

DAKOTA COUNTY BOARD OF COMMISSIONERS
DECEMBER 5, 2005 PROCEEDINGS
BASEMENT MEETING ROOM
COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

Chair Engel called their regular scheduled meeting to order at 1:30 p.m.

Present were: Commissioners Bousquet, Engel, O'Neill, Hartnett and Ted Piepho, Secretary.
Absent: Commissioner Miller.

Bill Rohde, Dakota County's Director of Roads, appeared before the board and asked them to approve a Right-of-Way Certificate for the Knox Blvd. Paving Project C-22(210).
Commissioner Hartnett moved, seconded by Commissioner Bousquet to approve the RIGHT OF WAY CERTIFICATE FOR COUNTY OR CITY FEDERAL AID HIGHWAY PROJECT C-22(210) Paving Project for Knox Blvd. as follows:

RIGHT OF WAY CERTIFICATE
FOR COUNTY OR CITY FEDERAL AID HIGHWAY PROJECT

NAME OF PROJECT: Dakota County Knox Boulevard C-22(210)

DESCRIPTION OF PROJECT: Roadway Paving

This is to certify that the necessary right-of-way for said project has all been acquired in compliance with the provisions of Title III of the UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT of 1970.

All encroachments including improvements and signs Have been removed from the right-of-way or provisions Have been made for their removal by January 1, 2006.

All necessary moving, lowering or rearranging of pipelines, pole lines and other utility lines have been completed or provisions made for such work to be completed by January 1, 2006.

Relocation assistance was not required for this project.

If relocation assistance was required the necessary action to comply with Title II of the UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT of 1970 has been performed by the State of Nebraska, Department of Roads. Relocation Assistance personnel and certified accordingly.

The right-of-way is now available for immediate construction and it is recommended that said project be advanced to letting stage.

DATED this 5th day of December, 2005.

COUNTY OF DAKOTA, NEBRASKA

ATTEST

CERTIFIED BY:

\s\ Theodore A. Piepho
Theodore Piepho
County Clerk

\s\ William F. Engel
Title: Chairman,
County Board of Commissioners

I, Theodore A. Piepho, County Clerk, in and for the County of Dakota, hereby certify that the Chair of the County Board of Commissioners duly signed said document upon passage and authorization by the Dakota County Board of Commissioners.

If there are any exceptions, list and explain fully on additional page.

If there are encroachments, list on additional page.

I, Theodore A. Piepho, County Clerk, in and for the County of Dakota, hereby certify that there were no exceptions or encroachments attached to this document.

\s\ Theodore A. Piepho

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

Mr. Rohde discussed to discontinue the County's Compensation time off policy, which is to pay overtime for overtime hours rather than allowing compensation hours to accumulate, and to authorize comp. hours to accumulate up to a maximum of 80 hours, but they must be used by the next calendar year in which they were earned.

Commissioner O'Neill remarked that we have a policy of not authorizing comp. Time and she would like to keep it. She added that we just had a situation where comp time was not a good situation.

There was discussion and that discussion that it might be ok if the county would limit a maximum of 80 hours accumulation.

The County Clerk reminded that county board that the reason for discontinuing Comp time was because when Richard McNear retired it allowed him to stay on the payroll for an extra three or four months costing the county to pay his health insurance for that time, which was equivalent to 1500 to 2000 dollars. That is as much as a value of \$4.00 an hour or more.

The County Clerk and Boards Assistant advised the board that the Union Contract states if the county authorizes comp. time the Road Employees can accumulate up to 480 hours and, in their opinion, the county board cannot change the contract without opening up the contract through normal union negotiation channels.

Commissioner Hartnett moved, seconded by Commissioner Engel to authorize the Road Department to accumulate up to 80 hours comp time in lieu of paying immediate overtime.

ROLL CALL VOTE: Bousquet- NO, O'Neill- NO, Hartnett- Yea, Engel- Yea, Miller- Absent, MOTION FAILED.

Mr. Rohde said that he was going to check with the City of Dakota City, to see if they can provide the county with snow removal. He said that with the construction going on that it was not worth their time to come into town from Hubbard to remove the snow, especially for light snow falls.

Sandy Beers appeared before the board to request the board to purchase three sheriff's cars. He had solicited inventories and prices from various dealers.

With the County Attorney present, he was asked if this was a sealed bid situation.

Mr. Matney said that he felt it was because the total purchase amount is over \$20,000 and said that you could not break a bid up to circumvent the bid process.

Mr. Matney, County Attorney, appeared before the board to inform them that the District Judge wanted some law books brought up to date and the would be \$7,540. He added that this would be a lot cheaper than the internet software than the county had before.

Commissioner Bousquet moved, seconded by Commissioner O'Neill to authorize and direct the County Attorney to update the law library books as described and pay the dues to keep them current.

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

Ron Rapp appeared before the board to inform them that there would not be a rate increase in the County's long term Compensation for it's employees would not have a rate increase.

