Dakota County Board of Commissioners
Monday, January 10, 2011 Re-Organizational Meeting
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Acting Chair Bousquet called the Board's Re-Organizational Meeting to order at 4:12 p.m.
Present were: Commissioners Love, Bousquet, Rohde, McNear and Ted Piepho, County Clerk and Secretary. Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney were also present.
Absent: Commissioner Gomez.
The agenda for the meeting was as follows:

- Reorganization Meeting Called to Order.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call.

- Reorganization Agenda Items.
  - Nominations for Chairperson.
    - Motion for nominations to cease and Roll Call Vote.
    - Vote by secret ballot if more than one Commissioner was nominated.
  - Nominations for Vice-Chair.
    - Motion for nominations to cease and Roll Call Vote.
    - Vote by secret ballot if more than one Commissioner was nominated.

- Approve Minutes for meeting of December 27, 2010.

- Approve an Agreement with the County Sheriff and the Board of Corrections for the orderly operation of the Dakota County Correctional Facility from January, 2011 to January 2015.

- Consent Agenda Items.

  - Items listed are considered to be routine and may be enacted in a single motion. If a Board member or any person present desires discussion on any of these items, it will be removed from this section and separately considered. A motion is required to accept the items as part of the consent agenda and then a motion to approve the items on the consent agenda. Comments on the consent agenda may be offered by the Co-Chairman or Director prior to acceptance of the consent agenda.
    - Renew Employee Association Agreement.
    - Depositories and Securities – Designate holder of Dakota County Monies during 2011. ACTION: to designate the following banks as depositories for Dakota County with the maximum deposit being governed by securities pledged by each institution: First National Bank in Homer and the F&M Bank, Iowa-Nebraska State and the Siouxland National Bank, all in South Sioux City.
    - Commissioner Meetings – Designate when the Board will hold meetings throughout 2011. ACTION: to hold Commissioner's meetings every other Monday from today (the following Tuesday if Monday falls on a holiday) at 4:10 p.m. and BE IT FURTHER RESOLVED that at least one Board Member review the claims prior to the board meeting in which vendor claims are approved.
    - Courthouse Hours – Designate the hours of the courthouse for Calendar Year 2011. ACTION: to retain the present courthouse hours opening at 8:00 a.m. and closing at 4:30 p.m. Monday through Friday except for Holidays, as provided in the Employee Handbook or contracts governing other employees.
    - Designate the Legal Newspaper of County. ACTION: to appoint the Dakota County Star as the legal newspaper of the county for the calendar year 2011.
    - Declare the Work Hours, Holidays and Early Closings M-F Schedule. ACTION: to adopt work hours, holidays and early closings as identified in the Employee Handbook and/or labor agreements.
    - Approve policy for Opening and Closing of Graves. ACTION: to adopt the Burial Policy as adopted September 19, 1989 and revised January 7, 2002.
    - Designate County Government Day as 1st Wednesday in October.
    - Department Heads Appointments/Reappointments. These positions were appointed until their duties are terminated. The Board affirms that they continue in their capacities until their duties be terminated.
    - Veteran Service Officer – Willard Johnston.
    - Highway Superintendent – Chad Kehrt with Olsson Associates.
    - Planning and Zoning Administrator – Arnie Mellick is currently the appointed official.
    - Weed Superintendent – Leon Pies is currently the appointed official.
    - Emergency Management Director – Pat Foust is currently the appointed official.
    - Fred Kellogg – Dakota County Road Director

End of Consent Agenda

- Appointments of Advisors to Various Boards. 2010 Member/s
  - Area Agency for Aged Advisory Board Clara Woten
  - SIMPCO Bill McLarty
  - Region IV Mental Health Board Bill McLarty

o County Health Board	Richard McNear
o Region IV Developmental Disabilities	Bill McLarty
o R C & D	Tony Gomez
o Planning & Zoning	Rick Bousquet
o Golden Rod Hills	Bill Engel
o Area Agency on Aging Governing Board	Bill McLarty
o NE Nebraska Joint Housing Authority	Arnie Mellick

- Appointment Members to serve on Working Committees.

o Name of working committee	Present Member
o Economic Development	Rick Bousquet
o Dakota County Economic Development	Rick Bousquet
o Civil Defense/ (LEPC, PEP)	Bill Rohde
o Finance/Budget	Bill Rohde / Bill McLarty
o Legislative	Bill McLarty
o Personnel/Policies	Rick Bousquet / Bill McLarty
o Property/Space Utilization	Bill Rohde / Tony Gomez
o Road Committee	Bill Rohde / Dick McNear
o Safety	Bill Rohde / Dick McNear
o LEC	Tony Gomez/Rick Bousquet
o ADA	Rick Jensen / Dick McNear
o Recycling	Richard McNear
o Transportation	Bill Rohde
o Emergency Closings	Wagner / McLarty / Rohde
o Highway 35 Committee	Dick McNear / Tony Gomez
o Press Committee	Bill McLarty / Joan Spencer
o Storm Water Advisory Board	Rick Bousquet
o Storm Water Planning (working)	Rick Bousquet
o CJAC	Bill McLarty / Tony Gomez

- Review and Approve Accounts Payable and payroll claims per Employee Handbook.

- Leon Pies – Weed Supt. Explain Weed State Reports.
  - Motion to authorize to acknowledge Reports and to authorize the Chair to sign the reports.

- Haven House Family Services Center, Amber Popovitz – Requesting the County Board to express support of a grant request and commend and support the efforts put forth by Haven House in the reduction of Domestic Violence and sexual assault in Dakota County. Adopt Resolution 11C-001.

- Aaron Gilson – Introduction of the NACO Purchasing Card Program.
  - Power Point Teleconference call.
  - Approve all documents affiliated with the Purchasing Card Program and authorize the chair to sign all documents, if desired.
  - Authorize which departments to be issued cards, if desired.
  - Limit charges to cards issued through this program, if desired.

- Miscellaneous Agenda Items.
  - Official's Reports - County Clerk, Clerk of the District Court, Register of Deeds, Veteran's Service Officer, County Sheriff and Jail Administrator.
  - Approve Starcomm Operating Budget and authorize chair to sign.
  - Quarterly Jail Tour.

- Tabled items – Action on the Letter from Thurston County Board of Supervisors requesting rent from Dakota County for storage of maintainer. 11-29-10.

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

Commissioner Rohde moved, seconded by Commissioner McNear to excuse Commissioner Gomez for his absence.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Absent, and Love- Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the agenda item "Nominations for Chair".
Commissioner Rohde nominated Commissioner Richard (Rick) Bousquet to serve as Chair for the 2011 Board of Commissioners and moved that nominations cease and that the secretary cast a unanimous ballot for Commissioner Bousquet to serve as the Board's 2011 Chairman. Commissioner McNear seconded the nomination and motion.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Absent, Love- Yea and Bousquet- Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the agenda item "Nominations for Vice Chair".

Commissioner Bousquet nominated Commissioner William B. Rohde to serve as Vice Chair for the 2011 Board of Commissioners and moved that nominations cease and that the secretary cast a unanimous ballot for Commissioner Rohde to serve as the Board's 2011 Vice Chairman. Commissioner McNear seconded the nomination and motion.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Absent, Love- Yea and Bousquet- Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Approve minutes for the December 27, 2011 Meeting".
Commissioner McNear moved, seconded by Commissioner Love to approve the minutes of the December 27, 2011 meeting as typed and prepared for the Official Record.
ROLL CALL VOTE: McNear- Yea, Gomez- Absent, Love- Yea, Bousquet- Yea and Rohde- Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Approve an Agreement with the County Sheriff and the Board of Corrections for the orderly operation of the Dakota County Correctional Facility from January, 2011 to January, 2015" and said that since action was postponed by the Board of Corrections until next month that this Board would do the same.

Chair Bousquet called for the consent agenda and informed the board that they could pass it, as is, or they could withdraw certain items from the consent agenda if they wanted to discuss them separately.

Commissioner Rohde asked if Fred Kellogg had gotten his Highway Superintendent's License and he was told that he has not.

Commissioner Rohde said that he liked a meeting start time of 4:00 p.m. and Commissioner Bouquet agreed.

Commissioner Love asked about extending the hours of the courthouse. A lengthy discussion was had and it was discussed to extend the closing of the courthouse be anywhere from 5 to 7 p.m.
Commissioner Love moved that they leave the courthouse hours as is. There was no second.

Chair Bousquet called for a motion to leave the consent agenda.
Commissioner McNear moved, seconded by Commissioner Love to leave the Consent Agenda as it is right now (presented on the agenda).
ROLL CALL VOTE: McNear- Yea, Gomez- Absent, Love- Yea, Bousquet- Yea and Rohde- Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Appointments of Advisors to Various Boards".
The Board Member volunteered for appointments to the various boards, as follows:

Area Agency for Aged Advisory Board	Clara Woten (2013)
SIMPCO	Commissioner Rohde
Region IV Mental Health Board	Commissioner Bousquet
County Health Board	Commissioner McNear
Region IV Developmental Disabilities	Commissioner Love
R C & D	Commissioner McNear
Planning & Zoning	Commissioner Gomez
Golden Rod Hills	Bill Engel
Area Agency on Aging Governing Board	Commissioner McNear and Commissioner Love alternate.
NE Nebraska Joint Housing Authority	Arnold Mellick

Chair Bousquet called for the Agenda Item "Appointment Members to serve on Working Committees."

Name of working committee	
Economic Development	Commissioner Bousquet
Dakota County Economic Development	Commissioner Bousquet
Civil Defense/ (LEPC, PEP)	Commissioner Rohde
Finance/Budget	Commissioners Rohde & Love
Legislative	Commissioner Gomez & Sally Reinert
Personnel/Policies	Commissioners Bousquet & Love
Property/Space Utilization	Commissioners Rohde & Bousquet
Road Committee	Commissioners McNear & Love
Safety	Commissioners Rohde & McNear
LEC	Commissioners Gomez & Bousquet
ADA	Rick Jensen & Commissioner McNear
Recycling (KNNB)	Commissioner McNear
Transportation	Commissioner Rohde
Emergency Closings	Kleinberg, Bousquet & Rohde
Highway 35 Committee	Commissioners McNear & Gomez
Press Committee	Commissioner Love & Joan Spencer
Storm Water Advisory Board	Commissioner Bousquet
Storm Water Planning (working)	Commissioner Bousquet
CJAC	Commissioners Love & Gomez
Cardinal Connection (New)	Commissioner Love
Merit Commission	Commissioner Bousquet

Aaron Gilson called into the Board Meeting at approximately 4:44 and Chair Bousquet called for the Agenda Item "Aaron Gilson – Introduction of the NACO Purchasing Card Program - present a power

point demonstration on purchase cards for the county." Aaron Gilson presented information about the NACO Purchasing Card via teleconference with each commissioner having a printed hand out.
Commissioner Rohde moved, seconded by Commissioner McNear to approve the US Bank Purchasing Card Program and authorize the Chair to sign all documents affiliated with implementing said program.
ROLL CALL VOTE: Gomez- Absent, Love- Yea, Bousquet- Yea, Rohde- Yea and McNear- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Love to authorize all departments to be eligible for applying for purchase cards through US Bank and that Joan Spencer is the administrator in charge of said cards.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Absent, and Love- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for a motion that the appointments of advisors to Various Boards and members to serve on Working Committees be as agreed to by the board members before the call by Aaron Gilson.

Commissioner Rohde moved, seconded by Commissioner McNear to appoint members to the Various Boards and Working Committees as decided by the members of the Board, as shown above.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Absent, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Review and Approve Accounts Payable and payroll claims per Employee Handbook." Commissioner Bousquet said that they have the payroll claims here and that he reviewed them and they look ok.
Commissioner McNear moved, seconded by Commission Bousquet to approve the payroll claims per Employee Handbook, as follows:
COUNTY GENERAL FUND: Gross salaries- $136,619.81, General Fund Employees Net Pay- $97,621.56, Employer deductions paid: Retirement- $9,571.09, FICA- $8,306.64, Medicare- $1,942.70, DC Health Plan- $28,450.00, DC Dental Plan- $1,020.84 and Life Insurance- $207.78, Principal Mutual Life Insurance-.
Richard Bousquet- 621.39, Antonio Gomez- 598.14, Richard McNear- 598.14, William Rohde- 598.14, Joan Spencer- 1348.48, Daniel Christoffers- 584.00, Theodore Piepho- 1748.24, Mary C. Wiltgen- 846.00, Marisol Curiel- 982.40, Darlene Davis- 953.60, Robert Giese- 1748.24, Ruth Gillaspie- 1266.78, Jolene Heinemann- 1020.80, Phyllis Ridge- 948.30, Tracey Rysavy- 831.64, Cherie Conley- 960.00, Margaret Rahn- 1254.42, Daniel Christoffers- 649.70, Arnold Mellick- 221.67, Guadalupe Kennedy- 1287.45, Phyllis Obermeyer- 1748.24, Cheryl Perkins- 235.42, Zachary Gerth- 1608.46, Debra Jensen- 1119.20, John Loos, Jr.- 2186.68, Richard Jensen- 1618.84, Duane Kotalik- 1384.00, Tammy Dunn-Peterson- 935.20, Jeremy Bermel- 1672.80, Anthony Bos- 2375.55, Timothy Decker- 380.78, Sandy Dickens- 487.04, Brian Ellinger- 1991.93, Michael Estes- 1702.33, Brent Gilster- 2395.24, Todd Hammer- 2055.52, Melvin Harrison III- 2328.42, Rodney Herron- 6490.10, Jason James- 1984.53, Kimberly Johnson- 408.29, Jared Junge- 1693.71, Christopher Kleinberg- 1923.25, Penny Kleinberg- 2654.81, Michael Kreegar- 1696.20, Gary Powell- 0, Gayle Richards- 914.40, Kevin Rohde- 1775.88, Randall Walsh- 1802.64, Bridget Fiedler- 837.00, Kerry Johnson- 949.60, Sara Niles- 1807.69, Peter Parry- 1730.77, Debra Schmiedt- 2450.42, Aimee Uhl- 1135.20, Kimberly Watson- 2828.55, Caterina Chapman- 1230.22, Jacob Acero- 1375.41, Ermelinda Ballesteros- 1527.68, Mason Billings- 1350.08, Joshua Blatchford- 1347.09, Rebecca Broer- 1678.43, Sandy Dickens- 890.37, Marjorie Donahue- 1455.63, Lisa Ford- 1282.34, Robert Foster- 1526.34, Ryan Foster- 1245.53, Linda Frost- 856.80, Alma Gunderson- 1522.80, Amber Hamman- 772.19, Paula Harrigfeld- 0, Cathy Harsma- 1532.36, Deanna Haukap- 1465.69, Jeffrey Heitzman- 1380.99, Adam Hough- 1468.76, Michael Jacobson- 1364.50, Brett Johnson- 1500.85, Nicholas Kellen- 1330.86, Brenda Kelly- 1310.48, Terry Kern- 1947.12, Keith Klein- 1430.66, James Kleinberg- 1364.50, Mark Nelson- 1433.65, Travis Olander- 1454.04, Kimberly Peterson- 1426.85, Doyle Pilgrim- 1028.00, Daniel Rodasky- 1469.57, Cody Roeber- 1440.20, Jutharatana Ruenprom- 1615.18, Timothy Ryan- 1364.50, Linda Schovanec- 1358.40, Francis Tope- 1474.80, Jewel Williams- 1469.57, Matthew Wise- 1253.49, Cara Wood- 1510.20, Jolene Gubbels- 1049.60, Leon Pies- 659.20, Pamela DeVries- 1677.82, Bonnie Kahler- 752.70, Shirley Voss- , Willard Johnston- 1050.00.
GENERAL FUND: Employee withholding paid to: Federal- $14,367.79, State- $4,869.56, FICA- $5,627.14, Medicare- $1,942.70, Retirement- $6,497.17, Health Plan- $825.00, DC Dental Plan- $483.00, $, Sheriff Union Dues- $330.00, Deferred Comp- $332.00, Garnishments- $2,208.98, Aflac Health- $465.50, Aflac Life/Dsbl- $181.92 and Flex Plan Medical- $659.08, Flex Plan Dependant Care- $208.41.
COUNTY ROAD PAYROLL: Gross salaries- $15,093.14, Road Employees Net Pay- $10,640.34, Employer deductions paid: Retirement- $1,018.83, DC Health Plan- $3,600.00, DC Dental Plan- $130.32, Life Insurance- $24.30, FICA- $913.43, and Medicare- $213.63, Principal Mutual Life Insurance-.
Brent Byroad- 1375.20, Robert Hacker- 1295.20, Ronald Harder- 1303.20, Hans Houfek- 1295.20, Robert Jacobsen- 1278.90, Fred Kellogg- 1697.44, Arnold Mellick- 1311.20, Dean Pallas- 1295.20, Willie Peters II- 1295.20, Leon Pies- 608.00, Kip Reinbold- 1295.20, James Swanson- 1043.20.
ROAD FUND: Employee withholding paid to: Federal- $1,413.56, State- $492.53, FICA- $618.79, Medicare- $213.63, Retirement- $679.15, DC Health Plan-, DC Dental Plan- $126.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $448.55, Aflac Health- $174.30, Aflac Life/Dsbl- $39.73, Flex Plan Medical- $60.00 and Union Dues- $120.00.
ROLL CALL VOTE: McNear- Yea, Gomez- Absent, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

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

Leon Pies presented his Annual Weed Report to the Board.
Commissioner Rohde moved, seconded by Commissioner Love to acknowledge receipt of and approve the Annual Weed Report, as presented by Mr. Pies and to authorize the chair to sign as needed.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Absent, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Haven House Family Services Center, Amber Popovitz – Requesting the County Board to express support of a grant request and commend and support the efforts put forth by Haven House in the reduction of Domestic Violence and sexual assault in Dakota County".
Amber Popovitz appeared before the board and provided information about Haven House Family Services and asked the Board to pass Resolution 11C-001 as follows:

RESOLUTION 11C-001

BE IT RESOLVED BY THE BOARD OF DAKOTA COUNTY COMMISSIONERS THAT on this 10th day of January, 2011, that we the undersigned duly elected Commissioners of Dakota County hereby find as follows:

1. Haven House Family Services Center, a non-profit corporation incorporated under the laws of Nebraska in 1979 has provided services in the area of domestic violence and sexual assault in Northeastern Nebraska including Dakota County.

2. In 1997, Haven House entered into collaborative efforts and grant requests to provide increased levels of services to Dakota County residents.

3. That in October 1998 these collaborative efforts resulted in the receipt of a grant to form the Dakota County Community Coordinated Response Team.

4. That in order to continue the services and programs created by these efforts Haven House has prepared for submission, a grant request to the Nebraska Crime Commission for funds available under the Violence Against Women Act.

THEREFORE, BE IT RESOLVED THAT THE UNDERSIGNED COMMISSIONERS HEREBY EXPRESS SUPPORT OF THIS GRANT REQUEST AND COMMEND AND SUPPORT THE EFFORTS PUT FORTH IN THE REDUCTION OF DOMESTIC VIOLENCE AND SEXUAL ASSAULT IN OUR COUNTY.

Dated this 10th day of January, 2011.

_____ _____
Commissioner Rick Bousquet Commissioner William B. Rohde

_____ _____
Commissioner Richard McNear Commissioner Antonio Gomez

ATTEST

_____
Commissioner Scott Love

_____
County Clerk

Commissioner Rohde moved, seconded by Commissioner McNear to adopt Resolution 11C- 001, as presented, expressing that the Commissioners hereby express support of Haven House Family Services Grant Request to the Nebraska Crime Commission for funds available under the Violence Against Women Act and that the Board commends and supports the efforts put forth in the reduction of domestic violence and sexual assault in Dakota County.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Absent, and Love- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Official's Reports - County Clerk, Clerk of the District Court, Register of Deeds, Veteran's Service Officer, County Sheriff and Jail Administrator."
Bill Johnston gave a verbal report and that was that he is no longer writing checks, but issuing vouchers instead and that he had $2,200 left at the end of the last quarter.

Chair Bousquet called for the Agenda Item "Approve Starcomm Operating Budget and authorize chair to sign."
Pat Foust, LEC Emergency Director, said that the Starcomm Budget that runs from July 1, 2011 through June 30, 2012, will increase by $6,195. He said that his budget runs from October 1 through September 30, so this will only affect two or three months of his budget. He continued that he would not need an adjustment for this fiscal year, but would need one for next fiscal year. He said that they are looking at going from 36,200 to about 42,000. He said that they do not have a lot of options because if they drop out of Starcomm they lose their Public Safety Radio System. This increase is due to upgrading the radio system, which affects our maintenance cost contract. He asked the Commissioners to accept the increase.
Commissioner Rohde moved, seconded by Commissioner McNear to accept the $6,195 increase in the Starcomm budget.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Absent, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet continued the Officials Reports.
Commissioner McNear moved, seconded by Commissioner Love to acknowledge receipt of and approve the Officials Reports filed with the County Clerk by the County Clerk, Register of Deeds and the Clerk of the District Court for the months of October, November and December, 2010. Be it further resolved to acknowledge receipt of and approve the County Sheriff's, Jail Administrator's and the County Clerk's Quarterly Reports for the months of October 1 through December 31, 2010 and; Finally, be it resolved to acknowledge receipt of and approve the Veteran's Service Officer First Quarter's Report for July through and including September, 2010.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Absent, and Love- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner McNear to take from the table the Agenda Item "Tabled items – Action on the Letter from Thurston County Board of Supervisors requesting rent from Dakota County for storage of maintainer."
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Absent, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner McNear to approve a rental agreement with Thurston County to furnish Dakota County shed space to store the motor grader, which is based in Emerson, for six months at $200.00 a month. The Agreement follows:

RENTAL AGREEMENT FOR SHED SPACE

This agreement is entered into this _____ day of January, 2011, by and between the Thurston County Board of Supervisors ("Thurston County"), whose address, for the purpose of this agreement, is Thurston County Courthouse, 106 5th St., Pender, Nebraska, 68047, and the Dakota County Board of Commissioners ("Dakota County"), whose address, for the purpose of this agreement, is 1601 Broadway Street, P.O. Box 338, Dakota City, Nebraska, 68731.

The parties agree as follows:

1. **PREMISES**. Dakota County agrees to rent the Thurston County Shop located at 1162 Dakota Street, Emerson, Nebraska, 68733, situated in Thurston County, Nebraska.

2. **TERM**. This agreement shall begin on the _____ day of January, 2011, and terminate upon seven (7) days' written notice by either party at the address listed in the first paragraph of this agreement.

3. **RENT**. Dakota County agrees to pay Thurston County as rent $200.00 per month for the months of January, February, March, April, November, and December, commencing on the _____ day of _____, 2011, and due on the _____ day of the above-listed months during the term of this agreement.

All sums shall be paid to Thurston County at the address listed in the first paragraph of this agreement, or at such other place as Thurston County may designate in writing.

4. **INSURANCE**.

(a) Thurston County and Dakota County agree to insure their respective real and personal property. To the extent permitted by their policies, Thurston County and Dakota County waive all rights of recovery against each other.

(b) Dakota County will not do or omit the doing of any act that would invalidate any insurance or increase the insurance rates that Thurston County has in force on the premises.

(c) Thurston County will not do or omit the doing of any act that would invalidate any insurance or increase the insurance rates that Dakota County has in force on its property.

5. **TERMINATION**. This lease may be terminated at the option of either party. Such termination shall be effected by notice of one party to the other. Within seven (7) days after such notice, in writing, has been deposited in the U.S. Mail as listed in section 6, both parties shall thereafter be released from all future obligations of this agreement.

6. **NOTICES AND DEMANDS**. All notices shall be given to the parties hereto in writing at the addresses designated unless either party notifies the other in writing of a different address. Without prejudice to any other method of notifying a party or making a demand or other communication, such notice shall be considered given under the terms of this agreement when it is deposited in the U.S. Mail, registered or certified, properly addressed, return receipt requested, and postage prepaid.

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

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

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

Board Chair,	Board Chair,
Thurston County Board of Supervisors	Dakota County Board of Commissioners
_____	/s/ Rick Bousquet
_____	1-10-11
Date	Date

ATTEST
Theodore A. Piepho
THEODORE A. PIEPHO
COUNTY CLERK

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

Chair Bousquet called for the Agenda Item “Board Committee Reports” and there were none.
Chair Bousquet called for the Agenda Item “Board Member Reports” and there were none.
Chair Bousquet called for the Agenda Item “Public Comment” and there was none.
Chair Bousquet called for the Agenda Item “Mail and/or Emergency Business” and there was none.

Chair Bousquet called for the Agenda Item “Quarterly Jail Tour” at 5:36 p.m.
Commissioners Love, Rohde and McNear participated in the Jail tour with Joan Spencer acting as Secretary. Chair Bousquet remained in the Board Room to sign claims and documents with County Clerk Ted Piepho.

Commissioner McNear moved, seconded by Love to adjourn their meeting of January 10, 2011 at 5:55 p.m after inspecting the jail.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Absent, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

DAKOTA COUNTY SEAL NEBRASKA

County Board of Commissioners

_____

Rick Bousquet, Chair Date Chair signed

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, January 24, 2011
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called the Board's Regularly Scheduled Meeting to order at 4:10 p.m.
Present were: Commissioners Love, Bousquet, Rohde, McNear, Gomez and Ted Piepho, County Clerk and Secretary. Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney were also present.
Absent: None.
The agenda for the meeting was as follows:

- Call to Order with reciting the Pledge of Allegiance.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call.
  - Approve Minutes of prior meeting.
- Doug Goddard – Close Minimum Maintenance Road – This road lies in front of the residence at 2685 Inwood Road (former Jimmy Goddard Residence) and runs south ¼ mile and then west 1 mile.
- Alex O'Dell & Larry Albenesius are asking the County to accept Rotunda Way, which is a street in Rotunda Place Phase One.
  - If the County accepts the street, then it would be maintained by the County.
- Tony Gomez – Approve Special Designated Liquor License for rodeos held at the Old Crystal Lake on May 29, June 19, July 17, August 14, September 4 and September 18.
- Miscellaneous Agenda Items:
  - Approve Payroll Claims.
  - Approve Accounts Payable Claims.
  - Set date and time to hold a public hearing to amend Section 600.3 (7) of the Dakota County Zoning Ordinances to include rodeos.
  - Set date and time to hold a public hearing to amend Section 201 of the Dakota County Zoning Ordinances to include language making the County Zoning Regulations "GENDER" neutral.
  - Board approval for Chair to sign 2011 State County Aid Juvenile Justice Grant Application to continue the position of Community Corrections Officer.
  - County Board to acknowledge receipt of and approve the Semi-Annual Treasurer's Report.
- Tabled Items: No items on the table.
- Commissioner's Committee Reports.
- Commissioner's Member Reports.
- Public Comment.
- Mail and/or Emergency Business.
- Adjournment.

Chair Bousquet called for the Agenda Item "Approve minutes for the January 10, 2011 Meeting".
Commissioner McNear moved, seconded by Commissioner Gomez to approve the minutes of the January 10, 2011 meeting as typed and prepared for the Official Record.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Doug Goddard – Close Minimum Maintenance Road – This road lies in front of the residence at 2685 Inwood Road (former Jimmy Goddard Residence) and runs south ¼ mile and then west 1 mile".

Doug Goddard appeared before the Board and filed a Road Vacation or Abandonment Petition with ten signatures on it asking that Road 270 between K & L, Road 270 ½ between L & M and Road L ¾ be closed for the following reason or reasons; lack of maintenance, land owners need new fences, can't put in with erosion on road banks, security reason for farmsteads. They then state that this closing is pending on bridge work being done first.
There was discussion that Road 270 was a County Line Road and therefore Thurston would also have to address this in the same manner that Dakota County does.
Commissioner Rohde moved, seconded by Commissioner Love to refer the consideration of closing County Road 270th Street between K & L Avenues and between L & M Avenues and closing a stretch of ¾ of a mile south of L Avenue to the Road Committee and Dakota County's Highway Supt.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Alex O'Dell & Larry Albenesius are asking the County to accept Rotunda Way, which is a street in Rotunda Place Phase One.
  - If the County accepts the street, then it would be maintained by the County".

Larry Albenesius appeared before the Board and asked that the County accept Rottunda Way. After discussion, Gomez moved to accept the Street named Rottunda Way in Rottunda Place Addition, as a County Road. After further discussion it was felt that this street should be checked to make sure that

this street meets the minimum specifications to be a county road or street. Therefore, Gomez withdrew his motion.

Chair Bousquet called for the Agenda Item "Tony Gomez – Approve Special Designated Liquor License for rodeos held at the Old Crystal Lake on May 29, June 19, July 17, August 14, September 4 and September 18".

Commissioner Gomez vacated his seat and stepped up to the podium.
Mr. Gomez asked the board to approve a Special Designated Liquor License for events that he was sponsoring at the Old Crystal Lake for May 29 from 3 p.m. to 11:00 p.m., June 19, July 17 and August 14th from 3:00 o'clock p.m. to 10:00 o'clock p.m., September 4 from 3:00 o'clock p.m. to 11:00 o'clock p.m. and on September 18th from 12:00 noon to 8:00 o'clock p.m.

Commissioner Love moved, seconded by Commissioner McNear to approve a Special Designated Liquor License for events that Tony Gomez is sponsoring at the Old Crystal Lake on May 29 from 3 p.m. to 11:00 p.m., June 19, July 17 and August 14th from 3:00 o'clock p.m. to 10:00 o'clock p.m., September 4 from 3:00 o'clock p.m. to 11:00 o'clock p.m. and on September 18th from 12:00 noon to 8:00 o'clock p.m.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Approve Payroll Claims".
Commissioner McNear moved, seconded by Commissioner Gomez to approve the Payroll Claims submitted by the County Clerk, as follows:
COUNTY GENERAL FUND: Gross salaries- $135,699.84, General Fund Employees Net Pay- $97,121.23, Employer deductions paid: Retirement- $9,459.68, FICA- $8,207.83, Medicare- $1,919.57, DC Health Plan- $28,150.00, DC Dental Plan- $1,009.98 and Life Insurance- $205.56, Principal Mutual Life Insurance-.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1365.13, Daniel Christoffers- 584.00, Theodore Piepho- 1748.23, Mary C. Wiltgen- 988.48, Marisol Curiel- 957.84, Darlene Davis- 953.60, Robert Giese- 1748.23, Ruth Gillaspie- 1266.78, Jolene Heinemann- 1020.80, Phyllis Ridge- 909.06, Tracey Rysavy- 923.37, Cherie Conley- 960.00, Margaret Rahn- 4060.20, Daniel Christoffers- 638.75, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1212.46, Katherine Wiltgen- 100.00, Zachary Gerth- 1608.46, Debra Jensen- 1119.20, John Loos, Jr.- 2186.59, Richard Jensen- 1840.84, Duane Kotalik- 1384.00, Tammy Dunn-Peterson- 935.20, Jeremy Bermel- 3456.00, Anthony Bos- 1750.00, Timothy Decker- 1903.85, Sandy Dickens- 487.04, Brian Ellinger- 2028.26, Michael Estes- 1913.98, Brent Gilster- 2107.40, Todd Hammer- 1781.06, Melvin Harrison III- 1932.64, Jason James- 1946.90, Kimberly Johnson- 280.53, Jared Junge- 1672.80, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1901.80, Michael Kreegar- 1685.92, Gayle Richards- 914.40, Kevin Rohde- 2216.04, Randall Walsh- 1770.45, Bridget Fiedler- 948.00, Kerry Johnson- 937.73, Sara Niles- 1807.69, Peter Parry- 1730.77, Debra Schmiedt- 2450.42, Aimee Uhl- 1135.20, Kimberly Watson- 2828.48, Caterina Chapman- 1230.22, Jacob Acero- 1442.09, Ermelinda Ballesteros- 1633.20, Mason Billings- 1364.50, Joshua Blatchford- 1334.92, Rebecca Broer- 1513.71, Sandy Dickens- 907.49, Marjorie Donahue- 1402.50, Lisa Ford- 1455.73, Robert Foster- 1526.34, Ryan Foster- 1360.89, Linda Frost- 856.80, Alma Gunderson- 1541.19, Amber Hamman- 1244.33, Cathy Harsma- 1589.34, Deanna Haukap- 1465.57, Jeffrey Heitzman- 1442.09, Adam Hough- 1401.58, Michael Jacobson- 1350.08, Brett Johnson- 1414.65, Nicholas Kellen- 1345.07, Brenda Kelly- 1347.23, Terry Kern- 1971.15, Keith Klein- 1434.47, James Kleinberg- 1344.67, Mark Nelson- 1433.65, Travis Olander- 1465.69, Kimberly Peterson- 1438.28, Doyle Pilgrim- 1028.00, Daniel Rodasky- 1465.69, Cody Roeber- 1449.21, Jutharatana Ruenprom- 1622.94, Timothy Ryan- 1364.50, Linda Schovanec- 1409.34, Francis Tope- 1474.80, Jewel Williams- 1481.22, Matthew Wise- 1255.40, Cara Wood- 1693.72, Jolene Gubbels- 1049.60, Leon Pies- 659.20, Pamela DeVries- 1677.82, Bonnie Kahler- 752.70, Willard Johnston- 1050.00.
GENERAL FUND: Employee withholding paid to: Federal- $14,141.94, State- $4,893.88, FICA- $5,560.19, Medicare- $1,919.57, Retirement- $6,406.38, Health Plan- $1,225.00, DC Dental Plan- $546.00, Sheriff Union Dues- $330.00, Deferred Comp- $332.00, Garnishments- $1,497.48, Aflac Health- $465.53, Aflac Life/Dsbl- $181.95 and Flex Plan Medical- $870.36, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $18,298.68, Road Employees Net Pay- $12,862.60, Employer deductions paid: Retirement- $1,235.16, DC Health Plan- $3,600.00, DC Dental Plan- $130.32, Life Insurance- $24.30, FICA- $1,112.18, and Medicare- $260.12, Principal Mutual Life Insurance-.
Brent Byroad- 1642.83, Robert Hacker- 1314.40, Ronald Harder- 1512.58, Hans Houfek- 1314.40, Robert Jacobsen- 1430.20, Fred Kellogg- 3310.16, Arnold Mellick- 1542.48, Dean Pallas- 1314.40, Willie Peters II- 1440.35, Leon Pies- 659.20, Kip Reinbold- 1499.28, James Swanson- 1318.40.
ROAD FUND: Employee withholding paid to: Federal- $1,881.80, State- $682.14, FICA- $753.41, Medicare- $260.12, Retirement- $823.46, DC Health Plan-, DC Dental Plan- $126.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $448.55, Aflac Health- $174.31, Aflac Life/Dsbl- $39.73, Flex Plan Medical- $60.00 and Union Dues- $120.00.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Yea and McNear- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Approve Accounts Payable Claims".
Commissioner Gomez moved, seconded by Commissioner Rohde to approve the Accounts Payable Claims filed with the County Clerk and submitted by him for payment as follows:

GENERAL FUND: Holiday Inn, lodging- 315.00; Net Sys Plus, repair- 260.00; Verizon, phone- 33.73; Advance Auto Parts, parts/oil- 54.43; AZ Inc, fuel- 171.00; Fremont Tire, tires- 580.00; Holiday Inn, lodging- 210.00; Hubbard Minimart, fuel- 74.00; Nebraska Department of Agriculture, license- 90.00; Nebraska Weed Control Association, conference- 85.00; Leon Pies, workshop/phone- 40.00; Jan Brown, prior yrs- 23.08; Pam Devries, mileage- 244.00; Gloria Dwyer, prior yrs- 11.54; Pat Glover, hours- 220.00; Kids Love Stickers, stickers- 90.15; Lee Enterprises, publishing- 221.66; Perkins, supplies- 182.61; Dr Thomas Wente, physician fee- 250.00; Bill Johnston, mileage/phone- 284.37; Perkins, supplies- 5.31; Thomson West, service- 905.33; Shirley Bentz, prior yrs- 92.32; Cableone, internet- 169.96; Claritus, labels- 32.91; Cherie Conley, ymca membership- 19.50; Dakota City Postmaster, presort fee- 185.00; Fibercomm, phone- 1130.00; FSH Communication, payphone- 63.60; Lazette Gifford, website upkeep- 40.00; IBM Corp, maintenance- 218.58; Jared Junge, ymca membership- 19.50; Kingsbury Electronic Systems, speakers- 1229.00; Mailfinance, lease- 227.00; MIPS, support- 422.38; MIPS, support- 422.38; Net Sys Plus, Symantec renewal- 517.99; Norm Waitt YMCA, membership- 195.00; Betty O'Neill, prior yrs- 46.16; Region IV Inc, qtrly services- 5320.25; Joan Spencer, reimburse- 91.83; Madelyn Thorsland, prior yrs- 10.00; Three Rivers, flex admin- 90.00; US Postal Service, postage- 2500.00; City of SSC, phone/fuel- 3949.81; Dakota Food & Fuel, fuel- 1253.81; Electronic Engineering, service- 230.00; Frame Aligners, repair- 268.59; Fremont Tire, service/repair- 1268.69; Jacks Uniforms, uniforms/supplies- 1810.25; Joes Department Store, supplies- 14.33; MPH Industries, radar- 144.22; Nebraska Sheriffs Association, dues- 375.00; RACOM Corp, t1- 648.80; Siouxland Humane Soc, animal control- 46.00; South Sioux Towing, towing- 65.00; Verizon, phone- 215.11; Wal-Mart, food- 19.98; Watchguard Video, dvds- 212.00; Cartridge World, ink- 57.66; Dakota County Bar Assoc, dues- 100.00; Des Moines Stamp, stamps- 28.80; Dodge County Court, certified copies- 2.00; Iowa Office Supply, contract- 116.65; Madison County Court, certified copies- 1.75; New Perspectives, document destruction- 42.00; Pathology Medical Services, autopsy costs- 878.24; Peter Parry, phone- 20.00; Verizon, phone- 134.29; City of SSC, lec cost share- 31822.54; AJ Phillips, cards- 45.00; BI Inc, electric monitoring- 1240.55; Caterina Chapman, mileage- 16.16; Verizon, phone- 89.41; Amsan, supplies- 2424.33; Aramark, admin- 61.28; Bob Barker, supplies- 1598.37; Briggs, medical- 279.84; CBM Food Service, meals- 26818.62; City of Dakota City, utilities- 1096.76; Dakota Family Dentistry, medical- 423.00; Dakota Food & Fuel, fuel- 625.89; Dakota One Leasing Company, contract- 220.00; Dept of Correctional Services, safekeepers/medical- 1945.20; Sandy Dickens, mileage- 68.96; Marjorie Donahue, mileage- 43.94; Gill Hauling, service- 120.00; Amber Hamman, mileage- 39.69; JP Cooke Company, stamps- 31.64; Joes Department Store, supplies- 27.01; Kleen Solutions, supplies- 89.95; Mercy Medical Center, medical- 1277.16; Mercy Medical Services, medical- 318.40; MidAmerican Energy, utilities- 2747.01; Midwest Office Automation, contract- 140.39; NE Nebr Juvenile Services, boarding- 2955.00; NW Iowa Emerg Physicians, medical- 981.00; Net Sys Plus, repair/antivirus renewals- 753.99; Nebr Public Power Dist, utilities- 2273.40; Doyle Pilgrim, mileage- 5.10; St Luke's Dept of Lab Services, medical- 19.62; Siouxland Federal Credit Union, meals- 28.42; Siouxland Radiology Partners, medical- 293.25; Speedy Rooter, repair- 276.39; Stanard & Associates, tests- 627.50; Trembly Pest Control, service- 55.00; Verizon, phone- 193.56; Wal-Mart, supplies/prescriptions- 4727.68; Woodbury County Juvenile Det, boarding- 4800.00; Dakota County Star, publishing- 165.61; Gretchen Hirschbach, prior yrs- 69.24; NACO, workshop- 80.00; Perkins, supplies- 13.14; Daniel Rohde, prior yrs- 23.08; Oscar Stone, prior yrs- 23.08; Capital One, recorder- 19.99; Des Moines Stamp, stamps- 47.95; Eloise Gormally, prior yrs- 103.86; Midwest Office Automation, repair- 188.70; MIPS, forms- 213.46; Nebraska Assoc of County Clerks, dues- 75.00; NACO, handbooks- 178.05; Perkins, supplies- 115.33; Staples, supplies- 109.99; AS Central Service, lease- 65.00; Computer SOS, service- 59.25; Des Moines Stamp, supplies- 608.30; Charlotte Doenhoefer, prior yrs- 10.00; Dugan Business Forms, envelopes- 308.00; Robert H Giese, mileage/supplies/prior yrs- 231.15; Robert J Giese, lodging/mileage- 409.27; Ruth Jensen, prior yrs- 12.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; Capital One Visa, hard drive- 99.99; Des Moines Stamp, stamp- 26.70; Mark Dorcey, prior yrs- 46.16; Microfilm Imaging, lease- 240.00; Perkins, supplies- 11.45; Margie Rahn, prior yrs- 12.00; Election Systems & Software, ballot stock- 45.00; Security Shredding, service- 35.00; Dakota Business Systems, copier rental- 102.00; Deb Green, mileage/meeting- 64.00; Jolene Gubbels, minutes- 60.00; Holiday Inn, lodging- 210.00; Jim Jepsen, mileage/meeting- 16.00; Tom Lynch, mileage/meeting- 38.00; Arnie Mellick, phone- 30.00; Marlan Millard, mileage/meeting- 37.00; Donald Miller, mileage/meeting- 23.50; Harold Moes, mileage/meeting- 22.00; Joe O'Neill, mileage/meeting- 18.50; Des Moines Stamp, stamper- 55.00; Security Shredding, papers- 35.00; Nebraska Notary Assoc, renewal- 154.23; Tiffani Cain, contract labor- 320.00; Net Sys Plus, computer restoration- 40.00; Marian Richards, contract labor- 880.00; AS Central Services, supplies- 302.33; Dakota Business Systems, equipment- 99.00; Des Moines Stamp, stamp- 14.70; Paula Jensen, reimburse- 24.04; Microfilm Imaging Systems, scanning- 100.50; New Perspectives, shredding- 24.00; Kurt Rager, reimburse- 62.00; William Binkard, postage- 25.67; Dakota County Bar Assoc, dues- 50.00; Cartridge World, toner- 433.96; Perkins, supplies- 109.69; Workine Chage, witness fee/mileage- 98.00; Matthew Connealy, court appointed counsel- 390.00; Dakota County Court, court costs- 1473.25; Randy Hisey, court appointed counsel- 1842.00; Stuart Mills, court appointed counsel- 195.00; Douglas Roehrich, court appointed counsel- 536.24; Richard Thramer, court appointed counsel- 641.64; Patrick Tott, court appointed counsel- 1668.00; Abdi Yousuf, witness fee/mileage- 25.00; Dakota County Sheriff, papers/warrants- 565.10; Clerk of the Supreme Court, filing fee- 125.00; District Court, court costs- 210.00; Lincoln County Sheriff, subpoena- 20.66; Stuart Mills, court appointed counsel- 1237.50; MIPS, scanning- 87.00; Michael Schmiedt, court appointed counsel- 75.00; Patrick Tott, court appointed counsel- 307.50; Matthew Connealy, court appointed counsel- 281.25; Michael Schmiedt, court appointed counsel- 300.00; Shirley Sides, hearing- 107.50; Pat Slaughter, hearing- 107.50; Stratton Delay Doele, court appointed counsel- 9055.09; Richard Thramer, court appointed counsel- 153.88; Patrick Tott, court appointed counsel- 127.50; Maximus, service- 919.23; Addison Electric, supplies- 934.19; Barone Security Systems, inspection fees- 981.96; Bekins Fire & Safety, inspections- 98.69; Bomgaars, supplies- 26.35; Circle S South, supplies- 64.00; City of Dakota City, utilities- 501.01; Klemmett Dean, prior yrs- 84.00; Gill Hauling, service- 120.00; Joes Dept Store, supplies- 443.13; Menards, supplies- 384.45; MidAmerican Energy, utilities- 796.00; Nebraska

