

COMMISSIONERS RECORD BOOK P

DAKOTA COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 19, 2005 PROCEEDINGS
BASEMENT MEETING ROOM
COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

Chair Engel called their meeting to order at 10:05 a.m.
Roll call was taken with the following members present:
Commissioners Miller, O'Neill, Hartnett, Engel, Bousquet and Ted Piepho, Secretary.
ABSENT: All Present

The agenda for the meeting was as follows:

DAKOTA COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 19, 2005 AGENDA
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

1. Call to Order - 10:00 a.m.
 - Roll Call
 - Pledge of Allegiance
 - Approve Minutes of August 29, 2005 and September 12, 2005
2. Review and Approve Accounts Payable claims
3. 11:45 a.m. Recess for Lunch
4. 1:30 p.m. Reconvene from Lunch
5. Move items in red under # 8 and adopt them upon reconvening from morning session. They must be mailed to the state today.
6. 1:35 p.m. Jerry Johnson - Award remaining Bid Projects for Jail
Bill Engel - Discussion on Jail
7. 2:15 p.m. Elliotte Saunders - Boat Ramp at the end of County Road #37
8. 2:30 p.m. Miscellaneous Items
 - Adopt LEC Budget - This should be done prior to adopting County Budget.
 - Adopt Dakota County's Fy2005-06 Budget
 - Adopt & Sign Annual Road Report
 - Letter from State of NE, - asphalt replacement at Homer South Bridge
 - Requesting Commission authorization for expenditure over \$5,000 to proceed with GIS mapping. Total cost of the project is about \$31,500; the L.E.C. would pay licensing fees of \$10,500 with the state PSC paying the balance. Contract is contingent upon PSC approval to funding.
9. Committee Reports
10. Official's Reports
 - County Clerk
 - Clerk of the District Court
 - Register of Deeds
 - Veteran's Service Officer
11. Public Comment
12. Mail and/or Emergency Business
13. Adjournment

Commissioner Hartnett moved, seconded by Commissioner Bousquet to convene into Closed Executive Session to discuss personnel.
ROLL CALL VOTE: Miller- Yea, Bousquet- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED. 10:25 a.m.

Commissioner Miller moved, seconded by Commissioner Bousquet to reconvene in open session.
ROLL CALL VOTE: Bousquet- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, Miller- Yea, UNANIMOUS MOTION CARRIED. 11:25 a.m.

The County Clerk realized that he had forgotten to shut off the recorder during the Closed Executive Session. The taping was immediately erased and the recorded restarted. The County Clerk put a leader on the recording to bring the meeting current.

Dennis Reinert, Planning and Zoning Administrator, appeared before the board to inform them that he thought his budget was short in the mileage code.

Chair Engel recessed their meeting for lunch at 11:58 a.m.

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Chair Engel reconvened their meeting from lunch at 1:31 p.m.

Commissioner Hartnett moved, seconded by Commissioner Miller to approve to a 1% increase in Restricted Funds in addition to the two and one-half percent allowable by law in the County's FY2005/06 Budget.

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

Commissioner Hartnett moved, seconded by Commissioner Engel to approve the LEC Budget of Expenditures at \$691,138.00.

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

Commissioner Bousquet moved, seconded by Commissioner Hartnett to approve the County's FY2005/06 Budget with a property tax request be set at \$4,650,739.82 and a copy of this resolution be certified and forwarded to the County Clerk prior to October 13, 2005.

Dakota County

RESOLUTION OF ADOPTION AND APPROPRIATIONS

"WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2005, to June 30, 2006, prepared by the Budget Making Authority, was transmitted to the County Board."

"NOW, THEREFORE, BE IT RESOLVED, by the Board of COMMISSIONERS of Dakota County, Nebraska as follows:"

"SECTION 1. That the budget for the Fiscal Year July 1, 2005, to June 30, 2006, as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the Budget for Dakota County for said fiscal year."

"SECTION 2. That the offices, departments, activities and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2005, and ending June 30, 2006."

"SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and"

"DATED AND PASSED THIS 19th DAY OF September, 2005."

