00, Eric Davis- 1086.02, Penny Epting- 1109.68, Ronald Fink Jr.- 964.00, John Gilles- 1060.48, Michael Gregerson Jr.- 1073.36, Alma Gunderson- 1097.55, Paula Harrigfeld- 752.12, Cathy Harsma- 1024.00, Joseph Ramirez- 1044.72, Krystal Ramirez- 148.85, Linda Schovanec- 1182.37, Arnold Mellick- 115.39, Cynthia Purucker- 878.40, Leon Pies- 550.80, Pamela DeVries- 1398.56, Gloria Dwyer- 856.00, Patricia Glover- 967.40, Alan Boyd- 910.00.

GENERAL FUND: Employee withholding paid to: Federal- 7,037.44, State- 2,506.92, Social Security Tax- 4,687.02, Medicare- 1,096.15, Retirement- 3,439.22, DC Health Plan- 1,329.80, Delta Dental- 362.57, Colonial Health- 35.20, Sheriff Union Dues- 75.00, Deferred Comp- 712.78, Garnishments- 1,155.29, Aflac Health- 490.22, Aflac Life/Dsbl- 105.55, Aflac Flex Plan- 421.00.

COUNTY ROAD PAYROLL: Gross salaries- \$14,076.96, Road Employees Net Pay- \$9,896.09, Employer deductions paid: Retirement- 950.22, DC Health Plan- 3,169.40, Delta Dental- 122.85, Social Security Tax- 841.81, Medicare- 196.88.

Joel Broekemeier- 1109.60, Randall Crombie- 1113.60, Ronald Harder- 1167.79, Walter Heinemann- 1113.60, Richard Hoesing- 1109.60, Robert Jacobsen- 1113.60, Fred Kellogg- 1105.60, Kimon Litras- 1150.40, Richard McNear- 1113.60, Arnold Mellick- 1213.57, Marlan Millard- 1113.60, Leon Pies- 550.80, James Swanson- 1101.60.

ROAD FUND: Employee withholding paid to: Federal- 1,172.05, State- 428.79, Social Security- 841.81, Medicare- 196.88, Retirement- 633.45, DC Health Plan- 300.70, Delta Dental- 78.32, Reassure America Life- 9.76, Union Dues- 220.00, Deferred Comp.- 81.68, Aflac Health- 153.35, Aflac Life/Dsbl- 64.08.

COPS FAST GRANT: Gross salaries- 1,545.02, Cops Fast Employee Net Pay- 1,050.28, Employer deductions paid: Retirement- 119.74, Unicare Health- 243.80, Delta Dental- 9.45, Social Security- 95.79, Medicare- 22.40, Brent Gilster- 1545.02.

COPS FAST GRANT: Employee withholding paid to: Federal- 214.82, State- 71.75, Social Security- 95.79, Medicare- 22.40, Retirement- 84.98, Sheriff Union Dues- 5.00.

Chair Engel adjourned their meeting at 4:38 p.m.

COMMISSIONERS BOOK P

BY: \s\ _____
William F. Engel, Board Chair

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