Public Power District, utilities- 1526.85; O'Keefe Elevator, maintenance- 159.53; Richard Jensen, mileage- 97.09; H2O4U, salt- 75.00; Share Corporation, supplies- 584.83; Trembly Pest Control, service- 30.00; Verizon, phone- 52.71; UNL Extension, reimburse- 846.32; PMNRD, rent- 833.33; Patricia Stingley, prior yrs- 103.86;
ROAD FUND: Advance Auto, parts/supplies- 154.86; Aramark, service- 334.40; AZ Inc, fuel- 281.01; Bomgaars, supplies- 44.53; Carquest, parts- 70.75; City of SSC, salt- 2480.50; Electronic Engineering, gps- 720.00; Gill Hauling, service- 55.00; Walter Heinemann, prior yrs- 29.00; Hubbard Minimart, fuel- 1040.37; Hundertmark, parts/labor- 744.52; Hydraulic Sales & Service, parts/labor- 374.74; H2O4U, water- 8.50; Industrial Tools & Machinery, tools- 159.24; J&J Pronto, fuel- 508.13; Joes Department Store, parts/supplies/chains- 232.82; Kinetic Leasing, loader/interest- 2458.00; LG Everist, gravel- 1009.39; Matheson-Linweld, oxy- 53.50; Richard McNear, prior yrs- 57.70; Midwest Service & Sales, signs/chains- 1746.52; Marlan Millard, prior yrs- 15.00; NAPA Auto Parts, parts/supplies- 1571.02; Nebr Public Power Dist, utilities- 76.99; NE Nebr Public Power Dist, utilities- 280.77; Northeast Nebr Telephone, phone- 279.11; Powerplan, parts/supplies- 649.68; Probuild, lumber- 127.84; Robertson Implement, chainsaws- 894.14; Willis Roeber, prior yrs- 69.24; Sam's Club, supplies- 85.02; Sapp Bros Petroleum, oil- 358.60; Siouxland Hydraulic, parts- 49.34; Stephan Welding, steel- 26.00; Thurston County, storage- 200.00; Titan Access, parts/labor- 248.04; Verizon, phone- 60.80; Warren Oil, diesel- 8339.00; Ziegler's, supplies- 451.58; Arthur Gallagher Risk Management, notary bond- 40.00;
HARD SURFACE: Olsson Associates, engineering- 1239.00;
ROAD IMPROVEMENT: Lux Brothers, dirt moving- 750.00;
VISITORS PROMOTION: SSC Chamber of Commerce, lodging tax- 7651.86;
POOR RELIEF: Becker-Hunt Funeral Home, burial expense- 280.00; Nebr Dept of HHS, qtrly cost- 38.00;
VETERANS AID: Veterans Service Officer, relief- 4500.00;
HEALTH PLANNING GRANT: Deanna Beckman, hours- 1241.00; Dakota County Rural Fire, storage- 300.00;
COUNTY AID ENHANCEMENT: AR Phoenix Resources, curriculum- 1910.00;
PUBLIC SAFETY: Jail Bond Fund, sales tax- 29153.53; City of South Sioux City, sales tax- 3401.28; Road Fund, mv tax- 574.21;
JAIL BOND FUND: Fremont National bank, admin fee- 1381.25;
E911: City of South Sioux City, 911 monies- 15503.86;
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Set date and time to hold a public hearing to amend Section 600.3 (7) of the Dakota County Zoning Ordinances to include rodeos".
Commissioner Rohde moved, seconded by Commissioner McNear to set February 22 at 4:30 p.m. as the date and time to hold a public hearing to amend Section 600.3 (7) of the Dakota County Zoning Ordinances to include rodeos.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Yea and McNear- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Set date and time to hold a public hearing to amend Section 201 of the Dakota County Zoning Ordinances to include language making the County Zoning Regulations "GENDER" neutral".
Commissioner Gomez moved, seconded by Commissioner McNear to set February 22, 2011 at 4:40 p.m. as the date and time to hold a Public Hearing to amend Section 201 of the Dakota County Zoning Ordinances to include language making the County Zoning Regulations "GENDER" neutral.
ROLL CALL VOTE: Love- Yea, Bousquet- Yea, Rohde- Yea, McNear- Yea and Gomez- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Board approval for Chair to sign 2011 State County Aid Juvenile Justice Grant Application to continue the position of Community Corrections Officer".
Commissioner Rohde moved, seconded by Commissioner Love to authorize the County to make application for a State County Aid Juvenile Justice Grant to continue the position of Community Corrections Officer.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "County Board to acknowledge receipt of and approve the Semi-Annual Treasurer's Report".
County Treasurer, Bob Giese, presented the Board with his Semi Annual Report for period ending December 31, 2010.
Commissioner Gomez moved, seconded by Commissioner McNear to acknowledge receipt and approve the report and to authorize the Chair to sign said report.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Tabled Items" and there were no items on the table.

Chair Bousquet called for the Agenda Item "Board Committee Reports":
Sally Reinert reported that she and Commissioners Gomez and Bousquet met as the Legislative Committee and they will be meeting periodically to review the Legislative bills. She asked the board members to please check their email daily. She called LB390 to the Board's attention because it would do away with the Jail Standards' Board. She thought that counties need the Jail Standards Board because they save counties from law suits.

Terry Kern then informed the Board with information about 390 and presented the Board with a letter that he drafted concerning the Jail Standards Board to Senator Brad Ashford.
January 24, 2011

Senator Brad Ashford
District 20
Room 1103
P.O. Box 94604
State Capital
Lincoln, NE 68509

Dear Senator Ashford:

I am the Director of Corrections for Dakota County and I have been since February of 2008. Prior to assuming this position I spent thirty-two years in municipal policing at Sioux City, Iowa. I have reviewed proposed LB 390. This bill has also been reviewed by elected officials of Dakota County. We find certain provisions in this legislation to be problematic as it pertains to the elimination of the Jail Standards Board and the adoption of new guidelines.

Specifically, we are unaware of any compelling reason to replace the board and we are certainly unaware of any emergency condition which would require that this legislation become effective immediately upon passage. The membership of the board represents a cross section of those professions impacted by corrections system. Moreover, I and others in this field have found the board to be open and responsive to our needs. The staff members have always been helpful in providing answers to questions, offering suggestions and providing required training. Taken together the Jail Standards Board and field staff has proven indispensible to us.

The outright repeal of those provisions of Chapter 83 relating to the development, promulgation and enforcement of minimum jail standards would create a host of unintended issues, in my view.

There is no provision in the bill for any field inspection conducted for the purposes of ensuring compliance with standards. Without some formal system of compliance review and sanction there will be no means of determining that correctional facilities are in compliance with both the spirit and the *letter* of the law. As painful-and at times expensive-as such compliance may be it will save problems in the long term. The existence of minimum jail standards and the enforcement powers of agency staff can limit liability and risk exposure because it demonstrates that recognized standards are being met. Absent that assurance I fear that our insurance liability coverage premiums will increase dramatically. Simply placing a copy of the rules in every living area of every jail ensures nothing but the expense of printing the rules.

The proposed abolition of the Jail Standards Board and Jail Standards staff would save less than three hundred thousand dollars from the state budget but would transfer the cost of increased insurance and litigation onto the counties.

I am aware that there have been disagreements between the Jail Standards Board and the Douglas County Correctional Facility over the issue of overcrowding. That facility is accredited by the American Correctional Association. I applaud that honor as I am familiar with both the organization and the accreditation process. Such status is not simply bestowed without good reason. However, I am also familiar with the accreditation philosophy of working in harmony with regulatory agencies and of providing standards ancillary to those serving as the controlling governmental standard. The Nebraska standard is based upon reason and law and is not being enforced with any malice.

There has always been and will always be a certain tension between the regulators and the regulated. This tension can be healthy in that it keeps the regulators from adopting officious and capricious rules while preventing the regulated from engaging in risky- if not outright dangerous- actions. I am confident that the Jail Standards Board and Douglas County Corrections can and will come to some understanding without having to dismantle the current system.

This system has served the counties of Nebraska since its adoption. It is my sincerest belief that this present system should be retained and my fervent hope LB 390 not go forward.

Sincerely,

Terry L Kern
Director of Corrections
Dakota County Nebraska

Commissioner Gomez reported that he attended a P & Z Meeting. The P & Z Board would like to recommend that members of the P & Z Board be appointed from their recommendations to the Board of Commissioners.

Chair Bousquet called for the Agenda Item “Board Member Reports” and there were none.
Chair Bousquet called for the Agenda Item “Public Comment”.
Sally Reinert said that Senator Johanns and Congressman Fortenberry have procured a promise from the railroad that they will not block the Millis Beach Road anymore.
Chair Bousquet said that there is a copy of that letter in everyone’s packet and Sally said that a thank you would probably be in order.

The County Clerk asked to make a public comment and said that he would like to take that subject matter one step further and said that he thought that the county look one step further than the railroad blocking that road. I think that we have to look at natural disasters or disasters and other things created by God that would block that road and prevent emergency personnel from getting into that area.

Dennis Reinert spoke on the Larry Albenesius issue that was on the agenda and referred to the Road Committee, he said that a Subdivision Plan had to be submitted to the City of South Sioux City Planning and Zoning and on that Subdivision Plan has to be specified how and when that road is going to be maintained. That should be a matter of record right now according to Mr. Reinert. He added that we just discussed a road issue out by the Road Shop where that issue was not discussed in that plan.

Ms. Spencer, Administrative Assist to the Board had a copy of that and it did not address the road maintenance.

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

Chair Bousquet called for the agenda Item “Adjournment”.
Commissioner Gomez moved, seconded by McNear to adjourn their meeting of January 24, 2011 at 5:05 p.m.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

DAKOTA COUNTY SEAL NEBRASKA

County Board of Commissioners

_____

Rick Bousquet, Chair Date Chair signed

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, February 7, 2011
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called the Board's Regularly Scheduled Meeting to order at 4:10 p.m.
Present were: Commissioners Love, Bousquet, Rohde, McNear, Gomez and Ted Piepho, County Clerk and Secretary. Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney were also present.
Absent: None.
The agenda for the meeting was as follows:

- Call meeting to Order.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call.
  - Approve Minutes of prior meeting.
- Pam Miller - Inclusion of Dakota County in application for All American City/County Award.
  - Approval of Dakota County in application for All American City/County Award.
- Don Faber and Ron Rapp – Three Rivers Health Care Plan Renewal.
  - Decision on coverage.
- Sally Reinert - Discussion of pending legislation and possible board action.
  - This agenda item would allow the board to take action AS A BOARD on any pending legislation in the Nebraska Unicameral. Items addressed will usually be, but may not always be limited to the bills that have hearing dates within the two weeks between Commissioner Meetings.
- Miscellaneous Agenda Items:
  - Approve Payroll Claims.
  - Approve Accounts Payable Claims, if any.
  - Approve an Agreement with the County Sheriff and the Board of Corrections for the orderly operation of the Dakota County Correctional Facility from January, 2011 to January, 2015.
  - Agreement for Consultant Inspection and Re-Load Rating on County Fracture Critical Bridges. Project No. BR-NBIS (91).
  - Project STPD-35-4(120)
    - Approve and Board Chair to sign the Agreement.
  - Discuss and approve Planning and Zoning Board procedures for appointment of replacement members to the P & Z Board.
- Tabled Items: No tabled items.
- Commissioner's Committee Reports.
- Commissioner's Member Reports.
- Public Comment.
- Mail and/or Emergency Business.
- Adjournment.

Chair Bousquet called for the Agenda Item "Approve minutes for the January 24, 2011 Meeting".
Commissioner Gomez moved, seconded by Commissioner Love to approve the minutes of the January 24, 2011 meeting as typed and prepared for the Official Record.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Pam Miller presented an idea that the County and the City of South Sioux City submit an application to become an All American County and City and provide information supporting why the County and City should make a joint application.

Commissioner Gomez moved, seconded by Commissioner McNear to participate in a County City Application to become an All American County City and to authorize the Chair to sign the application.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Ron Rapp and Don Faber present the County Board with the statistics of what the County's Health Insurance has done in the last 11 months. They have been negotiating with insurance companies to get the best insurance coverage for the dollar and since timing is very critical in getting coverage they asked that the chair or County Clerk be authorized to sign contracts for the County. In addition to asking that someone be designated to sign the insurance papers and to authorize them to continue to negotiated insurance for Dakota County, they asked the Board to decide whether or not they wanted to include covering Mental Health as part of the County's Health coverage. As part of the Health Insurance Reform Act, they said that the County would be obligated to include that coverage in 2014 as it is now.

Commissioner Love moved, seconded by Commissioner McNear for Three Rivers to move forward with negotiating health Insurance coverage for Dakota County's Employees.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Yea and McNear- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner Gomez to include Mental Health coverage within the County's Health Coverage.

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

Commission Rohde moved, seconded by Commissioner Love to authorize the Chair or the County Clerk to sign all documents necessary to lock in Dakota County's Health Insurance premiums for the next contract year March 1, 2011 to February 29, 2012.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

- Chair Bousquet called for the Agenda Item "Discussion of pending legislation and possible board action.
  - This agenda item would allow the board to take action AS A BOARD on any pending legislation in the Nebraska Unicameral. Items addressed will usually be, but may not always be limited to the bills that have hearing dates within the two weeks between Commissioner Meetings".

Sally Reinert was not available to come to the meeting today, but Tony Gomez informed the Board that LB 383 was a bill that would reduce revenue to the County by $58,000. The Board discussed whether they wanted to write a letter on behalf of the board or whether each member would consider phone calling on their own.

Commissioner Gomez moved, seconded by Commissioner Rohde to write a letter to the State Senate Revenue Committee and to Senator Bloomfield opposing LB 383.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Bousquet called for the Agenda Item "Approve Payroll Claims".
Commissioner Rohde moved, seconded by Commissioner Love to approve the Payroll Claims submitted by the County Clerk as follows:
COUNTY GENERAL FUND: Gross salaries- $122,190.18, General Fund Employees Net Pay- $88,008.83, Employer deductions paid: Retirement- $8,487.38, FICA- $9,111.79, Medicare- $1,727.07, DC Health Plan- $26,750.00, DC Dental Plan- $977.40 and Life Insurance- $198.78, Principal Mutual Life Insurance-.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1365.13, Daniel Christoffers- 584.00, Theodore Piepho- 1748.23, Mary C. Wiltgen- 960.00, Marisol Curiel- 982.40, Darlene Davis- 953.60, Robert Giese- 1748.23, Ruth Gillaspie- 1266.78, Jolene Heinemann- 1020.80, Phyllis Ridge- 928.68, Tracey Rysavy- 978.40, Cherie Conley- 960.00, Daniel Christoffers- 562.10, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Elda Raudales- 89.76, Katherine Wiltgen- 200.00, Zachary Gerth- 1608.46, Debra Jensen- 1119.20, John Loos, Jr.- 2186.59, Richard Jensen- 1785.34, Duane Kotalik- 1384.00, Tammy Dunn-Peterson- 935.20, Anthony Bos- 1750.00, Timothy Decker- 1903.85, Sandy Dickens- 487.04, Brian Ellinger- 1789.24, Michael Estes- 1589.45, Brent Gilster- 1660.22, Todd Hammer- 1656.80, Melvin Harrison III- 1644.80, Jason James- 1533.02, Kimberly Johnson- 308.30, Jared Junge- 1714.62, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1716.76, Michael Kreegar- 1644.80, Gayle Richards- 914.40, Kevin Rohde- 1656.80, Randall Walsh- 1770.45, Bridget Fiedler- 900.00, Kerry Johnson- 925.86, Sara Niles- 1807.69, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1135.20, Kimberly Watson- 2828.48, Caterina Chapman- 1230.22, Jacob Acero- 1257.30, Ermelinda Ballesteros- 1405.93, Mason Billings- 1189.65, Joshua Blatchford- 1347.09, Rebecca Broer- 1417.80, Sandy Dickens- 878.96, Marjorie Donahue- 1462.00, Lisa Ford- 1322.66, Robert Foster- 1358.95, Ryan Foster- 1189.65, Linda Frost- 856.80, Alma Gunderson- 1343.14, Amber Hamman- 1332.58, Cathy Harsma- 1371.59, Deanna Haukap- 1281.23, Jeffrey Heitzman- 1272.54, Adam Hough- 1384.13, Michael Jacobson- 1070.69, Brett Johnson- 1322.48, Nicholas Kellen- 1314.63, Brenda Kelly- 1220.67, Terry Kern- 1971.15, Keith Klein- 1257.30, James Kleinberg- 1070.69, Mark Nelson- 1433.65, Travis Olander- 1481.23, Kimberly Peterson- 1253.49, Doyle Pilgrim- 925.20, Daniel Rodasky- 1281.23, Cody Roeber- 1189.65, Jutharatana Ruenprom- 1551.11, Timothy Ryan- 1189.65, Linda Schovanec- 1358.40, Francis Tope- 1282.40, Jewel Williams- 1281.23, Matthew Wise- 1127.76, Cara Wood- 1405.33, Jolene Gubbels- 1049.60, Leon Pies- 733.36, Pamela DeVries- 1677.82, Bonnie Kahler- 758.49, Linda Weitzel- 1128.50, Willard Johnston- 1050.00.
GENERAL FUND: Employee withholding paid to: Federal- $12,165.73, State- $4,186.47, FICA- $5,002.59, Medicare- $1,727.07, Retirement- $5,738.13, Health Plan- $1,025.00, DC Dental Plan- $525.00, Sheriff Union Dues- $315.00, Deferred Comp- $332.00, Garnishments- $1,455.02, Aflac Health- $449.40, Aflac Life/Dsbl- $177.47 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $16,864.83, Road Employees Net Pay- $11,917.74, Employer deductions paid: Retirement- $1,017.31, DC Health Plan- $3,300.00, DC Dental Plan- $119.46, Life Insurance- $24.30, FICA- $1,023.82, and Medicare- $239.45, Principal Mutual Life Insurance-.
Brent Byroad- 1721.28, Robert Hacker- 1314.40, Ronald Harder- 1793.51, Hans Houfek- 1326.73, Robert Jacobsen- 1492.58, Fred Kellogg- 1697.44, Arnold Mellick- 1554.95, Dean Pallas- 1314.40, Willie Peters II- 1345.21, Leon Pies- 659.20, Kip Reinbold- 1326.73, James Swanson- 1318.40.
ROAD FUND: Employee withholding paid to: Federal- $1,713.49, State- $596.00, FICA- $693.56, Medicare- $239.45, Retirement- $678.20, DC Dental Plan- 126.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $448.55, Aflac Health- $165.55, Aflac Life/Dsbl- $39.73, Flex Plan Medical- $60.00 and Union Dues- $120.00.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Approve an Agreement with the County Sheriff and the Board of Corrections for the orderly operation of the Dakota County Correctional Facility from January, 2011 to January, 2015.
Commission Rohde moved, seconded by Commissioner Gomez to Approve the Agreement with the County Sheriff and the Board of Corrections for the orderly operation of the Dakota County Correctional Facility from January, 2011 to January, 2015 as follows:

DAKOTA COUNTY JAIL OPERATIONS AGREEMENT

This is an Agreement between the Dakota County Board of Commissioners, the Dakota County Board of Corrections, and the Dakota County Sheriff to ensure the competent and organized operation of the Dakota County Jail.

THE PARTIES AGREE AS FOLLOWS:

SECTION 1. TERM

The term of this Agreement shall be for four (4) years beginning on the 7th day of February, 2011, and ending on the _____ day of January, 2015, or until such time as the parties terminate this Agreement.

SECTION 2. DEPUTY SHERIFF

During the term of this Agreement, the Sheriff agrees that he will make one (1) deputy sheriff available to the jail to assist with inmate transportation from 8:00 a.m. to 5:00 p.m. Monday through Friday excluding holidays as listed in the Sheriff Department's union contract. The Sheriff also agrees to make one (1) deputy sheriff available on an "on-call" basis for transportation requirements that may arise outside of that 8:00 a.m. to 5:00 p.m. shift. The Sheriff reserves the right to dispatch the deputy sheriff to respond to situations outside of the jail at any time that the deputy sheriff is not performing transportation duties for the jail.

SECTION 3. DEPUTY SHERIFF'S COMPENSATION

The salary and benefit package for the full-time deputy sheriff assigned to assist the jail with transportation duties will be paid from the jail budget. Compensation for the deputy sheriff's time worked beyond the Monday through Friday 8:00 a.m. to 5:00 p.m. shift for any after-hour emergency transports, any overnight expenses, and any meal expenses incurred during overnight transports will also be paid from the jail budget.

SECTION 4. ADMINISTRATIVE ASSISTANT

The Sheriff and the Board of Corrections require an Administrative Assistant to provide administrative and clerical duties to both parties. The parties agree to share the cost of one (1) Administrative Assistant position as follows: 40% of the Administrative Assistant's salary will be paid out of the Sheriff's budget and the remaining 60% will be paid out of the jail budget.

SECTION 5. SEPARATION OF SHERIFF AND JAIL

The Sheriff will have no role in the supervision of the jail staff or daily operations of the jail. All jail staff will report directly to the Director of Corrections and the Assistant Director of Corrections. The Director of Corrections and Assistant Director will report to the Board of Corrections. Similarly, neither the Board of Commissioners nor the Director of Corrections will have any role in the supervision of the Sheriff or his employees. All Sheriff's Department employees will report directly to the Sheriff.

SECTION 6. TERMINATION

In the event that one of the parties wishes to terminate this Agreement before January _____, 2015, such party must provide sixty (60) days' written notice to the other parties by certified U.S. mail with return receipt requested at the following addresses:

1. Dakota County Sheriff, 701 W. 29th St., South Sioux City, NE 68776
2. Chair, Dakota County Board of Corrections, P.O. Box 338, Dakota City, NE 68731
3. Chair, Dakota County Board of Commissioners, P.O. Box 338, Dakota City, NE 68731.

If the Sheriff fails to perform any of his obligations hereunder and does not cure such breach within thirty (30) days after written notice from the Board, the Board has the right to terminate this Agreement immediately. If the Board fails to perform any of its obligations hereunder and does not cure such breach within thirty (30) days after written notice from the Sheriff, the Sheriff has the right to terminate this Agreement immediately.

As indicated by the signatures below, all parties agree to and accept the terms of this Agreement as of the day and year stated above.

\s\ Chris Kleinberg
Dakota County Sheriff

_____
Chair
Dakota County Board of Corrections

_____
Chair
Dakota County Board of Commissioners

ATTEST

_____
THEODORE A. PIEPHO
COUNTY CLERK

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

Chair Bousquet called for the Agenda Item "Agreement for Consultant Inspection and Re-Load Rating on County Fracture Critical Bridges. Project No. BR-NBIS (91)".
Arnie Mellick, Bridge Inspector appeared before the Board and said that the State would inspect the Fracture Critical Bridges and this was an agreement for them to do that.

Commissioner Gomez moved, seconded by Commissioner Bousquet to approve the Agreement for Consultant Inspection and Re-Load Rating on County's Fracture Critical Bridges, Project No. BR-NBIS (91), and to authorize the chair to sign same.

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

Commissioner Bousquet called for the Agenda Item "Project STPD-35-4(120) - Approve and Board Chair to sign the Agreement."
Commissioner Rohde moved, seconded by Commissioner McNear to approve the Agreement for Project STPD-35-4(120) and to authorize the chair to sign same.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Discuss and approve Planning and Zoning Board procedures for appointment of replacement members to the P & Z Board".
Tony Gomez, the Board's member to attend P&Z Meetings said that the P & Z Board wanted the Board of Commissioner to appoint members to the P & Z Board from the slate of people recommended by the P & Z Board.
The Board of Commissioners felt that they wanted to advertise and that a committee be appointed by the County Board, to review the applicants. The Committee would then recommend individuals to the County Board of Commissioners for appointment to the P & Z board.
Commissioner Rohde moved, seconded by Commissioner McNear to appoint a committee of Marlin Millard, Dorothy Lux and Tony Gomez, to review the applications received from individuals desiring to be on the Planning and Zoning Commission Board. BE IT FURTHER RESOLVED for that committee to recommend individuals to the County Board of Commissioners, who they feel should be appointed to the Planning and Zoning Board.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Yea and McNear- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Tabled Items" and there were no items on the table.
Chair Bousquet called for the Agenda Item "Board Committee Reports" and there were none.
Chair Bousquet called for the Agenda Item "Board Member Reports" and there were none.
Chair Bousquet called for the Agenda Item "Public Comment" and there was none.
Chair Bousquet called for the Agenda Item "Mail and/or Emergency Business" and there was none.

Chair Bousquet called for the agenda Item "Adjournment".
Commissioner Gomez moved, seconded by McNear to adjourn their meeting of February 7, 2011 at 5:20 p.m.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

DAKOTA COUNTY SEAL NEBRASKA

County Board of Commissioners

_____

Rick Bousquet, Chair Date Chair signed

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Tuesday, February 22, 2011
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Acting Chair Rohde called the meeting to order at 4:10 p.m.
Present were: Commissioners McNear, Rohde, Love and Danny Christoffers, acting secretary. Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney were also present.
Absent: Commissioners Bousquet, Gomez.

The agenda for the meeting was as follows:

- Call meeting to Order.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meeting.
- Bob Giese – Discuss paying taxes with Credit Card.
- Public Hearing to consider amending Section 600.3 (7) of the Dakota County Zoning Ordinances/Regulations to include rodeos. Advertised to begin at 4:30 p.m.
- Public Hearing to consider adding (5) to Section 201 of the Dakota County Zoning Ordinances/Regulations making the County Zoning Regulations "GENDER" neutral. Was advertised to begin at 4:40 p.m.
- One and Six Year Road Hearing. Advertised to begin at 4:45 p.m.
  - Chad Kehrt will explain what projects are on the One Year and Six Year Road Plan.
    - The County Board may amend the plan as desired and approve as presented or as amended. Was advertised to begin at 4:45 p.m.
- Miscellaneous Agenda Items
  - Approve Payroll Claims
    - Board Assistant to advise the Board of any claims tagged by the County Clerk.
  - Approve Accounts Payable Claims
  - Officials Reports
  - Discussion of pending legislation and possible action. This agenda item would allow the board to take action AS A BOARD on any pending legislation in the Nebraska Unicameral. Items addressed will usually be, but may not always be limited to, those bills that have hearing dates within the two weeks between Commissioner meetings.
  - Jail Operating Agreement for the orderly operation of the Dakota County Correctional Facility between Sheriff, Board of Corrections and Board of Commissioners.
    - The Board approved this last meeting, but need to define an ending date to the agreement.
  - FCB Inspection Agreement Resolution 11C-002 for Project No. BR-NBIS (91) County Fracture Critical Bridges.
    - Resolution that the Nebraska Dept. of Roads is requiring the County to sign in conjunction with the Agreement that the Board approved February. 7th for Consultant Inspection and Re-Load Rating on County Fracture Critical Bridges. Project No. BR-NBIS (91).
  - The Board to consider whether to accept Rottunda Way and Hanks Way in Phase 1 of Rottunda Subdivision.
  - The Board to consider whether the County should become a member of the Nebraska Association of Emergency Management.
  - Separate Employee Policy from Handbook and adopt an Employee Policy Manual.
- Tabled Items: There are no tabled items to consider.
- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- Adjournment

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

Commissioner McNear moved, seconded by Commissioner Love to approve the minutes of February 7, 2011 meeting as typed and prepared for the Official Record.
ROLL CALL VOTE: Love- Yea, Rohde- Yea, Bousquet- Absent, Gomez- Absent, McNear- Yea.
UNANIMOUS MOTION CARRIED.

Robert J. Giese, County Treasurer appeared before the board and discussed a potential service to pay property taxes online. He said that the cost to the customer through e-check is a flat rate of $2.00 or 2.49% depending on the credit card. The fee to the county can range from anywhere between 60 to 150 dollars a month depending on the number of parcels in a county. He thought we would be in the 100 dollar range.
The board requested that Mr. Giese return to the board in a few weeks with additional information.

Commissioner McNear moved, seconded by Commissioner Rohde to approve the Accounts Payable Claims submitted by the County Clerk, as follows:

GENERAL FUND: Dakota Business Systems, lease- 102.00; Midwest Office Automation, contract- 128.30; Verizon, phone- 33.68; Advance Auto Parts, parts- 20.99; AZ Inc., fuel- 82.02; Heritage Express-Emerson, fuel- 104.71; Hubbard Mini Mart, gas- 210.03; J & J's Pronto, fuel- 82.01; NE NACO, workshop- 20.00; Leon Pies, phone- 30.00; Pam DeVries, mileage- 108.63; Pat Glover, hours- 410.00; Dr. Thomas Wente, physician fee- 250.00; CVSOAN; conference- 85.00; Bill Johnston, mileage/phone/postage- 348.64; R Warren Johnston, prior yrs.- 11.54; Midwest Office Automations, supplies- 120.00; Perkins, supplies- 36.29; Thomson West, law library- 718.83; Ahlers & Cooney, legal consultation- 69.35; Cable One, internet- 169.96; Claritus, supplies- 140.91; Cherie Conley, YMCA membership- 19.50; Dell Computers, computers- 1712.05; FiberComm, phone- 1139.22; FSH Comm., payphone- 63.60; Lazette Gifford, website maint.- 40.00; Jared Junge, YMCA membership- 19.50; MailFinance, lease- 227.00; MIPS, support- 422.38; Net Sys Plus, support- 800.00; Norm Waitt YMCA, membership- 195.00; Joan Spencer, posters- 31.90; Madelyn Thorsland, prior yrs.- 10.00; Randy Walsh, YMCA membership- 39.00; Three Rivers, admin. Fees- 105.00; US Postal Service, postage- 2500.00; Dakota County Star, publishing- 341.52; NE NACO, workshop- 20.00; Perkins, supplies- 112.15; Capital One Visa, supplies/renewal- 387.34; Dakota County Star, publishing- 44.23; Perkins, supplies- 2.58; Mary Wiltgen, reimbursement- 30.00; AS Central Service, lease- 65.00; Dakota County Star, publishing- 57.86; Des Moines Stamp, stamp- 92.75; Charlotte Doenhoefer, prior yrs-10.00; Robert Giese, reimbursement- 9.73; 8.03, 21.67; mileage- 110.16; Ruth Jensen, prior yrs- 12.00; NACO, directory- 16.00; NE NACO, workshop- 20.00; NE Assoc. of County Treasurers, dues- 75.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; Cherie Conley, mileage- 24.99; Microfilm Imaging Systems, lease- 240.00; Perkins, office supplies- 47.05; Margie Rahn, prior yrs- 12.00; Dept. of Revenue-Property Assessment, 3rd qtr.- 24825.68; Dakota City Postmaster, postage- 95.20; Patriot Signage, signs- 154.00; Dakota County Star, publishing- 25.08; Arnold Mellick, phone- 30.00; NPZA, conference- 320.00; NE NACO, workshop- 20.00; Secretary of State, cards- 30.00; AJ Phillips Publishing Co., supplies- 300.00; Dak.Co. Treasurer, workshop/dues- 100.00; Des Moines Stamp, stamp- 67.00; Executive Technologies, contract- 248.00; Perkins, supplies- 137.66; AS Central Services, supplies- 140.94; Cartridge World, supplies- 134.88, Century Business Products, supplies- 205.07; Dakota Business Systems, lease- 99.00; Dakota County Court, reimbursement- 30.00; Data Source Media, supplies- 289.00; Iowa Office Supply, supplies- 32.94; Lawsoft, Inc., update- 70.00; Microfilm Imaging Systems, lease- 100.50; Midwest Office Automations, contract- 327.84; Perkins, supplies- 31.71; Clerk of Supreme Court, fees- 175.00; Dakota County Court, court costs- 1779.94; Dakota County Sheriff, service- 346.05; District Court, court costs- 417.00; Austin Holloway, witness fee/mileage- 22.04; Kaylinda Holloway, witness fee- 20.00; Randy Hisey, court appointed counsel- 2766.00; Dennis Hurley, court appointed counsel- 3573.00; Michael Matney, witness fee/mileage- 25.10; Stuart Mills, court appointed counsel- 1545.00; MIPS, contract- 87.00; Net Sys Plus, service- 80.00; Douglas Roehrich, court appointed counsel- 3812.59; Michael P. Schmiedt, court appointed counsel- 131.25; Shirley Sides, bailiff- 93.75; Pat Slaughter, bailiff- 93.75; Richard Thramer, court appointed counsel- 318.88; Patrick Tott, court appointed counsel- 873.00; A-Team Htg. & Cooling, service/repair- 470.96; AZ Incorp., supplies- 59.01; Capital One Visa, equipment- 1189.61; Gill Hauling, service- 120.00; Grainger, equipment/supplies- 819.78; Janitor Depot, supplies- 204.85; Menard's, supplies- 1317.74 MidAmerican Energy, utilities- 796.00; NE State Fire Marshall, service- 120.00; NPPD, utilities- 1772.10; Richard Jensen, mileage- 103.53; Sam's Club, supplies- 82.17; Share Corp., supplies- 942.46; Trembly Pest Control, service- 50.00; Verizon, phone- 52.71; PMRNRD, lease- 833.33; UNL Extension, reimbursement- 982.74; Americas Investment Corp., lease- 11527.23; Bank of Dixon County, lease- 13780.37; Kerry Bligh, services- 225.00; City of So. Sioux City, fuel- 5359.65; Dakota County Sheriff, plates- 6.60; Dakota County Star, publishing- 184.00; Dakota Food & Fuel, fuel- 291.13; Des Moines Stamp Co., stamp- 27.00; Eifert Services, supplies/service- 291.95;Electronic Engineering, repair- 532.50; Fremont Tire, parts/service- 139.44; InterAct Public Safety Systems, licenses- 4886.10; Jack's Uniforms, clothing- 304.75; K & S Auto Service, parts/service- 145.07; Liebers Garage, parts/labor- 599.52; Motor Parts Central, parts- 255.65; RACOM, phone- 648.80; Ray Allen Mfg., supplies- 51.40; Sign Masters, labor- 45.00; Sioux Sales Company, supplies- 105.00; Sioux land Fed. Credit Union, supplies- 243.16; Torco Remfg., parts/labor- 416.45; USPCA Region 21 Secretary, dues- 80.00; Ultramax, supplies- 1340.00; Verizon, phone- 662.24; Wal-Mart, supplies- 805.85; Robert Bowen, MD, autopsy- 940.00; Dakota County Treasurer, lodging/copies- 182.00; Iowa Office Supply, contract- 106.14; Mid America First Call, autopsy services- 75.00; New Perspectives, service- 66.00; Pathology Medical Services, autopsy- 2490.99; Peter Parry, phone- 20.00; Quill, supplies- 114.29; Verizon, phone- 135.01; Kim Watson, reimbursement- 21.40; Kim Watson, mileage- 214.20; City of So. Sioux City, LEC costs- 31822.54; BI Inc., services- 1861.30; Staples, supplies- 82.90; Verizon, phone- 89.41; A-Plus Locksmith, services- 52.00; A-Team Heating & Cooling, parts/labor- 252.86; Amsan, supplies- 1897.94; Aramark, service- 61.28; Associated Fire Protection, service- 161.75; Bob Barker, supplies- 1112.32; CBM Food Service, meals- 22057.41; Cash-Wa Distributing, supplies-52.03; Crescent Electric, supplies- 98.28; Dakota County Sheriff, mileage- 109.14; Dakota Family Dentistry, services- 244.00; Dakota Food and Fuel, fuel- 376.35; Dakota One Leasing, lease- 220.00; Tim Decker, reimbursement- 26.70; Dept. of Correctional Services, medical reimbursement- 56.70; Des Moines Stamp, stamp- 40.10; Sandy Dickens, mileage- 97.92; Marjorie Donahue, mileage- 59.36; Fremont Tire, parts/service- 58.96; Gill Hauling, service-120.00; Amber Hamman, mileage- 54.67; Jack's Uniforms, clothing- 156.45; Jackson Glass, services- 390.00; Joe's Dept. Store, supplies- 110.85; Kleen Solutions, supplies- 89.95; Mercy Bus. Health/Urg. Care, services- 4942.00; Mercy Medical Center, services- 5990.10; MidAmerican Energy, utilities- 3127.37; Midlands Clinic, services- 205.20; Midwest Office Automations, contract/supplies- 202.62; Moore Medical, supplies-485.34; NE Nebr. Juvenile Services, services- 2422.50; NPPD, utilities- 2712.91; Net Sys, services- 20.00; Doyle Pilgrim, mileage- 14.28; St. Luke's Dept. of Lab Services, services- 34.01; Sam's Club, supplies- 126.00; Siouxland Federal Credit Union, fuel/reimbursement- 35.84; Speedy Rooter, services- 132.00; Staples, supplies- 665.28; Thompson Electric, services- 670.98; Trembly Termite & Pest Control, services- 55.00; Verizon, phone-

193.58; Wal-Mart, supplies/prescriptions- 9171.24; Woodbury County Juvenile Detention, services- 20900.00.
ROAD FUND: Advance Auto, parts/supplies- 385.13; Aramark, service- 269.95; A-Team Heating & Cooling, repair- 221.90; AZ Inc., fuel- 99.91; Bank of Dixon Co., lease- 20979.87; Bomgaars, supplies- 37.16; Chemsearch, supplies- 289.73; City of So. Sioux, salt- 1640.10; Electronic Engineering, GPS- 966.00; Frame Aligners, parts/labor- 150.80; GCR Tire Center, tires- 136.97; Gill Hauling, service- 55.00; Walter Heinemann, prior yrs.- 29.00; Heritage Express, fuel- 308.16; Hubbard Mini Mart, fuel- 1022.01; H2O4U, service- 26.00; J & J's Pronto, fuel- 465.87; Jim Hawk Truck Trailers, supplies- 137.34; Joe's Dept. Store, supplies- 773.77; Kinetic Leasing, lease- 2458.00; LG Everist, gravel- 1349.36; Marx Distr., chemicals- 864.30; Matheson-Linweld, oxy- 293.45; Medical Enterprises, service- 67.00; Marlan Millard, prior yrs- 15.00; Midwest Svc & Sales, supplies- 2046.09; NAPA Auto Parts, parts/supplies- 2236.43; NPPD, utilities- 103.07; NE Nebr. PPD, utilities- 327.36; NE Nebr. Telephone, phone- 211.34; Overhead Door, service- 92.50; Pomps, tires- 1976.00; PowerPlan/Murphy, parts/supplies- 1334.09; Rees Mack Sales, parts- 175.25; Rick's Radiator, labor- 95.00; St. Luke's Center for Occ. Health, drug testing- 70.00; Sam's Club, membership- 70.00; Sapp Bros. Petroleum, supplies- 503.25; propane- 669.24; Select Fire & Safety, service- 415.00; Stephan Welding, supplies- 461.10; Thurston County, storage- 200.00; Torco Remfg., parts- 92.95; Verizon, phone- 60.80; Warren Oil, fuel- 9421.90; Ziegler's, parts/supplies- 947.28;
VISITORS PROMOTION: SSC Chamber of Commerce, lodging tax- 6772.59
HEALTH PLANNING GRANT: Alltell, phone- 200.00; Deanna Beckman, hours- 1122.00; Midwest Office Automations, copies- 473.02; Net Sys Plus, service- 160.00; Perkins, supplies- 57.82; Joan Spencer, supplies- 124.52;
PUBLIC SAFETY: Jail Bond Fund, sales tax- 26314.41; City of So. Sioux City, sales tax- 3524.40; Road Fund 300, sales tax- 63.93;
INHERITANCE TAX: Horneber Law Office, refund- 3862.98;
JAIL BOND FUND: Berens-Tate Consulting, rebate- 750.00;
ROLL CALL VOTE: Rohde- Yea, Bousquet- Absent, Gomez- Absent, McNear- Yea, Love- Yea.
UNANIMOUS MOTION CARRIED.