The board reviewed the Human Society Agreement as follows:

SIOUXLAND HUMANE SOCIETY, INC.
AGREEMENT WITH THE
COUNTY OF DAKOTA COUNTY, NEBRASKA

This Agreement effective the 5th day of December, 2005 is entered into by and between the SIOUXLAND HUMANE SOCIETY, INC. (hereinafter "SHS"), and the COUNTY OF DAKOTA, state of Nebraska (hereinafter "County").

WHEREAS, SHS is a nonprofit corporation which maintains facilities for humane shelter, care and disposal of dogs, cats and other animals; and

WHEREAS, the County has certain responsibilities to enforce its Resolutions and state laws pertaining to stray or unleashed animals; and

WHEREAS, the County wishes to use the services and facilities of SHS, from time to time, to assist the County in the enforcement of said ordinances and state laws and in the humane treatment of animals.

IT IS THEREFORE AGREED as follows:

1. Impoundment. Upon delivery of any animal to SHS by any authorized representative of the County, SHS shall provide humane shelter services, including feeding and medical care and, if necessary, isolation, for a period of at least three (3) days. If the animal has not been retrieved by its rightful owner by the end of such period, the animal shall be disposed of as determined by SHS, in its sole discretion.

2. Authorized Representative. For purposes of this Agreement, an authorized representative of the County shall mean any sheriff or sheriffs deputy, any police officer, any animal control officer or any person authorized by telephone by County personnel.

3. Fees for Services. SHS shall be paid the following fees for its services:
a. For each animal brought to the shelter, an incoming fee of \$10.00;
b. For housing each animal, \$7.00 per day, for a maximum period of 4 days. (In accordance with SHS policy, each animal will be held for a minimum of three (3) days for a minimum housing fee of \$18.00.

4. Responsibility for Fees.
a. In the event the rightful owner of the animal retrieves the animal from SHS, all fees shall be collected from the owner prior to release of the animal. In addition, SHS reserves the right to charge additional fees to such owner. SHS shall make a report to the County of all animals retrieved by their owners.

b. In the event the rightful owner does not retrieve the animal within 4 days, the County shall be responsible for such fees upon submission of an itemized statement from SHS. Fees are due within ten (10) days of billing.

5. Animals Captured or Impounded by County- The County agrees to turn over to SHS for adoption or disposal any animals impounded by the County which are not claimed by the rightful owner within the time period provided by County Resolution.

6. Right to Euthanize. Notwithstanding any minimum holding period provided herein, SHS reserves the right to euthanize at any time any animal which SHS determines, in its sole discretion, is suffering needlessly and will not benefit from medical treatment.

7. Hold Harmless. The County agrees to hold SHS and its employees, volunteers and directors harmless from any right, demand, claim or cause of action arising from any wrongful receipt, impounding or disposition of any animal which is sheltered, retrieved, euthanized or disposed of under this Agreement, so long as SHS complies with the terms of this Agreement.

8. Representations. The County represents that it has been duly authorized to enter into this agreement by the proper body and that the person executing the same on behalf of the County is authorized to do so. SHS represents that it has been duly authorized to enter into this agreement by its board of directors.

9. Term of Agreement. This agreement shall remain in force until properly terminated by either party. Termination shall be effected by either party giving written notice to the other at least thirty (30) days prior to the date of termination. For the purpose of giving notice, the addresses of the parties stated below are sufficient until such time as a party notifies the other of a change in address,

SIouxLAND HUMANE SOCIETY, INC. COUNTY OF DAKOTA

By: _____
Executive Director

By: _____
Chairperson, County Board

Signed: _____, 2005
Date

Signed: _____, 2005
ATTEST: Date

Theodore A. Piepho,
County Clerk

Address:
1665 18th Street
Sioux City, Iowa

Address:
Dakota County Board of Commissioners
%Dakota County Clerk
P.O. Box 39
Dakota City, NE 68731-0039

Commissioner Hartnett moved, seconded by Commissioner O'Neill to approve the Humane Society Agreement as follows authorizing the Siouxland Humane Society shall provide humane shelter services, including feeding and medical care and, if necessary, isolation, for a period of at least three (3) days. If the animal has not been retrieved by its rightful owner by the end of such period, the animal shall be disposed of as determined by SHS, in its sole discretion.

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

Payroll paid: COUNTY GENERAL FUND: Gross salaries- \$89,816.83, General Fund Employees Net Pay- \$61,729.09, Employer deductions paid: Retirement- 5,828.88, Retirement Makeup- 34.44, Social Security Tax- 5,416.16, Medicare- 1,266.69, DC Health Plan- 16,090.14, DC Dental Plan- 623.70, Life Insurance- 141.63.