COUNTY BOARD

William Engel
Jacqueline Hartnett
Pam Miller
Rick Bousquet
Betty O'Neill

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

Commissioner Miller moved, seconded by Commissioner Bousquet to adopt the following Resolution setting Property Tax Request at \$4,650,739.82 and a copy of this resolution be certified and forwarded to the County Clerk prior to October 13, 2005:

RESOLUTION SETTING PROPERTY TAX REQUEST

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the County of Dakota passes by majority vote a resolution or ordinance setting the tax request a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of the County of Dakota that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the Governing Body of the County of Dakota, by a majority vote, resolves that:

1. The 2005-2006 property tax request be set at \$4,650,739.82.
2. A copy of this resolution be certified and forwarded to the County Clerk prior to October 13, 2005.

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Adopted this 19th day of September, 2005.

Attest:

County Clerk

Chair

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

Commissioner Bousquet moved, seconded by Commissioner Engel to approve the Annual Road Report as presented by Randy Crombie, County Highway Supt., in the September 12, 2005 meeting and to authorize the chair to sign same.

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

Jerry Johnson, Construction Manager for the Jail project described the Bid Projects that he was value Engineering to the Base Bid and the reasons. They were Bid Projects 8, 12, 13, 15, 17, 21, 23, 24, and 30. He said they had to have Bid Project 14 approved today to keep things moving. When asked why the bids were over approximately \$400,000 and some odd dollars, he said that the requirements for 90 square foot cells instead of 70 made the bids come in over about 20%.

Commissioner Bousquet moved, seconded by Commissioner Hartnett to accept Bid Project 14 subject to Construction Manager, Jerry Johnson's Value Engineering to the Base bid.

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

Bill Rohde, Dakota County's Director of Roads, read a letter from K.G. Domogalla, Asst. Dist. Const. Engr. as follows:

Bill Rohde
Dakota Co.
P.O. Box 863
Dakota City, NE 68731

RE: Homer South BRO-7022(11)
 C.N. 31216

John Christensen has asked that I write you concerning the substandard asphalt placed on the subject project. The Department of Roads is not requiring the removal and replacement of the asphalt pavement as the only alternative to remedy the problem. A 2" overlay with a pay factor of possibly 40% for the substandard mix is another possible solution. The final decision is left to Dakota County, provided it conforms with the federal aid requirements. I am not endorsing any specific solution, merely clarifying we would be open to other possibilities. Dakota County must decide what is in the best interest of their tax payers.

K.G. Domogalla P.E.
Asst. Dist. Const. Engr.

KGD/ln

cc: J. Francis
 P. Boyle
 T. Mead - JEO
 J. Christensen - Christensen Bros.
 File

Commissioners Bousquet and Miller express that they still stood on their original thoughts that the asphalt should be replaced.

Jay Lowery, 508 Red Bird Lane, appeared before the board concerning the handicap accessibility of the courthouse and asked that a doorbell be installed. That stirred a decision of where the bell should be placed.

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

GENERAL FUND: Dakota County Star, publishing- 533.84; Perkins, supplies- 45.69; Nanci Walsh, mileage- 129.80; Dakota County State Bank, deposit slips- 25.50; Galaxy Technical Services, maintenance- 124.50; MIPS, installation- 451.88; Perkins, supplies- 115.27; Theodore A Piepho, reimburse- 37.28; Redfield, forms- 31.92; Robert Giese, mileage- 76.65; Charlotte Doenhoefer, prior yrs- 10.00; Ruth Jensen, prior yrs- 12.00; Nadine Lewon, prior yrs- 17.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; Microfilm Imaging, lease- 240.00; Perkins, supplies- 185.81; DAS Imservices, data service- 27.50; General Business Interiors, desk extension- 540.60; Theodore Piepho, mileage- 64.80; Todds Storeall, storage- 80.00; Dakota County Star, publishing- 24.31; Carol Sue Dunham, mileage- 85.02; Executive Copy Systems, repair- 120.00; NACO, registration fee- 125.00; Norfolk Printing, supplies- 417.41; Staples, supplies- 166.18; Ben Star Packaging, paper- 245.72; DAS