Joan Spencer, Administrative Assistant to the Board, discussed two employees' time sheets that were flagged for review by the County Clerk's office.
One issue related to overtime being calculated when sick time is used in the same week. The handbook did not allow this.
The second employee had terminated employment with the county; the issue was whether vacation was to be paid as accrued, or earned at the anniversary date.
There was discussion about the Union Contract and the Employee Handbook.

Commissioner Love moved, seconded by Commissioner McNear to approve the Payroll claims as submitted by the County Clerk, with the adjustments of removing overtime pay for the first employee and not paying accrued vacation time for the second employee. Be it resolved to pay the payroll claims, as follows:
COUNTY GENERAL FUND: Gross salaries- $123,906.47, General Fund Employees Net Pay- $89,561.78, Employer deductions paid: Retirement- $8,611.66, FICA- $7,491.14, Medicare- $1,751.95, DC Health Plan- $26,750.00, DC Dental Plan- $977.40 and Life Insurance- $198.81, Principal Mutual Life Insurance-.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1365.13, Daniel Christoffers- 518.30, Theodore Piepho- 1748.23, Mary C. Wiltgen- 960.00, Marisol Curiel- 908.72, Darlene Davis- 953.60, Robert Giese- 1748.23, Ruth Gillaspie- 1266.78, Jolene Heinemann- 1008.04, Phyllis Ridge- 928.68, Tracey Rysavy- 978.40, Cherie Conley- 936.00, Daniel Christoffers- 470.85, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Elda Raudales- 250.80, Katherine Wiltgen- 200.00, Zachary Gerth- 1608.46, Debra Jensen- 1119.20, John Loos, Jr.- 2186.59, Richard Jensen- 1563.34, Duane Kotalik- 1384.00, Tammy Dunn-Peterson- 986.35, Anthony Bos- 1822.49, Timothy Decker- 1903.85, Sandy Dickens- 487.04, Brian Ellinger- 1927.38, Michael Estes- 1269.68, Brent Gilster- 1829.84, Todd Hammer- 1827.67, Melvin Harrison III- 1814.42, Jason James- 1683.50, Kimberly Johnson- 263.86, Jared Junge- 1751.22, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1829.84, Michael Kreegar- 1721.90, Gayle Richards- 914.40, Kevin Rohde- 1656.80, Randall Walsh- 1834.83, Bridget Fiedler- 942.00, Kerry Johnson- 937.73, Sara Niles- 1807.69, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1135.20, Kimberly Watson- 2828.48, Caterina Chapman- 1230.22, Jacob Acero- 1331.70, Ermelinda Ballesteros- 1343.03, Mason Billings- 1189.65, Joshua Blatchford- 1245.65, Rebecca Broer- 1534.56, Sandy Dickens- 890.37, Marjorie Donahue- 1500.25, Lisa Ford- 1326.69, Robert Foster- 1572.68, Ryan Foster- 1189.65, Linda Frost- 856.80, Alma Gunderson- 1394.18, Amber Hamman- 1425.24, Cathy Harsma- 1339.03, Deanna Haukap- 1281.23, Jeffrey Heitzman- 1283.97, Adam Hough- 1285.11, Michael Jacobson- 1249.14, Brett Johnson- 1318.47, Nicholas Kellen- 1367.81, Brenda Kelly- 1314.57, Terry Kern- 1971.15, Keith Klein- 1264.92, James Kleinberg- 1189.65, Mark Nelson- 1433.65, Travis Olander- 1292.87, Kimberly Peterson- 1257.30, Doyle Pilgrim- 1002.30, Daniel Rodasky- 1277.34, Cody Roeber- 1189.65, Jutharatana Ruenprom- 1824.88, Timothy Ryan- 1182.44, Linda Schovanec- 1358.40, Francis Tope- 1298.43, Jewel Williams- 1281.23, Matthew Wise- 1234.44, Cara Wood- 1330.73, Jolene Gubbels- 1049.60, Leon Pies- 659.20, Pamela DeVries- 1677.82, Bonnie Kahler- 749.81, Linda Weitzel- 1184.00, Willard Johnston- 1050.00.
GENERAL FUND: Employee withholding paid to: Federal- $12,472.88, State- $4,283.08, FICA- $5,074.65, Medicare- $1,751.95, Retirement- $5,823.79, Health Plan- $1,025.00, DC Dental Plan- $525.00, Sheriff Union Dues- $315.00, Deferred Comp- $332.00, Garnishments- $1,031.54, Aflac Health- $449.43, Aflac Life/Dsbl- $177.90 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.

COUNTY ROAD PAYROLL: Gross salaries- $14,314.58, Road Employees Net Pay- $10,071.39, Employer deductions paid: Retirement- $966.22, DC Health Plan- $3,300.00, DC Dental Plan- $119.46, Life Insurance- $23.40, FICA- $865.70, and Medicare- $202.45, Principal Mutual Life Insurance-.
Brent Byroad- 1394.41, Robert Hacker- 1314.40, Hans Houfek- 1326.73, Robert Jacobsen- 1330.40, Fred Kellogg- 1697.44, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Willie Peters II- 1314.40, Leon Pies- 659.20, Kip Reinbold- 1314.40, James Swanson- 1318.40.
ROAD FUND: Employee withholding paid to: Federal- $1,293.66, State- $465.09, FICA- $586.43, Medicare- $202.45, Retirement- $644.16, DC Dental Plan- 126.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $448.55, Aflac Health- $165.55, Aflac Life/Dsbl- $39.73, Flex Plan Medical- $60.00 and Union Dues- $120.00.
ROLL CALL VOTE: Bousquet- Absent, Gomez- Absent, McNear- Yea, Love- Yea, Rohde- Yea.
UNANIMOUS MOTION CARRIED.

Fred Kellogg, Road Director, appeared before the board to discuss Rottunda Way and Hanks way in Phase 1 of Rottunda Subdivision. He said it meets minimum standards.
There was discussion regarding the future of the road and Phase 1 and Phase 2.
It was decided that this item would need to be on the agenda again so that it includes Phase 2.

Acting Chair Rohde opened the Public Hearing to consider amending Section 600.3 (7) of the Dakota County Zoning Ordinances/Regulations to include rodeos at 4:36 p.m.
Acting Chair Rohde asked for public comment in favor of, against, or in neutral.
In favor Sally Reinert appeared before the board and said it was a logical fit with the other recreational activities listed in the code.
Arnie Mellick appeared before the board and said this was the County Attorney's recommendation to add this language.
Acting Chair Rohde closed the Public Hearing at 4:37 p.m.

Commissioner McNear moved, seconded by Commissioner Love to approve amending Section 600.3 (7) of the Dakota County Zoning Ordinances/Regulations to include rodeos.
ROLL CALL VOTE: Gomez- Absent, McNear- Yea, Love- Yea, Rohde- Yea, Bousquet- Absent.
UNANIMOUS MOTION CARRIED.

Commissioner McNear moved, seconded by Commissioner Love to approve the Official's Reports of the County Clerk, Register of Deeds and the Clerk of District Court for January 2011 and the Register of Deeds for December 2010.
ROLL CALL VOTE: McNear- Yea, Love- Yea, Rohde- Yea, Bousquet- Absent, Gomez- Absent.
UNANIMOUS MOTION CARRIED.

Acting Chair Rohde opened the public hearing, at 4:40 P.M. to consider whether to add (5) to Section 201 of the Dakota County Zoning Ordinances/Regulations making the County Zoning Regulations read "GENDER" neutral.
Acting Chair Rohde asked for public comment in favor of, opposition to, or in neutral position regarding the language. There was none.
Public Hearing closed at 4:41 p.m.

Commissioner McNear moved, seconded by Commissioner Love to add (5) to Section 201 of the Dakota County Zoning Ordinances/Regulations making the County Zoning Regulations read "GENDER" neutral.
ROLL CALL VOTE: Love- Yea, Rohde- Yea, Bousquet- Absent, Gomez- Absent, McNear- Yea.
UNANIMOUS MOTION CARRIED.

Acting Chair Rohde said that the agenda item "County to consider whether the County should become a member of the Nebraska Association of Emergency Management" was not needed as an agenda item so it will not be covered in this meeting.

Acting Chair Rohde said that a resolution is needed to be approved to go along with the action taken in a previous meeting regarding Project No. BR-NBIS (91) County Fracture Critical Bridges.
Discussion was had regarding the nature of Fracture Critical bridges.

Commissioner Love moved, seconded by Commissioner McNear to adopt Resolution 11C-002 that William B. Rohde, Vice-Chairman of the Board is hereby authorized to sign the engineering Services Agreement between Dakota County, Nebraska and the NDOR reading as follows:
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DISCLAIMER APPLICABLE TO
THE SIGNING OF THE ENGINEERING SERVICES AGREEMENT

The following is a resolution drafted by the Nebraska Department of Roads (NDOR) that may be used by a Local Public Agency (LPA) when executing an Engineering Services Agreement for a Federal-aid transportation project. It is offered ONLY as an example resolution that could be used by the LPA with appropriate modifications, for participation in the LPA Federal-aid program, and is subject to change. The LPA is responsible for the language in its actual resolution. Any changes to any substantive commitments of this sample resolution shall be approved in advance in writing by NDOR, or such changes will be considered null and void. The LPA is ultimately responsible for all language used in its actual resolution and in making sure that the resolution is accurate and complete and meets all requirements of Federal, State and local laws, rules, regulations, policies and guidelines, and the NDOR LPA Guidelines Manual for Federal-aid Projects.

RESOLUTION
SIGNING OF AN ENGINEERING SERVICES AGREEMENT
FOR FRACTURE CRITICAL BRIDGE INSPECTIONS

County of Dakota County, Nebraska

Resolution No. 11C-002

Whereas: the Nebraska Department of Roads (NDOR) is developing a transportation project, on the behalf of the county, for which it intends to obtain Federal funds;
Whereas: County of Dakota County, Nebraska, as a sub-recipient of Federal-aid funding is charged with the responsibility of expending said funds in accordance with Federal, State, and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project;
Whereas: County of Dakota County, Nebraska and the NDOR wish to enter into an Engineering Services Agreement to provide fracture critical bridge inspection and reload rating (if necessary) services for the Federal-aid project.
Be It Resolved: by the Board of Commissioners of County of Dakota County, Nebraska
that: William B. Rohde, Vice-Chairman of the Board is hereby authorized to sign the attached Engineering Services Agreement between County of Dakota County, Nebraska and the NDOR.
Project No. BR-NBIS(91)
Control No. 00840
Project Name: Fracture Critical Bridge Inspections

Adopted this _22_ day of _February_, __2011__at _Dakota City, _Nebraska.
(Month) *(Year)*
The County Board of Commissioners of the County of Dakota, State of Nebraska:
_____ _____
_____ _____
_____ _____

Board Member Love moved the adoption of said resolution.
Board Member McNear seconded the adoption of said resolution.
Roll Call: 3 Yes Zero No Zero Abstained and 2 Absent
Resolution adopted, signed and billed to adopted.
_____
[Signature of City or County Clerk or Corporate Secretary]
ROLL CALL VOTE: Rohde- Yea, Bousquet- Absent, Gomez- Absent, McNear- Yea, Love- Yea.
UNANIMOUS MOTION CARRIED.

Acting Chair Rohde opened the One and Six Year Road Hearing at 4:45 p.m.
Chad Kehrt appeared before the board and presented the One and Six Year Road Plan.
Acting Chair Rohde asked for public comment on the plan.
Kent Rasmussen appeared before the board and asked if the culvert is on the plan.
Fred Kellogg said that it was on the 6 year plan.
Dennis Reinert appeared before the board and asked how many miles are going to be graded and graveled.
Fred Kellogg said that would be about 7 miles.
There was some discussion by the board regarding some details of the plan.
Acting Chair Rohde closed the public hearing at 4:58 p.m.

Commissioner McNear moved, seconded by Commissioner Love to approve Resolution 11C-003 which reads as follows:

Resolution 11C-003

Be it resolved by the Board of Commissioners for Dakota County, Nebraska, that the One and Six Year County Road Program as prepared by Chad Kehrt, Dakota Highway Superintendent, and attached hereto, be adopted.

BOARD OF COMMISSIONERS FOR
DAKOTA COUNTY, NEBRASKA

__William B. Rhode_____
Chairman

Attest:

__Theodore A. Piepho_____
County Clerk
Passed and approved this 22nd day of February, 2011.
Motion by Commissioner Richard McNear.
Seconded by Commissioner Scott Love.
That the above Resolution be approved, the Chairman stated the motion and directed the Clerk to call the roll. Roll call resulted as follows:
Commissioners voting
YEA: Love, McNear and Rohde
Commissioners voting
NAY: None
The result of the vote being 3 Yeas and 0 Nays, the Chairman declared the motion carried. 2 Absent.
ROLL CALL VOTE: Bousquet- Absent, Gomez- Absent, McNear- Yea, Love- Yea, Rohde- Yea.
UNANIMOUS MOTION CARRIED.

Chris Kleinberg, Dakota County Sheriff, appeared before the board to discuss the Jail Operating

Agreement for the orderly operation of the Dakota County Correctional Facility between Sheriff, Board of Corrections and Board of Commissioners.
He felt that the contract expires before the new elected official takes office. He said he would like to have the contract expire after the new official takes office.

Commissioner McNear moved, seconded by Commissioner McNear to define an ending date of January 19, 2015 for the Jail Operating Agreement for the orderly operation of the Dakota County Correctional Facility between Sheriff, Board of Corrections and Board of Commissioners.
ROLL CALL VOTE: Gomez- Absent, McNear- Yea, Love- Yea, Rohde- Yea, Bousquet- Absent.
UNANIMOUS MOTION CARRIED.

Sally Reinert appeared before the board and discussed pending legislation. She referenced LB48 and additional legislation that may affect Loess Hills RC & D.
Commissioner McNear said he was going to send letters to Heinemann, Fortenberry, and Nelson regarding the RC & D legislation.

Theodore Piepho, County Clerk, appeared before the board to discuss separating the Employee Policy from Handbook and adopt an Employee Policy Manual. He wanted to identify policy and guidelines.
Kim Watson, County Attorney, said she would like to wait until Friday when the Handbook Committee meets.
It was agreed that this should be discussed on another agenda.

Acting Chair Rohde asked for committee reports.
Joan Spencer, Administrative Assistant to the Board, said that the Planning & Zoning Application and Review committee will be meeting on Thursday.

Acting Chair Rohde asked for member reports.
Commissioner Love asked about the cut off date for getting an item on the agenda.
Theodore Piepho, County Clerk, appeared before the board and said that it is cut off at Friday at 8 a.m. unless the board wants to change it.
Commissioner Love asked if it could be done later than that in emergency situations.
Theodore Piepho said that it could be done.

Acting Chair Rohde asked for public comment.
Doug Goddard appeared before the board and asked about overpaid taxes.
It was determined that a claim for reimbursement was approved with the Accounts Payable claims and a check would be cut.

Acting Chair asked for mail or emergency business. There was none.

Commissioner McNear moved, seconded by Commissioner Love to adjourn the meeting of February 22, 2011, at 5:23 p.m.
ROLL CALL VOTE: Gomez- Absent, McNear- Yea, Love- Yea, Rohde- Yea, Bousquet- Absent.
UNANIMOUS MOTION CARRIED.

County Board of Commissioners

_____
William B. Rohde, Acting Chair Date Chair signed

_____
Danny Christoffers, Acting Secretary

DAKOTA COUNTY SEAL NEBRASKA

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

Dakota County Board of Commissioners
Monday, March 7, 2011
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called the Board's Regularly Scheduled Meeting to order at 4:10 p.m.
Present were: Commissioners Love, Bousquet, Rohde, McNear, Gomez and Danny Christoffers, Acting Secretary. Absent: None.
Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney were also present.
The agenda for the meeting was as follows:

- Call meeting to Order.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meeting.
- Chris Kleinberg – County Sheriff
  - Courthouse Security.
  - Approve Resolution 11C-004 approving Lease Purchase for Sheriff's Vehicles and authorize the Chair to sign where required.
- Bob Giese, County Treasurer – Update on the use of credit cards to pay taxes and fees.

- Miscellaneous Agenda Items
  - The Board to consider whether to accept Rottunda Way and Hanks Way, as County Roads in Phases 1 and 2 of Rottunda Place Subdivision.
  - Review recommendations from Committee Members appointed to review the Applications and Letters of Interest for the Planning and Zoning Commission seats to be filled in 2011.
    - County Board to appoint members to the Planning and Zoning Commission Board.
  - Mercy Business Health Services Agreement for renewal of our Employee Assistance Program.
  - Approve Employee Handbook changes recommended by Elected Officials.
  - Identify what expenses the County will authorize for Elected Officials to attend the 57th Annual Siouxland/Washington Conference & Steak Dinner.
  - Award and approve the lowest and best bid solicited for insulating the Homer Maintenance Shop.
  - Approve Payroll Claims.
    - Board Assistant to advise the Board of any claims tagged by the County Clerk.
  - Approve Accounts Payable Claims.
  - Approve Officials Reports.
  - Discussion of all pending legislation and possible action. This agenda item allows the board to take action as a Board on all pending legislation in the Nebraska Unicameral.
  - Solicit names of Officials who wish to attend Legislative Day at the Capitol April 7.

- Tabled Items: There are no tabled items to consider.
-
- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- Recess to March 14th for the City, County, and School Joint Meeting to be held at the Northeast Community College. (See reverse side of this sheet for agenda)
- Call 34th Annual Joint City/School/County Meeting to order
- See agenda for joint meeting.
- Adjournment

Commissioner Gomez moved, seconded by Commissioner McNear to approve the minutes of February 22, 2011 as typed and prepared for the Official Record.
ROLL CALL VOTE: Bousquet- Yea, Love- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea.
UNANIMOUS MOTION CARRIED.

Terry Kern, Jail Director, appeared before the board and explained to the board issues related to timesheets.

Chris Kleinberg, County Sheriff, appeared before the board and made them aware of his intention to move the metal detector on the main floor of the courthouse to upstairs near the County Courtroom. He suggested an alternative of a panic button that could be installed in various offices that would alert a deputy.
Chair Bousquet asked Sheriff Kleinberg if he would research and determine if someone local could provide the panic buttons.

Chair Bousquet called for the agenda item: “Approve Resolution 11C-004 approving Lease Purchase for Sheriff’s Vehicles and authorize the Chair to sign where required. “
Chris Kleinberg, County Sheriff, discussed vehicle issues.
Commissioner Rohde asked about how the bids were done.
Mr. Kleinberg said this was done through the state.
Commissioner Bousquet asked if the previous trucks wore out or will they be kept in the fleet.
Mr. Kleinberg said one of them would be.

Commissioner Gomez moved, seconded by Commissioner Rohde to approve resolution 11C-004 that the Board of Commissioners of The County of Dakota, Nebraska (the **"County"),** that this Board hereby approves and authorizes the acquisition of two police vehicles by the County through a Lease-Purchase Agreement with NACO Leasing Corporation. The Lease-Purchase Agreement shall include the following terms, with such changes as are deemed reasonable or necessary by the Chair of the Board of Commissioners as, as follows:

THE COUNTY OF DAKOTA, NEBRASKA
RESOLUTION NO. 11C-004

A RESOLUTION APPROVING, ADOPTING, RATIFYING AND AFFIRMING THE EXECUTION AND PERFORMANCE OF A LEASE-PURCHASE AGREEMENT WITH NACO LEASING CORPORATION FOR ACQUISITION OF PROPERTY.

BE IT RESOLVED by the Board of Commissioners of The County of Dakota, Nebraska (the **"County"),** that this Board hereby approves and authorizes the acquisition of two police vehicles by the County through a Lease-Purchase Agreement with NACO Leasing Corporation. The Lease-Purchase Agreement shall include the following terms, with such changes as are deemed reasonable or necessary by the Chair of the Board of Commissioners.

1. Principal Amount: $55,000.00
2. Interest Rate: 2.35%
3. Payment Amount: $5,359.02
4. Term: March 16, 2011 through September 15, 2016
5. Payment Frequency: semiannually on March 15 and September 15, beginning September 15, 2011

Settlement and closing of the Lease-Purchase Agreement shall be on or about March 16, 2011. NACO Leasing Corporation shall send payment to the equipment vendor or owner for acquisition of the property on the date on which NACO Leasing Corporation receives the signed Lease-Purchase Agreement and accompanying documents from the County.

BE IT FURTHER RESOLVED, that the Chair or Vice Chair of the Board of Commissioners and the County Clerk are hereby authorized and directed to sign the Lease-Purchase Agreement and related certificates and documents.

This Resolution shall be in full force and effect from and after its passage and all resolutions or orders, or parts thereof, in conflict with the provisions of this Resolution, are to the extent of such conflict, hereby repealed.

PASSED: March 7, 2011, at Dakota City, Dakota County, Nebraska.
BY THE BOARD OF COMMISSIONERS
OF THE COUNTY OF DAKOTA, NEBRASKA
/s/ Antonio A. Gomez
/s/ William B. Rohde
/s/ Richard McNear
/s/ Rick Bousquet
/s/ Scott Love

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

Bob Giese, County Treasurer, appeared before the board and said that all the credit card rates would be 2.49% and $2 for e-check. The cost to the county would be $113 per month. He said he would like to see one contract for Dakota County so that other offices could use the service. There was discussion on how many counties use it.

Chair Bousquet called for the agenda item: “The Board to consider whether to accept Rottunda Way and Hanks Way, as County Roads in Phases 1 AND 2 of Rottunda Place Subdivision.”
Chair Bousquet said that Shore Place Road would also be in this subdivision. He said that the county needs to consider whether to start a Paving District.

Commissioner Gomez moved, seconded by Commissioner Love to move the agenda item: “The Board to consider whether to accept Rottunda Way and Hanks Way, as County Roads in Phases 1 AND 2 of Rottunda Place Subdivision.” and to send a letter to Larry Albenesius requesting him to appear at the next meeting to discuss the agenda item.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Bousquet- Yea, Love- Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the agenda item: Review recommendations from Committee Members appointed to review the Applications and Letters of Interest for the Planning and Zoning Commission seats to be filled in 2011.
Commissioner Gomez said that the recommendations were Paul Ireland, Dick McCabe, Martin Rohde, and Jim Jepsen.

Commissioner Rohde moved, seconded by Commissioner McNear to appoint Paul Ireland, Dick McCabe, Martin Rohde, and Jim Jepsen to the Planning & Zoning Commission.
Chair Bousquet asked for Public Comment.

Dennis Reinert appeared before the board and said that Dick McCabe is presently on the Board of Adjustments and said State Statute prohibited him from being on both boards.
He was also concerned about geographic representation for Dakota City and gender representation as well as the attendance of some potential members.
Commissioner Gomez said that he was told that Dakota City was already covered and said that in Iowa it was law for boards to be gender balanced.
Marlan Millard appeared before the board and suggested that the individual on the board of adjustments could resign.
Commissioner Rohde said that the advertisement did not mentioned Dakota City and felt the committee did their job according to the blueprint provided for them.

Commissioner Rohde withdrew his motion.
Commissioner McNear withdrew his second.

Commissioner Rohde moved, seconded by Commissioner McNear to move the agenda item: "County Board to appoint members to the Planning and Zoning Commission Board." to the next meeting.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Bousquet- Yea, Love- Yea, Rohde- Yea.
UNANIMOUS MOTION CARRIED.

Joan Spencer discussed the Mercy Business Health Services Agreement (EAP). She said that Don Faber had recommended that the County keep this service in place.

Commissioner Gomez moved, seconded by Commissioner Love to accept the Mercy Business Health Services agreement, which is an Agreement for Employee Assistance Program Services to Dakota County, stated, as follows:

AGREEMENT FOR EMPLOYEE
ASSISTANCE PROGRAM SERVICES
TO
Dakota County

This agreement, effective the first day of March 2011, is entered into by and between Mercy Medical Services- Sioux City, 801 Fifth Street, Sioux City, Iowa 51101, a division of Mercy Health Services- Iowa Corp., a Delaware non-stock corporation, d/b/a Mercy Business Health Services ("MBHS"), and Dakota County hereinafter referred to as ("COMPANY").

WHEREAS, MBHS through its Employee Assistance Program is willing to provide professional employee assistance program (EAP) services to COMPANY employees as part of the COMPANY'S employee assistance program.

WHEREAS, the COMPANY desires to retain MBHS services to establish employee assistance program, in accordance with the terms of this Agreement.

NOW, THEREFORE, in consideration of the covenants contained herein as well as other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is agreed:

1. Program Design. MBHS shall organize and design an EAP, the purpose of which will be to assist the COMPANY employees and their family members to identify and evaluate problems, and to locate resources to help cope with or alleviate those problems.

2. Program Services. During the term of this agreement, MBHS shall provide the services identified in Appendix A, attached hereto and incorporated herein by reference.

3. Payment for Services. For the EAP services provided to one hundred and seven (107) COMPANY employees under this Agreement, the COMPANY will pay MBHS the fees set forth in Appendix A. MBHS shall provide the COMPANY with a written invoice for its fees, and such fees shall be paid by the COMPANY within thirty (30) days following the receipt of said invoice from MBHS.

4. Term. This Agreement shall commence on March 1st, 2011 and shall continue for a term of one year and for any additional one-year period to which the parties may subsequently agree and set forth in a written addendum to this Agreement, unless terminated as provided herein.

5. Termination. This Agreement may sooner terminate as follows:

A. By either party upon thirty (30) days prior written notice to the other party.
B. In the event that either party shall give notice to the other that such other party has substantially defaulted in the performance of any obligation under the Agreement and such default shall not have

been cured within seven (7) days following the giving of such notice, the party giving such notice shall have the right to terminate this Agreement at the expiration of such seven (7) day period.

C. In the event of any judicial, legislative, regulatory or administrative change or determination, whether federal or state, which has or would have significant adverse impact on either party hereto in connection with the performance of this Agreement, or in the event that performance by either party of any term, covenant, condition or provision of this Agreement should for any reason be in violation of any statute, regulation, or otherwise be deemed illegal or subject either party to sanctions under the Internal Revenue Code or sanctions or penalties under any other state or federal law, this Agreement shall terminate immediately. Provided, however, no compensation shall be paid by either party which would be prohibited under any federal or state laws.

6. Post Termination Obligations/Effect of Termination. Upon termination of this Agreement for any reason, MBHS shall cooperate with the COMPANY in the orderly transfer of services hereunder.

Notwithstanding the termination of this Agreement, any liability or obligation of either party that may have accrued prior to such termination shall continue in full force and effect.

In the event MBHS, with the consent of the COMPANY, renders Program Services after the expiration date hereof for any reason, it shall do so on a month-to-month basis (with either party having the right to terminate the Agreement at the end of any month, upon fifteen (15) days prior written notice), and all of the other terms and conditions of this Agreement shall remain in full force and effect, including but not limited to the COMPANY obligation to pay MBHS the fees set forth in Appendix A, said fees being prorated on a month-to-month basis and due within thirty (30) days following the receipt of an invoice from MBHS.

7. Records/Ownership and Confidentiality.

A. All employee EAP records shall be the property of MBHS and shall be maintained in accordance with its policy on confidentiality of patient records, subject to all state and federal laws pertaining thereto. The COMPANY shall abide by this policy and will not request divulgence of any confidential information regarding any employee without first obtaining the employee's written consent.

B. MBHS shall keep all information regarding services provided under this Agreement strictly confidential, and shall not disclose such information to anyone without the individual's express written approval, except as provided in this Agreement or as required by law. MBHS shall obtain appropriate written approval and authorization to provide complete information, including mental health, substance abuse and HIV/AIDS information from all individuals served pursuant to this Agreement to the COMPANY and any third party payors who may require such information.

C. The parties hereto agree to hold in strictest confidence and refrain from disclosing any and all secret and confidential information, knowledge or data in connection with this Agreement which information is not generally known to the public. However, this does not prevent disclosure to such parties' attorneys or consultants providing services in connection with this Agreement.

8. Independent Contractor. In the performance of the services to be rendered pursuant to this Agreement, it is mutually understood and agreed that MBHS shall be at all times acting and performing as an independent contractor. Nothing in this Agreement is intended to create an employer/employee relationship or a joint venture relationship between the parties or between individuals providing services on behalf of MBHS and the COMPANY.

The parties agree that the individuals providing services on behalf of MBHS are not employees of the COMPANY, and accordingly, are not eligible for any compensation, fringe benefits, pension, Workers' Compensation, sickness or health insurance benefits or other similar benefits accorded employees of the COMPANY. Individuals providing services on behalf of MBHS shall look solely to MBHS for the above. The parties agree that the COMPANY will not participate in the hiring, firing, supervision or discipline of individuals providing services on behalf of MBHS. Those individuals shall not be required to comply with the policies, procedures, work rules and handbooks of the COMPANY adopted for its employees, as set forth in personnel policies and procedures and employee handbooks.

Nothing in this Agreement is intended to allow the COMPANY to exercise control or direction over the manner or method by which MBHS and the individuals providing services on behalf of MBHS perform the services, which are the subject matter of this Agreement. The COMPANY is not required to provide any instruction or training to MBHS or individuals providing services on behalf of MBHS. MBHS reserves to itself the right to designate the hours, duties and work assignments, sequence of performance and work locations of individuals who are performing services pursuant to this Agreement. MBHS has the right to substitute individuals on a temporary basis to provide the services required pursuant to this Agreement. The COMPANY shall have no right of approval over the selection of such substitute individuals so long as they possess the qualifications required under this Agreement. MBHS shall, however, be strictly accountable to the COMPANY to ensure that its work and functions shall at all times be performed in accordance with currently approved and generally accepted professional standards and the terms of this Agreement. In this regard, the sole interest of the COMPANY is to assure that all services shall be performed in a competent, efficient, and satisfactory manner and in accordance with the terms of this Agreement.

The COMPANY shall not be responsible for any business or commuting expenses incurred by MBHS or individuals providing services on behalf of MBHS.

The parties understand and acknowledge that MBHS provides or may provide services to MBHS's own patients and other entities. The COMPANY shall not interfere with or control any aspect of MBHS's private business, including but not limited to MBHS's governance, management, operations, relationships with other entities, and/or other internal affairs.

MBHS and individuals provided by MBHS shall not be identified as employees of the COMPANY through the use of identification badges, Stationery or by any other means. Individuals provided by MBHS shall be identified to patients and the community as employees of MBHS.

9. Insurance. During the term of this Agreement, MBHS shall maintain in full force and effect policies of comprehensive general liability insurance and professional liability insurance, insuring itself and its employees and agents in connection with all services provided pursuant to this Agreement, in the sum of not less than one million dollars ($1,000,000) per occurrence and one million dollars ($3,000,000) annual aggregate, and shall provide the COMPANY proof of insurance upon request. If MBHS's insurance changes, MBHS shall notify the COMPANY no less than 10 days prior to cancellation, reduction or non-renewal of such coverage.

10. Indemnification. MBHS shall indemnify, hold harmless, and defend the COMPANY and its officers, trustees, members, agents, and employees from and against any and all claims, costs, actions, causes of action, losses or expenses (including reasonable attorney's fees) resulting from or caused by the actions or omissions of MBHS, or any defect in equipment or supplies which MBHS may furnish pursuant to this Agreement.

The COMPANY shall indemnify, hold harmless, and defend MBHS and its officers, trustees, members, agents, and employees from and against any and all claims, costs, actions, causes of action, losses or expenses (including reasonable attorney's fees) resulting from or caused by the actions or omissions of the COMPANY arising out of this Agreement, or any defect in any equipment or supplies which the COMPANY may furnish pursuant to this Agreement.

11. Governing Law. This agreement shall be construed in accordance with the laws of the state of Iowa without regard to its rules regarding choice of law.

12. Assignment. Except for assignments from Mercy Health Services- Iowa Corp. to an affiliated entity, this Agreement may not be assigned without the prior written consent of both parties.

13. Entire Agreement and Modification to Agreement. This Agreement and its attachments constitute the entire agreement of the parties. Further, this Agreement supersedes all prior negotiations, oral understandings, resolutions and statements of intent. This Agreement cannot be changed, modified, altered, terminated or discharged in any manner except by an instrument in writing, signed on or subsequent to the date hereof, by the party or parties against whom enforcement of the change, modification, alteration, termination or discharge is sought, including without limitation the provisions of this Section.

14. Notice. Any notice required to be given pursuant to the provisions of this Agreement shall be in writing and shall be sent by certified mail to the parties at their respective business addresses indicated herein:

If to MBHS:

Brian Monsma, Executive Director
Mercy Medical Services
801 5th Street
Sioux City, IA 51101

If to Dakota County:

Joan Spencer
Dakota County
P.O. Box 338
1601 Broadway Street
Dakota City, NE 68731

15. Invalidity. The parties hereto have negotiated and prepared the terms of this Agreement in good faith with the intent that each and every one of the terms, covenants and conditions herein be binding upon and inure to the benefit of the respective parties. Accordingly, if one or more of the terms, provisions, promises, covenants or conditions of this Agreement or the application thereof to any person or circumstance shall be adjudged to any extent invalid, unenforceable, void or voidable for any reason whatsoever by a court of competent jurisdiction, such provision shall be narrowly construed as possible, and each and all of the remaining terms, provisions, promises, covenants and conditions of this Agreement or their application to other persons or circumstances shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law. To the extent this Agreement is in violation of applicable law, then the parties agree to negotiate in good faith to amend the Agreement, to the extent possible consistent with its purposes, to conform to law.

16. Captions. All paragraph captions are solely for the convenience of the parties, are not otherwise part of this Agreement and shall not be used for the interpretation or determination of its validity or any part thereof.

17. Limited Enforcement. This Agreement is intended solely for the benefit of the parties hereto, and there is no intention, express or otherwise, to create rights or interest for any patients, parent, guardian or personal representative of any patient or any party or persons other than the COMPANY and MBC.

18. Waiver of Breach. The waiver by any party hereto of a breach of any provisions of this Agreement shall not operate as, or be construed as, a waiver of any subsequent or other breach of the same or other provisions of this Agreement by the other party.

Signed this_____day of _____, 2011.

"MBHS" "COMPANY"

By:_____ By: _____
Brian Monsma
Executive Director Its: _____
Mercy Medical Services
Sioux City, Iowa

APPENDIX A

Mercy Business Health Services is pleased to offer our Employee Assistance Program services to Dakota County on an employee per year basis.

MBHS's fee is $27.00 per employee per year and includes all of the services described below:

A. Up to six (6) EAP, face-to-face assessments and referral visits for one hundred and seven (107) COMPANY employees, board members, and any immediate family members and up to twenty (20) additional sessions at $75 per session per client per year;

B. Two (2) employee orientation sessions per year (we will schedule sessions and time in coordination with the COMPANY);

C. Two (2) supervisory training sessions per year (we will schedule sessions and time in coordination with the COMPANY);

D. Two (2) Drug Free Workplace Supervisory Training Sessions per year (we will schedule sessions and time in coordination with "Company");

E. Four (4) one hour seminars and/or brown bag lunches per year (we will schedule sessions and time in coordination with the COMPANY);

F. Communication materials including wallet cards, brochures, posters, and handout materials for seminars;

G. Dedicated EAP liaison personnel;

H. Supervisory consultation/intervention and assistance;

I. Annual reports by problem, referral type and client Satisfaction;

J. Monthly supervisor newsletter:

K. Monthly employee newsletter.

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

Chair Bousquet called for the agenda "Approve Employee Handbook changes recommended by Elected Officials".

Chair Bousquet read the portions of the handbook that were changed or modified as follows:

This Handbook is intended for use by all County employees; however, where there is a conflict between the provisions of the Handbook and the provisions of a collective bargaining agreement, the provisions of the collective bargaining agreement will prevail.

AND

I have read the County Employee Handbook. I understand that the Handbook does not constitute a contract between the County and me, but the means of providing general

information for my benefit. I understand that the County may, in its discretion, change, suspend, or cancel all or any part of this Handbook at any time.

AND

*** PLEASE DETACH, SIGN AND RETURN THIS FORM TO THE OFFICE OF JOAN SPENCER, ADMINISTRATIVE ASSISTANT TO THE BOARD, LOCATED IN THE LOWER LEVEL OF THE COURTHOUSE, OR MAIL TO P.O. BOX 338, DAKOTA CITY, NE 68731.

Chair Bousquet asked for comment. There was none.

Commissioner Love moved, seconded by Commissioner McNear to approve the changes to the Employee Handbook.
ROLL CALL VOTE: Bousquet- Yea, Love- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the agenda item: "Identify what expenses the County will authorize for Elected Officials to attend the 57th Annual Siouxland/Washington Conference & Steak Dinner."
The board discussed the need for representation and the cost of attendance.

Commissioner Love moved, seconded by Commissioner Rohde to cover costs incurred by Commissioner Gomez for his trip to attend the 57th Annual Siouxland/Washington Conference & Steak Dinner.
ROLL CALL VOTE: Love- Yea, Rohde- Yea, McNear- Yea, Gomez- Abstain, Bousquet- Yea.
MOTION CARRIED.

Chair Bousquet called for the agenda item: "Award and approve the lowest and best bid solicited for insulating the Homer Maintenance Shop."
Commissioner Love said he believed that it should be insulated and heated to the bare minimum.
Commissioner Rohde said this was a minimum investment to keep the equipment inside in shape.

Commissioner Love reviewed the bids to insulate the County's Maintenance Shop in Homer, as follows:
Weathershield: 7,939.80
Ymker Insulation: 10,745.20
Beverly Foam & Insulation and Coating: They gave two bids – The first: 1 ½ inches on ceilings and walls for 7,437.00, and the Second was ½ inch on walls and 2 inches ceiling for 8,269.00
The board discussed the bids and was concerned about the quality depending on the installer.

Commissioner Rohde moved, seconded by Commissioner Gomez that the Road Committee review the bids submitted by the bidders to insulate the County Maintenance Shop in Homer and for that Committee to make a recommendation of acceptance at the next meeting.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Bousquet- Yea, Love- Yea.
UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Love to approve the Payroll claims submitted by the County Clerk as well as the flagged claims per Terry Kern's recommendation as follows:
COUNTY GENERAL FUND: Gross salaries- $128,477.78, General Fund Employees Net Pay- $92,681.44, Employer deductions paid: Retirement- $8,934.55, FICA- $7,782.32, Medicare- $1,820.08, DC Health Plan- $27,000.00, DC Dental Plan- $977.40 and Life Insurance- $198.13, Principal Mutual Life Insurance-1,109.40.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1365.13, Daniel Christoffers- 671.60, Theodore Piepho- 1748.23, Marsha Reynolds- 58.50, Mary C. Wiltgen- 964.50, Marisol Curiel- 957.84, Darlene Davis- 953.60, Robert Giese- 1748.23, Ruth Gillaspie- 1266.78, Jolene Heinemann- 1020.80, Phyllis Ridge- 1007.16, Tracey Rysavy- 978.40, Cherie Conley- 960.00, Daniel Christoffers- 589.48, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Katherine Wiltgen- 200.00, Zachary Gerth- 1608.46, Debra Jensen- 1119.20, John Loos, Jr.- 2186.59, Elda Raudales- 163.68, Richard Jensen- 1535.59, Duane Kotalik- 1384.00, Tammy Dunn-Peterson- 935.20, Anthony Bos- 1750.00, Timothy Decker- 1903.85, Sandy Dickens- 487.04, Brian Ellinger- 2299.32, Michael Estes- 1956.31, Brent Gilster- 1860.68, Todd Hammer- 1781.06, Melvin Harrison III- 2045.72, Jason James- 1890.46, Kimberly Johnson- 316.64, Jared Junge- 1672.80, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1922.36, Michael Kreegar- 1860.68, Gayle Richards- 914.40, Kevin Rohde- 1967.49, Randall Walsh- 1791.91, Bridget Fiedler- 960.00, Kerry Johnson- 949.60, Sara Niles- 1807.69, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1121.01, Kimberly Watson- 2828.48, Caterina Chapman- 1230.22, Jacob Acero- 1310.35, Ermelinda Ballesteros- 1318.69, Mason Billings- 1360.89, Joshua Blatchford- 1359.26, Rebecca Broer- 1570.01, Elisabet DeRoin- 1020.94, Sandy Dickens- 793.34, Marjorie Donahue- 1462.01, Lisa Ford- 1455.73, Ryan Foster- 1364.50, Linda Frost- 854.12, Alma Gunderson- 1545.27, Amber Hamman- 1270.80, Cathy Harsma- 1524.22, Deanna Haukap- 1469.57, Jeffrey Heitzman- 1491.62, Adam Hough- 1345.30, Michael Jacobson- 1355.49, Brett Johnson- 1512.87, Nicholas Kellen- 1539.85, Brenda Kelly- 1351.31, Terry Kern- 1971.15, Keith Klein- 1295.40, James Kleinberg- 1364.50, Mark Nelson- 1433.65, Travis Olander- 1492.87, Kimberly Peterson- 1426.85, Doyle Pilgrim- 925.20, Daniel Rodasky- 1283.17, Cody Roeber- 1382.52, Jutharatana Ruenprom- 1743.32, Timothy Ryan- 1364.50, Linda Schovanec- 1358.40, Francis Tope- 1474.80, Jewel Williams- 1369.17, Matthew Wise- 1253.49, Cara Wood- 1566.67, Jolene Gubbels- 1049.60, Leon Pies- 659.20, Pamela DeVries- 1677.82, Bonnie Kahler- 755.60, Linda Weitzel- 1165.50, Willard Johnston- 1050.00.