Richard Bousquet- 495.95, William Engel- 520.95, Jackie Hartnett- 495.95, Pamela Miller- 495.95, Betty O'Neill- 495.95, Nanci Walsh- 1230.77, Daniel Christoffers- 364.60, Bobbi Jo Harsma- 891.25, Theodore Piepho- 1450.04, Joan Spencer- 1077.64, Darlene Davis- 827.20, Robert Giese- 1450.04, Ruth Gillaspie- 1098.18, Jolene Heinemann- 885.60, Kimberly Kuehl- 827.20, Phyllis Ridge- 908.00, Lyn Beltz- 320.00, Mark J. Dorcey- 556.29, Margaret Rahn- 1098.18, Daniel Christoffers- 378.80, Dennis Reinert- 192.31, Lynette Beermann- 1450.04,

Michelle Criss- 792.80, Carol Dunham- 1055.94, Joe Flynn- 1600.00, Mary Gamble- 981.60, Bryan Smith Jr- 1849.19, Dustin Kinsey- 804.80, Richard Jensen- 1283.09, Duane Kotalik- 1230.40, Tammy Dunn-Peterson- 743.05, Jeremy Bermel- 2593.97, Anthony Bos- 1667.57, Brad Claypool- 2210.65, Sandy Dickens- 1030.08, Brian Ellinger- 2239.30, Todd Hammer- 2175.36, Melvin Harrison III- 2269.96, Rodney Herron- 1932.00, Kimberly Johnson- 409.64, Jared Junge- 2326.47, Michael Kreegar- 2109.03, Gayle Richards- 767.20, Kevin Rohde- 1907.36, James Wagner- 1813.63, Randall Walsh- 2371.10, Rita Chase- 984.00, Amber Hegarty- 1692.31, Aimee Kennedy- 826.40, Edward Matney III- 2346.03, Debra Schmiedt- 1961.54, Bobbi Strong- 826.40, Kimberly Watson- 1538.46, Amanda Jones- 1098.47, Rebecca Broer- 1809.08, Richard Criss- 1613.26, Eric Davis- 1157.00, Penny Epting- 1921.50, Ronald Fink Jr.- 1332.50, John Gilles- 1214.10, Alma Gunderson- 1646.75, Paula Harrigfeld- 610.20, Brenda Harrison- 223.13, Cathy Harsma- 1454.63, Joseph Ramirez- 1542.38, Krystal Ramirez- 1675.00, Linda Schovanec- 1231.06, Randall Crombie- 115.39, Jolene Gubbels- 522.63, Leon Pies- 550.80, Pamela DeVries- 1454.50, Gloria Dwyer- 890.41, Patricia Glover- 961.97, Alan Boyd- 941.85.

GENERAL FUND: Employee withholding paid to: Federal- 9,567.37, State- 3,333.42, Social Security Tax- 5,416.16, Medicare- 1,266.69, Retirement- 3,977.68, Retirement Makeup- 24.44, DC Health Plan- 1,167.86, DC Dental Plan- 381.95, Colonial Health- 35.20, Sheriff Union Dues- 80.00, Deferred Comp- 660.78, Garnishments- 1,211.02, Aflac Health- 453.62, Aflac Life/Dsbl- 90.55, Aflac Flex Plan- 421.00.

COUNTY ROAD PAYROLL: Gross salaries- \$13,256.99, Road Employees Net Pay- \$9,381.96, Employer deductions paid: Retirement- 804.00, DC Health Plan- 2,925.48, DC Dental Plan- 113.40, Life Insurance- 22.94, Social Security Tax- 790.67, Medicare- 184.94.

Randall Crombie- 1113.60, Ronald Harder- 1121.15, Walter Heinemann- 1144.92, Richard Hoelsing- 1146.02, Robert Jacobsen- 1144.92, Fred Kellogg- 1147.06, Kimon Litras- 1140.82, Arnold Mellick- 1134.48, Marlan Millard- 1134.48, Leon Pies- 550.80, William Rohde- 1346.15, James Swanson- 1132.59.

ROAD FUND: Employee withholding paid to: Federal- 1,119.24, State- 412.05, Social Security- 790.67, Medicare- 184.94, Retirement- 535.99, DC Health Plan- 300.69, DC Dental Plan- 78.28, Reassure America Life- 9.76, Union Dues- 200.00, Deferred Comp.- 61.68, Aflac Health- 125.35, Aflac Life/Dsbl- 56.38.

COPS FAST GRANT: Gross salaries- 2,131.57, Cops Fast Employee Net Pay- 1,382.43, Employer deductions paid: Retirement- 165.20, DC Health Plan- 243.79, DC Dental Plan- 9.45, Life Insurance- 2.25, Social Security- 132.16, Medicare- 30.91, Brent Gilster- 2131.57.

COPS FAST GRANT: Employee withholding paid to: Federal- 353.39, State- 110.44, Social Security- 132.16, Medicare- 30.91, Retirement- 117.24, Sheriff Union Dues- 5.00.

Chair Engel Adjourned their meeting at 2:52 p.m

Dakota County Commissioners

William F. Engel, Chairman

ATTEST:

Theodore A. Piepho, County Clerk