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Material, supplies- 822.09; Midwest Office, contract- 357.08; Kurt Rager, supplies- 7.47; Thomson West, cdrom service- 116.75; William Binkard, robe- 376.00; Lexis Nexis, law books- 45.60; Dustin Kinsey, computer repair- 270.00; Iowa Office Supply, supplies- 207.85; Frank Gonzalez, interpret- 800.00; Midwest Office Automation, contract- 85.30; NE State bar Assoc, seminar- 125.00; Perkins, supplies- 44.90; [Jury Fees/Mileage; Donald Albertson- 41.48; Lucia Castillo- 37.43; Tim Christiansen- 43.11; Terry Cooley- 38.64; Sheila Curiel- 38.24; Ashley Dummer- 37.43; Steven Emmons- 53.63; Kathy Eriksen- 42.99; Karolyn Fredricksen- 39.86; Randall Grove- 38.24; Shirley Guy- 39.05; Traci Heikes- 39.86; Cassandra Joseph- 39.05; Melissa Klouda- 38.24; Richard Koch- 46.34; Josefina Lopez- 39.05; Margaret Meier- 41.48; Deborah Moore- 37.43; Robert Mulvenna- 40.67; Jose Muniz- 35.81; Hipolito Murguia- 39.05; Starla Nelsen- 41.48; Madeleine Newton- 37.43; Dean Pallas- 53.63; Matthew Raveling- 40.67; Craig Schmidt- 35.81; Helen Sorensen- 39.86; Mary Stevens- 39.05; Kevin Stewart- 47.96; Steve Sturges- 39.05; Gregory Utech- 45.53; Gerilyn Vandepol- 39.05; Janet Wiig, 39.05; William Woehler- 37.43;], Bob Decker, bailiff fees- 75.00; HyVee, donuts- 33.96; Lynette Beermann, ice reimb- 20.21; Tasna Anderson, witness- 20.00; Russell Becke, witness- 24.86; Rebecca Carver, witness- 26.48; Dakota County Court, court costs- 2622.45; Lionel Fernandez, witness- 24.05; Sandra Fuller, witness- 60.50; Randy Hisey, counsel- 2262.00; Shelley Horak, counsel- 996.00; Hurley Law Office, counsel- 72.00; Sandra Inkster, counsel- 650.00; Jovanny Jimenez, witness- 24.05; Barbara Kueny, counsel- 1236.58; John Loos Jr, counsel- 480.00; Kenneth marks, witness- 40.25; Travis Pilgrim, witness- 23.24; Juan Sanchez, witness- 24.05; Cathy Stevens, witness- 28.10; Doyle Stevens, witness- 20.00; John Tinoco, witness- 22.83; Patrick Tott, counsel- 378.00; Nathan Tucker, counsel- 129.60; Covey Warnock, witness- 24.05; Jacob Woehler, witness- 23.24; Dakota County Sheriff, papers/warrants- 1850.17; Clerk of District Court, court costs- 600.00; Coffee King, coffee- 40.92; Dakota County Treasurer, money order- 9.00; Randy Hisey, counsel- 1758.00; Hurley Law Office, counsel- 408.00; Michael Schmidt, counsel- 681.32; Richard Thramer, counsel- 1039.20; Maximus, cost recovery summary- 1461.13; A-Team Heating and Cooling, service- 902.40; Benstar Packaging, supplies- 175.32; Bomgaars, tools- 77.78; Cellular One, phone- 29.60; Cimmarina Boats, tail light- 27.94; Foulk Bros Plumbing, water heater- 2524.60; Gill Hauling, service- 125.00; Grainger, supplies- 421.32; Wilmes Hardware, supplies- 179.91; Richard Jensen, mileage- 122.31; Menards, supplies- 303.47; Midamerican Energy, gas- 1452.00; NPPD, energy- 4214.69; O'Keefe, repair- 157.32; Qwest, phone- 27.46; Siouxland Lock & Key, keys- 16.50; Trembly Pest Control, monthly fee- 50.00; Dakota County Extension, reimburse- 1298.22; Cellular One, phone- 56.63; Circle R Frame, service- 394.67; City of SSC, phone/fuel- 4087.03; Crystal Oil, tire repair- 60.00; D&R Service, service- 86.00; Dakota County Sheriff, reimburse- 110.00; Dolezal Motor, service- 451.08; Economy Transmission, service- 1230.75; Fremont Tire, service/repair- 82.85; Harolds, film- 15.87; Jacks Uniforms, supplies- 247.70; Jackson Glass, windshield- 202.50; NCS Pearson, tests- 818.00; Pepperball Technologies, pepperballs- 226.99; Pomps Tire, tires- 311.64; Racom, t1- 596.00; Sioux City Ford, service- 95.45; SFCU, reimb- 730.80; Staples, supplies- 363.35; Trio Auto Parts, service- 30.00; Walmart, supplies- 32.98; Willis Animal Clinic, animal care- 118.75; Amanda Jones, mileage- 108.75; Aspen Publishers, law books- 297.00; Dakota County Treasurers, supplies- 71.05; DMV, transcripts- 20.00; H204U, supplies- 16.50; Amber Hegarty, supplies- 101.28; Edward Matney, reimb- 401.73; NetSysPlus, repair- 75.00; Perkins, supplies- 5.52; Secretary of State, copies- 20.00; Sprint, phone- 119.29; Thurston County Court, copies- 2.50; City of SSC, lec expense- 22284.58; Invision, roof work- 1428.14; Alegent Health, medical- 203.62; BI Inc, house arrest- 9569.86; Bob Barker, supplies- 1052.09; Boys And Girls Home, blanchard- 150.00; Butler County, boarding- 16665.00; CBM Food Service, meals- 13501.84; Cass County Jail, boarding- 41218.58; Sergio Castillo Jr, interpret- 80.00; Cellular One, phone- 132.73; City of SSC, fuel- 108.77; ConocoPhillips, transport- 181.81; Dakota County Sheriff, meals- 48.22; David City Pharmacy, medical- 20.48; De Lage Financial, copier- 221.00; Dept of Corr. Serv, safekeepers- 7495.81; Dunes Medical Lab, medical- 319.00; Fremont Tire, tuneup- 232.69; Good Neighbor Comm Health, medical- 304.06; HyVee, milk- 5.20; ISECUREtrac, house arrest- 999.75; Jacks Uniforms, supplies- 44.75; Kreislers, medical- 39.77; Mercy Business Health, medical- 600.00; NE NE Juvenile Serv, boarding- 25787.50; David Noble DDS, medical- 166.00; Platte County Detention Facility, boarding- 3150.00; Redlers Pharmacy, medical- 337.30; Sams Club, supplies- 35.92; SFCU, reimb- 932.56; Staples, supplies- 352.73; The Swanson Corp, meals- 99.04; Walmart, supplies- 372.28; Woodbury Co Juvenile, boarding- 2300.00; Cellular One, phone- 27.70; Randy Crombie, reimb- 145.00; Office Systems, repair- 115.00; Sioux City Journal, publishing- 52.69; Dunes Family Medicine, medical- 250.00; Pam Devries, mileage- 49.00; Pat Glover, mileage- 81.40; Midwest Office, maintenance- 25.28; Redlers Pharmacy, tubersol- 62.50; Sanofi Pasteur, vaccine- 5152.99; American Red Cross, microshield- 175.00; Claritus, supplies- 1106.00; Pam Devries, mileage- 194.72; Pat Glover, reimb- 55.00; Perkins, supplies- 881.93; Sign Masters, magnetics- 203.30; Alan Boyd, mileage- 279.45; Electronic Engineering, pager- 13.95; Laken Memorials, marker- 145.00; Thompson West, settlement- 16644.00; Aflac, service fees- 45.00; AT&T, phone- 34.77; Cable One, internet- 287.10; De Lage Financial Services, lease- 152.95; Dex Media, book- 13.03; Lazette Gifford, website- 40.00; IBM Corp, annual fee- 62.85; MIPS, support- 358.85; Netsysplus, computer work- 1098.50; South Sioux Chamber, leadership- 885.66; Qwest, phone- 65.89; Qwest, phone- 634.17; Qwest, phone- 659.70; Sioux Air, spray- 1080.00; South Sioux Chamber, leadership- 1000.00; USPS, postage- 2500.00; WCS Telecom, phone- 416.67; ROAD FUND: Aramark, towel service- 138.24; Bierschbach Equip, trencher rental- 810.44; Bomgaars, supplies- 203.67; Cellular One, phone- 27.70; Dakota County Petty Cash, supplies- 104.18; Erlandson, gravel- 987.70; Federal Surplus Property, tools/locker- 186.00; Flaugh's Pronto, fuel- 121.86; Gill Hauling, service- 45.00; William Haafke, haul rock- 1490.72; Higman Sand & Gravel, road rock- 11011.78; Hubbard Mini-Mart, fuel- 5708.79; Hydraulic Sales, repairs- 38.44; H204U, service- 29.50; Bob Jacobsen, clothing- 50.00; Joes Dept Store, supplies/tools- 192.65; Linweld, supplies- 156.87; Richard McNear, prior yrs- 5.00; Medical Enterprises, testing- 29.90; Menards, stakes- 12.98; Midwest Equip, repairs- 86.88; NPPD, electric- 23.68; Aaron Nelson, haul rock- 382.55; NE NPPD, prepay- 1000.00; Northeast NE Telephone, phone- 194.77; Pilger Sand & Gravel, gravel- 6138.66; Pomps Tire, tire/repair/labor- 1468.50; Powerplan, filters- 115.73; Presco Sales, grader blades/posts- 3542.80; Rees Mack Sales, parts- 69.68; Rinker Material Corp, road rock- 2493.56; Sams Club, supplies- 166.11; The