GENERAL FUND: Employee withholding paid to: Federal- $13,145.71, State- $4,530.41, FICA- $5,271.91, Medicare- $1,820.08, Retirement- $6,045.15, Health Plan- $900.00, DC Dental Plan- $525.00, Sheriff Union Dues- $315.00, Deferred Comp- $332.00, Garnishments- $1,201.34, Aflac Health- $449.40, Aflac Life/Dsbl- $177.87 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $15,051.72, Road Employees Net Pay- $10,559.84, Employer deductions paid: Retirement- $1,015.99, DC Health Plan- $3,600.00, DC Dental Plan- $130.32, Life Insurance- $25.65, FICA- $904.21, and Medicare- $211.45, Principal Mutual Life Insurance-198.85.
Brent Byroad- 1394.40, Robert Hacker- 1314.40, Hans Houfek- 1314.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1697.44, Kimon Litras- 663.20, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Willie Peters II- 1314.40, Leon Pies- 659.20, Kip Reinbold- 1400.68, James Swanson- 1318.40.
ROAD FUND: Employee withholding paid to: Federal- $1,350.60, State- $477.49, FICA- $612.52, Medicare- $211.45 Retirement- $677.33, DC Dental Plan- 126.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $448.55, Aflac Health- $181.65, Aflac Life/Dsbl- $39.73, Flex Plan Medical- $160.00 and Union Dues- $140.00.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Bousquet- Yea, Love- Yea, Rohde- Yea.
UNANIMOUS MOTION CARRIED.

Commissioner McNear moved, seconded by Commissioner Gomez to approve the Veterans Quarterly Report for October through December, and the February Officials Reports of the County Clerk and Clerk of District Court.
ROLL CALL VOTE: Gomez- Yea, Bousquet- Yea, Love- Yea, Rohde- Yea, McNear- Yea.
UNANIMOUS MOTION CARRIED.

Sally Reinert appeared before the board to discuss pending legislation.
She overviewed the status of bills LB357, LB383, LB390 with the board.

Chair Bousquet called for the agenda item: “Solicit names of Officials who wish to attend Legislative Day at the Capitol April 7.”
The board members discussed who would attend and it was not decided.

Chair Bousquet called for Commissioner’s Committee Reports and Member Reports.
Sally Reinert appeared before the board and said that Cardinal Connections was going to be concluding a ‘need’ study.

Chair Bousquet called for Public Comment.
Sally Reinert appeared before the board and asked that when considering Rottunda Way if the County would create a paving district.
Marlan Millard appeared before the board and asked that before taking on any streets or housing projects that the County makes sure the streets are paved or black topped properly.
The board discussed how to create a paving district and decided it should be on the next agenda.

Commissioner Love brought up the topic of the need for a wood chipper. He said he talked to Joe Johnson - SSC Assist. Admin. and they said they would try to make theirs available to the County.
There was discussion about how the County could obtain one with either full or partial ownership.

Chair Bousquet called for Mail and/or Emergency Business. There was none.

Commissioner Rohde moved, seconded by Commissioner Gomez to Recess until March 14th for the City, County, and School Joint Meeting to be held at the Northeast Community College.
ROLL CALL VOTE: Gomez- Yea, Bousquet- Yea, Love- Yea, Rohde- Yea, McNear- Yea.
UNANIMOUS MOTION CARRIED. 5:48 p.m.

County Board of Commissioners

_____
Richard “Rick” Bousquet, Chair Date Chair signed

_____
Danny Christoffers, Acting Secretary

DAKOTA COUNTY SEAL NEBRASKA

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

Dakota County Board of Commissioners
Monday, March 14, 2011
Monday, March 7, 2011 Meeting Continued
College Center
1001 College Way
South Sioux City, NE 68776

Chair Bousquet called their meeting to order in the prescribed order, which was 6:35 p.m.
Present were: Commissioners Love, Bousquet, McNear, Gomez and Ted Piepho, Secretary. Absent: Commissioner Rohde.
The agenda for the meeting was as follows:

34th Annual Joint City/School/County meeting
March 14, 2011
South Sioux City, NE

5:30 – 6:30 p.m.
Tours of the College Center

6:30 p.m.

Call to Order and Pledge of Allegiance	Bill McLarty, Mayor/South Sioux City
Welcome & Introductions	Bill McLarty, Mayor/South Sioux City
Acknowledgment of Board and Roll Calls	Bill McLarty, Mayor/South Sioux City
Prayer	Arlan Kuehn, SSC Business Owner
Dinner	HyVee

Addresses

State of South Sioux City	Bill McLarty, Mayor/South Sioux City
State of Dakota City	James Roberts, Mayor/Dakota City
State of Dakota County	Rick Bousquet, County Commission Chairman
State of South Sioux City Schools	Vern Fisher, School Superintendent

Volunteer of the Year Award Presentation
South Sioux City Athletic Booster Club

Agenda

New College Center	Pam Miller, College Center Dean
Health Pledge	Captain Jose Belardo, DHHS, Reg. VII, Kansas City
Obesity Challenge	City/School/County/Chamber
School Strategic Plan	Vern Fischer, School Superintendent
Discussion on Traffic by Schools	Vern Fischer, School Superintendent
Safe School Application	Tami Reynolds, Grant Coordinator/South Sioux City
Policing Areas	Chief Scot Ford and Sheriff Chris Kleinberg
Housing Needs Study Results	Joe Johnson, Assistant City Administrator/South Sioux City

Commissioner Love left the meeting at 8:40 p.m.

Alternate Funding Sources for Commissioners Road Maintenance	Rick Bousquet & Scott Love, Dakota Co.

Motions to Adjourn

The 35th Annual Joint Meeting in 2012 will be hosted by Dakota County.
The agenda was followed, except Vincent Kramper talked on Environmental Trust and LB 229 after Commissioner Rick Bousquet address road maintenance and sales tax.
Commissioner Gomez moved, seconded by Commissioner McNear to adjourn their March 7, 2011 meeting at 9:03 p.m.
Roll Call Vote: McNear- Yea, Gomez- Yea and Bousquet- Yea. Commissioners Love and Rohde were absent.

County Board of Commissioners

_____
Richard "Rick" Bousquet, Chair Date Chair signed

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

DAKOTA COUNTY SEAL NEBRASKA

Dakota County Board of Commissioners
Monday, March 21, 2011
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called the Board's Regularly Scheduled Meeting to order at 4:10 p.m.
Present were: Commissioners Love, Bousquet, McNear, Gomez and Ted Piepho, Secretary. Absent: Commissioner Rohde.
Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney were also present.
The agenda for this meeting was as follows:

- Call to Order with reciting the Pledge of Allegiance.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meeting.
- Open Gravel Bids and Award Bid
- Public Hearing Old Dane, 466 Hwy 35, Dakota City. Class I Liquor License Application.
  - Open Public Hearing published to begin at 4:20 p.m.
    - Sarah F. Anderson to explain business.
    - Invite anyone from the public who wishes to provide evidence:
      Supporting issuance of license.
      Opposing issuance of license.
      Offering a neutral position on the issuance of a license.
    - Close Public Hearing.
    - Board Action on the Liquor License Application.
- Bob Giese – Discuss paying taxes with Credit Card.
  - Board to approve and authorize County Offices to accept Credit Cards for payment of taxes and fees. Authorize contract and signatures.
- Joey Moore with Secure Tech Services to present information on a possible alarm system for the Dakota County Courthouse. The board may take action on this issue.
- The Board to consider whether to accept any or all of the streets in Phases 1 and 2 within Rottunda Place Subdivision, as County Roads.
- Miscellaneous Agenda Items.
  - Review recommendations from Committee Members appointed to review the Applications for the Planning and Zoning Commission vacant seat and the seats to be filled in 2011.
    - County Board to appoint members to Planning and Zoning Commission Board.
      - Appoint three (3) seats that were up in 2011.
      - Appoint one (1) seat to fill remainder of term for Andy Olson.
  - Board to address and take action on Road Department employee's request to "go off the clock" and respond to Fire Department calls during work hours as a volunteer member of the Village/City/Rural Fire Department.
  - Solicit comments from the Board and approve Chair to send letter with said comments in response to JEO's request regarding the Environmental Assessment for the eventual build-out of Roth Industrial Park, South Sioux City.
  - Name two members of the County Board to sit on the County Negotiations Team with the Road Labor Union Local 257.
  - Approve Payroll Claims.
  - Approve Accounts Payable Claims.
  - County Web Site - discuss what options the County wants to consider for the County's Web Site. Action may follow discussion.
  - Discussion on how Road Districts and/or Paving Districts are created.
  - Arnie Andree to discuss a 4-way stop on Lake Avenue & Tompkins Drive.
    - Take action if the Board desires.
  - Road Committee to give recommendation for accepting bid on insulating the Homer Road Shop.
  - Discussion of pending legislation and possible action.
- Tabled Items: No tabled items to consider.
- Commissioner's Committee Reports.
- Commissioner's Member Reports.
- Public Comment.
- Mail and/or Emergency Business.
- Adjournment.

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Chair Bousquet called for the Agenda Item "Approve Minutes of prior meeting".
Commissioner Love moved.

Commissioner Gomez asked about excusing Commissioner Rohde.
Chair Bousquet said that we didn't need to do that, but choose to go ahead and called for a motion.

Commissioner Love moved, seconded by Commissioner McNear to excuse Commissioner Rohde for his absence.

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

Commissioner Gomez moved, seconded by Commissioner McNear to approve the minutes of March 7, 2011 as typed and prepared for the official record.
ROLL CALL VOTE: Rohde- Absent, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Open Gravel Bids and Award Bid" and they were opened by Fred Kellogg.
Fred Kellogg opened the Gravel Bids submitted by Higman Sand and Gravel, L.G. Everist, Inc., Peterson Sand and Gravel, Pilger Sand and Gravel and Stalp Gravel Co. The bids were as follows:

1) L.G. Everist, Inc. bid Schedule I at $13.20 FOB Pit, *3/4" Down Crushed Quartzite, Schedule II at $13.20 FOB Pit, *3/4" Down Crushed Quartzite, Schedule III at $16.90 FOB Pit,*1" X 4 Down Crushed Quartzite and Schedule IV at $13.20 FOB Pit, *3/4" Down Crushed Quartzite.
2) Peterson Sand & Gravel bid Schedule I at $8.00 FOB Pit and $13.00 delivered to county yard, Schedule II at $7.00 FOB Pit and $12.00 delivered. There was a map supplied showing the area to deliver gravel throughout the county. Section 1 was $12.00/ton, Section 2 was $13.00/ton, Section 3 was $14.00/ton, Section 4 was $15.00/ton, Section 5 was $16.00/ton and Section 6 was $17.00/ton, no bid was given for Schedule III FOB Pit, but alternate bids were given at $23.00/ton for 1" washed quartzite delivered to County Yard and $21.00/ton for ¾" down quartzite. A disclaimer was noted on Petersen's bid that prices were based on $3.75/gallon fuel which was effective at the time this bid was prepared. Any substantial change in fuel prices, up or down, will require an adjustment in product prices.
3) Pilger Sand and Gravel, bid Schedule IV at $6.60 FOB Pit and $13.70 delivered.
4) Stalp Sand & Gravel bid Schedule IV at $6.75 FOB Pit and $12.75 delivered.
The bids were opened in the following order: LG Everist, Inc., Pilger Sand and Gravel, Stalp Gravel Co., Higman Sand and Gravel, Peterson Sand and Gravel.

Commissioner Bousquet moved, seconded by Commissioner McNear to accept all gravel bids as received from .G. Everist, Petersen Sand & Gravel, Pilger Sand and Gravel and Stalp Sand and Gravel.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Public Hearing Old Dane, 466 Hwy 35, Dakota City. Class I Liquor License Application".
Commissioner McNear moved, seconded by Commissioner Gomez to open the Public Hearing concerning the application of Old Dane, 466 Hwy 35, Dakota City to apply for a Class I Liquor License at 4:20 p.m. No roll was taken.

Bryce Andersen appeared on behalf of Old Dane and said that they bought the golf course about four (4) years ago and are now applying for a Liquor License. This is the location of the old Iron Horse Golf Course, which is west of Dakota City on Highway 35 just beyond the four-way stop. He said that the old golf course had a liquor license and they will be renting the Club House out and thought it would be convenient to have a liquor license. They are expecting to open in June.
Chair Bousquet asked if there was anyone in the audience that would like to speak in support of approving the liquor license and there was none.
Chair Bousquet asked if there was anyone in the audience that would like to speak in opposition of approving the liquor license and there was none.
Chair Bousquet asked if there was anyone in the audience that would like to speak, taking a neutral position, of approving the liquor license.
Dennis Reinert asked what kind of liquor.
Mr. Andersen responded that they would have beer and hard liquor, but that they would not have off sale.
Commissioner McNear moved, seconded by Commissioner Gomez to close Public Hearing.
ROLL CALL VOTE: Love- Yea, Bousquet- Yea, Rohde- Absent, McNear- Yea and Gomez- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Gomez to approve the CLASS I BEER, WINE & DISTILLED SPIRITS, ON SALE ONLY LICENSE applied by Sarah Andersen DBA "Old Dane", 466 Highway 35, Dakota City, NE 68731 Dakota County, Nebraska, and to recommend to the State Liquor Commission that they likewise approve said license.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Absent, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Bob Giese – Discuss paying taxes with Credit Card".
Bob Giese, County Treasurer said that he had not received the contract yet and would get with the clerk to get on the agenda at a later date.

Chair Bousquet called for the Agenda Item "Joey Moore with Secure Tech Services to present information on a possible alarm system for the Dakota County Courthouse".
Joey Moore provided information that would support having the equipment and demonstrated the Equipment, which would have an Emergency Button in the offices and should an emergency occur in an office, a signal would be passed on the Sheriff's Radio System by pressing a button.
Pat Foust asked questions insuring that the system would be compatible with Dakota County Towers.

The Board discussed purchasing the system. Mr. Moore agreed to sell the system to Dakota County for $6,800.

Chair Bousquet called for the Agenda Item "The Board to consider whether to accept any or all of the streets in Phases 1 and 2 within Rottunda Place Subdivision, as County Roads".
Commissioner Gomez moved, seconded by Commissioner Love to accept the responsibility for removing snow off Rottunda Way, Phases one and two and that the county would not be responsible for the repairs on said road nor does the County accept any responsibility to remove snow off any gravel roads in Rottunda Place.
ROLL CALL VOTE: Rohde- Absent, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Review recommendations from Committee Members appointed to review the Applications for the Planning and Zoning Commission vacant seat and the seats to be filled in 2011".
Commissioner Gomez moved, seconded by Commissioner McNear to appoint Dick McCabe to fill the unexpired term of Andy Olson on the Joint Planning and Zoning Commission Board ending in 2012 and to appoint Martin Rohde, Jim Jepsen and to Paul B. Ireland, 1510 Hwy 20, Jackson NE 68743 to the terms on the Joint Planning and Zoning Commission Board beginning in 2011.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Board to address and take action on Road Department employee's request to "go off the clock" and respond to Fire Department calls during work hours as a volunteer member of the Village/City/Rural Fire Department".

Commissioner McNear moved, seconded by Commissioner Love to allow employees of the Road Department to respond to Fire and Rescue calls; however, any employees responding to emergency calls during working hours are required to log out (punch out) prior to leaving and are on their own time for the duration of their absence from the job. BE IT FURTHER RESOLVED that any employee responding to an emergency call shall not use County Equipment in travel to and from the call.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Solicit comments from the Board and approve Chair to send letter with said comments in response to JEO's request regarding the Environmental Assessment for the eventual build-out of Roth Industrial Park, South Sioux City".

Commissioner Gomez commented on the potential impact regarding housing. His concern addressed the availability and dissemination of information available to workers coming to an unfamiliar city/area and their need for housing.

Commissioner Gomez further commented that he felt the approach to addressing the possible affected resources or potential impacts as a result of this project was very thorough with all the various entities involved at the scoping meeting.

Commissioner Gomez moved, seconded by Commissioner Love to authorize the Chair to send a letter to JEO Consulting Group, Inc. that they support the Roth Industrial Park project and the potential economic growth of an eventual build-out of the industrial park.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Absent and McNear- Yea. UNANIMOUS MOTION CARRIED.

The letter sent was as follows:
Mr. Craig M. Mielke, PWS
Project Manager
JEO Consulting Group, Inc

RE: Roth Industrial Park Request for Comments

Dear Mr. Mielke:

The Dakota County Board of Commissioners had their regularly scheduled meeting on Monday, March 21, 2011, and discussed as an agenda item the Roth Industrial Park eventual build-out and your request for comments.

It was the Board's consensus that they support the Roth Industrial Park project and the potential economic growth of an eventual build-out of the industrial park. Commissioner Gomez commented on the potential impact regarding housing. His concern addressed the availability and dissemination of information available to workers coming to an unfamiliar city/area and their need for housing.

Commissioner Gomez further commented that he felt the approach to addressing the possible affected resources or potential impacts as a result of this project was very thorough with all the various entities involved at the scoping meeting.

Please feel free to contact me if further information is needed.

Sincerely,

Rick Bousquet
Board Chair

Chair Bousquet called for the Agenda Item "Name two members of the County Board to sit on the County Negotiations Team with the Road Labor Union Local 257".
Commissioner Bousquet asked if it was necessary to negotiate with the Union and mentioned Section 48-810.01of the Nebraska Statutes, which reads as follows: State or political subdivision; exempt from contract with labor organization. Notwithstanding any other provision of law, the State of Nebraska and any political or governmental subdivision thereof cannot be compelled to enter into any contract or agreement, written or otherwise, with any labor organization concerning grievances, labor disputes, rates of pay, hours of employment or conditions of work.

There was a short discussion and Chair Bousquet asked the County Attorney to give the Board an opinion, at their next meeting, whether the Board has to negotiate with the union.

Chair Bousquet called for the Agenda Item "Approve Payroll Claims".
Commissioner McNear moved, seconded by Commissioner Gomez to approve the payroll claims as submitted by County Clerk for payment as follows:
COUNTY GENERAL FUND: Gross salaries- $124,843.45, General Fund Employees Net Pay- $90,137.05, Employer deductions paid: Retirement- $8,673.80, FICA- $7,554.38, Medicare- $1,766.70, DC Health Plan- $27,000.00, DC Dental Plan- $977.40 and Life Insurance- $199.06, Principal Mutual Life Insurance-.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1365.13, Daniel Christoffers- 584.00, Theodore Piepho- 1748.23, Marsha Reynolds- 175.50, Mary C. Wiltgen- 966.00, Marisol Curiel- 884.16, Darlene Davis- 953.60, Robert Giese- 1748.23, Ruth Gillaspie- 1266.78, Jolene Heinemann- 1008.04, Phyllis Ridge- 856.74, Tracey Rysavy- 929.48, Cherie Conley- 960.00, Daniel Christoffers- 616.85, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Katherine Wiltgen- 200.00, Zachary Gerth- 1608.46, Debra Jensen- 1119.20, John Loos, Jr.- 2186.59, Elda Raudales- 163.68, Richard Jensen- 1563.34, Duane Kotalik- 1409.95, Tammy Dunn-Peterson- 970.28, Anthony Bos- 1708.58, Timothy Decker- 1903.85, Sandy Dickens- 487.04, Brian Ellinger- 2756.26, Michael Estes- 1241.46, Brent Gilster- 2138.24, Todd Hammer- 1750.00, Melvin Harrison III- 1644.80, Jason James- 1603.56, Kimberly Johnson- 305.53, Jared Junge- 2174.64, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1660.22, Michael Kreegar- 1768.16, Gayle Richards- 1005.84, Kevin Rohde- 1750.00, Randall Walsh- 1845.56, Bridget Fiedler- 924.00, Kerry Johnson- 949.60, Sara Niles- 1807.69, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1135.20, Kimberly Watson- 2828.48, Caterina Chapman- 1230.22, Jacob Acero- 1265.70, Ermelinda Ballesteros- 1432.30, Mason Billings- 1189.65, Joshua Blatchford- 1334.92, Rebecca Broer- 1426.14, Elisabet DeRoin- 1287.38, Sandy Dickens- 890.37, Marjorie Donahue- 1436.50, Lisa Ford- 1383.15, Ryan Foster- 1200.47, Linda Frost- 878.23, Alma Gunderson- 1347.23, Amber Hamman- 1400.98, Cathy Harsma- 1318.68, Deanna Haukap- 1261.81, Jeffrey Heitzman- 1283.97, Adam Hough- 1277.34, Michael Jacobson- 1442.01, Brett Johnson- 1290.42, Nicholas Kellen- 1338.98, Brenda Kelly- 1359.47, Terry Kern- 1971.15, Keith Klein- 1253.49, James Kleinberg- 1189.65, Mark Nelson- 1433.65, Travis Olander- 1285.11, Kimberly Peterson- 1245.87, Doyle Pilgrim- 918.78, Daniel Rodasky- 1405.47, Cody Roeber- 1189.65, Jutharatana Ruenprom- 1265.70, Timothy Ryan- 1189.65, Linda Schovanec- 1562.16, Francis Tope- 1266.37, Jewel Williams- 1516.25, Matthew Wise- 1085.85, Cara Wood- 1350.89, Jolene Gubbels- 1049.60, Leon Pies- 659.20, Pamela DeVries- 1677.82, Bonnie Kahler- 752.70, Linda Weitzel- 1184.00, Willard Johnston- 1050.00.
GENERAL FUND: Employee withholding paid to: Federal- $12,609.70, State- $4,318.56, FICA- $5,117.54, Medicare- $1,766.70, Retirement- $5,868.76, Health Plan- $900.00, DC Dental Plan- $567.00, Sheriff Union Dues- $315.00, Deferred Comp- $332.00, Garnishments- $1,201.34, Aflac Health- $449.43, Aflac Life/Dsbl- $177.90 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $15,365.24, Road Employees Net Pay- $10,793.86, Employer deductions paid: Retirement- $1,037.14, DC Health Plan- $3,600.00, DC Dental Plan- $130.32, Life Insurance- $25.65, FICA- $923.64, and Medicare- $216.00, Principal Mutual Life Insurance-.
Brent Byroad- 1472.85, Robert Hacker- 1314.40, Hans Houfek- 1281.54, Robert Jacobsen- 1330.40, Fred Kellogg- 1697.44, Kimon Litras- 1326.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.41, Willie Peters II- 1314.40, Leon Pies- 659.20, Kip Reinbold- 1314.40, James Swanson- 1009.40.
ROAD FUND: Employee withholding paid to: Federal- $1,388.24, State- $487.51, FICA- $625.69, Medicare- $216.00, Retirement- $691.44, DC Dental Plan- 126.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $448.55, Aflac Health- $181.66, Aflac Life/Dsbl- $39.73, Flex Plan Medical- $160.00 and Union Dues- $140.00.
ROLL CALL VOTE: Love- Yea, Bousquet- Yea, Rohde- Absent, McNear- Yea and Gomez- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Approve Accounts Payable Claims".
Commissioner McNear moved, seconded by Commissioner Gomez to approve the Accounts Payable Claims filed with the County Clerk and submitted by him for payment, as follows:
GENERAL FUND: City of South Sioux City, lec cost share- 31822.54; BI Inc, electric monitoring- 1522.69; Verizon, phone- 89.41; Ateam Heating, repair- 436.00; Amsan, supplies- 1474.15; Aramark,

rug service- 61.28; Bob Barker, supplies- 568.70; Briggs, medical- 28.98; CBM Food Service, meals- 20880.72; Cash-Wa Distributing, meals- 90.42; Crescent Electric Supply, bulbs- 334.09; Dakota County Sheriff, pads- 7.68; Dakota Family Dentistry, medical- 560.00; Dakota Food & Fuel, fuel- 358.73; Dakota One Leasing, contract- 220.00; Sandy Dickens, mileage- 99.96; Marjorie Donahue, mileage- 72.96; Electronic Engineering, antenna- 77.50; Fremont Tire, service- 64.20; Gill Hauling, service- 120.00; Amber Hamman, mileage- 72.14; Hough Distributing, gloves- 90.00; Jacks Uniforms, supplies- 275.70; Jackson Glass, deductible- 500.00; Mercy Business Health, medical- 2827.50; Mercy Medical Center, medical- 1522.95; MidAmerican Energy Company, utilities- 2294.78; Midwest Office Solutions, copies- 212.00; Moore Medical, medical- 39.50; NE Nebraska Juvenile Services, boarding- 306.25; Nebraska Public Power Dist, utilities- 2331.97; Net Sys Plus, repair- 460.00; NW Iowa Emergency Phys, medical- 462.00; Doyle Pilgrim, mileage- 8.16; St Luke's Regional Medical Center, medical- 77.80; Sam's Club, membership dues- 70.00; Siouxland Federal Credit Union, fuel/paint/meds- 671.82; Siouxland Obstetrics, medical- 515.00; Siouxland Radiology Partners, medical- 116.00; Speedy Rooter, repair- 289.48; Spencer Fane Britt & Browne, policy- 1429.50; Thompson Electric, repair- 306.34; Trembly Pest Control, service- 55.00; Verizon, phone- 193.61; Wal-Mart, supplies/prescriptions- 12843.51; Woodbury County Juvenile Det, boarding- 3600.00; Dakota County Star, publishing- 19.29; Fred Kellogg, meals- 70.63; Verizon, phone- 33.59; Advance Auto Parts, parts/grease- 92.46; AZ Inc, fuel- 213.04; Central Community College, training- 105.00; Dakota Business Systems, lease- 102.00; Heritage Express-Emerson, fuel- 62.00; Hubbard Minimart, fuel- 153.00; Leon Pies, meals/mileage- 310.82; Ramada Inn, lodging/meals- 195.50; Linda Weitzel. Mileage- 43.86; Pam Devries, mileage- 91.29; Perkins, supplies- 248.07; Dr Thomas Wente, consulting physician- 250.00; Pat Glover, hours- 310.00; Bill Johnston, mileage/phone/meals- 403.08; Perkins, supplies- 7.61; Thomson West, service- 718.83; Business Telecomm System, phones- 622.00; Cable One, internet- 169.96; City of South Sioux City, economic dev/joint meeting- 67663.65; Cherie Conley, ymca membership- 19.50; Clerk of Dist Court, petty cash- 50.00; Fibercomm, phone- 1175.88; FSH Comm, payphone- 63.60; Jared Junge, ymca membership- 19.50; Mailfinance, lease- 227.00; Mercy Business Health, eap agreement- 2889.00; MIPS, support- 422.38; Norm Waitt YMCA, membership- 278.50; Region IV, qtrly service- 7367.25; Spencer Fane Britt Browne, legal service- 30.00; Three Rivers Benefit, admin fees- 1110.00; Madelyn Thorsland, prior yrs- 10.00; US Postal Service, postage- 2500.00; Randy Walsh, ymca membership- 19.50; Dakota County Star, publishing- 288.53; Holiday Inn, lodging- 155.90; Des Moines Stamp, stamps- 90.40; Microfilm Imaging, scanner- 45.00; Midwest Office Automation, repair- 91.82; Net Sys Plus, repair- 91.00; Perkins, supplies- 13.50; AS Central Services, service- 65.00; Dakota County Star, advertising- 2297.81; Charlotte Doenhoefer, prior yrs- 10.00; General Business Interiors, desk- 346.77; Robert Giese, training/supplies/mileage- 161.00; Ruth Jensen, prior yrs- 12.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; Wilmes Hardware, supplies- 100.13; Microfilm Imaging, rent- 240.00; Perkins, supplies- 27.50; Margie Rahn, prior yrs- 12.00; Election Systems & Software, ballot stock- 9.86; Arnie Mellick, phone- 30.00; Fairfield Inn and Suites, lodging- 231.00; Phyllis Obermeyer, supplies/meals- 223.72; Perkins, supplies- 307.59; AS Central Services, supplies- 352.87; Dakota Business Systems, equipment- 99.00; Des Moines Stamp, supplies- 26.70; Microfilm Imaging, scanning- 100.50; Midwest Office Automations, supplies/service- 175.00; Cartridge World, toner- 129.98; Frank Gonzalez, interpret- 700.00; Shelly Hodges, interpret- 400.00; Hurley Reporting, transcript- 91.00; Perkins, supplies- 106.13; Matthew Connealy, court appointed counsel- 10.80; Dakota County Court, court costs- 1423.05; Randy Hisey, court appointed counsel- 258.00; Kueny & Begley, court appointed counsel- 48.00; Stuart Mills, court appointed counsel- 1080.00; Douglas Roehrich, court appointed counsel- 808.00; Richard Thramer, court appointed counsel- 1511.64; Patrick Tott, court appointed counsel- 1212.00; Clerk of the Supreme Court, fee- 10.00; District Court, court costs- 525.00; Randy Hisey, court appointed counsel- 1620.00; MIPS, scanning- 87.00; M&M Court Reporting, hearings- 75.00; Net Sys Plus, service- 200.00; Stuart Mills, court appointed counsel- 2025.00; Michael Schmiedt, court appointed counsel- 600.00; Shirley Sides, hours- 300.00; Pat Slaughter, hours- 300.00; Richard Thramer, court appointed counsel- 705.39; Dakota County Sheriff, papers/warrants- 887.48; District Court, court costs- 384.00; Bomgaars, supplies- 190.89; Foulk Brother, plumbing- 3345.62; Gill Hauling, service- 120.00; Jackson Glass, automatic door- 545.00; Janitor Deport, supplies- 214.20; Joes Dept Store, repair- 223.04; Menards, supplies- 980.09; MidAmerican Energy, utilities- 1135.00; Nebr Public Power Dist, utilities- 1537.91; O'Keefe Elevator, maintenance- 165.91; Richard Jensen, mileage- 75.02; Sam's Club, supplies- 124.21; Siouxland Lock & Key, repair- 80.00; Trembly Pest Control, service- 50.00; Verizon, phone- 52.71; PMNRD, rent- 833.33; UNL Extension, reimburse- 1301.87; Afternooners, meals- 113.90; Kerry Bligh, animal control- 100.00; City of South Sioux City, copies/fuel- 4816.77; Dakota Food & Fuel, fuel- 50.00; Electronic Engineering, adapter- 166.95; Fremont Tire, service/repair- 274.80; Glock, lever- 13.00; Jacks Uniforms, supplies- 80.55; K&S Auto Service, service/repair- 181.45; Net Sys Plus, repair- 140.00; Pender Veterinary Clinic, examine horse- 55.00; RACOM, t1- 648.80; Siouxland Federal Credit Union, meals/supplies/computer- 1298.29; Verizon, phones- 430.16; Willis Animal Clinic, appointments- 105.45; Wal-Mart, supplies- 340.48; Cartridge World, ink- 208.72; Dakota County Treasurer, renewal- 92.50; Dept of Motor Vehicles, transcripts- 4.00; Douglas County Health Center, craft- 397.55; H2O4U, water- 45.17; Iowa Office Supply, contract- 104.63; Marcia Mahon, deposition- 97.50; Peter Parry, phone- 20.00; Staples, printer- 79.99; Verizon, phone- 135.01;

ROAD FUND: Advance Auto, supplies- 35.76; Aramark, service- 267.40; AZ Inc, fuel- 901.91; Barkley Asphalt, asphalt- 489.50; Bomgaars, supplies- 164.98; Electronic Engineering, gps- 900.00; Gill Hauling, service- 55.00; Walter Heinemann, prior yrs- 29.00; HME, repair- 35.00; Hubbard Minimart, fuel- 650.35; HundertMark, supplies- 24.30; H2O4U, service- 8.50; Inland Truck Parts, parts- 4.13; Jackson Glass, parts/labor- 35.00; J&J Pronto, fuel- 356.02; Jim Hawk Truck Trailers, parts- 492.92; Joes Dept Store, parts/supplies- 551.22; Kimball Midwest, supplies- 106.89; Kinetic Leasing, loader payment/interest- 2458.00; LG Everist, gravel- 5045.50; Marx Truck Trailer, parts- 86.10; Matheson Linweld, oxy- 49.00; Midwest Service & Sales, chains/blades- 8161.96; Marlan Millard, prior yrs- 15.00; Motion Industries, parts- 164.23; Nebr Public Power Dist, utilities- 94.95; NE Nebr Public Power Dist, utilities- 297.33; NE Nebr Telephone, phone- 212.35; Pomps, tires- 3143.00; PowerPlan Murphy, parts/supplies- 1049.68; RC Customs, labor- 6.67; Rees Mack & Sales, parts- 377.14; Sapp Bros

Petroleum, grease/propane- 2883.12; Stephan Welding, labor- 230.00; Thurston County, storage- 200.00; Titan Access, parts/supplies- 512.31; Tri-State Comm, equipment/repair- 132.00; Verizon, phone- 60.80; Warren Oil, diesel- 9690.55; Ziegler's, parts/supplies- 2026.45;
ROAD IMPROVEMENT: United Comm Group, repair- 510.68;
VISITORS PROMOTION: South Sioux City Chamber of Commerce, lodging tax- 7218.31;
INSTITUTIONS: Beatrice State Dev Center, qtrly payment- 537.00; Lincoln Regional Center, qtrly payment- 270.00;
HEALTH PLANNING GRANT: Alltel, phone- 200.00; Deanna Beckman, hours- 1258.00; Pam Devries, mileage- 17.85; Perkins, supplies- 46.35;
PUBLIC SAFETY: City of South Sioux City, sales tax- 3934.09; Jail Bond Fund, sales tax- 35553.81; Road Fund, sales tax- 914.16;
ROLL CALL VOTE: Bousquet- Yea, Rohde- Absent, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "County Web Site - discuss what options the County wants to consider for the County's Web Site. Action may follow discussion".
Chris Kleinberg mentioned contacting NACO because they have templates on their server that counties can lease.
Sally Reinert suggested a person that does the Educational Service Unit Web Site and Joan Spencer was to contact Sarah Elton to see if she would be available.

Chair Bousquet called for the Agenda Item "Discussion on how Road Districts and/or Paving Districts are created".
This was a short discussion that suggested that it is the County Residents responsibility to create Road or Paving Districts by passing a petition and Joan Spencer referenced Page 12 of the county Board Handbook, which also talked about the land owners having a mail election inside the proposed district.

Chair Bousquet called for the Agenda Item "Arnie Andree to discuss a 4-way stop on Lake Avenue & Tompkins Drive".
Mr. Andree suggested that there be a Stop Sign put in the vicinity of Red Rock Lane at Lake Avenue and Tompkins Drive to control speeders.
Fred Kellogg suggested that stop signs are not a legitimate way of controlling speed and suggested that he increase the signage in that area and then it is up to law enforcement to control speed.

Chair Bousquet called for the Agenda Item "Road Committee to give a recommendation for accepting bid on insulating the Homer Road Shop".
The Road Committee needed more time because a couple of vendors were not available to meet with the Road Committee.

Chair Bousquet called for the Agenda Item "Discussion of pending legislation and possible action".
Sally Reinert report on three bills that she talked to the State Senator introducing the bill on sex offenders and he said that if it does not pass this year that he will reintroduce it next year.

Chair Bousquet called for the Agenda Item "Commissioner's Committee Reports".
Commissioner McNear reported that he attended the Northeast District Meeting in Norfolk on Friday. He reported that there was going to be a hearing on LB84, which is a one-half cent sales tax at the state level and said that there were a lot of bills that have been passed on tax purposes and they will be coming out. He also mention that LB301 is going to be voted on next week.
Commissioner Gomez reported that he attended a P & Z meeting and a couple issues were discussed and will eventually come before this Board.

Chair Bousquet called for the Agenda Item "Commissioner's Member Reports".

Chair Bousquet called for the Agenda Item "Public Comment".
Dennis Reinert suggested that when the Board approved the appointments of Planning and Zoning Board Members that they need two member to the Board of Adjustments. One for Dick McCabe and an alternate and that the county needs to publish for individuals interested on serving on said Board as soon as they can.

Susan Church said that the roads in Millis Beach have not been graded for a good two months and she addressed that there was a train blocking their road again on March 14th. Again today it blocked their road 32 minutes.
She also addressed that a lady was fined for trespassing during this time because she drove across private property and suggested that this has been going on for years, but that people should have be warned first.
Chair Bousquet said that common sense tells you not to go across private property.

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

Chair Bousquet called for the Agenda Item "Adjournment".

Commissioner McNear moved, seconded by Commissioner Love to adjourn their meeting of March 21, 2011.
ROLL CALL VOTE: Gomez- Yea, Bousquet- Yea, Love- Yea, Rohde- Absent, McNear- Yea.
UNANIMOUS MOTION CARRIED. 5:34 p.m.

County Board of Commissioners

_____
Richard “Rick” Bousquet, Chair Date Chair signed

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

DAKOTA COUNTY SEAL NEBRASKA

The minutes of the March 31, 2011 Emergency Meeting were inadvertently entered in this book after the April 4, 2011 Meeting.

Dakota County Board of Commissioners
Monday, April 4, 2011
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called the Board's Regularly Scheduled Meeting to order at 4:11 p.m.
Present were: Commissioners Love, Bousquet, Rohde, Gomez and Ted Piepho, Secretary. Absent: Commissioner McNear.
Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney were also present.
The agenda for this meeting was as follows:

- Call meeting to Order.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call.
  - Approve Minutes of prior meetings March 21st and March 31st, 2011.
- The Dakota County Board of Commissioners will hold a public hearing during their regular meeting at the Dakota County Courthouse in Dakota City, Nebraska on the 4th day of April, 2011, at 4:10 PM, for the purpose of reviewing a Conditional Use Permit Application by Juan Alamillo to establish a rodeo arena. The proposed location is in the NW of the SW Quarter of Section 14, T-27-N, R-6-E, formally known as 2474 S Avenue, Emerson in Dakota County, Nebraska.
  - Open Public Hearing.
  - Proponents.
  - Opponents.
  - Neutral.
  - Close Public Hearing.
  - Approve or deny Conditional Use Permit.
- Kyle Krumwiede – Seeking approval for a Special Designated Liquor License to sell beer during the Dakota-Thurston County Fair.
- Miscellaneous Agenda Items.
  - Name two members of the County Board to sit on the County Negotiations Team with the Road Labor Union Local 257.
  - Board to consider whether to purchase a Security Alarm System, which was demonstrated by Joey Moore in the last board meeting.
  - Board to accept Richard McCabe's resignation from Board of Adjustments and approve advertising Board of Adjustment vacancies for one full-time position and one alternate.
  - Approve Payroll Claims.
  - Approve Accounts Payable Claims, if any.
  - Board to discuss whether to enter into an agreement with Larry Albenesius for snow removal on Rottunda Way in Rottunda Place Subdivision.
    - The Board may want to add Hanks Way to that agreement by accepting the responsibility for snow removal on it as well. The Board may wish to rescind last meeting's action on snow removal for Rottunda Way because of possible liability for the County when removing snow without an agreement. The County Board may decide to accept the paved roads in Rottunda Place Subdivision as County Roads instead of entering into an agreement with Larry Albenesius.
  - Accept Bid for insulating the County's Maintenance Building in Homer.
  - Road Department to present gravel bid agreements to the Board of Commissioners for signage by the Chair.
  - Road Department to discuss working four ten hour day work week.
  - Dick McNear. Discussion and possible action on outside contractor bidding on maintaining roads or maintaining a section of roads for Dakota County.
  - Web Site Maintenance discussion and possible action.
- Commissioner's Committee Reports.
- Commissioner's Member Reports.
- Public Comment.
- Mail and/or Emergency Business.
- Jail Tour – A tour must be done in April and could be done April 18, if not this day.
- Adjournment.

Chair Bousquet called for the Agenda Item "Approve Minutes of prior meeting".
Commissioner Gomez moved, seconded by Commissioner Love to approve the minutes of March 21, 2011 and the minutes of the Emergency Meeting March 31, 2011 as typed and prepared for the Official Record.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Absent, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "To hold a public hearing during their regular meeting at the Dakota County Courthouse in Dakota City, Nebraska on the 4th day of April, 2011, at 4:10 PM, for the purpose of reviewing a Conditional Use Permit Application by Juan Alamillo to establish a rodeo arena. The proposed location is in the NW of the SW Quarter of Section 14, T-27-N, R-6-E, formally known as 2474 S Avenue, Emerson in Dakota County, Nebraska".