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New Sioux City Iron, supplies- 49.20; Sioux City Journal, want ad- 52.69; Siouxland NAPA, parts- 240.26; Stan Houston, tripod- 62.27; Town & Country, chains- 42.49; UECO, pipe- 217.92; Warren Oil, fuel- 5469.50; Zieglers, parts- 376.74;
INSTITUTIONS: Beatrice State Dev Center, qtrly payment- 1932.00; Norfolk Regional Center, qtrly payment- 273.00;
VETERANS AID: Veterans Service Office, emergency relief- 900.00;
JUVENILE ACCOUNTABILITY: BI Inc, juvenile- 775.50; Amanda Jones, mileage- 31.05;
COMMUNITY JUSTICE GRANT: American Bio Medical, tests- 171.84;
PUBLIC SAFETY: City of SSC, sales tax- 2113.67; Jail Bond Fund, sales tax- 15500.23;
JAIL PROJECT FUND: Albenesius Contracting, utilities- 12151.00; DGR, engineering fees- 1137.71; GA Johnson, construction management- 26000.00; HMN Architects, jail- 73641.13; Jomac Contracting, earthwork- 11084.40; Lindblom, portable toilet- 86.00; Minute Man, statement- 471.22; Tindall Corp, cells- 18471.11;
WEED FUND: Bomgaars, parts- 15.29; Dakota County Star, ad- 102.00; Hubbard Mini-Mart, fuel- 361.50; Hubbard Post Office, postage- 75.00; Perkins, supplies- 35.04; Leon Pies, reimburse- 37.93; Sioux City Journal, ad- 52.70; Town and Country Power, repairs- 22.35;
E911: City of SSC, 911 monies- 23255.65;
ROLL CALL VOTE: O'Neill- Yea, Hartnett- Yea, Engel- Yea, Miller- Yea, Bousquet- Yea, UNANIMOUS MOTION CARRIED.

Pat Foust, LEC and Communications Director, appeared before the board requesting the county authorize expenditure over \$5,000 to proceed with GIS mapping. The total cost of the project is about \$31,500; the L.E.C. would pay licensing fees of \$10,500 with the state PSC paying the balance. The Contract is contingent upon PSC approval to funding.

Commissioner Miller moved, seconded by Commissioner Bousquet to authorize an expenditure of \$31,500 to proceed with GIS mapping pending contingent upon PSC approval to funding.
ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, Miller- Yea, Bousquet- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED.

Commissioners Bousquet and O'Neill stepped out of the meeting at 3:18 p.m.

Commissioner Hartnett moved, seconded by Commissioner Engel to approve the minutes of August 29, 2005 as typed and to correct the minutes of September 12, 2005 to read that the County Budget and 1% increase on the restricted funds was tabled instead of being approved and to show Commissioner Miller absent instead of voting yea on the motion to accept Bid Projects 4, 5, 7 and 11.
ROLL CALL VOTE: Engel- Yea, Miller- Yea, Bousquet- Absent, O'Neill- Absent, Hartnett- Yea, UNANIMOUS MOTION CARRIED.

Commissioner Bousquet rejoined the meeting at 3:25 p.m.
Commissioner O'Neill rejoined the meeting at 3:27 p.m.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to convene into Closed Executive Session to discuss personnel.
ROLL CALL VOTE: Miller- Yea, Bousquet- Yea, O'Neill- Yea, Hartnett- Yea, Engel- Yea, UNANIMOUS MOTION CARRIED 3:35 p.m.

Commissioner Hartnett moved, seconded by Commissioner Bousquet to reconvene into Open Session.
ROLL CALL VOTE: Hartnett- Yea, Engel- Yea, Miller- Yea, Bousquet- Yea, O'Neill- Yea, UNANIMOUS MOTION CARRIED 3:52 p.m.

Chair Engel adjourned their meeting at 3:52 p.m.

DAKOTA COUNTY COMMISSIONERS

William F. Engel, Chair

ATTEST

Theodore A. Piepho, County Clerk