Chair Bousquet opened the above mentioned Public Hearing reviewing a Conditional Use Permit Application by Juan Alamillo to establish a rodeo arena at 4:12 p.m.
Arnold Mellick, Planning and Zoning Administrator stepped up to the podium. He said that Mr. Alamillo submitted an application for a rodeo arena and after the Planning and Zoning Commission reviewed it, they forwarded it to the Board of Commissioner for approval. He briefly described where the location of the proposed arena is.
Chair Bousquet asked if any commissioners had any questions for Mr. Mellick.
Mr. Mellick said that he had enough room so that there would not be any parking on County Right-of-Way.
Commissioner Gomez said that he was there and none of the neighbors had any problem with the approval.
Commissioner Rohde asked if the permit would be perpetual.
Mr. Mellick said that he would have to re-apply every year.
Commissioner Bousquet asked what he was going to do for security and Mr. Alamillo said that he would use off duty deputies although he had not gotten approval from the Sheriff.
Sheriff Kleinberg was in the audience and said that would be off duty deputies if they wish to.
Chair Bousquet closed the Public Hearing at 4:17 p.m.
Commissioner Gomez moved, seconded by Commissioner Rohde to approve the Conditional Use Permit Application by Juan Alamillo to establish a rodeo arena in the NW of the SW Quarter of Section 14, T-27-N, R-6-E, formally known as 2474 S Avenue, Emerson in Dakota County, Nebraska".
ROLL CALL VOTE: Rohde- Yea, McNear- Absent, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the agenda item "Kyle Krumwiede – Ag. Society is requesting a Special Designated Liquor License for the dates of the County Fair."

Mr. Krumwiede did not appear before the Board, but Commissioner Bousquet was familiar with the Ag. Society having a Special Designated Liquor License and said that they apply for a Special License every year and suggested that the Board approve the License for the dates of the County Fair July 21 through and including July 24, 2011 for a Beer Garden.
Commissioner Bousquet moved, seconded by Commissioner Love to authorize and approve the issuance of a Special Designated Liquor License to the Ag. Society during the Dakota-Thurston County Fair: July 21, 22, 23 and 24th, 2011.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Yea and McNear- Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Name two members of the County Board to sit on the County Negotiations Team with the Road Labor Union Local 257.
Commissioner Bousquet said that he would be on it, but Dick does not want to be on it because he is on the road Committee and part of the crew at one time. Commissioner Love volunteered to be the other Commissioner.
Commissioner Rohde moved, seconded by Commissioner Love that Commissioners Bousquet and Love sit on the County's Labor Negotiation's Team when negotiating the next Road Department's union contract and that Fred Kellogg also sit on that team.
ROLL CALL VOTE: McNear- Absent, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Board to consider whether to purchase a Security Alarm System, which was demonstrated by Joey Moore in the last board meeting."
Chair Bousquet asked Sheriff Kleinberg about it and he said that he was not promoting it or against it. This came about when Sheriff Kleinberg wanted to remove the metal detector and thought this might offer the people in the courthouse an alternative if they would feel safer.
It was discussed that Joey reduced the price from $7,500 to $6,800 because he was using one of the Sheriff's existing radios.
Chair Bousquet referred it to the Budget Committee to see if they wanted to include it in next year's budget.
Commissioner Gomez asked the Sheriff if he had talked to the Judges about it. He said that the judge enlightened me by demonstrating his current button on the bench and it took someone ten minutes to respond because it rings down in the old jail and the individual manning that station saw that light and did not know what it was. It use to be that is where the Sheriff's Office was and where the dispatcher was and that is where it was wired into. That is the difference between the old system and this system is because when you press the button on the system proposed the emergency airs over the Sheriff's Radio System.

Commissioner Bousquet moved, seconded by Commissioner Gomez to refer the purchase a Security Alarm System to the Budget Committee and after talking to all the offices determine the need and if the money should be appropriated for the system.
ROLL CALL VOTE: Love- Yea, Bousquet- Yea, Rohde- Yea, McNear- Absent and Gomez- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Board to accept Richard McCabe's resignation from Board of Adjustments and approve advertising Board of Adjustment vacancies for one full-time position and one alternate".

Commissioner Gomez moved, seconded Commissioner Love to accept the resignation of Dick McCabe off the Board of Adjustments and to authorize the advertisement of a member to replace him and to include needing an alternate member to serve on the Board of Adjustments.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Absent, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

It was the consensus of the Board to advertise as soon as possible for two weeks.

Chair Bousquet called for the Agenda Item "Board to discuss whether to enter into an agreement with Larry Albenesius for snow removal on Rottunda Way in Rottunda Place Subdivision." The Board may want to add Hanks Way to that agreement by accepting the responsibility for snow removal on it as well. The Board may wish to rescind last meeting's action on snow removal for Rottunda Way because of possible liability for the County when removing snow without an agreement. The County Board may decide to accept the paved roads in Rottunda Place Subdivision as County Roads instead of entering into an agreement with Larry Albenesius.

Fred Kellogg said that just removing the snow would require a separate inter-local agreement and did not recommend that. He recommended that the Board either accept and take ownership of the two paved roads, Rotunda Way and Hanks Way, as they exist today or not accept them as County Roads.
He added that they meet the Department of Roads specifications.
Commissioner Bousquet asked if that would put us in a position to be responsible for paving the other roads, which are not paved at this time.
Mr. Kellogg said that it would not if you only adopt the two roads that are paved now.

Commissioner Gomez moved, seconded by Commissioner Love to rescind their motion and second from the County Board Meeting of March 21, 2011, "to accept the responsibility for removing snow off Rottunda Way, Phases one and two and that the county would not be responsible for the repairs on said road nor does the County accept any responsibility to remove snow off any gravel roads in Rottunda Place".
ROLL CALL VOTE: Rohde- Yea, McNear- Absent, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet re-opened the discussion of accepting Rottunda Way and Hanks Way in Rottunda Place Subdivision.
Sally Reinert approached the podium and said that, as a taxpayer, she would like the County to put a condition on these roads that the people living on these roads would create a paving district. That means when the time comes that these roads have to be overlaid, or whatever, these people have agreed to be taxed for it and closed with please do that.

There was discussion that once the County accepts the roads that the County is responsible for the maintenance.

Chair Bousquet said that the people in that area would have to petition that.

Dennis Reinert said that as the Commissioner you can set the guide lines. You don't have to accept this road and require them to set up a paving district. Look twenty years into the future, look at where you are in Tompkins.

The Board said that Tompkins is a lot different situation.

Susan Church approached the podium and referenced that trees were to be cleared and had heard that there is scuttlebutt of tying Larry's Road into our (road in Millis Beach) road. If the County is going to accept these roads, is there any way of giving the residents in Millis Beach an exit there if there is a train on the track. She said that we (referring to Millis Beach Residents) need a road.

Commissioner Rohde said that he and Scott Love talked to Larry about 45 days ago about a trade off and he was not willing.

Commissioner Rohde moved, seconded by Commission Gomez to accept all paved roads in Rottunda Place Subdivision including Hanks Way and Rottunda Way that are paved roads.
Dennis Reinert said before you take your vote, this is a subdivision and this problem should have been resolved two years ago according to policy.
ROLL CALL VOTE: Rohde- Yea, McNear- Absent, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Accept Bid for insulating the County's Maintenance Building in Homer".
Fred Kellogg said that the Road Committee had reviewed this and is recommending the bid by Weatherschield for the amount of $7,939.80. He is here in Dakota City. Commissioner Love said that the money is in the budget. Low bid was not recommended with availability being one factor.

Commissioner Gomez moved, seconded by Commissioner Love to accept the bid from Weatherschield in Dakota City for the amount of $7,939.80 to insulate the County Maintenance Shop in Homer.
ROLL CALL VOTE: McNear- Absent, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Road Department to present gravel bid agreements to the Board of Commissioners for signage by the Chair".

Commissioner Gomez moved, seconded by Commissioner Rohde to authorize the Chair to sign the agreements for the Gravel Bids that were accepted in the Board's March 21, 2011 meeting.
ROLL CALL VOTE: McNear- Absent, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Road Department to discuss working four ten hour day work week".
Fred said that he had sent the board member a packet show the saving for working four ten hour day work weeks.
There was discussion concerning the four ten hour day work weeks.
Commissioner Bousquet stressed the need for having full crews during the summer months. When the ten hour work days were started, the other thing was to have the office manned until noon on Friday. We also talked about having someone on call to handle emergencies. He said that Fred has to manage so the people are working.
Commissioner Love suggested that he was in favor of 7:00 a.m. to 5:30 p.m. Fred said that the guys like 6 a.m. start time better. Commissioners Love and Gomez favored 7:00 a.m. start time and Commissioner Love said that unless someone can change my mind, I like 7:00 a.m.
Commissioner Rohde moved, seconded by Commissioner Gomez to authorize the Road Department to work four tens, starting at 7:00 a.m. and working to 5:30 p.m. with the Road Committee to determine when they start and stop those hours and to make sure that the department is covered on Fridays.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Yea and McNear- Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Dick McNear. Discussion and possible action on outside contractor bidding on maintaining roads or maintaining a section of roads for Dakota County".
Chair Bousquet said that Commissioner McNear had contacted him to see about contracting out certain roads or portions of roads to see if it would be feasible to do this cost wise. There was discussion that Thurston County is trying this with Cooney Construction.
It was decided to let Commissioner McNear come back to discuss this.

Chair Bousquet asked if the Board wanted to advertise.

Commissioner Love moved, seconded by Commissioner Gomez to advertise to bid out the maintenance of certain roads or sections of roads in Dakota County.
ROLL CALL VOTE: Love- Yea, Bousquet- Yea, Rohde- Yea, McNear- Absent and Gomez- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Web Site Maintenance discussion and possible action".
Sally Reinert said that the person that she had recommended could not take on the added responsibility due to health reasons, but that she recommended someone else and she would be willing to help that person.
It was decided that this person make a presentation to the board and estimate cost. The Board would decide from there where to go with the County's Website.

Chair Bousquet called for the Agenda Item "Approve Payroll Claims".
Commissioner Rohde, seconded by Gomez to approve the payroll claims as submitted by County Clerk for payment as follows:
COUNTY GENERAL FUND: Gross salaries- $123,325.39, General Fund Employees Net Pay- $89,141.05, Employer deductions paid: Retirement- $8,562.51, FICA- $7,461.59, Medicare- $1,745.04, DC Health Plan- $27,300.00, DC Dental Plan- $988.26 and Life Insurance- $200.53, Principal Mutual Life Insurance- $1,166.78.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1365.13, Daniel Christoffers- 584.00, Theodore Piepho- 1748.23, Marsha Reynolds- 274.50, Mary C. Wiltgen- 960.00, Marisol Curiel- 982.40, Darlene Davis- 953.60, Robert Giese- 1748.23, Ruth Gillaspie- 1266.78, Jolene Heinemann- 963.38, Phyllis Ridge- 967.92, Tracey Rysavy- 978.40, Cherie Conley- 960.00, Daniel Christoffers- 551.15, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Katherine Wiltgen- 200.00, Zachary Gerth- 1608.46, Debra Jensen- 1119.20, John Loos, Jr.- 2186.59, Elda Raudales- 163.68, Richard Jensen- 1535.59, Duane Kotalik- 1384.00, Tammy Dunn-Peterson- 1040.44, Anthony Bos- 1796.60, Timothy Decker- 1903.85, Sandy Dickens- 487.04, Brian Ellinger- 2007.08, Michael Estes- 1754.04, Brent Gilster- 1937.78, Todd Hammer- 1936.42, Melvin Harrison III- 1727.04, Jason James- 1627.07, Douglas Johnson- 190.40, Kimberly Johnson- 233.31, Jared Junge- 1840.08, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1732.18, Michael Kreegar- 1706.48, Gayle Richards- 914.41, Kevin Rohde- 1770.71, Randall Walsh- 1802.64, Bridget Fiedler- 960.00, Kerry Johnson- 949.60, Sara Niles- 1807.69, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1121.01, Kimberly Watson- 2828.48, Caterina Chapman- 1230.22, Jacob Acero- 1347.23, Ermelinda Ballesteros- 1334.92, Mason Billings- 1189.65, Joshua Blatchford- 1338.98, Rebecca Broer- 1467.84, Elisabet DeRoin- 1134.38, Sandy Dickens- 884.66, Marjorie Donahue- 1462.00, Lisa Ford- 1330.73, Ryan Foster- 1252.74, Linda Frost- 846.09, Alma Gunderson- 1334.98, Amber Hamman- 756.75, Cathy Harsma- 1343.10, Deanna Haukap- 1281.23, Jeffrey Heitzman- 1253.49, Adam Hough- 1277.34, Michael Jacobson- 1189.65, Brett Johnson- 1322.48, Nicholas Kellen- 1338.98, Brenda Kelly- 1355.39, Terry Kern- 1971.15, Keith Klein- 1253.49, James Kleinberg- 1189.65, Mark Nelson- 1433.65, Travis Olander- 1277.34, Kimberly Peterson- 1257.30, Doyle Pilgrim- 822.40, Daniel Rodasky- 1273.46, Cody Roeber- 1189.65, Jutharatana Ruenprom- 1277.34, Timothy Ryan- 1189.65, Linda Schovanec- 1485.75, Francis Tope-

1282.40, Jewel Williams- 1330.73, Matthew Wise- 1131.57, Cara Wood- 1334.76, Jolene Gubbels- 1049.60, Leon Pies- 659.20, Pamela DeVries- 1677.82, Bonnie Kahler- 758.49, Linda Weitzel- 1184.00, Willard Johnston- 1050.00.
GENERAL FUND: Employee withholding paid to: Federal- $12,609.70, State- $4,318.56, FICA- $5,117.54, Medicare- $1,766.70, Retirement- $5,868.76, Health Plan- $900.00, DC Dental Plan- $567.00, Sheriff Union Dues- $315.00, Deferred Comp- $332.00, Garnishments- $1,201.34, Aflac Health- $449.43, Aflac Life/Dsbl- $177.90 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $15,329.08, Road Employees Net Pay- $10,769.50, Employer deductions paid: Retirement- $1,034.70, DC Health Plan- $4,200.00, DC Dental Plan- $152.04, Life Insurance- $25.65, FICA- $921.41, and Medicare- $215.48, Principal Mutual Life Insurance- 209.14.
Brent Byroad- 1394.40, Robert Hacker- 1314.40, Hans Houfek- 1314.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1697.44, Kimon Litras- 1326.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Willie Peters II- 1314.40, Leon Pies- 660.40, Kip Reinbold- 1314.40, James Swanson- 1017.64.
ROAD FUND: Employee withholding paid to: Federal- $1,382.66, State- $484.97, FICA- $624.16, Medicare- $215.48, Retirement- $689.82, DC Dental Plan- 126.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $448.55, Aflac Health- $181.65, Aflac Life/Dsbl- $39.73, Flex Plan Medical- $160.00 and Union Dues- $140.00.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Absent, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item “Approve Accounts Payable Claims, if any” and there were none.

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

Chair Bousquet called for the Agenda Item “Commissioner’s Member Reports”.
Commissioner Gomez reported that he went to the Planning and Zoning Workshop. He said that he enjoyed and learned a lot in the round table discussions.

Chair Bousquet called for the Agenda Item “Public Comment”.
Sally Reinert said that Monday, April 18 is County Government Day and if anyone is going. Chair Bousquet volunteered to go to Governor’s Day.

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

Chair Bousquet announced that they would do a jail tour on the 18th.

Chair Bousquet called for the Agenda Item “Adjournment”.
Commissioner Gomez moved, seconded by Love to adjourn their meeting of April 4, 2011 at 5:12 p.m.
ROLL CALL VOTE: Gomez- Yea, Bousquet- Yea, Love- Yea, Rohde- Yea, McNear- Absent.
UNANIMOUS MOTION CARRIED. 5:12 p.m.

County Board of Commissioners

_____
Richard “Rick” Bousquet, Chair Date Chair signed

DAKOTA COUNTY SEAL NEBRASKA

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

Dakota County Board of Commissioners
Thursday, March 31, 2011
Emergency Meeting
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called the Special Meeting of the County Commissioner's to order at 1:00 p.m.
The Pledge of Allegiance was said.
Present were: Commissioners Love, Bousquet, Rohde, McNear and Ted Piepho, Secretary.
Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney were also present. Commissioner Gomez was absent.
The agenda for this meeting was as follows:

PUBLIC NOTICE

An Emergency Meeting of the Dakota County Board of Commissioners has been called for Thursday, March 31, 2011, at 1:00 p.m.

The Agenda shall be for the Board to state the nature of the emergency, approve a Partnership Agreement - with Communities, Counties and Natural Resources Districts, and to authorize the Board chair to sign said agreement.
The purpose of the Partnership Agreement by and between the City of South Sioux City, Nebraska and the communities, counties and Natural Resources Districts of Dakota and Thurston Counties of Rural Northeast Nebraska is for grant funds to conduct a comprehensive examination of water problems, needs and opportunities throughout Dakota and Thurston counties.

Chair Bousquet said that the purpose of this meeting is for a grant on a study for rural water or water treatment.

Ethan Joy from JEO said that South Sioux City is taking the lead on studying a Regional Rural Water System throughout Dakota and Thurston Counties. Part of this application is the Bureau of Commission, Department of Interior, who sponsors it, is looking for proof that the entities in these areas are open to the idea of partnering this engineering study.
There is no financial obligation and we are not asking for anything specific. Mr. Joy added that the County has no obligation when the study is done. This is simply to show the Bureau that you are interested and willing to participate.
Commissioner Rohde asked what kind of response has been given from the other Cities.
Mr. Joy said that everyone has signed except the outside entities.
Chair Bousquet asked who was going to take care of the funds.
Mr. Joy said that South Sioux City will be in charge of it.
Mr. Joy said that all he needs is a simple motion for the Chair to sign the agreement and being a partner to the study.
Chair Bousquet asked if there were any comments from the public and there were none.
Commissioner Rohde moved, seconded by Commissioner McNear to support the partnership with South Sioux City for the Rural Water Study and to authorize the Chair to sign the Partnership Agreement.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Absent, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.
The Partnership Agreement was as follows:

Partnership Agreement
Communities, Counties, Natural Resources Districts

This is a Partnership Agreement by and between the City of South Sioux City, Nebraska (hereinafter referred to as "Applicant") and the communities, counties, and Natural Resources Districts of Dakota and Thurston Counties of rural northeast Nebraska (hereinafter referred to as "Partners").

The following facts are hereby understood by Program partners:

1. That the United States Department of the Interior, Bureau of Reclamation (hereinafter referred to as "Bureau") has a program entitled, "Reclamation Rural Water Supply Program" (hereinafter referred to as "Program"), Catalog of Federal Domestic Assistance (CFDA) number 15.506,
2. That the Bureau has issued a Funding Opportunity Announcement for the Program, number R11SF80307,
3. That the Applicant is an eligible applicant to apply for these Program funds,
4. That the Applicant seeks to use Program funds to conduct the South Sioux City, Nebraska Rural Water Supply Appraisal Investigation (hereinafter referred to as Appraisal Investigation); a comprehensive examination of water problems, needs and opportunities throughout Dakota and Thurston Counties located in rural, northeastern Nebraska,
5. That the Applicant previously submitted a Statement of Interest to the Bureau of Reclamation for Appraisal Investigation funds and that on March 2, 2011 the Bureau informed the Applicant that it was invited to submit a full proposal for an Appraisal Investigation,
6. That the Applicant has contacted the governing bodies of the Partners and requested their partnership in this study,
7. That the Partners' role and responsibly in the Appraisal Investigation will be to provide pertinent information about known water quality/quantity issues within their respective Reservation or service area, encourage public participation in the Appraisal Investigation, and provide effective guidance to the Applicant's consultant as it relates to environmental review,

8. That the Partners will have no financial obligation in conjunction with this Appraisal Investigation, be required to be a partner on subsequent Feasibility Studies, or be required to connect to the rural water system, if eventually constructed, and
9. That the Applicant will be responsible to prepare and sign all reporting requirements associated with the Program.

In light of the Program facts set forth above, we, the undersigned Partners do hereby agree to serve as partners for the Appraisal Investigation.

City of Dakota City, Nebraska

Signed:_____

Title:_____

Date:_____

Village of Emerson, Nebraska

Signed:_____

Title:_____

Date:_____

Village of Homer, Nebraska

Signed:_____

Title:_____

Date:_____

Village of Hubbard, Nebraska

Signed:_____

Title:_____

Date:_____

Partnership Agreement
Page Two

City of Jackson, Nebraska

Signed:_____

Title:_____

Date:_____

Village of Pender, Nebraska

Signed:_____

Title:_____

Date:_____

Village of Rosalie, Nebraska

Signed:_____

Title:_____

Date:_____

Village of Thurston, Nebraska

Signed:_____

Title:_____

Date:_____

Village of Walthill, Nebraska

Signed:_____

Title:_____

Date:_____

Village of Winnebago, Nebraska

Signed:_____

Title:_____

Date:_____

Partnership Agreement
Page Three

Dakota County, Nebraska

Signed:_____

Title:_____

Date:_____

Thurston County, Nebraska

Signed:_____

Title:_____

Date:_____

Lower Elkhorn Natural Resources District
District

Signed:_____

Title:_____

Date:_____

Papio-Missouri Natural Resources

Signed:_____

Title:_____

Date:_____

South Sioux City, Nebraska

Signed:_____

Title:_____

Date:_____

.

McNear moved, seconded by Love to adjourn their Emergency Meeting of March 31, 2011. ROLL CALL VOTE: Gomez- Absent, Bousquet- Yea, Love- Yea, Rohde- Yea, McNear- Yea. UNANIMOUS MOTION CARRIED. 1:05 p.m.

County Board of Commissioners

_____

Richard “Rick” Bousquet, Chair Date Chair signed

DAKOTA COUNTY SEAL NEBRASKA

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, April 18, 2011
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Vice Chair Rohde called the Board's Regularly Scheduled Meeting to order at 4:10 p.m.
Present were: Commissioners Love, Rohde, Gomez, McNear and Ted Piepho, Secretary. Absent: Commissioner Bousquet.
Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney were also present.
The agenda for this meeting was as follows:

- Call to Order with reciting the Pledge of Allegiance.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meeting
- Juan Alamillo – Special Designated Beer License to sell beer at 2474 S Avenue, Emerson, NE
- Miscellaneous Agenda Items
  - Approve Payroll Claims
  - Approve Accounts Payable Claims
  - Board to give responsibility for compliance with the disclosure undertaking per the Sales Tax Bond Resolution to a particular person to file the audit annually with the Municipal Securities Rulemaking Board.
  - Discussion of pending legislation and possible action.
  - Officials Reports
  - Quarterly Jail Tour
- Tabled Items:
- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- Adjournment

Call to Order with reciting the Pledge of Allegiance.
A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
Roll Call
Commissioner Gomez moved, seconded by Commissioner McNear to excuse Commissioner Bousquet for his absence.
ROLL CALL VOTE: Bousquet- Absent, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for the Agenda Item "Approve Minutes of prior meeting".
Commissioner Gomez moved, seconded by Commissioner McNear to approve the minutes of April 4, 2011 as typed and prepared for the Official Record.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Absent. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for the Agenda Item "Juan Alamillo – Special Designated Beer License to sell beer at 2474 S Avenue, Emerson, NE."
Mr. Alamillo did not show for his appointment for the above agenda item, therefore the Board requested the County Clerk to carry the item on the agenda for the next County Board Meeting.

Vice Chair Rohde called for the Agenda Item "Approve Payroll Claims".
The Board discussed employee James Swanson's (Employee ID 7032) claim, in which Mr. Swanson had terminated his employment with the County, and he was claiming prorated vacation from his anniversary date to the current date. The board determined that the Road Contract did not specify that employees are to be paid prorated benefits when they terminate their employment.
Commissioner Gomez moved, seconded by Commissioner Love to approve all payroll claims, except Employee ID 7032 (Jim Swanson) payroll claim, as filed with the County Clerk and submitted to the Board as follows:
COUNTY GENERAL FUND: Gross salaries- $123,954.39, General Fund Employees Net Pay- $89,213.49, Employer deductions paid: Retirement- $8,617.17, FICA- $7,469.54, Medicare- $1,746.99, DC Health Plan- $27,300.00, DC Dental Plan- $988.26 and Life Insurance- $201.06, Principal Mutual Life Insurance-.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1365.13, Daniel Christoffers- 584.00, Theodore Piepho- 1748.23, Marsha Reynolds- 126.00, Mary C. Wiltgen- 960.00, Marisol Curiel- 982.40, Darlene Davis- 953.60, Robert Giese- 1748.23, Ruth Gillaspie- 1266.78, Jolene Heinemann- 1015.24, Phyllis Ridge- 1046.40, Tracey Rysavy- 978.40, Cherie Conley- 984.00, Daniel Christoffers- 584.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Katherine Wiltgen- 200.00, Zachary Gerth- 1608.46, Debra Jensen- 1119.20, John Loos, Jr.- 2186.59, Elda Raudales- 161.04, Richard Jensen- 1480.09, Duane Kotalik- 1384.00, Tammy Dunn-Peterson- 1014.13, Anthony Bos- 1770.71, Timothy Decker- 1903.85, Sandy Dickens- 487.04, Brian Ellinger- 1810.49, Michael Estes- 1128.60,

Brent Gilster- 1665.36, Todd Hammer- 1812.13, Melvin Harrison III- 1727.04, Jason James- 1589.45, Douglas Johnson- 1903.85, Kimberly Johnson- 355.52, Jared Junge- 1672.80, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1822.13, Michael Kreegar- 1747.60, Gayle Richards- 914.41, Kevin Rohde- 1677.51, Randall Walsh- 1716.80, Bridget Fiedler- 960.00, Kerry Johnson- 949.60, Sara Niles- 1884.62, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1135.20, Kimberly Watson- 2828.48, Caterina Chapman- 1230.22, Jacob Acero- 1273.46, Ermelinda Ballesteros- 1675.81, Mason Billings- 1171.63, Joshua Blatchford- 1338.98, Rebecca Broer- 1442.82, Elisabet DeRoin- 1134.38, Sandy Dickens- 833.30, Marjorie Donahue- 1381.25, Lisa Ford- 1326.69, Ryan Foster- 1189.65, Linda Frost- 942.49, Alma Gunderson- 1347.23, Amber Hamman- 1253.15, Cathy Harsma- 1343.10, Deanna Haukap- 1172.52, Jeffrey Heitzman- 1257.30, Adam Hough- 1281.23, Michael Jacobson- 1189.65, Brett Johnson- 1322.48, Nicholas Kellen- 1314.63, Brenda Kelly- 1220.67, Terry Kern- 1971.15, Keith Klein- 1257.30, James Kleinberg- 1070.69, Mark Nelson- 1433.65, Travis Olander- 1277.34, Kimberly Peterson- 1257.30, Doyle Pilgrim- 1053.70, Daniel Rodasky- 1296.76, Cody Roeber- 1193.26, Jutharatana Ruenprom- 1277.34, Timothy Ryan- 1189.65, Linda Schovanec- 1426.32, Francis Tope- 1282.40, Jewel Williams- 1350.89, Matthew Wise- 1009.65, Cara Wood- 1362.99, Jolene Gubbels- 1049.60, Leon Pies- 661.20, Pamela DeVries- 1677.82, Bonnie Kahler- 770.07, Linda Weitzel- 1036.00, Willard Johnston- 1050.00.
GENERAL FUND: Employee withholding paid to: Federal- $12,328.94, State- $4,209.81, FICA- $5,060.00, Medicare- $1,746.99, Retirement- $5,831.02, Health Plan- $1400.00, DC Dental Plan- $546.00, Sheriff Union Dues- $375.00, Deferred Comp- $332.00, Garnishments- $1,201.34, Aflac Health- $449.43, Aflac Life/Dsbl- $177.90 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $15,317.53, Road Employees Net Pay- $10,760.52, Employer deductions paid: Retirement- $1,033.92, DC Health Plan- $3,600.00, DC Dental Plan- $130.32, Life Insurance- $25.65, FICA- $920.70, and Medicare- $215.31, Principal Mutual Life Insurance- .
Brent Byroad- 1394.41, Robert Hacker- 1314.40, Hans Houfek- 1314.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1697.44, Kimon Litras- 1326.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Willie Peters II- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,381.60, State- $484.63, FICA- $623.67, Medicare- $215.31, Retirement- $689.30, DC Dental Plan- 126.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $448.55, Aflac Health- $181.66, Aflac Life/Dsbl- $39.73, Flex Plan Medical- $160.00 and Union Dues- $140.00.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Absent. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Gomez to approve Employee ID 7032 (Jim Swanson) payroll claim without the prorated vacation pay.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Absent and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for the Agenda Item “Approve Accounts Payable Claims”.
Commissioner McNear moved, seconded by Commissioner Gomez to approve payment of the Accounts Payables claims filed with the County Clerk and presented by him for payment as follows:
GENERAL FUND: Holiday Inn, lodging- 213.00; Olsson Associates, services- 2100.00; Verizon, phone- 34.59; Advance Auto Parts, parts- 52.98; AZ Inc, fuel- 182.03; Dakota County Extension, weed- 10.00; Fremont Tire, labor/tires- 204.37; Heritage Express, fuel- 89.02; Hubbard Minimart, fuel- 186.00; J&J Pronto, fuel- 87.01; Leon Pies, fuel/phone- 50.01; Quality Inn, lodging/meals- 174.42; Staples, supplies- 98.14; Pam Devries, mileage- 75.48; Pat Glover, clinic hours- 100.00; Linda Weitzel, mileage- 97.41; Thomas Wente, physician- 250.00; Capital One Visa, lodging/meals- 377.13; Bill Johnston, phone/mileage/postage- 287.18; Perkins, supplies- 53.40; Cable One, internet- 169.96; Claritus, ink/tape- 195.98; Cherie Conley, ymca membership- 19.50; Dakota County Treasurer, taxes- 7800.00; FiberComm, phone- 1158.23; FSH Comm, payphone- 63.60; IBM Corp, maintenance agreement- 218.58; Mailfinance, lease- 227.00; Mercy Business Health, eap agreement- 240.75; MIPS, support- 422.38; Norm Waitt, memberships- 386.50; Region IV, qtrly services- 5320.25; Madelyn Thorsland, prior yrs- 10.00; Three Rivers Benefit, admin fee- 110.00; US Postal Service, postage- 2500.00; VT-Husker Commercial Fleet, vehicles- 48916.00; Randy Walsh, ymca membership- 19.50; XPEDX, copy paper- 2765.70; Road Improvement, budget transfer- 35000.00; Afternooners, meals- 62.36; Kerry Bligh, animal control- 150.00; City of South Sioux City, fuel- 5896.03; Dakota County Sheriff, adhesive/fees- 105.34; Fremont Tire, tires- 458.00; Jacks Uniforms, clothing- 379.20; K&S Auto Service, service- 133.82; Lynn Peavey, kits- 55.38; McArthur Sheet Metal, brackets- 85.75; Mercy Medical Center, conference- 45.00; NLETC, lodging- 18.00; SFCU, meals- 46.36; Verizon, data cards- 430.10; Cartridge World, ink- 43.97; Dept of Motor Vehicles, records- 20.00; Iowa Office Supply, contract- 113.29; Jennie Dugan-Hinrichs, autopsy- 75.00; Peter Parry, phone- 20.00; Universata, records- 25.00; Verizon, phone- 135.01; Kim Watson, supplies/camera- 2078.43; City of South Sioux City, lec cost- 31822.54; BI Inc, electric monitoring- 1640.26; Redwood Biotech, drug test- 24.24; Verizon, phone- 89.37; Ateam Heating & Cooling, compressor- 2358.32; Amsan, supplies- 1780.66; Aramark, admin- 61.28; Bob Barker, supplies- 551.20; Bunkers Feed & Supply, salt- 61.71; Cashwa Distributing, supplies- 55.89;CBM Food Service, meals- 15459.69; City of Dakota City, utilities- 1195.07; City of South Sioux City, fuel- 98.07; Cummins Central Power, maintenance- 1072.41; Dakota County Sheriff, supplies/meal- 21.55; Dakota Family Dentistry, medical- 281.00; Dakota Food & Fuel, fuel- 467.53; Dakota One Leasing, contract- 220.00; Marjorie Donahue, mileage- 29.68; Gill Hauling, service- 120.00; Amber Hamman, mileage- 58.41; Hough Distributing, gloves- 1212.48; Jacks Uniforms, supplies/clothing- 196.76; Joes Department Store, supplies- 30.46; Dr Kincaid Fett & Tharp, medical- 313.30; Mercy Business Health, medical- 2206.00; Mercy Medical Center, medical- 6050.25; MidAmerican Energy, utilities- 1299.06; Midlands Clinic, medical- 136.80; Midwest Office Automations, contract- 203.39; Moore Medical, supplies- 165.42; Nebr Public Power District, utilities- 2247.86; Net

Sys Plus, repair- 100.00; NW Iowa Emerg Phys, medical- 1227.00; Redfield & Company, sheets- 338.00; St Luke's Dept of Lab Services, medical- 39.82; Sam's Club, supplies- 196.65; Siouxland Federal Credit Union, prescriptions- 1116.58; Siouxland Radiology Partners, medical- 315.00; Speedy Rooter, repair- 72.50; Trembly Pest Control, service- 55.00; Verizon, phone- 193.61; Walmart, prescriptions/supplies- 7321.83; Wigman Company, toilet diaphragm- 443.50; Woodbury Co Juvenile Det, boarding- 7200.00; Dodge County Clerk, qtrly payment- 12667.80; Rick Bousquet, reimburse- 40.00; Dakota County Star, publishing- 562.92; Tony Gomez, reimburse/airfare- 984.99; Bear Graphics, security paper- 127.77; Dakota County Star, publishing- 40.12; Des Moines Stamp, stamps- 39.70; Midwest Office Automation, repair- 371.48; NACO, workshop- 60.00; Theodore Piepho, coffee pot- 16.05; AS Central Service, computer- 115.00; Dakota County Star, publishing- 78.00; Des Moines Stamp, stamper- 92.75; Charlotte Doenhoefer, prior yrs- 10.00; Robert Giese, mileage- 110.16; Ruth Gillaspie, toner- 135.24; Ruth Jensen, prior yrs- 12.00; Nebr Workforce Development, unemployment- 1194.38; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; Cherie Conley, mileage- 28.56; Microfilm Imaging, rent- 240.00; Margie Rahn, prior yrs- 12.00; Western Office Technologies, supplies- 11.47; Dakota Business Systems, contract- 102.00; Dakota County Star, publishing- 34.73; Tony Gomez, mileage- 190.74; Deb Green, mileage/meeting- 32.34; Jolene Gubbels, minutes- 60.00; Holiday Inn, lodging- 420.00; Jim Jepsen, mileage/meeting- 32.04; Tom Lynch, mileage/meeting- 38.16; Arnie Mellick, phone- 30.00; Marlan Millard, mileage/meeting- 208.50; Harold Moes, mileage/meeting- 22.14; Joe O'Neill, mileage/meeting- 18.57; Martin Rohde, mileage/meeting- 46.32; Perkins, supplies- 19.87; Phyllis Obermeyer, workshop/mileage- 96.40; AS Central Services, supplies- 419.28; Dakota Business Systems, lease- 99.00; Paula Jensen, supplies- 10.70; Microfilm Imaging Systems, scanning- 100.50; Midwest Office Automations, contract- 349.28; New Perspectives, shredding- 36.00; Kurt Rager, reimburse- 106.96; Frank Gonzalez, interpret- 300.00; Perkins, supplies- 23.66; Abdullahi Salad, interpret- 50.00; Thomson West, service- 654.98; Dakota County Court, costs- 1218.85; Amanda Dickinson, witness fee/mileage- 40.40; Armando Gutierrez, witness fee/mileage- 21.53; Randy Hisey, court appointed counsel- 336.00; Kueny & Begley, court appointed counsel- 84.00; Stuart Mills, court appointed counsel- 180.00; Douglas Roehrich, court appointed counsel- 690.00; Richard Thramer, court appointed counsel- 1084.40; Patrick Tott, court appointed counsel- 1608.00; Dakota County Sheriff, papers/warrants- 506.34; Admin Office of the Courts, fee- 10.00; Lori Blume, bill of exception- 136.50; District Court, court costs- 685.00; MIPS, scanning- 87.00; Gladys Nelson, court reporting- 120.25; Security Shredding, shredding- 35.00; Michael Schmiedt, court appointed counsel- 562.50; Richard Thramer, court appointed counsel- 634.27; Patrick Tott, court appointed counsel- 187.50; JS Wurm & Associates, bill of exception/transcript- 74.15; District Court, court costs- 160.00; Ateam Heating, repair- 103.00; Bunkers Feed & Supply, salt- 3.15; City of Dakota City, utilities- 440.96; Cummins Central Power, supplies- 1071.55; Gill Hauling, service- 120.00; JS Brothers, repair- 200.00; Joes Dept Store, repair- 355.32; Menards, supplies- 810.06; MidAmerican Energy, utilities- 1135.00; Nebr Public Power Dist, utilities- 1685.03; Richard Jensen, mileage- 103.02; Sam's Club, repair- 240.16; Siouxland Lock & Key, keys- 31.25; Tool Depot, repair- 326.93; Trembly Pest Control- 50.00; Verizon, phone- 52.66; PMNRD, rent- 833.33; UNL Extension, reimburse- 1558.81;
ROAD FUND: Advance Auto, oil- 107.76; Aramark, service- 347.53; AZ Inc, fuel- 1102.90; Bierschbach, repair- 104.00; City of Sioux City, asphalt- 94.50; Dakota County Star, publishing- 25.08; Electronic Engineering, gps- 900.00; First National Bank & Trust, grader payment- 15202.57; Gill Hauling, service- 55.00; Walter Heinemann, prior yrs- 29.00; Hubbard Minimart, fuel- 2218.94; H204U, service- 8.50; Industrial Tools & Machinery, tools- 132.97; J&J Pronto, fuel- 57.02; Joes Department Store, parts/supplies- 1124.36; Kinetic Leasing, loader/interest- 2458.00; LG Everist, gravel- 4568.24; Matheson Linweld, oxy- 257.05; Menards, repair- 444.92; Midwest Service & Sales, signs/parts- 1522.77; Marlan Millard, prior yrs- 15.00; Nebr Public Power Dist, utilities- 90.87; NE Nebr Public Power Dist, utilities- 286.41; NE Nebr Telephone, phone- 216.10; Pomps, tires- 3789.00; Powerplan, parts/bits- 900.03; Probuild, repair- 127.18; Rees Mack Sales, parts/labor/equipment- 9445.39; Robertson Implement, supplies- 114.08; Sioux City Tarp, flag- 35.00; Stephan Welding, steel- 146.20; Thurston County, storage- 200.00; TriState Comm, radio- 64.00; Verizon, phone- 60.75; Warren Oil, fuel- 7989.60; Zieglers, labor/oil- 1956.26;
ROAD IMPROVEMENT: City of South Sioux City, principal/interest- 29085.33; Knife River, asphalt- 434.35; LG Everist, rock- 9085.96;
VETERANS AID: County VSO, checking- 5100.00;
HEALTH PLANNING GRANT: Deanna Beckman, hours- 1156.00; Creighton University, conference- 320.00; Pam Devries, mileage- 128.89; HyVee, food- 67.37; PHAN, membership- 65.00;
PUBLIC SAFETY: City of South Sioux City, sales tax- 3505.95; Jail Bond Fund, sales tax- 33414.61; Road Fund, sales tax- 1050.59;
E911: City of South Sioux City, 911 monies- 15440.76;
VISITORS PROMOTION: South Sioux City Chamber, lodging tax- 6133.83
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Absent, Rohde- Yea and McNear- Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for the Agenda Item "Board to give responsibility for compliance with the disclosure undertaking per the Sales Tax Bond Resolution to a particular person to file the audit annually with the Municipal Securities Rulemaking Board."
Commissioner Gomez moved, seconded by Commissioner McNear to appoint Bob Giese, County Treasurer, the person responsible to file the audit annually with the Municipal Securities Rulemaking Board.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Absent, Rohde- Yea and McNear- Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for the Agenda Item "Discussion of pending legislation and possible action" and there was nothing to discuss.

Vice Chair Rohde called for the Agenda Item "Officials Reports".

Commissioner Gomez moved, seconded by Commissioner Love to approve the Officials Reports of the Register of Deeds for the months of February and March, the County Clerk and Clerk of the District Court's reports for March, 2011 and the County Clerk, Veterans Service Office, County Sheriff and Jail administrator for the Quarter, which includes months January, February and March, 2011.
ROLL CALL VOTE: Love- Yea, Bousquet- Absent, Rohde- Yea, McNear- Yea and Gomez- Yea.
UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for the Agenda Item "Tabled Items" and there were none.

Vice Chair Rohde called for the Agenda Item "Commissioner's Committee Reports:'
Commissioner Rohde reported that the Budget Committee met with the Department Heads and asked them to spend as little as possible.
He said that the expenses have exceeded the revenue the past few months to the tune of approximately $184,000 a month. The average expenses have been $655,000 and the revenue has been $474,000.
Mr. Rohde said that we budgeted $90,000 on the Assessor's Office this year and by 2114 that will be $425,000. With the state mandate state aid to counties and jail reimbursement being reduced and property tax relief, that is $250,000 we are not going to get from the state. Instead of laying off people in a year, we need to start cutting back now.
Mr. Gomez said that he just got back from Washington DC and the same talk out there except they are talking trillions of dollars.
Commissioner McNear said that he was talking to Commissioners from other counties while he was at a meeting in Norfolk on Friday and they were talking about asking employees to give up a weeks pay.
Commissioner Rohde said that the cash reserve has been dwindling to the tune of $500,000 and the county has some commitments coming up such as C Avenue, Hubbard Flood Control Project, that's $300,000.
Commissioner Gomez reported on the Washington Trip that he took with Sioux City Chamber of Commerce.

Vice Chair Rohde called for the Agenda Item "Commissioner's Member Reports."
Commissioner McNear reported that he attended the RC & D and that RC & D has been cut to $25,000,000.
He also reported that he attended the Health Board Quarterly Meeting and briefly reported on that meeting.

Vice Chair Rohde called for the Agenda Item "Public Comment."
Dennis Reinert stepped up to the podium and said that you don't have to go to Washington. He said that just in the last month or two that Johanns, Fortenberry, Nelson and Bruning have been right here in South Sioux. He added that he did not have to go to Washington to do it.

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

Vice Chair Rohde called for the Agenda Item "Quarterly Jail Tour."
The Board departed the Board Meeting Room to participate on their Quarterly Jail Tour at 4:42 p.m. The Board toured the new jail.

Vice Chair Rohde called for the Agenda Item "Adjournment".
Commissioner Gomez moved, seconded by Love to adjourn their meeting of April 18, 2011 at 5:07 p.m.
ROLL CALL VOTE: Gomez- Yea, Bousquet- Absent, Love- Yea, Rohde- Yea, McNear- Yea.
UNANIMOUS MOTION CARRIED. 5:07 p.m.

County Board of Commissioners

_____
William B.Rohde, Vice Chair

DAKOTA COUNTY SEAL NEBRASKA

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

Dakota County Board of Commissioners
Monday, May 2, 2011
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called the Board's Regularly Scheduled Meeting to order at 4:10 p.m.
Present were: Commissioners Bousquet, Love, Rohde, Gomez, McNear and Ted Piepho, Secretary. Absent: None.
Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney were also present.
The agenda for this meeting was as follows:

- Call meeting to Order.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meeting
- Brian Mattes will explain how the county's current website could be updated, other suggestions to improve the website, and related cost to the county.
- Juan Alamillo – Requesting the Board's approval for a Special Designated Liquor License.
- F Polley – discussion concerning the Ag. Society and the Fair Board.
  - Contracts that they have
  - Expenditures and how money is expended and for what purpose.
- Miscellaneous Agenda Items
  - Approve Payroll Claims
  - Approve Accounts Payable Claims
  - Approve Agreement with Dakota Covington Rural Fire & Rescue for transporting prisoners to the hospital in emergency situations.
  - Board to authorize Chair to sign Agreement for Services between Dakota County and Siouxland Interstate Metropolitan Planning Council (SIMPCO) to engage SIMPCO to provide certain technical and professional services in guiding the Board with a Comprehensive Plan for the cost of $10,600.
  - County Board to review applications and appoint both a full time member and an alternate member to the Dakota County Board of Adjustments.
  - All American City/County Award -- participation as a chosen finalist.
    - Approve: donation;
    - Chair to send donation request letters;
    - Select County delegates
      - Payment of lodging and meals for delegates.
- Tabled Items:
- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- Adjournment

Chair Bousquet called for the Agenda Item "Approve Minutes of prior meeting".
Commissioner Gomez moved, seconded by Commissioner McNear to approve the minutes of April 18, 2011 as typed and prepared for the Official Record.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Brian Mattes will explain how the county's current website could be updated, other suggestions to improve the website, and related cost to the county."
Mr. Mattes briefly described what services he could provide the County. It sounded like he wants to created the website and then train an existing employee to keep the site up.
The County board determined that Mr. Mattes meet with the County Clerk and the Assistant to the Board to develop a plan that would work best for the County and then bring that back to the Board to weigh all the options.

Chair Bousquet called for the Agenda Item "Juan Alamillo – Special Designated Beer License to sell beer at 2474 S Avenue, Emerson, NE."
Mr. Alamillo did not show for his appointment for the above agenda item, therefore the Board requested the County Clerk to carry the item on the agenda for the next County Board Meeting.

Chair Bousquet called for the Agenda Item "F Polley – discussion concerning the Ag. Society and the Fair Board; Contracts that they have, Expenditures and how money is expended and for what purpose."
Ms. Polley called the County Clerk in the morning and said that she was not able to attend the meeting because she had not received all the information that she wanted to discuss.

Chair Bousquet called for the Agenda Item "Approve Payroll Claims". Chair Bousquet said that he reviewed the claims and did not see any problems.
Commissioner Rohde moved, seconded by Commissioner Love to approve the payroll claims filed with the County Clerk and submitted by him to be paid as follows:
COUNTY GENERAL FUND: Gross salaries- $125,022.76, General Fund Employees Net Pay- $89,956.02, Employer deductions paid: Retirement- $8,707.33, FICA- $7,535.76, Medicare- $1,762.45,

DC Health Plan- $27,600.00, DC Dental Plan- $999.12 and Life Insurance- $202.49, Principal Mutual Life Insurance-1,210.79.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1365.13, Daniel Christoffers- 584.00, Theodore Piepho- 1748.23, Mary C. Wiltgen- 1030.13, Marisol Curiel- 982.40, Darlene Davis- 953.60, Robert Giese- 1748.23, Ruth Gillaspie- 1266.78, Jolene Heinemann- 1044.80, Phyllis Ridge- 1098.72, Tracey Rysavy- 978.40, Cherie Conley- 984.00, Daniel Christoffers- 584.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Katherine Wiltgen- 200.00, Zachary Gerth- 1608.46, Debra Jensen- 1119.20, John Loos, Jr.- 2186.59, Elda Raudales- 163.68, Richard Jensen- 1480.09, Duane Kotalik- 1384.00, Tammy Dunn-Peterson- 935.20, Anthony Bos- 1656.80, Timothy Decker- 1903.85, Sandy Dickens- 487.04, Brian Ellinger- 1927.38, Michael Estes- 1664.70, Brent Gilster- 1706.48, Todd Hammer- 1858.75, Melvin Harrison III- 2169.08, Jason James- 1721.26, Douglas Johnson- 1903.85, Kimberly Johnson- 458.29, Jared Junge- 1693.71, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1655.08, Michael Kreegar- 1542.00, Gary Powell- 78.00, Gayle Richards- 914.41, Kevin Rohde- 1687.87, Randall Walsh- 1813.37, Bridget Fiedler- 900.00, Kerry Johnson- 949.60, Sara Niles- 1884.62, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1092.63, Kimberly Watson- 2828.48, Caterina Chapman- 1230.22, Jacob Acero- 1273.46, Ermelinda Ballesteros- 1343.03, Mason Billings- 1189.65, Joshua Blatchford- 1338.98, Rebecca Broer- 1417.80, Elisabet DeRoin- 1261.59, Sandy Dickens- 818.08, Marjorie Donahue- 1500.25, Lisa Ford- 1330.73, Ryan Foster- 1070.69, Linda Frost- 854.12, Alma Gunderson- 1347.23, Amber Hamman- 1089.89, Cathy Harsma- 1339.03, Deanna Haukap- 1322.48, Jeffrey Heitzman- 1257.30, Adam Hough- 1323.94, Michael Jacobson- 1214.89, Brett Johnson- 1322.48, Nicholas Kellen- 1314.46, Brenda Kelly- 1310.48, Terry Kern- 1971.15, Keith Klein- 1261.11, James Kleinberg- 1186.05, Mark Nelson- 1433.65, Travis Olander- 1281.23, Kimberly Peterson- 1253.49, Doyle Pilgrim- 1028.00, Daniel Rodasky- 1342.51, Cody Roeber- 1204.07, Jutharatana Ruenprom- 1281.23, Timothy Ryan- 821.94, Linda Schovanec- 1426.32, Francis Tope- 1450.74, Jewel Williams- 1334.92, Matthew Wise- 1257.30, Cara Wood- 1326.69, Jolene Gubbels- 1049.60, Leon Pies- 661.20, Pamela DeVries- 1677.82, Bonnie Kahler- 639.80, Linda Weitzel- 1193.25, Willard Johnston- 1050.00.
GENERAL FUND: Employee withholding paid to: Federal- $12,467.93, State- $4,273.08, FICA- $5,104.90, Medicare- $1,762.45, Retirement- $5,894.30, Health Plan- $1400.00, DC Dental Plan- $546.00, Sheriff Union Dues- $375.00, Deferred Comp- $332.00, Garnishments- $1,201.34, Aflac Health- $449.40, Aflac Life/Dsbl- $177.87 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $14,386.19, Road Employees Net Pay- $10,043.94, Employer deductions paid: Retirement- $971.05, DC Health Plan- $3,300.00, DC Dental Plan- $119.46, Life Insurance- $23.40, FICA- $866.95, and Medicare- $202.74, Principal Mutual Life Insurance- $217.03.
Brent Byroad- 1394.40, Robert Hacker- 1314.40, Hans Houfek- 1314.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1697.44, Kimon Litras- 1326.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Willie Peters II- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1388.35.
ROAD FUND: Employee withholding paid to: Federal- $1,361.47, State- $473.44, FICA- $587.26, Medicare- $202.74, Retirement- $647.39, DC Dental Plan- 105.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $448.55, Aflac Health- $138.29, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $160.00 and Union Dues- $140.00.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Accounts Payable Claims". The County Clerk advised the Chair that they could authorize the payment of the Agreement with Dakota Covington Rural Fire & Rescue for transporting prisoners to the hospital in emergency situations after they approve the agreement itself.

Chair Bousquet called for the Agenda Item "Approve Agreement with Dakota Covington Rural Fire & Rescue for transporting prisoners to the hospital in emergency situations."
The Board briefly discussed the agreement.
Commissioner Rohde moved, seconded by Commissioner Gomez to approve the Agreement, with Dakota Covington Rural Fire & Rescue, which agrees to a flat annual fee of $2000 to the Dakota City Volunteer Fire Department for transporting inmates from the Dakota County Jail. This amount is based on the first 25 transports and any transports after the first 25 transports will be billed at the rate of $175.00 per transport to a medical facility. Be it further resolved that the fee is for basic life support treatment and stabilization of the patient according to medical control, all basic life support equipment and supplies necessary according to medical control, Transport patient to nearest medical facility (Mercy Medical or St. Luke's Hospital in Sioux City, Iowa).
The agreement signed is as follows:

AGREEMENT

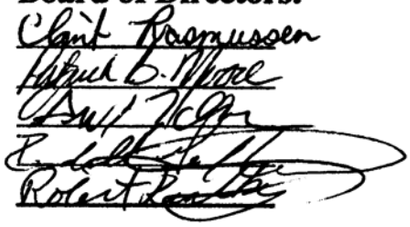
Dakota County Jail located in Dakota City, Nebraska, and Dakota City Volunteer Fire Department; propose this agreement concerning billing when Dakota City Volunteer Fire Department transports a prisoner from the Dakota County Jail to a medical facility (hospital ER):

1. Dakota City Volunteer Fire Department will;
   A. Provide basic life support treatment and stabilization of the patient according to medical control.
   B. Provide all basic life support equipment and supplies necessary according to medical control.
   C. Transport patient to nearest medical facility (Mercy Medical or St. Luke's Hospital in Sioux City, Iowa).
   D. Bill the county jail as per its fee schedule approved by the Dakota County

Commissioners and the Dakota City Volunteer Fire Department.

2. Fee Schedule
   A. Dakota City Fire Department and Dakota County Commissioners on behalf of the Dakota County Jail in Dakota City, Nebraska, agree to a flat annual fee of $2000 to transport patients from the Dakota County Jail based on the first 25 transports. Any transports after the first 25 transports will be billed at the rate of $175.00 per transport to a medical facility.
3. Fee Schedule Review.
   A. This rate schedule can be reviewed and changed annually subject to agreement by both parties if so desired.

Dakota City Volunteer Fire and Rescue
Board of Directors:



Dakota County
Board of Commissioners:
/s/ Rick Bousquet
/s/ Antonio A. Gomez
/s/ William B. Rohde
/s/ Richard McNear
/s/ Scott Love

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

Chair Bousquet called for the Agenda Item "Board to authorize Chair to sign Agreement for Services between Dakota County and Siouxland Interstate Metropolitan Planning Council (SIMPCO) to engage SIMPCO to provide certain technical and professional services in guiding the Board with a Comprehensive Plan for the cost of $10,600.
Kim Watson, County Attorney, had reviewed the Original Agreement and recommended a couple of changes that had been incorporated into this agreement and she had approved it to form.
Commissioner Gomez moved, seconded by Commissioner Love to approve the Agreement for Services between Dakota County and Siouxland Interstate Metropolitan Planning Council (SIMPCO) to engage SIMPCO to provide certain technical and professional services in guiding the Board with a Comprehensive Plan for the cost of $10,600 and to authorize Chair to sign same.
ROLL CALL VOTE: Love- Yea, Bousquet- Yea, Rohde- Yea, McNear- Yea and Gomez- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet call for the Agenda Item "County Board to review applications and appoint both a full time member and an alternate member to the Dakota County Board of Adjustments".
The Assistant to the Board had not received any letters of interest, therefore, the Board suggested that it be re-advertised for two weeks and put it on the May 31st Agenda.

Chair Bousquet called for the Agenda Item "All American City/County Award; participation as a chosen finalist, Approve: donation, Chair to send donation request letters, Select County delegates, Payment of lodging and meals for delegates."
The Assistant to the Board presented and said that Pam Miller appeared before the Board on February 7th and that all the Board Members gave approval to apply and now Dakota County was among the twenty six (26) finalists. Ten finalists will be awarded from the 26 selected during the time of June 15 through June 17, 2011 in Kansas City.
Ms. Spencer explained what information was submitted with the grant. There will be eight (8) people on stage for the jury presentation, a youth and an adult from each of the projects that were used in the application for the grant. All participants are required to stay at the Hyatt Regency Crown at $159 a night. There will be a couple of banners staged behind the presenters during the jury presentation and then they want to have matching shirts for everybody there so they are all coordinated.
There is a $50.00 registration, there is a cultural Fair Booth where information about the County is displayed and the booth attendees give away stuff. There will also be a need for transportation, so the total will be about $20,000.
The All American City/County Finalist Committee is asking for a $2,500 contribution and if someone from the County goes as a delegate, they are asking for the County to pay for their room and board. The $20,000 will cover transportation and shirts, food, lodging for the jury presentation presenters, etc.

Commissioner Gomez was chosen by the Board to go as a delegate to the jury selection for the All American City/County selection in Kansas City, June 15 through June 17, 2011, however no motion was made.
.
Commissioner Rohde moved, seconded by Commissioner Love to contribute $2,500, as requested by the All American City/County Finalist Committee for the County's share of expenses to participate in the All American City/County awards ceremony in Kansas City June 15 to June 17, 2011.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Rohde for the chair to send a donation request letter out to area businesses.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner Love to authorize the expenses incurred by the delegates, which will be $159/night, or $950 per delegate, to participate in the All American City/County Awards Ceremony in Kansas City June 15 to June 17, 2011
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Tabled Items" and there were none.

Chair Bousquet called for the Agenda Item "Commissioner's Committee Reports:'
Scott Love report that he attended Region IV and North Star meetings in Norfolk on the May 24th and they are up against the same thing as everybody else is as far as finances go.

Mr. Love also said that he and Commissioner McNear meets with the Road Department at least once a month and reported that they have changed vendors supplying filters and will save quite a bit of money on different types of parts.

Mr. Love also reported that he rode with a Sheriff's Deputy Friday night.

Commissioner McNear reported that the RD&D will be moving from Oakland to Lyons. He said that they have a place in Lyons that will not cost them anything and that they have enough money to last about a year if donations keep coming in.

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

Chair Bousquet called for the Agenda Item "Public Comment."
Judy Renkel stepped up to the podium. She talked about people wanting to rent the fair grounds. She said that the fair grounds are a lot better than they were ten years ago. She reported that people want to rent the grounds for little or nothing and they are mad at the board because they have certain rates and they think they are too high. She informed the Board what it cost for the improvements that have been made at the fair grounds since the County authorized the purchase of the grounds ten years ago.

Dennis Reinert stepped up to the podium and said that he was quite taken with the article that appeared on the front page of the Dakota County Star which stated $148,000 red ink monthly. Commissioner Rohde said that we get our tax collections basically in two months. Our cash reserve is what is dwindling at the end of every fiscal year.

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

Chair Bousquet called for the Agenda Item "Adjournment".
Commissioner McNear moved, seconded by Rohde to adjourn their meeting of May 2, 2011 at 5:01 p.m.
ROLL CALL VOTE: Gomez- Yea, Bousquet- Yea, Love- Yea, Rohde- Yea, McNear- Yea.
UNANIMOUS MOTION CARRIED. 5:01 p.m.

County Board of Commissioners

_____
Richard (Rick) Bousquet, Chair Date Chair signed

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

DAKOTA COUNTY SEAL NEBRASKA

Dakota County Board of Commissioners
Monday, May 16, 2011
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called the Board's Regularly Scheduled Meeting to order at 4:10 p.m.
Present were: Commissioners Bousquet, Love, Rohde, Gomez, McNear and Ted Piepho, Secretary. Absent: None.
Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney were also present.
The agenda for this meeting was as follows:

- Call to Order with reciting the Pledge of Allegiance.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meeting
- 4:10 P.M. Public Hearing - The purpose of this hearing is to approve or disapprove a conditional use permit application to authorize a truck/trailer/sales business located at 1238 Hwy 12, Jackson, NE.
  - This hearing is open to the public and the County Board will solicit oral and/or written testimony in favor of, or in opposition to, approving the Conditional Use Permit.
    - Chair to declare the Public Hearing open
    - Applicant or Planning and Zoning Administrator to explain Application
    - Testimony from proponents
    - Testimony from opponents
    - Neutral Comments
    - Chair to declare the Hearing Closed
    - Motion to approve or deny the application

- Jim Roberts, Dakota City Mayor
  - Discuss and present modified Law enforcement Contract between City and County.
    - Approve Contract

- Juan Alamillo – Requesting the Board's approval for a Special Designated Liquor License.

- Kristi Quinn – Review the necessary meetings and events timeline for the Dakota County Comprehensive Plan.
  - Board to set a date for the first working meeting for plan introduction and asset mapping.

Open sealed bids from contractors submitting bids for grading county roads at a per hour cost.

- Miscellaneous Agenda Items
  - Approve Payroll Claims
  - Adopt Resolution 11C-005 Authorize transfer of money from Miscellaneous to County Assessor in the General Fund Budget to avoid over-expenditure of County Assessor budget authority.
  - Approve Accounts Payable Claims
  - Review and set employer rates for Health Insurance monthly premium costs effective July, 2011.
  - Official's Reports
  - Appoint individual to represent the County in labor contract negotiations with the Nebraska Public Employees, Local 251 AFSCME.

- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- Adjournment

Chair Bousquet called for the Agenda Item "Approve Minutes of prior meeting".
Commissioner Gomez moved, seconded by Commissioner McNear to approve the minutes of May 2, 2011 as typed and prepared for the Official Record.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Public Hearing - The purpose of this hearing is to approve or disapprove a conditional use permit application to authorize a truck/trailer/sales business located at 1238 Hwy 12, Jackson, NE. This hearing is open to the public and the County Board will solicit oral and/or written testimony in favor of, or in opposition to, approving the Conditional Use Permit."
Chair Bousquet opened the Public Hearing at 4:12 p.m.

Mr. Arnold Mellick, Planning and Zoning Administrator, said that Robb Nelson put up a new building for Ag purposes and would like to sell some trucks and trailers. He said that Planning and Zoning approved it subject to the disposal of fuels and oils per state statutes.

Mr. Robb Nelson said that he would like to operate a small dealership, about ten (10) units or so and wants to get a dealer license and they (state) require approval from the County Board and the Conditional Use Permit is the easiest route to attain that.
Chair Bousquet called for any testimony from proponents in the audience and there was none that stepped forward.
Chair Bousquet called for any testimony from opponents in the audience and there was none that stepped forward.
Chair Bousquet called for any neutral comments from the audience and there was none that stepped forward.
Chair Bousquet declared the hearing closed at 4:14 p.m.
Commissioner Bousquet moved, seconded by Commissioner Rohde to approve the Application for Conditional Use Permit by Robb Nelson to authorize a truck/trailer/sales business located at 1238 Hwy 12, Jackson, NE.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item “Jim Roberts, Dakota City Mayor to discuss and present modified Law enforcement Contract between the City and County and to approve same”.
Jim Roberts did not appear, but Chris Kleinberg appeared and said that he had met with the mayor and City Clerk/Administrator in the morning and they had worked out all the details and the City’s Attorney and the County Attorney had reviewed the Contract. The necessary changes have been made to the Contract by the County Attorney and a final was presented to the Board for approval.
Commissioner Gomez moved, seconded by Commissioner Love to approve the Law Enforcement Contract with the Dakota County Sheriff and the City of Dakota City to provide Law enforcement services within the corporate limits of the City to the extent and in the matter hereinafter set forth, as follows:

LAW ENFORCEMENT AGREEMENT
BETWEEN DAKOTA COUNTY, NEBRASKA, AND
THE CITY OF DAKOTA CITY, NEBRASKA

THIS AGREEMENT entered into on this 16th day of May, 2011, by and between DAKOTA COUNTY, NEBRASKA, ("County"), a political subdivision, and the CITY OF DAKOTA CITY, DAKOTA COUNTY, NEBRASKA, ("City"), a municipal corporation.

WHEREAS, the City, wishes to obtain dedicated Law Enforcement Services; and

WHEREAS, the Dakota County Sheriff is responsible for law enforcement in the County generally; and

WHEREAS, the City wishes to contract with the County for the services of law enforcement officers supervised by the Sheriff and supported by the full resources of the Dakota County Sheriff’s Department; and

WHEREAS, such contracts are authorized by the Interlocal Cooperation Act, Nebraska Revised Statutes §§ 13-801 to 13-827; and

WHEREAS, the County is willing to contract for the rendition of such services on the terms and conditions set forth in this Agreement; and

NOW, THEREFORE, in consideration of the mutual covenants contained in this Agreement, the parties agree as follows:

The County, through the Dakota County Sheriff, agrees to provide Law enforcement services within the corporate limits of the City to the extent and in the matter hereinafter set forth:

1) The Sheriff shall assign deputies for duty in the City. Such deputies shall cover all calls within the corporate limits of the City, except when an emergency requires his/her presence elsewhere. In addition, the Sheriff shall assign the deputies to provide 50 hours of patrol duty within the City limits and perform tasks within the City that are required to be performed by state statute, i.e., paper service, or performed under a County-wide grant, i.e., DARE, and tasks performed at the jail or courthouse (other than related to Dakota County-generated activity).

2) All matters relating to the duties, standards of service, discipline of officers, rendition of performance, training, and other such matters incident to the performance of this Agreement and the personnel employed in the performance of this Agreement shall be under the Sheriff’s exclusive control. In exercising this control, the Sheriff shall give due consideration to the City's reasonable requests that are properly brought to his attention. In order to adequately serve the City's needs, the deputies shall, at the beginning of each shift or as early as possible each day, report directly to the City office to pick up any verbal or written complaints or requests for special assignments in the City.

3) The deputies shall perform their duties under this Agreement in accordance with a regular schedule. Said schedule shall be in writing and filed with the City Clerk.

4) In order to adequately serve the City's needs, a deputy shall keep a log of physical patrol hours and other services performed while on duty as the officer assigned to Dakota City. Said log shall be filed at the Sheriff’s office and be made available for review during normal business hours (Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m.) upon request. The Sheriff will attend quarterly Dakota City Council Board Meetings unless otherwise requested.

5) The deputies shall be members of the Sheriff’s Department, trained by the Sheriff, and under the

Sheriff's direct and exclusive control and the County shall be solely responsible for their actions. The deputies shall have all authority of any other Sheriff's Department deputy. The personnel performing such law enforcement duties may be reassigned or released as the Sheriff shall determine.

6) The services to be rendered under this Agreement shall include, but are not limited to, routine residential patrol, traffic enforcement, enforcement of City ordinances, security of businesses, enforcement of the laws of the State of Nebraska, and other services in the areas of public safety and law enforcement as are provided by the Sheriff's office in the unincorporated areas of the County. The services shall also include issuance of citations for building code violations, parking violations, and other municipal code violations as directed by the City Administrator. It is understood and agreed that all prosecutions arising from Municipal Ordinance violations shall be the City's sole responsibility.

7) All animal control problems (where a citation could be issued, i.e. a dog bite, an animal running at large) shall be handled when possible by the deputies so assigned to the City. When such problems cannot be adequately handled by said deputies, animal control shall be called to assist at the City's cost under the City's agreement with its contractor.

8) The County and its agencies shall assume responsibility for supplying all supervision, materials, communications, and equipment necessary for the performance of law enforcement services in the City. It is understood and agreed, however, that the Sheriff shall have full authority to amend the provisions regarding the use of the vehicle at any time and in any manner that he deems necessary and appropriate. Maintenance of vehicles and all other equipment furnished by the County shall be provided in the same manner as provided for the vehicles and equipment used by all other Sheriff's deputies, and the same shall be replaced with new equipment at the same intervals as equipment utilized by other Sheriff's deputies.

9) The deputies' compensation and provision for bonds, fringe benefits, insurance, and Workers' Compensation shall be the County's sole responsibility. The County shall also pay all overhead costs, including training expenses, record-keeping expenses, and all other administrative costs.

10) The City shall not assume any liability for (i) the direct payment of any salaries, wages, or other compensation for the deputies' services, including payments for injury or sickness; or (ii) the deputies' actions taken in their positions as deputies acting on behalf of the City, unless such sickness, injury, or other claim is caused by the intentional or negligent act of the City.

11) Any provision to the contrary notwithstanding, the City and County hereby agree:

a) The County shall be responsible for any overtime pay to which the deputies shall become entitled as a result of conducting investigations or appearing in court in connection with violations of state statutes; and

b) The County shall be responsible for any overtime pay to which the deputies shall become entitled as a result of performing their regular duties as Sheriff's deputies and not on behalf of the City.

12) Notwithstanding the other terms and conditions of this Agreement to the contrary, the City, at its own expense, shall provide liability insurance to indemnify itself in the event that it becomes liable for payment of a judgment based on a deputy's acts in enforcing Municipal Ordinances as provided in Nebraska Revised Statutes §§ 13-1801 and 13-1802.

13) The City shall pay the County for law enforcement services at the rate of $5,708.00 per month, $68,496.00 per year. Payment shall be due and payable on the 15th day of each calendar month, commencing on June 15, 2011.

14) The monetary amount the City shall pay the County for law enforcement services provided under this Agreement may be adjusted annually based on the actual increased or decreased cost for the County to provide law enforcement services for the City. The County shall keep books and records showing its cost to provide law enforcement services to the City. Such books and records shall be open to inspection by the City Monday through Friday between the hours of 8:00 a.m. and 4:30 p.m. to enable the City to confirm the correctness of any increase in annual payments permissible under this paragraph. In no event shall the annual payments for providing law enforcement services to the City exceed the following:

a) First year of the agreement (2011-2012)	5%
b) Second year of the agreement (2012-2013)	5%
c) Third year of the agreement (2013-2014)	5%
d) Fourth year of the agreement (2014-2015)	5%

The parties intend the annual increase in payments by the City to the County for law enforcement services to be based on the above schedule. In the event that the cost of providing law enforcement services to the City decreases during any year of the Agreement, such decreases shall be reflected in the amounts the City pays the following year. Any adjustment in the rate set herein shall be made at least one month prior to the date of which the Sheriff's budget is required to be submitted to the Dakota County Board of Commissioners and will take effect at the beginning of the City's fiscal year.

15) The initial term of this Agreement is June 1, 2011, to September 30, 2015. This Agreement shall automatically continue in full force and effect for each year thereafter for a minimum of four (4) years, unless terminated by either party.

16) This Agreement may be terminated by either party notifying the other party in writing of its

intention to terminate the Agreement not less than ninety (90) days prior to the end of the June 30th year term. In the event this Agreement is terminated by either party, all equipment, materials, and supplies provided by the County for law enforcement in the City shall be retained by the County. Any supplies that the City furnishes for City purposes shall be retained by the City.

17) This Agreement may be expanded upon the City's request, and Agreement by the County to include additional deputies as needed for such additional deputies is determined by the Sheriff.

18) Any previous Agreements between the parties, and any amendments to this Agreement, are terminated at such time as this Agreement becomes effective.

EXECUTED this _____ day of _____, 2011, by the City of Dakota City, Nebraska.

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

BY: _____
MAYOR

ATTEST:

_____
CITY CLERK

APPROVED AS TO FORM this _____ day of _____, 2011.

_____
CITY ATTORNEY

EXECUTED this 16th day of May, 2011, by Dakota County, Nebraska.

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

BY: _____
_____
_____
_____
_____

ATTEST:

_____
COUNTY CLERK

APPROVED AS TO FORM this _____ day of May, 2011.

_____
COUNTY ATTORNEY

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

Chair Bousquet called for the Agenda Item “Juan Alamillo – Requesting the Board’s approval for a Special Designated Liquor License at 2474 S Avenue, Emerson, NE”.

Juan Alamillo approached the podium and said that he was here to request the Board’s approval for him to have a Special Designated Liquor License.

Commissioner Rohde asked if he would have security and he said that he would and the Board clarified that the security would be Dakota County Deputies. Mr. Alamillo said that they would be.

Commissioner McNear asked if he had sufficient off road parking and he said that there would be enough parking on private property.

Randy Walsh, Deputy County Sheriff, said that there were some areas where the Sheriff’s Office had some concerns such as; parking, Beer Garden completely fenced in, minors drinking and someone there that is in control that if someone is not in condition to drive that they have a way home.

Mr. Alamillo said that he had enough parking so people would not have to park on the roads and enough fence to fence off the beer garden.

There was discussion between Mr. Alamillo and Mr. Walsh concerning safety issues.

Commissioner Gomez reiterated much of what Mr. Walsh said.

Commissioner Gomez moved, seconded by Commissioner McNear to approve the Conditional Use Permit for Liquor License for June 5, 2011, July 3, 2011, August 24, 2011, September 25, 2011 and October 9, 2011 from 3:00 p.m. to midnight subject to meeting all the criteria of safety and requirements of Law Enforcement.

Chair Bousquet called for Roll. The County Clerk asked to ask a question. Are you approving this for one event, two events, three events or six events and when are the events? Commissioner Gomez said that he has five events and it was determined that the events were June 5, 2011, July 3, 2011, August

24, 2011, September 25, 2011 and October 9, 2011 from 3:00 p.m. to midnight and to include those dates in the motion.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Yea and McNear- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Kristi Quinn – Review the necessary meetings and events timeline for the Dakota County Comprehensive Plan. The Board to set a date for the first working meeting for plan introduction and asset mapping."
Kristi Quinn stepped up to the podium and presented a draft of events, place of the event and notes about the event for the Comprehensive Plan. She said that it is very important to get public input. Ms. Quinn explained what they did the first meeting and that was asset mapping. We look at weaknesses, strengths, and look at all the positive things about the County to see what the County's goals and objectives should be in the next five to ten years. Ms. Quinn said that will be the first meeting and she is looking at June 7th or 9th at about 5 p.m. She thought that would be the best time for people to find convenient to come.

Ms. Quinn said that they will have informational meetings throughout different areas in the County because this is important when you look at issues such as land use and zoning. She informed the Board of the criteria that would be talked about in the different meetings.

The time line in which Ms. Quinn was expecting to finish the Comprehensive Plan is within the next year and if it could be completed before then would be better.
It was discussed that the full Board would attend the Asset and Mapping Meeting on June 9, 2011.

Chair Bousquet called for the Agenda Item "Open sealed bids from contractors submitting bids for grading county roads at a per hour cost".
The County Clerk opened bids submitted by three contractors and those being David Criss, S Jans Contracting and Oban Construction for maintaining gravel roads and /or minimum maintenance roads on a per hour rate..
The County Clerk opened David Criss's bid for maintaining gravel roads and /or minimum maintenance roads at an hourly rate of $112.00 per hour for summer hours only.
The County Clerk opened S Jans bid for maintaining gravel roads and /or minimum maintenance roads at an hourly rate of $95.00 per hour for summer hours only. A special note was attached to the bid that all necessary insurance documents are available upon request.
The County Clerk opened Oban Construction, Inc. bid for maintaining gravel roads and /or minimum maintenance roads at an hourly rate of $94.32 per hour for summer hours only. There was a special note attached that any alteration or deviation from the above specifications involving extra costs will be executed only upon written order and will become an extra charge over and above the quote. All agreements are contingent upon weather, accidents, or delays beyond the quote.
Commissioner Rohde moved, seconded by Commissioner Gomez to turn the bids over to the Road Committee for their review.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Approve Payroll Claims".
Joan said that there were a couple of issues with the payroll claims, but they were being taken care of.
Commissioner Gomez moved, seconded by Commissioner Rohde to approve the payroll claims filed with the County Clerk and submitted by him for payment as follows:
COUNTY GENERAL FUND: Gross salaries- $125,005.88, General Fund Employees Net Pay- $89,926.18, Employer deductions paid: Retirement- $8,706.90, FICA- $7,534.77, Medicare- $1,762.18, DC Health Plan- $27,000.00, DC Dental Plan- $977.40 and Life Insurance- $199.59, Principal Mutual Life Insurance-.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1365.13, Daniel Christoffers- 584.00, Theodore Piepho- 1748.23, Mary C. Wiltgen- 984.00, Marisol Curiel- 982.40, Darlene Davis- 953.60, Robert Giese- 1748.23, Ruth Gillaspie- 1266.78, Jolene Heinemann- 1044.80, Tracey Rysavy- 960.06, Cherie Conley- 984.00, Daniel Christoffers- 584.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Katherine Wiltgen- 200.00, Zachary Gerth- 1608.46, Debra Jensen- 1119.20, John Loos, Jr.- 2186.59, Elda Raudales- 163.68, Richard Jensen- 1480.09, Duane Kotalik- 1453.20, Tammy Dunn-Peterson- 935.20, Anthony Bos- 1739.64, Timothy Decker- 1903.85, Sandy Dickens- 487.04, Brian Ellinger- 2224.93, Michael Estes- 1354.32, Brent Gilster- 1840.12, Todd Hammer- 1781.06, Melvin Harrison III- 1860.68, Jason James- 1711.59, Douglas Johnson- 1903.85, Kimberly Johnson- 402.74, Jared Junge- 1777.36, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1655.36, Michael Kreegar- 1696.20, Gary Powell- 131.76, Gayle Richards- 914.41, Kevin Rohde- 1781.07, Randall Walsh- 1738.26, Bridget Fiedler- 942.00, Kerry Johnson- 949.60, Sara Niles- 1884.62, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1135.20, Kimberly Watson- 2828.48, Caterina Chapman- 1230.22, Jacob Acero- 1326.69, Ermelinda Ballesteros- 1347.09, Mason Billings- 1189.65, Joshua Blatchford- 1338.98, Rebecca Broer- 1421.97, Elisabet DeRoin- 1134.38, Sandy Dickens- 823.79, Marjorie Donahue- 1449.25, Lisa Ford- 1330.73, Ryan Foster- 1268.97, Linda Frost- 856.80, Alma Gunderson- 1347.23, Amber Hamman- 1418.62, Cathy Harsma- 1343.10, Deanna Haukap- 1302.44, Jeffrey Heitzman- 1268.73, Adam Hough- 1281.23, Michael Jacobson- 1070.69, Brett Johnson- 1326.48, Nicholas Kellen- 1639.07, Brenda Kelly- 1347.23, Terry Kern- 1971.15, Keith Klein- 1253.49, James Kleinberg- 1070.69, Mark Nelson- 1433.65, Travis Olander- 1277.34, Kimberly Peterson- 1249.68, Doyle Pilgrim- 1429.70, Daniel Rodasky- 1356.54, Cody Roeber- 1196.86, Jutharatana Ruenprom- 1277.34, Timothy Ryan- 1186.05, Linda Schovanec- 1358.40, Francis Tope- 1282.40, Jewel Williams- 1347.09, Matthew Wise- 1253.49, Cara Wood- 1330.73, Jolene Gubbels-

1049.60, Nicholas Long- 72.00, Leon Pies- 661.20, Pamela DeVries- 1677.82, Bonnie Kahler- 717.96, Linda Weitzel- 1036.00, Willard Johnston- 1050.00.
GENERAL FUND: Employee withholding paid to: Federal- $12,473.50, State- $4,281.44, FICA- $5,104.16, Medicare- $1,762.18, Retirement- $5,894.28, Health Plan- $1400.00, DC Dental Plan- $546.00, Sheriff Union Dues- $375.00, Deferred Comp- $332.00, Garnishments- $1,201.34, Aflac Health- $449.43, Aflac Life/Dsbl- $177.90 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $14,464.64, Road Employees Net Pay- $10,098.23, Employer deductions paid: Retirement- $976.35, DC Health Plan- $3,300.00, DC Dental Plan- $119.46, Life Insurance- $23.40, FICA- $871.81, and Medicare- $203.88, Principal Mutual Life Insurance- .
Brent Byroad- 1472.85, Robert Hacker- 1314.40, Hans Houfek- 1314.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1697.44, Kimon Litras- 1326.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Willie Peters II- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1388.35.
ROAD FUND: Employee withholding paid to: Federal- $1,372.71, State- $478.38, FICA- $590.56, Medicare- $203.88, Retirement- $650.92, DC Dental Plan- 105.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $448.55, Aflac Health- $138.30, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $160.00 and Union Dues- $140.00.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Adopt Resolution 11C-005 Authorize transfer of money from Miscellaneous budget to the County Assessor's Budget in the General Fund Budget to avoid over-expenditure of County Assessor budget authority.
Joan Spencer, Assistant to the County Board, said that she underestimated what the County would be billed from the state for 25% of the Assessor's Budget for the year.
Commissioner Gomez moved, seconded by Commissioner Love to adopt Resolution 11C-005 that the Dakota County Board of Commissioners hereby authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of County Assessor of the General Fund and that said budget be increased by $5,140.00 to $91,390.00 for fiscal year 2010-11. BE IT FURTHER RESOLVED, that the General Miscellaneous Budget be reduced by $5,140.00 to $1,049,708.71 for fiscal year 2010-11, as follows:

RESOLUTION 11C-005

WHEREAS, the County Assessor will exceed its budget with the payment of the submitted May, 2011, accounts payable claim; and,

WHEREAS, an emergency exists; and,

WHEREAS, the office of Miscellaneous of the General Fund has un-appropriated moneys left.

BE IT THEREFORE RESOLVED, that the Dakota County Board of Commissioners hereby authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of County Assessor of the General Fund and that said budget be increased by $5,140.00 to $91,390.00 for fiscal year 2010-11.

BE IT FURTHER RESOLVED, that the General Miscellaneous Budget be reduced by $5,140.00 to $1,049,708.71 for fiscal year 2010-11.

Passed and adopted this 16th day of May, 2011.

\s\ Rick Bousquet
Rick Bousquet
Dakota County Board of Commissioners

SEAL

ATTEST:
\s\ Theodore A. Piepho
Theodore A. Piepho
County Clerk

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

Chair Bousquet called for the Agenda Item "Approve Accounts Payable Claims".
Chair Bousquet said that he reviewed the claims and did not see any problems.
Commissioner Rohde moved, seconded by Commissioner McNear to approve the Accounts Payable Claims filed with the County and Submitted by him for payment as follows:
GENERAL FUND: Bob Barker, blankets- 63.00; Kerry Bligh, animal control- 150.00; City of South Sioux City, phone/fuel- 6123.23; Dakota County Sheriff, plates- 6.60; Dakota County Treasurer, title- 10.00; Dakota Food & Fuel, fuel- 84.00; Fremont Tire, repair- 34.00; Glock Professional, course- 195.00; Jacks Uniforms, supplies- 157.60; Joes Department Store, shipping- 9.54; K&S Auto Service, repair- 15.00; Liebers Garage, repair- 581.06; SFCU, meals/fuel/computers- 1769.83; Torco-Remfg, battery- 55.44; US Bank, meals- 304.34; USPCA Region 21, dues- 50.00; Willis Animal Clinic, medical- 36.75; H2O4U, service- 30.00; Iowa Office Supply, contract- 126.45; Kim Watson, equipment- 78.63; Peter Parry, phone- 20.00; Quill, supplies- 252.02; Verizon, phone- 134.89; City of SSC, lec cost share- 31822.54; AJ Phillips, cards- 45.00; BI Inc, monitoring- 1737.30; Ateam Heating & Cooling, thermostat- 92.00; AceRefrigeration, repair- 177.00; Amsan, supplies- 1576.08; Aramark, admin- 61.28; Bob Barker, supplies- 477.96; CBM Food Service, meals- 26446.83; City of South Sioux City, fuel- 493.80; ComTec Security, system part- 325.00; Dakota County Sheriff, mileage- 59.16; Dakota Family Dentistry, medical- 76.00; Dakota One Leasing, contract- 220.00; Sandy Dickens, mileage- 81.60; Marjorie Donahue, mileage- 74.21; Fremont Tire, service- 160.30; Gill Hauling, service- 120.00; Amber Hamman, mileage- 28.67; Jacks Uniforms, clothing- 158.20; Joes Dept Store, supplies- 26.49; Kleen Solutions, supplies- 124.90; Mercy Business Health, medical- 1035.00; Mercy Medical Center, medical- 2642.10; MidAmerican Energy Company, utilities- 866.50; Midwest Office Automations, copies- 172.59; NE Nebr Juvenile Serv, boarding- 3762.50; Nebr Public Power Dist, utilities- 2010.39; Net Sys Plus, repair- 80.00; NW Iowa Emerg Physician, medical- 1085.00; Doyle Pilgrim, mileage- 18.36; St Lukes Dept of Lab Services, lab tests- 167.09; St Lukes Regional Medical Center, medical- 81.12; SFCU,

fuel/prescriptions- 3.00; Siouxland Radiology Partners, medical- 27.00; Spencer Fane Britt & Browne, policy- 39.00; Text & Data Technologies, software support- 2100.00; US Bank, prescriptions- 7200.61; Walmart, prescriptions/supplies- 2083.97; Woodbury County Juvenile Det, boarding- 1200.00; Dakota Business Systems, copier rental- 102.00; Midwest Office Automation, contract- 74.20; Staples, supplies- 98.98; Advance Auto Parts, parts- 40.63; AZ Inc, fuel- 99.00; Dakota County Star, publishing- 120.00; Heritage Express, fuel- 79.00; Hubbard Minimart, fuel- 283.00; Leon Pies, workshop/phone- 40.00; Pam Devries, mileage- 59.16; Pat Glover, hours- 100.00; Midwest Office Automation, copier/repair- 187.91; Thomas Wente, physician- 250.00; Bill Johnston, phone/mileage- 315.19; Midwest Office Automation, toner- 31.80; Thomson West, service- 844.10; Claritus, ink- 140.91; Ahlers & Cooney, contract- 47.38; Cable One, internet- 169.96; City of South Sioux City, library/donation- 42500.00; Fibercomm, phone- 1166.24; FSH Comm, phone- 63.60; IBM Corp, maintenance agreement- 1528.68; Willard Johnston, reimburse- 26.26; Mailfinance, lease- 227.00; Mercy Business Health, eap agreement- 240.75; Mips, support- 422.38; Norm Waitt YMCA, memberships- 370.50; Madelyn Thorsland, prior yrs- 10.00; Three Rivers benefit, flex admin fees- 110.00; US Postal Service, postage- 2500.00; VT/Husker Commercial, vehicles- 800.00; Road Improvement Fund, budget transfer- 1000.00; Dakota County Star, publishing- 284.68; Tony Gomez, lodging- 1323.64; Net Sys Plus, hard drive- 99.99; Joan Spencer, mileage- 85.17; Des Moines Stamp, stamp- 178.00; Perkins, supplies- 49.58; Staples, supplies- 219.97; Microfilm Imaging, lease- 240.00; Margie Rahn, prior yrs- 12.00; Spectra Associates, supplies- 26.70; Dept of Revenue, 3rd qtr expense- 24044.88; Dakota County Star, meeting- 10.29; Arnie Mellick, phone- 30.00; Charlotte Doenhoeffer, prior yrs- 10.00; Robert Giese, mileage- 116.28; Ruth Jensen, prior yrs- 12.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; Des Moines Stamp, stamps- 35.00; Executive Technologies, contract- 248.00; Perkins, supplies- 36.89; AS Central Services, supplies- 138.04; Dakota Business Systems, ricoh- 99.00; Iowa Office Supply, ribbons- 77.90; Microfilm Imaging, scanning- 100.50; Midwest Office Automations, contract- 410.62; New Perspectives, shredding- 26.25; Star Printing, envelopes- 160.00; Thompson West, service- 193.00; Frank Gonzalez, interpret- 400.00; Perkins, supplies- 24.92; Thomson West, service- 330.00; Gregorio Munoz, witness fee- 22.55; Dakota County Court, costs- 1717.82; Randy Hisey, court appointed counsel- 1308.00; Kueny & Begley, court appointed counsel- 156.00; Stuart Mills, court appointed counsel- 690.00; Elva Morales, witness fee- 25.10; Alfredo Plaza, witness fee- 20.51; Douglas Roehrich, court appointed counsel- 1890.00; Richard Thramer, court appointed counsel- 1602.16; Patrick Tott, court appointed counsel- 840.00; District Court, court costs- 210.00; Nancy Jochum-Schramm, transcripts- 5645.59; Marcia Mahon, transcript- 75.90; Mips, jury pool/scanning- 725.06; Scott Moore MD, evaluation- 1916.00; Norfolk Printing Company, binders- 376.01; Olson Court Reporting, transcript- 26.00; Douglas Roehrich, court appointed counsel- 967.50; Richard Thramer, court appointed counsel- 1132.76; Dakota County Sheriff, papers/warrants- 459.74; District Court, court costs- 224.00; Ateam Heating & Cooling, repair- 1400.00; Bomgaars, supplies- 141.38; Gill Hauling, service- 120.00; Grainger, supplies- 53.56; H2O4U, parts/labor- 356.76; JC Roofing, repair- 135.00; Menards, supplies- 1058.84; Nebr Public Power Dist, utilities- 1555.72; O'Keefe Elevator, maintenance- 165.91; Richard Jensen, mileage- 68.74; Fresh Start Janitorial, repair- 420.49; Trembly Pest Control, service- 50.00; UNL Extension, reimburse- 2433.66; PMNRD, rent- 833.33; MidAmerican, utilities- 1135.00; Linda Weitzel, mileage- 77.52;

ROAD FUND: Advance Auto, tools- 56.92; Aramark, service- 319.46; AZ Inc, fuel- 2625.51; Bierschbach, rental- 166.00; Bomgaars, supplies/parts- 54.61; Dakota County Star, publishing- 23.50; Electronic Engineering, gps- 900.00; Gill Hauling, service- 55.00; Grainger, flags- 46.99; Jolene Gubbels, mileage/meals- 297.95; Walter Heinemann, prior yrs- 29.00; Heritage Express, fuel- 120.00; Holiday Inn, lodging- 479.70; Hubbard Minimart, fuel- 2148.18; Hydraulic Sales & service, parts- 855.04; H2O4U, water- 26.00; Joes Dept Store, parts/supplies- 304.16; Fred Kellogg, meals- 26.58; Kinetic Leasing, loader payment- 2458.00; LG Everist, gravel- 30903.93; Love Brothers, tires- 450.00; Matheson-Linweld, oxy- 52.00; Medical Enterprises, testing- 67.00; Arnie Mellick, meals/mileage/clothing- 327.04; Midwest Service & Sales, signs/blades- 6804.85; Marlan Millard, prior yrs- 15.00; Nebraska Culverts & Steel, pipe- 2808.85; Nebr Public Power Dist, utilities- 30.82; NE Nebr Public Power Dist, utilities- 209.04; NE Nebr Telephone, phone- 228.06; Peterson Sand & Gravel, gravel- 6517.20; Pomps, tires- 298.00; Powerplan, parts/bits- 323.79; ProBuild, flags/repair- 432.02; Rees Mack Sales, parts- 113.51; St Lukes Center for Occ Health, testing- 70.00; Sams Club, supplies- 150.00; Sapp Bros Petroleum, grease- 109.00; Siouxland Hydraulics, parts- 243.26; Skidril Industries, post hole driver- 6114.41; Stan Houston Equip, parts- 94.30; Stephan Welding, steel- 81.25; Verizon, phone- 108.86; Warren Oil, diesel- 5762.24; Zieglers, parts- 332.83;

POOR RELIEF: Nebr Dept of Health, admin cost- 4.75;

STOP FUND: Dakota County Treasurer, equipment- 576.00;

COUNTY DRUG LAW ENFORCEMENT: Dakota County Treasurer, law enforcement expenses- 1000.00;

HEALTH PLANNING GRANT: Deanna Beckman, hours- 1190.00; Pam Devries, mileage- 121.89; Midwest Office Automations, copier- 281.86; Linda Weitzel, mileage- 21.93

PUBLIC SAFETY: City of South Sioux City, sales tax- 3865.80; Jail Bond Fund, sales tax- 33241.56; Road Fund, sales tax- 667.14;

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

Chair Bousquet called for the Agenda Item "Review and set employer rates for Health Insurance monthly premium costs effective July, 2011".

Don Faber appeared before the Board, as a resource, and provided the Board with information concerning the Health Insurance coverage that the County is now paying for single health Insurance. He pointed out, from the printed material that he provided the Board and asked them to look at the second page toward the Bottom. He reminded the Board that they have fixed costs and you have your risk and your maximum risk equals your maximum dollar amount by single family by month. If you look at the very bottom your maximum cost for the next year is $546.89 for single coverage for one month and your maximum for family is $1473.95. What that says is, if you put that much money away every

month you will meet your fixed costs and the maximum amount of pay that you could have period. He then mentioned the claims reserve and that is excellent that we have that.
If you look up the next column or two on that same sheet you will see projected cost and that is $459.62 and $1226.72. What are these figures? They are your fixed costs and where the underwriters project where you will be at. These figures are less. But we could have costs slightly higher than that. The question is where you want to set it in relation to these rates. If your reserves are sufficient, you can cut your rates.
Mr. Faber explained how the rates are affected when we have tiers of payment other than just single and family. The tiers that Dakota County has are Single rate plus spouse and the single rate plus children.
Mr. Faber pointed the figure of $771,676 on first page of the handout. That is the totals for the year based on our existing census. Mr. Faber said there is a potential there for six to eight large claims.

The County Clerk said that he was not proposing to change the family rate and proposed to the Budget Committee to lower only the single rate to $500 per employee.
Mr. Faber said that with the reserves that would be ok. That is reasonable, but you have to really watch it if you start to drop both the premium and the reserves.

Commissioner Rohde moved, seconded by Commissioner Love to lower the amount taken out for the single rate for health insurance from $600 to $500 per month per employee starting in July which is the beginning of the next fiscal year.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Official's Reports" and they were not available so will be carried on the next agenda.

Chair Bousquet called for the Agenda Item "Appoint individual to represent the County in labor contract negotiations with the Nebraska Public Employees, Local 251 AFSCME".
There was discussion as to when the Board wanted to start negotiating the next Road Contract with Local 251, which is the Road Union, as Kevin Brown Chief Union Stewart with the union had inquired of. It was the consensus of Commissioner Bousquet and Love to start about the first week in July.
The Board also discussed who should represent the County in negotiations and when asked, County Attorney Kim Watson said that she would.
Commissioner Bousquet moved, seconded by Commissioner Rohde to appoint Kim Watson, County Attorney, to be the attorney to negotiate the next labor agreement with the Nebraska Public Employees, Local 251 AFSCME Union.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Commissioner's Committee Reports" and there were none.
Chair Bousquet called for the Agenda Item "Commissioner's Member Reports" and Sally Reinert mentioned that the Website Committee met.
Chair Bousquet called for the Agenda Item "Public Comment" and there was none.

Chair Bousquet called for the Agenda Item "Mail and/or Emergency Business".
Chris Kleinberg, County Sheriff said that he wanted to apply for a CHG Grant to fund an Office for three years and then he would like to keep a liaison officer in the high schools. The deadline to submit the grant application is May 25th and that the Board did not have another meeting before then. He said that the grant covers all costs for an officer for the first three years and that if the grant was awarded, the county was not obligated in going forward with the grant, but he needs to get the paper filed by the 25th, so he needs the Board to approve applying for it. There was a stipulation that the County has to keep the employee on the grant at least one year (12 months) after the three years.
Mr. Kleinberg said that he had someone in the schools and finished the year out with that person. He said that he has one deputy that is deployed and hoping that he is back by September. Mr. Kleinberg will budget for the person on deployment in next year's budget and that means he can't put her, or the Resource Officer, back in the school next year. He said that Grant dried up last year.
Commissioner Bousquet asked him if he got this grant whether he would be hiring another officer and Chris said that he would because that would free up one to put in the schools. Commissioner Bousquet said that he didn't really have a problem with the grant, but the problem is when it runs out and you have no money for the deputy you have.
Mr. Kleinberg said that you just have to keep the person that you hired for the grant on. If I have to get rid of another deputy, I can do that.
Mr. Kleinberg said that all he needed today was the Board Chair's Signature to apply for it. If that is something you don't think we should pursue, that is entirely up to you.
Commissioner Gomez asked Mr. Kleinberg if he recommended it and Mr. Kleinberg said that he would like to keep someone in South Sioux City and Homer's High School because the information that they have got out of them is pretty good stuff and the person that we have there now does a very good job and it works out good. I personally like it, yes. If that is something that the taxpayers can't afford, then that is you guys' decision.
Commissioner McNear asked Mr. Kleinberg after three years he has enough seniority that he is on for good, right?
Mr. Kleinberg said that he didn't know if he would go that far. He doesn't think seniority has anything to do with it. You have to keep him on for three years and yes, pay him for one more year. If everything goes to heck in a hand basket, he can go like anybody else.
Commissioner Rohde asked if this grant requires this person to be a new hire.

The discussion following that question determined that in the present situation that person would have to be a new hire. He said that there is someone on the Merit Commission List that is a certified officer so that would not cost the county anything. Mr. Kleinberg thought it cost the County about $8,000 to get someone certified when you consider salary, food, lodging and everything. He said that Dakota County pays a little more so it might be a little more than that.

Commissioner Rohde said that he thought it was a good idea, but he is on the Budget Committee and he knows what the County is going to be faced with.

Mr. Kleinberg said that he would like to see someone stay in the school, but he understood what is going on with the budgets. I am trying to work my budget so there is no increase.

Commissioner Rohde said they are a great thing but eventually you have to pick up the Cost.
Mr. Kleinberg said that is the situation the school is in, they lost a grant.

Chair Bousquet asked if there was any public comment.

Sally Reinert said that is sounds like the question is just being given permission to apply for the grant. That does not cost you anything. Personally I would go with it and see where it goes. If after 4 years, ok there is no money. No one ever guaranteed me a job. Right now I think people would be happy to get a job for four years.

Ted Piepho said that in due respect to Chris and all realize the need for law enforcement and education and all that. I am going to disagree with Sally because I have heard that comment time and time again, but then when the grant is approved then they come back and say, oh if you turn this down we are not going to get another grant. If you get a grant you will follow through with it. In my tenure I have never seen that someone has been employed with a grant has ever departed from the County and I will make one more comment and that is in three years you can add $70,000 to your budget because you are going to have the officer, you are going to have all the benefits and you have to add a car.

Commissioner Love said that he was feeling the same way that Bill (Commissioner Rohde) is feeling, just looking at seeing the budget and what is going to happen, it would be a good and important thing, but….
Commissioner McNear pointed out that he would have the individual returning from the service in September.

Mr. Kleinberg said that he wasn't reassuring the Board. He was asked to bring it to the Board and that is what he is doing. Mr. Kleinberg was asked what the grant was for and he said right at 250 thousand, $210,000 with the math that was done with an entry level officer's salary.

There was more discussion concerning the period of the grant and what was expected of the county.
Commissioner Rohde said that he experienced approving a grant and when the grant was up the board wasn't brought aware of it and the person stayed on and added that was prior to Mr. Kleinberg's administration.
Right now my feeling is that we can do without it.

Commissioner McNear mentioned that the individual is coming back in September and school starts then, lets see how that works out.
It was decided that the County Board would be faced with many tough decisions in the next three or four years and should not obligate the county to more spending.
Chair Bousquet declared the issue died for a lack of a motion.

Chair Bousquet asked for any other business.
Joan Spencer, Administrative to the Board, asked the Board if they would approve expenses incurred for her to go to Kansas City with the All American City County Committee. She said that Tami Reynolds can not go and the Committee has asked her to go down to be what they call the captain.
Commissioner Gomez moved, seconded by Commissioner Love to approve Joan Spencer's expenses to go to Kansas City with the All American City/County Committee.
ROLL CALL VOTE: Love- Yea, Bousquet- Yea, Rohde- Yea, McNear- Yea and Gomez- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet adjourned their meeting of May 16, 2011 at 5:32 p.m.

County Board of Commissioners

_____

Richard (Rick) Bousquet, Chair Date Chair signed

_____

Theodore A. Piepho, County Clerk Date entered in book

DAKOTA COUNTY SEAL NEBRASKA

Dakota County Board of Commissioners
Thursday, May 26, 2011, 8:00 a.m. Emergency Meeting
Dakota County Courthouse
County Board Lower Level Meeting Room
Dakota City NE 68731

Chair Bousquet called the emergency meeting to order at 8:00 a.m. with the Pledge of Allegiance. Chair noted the location of the Open Meetings Act. Roll call was taken.

Present were: Commissioners Bousquet, Love, Rohde and McNear. Also present were Joan Spencer, Administrative Assistant to the Board and acting secretary, and Kim Watson, County Attorney. Absent: Commissioner Gomez.

The agenda for said meeting was as follows:
8:00 a.m. Emergency Meeting
Call to Order with reciting of the Pledge of Allegiance
A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
Roll Call
Road Committee recommendation to Board regarding the contractor bid to grade county roads at a per hour bid.
County Board action to accept or not accept bid recommendation
Road Maintenance Contract
County Board action to approve contract and approve Chair to sign
Adjournment

Chair Bousquet asked for the Road Committee's recommendation regarding the contractor bid to grade county roads. Commissioner Love stated that with the Road Department currently short handed and the time and money involved, that the committee recommends the County enter into a contract with Stan Jans to grade the county roads. Commissioner Rohde commented and Commissioner Love reiterated that the position would not be full time and Mr. Jans would be used to fill in as Fred Kellogg needed. Commissioner Bousquet asked why the Road Committee did not go with the low bid. Commissioner Love suggested going with all three contractors. The high bid was discussed and Commissioner McNear thought Mr. Criss might be willing to grade at a lower bid. The Board thought that Mr. Criss should submit that in writing. Fred Kellogg, Road Director, asked how payment would be made and noted that the Road Department budget is pretty slim.

Commissioner Rohde moved, seconded by Commissioner Love, to accept bids from Jans and Oban to grade county roads.
ROLL CALL VOTE: Love- yea, Rohde- yea, McNear- yea, Gomez- absent, Bousquet- yea. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner McNear, to approve the Road Maintenance Contract and approve Chair to sign.
ROLL CALL VOTE: Rohde- yea, McNear- yea, Gomez- absent, Bousquet- yea, Love- yea. UNANIMOUS MOTION CARRIED.

ROAD MAINTENANCE CONTRACT

This contract is entered into this 26th day of May, 2011, by and between the Dakota County Board of Commissioners ("County") and Stan Jans DBA S. Jans Contracting, LLC ("Contractor").

The parties agree as follows:

1. **PURPOSE**. The County shall pay Contractor an hourly rate of $95.00 for grading of rural county roads and road maintenance. Contractor shall submit monthly claims to the County for all work performed. Contractor agrees to provide the necessary labor, fuel, and equipment, including, but not limited to, the following: 200+HP, 32,000 L.B.T., road grader.

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

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

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

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

death, personal injury, and property damage.

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

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

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

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

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

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

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

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

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

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

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

7. **CONTACT**. The County's contact person shall be Fred Kellogg. Mr. Kellogg shall observe and inspect Contractor's work to ensure Contractor is performing the work in accordance with this Contract and the state and local laws, standards, and requirements.

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

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

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

parties hereto.

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

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

Stan Jans,
S. Jans Contracting, LLC

_____
Stan Jans

_____
Date

Board Chair,
Dakota County Board of Commissioners

_____
Rick Bousquet

_____
Date

ATTEST

_____
THEODORE A. PIEPHO
COUNTY CLERK

Commissioner Bousquet adjourned their May 26, 2011 Emergency Meeting at 8:12 a.m.

Dakota County Board of Commissioners

_____
Rick Bousquet, Chair Date Chair signed

_____
Joan Spencer, Acting Secretary

DAKOTA COUNTY SEAL NEBRASKA

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

Dakota County Board of Commissioners
Tuesday, May 31, 2011
Emergency Meeting Agenda
Law Enforcement Center [east side – north entrance]
701 W 29th Street, South Sioux City, Nebraska

Chair Bousquet called the emergency meeting to order at 10:00 a.m. Roll call was taken.

Present were: Commissioners Bousquet, Love, Gomez, Rohde and McNear. Also present were Joan Spencer, Administrative Assistant to the Board,acting as secretary, and Kim Watson, County Attorney. Absent: None

The agenda for said meeting was as follows:
10:00 a.m. Emergency Meeting
Call to Order
A current copy of the Open Meetings Act is posted in the back of the room and is available for review by all citizens in attendance.
Roll Call
Dakota County to declare disaster related to flooding
Board may take action to purchase sandbags and organize sandbagging
Set up Emergency Operations Center
Disaster preparedness
Adjournment

The meeting was in conjunction with the City of South Sioux City town council. Pat Foust clarified there was no town hall meeting scheduled for today. Emergency Management is working closely with NEMA.

Lance Hedquist updated everyone present regarding the seriousness of the river flooding the City of South Sioux City and Dakota County. Elevation maps from the Corp of Engineers are available on South Sioux City's website. The increase of flow to 150,000 cu.ft. per second by June 15 will impact the western one third of the City. The plan as of now is to erect a concrete wall filled with dirt from West Third Street out to Golf Road. The area affected includes the College Center, Walmart, Hy-Vee and the Law Enforcement Center. Some people will need to be evacuated with the Corp estimating flooding at 1098 elevation. Public funds will be spent. Sandbags have been ordered. Governor will be here today to look at the area. Construction of the wall will need to be done by June 14th. The water will probably stay for 60 days. The City's utilities and water should not be effected. Citizens not affected by surface water could be affected by ground water. Southsiouxcity.org web site has elevation maps. Earthtools.org can help you find your property elevation.

Dakota County Chair Bousquet stated that he did sign a disaster declaration and asked for Board support. Commissioner Rohde moved, seconded by Commissioner Love, to support the Chair signing a disaster declaration for Dakota County.
ROLL CALL VOTE: Love- yea, Rohde- yea, McNear- yea, Gomez- yea, Bousquet- yea. UNANIMOUS MOTION CARRIED.

Commissioner Gomez moved, seconded by Commissioner McNear, to purchase 100,000 sandbags for public use.
ROLL CALL VOTE: Rohde- yea, McNear- yea, Gomez- yea, Bousquet- yea, Love- yea. . UNANIMOUS MOTION CARRIED.

Pat Foust, Emergency Manager, explained that the Law Enforcement Center will be the Emergency Operations Center and will be manned 24 hours per day, 7 days per week. The EOC is not open to the public but can take phone calls. The 911 equipment will be moved if the need arises.

Commissioner Gomez moved, seconded by Commissioner Love, to adjourn their May 31, 2011 Emergency Meeting at 10:35 a.m.
ROLL CALL VOTE: McNear- yea, Gomez- yea, Bousquet- yea, Love- yea, Rhode- yea. UNANIMOUS MOTION CARRIED.

Dakota County Board of Commissioners

_____
Rick Bousquet, Chair Date Chair signed

_____
Joan Spencer, Acting Secretary

DAKOTA COUNTY SEAL NEBRASKA

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

Dakota County Board of Commissioners
Tuesday, May 31, 2011
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Acting Chair Rohde called the meeting to order at 4:10 p.m.
Present were: Commissioners McNear, Rohde, Love, Gomez and acting secretary, Danny Christoffers. Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney were also present.
Absent: Commissioner Bousquet

The agenda for the meeting was as follows:

- Call to Order with reciting the Pledge of Allegiance.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meeting and Emergency Meeting.

- Kira Oregon, Mercy Business Health. Request County participation and consent for the Employee Wellness onsite screenings program.

- Accept bid and approve Road Maintenance Contract with David Criss and authorize chair to sign action

- Chris Kleinberg, Dakota County Sheriff, to discuss the purchase of a small water vessel.

- Miscellaneous Agenda Items
  - Approve Payroll Claims
  - Approve Accounts Payable Claims.
  - Officials Reports
  - Authorize Spencer Fane Britt & Browne LLP to transfer all of Dakota County's legal files to Pam Bourne of Woods & Aitken LLP, effective June 2, 2011.
  - Discuss flood precaution measures - Board may take action
  - Appoint full time member and alternate member to Board of Zoning Adjustments

- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- UNL Extension Review past year – Snacks
- Executive Session to discuss Local 251 2012-2015 Labor Contract.
- Adjournment

Commissioner McNear moved, seconded by Commissioner Gomez to approve the minutes of May 26th, 2011 as typed and prepared for the Official Record.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Absent. UNANIMOUS MOTION CARRIED.

Kira Oregon with Mercy Business Health appeared before the board and request that the board to continue doing Wellness Screening.
Commissioner Rohde asked how many participated last year.
Kira Oregon said that 40-45 participated.
Commissioner Gomez said that he liked the results from the previous year.

Commissioner Gomez moved, seconded by Commissioner Love to approve County participation in the Employee Wellness program.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Absent, Rohde- Yea. UNANIMOUS MOTION CARRIED.

Acting Chair Rohde called for the agenda item: "Accept bid and approve Road Maintenance Contract with David Criss and authorize chair to sign action"
Commissioner Rohde said that this was a re-bid and that the County was unable to act on it.

Chris Kleinberg, Dakota County Sheriff, appeared before the board to discuss the purchase of a small water vessel.
Mr. Kleinberg said that the purpose was to start a river patrol. He was originally going to wait until next spring. There is a little over $16,000 set up in an account that comes from restitution money for DUI's. He can use this money for DUI enforcement. With the potential flooding in the county, he is interested in purchasing this now. He wanted to make sure he had the approval to purchase this.
Commissioer Gomez said that he appreciates with the information provided by Christ Kleinberg and supports the purchasing of the boat.
Commissiner Rohde asked if the boat was ready to go.
Chris Kleinberg said it is complete and could be ready to go in a couple of days.

There was some discussion on where the boat would be stored.
The board informed Chris Kleinberg that the purchase is under $5,000 so it is purchased at his discretion.

Commissioner Gomez moved ,seconded by Commissioner Love to approve the payroll claims filed with the County Clerk and submitted by him to be paid as follows:
COUNTY GENERAL FUND: Gross salaries- $128,717.88, General Fund Employees Net Pay- $92,459.55, Employer deductions paid: Retirement- $8,979.47, FICA- $7,767.52, Medicare- $1,816.61, DC Health Plan- $27,000.00, DC Dental Plan- $977.40 and Life Insurance- $199.57, Principal Mutual Life Insurance- $1,197.05.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1365.13, Daniel Christoffers- 467.20, Theodore Piepho- 1748.23, Mary C. Wiltgen- 953.26, Marisol Curiel- 982.40, Darlene Davis- 953.60, Stephanie Gatzemeyer- 440.00, Robert Giese- 1748.23, Ruth Gillaspie- 1266.78, Jolene Heinemann- 1044.80, Tracey Rysavy- 978.40, Cherie Conley- 984.00, Daniel Christoffers- 584.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Katherine Wiltgen- 960.00, Zachary Gerth- 1608.46, Debra Jensen- 1119.20, John Loos, Jr.- 2186.59, Elda Raudales- 163.68, Richard Jensen- 1480.09, Duane Kotalik- 1384.00, Tammy Dunn-Peterson- 1027.29, Anthony Bos- 1734.48, Timothy Decker- 2207.30, Sandy Dickens- 487.04, Brian Ellinger- 2246.20, Michael Estes- 1758.78, Brent Gilster- 2076.56, Todd Hammer- 2055.52, Melvin Harrison III- 2107.40, Jason James- 1808.29, Douglas Johnson- 1903.85, Kimberly Johnson- 527.73, Jared Junge- 2104.14, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1644.80, Michael Kreegar- 1876.10, Gary Powell- 131.76, Gayle Richards- 914.40, Kevin Rohde- 1936.42, Randall Walsh- 1716.80, Bridget Fiedler- 960.00, Kerry Johnson- 949.60, Sara Niles- 1884.62, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1135.20, Kimberly Watson- 2828.48, Caterina Chapman- 1267.40, Jacob Acero- 1421.47, Ermelinda Ballesteros- 1478.98, Mason Billings- 1182.44, Joshua Blatchford- 1338.98, Rebecca Broer- 1484.52, Elisabet DeRoin- 1134.38, Sandy Dickens- 829.49, Jesse Doelle- $501.15, Marjorie Donahue- 1292.00, Lisa Ford- 1330.73, Ryan Foster- 1186.05, Linda Frost- 856.80, Alma Gunderson- 1347.23, Amber Hamman- 1445.10, Cathy Harsma- 1359.38, Deanna Haukap- 1318.47, Jeffrey Heitzman- 1268.73, Adam Hough- 1281.23, Michael Jacobson- 1244.17, Brett Johnson- 1430.68, Brenda Kelly- 1351.31, Terry Kern- 1971.15, Keith Klein- 1281.23, James Kleinberg- 1474.46, Mark Nelson- 1433.65, Travis Olander- 1326.48, Kimberly Peterson- 1281.23, Daniel Rodasky- 1322.48, Cody Roeber- 1236.68, Jutharatana Ruenprom- 1389.97, Timothy Ryan- 1186.05, Linda Schovanec- 1358.40, Francis Tope- 1282.40, Jewel Williams- 1448.54, Matthew Wise- 2011.14, Cara Wood- 1492.05, Jolene Gubbels- 1049.60, Nicholas Long- 720.00, Leon Pies- 661.20, Pamela DeVries- 1677.82, Bonnie Kahler- 764.28, Linda Weitzel- 1110.00, Willard Johnston- 1050.00.
GENERAL FUND: Employee withholding paid to: Federal- $13086.48, State- $4,488.03, FICA- $5,261.81, Medicare- $1,816.61, Retirement- $6,083.32, Health Plan- $1400.00, DC Dental Plan- $504.00, Sheriff Union Dues- $375.00, Deferred Comp- $332.00, Garnishments- $1,201.34, Aflac Health- $449.40, Aflac Life/Dsbl- $177.87 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $13,496.74, Road Employees Net Pay- $9,391.07, Employer deductions paid: Retirement- $911.02, DC Health Plan- $3,000.00, DC Dental Plan- $108.60, Life Insurance- $21.15, FICA- $813.09, and Medicare- $190.16, Principal Mutual Life Insurance- $214.57.
Brent Byroad- 1396.40, Robert Hacker- 1314.40, Hans Houfek- 1318.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1697.44, Kimon Litras- 1326.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Willie Peters II- 429.90, Leon Pies- 661.20, Kip Reinbold- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,268.68, State- $439.73, FICA- $550.79, Medicare- $190.16, Retirement- $607.36, DC Dental Plan- $84.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $448.55, Aflac Health- $138.29, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $160.00 and Union Dues- $140.00.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Absent, Rohde- Yea, McNear- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Gomez to acknowledge receipt of and approve the Officials Reports filed with the County Clerk by the Register of Deeds, Clerk of District Court, and County Clerk for the month of April 2011.
ROLL CALL VOTE: Love- Yea, Bousquet- Absent, Rohde- Yea, McNear- Yea, Gomez- Yea. UNANIMOUS MOTION CARRIED.

Acting Chair Rohde called for the agenda item “Authorize Spencer Fane Britt & Browne LLP to transfer all of Dakota County's legal files to Pam Bourne of Woods & Aitken LLP, effective June 2, 2011.”
Kim Watson, County Attorney, said that Pam Bourne is leaving Spencer Fane Britt & Browne and that the County has the option of either leaving our files with Spener Fane Britt & Browne or to have Pam Bourne take them with her. Kim Watson said that Pam Bourne will still be working with NIRMA and it is her opinion that Pam Bourne should take the County’s legal files with her.

Commisisoner Gomez moved, seconded by Commissioner Love to approve the transfer of the County’s legal files from Spencer Fane Britt & Browne LLP to Pam Bourne of Woods & Aitken LLP effective June 2, 2011.
ROLL CALL VOTE: Bousquet- Absent, Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea. UNANIMOUS MOTION CARRIED.

Acting Chair Rohde said that the agenda item: “Discuss flood precaution measures – Board may take action.”
Commissioner Rohde asked Chris Kleinberg for updates.

Chris Kleinberg, County Sheriff, gave a brief overview of information – but said that nothing has changed since the morning meeting.
There was discussion on the flood maps.

Acting Chair Rohde said that the agenda item: “Appoint full time member and alternate member to Board of Zoning Adjustments”
There were no applicants.
Sally Reinert said that Randy Lanning was interested and she would contact him.

Acting Chair Rohde called for the agenda items, Committee and Member Reports: there were none.

Acting Chair Rohde called for Public Comment.
Terry Kern, Jail Administrator, said he discussed contractual obligations with two agencies.
He said that in the case of having to abandon the jail in the case of a flood and no longer having 20 beds for Federal inmates. We would not be breaching contract because it is an ‘act of God’ and we would get them back.
According to Jail Standards, if the old jail was closed it would not be considered an official closing, it would require board action to close the jail.
Federal prisoners would be transported out by the Federal authorities. Eighty five inmates today are county inmates. There is alternative bed-space for fifty-five of them but the other thirty inmates may need to be housed outside of the immediate area.

Acting Chair Rohde called for Mail and/or Emergency Business: there was none.
Acting Chair Rohde called for the agenda item: “UNL Extension Review past year – Snacks”
Carol Larvick appeared before the board, but said they decided to reschedule and do their review presentation at a different time due to the potential flooding situation.

Acting Chair Rohde said that the agenda item “Executive Session to discuss Local 251 2012-2015 Labor Contract.” is not pressing.

Acting Chair Rohde recessed the meeting at 4:34 p.m. to reconvene at the South Sioux City Council Chambers.
Acting Chair Rohde reconvened at 5:00 p.m. at the South Sioux City Council Chambers.
Acting Chair Rohde adjourned their May 31, 2011 meeting at 5:10 p.m.

County Board of Commissioners

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William B. Rohde, Acting Chair Date Chair signed

_____
Daniel Christoffers, Acting Secretary

DAKOTA COUNTY SEAL NEBRASKA

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

Dakota County Board of Commissioners
Thursday, June 9, 2011
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called the Board's advertised Meeting to order at 5:00 p.m.
Present were: Commissioners Bousquet, Love, Gomez, McNear and Ted Piepho, Secretary. Absent: Rohde.
Joan Spencer, Administrative Assistant to the Board was also present.
The agenda for this meeting was as follows:

DAKOTA COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 9, 2011 AGENDA
COUNTY BOARD ROOM
DAKOTA COUNTY COURTHOUSE
DAKOTA CITY, NEBRASKA

Rick Bousquet, Chair Theodore A. Piepho, Secretary

This meeting was advertised to begin at 5:00 p.m.
This agenda is subject to change up until 24 hours before the start of the meeting.
The Chair reserves the right to modify the order of the agenda during the meeting.
The County Board reserves the right to take action on any agenda item.

- Call to Order with reciting the Pledge of Allegiance.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meeting and Emergency Meeting.
- Public Meeting for all interested parties of the Introductory and Asset Mapping of Dakota County to participate and offer information for constructing a Comprehensive Plan.
- Adjournment

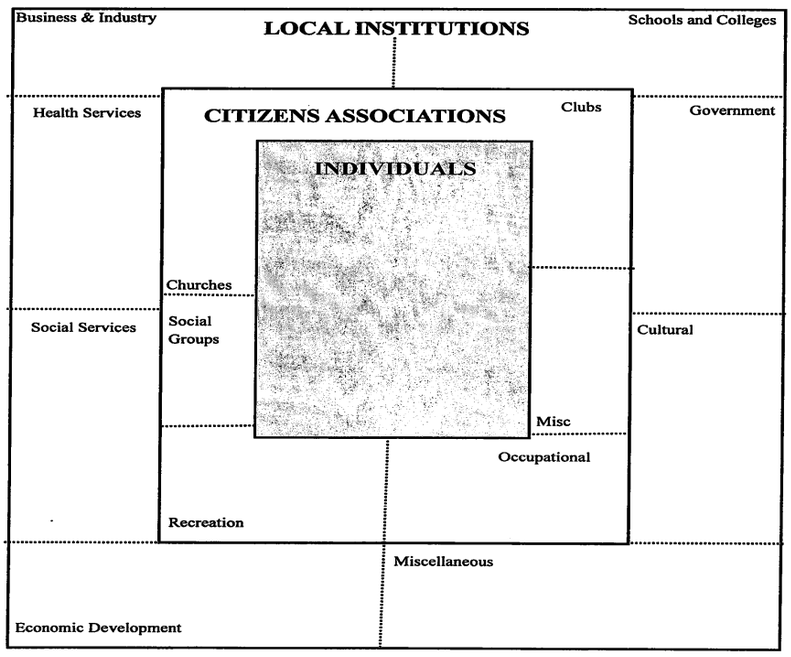
Chair Bousquet asked Kristi Quinn, from SIMPCO, to step up to the podium and lead the Asset Mapping and Visioning session.

Kristi Quinn, Siouxland Interstate Metropolitan Planning Council (SIMPCO) began the planning process for the Dakota County Comprehensive Plan. Kristi Quinn and Sarah LaBrune-Jongeling led the Asset Mapping and Visioning session where participants and commissioners assessed the county assets. From the information gathered at the meeting, SIMPCO will determine benchmarks for goals and objectives as well as creating a Dakota County vision for the comprehensive plan.

The mapping consisted discussion of the following nature:

Community Asset Mapping

"Asset Mapping" is derived from an "asset-based" approach to community development, and refers to a range of approaches that work from the principle that a community can be built only by focusing on the strengths and capacities of the citizens and associations that call a neighborhood, community or county "home."



Commissioner Love moved, seconded by Commissioner Gomez to adjourn
Chair Bousquet adjourned their meeting of June 9, 2011 at 6:03 p.m.

County Board of Commissioners

_____

Richard (Rick) Bousquet, Chair Date Chair signed

DAKOTA COUNTY SEAL NEBRASKA

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Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, June 13, 2011
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Chair Bousquet called the meeting to order at 4:12 p.m.
Present were: Commissioners Bousquet, McNear, Rohde, Love, Gomez and Secretary, Ted Piepho, County Clerk. Joan Spencer, Administrative Assistant to the Board, and Kim Watson, County Attorney, were also present.
Absent: None

- Call meeting to Order.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meetings May 16, 2011, May 26 and May 31, 2011 Emergency Meetings and the June 9, 2011 information meeting.

- Terry Kern – Authorize Chair to sign Dakota County Corrections Officers' Merit Commission Rules and Regulations.

- Interlocal Agreement with South Sioux City for Levee Construction
  - Resolution 011C-006 Resolution regarding approving Interlocal Cooperation Agreement for Levee Construction.
  - Approve and authorize the chair to sign Interlocal Agreement for Levee Construction.
  - Resolution 11C-007 to appoint special legal council to assist Dakota County to address the financial and legal aspects relating to the flooding.

- Miscellaneous Agenda Items
  - Discuss and take action on NIRMA's opportunity to renew our insurance and reduce the premium contribution by choosing higher property deductibles.
  - Purchase additional sand bags from the City of Dakota City.
  - Board to give direction on what funds to use in payment of flood disaster expenditures.
  - Approve Payroll Claims.
  - Approve Accounts Payable Claims.
  - Discuss whether the County desires to have aerial pictures taken of the different flood water stages to help in future planning.
  - Discuss whether the County can Bond the cost incurred for what it cost the County for preparation and recovery for flooding. If the County can Bond those flood disaster expenses, the Board may take action to authorize the bonding for the costs incurred with flooding in Dakota County.
  - Appoint full time member and alternate member to the Board of Zoning Adjustments.
  - Discuss whether to drill two ground water monitoring holes in the Courthouse's yard to monitor ground water.
  - Board to discuss and take action to move the County Board Meetings to a different location.

- Tabled Items: No items on the table.

- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- Closed Executive Session to discuss the next Local 251 Labor Contract.
- Adjournment

Chair Bousquet called for the Agenda Item "Approve Minutes of prior meetings May 16, 2011, May 26 and May 31, 2011 Emergency Meetings and the June 9, 2011 information meeting."
Commissioner Gomez moved, seconded by Commissioner McNear to approve the minutes of May 16, 2011, May 26 and May 31, 2011 Emergency Meetings and the June 9, 2011 information meeting, as typed and prepared for the Official Record.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Approve Payroll Claims."
Commissioner Gomez moved, seconded by Commissioner Love to approve the payroll claims filed with the County Clerk and submitted by him for payment as follows:
COUNTY GENERAL FUND: Gross salaries- $138,182.16, General Fund Employees Net Pay- $98,684.65, Employer deductions paid: Retirement- $9,655.69, FICA- $8,354.28, Medicare- $1,953.83, DC Health Plan- $27,600.00, DC Dental Plan- $999.12 and Life Insurance- $204.09, Principal Mutual Life Insurance- .
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1365.13, Daniel Christoffers- 584.00, Theodore Piepho-

1748.23, Mary C. Wiltgen- 984.00, Marisol Curiel- 982.40, Darlene Davis- 953.60, Stephanie Gatzemeyer- 792.00, Robert Giese- 1748.23, Ruth Gillaspie- 1266.78, Jolene Heinemann- 1044.80, Tracey Rysavy- 978.40, Cherie Conley- 984.00, Daniel Christoffers- 584.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Katherine Wiltgen- 864.00, Zachary Gerth- 1608.46, Debra Jensen- 1119.20, John Loos, Jr.- 2186.59, Elda Raudales- 163.68, Richard Jensen- 1480.09, Duane Kotalik- 1384.00, Tammy Dunn-Peterson- 935.20, Anthony Bos- 2407.67, Timothy Decker- 2635.70, Sandy Dickens- 487.04, Brian Ellinger- 2309.95, Michael Estes- 1998.63, Brent Gilster- 2251.32, Todd Hammer- 2112.49, Melvin Harrison III- 2230.76, Jason James- 2301.46, Douglas Johnson- 1903.85, Kimberly Johnson- 527.73, Jared Junge- 2245.30, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1960.91, Michael Kreegar- 2287.30, Vince Oordt- 115.29, Gary Powell- 263.52, Gayle Richards- 914.40, Kevin Rohde- 2309.26, Randall Walsh- 1845.56, Bridget Fiedler- 960.00, Kerry Johnson- 949.60, Sara Niles- 1884.62, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1135.20, Kimberly Watson- 2828.48, Caterina Chapman- 1230.22, Jacob Acero- 2006.29, Ermelinda Ballesteros- 1519.57, Mason Billings- 1589.02, Joshua Blatchford- 1330.86, Rebecca Broer- 1932.80, Judy Case- 1130.94, Elisabet DeRoin- 1395.69, Sandy Dickens- 1141.50, Jesse Doelle- $1082.65, Marjorie Donahue- 1430.13, Lisa Ford- 1538.41, Ryan Foster- 1414.72, Linda Frost- 856.80, Alma Gunderson- 1545.27, Amber Hamman- 1425.24, Cathy Harsma- 1247.46, Deanna Haukap- 1318.47, Jeffrey Heitzman- 1564.01, Adam Hough- 1661.78, Michael Jacobson- 1309.76, Brett Johnson- 1388.61, Brenda Kelly- 1286.00, Terry Kern- 1971.15, Keith Klein- 1469.57, James Kleinberg- 1463.63, Mark Nelson- 1433.65, Travis Olander- 1564.97, Kimberly Peterson- 1461.81, Daniel Rodasky- 1633.12, Cody Roeber- 1437.21, Jutharatana Ruenprom- 1819.03, Timothy Ryan- 1386.13, Linda Schovanec- 1392.36, Francis Tope- 1474.80, Jewel Williams- 1647.41, Cara Wood- 1526.34, Jolene Gubbels- 1049.60, Nicholas Long- 684.00, Leon Pies- 661.21, Pamela DeVries- 1677.82, Bonnie Kahler- 755.60, Linda Weitzel- 1256.15, Willard Johnston- 1050.00.
GENERAL FUND: Employee withholding paid to: Federal- $14,664.16, State- $4,999.67, FICA- $5,659.31, Medicare- $1,953.83, Retirement- $6,546.64, Health Plan- $1400.00, DC Dental Plan- $504.00, Sheriff Union Dues- $375.00, Deferred Comp- $332.00, Garnishments- $1,353.10, Aflac Health- $449.43, Aflac Life/Dsbl- $177.90 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $13,504.43, Road Employees Net Pay- $9,471.55, Employer deductions paid: Retirement- $911.54, DC Health Plan- $3,000.00, DC Dental Plan- $108.60, Life Insurance- $21.15, FICA- $813.57, and Medicare- $190.27, Principal Mutual Life Insurance- .
Brent Byroad- 1647.49, Robert Hacker- 1314.40, Hans Houfek- 1318.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1697.44, Kimon Litras- 1326.40, Arnold Mellick- 1579.90, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,338.16, State- $463.67, FICA- $551.11, Medicare- $190.27, Retirement- $607.71, DC Dental Plan- $84.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $281.55, Aflac Health- $138.30, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $160.00 and Union Dues- $140.00.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet said that the signing of the Merit Commissioner Rules and Regulations has already been done.

Chair Bousquet called for the Agenda Item "Resolution 011C-006 Resolution regarding approving Interlocal Cooperation Agreement for Levee Construction".
This was discussed, and after discussion, it was determined that this was the Lite Form Levee that this agreement was referring to.
Fred Kellogg, Road Director, gave the Board his measurements of the levee. He provided two sets of figures and they included measuring the levee in a straight line (1995 running feet) and also in total feet because the levee was built in a Z foot manner. The total footage for the Z foot was 2,285'.

Chair Bousquet asked if the Finance Committee had a recommendation. Commissioner Rohde expressed that in the scope of things he felt that the County should pay half. Looking down the road when the Corps Levee has to be removed, he would expect that South Sioux City pay half. The Board felt that the 5000 feet levee exceeded the actual measurement and the Chair asked that this be placed on the next meetings agenda; therefore, Resolution 11C-007 for today becomes 011C-006.

Chair Bousquet called for the Agenda Item "Resolution 11C-007 to appoint special legal council to assist Dakota County to address the financial and legal aspects relating to the flooding." Being that Resolution 11C-006 was rescheduled for next meeting, this resolution becomes 11C-006.

Chair Bousquet called for the Agenda Item "Resolution 11C-006 to appoint special legal council to assist Dakota County to address the financial and legal aspects relating to the flooding."
Commissioner Rohde moved, seconded by Commissioner Gomez to adopt Resolution 11C-006 that the Dakota County Board of Commissioners appoint special legal counsel to advise the county on the financial and legal issues involved with the disaster and flooding, including, but not limited to, FEMA's requirements, the National Guard's assistance, any potential tax levy and/or bonding issues, maintenance and surveillance of the levee built by the Army Corp of Engineers, negotiations with the City for cost of the levee, and any and all other disaster and flood related issues, in an urgent manner, with the Resolution reading as follows:

BOARD OF COMMISSIONERS
DAKOTA COUNTY, NEBRASKA

RESOLUTION 11C-006

RESOLUTION TO APPOINT SPECIAL LEGAL COUNSEL TO ADDRESS
FINANCIAL AND LEGAL FLOOD ISSUES

WHEREAS, pursuant to Neb. Rev. Stat. §23-103, the powers of the County as a body are exercised by the County Board of Commissioners; and,

WHEREAS, on Tuesday, May 31, 2011, the county declared a disaster related to flooding and the County Board Chair signed a disaster declaration; and,

WHEREAS, as an emergency protective measure, a 2,546 foot Lite Form levee has been constructed on Golf Road located partially within the City of South Sioux City, Nebraska ("City"), and partially within Dakota County, Nebraska, in an attempt to protect the City and County from flooding; and,

WHEREAS, an agreement has been proposed pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. §13-801, to establish an Interlocal Agreement by, between, and among the County and the City to share the costs of constructing the 2,546 foot levee; and,

WHEREAS, the cost of the 2,546 foot Lite Form levee is estimated to be approximately $100,000.00; and,

WHEREAS, damage has been caused to the levee and property located in the area of current damage due to flooding and the damaged levee has had to be repaired; and

WHEREAS, City, County, and State law enforcement are patrolling the areas of the levee and disaster due to flooding in an attempt to prevent damage to the levee and possible injury to persons and/or property; and,

WHEREAS, there are other financial and legal issues involved with the disaster due to flooding, including, but not limited to, FEMA's requirements, the National Guard's assistance, any potential tax levy and/or bonding issues, maintenance and surveillance of the levee built by the Army Corp of Engineers, negotiations with the City for cost of the levee, and any and all other disaster and flood-related issues, which must be addressed with the utmost urgency; and,

WHEREAS, the County wishes to have legal counsel to advise the County on all of the financial and legal disaster and flood issues; and,

WHEREAS, the financial and legal disaster and flood issues require extensive specialized legal knowledge and expertise, which cannot be obtained within a three-day time frame, and such legal services will require assistance of an unforeseen duration and involve extensive time commitments from counsel; and,

WHEREAS, it is in the county's best interest to appoint special legal counsel to advise the county on all of the financial and legal issues related to the disaster and flooding in an urgent manner.

THEREFORE, BE IT RESOLVED, by the Dakota County Board of Commissioners that the County will appoint special legal counsel to advise the county on the financial and legal issues involved with the disaster and flooding, including, but not limited to, FEMA's requirements, the National Guard's assistance, any potential tax levy and/or bonding issues, maintenance and surveillance of the levee built by the Army Corp of Engineers, negotiations with the City for cost of the levee, and any and all other disaster and flood related issues, in an urgent manner.

Resolved this 13th day of June, 2011.

/s/ Richard Bousquet
Chair

/s/ Antonio Gomez
Commissioner

/s/ Scott Love
Commissioner

/s/ Richard McNear
Commissioner

/s/ Bill B. Rohde
Commissioner

ATTEST
/s/ Theodore A. Piepho, County Clerk

APPROVED AS TO FORM: /s/ Kim Watson, County Attorney
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Bousquet- Yea and Love- Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Discuss and take action on NIRMA's opportunity to renew our insurance and reduce the premium contribution by choosing higher property deductibles."
Commissioner Bousquet moved, seconded by Commissioner Love to increase the deductible of the County's Auto Physical Damage, Inland Marine and Property Building and contents from $250 deductible to $2,500 deductible on each category.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Yea and McNear- Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Purchase additional sand bags from the City of Dakota City." Commissioner McNear moved, seconded by Commissioner Rohde to purchase 50,000 sand bags from the City of Dakota City.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Yea and McNear- Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Board to give direction on what funds to use in payment of flood disaster expenditures."
Discussion was had to use the Inheritance Tax Monies for flood expenses. The Board then talked about replacing the Inheritance Tax monies from Bond Funds. It was mentioned that the Corp's Levee cost 1.7 million dollars to construct. It was not known if local monies had to pay for that and then the monies would come back from the Corp. It was said that if it cost 1.7 million to build that it would cost that much to remove the levee and that would be local costs.

There was considerable discussion what the Guard Unit and the State Patrol Officers were costing the county. Commissioner Rohde said that cost approached about $6,000 a day.
Chris Kleinberg, County Sheriff, said that he didn't think that the request for the patrol to provide levee security to the levy would cost the County anything.

Commissioner Rohde moved, seconded by Commissioner Love to use Inheritance Monies for flood expenses until a Bond can be put in place to bond those costs.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Yea and McNear- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "To discuss whether the County wished to have aerial pictures taken for future planning." The County Clerk said that he put that on the agenda so the Board could use the aerials for future planning as far as Planning and Zoning and the Board could also see where county roads were low and the County could use the dirt from removing the levee to build up these roads.
Sheriff Kleinberg said that Gene Martin had been flying him over the area and that he has pictures at the different levels. It was decided that the County did not need to take more aerial pictures.

Chair Bousquet called the agenda Item "Discuss whether the County can Bond the cost incurred for what it cost the County for preparation and recovery for flooding. If the County can Bond those flood disaster expenses, the Board may take action to authorize the bonding for the costs incurred with flooding in Dakota County."
The Board discussed this item, but decided to move this agenda item to the Board's next meeting.

Chair Bousquet called for the Agenda Item "Appoint full time member and alternate member to the Planning and Zoning Board of Zoning Adjustments."
Commissioner Rohde moved, seconded by Commissioner Gomez to appoint Randy Lanning as the full time member to the Planning and Zoning Board of Adjustments and to appoint Sally Reinert as the Alternate Member to said board.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Discuss whether to drill two ground water monitoring holes in the Courthouse's yard to monitor ground water."
It was discussed and Dakota City has four monitoring wells at the present time. The cost was not an issue because each well would cost about $22, but the time frame that it would take to get the lights used in measuring the water table was not known.
Chris Kleinberg said that he asked the Corp. of Engineers and they said that the river bed that we are in you can't really tell where the water table is going to be. Being that there are so many different soils you can drill a hole here and the water is at one level and you drill a hole three foot away over here and it could be completely different. With that information the County Board did not feel it was necessary to drill monitoring wells.

Chair Bousquet called for the Agenda Item "Board to discuss and take action to move the County Board Meetings to a different location."
Commissioner Rohde moved, seconded by Commissioner Love to move the County Board Meetings to the Dakota City Council Chambers temporarily until the threat of having water in the basement of the courthouse has passed.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Yea and McNear- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Tabled Items: No items on the table".

Chair Bousquet called for the Agenda Item "Commissioner's Committee Reports."
Commissioner Rohde said that the Budget Committee was meeting with officials and that just about everyone was turning money back in.
Chair Bousquet called for the Agenda Item "Commissioner's Member Reports and there were none."
Chair Bousquet called for the Agenda Item "Public Comment."
Sally Reinert thanked the Board for their efforts with the flood disaster.
Chair Bousquet called for the Agenda Item "Mail and/or Emergency Business." Commissioner Rohde reminded everyone that Governor Heinemann was going to be in South Sioux City tomorrow.
Chair Bousquet called for the Agenda Item "Adjournment" and adjourned their June 13, 2011 Meeting at 5:20 p.m.

County Board of Commissioners

_____
Richard Rick Bousquet, Chair Date Chair signed

DAKOTA COUNTY SEAL NEBRASKA

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

Dakota County Board of Commissioners
Wednesday, June 15, 2011 Emergency Meeting
South Sioux City Council Chambers
South Sioux City Hall
South Sioux City, Nebraska

Chair Bousquet called the Board's Emergency Meeting to order at 12:00 noon.
Present were: Commissioners Bousquet, Love, Rohde, McNear and Ted Piepho, Secretary. Absent: Gomez.
Joan Spencer, Administrative Assistant, and Kim Watson, County Attorney, among others were also in the audience.
The agenda for this meeting was as follows:

An Emergency Meeting of the Dakota County Board of Commissioners has been called for Wednesday, June 15th, at 12 Noon.

This Emergency Meeting of the Dakota County Board of Commissioners will be held at the South Sioux City Council Chambers, 1615 1st Avenue, South Sioux City, Nebraska, for the purpose of awarding the bid to a contractor for Inspection, Maintenance, and Repair of the 2011 Missouri River Flood Levee.

Commissioner Bousquet moved, seconded by Commissioner Love to excuse Tony Gomez from this meeting.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Absent, and Love- Yea. UNANIMOUS MOTION CARRIED.

Mayor McLarty called the South Sioux City Council's meeting to order and their roll was taken.
Chair Bousquet read the reason why the Emergency Meeting was called and said that a proposal has been accepted from Dale Hans Construction.
Commissioner Rohde asked who was going to make the call whether they are needed or not and will that be on a daily basis?
Chair Bousquet said that it would be on an as needed basis and Olsson and Associates will take the lead on that and they will daily monitor if there are any repairs needed to the levees. He noted that Olsson and Associates will call Hans Construction for all repairs to the levees.

Commissioner Rohde moved, seconded by Commissioner McNear to accept the contract with Dale Hans Construction.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Absent, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Mayor McLarty conducted the City's portion of their Emergency Meeting.

Commissioner Love moved, seconded by Commissioner McNear to adjourn their June 15, 2011 Emergency Meeting of June 15, 2011 at 12:08 p.m.
ROLL CALL VOTE: McNear- Yea, Gomez- Absent, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED at 12:08 p.m.

County Board of Commissioners

_____
Richard (Rick) Bousquet, Chair Date Chair signed

DAKOTA COUNTY SEAL NEBRASKA

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

Dakota County Board of Commissioners
Monday, June 20, 2011
Dakota City Council Chambers
Dakota City, NE 68731

Chair Bousquet called the meeting to order at 4:00 p.m.
Present were: Commissioners McNear, Rohde, Love, Gomez, Bousquet and acting secretary, Danny Christoffers. Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney were also present.
Absent: None

- Call meeting to Order.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve minutes of June 13, 2011 meeting.
- June 13, 2011 Agenda Items that the Chair requested to be carried to the next agenda.
  - Resolution regarding approving Interlocal Cooperation Agreement for Levee Construction. The Chair requested this to be on the agenda, but may be made part of the second item under Misc. Agenda Items.
  - Resolution County's official declaration of intent under Internal Revenue Code Regulation Section 1.150-2 to provide for the incurring of indebtedness which may include reimbursement of expenditures made by the County in connection with the construction of flood control improvements including, but not limited to, dikes, levees, road construction, reconstruction and any other flood related expenditures for which the County may lawfully issue tax-exempt bonds. The Chair requested this to be on the agenda, but may be made part of the third item under Misc. Agenda Items.
- Miscellaneous Agenda Items
  - Approve and authorize the Chair to sign contract with Cross Law Firm, PLC, to represent the County in connection with financial and legal issues associated with the Missouri River flooding.
  - Discussion, input and action on sharing cost with other entities involved in Missouri River flooding.
  - Resolution in which County declares intent to provide for the incurring indebtedness in connection with the 2011 Missouri River flooding by issuing tax-exempt bonds.
  - "2011 Missouri River Flood: Status update, further discussion and action of any and all current or foreseeable issues relating to the flood, including but not limited to the Incident Action Plan, levee surveillance, maintenance, and repair; current and projected flood levels; current and projected groundwater levels; equipment and materials available or needed; personnel available or needed; volunteers; overtime; roads; emergency routes; communication status; infrastructure; safety; City/County Interlocal Agreement; fiscal status and accounting; NEMA; FEMA; National Guard; County Sheriff's Office; State Patrol; Olsson Associates; Hans Excavating; Army Corp of Engineers; bonding and/or tax levy issues; and any other disaster or flood related issues needing attention."
  - Contract with Sheriff's Union to provide security for levees.
  - Approve and the Chair to sign an Operational Agreement with South Sioux City.
- Tabled Items: No items on the table.
- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- Adjournment

Commissioner Love moved, seconded by Commissioner Gomez to approve the minutes of June 13th meeting and the June 15th emergency meeting as typed and prepared for the Official Record.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the agenda item: "Resolution regarding approving Interlocal Cooperation Agreement for Levee Construction."
Commissioner Rohde said that what we're looking at for costs is roughly 1.7 million dollars in projected costs and that it could be much higher or much lower.
Jeremy Cross, legal counsel for Flood matters said that this could wait to get more information.
Commissioner Gomez said he felt that we could wait for more information.
Chair Bousquet requested this item appear on the next agenda.

Chair Bousquet called for the agenda item: "Resolution County's official declaration of intent under Internal Revenue Code Regulation Section 1.150-2 to provide for the incurring of indebtedness which may include reimbursement of expenditures made by the County in connection with the construction of flood control improvements including, but not limited to, dikes, levees, road construction, reconstruction and any other flood related expenditures for which the County may lawfully issue tax-exempt bonds."

Jeremy Cross said that this Resolution has time constraints and it needs to be passed as soon as possible in order to get reimbursed.

Commissioner Gomez moved, seconded by Commissioner Love to approve Resolution 11C-007 to be the County's official declaration of intent under Internal Revenue Code Regulation Section 1.150-2 to provide for the incurring of indebtedness which may include reimbursements of expenditures made by the County in connection with the construction of flood control improvements including, but not limited to, dikes, levees, road construction, reconstruction and any other flood-related expenditures for which the County may lawfully issue tax-exempt bonds as follows:

RESOLUTION NO. 11C-007

BE IT RESOLVED BY THE CHAIRPERSON AND COUNTY BOARD OF COMMISSIONERS OF THE COUNTY OF DAKOTA, NEBRASKA, as follows:

Section 1. That the Chairperson and Board of Commissioners of Dakota County, Nebraska, do hereby declare this resolution to be the County's official declaration of intent under Internal Revenue Code Regulation Section 1.150-2 to provide for the incurring of indebtedness which may include reimbursements of expenditures made by the County in connection with the construction of flood control improvements including, but not limited to, dikes, levees, road construction, reconstruction and any other flood-related expenditures for which the County may lawfully issue tax-exempt bonds. The preliminary estimate of debt contemplated to be issued for such projects is currently $_____.
Section 2. That up to the expenditure of the full amounts of such project described within this resolution, the County may advance funds as may be necessary for meeting the immediate costs of such improvements. It is the intent of the Chairperson and Board and the County's reasonable expectation that the County shall reimburse such expenditures as may be made from general funds on hand from the proceeds of the issuance of its debt obligations.
Section 3. That the County Clerk shall make a copy of this resolution available for public inspection at the main office of the County at all times during normal business hours within ten days after the adoption hereof. Such copies shall remain available for public inspection at all such times until the bonds or such other tax-exempt obligations contemplated herein are issued.
DATED this _____ day of _____, 2011.

ATTEST: By _____
Chairperson

_____
County Clerk

(SEAL)

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

Commissioner Rohde moved, seconded by Commissioner Rohde to approve and authorize the Chair to sign a contract with Cross Law Firm, PLC, to represent the County in connection with financial and legal issues associated with the Missouri River flooding as follows:

ATTORNEY FEE CONTRACT

IT IS AGREED between Dakota County, as Client, and Cross Law Firm, P.L.C., as Attorneys, on this _____ day of June, 2011, as follows:
1. EMPLOYMENT. Client employs Attorneys to represent Client in connection with financial and legal issues associated with the Missouri River flooding.
2. EXPENSES. Client shall pay Attorney for all expenses for telephone calls, travel expense, photocopies, securing records or documents, photographs, inspections, examinations, court costs, depositions, expert witness fees, and all other expenses incurred by Attorney on behalf of Client. Client shall advance the sum of $0.00 to Attorney and shall advance additional expense money from time to time as requested by Attorney to pay anticipated expenses. Any unpaid expense may be billed periodically by Attorney and shall be paid by Client upon billing. Any unused expense money advanced to Attorney by Client shall be refunded to Client.
3. FEE. Client shall pay Attorney a fee for services as follows:
3.1 HOURLY FEE: Client shall pay Attorney a fee of $150.00 per hour and $85 per hour for paralegal work for all services performed under this Contract. Client shall pay Attorney a retainer of $0.00 at this time to be used for payment of fees as incurred, which is in addition to the deposit for expenses referred to in paragraph 2. Any unused portion of the retainer shall be refunded to Client. Client shall advance additional money for fees from time to time as requested by Attorney to pay anticipated fees. Any unused portion of such advances shall be refunded to Client. All fees will be billed periodically and shall be due and payable at the time of billing.
4. PLACE OF PAYMENT. All sums due herein shall be paid at Attorney's office at the address stated below.
5. WITHDRAWAL. Non-payment of expenses or fees when due shall be a basis for Attorney's withdrawal from representation of Client.

6. NO GUARANTEE. Attorney makes no guarantee as to the outcome of the case.

Dakota County Board of Commissioners	Jeremy J. Cross
Client	Attorney
Client Signature	Attorney Signature
PO Box 338	600 4th Street, #315
Address of Client	Address of Attorney
Dakota City, NE 68731	Sioux City, Iowa 51101
City/State/Zip	City/State/Zip
(402) 987-2130	(712) 234-3055
Client Telephone/E-mail	Attorney Telephone

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

Chair Bousquet called for the agenda item: "Discussion, input and action on sharing cost with other entities involved in Missouri River flooding."
Chair Bousquet said this is put on the agenda so that the County is able to take care of things as they come up during the flood event including roads, bridges, and other things that can pop up.
Commissioner Rohde said that Omadi should be self-sufficient and carry their own financing until they get FEMA reimbursement.

Robert J. Giese, Dakota County Treasurer appeared before the board and presented some potential flood costs as follows:

2011 DAKOTA COUNTY FLOOD

	COUNTY	DAKOTA CITY	HOMER	JACKSON	SO SIOUX CITY
GUARD	150,000.00**				150,000**
STATE PATROL					
VOLUNTEERS				10,000.00	
CAPITAL COST*	500,000.00	33,000.00			1,500,000.00
LITE-FORM WALL					
LABOR-COST	-				
OVERTIME	25,000.00	2,762.22			75,000.00
IN-KIND					
SAND	45,675.78	48,000.00			
MEALS	-	1,119.00			
SUB-CONTRACTOR					
EQIPMENT	-	69,790.29			
SUPPLIES					
NEW HIRE		778.75			
ENGINEERING	25,000.00				25,000.00
	$ 595,675.78	$ 155,450.26	$ -	$ 10,000.00	$ 1,750,000.00

GRANT TOTAL 2,500,000.00
FEMA 1,800,000.00
GRANT TOTAL AT 75/12.5/12.5
CITY/COUNTY SHARE : 350,000.00ea

Mr. Giese said that some are preliminary costs and not firm numbers. The county portion could be less than the 500,000.00. He said the County needs to get a handle on how costs will be shared with the City of SSC. He said there are two possibilities on a solution. The first was to submit the proposal as a whole with all government entities and levy a county-wide flood tax. The other option was for all the county costs to be separated from the other entities.
Mr. Giese said there could be problems or disagreements with both possibilities.
Mr. Giese said that the County can bond anywhere from 500 thousand up to 2.3 million max depending on the law.
Commissioner Love asked if the County's share of 12.5 percent would be split between the County and City.
Mr. Giese said it would. He said he was concerned about per-day costs of 10,000 dollars.
Commissioner Gomez asked if that was just County costs or total costs.
Mr. Giese said that was total costs.
Chair Bousquet said that the County has not had any say in the hiring and felt that the cost sharing needs to be fair.

Chair Bousquet called for the agenda item: "2011 Missouri River Flood: Status update, further discussion and action of any and all current or foreseeable issues relating to the flood, including but not limited to the Incident Action Plan, levee surveillance, maintenance, and repair; current and projected flood levels; current and projected groundwater levels; equipment and materials available or needed; personnel available or needed; volunteers; overtime; roads; emergency routes; communication status; infrastructure; safety; City/County Interlocal Agreement; fiscal status and accounting; NEMA; FEMA; National Guard; County Sheriff's Office; State Patrol; Olsson Associates; Hans Excavating; Army Corp of Engineers; bonding and/or tax levy issues; and any other disaster or flood related issues needing

attention."

Chris Kleinberg, Dakota County Sheriff, appeared before the board and said that the Swat team manning the surveillance posts in the County will be pulling out at 5 or 6 o'clock tonight. He felt we still need to provide security. He wants permission to purchase a UTV machine for under $10,000.
Kim Watson, County Attorney, asked if this would come out of his current budget and if he had some invoices.
Mr. Kleinberg said that it would and he has a couple of bids. He said they are difficult to rent and cost roughly 150 dollars a day.
Commissioner Love expressed that he preferred a 4-seater machine over a 2-seater.
Mr. Kleinberg said that they are 2 to 4 weeks out to get a 4-seater and that he needs them now.
Commissioner Rohde also expressed he preferred a 4-seater.

Commissioner Rohde moved, seconded by Commissioner Gomez to authorize Chris Kleinberg, Dakota County Sheriff, to purchase a UTV for security on the levy for up to $10,000.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Yea, McNear- Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the agenda item: "Contract with Sheriff's Union to provide security for levees."
Mr. Kleinberg said it would cost about $25 dollars an hour on a 9 or 10 day commitment that would cost roughly $18,500 for 3 guys 24/7. He gave them an updated version of the contract.
Chair Bousquet read the updated contract.

Commissioner Bousquet moved, seconded by Commissioner Lopez to approve the following contract with the Sheriffs Union to provide services to the County of Dakota and the City of South Sioux City during the 2011 Missouri River Flood as follows:

AGREEMENT

AGREEMENT made this 20th day of June, 2011 by and between the South Sioux City Police Officers Association/Fraternal Order of Police Lodge 49 and the City of South Sioux City and the County of Dakota.

WHEREAS the South Sioux City Police Officers Association and the Fraternal Order of Police; Lodge 49 will provide services to the County of Dakota and the City of South Sioux City during the 2011 Missouri River flood.

IN CONSIDERATION of the following mutual agreements and obligations by and between the parties, it is hereby agreed that the South Sioux City Police Officers Association and the Fraternal Order of Police; Lodge 49 will:

1. Provide levy security at predetermined locations within the City of South Sioux City and outside of the city limits, i.e. Dakota County;
2. Act in accordance to the laws of the State of Nebraska, under the color of law enforcement;
3. Provide security on a ten (10) day temporary basis, twenty four (24) hours per day;
4. Provide a minimum of three (3) certified law enforcement personnel per shift at a minimum of three (3) shifts per day at eight (8) hours per shift;
5. That the City of South Sioux City will provide insurance coverage, as normal, during these security duties;
6. That the County of Dakota will provide insurance coverage, as normal, during these security duties;
7. That the County of Dakota and City of South Sioux will provide a vehicle per check point for employees use while working these duties;
8. That due to the nature of the contracted employment, the normal dress uniform will not be required, but a designated uniform will be assigned by the South Sioux Police Officers for Police and FOP Lodge 49 for Deputies.
9. That the rate of pay will be twenty five dollars ($25.00) per hour, pre-tax per law enforcement officer, regardless of City of South Sioux City Police Officer or Dakota County Sheriff's Deputy;
10. That sales tax will be waived due to tax exempt status from city or county government.
11. The designated agency will be billed after the 10 day contract with a joint bill from SSCPOA and FOP Lodge 49.
12. That the contract will be reviewed at the end of the 9th work day.

This agreement may be terminated, altered, modified or supplemented by the mutual consent in writing and/or in person, of all parties hereto.

Dated this _____day of _____, 2011

City of South Sioux City

_____

William McLarty, Mayor of South Sioux City
County of Dakota

Rick Bousquet

Rick Bousquet, Dakota County Commissioner

Dated this 20 day of June, 2011

South Sioux City Police Officers Association

#212

Shawn Jensen; President South Sioux City Police Officers Association

Fraternal Order of Police; Lodge 49

Melvin Harrison III; President F.O.P. Lodge 49

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

Commissioner Bousquet moved, seconded by Commissioner Love to amend the motion to approve the contract with the Sheriff's Union to include authorization for the Chair to sign said contract.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the agenda item: "Approve and the Chair to sign an Operational Agreement with South Sioux City."
Mr. Kleinberg said that it allows South Sioux City and Dakota County to cross deputize so that there is ongoing permission to respond to needs across boundaries of city/county.
Kim Watson, County Attorney, asked who wrote this agreement.
Mr. Kleinberg said that it came from Wayne and Scott.
Chair Bousquet asked how long cross-deputization would be effective.
Mr. Kleinberg said it would be up to the Sheriff.

Commissioner Rohde moved, seconded by Commissioner McNear to Approve and authorize the Chair to sign an Operational Agreement with South Sioux City, as follows:

MUTUAL LAW ENFORCEMENT AGREEMENT

Comes Now the County of Dakota, Nebraska, hereinafter referred to as "County", and the City of South Sioux City, Nebraska, a municipal corporation organized under the laws of the State of Nebraska, hereinafter referred to as "City", and pursuant to the Interlocal Cooperation Act as established by Nebraska Revised Statutes 13-802 et. al., hereby mutually and jointly agree and covenant as follows:

1. The term of this agreement shall be perpetual, provided that it may be terminated by either party by giving notice in writing to the other party at least 90 days prior to said termination.
2. A Joint Board responsible for administering the terms of this agreement is hereby established. Said Joint Board shall consist of the Chief of Police of the City and an individual appointed by the Mayor of South Sioux City and the Dakota County Sheriff and an individual appointed by the Dakota County Commissioners.

3. The City of South Sioux City is hereby authorized to provide police protection and enforcement of the laws of the State of Nebraska outside the corporate limits of said City but within the limits of Dakota County, Nebraska.
4. The County is not relieved of its duty, and is primarily responsible for providing police protection and enforcement of the laws of the State of Nebraska within the County of Dakota. Dakota County, Nebraska is hereby authorized to provide police protection and enforcement of the laws of the State of Nebraska within the corporate limits of said City when needed or requested.
5. The City shall provide police protection and enforcement of the laws of the State of Nebraska within Dakota County, but outside its corporate limits, only in time of emergency, or when requested by the County, or when the Police Department has witnessed an offense or alleged offense, or under such other guidelines as may be determined by the Joint Board established in paragraph 2 above.
6. The City is not relieved of its duty, and is primarily responsible for providing police protection and enforcement of the laws of the State of Nebraska and the City of South Sioux City within the corporate limits of the City of South Sioux City, Nebraska.
7. The Dakota County Board of Commissioners and the Mayor and City Council of South Sioux City hereby agree that any expenses arising from this agreement are the responsibility of that individual entity, and that no expenses of any kind will be collected from the other.

APPROVED BY THE MAYOR AND CITY COUNCIL OF SOUTH SIOUX CITY, NEBRASKA AND DATED THIS _____ DAY OF _____, 2011.

_____

MAYOR

CITY OF SOUTH SIOUX CITY, NEBRASKA

ATTEST:

_____

CITY CLERK

APPROVED BY COUNTY BOARD OF COMMISSIONERS, DAKOTA COUNTY, NEBRASKA AND DATED THIS 20 DAY OF June, 2011

Rick Bousquet

CHAIRMAN OF THE COUNTY BOARD OF COMMISSIONERS DAKOTA COUNTY, NEBRASKA

ATTEST:

_____

COUNTY CLERK

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

Chair Bousquet called for the following agenda items: Commissioner's Committee Reports, Commissioner's Member Reports, Public Comment, Mail and/or Emergency Business.
There was none.

Chair Bousquet adjourned their June 20, 2011 Meeting at 4:57 p.m.
County Board of Commissioners

_____
Rick Bousquet, Chair Date Chair signed

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

DAKOTA COUNTY SEAL NEBRASKA

Dakota County Board of Commissioners
Monday, June 27, 2011
Dakota City Council Chambers
Dakota City, NE 68731

Chair Bousquet called the meeting to order at 4:10 p.m.
Present were: Commissioners McNear, Rohde, Love, Gomez, Bousquet and Ted Piepho, Secretary and County Clerk. Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney were also present.
Absent: None

The agenda for this meeting was as follows:

- Call to Order with reciting the Pledge of Allegiance.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meetings June 13 and June 20, 2011.
- Budget Hearing to amend the 2010-11 budget for Dakota County to establish an Insurance Fund to show assets in self-insurance monies. This public hearing was advertised to begin at 4:10 p.m.
  - Open public Hearing.
    - Hear taxpayer support, opposition, criticism, suggestions or observations.
  - Close public hearing.
  - Approve to establish or not establish an insurance fund.
- Budget Hearing to amend the 2010-11 budget for Dakota County to establish an additional Function 971 Miscellaneous Flooding Function within the General Fund for the purpose of recording expenses associated with the 2011 Missouri River flooding costs. This public hearing was advertised to begin at 4:15 p.m.
  - Open public Hearing.
    - Hear taxpayer support, opposition, criticism, suggestions or observations.
  - Close public hearing.
  - Approve to establish or not establish a budget for recording expenses associated with 2011 Missouri River flooding costs.
- Brent Clark, Director of the Convention and Visitors Bureau will discuss the CVB 2011-2012 Budget and quarterly Report.
  - Board will approve the CVB 2011-2012 Budget.
- Terry Kern, Jail Administrator
  - Three bids for a new hot water heater for the jail. The purchase would be over $5,000.
    - Award bid to purchase water heater.
- Veteran's Service Oversight Committee – Several members of that Committee appearing.
  - Discuss Veteran's Service Officer's Budget and Soldiers and Sailor's Relief Fund.
- Miscellaneous Agenda Items.
  - Approve Payroll Claims.
  - Approve Accounts Payable Claims.
  - Board to appoint Fred Kellogg as Highway Supt. effective July 1, 2011.
  - Board to approve Addendum to Sheriff Union Contract for levee security.
  - Board discussion and possible action on phasing out the National Guard's monitoring and levee surveillance of levees.
  - Jeremy Cross – Inter-local Agreement between Dakota County and the City of South Sioux City on 2011 Missouri River cost share relating to the flood.
  - Discussion and possible action on whether to bond separately or county wide to finance of 2011 Missouri River flood costs.
  - A Resolution to authorize a transfer of monies from the Miscellaneous General Budget in the General Fund to the Surveyor's Budget.
  - "2011 Missouri River Flood: Status update, further discussion and action of any and all current or foreseeable issues relating to the flood, including but not limited to the Incident Action Plan, levee surveillance, maintenance, and repair; current and projected flood levels; current and projected groundwater levels; equipment and materials available or needed; personnel available or needed; volunteers; overtime; roads; emergency routes; communication status; infrastructure; safety; City/County Interlocal Agreement; fiscal status and accounting; NEMA; FEMA; National Guard; County Sheriff's Office; State Patrol; Olsson Associates; Hans Excavating; Army Corp of Engineers; bonding and/or tax levy issues; and any other disaster or flood related issues needing attention."
  - Sheriff Kleinberg to request permission to attach conduit to north east corner of the courthouse running up to the County attorney's office for purposes of fiber optics.
- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- Adjournment

Commissioner Rohde moved, seconded by Commissioner Love to approve the minutes of June 15th and June 20, 2011, as typed and prepared for the Official Record.

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

Chair Bousquet called for the Agenda Item "Approve Payroll Claims.
Commissioner Gomez moved, seconded by Commissioner McNear to approve the payroll claims filed with the County Clerk and submitted by him for payment as follows;
COUNTY GENERAL FUND: Gross salaries- $127,864.34, General Fund Employees Net Pay- $92,090.78, Employer deductions paid: Retirement- $8,901.80, FICA- $7,714.56, Medicare- $1,804.26, DC Health Plan- $22,500.00, DC Dental Plan- $977.40 and Life Insurance- $199.57, Principal Mutual Life Insurance- $1,158.66.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1365.13, Daniel Christoffers- 584.00, Theodore Piepho- 1748.23, Mary C. Wiltgen- 984.00, Marisol Curiel- 982.40, Darlene Davis- 953.60, Stephanie Gatzemeyer- 880.00, Robert Giese- 1748.23, Ruth Gillaspie- 1266.78, Jolene Heinemann- 1044.80, Tracey Rysavy- 978.40, Cherie Conley- 984.00, Daniel Christoffers- 584.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Elda Raudales- 163.68, Zachary Gerth- 1608.46, Debra Jensen- 1119.20, John Loos, Jr.- 2186.59, Katherine Wiltgen- 960.00, Richard Jensen- 1480.09, Duane Kotalik- 1384.00, Tammy Dunn-Peterson- 935.20, Anthony Bos- 1656.80, Timothy Decker- 1903.85, Sandy Dickens- 487.04, Brian Ellinger- 2020.90, Michael Estes- 1504.80, Brent Gilster- 1768.16, Todd Hammer- 1858.75, Melvin Harrison III- 1665.36, Jason James- 1556.87, Douglas Johnson- 1903.85, Kimberly Johnson- 594.39, Jared Junge- 1683.26, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1680.78, Michael Kreegar- 1665.36, Vince Oordt- 477.63, Gary Powell- 988.20, Gayle Richards- 914.40, Kevin Rohde- 1656.80, Randall Walsh- 2167.46, Bridget Fiedler- 906.00, Kerry Johnson- 949.60, Sara Niles- 1884.62, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1135.20, Kimberly Watson- 2828.48, Caterina Chapman- 1230.22, Jacob Acero- 1677.58, Ermelinda Ballesteros- 1454.63, Mason Billings- 1251.67, Joshua Blatchford- 1338.98, Rebecca Broer- 1497.03, Judy Case- 1199.70, Elisabet DeRoin- 1261.60, Sandy Dickens- 781.93, Jesse Doelle- $1047.28, Marjorie Donahue- 1417.38, Lisa Ford- 1334.76, Ryan Foster- 1270.40, Linda Frost- 854.12, Alma Gunderson- 1347.23, Amber Hamman- 1270.80, Deanna Haukap- 1318.47, Jeffrey Heitzman- 1371.60, Adam Hough- 1417.13, Michael Jacobson- 1244.17, Brett Johnson- 1709.27, Brenda Kelly- 1355.39, Terry Kern- 1971.15, Keith Klein- 1273.46, James Kleinberg- 1232.93, Mark Nelson- 1433.65, Travis Olander- 1334.50, Kimberly Peterson- 1314.23, Daniel Rodasky- 1340.52, Cody Roeber- 1465.32, Jutharatana Ruenprom- 1500.63, Timothy Ryan- 1200.47, Linda Schovanec- 1434.81, Francis Tope- 1290.42, Jewel Williams- 1730.59, Cara Wood- 1338.79, Jolene Gubbels- 1049.60, Nicholas Long- 811.13, Leon Pies- 661.20, Pamela DeVries- 1677.82, Bonnie Kahler- 720.86, Linda Weitzel- 1184.00, Willard Johnston- 1050.00.
GENERAL FUND: Employee withholding paid to: Federal- $12,787.46, State- $4,390.55, FICA- $5,226.01, Medicare- $1,804.26, Retirement- $6,024.89, Health Plan- $1400.00, DC Dental Plan- $504.00, Sheriff Union Dues- $375.00, Deferred Comp- $332.00, Garnishments- $1,219.65, Aflac Health- $449.40, Aflac Life/Dsbl- $177.87 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $13,649.20, Road Employees Net Pay- $9,568.43, Employer deductions paid: Retirement- $921.31, DC Health Plan- $2,500.00, DC Dental Plan- $108.60, Life Insurance- $21.15, FICA- $822.55, and Medicare- $192.37, Principal Mutual Life Insurance- $207.69.
Brent Byroad- 1595.05, Robert Hacker- 1314.40, Hans Houfek- 1318.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1697.44, Kimon Litras- 1326.40, Arnold Mellick- 1579.90, Dean Pallas- 1314.41, Leon Pies- 661.20, Kip Reinbold- 1511.60.
ROAD FUND: Employee withholding paid to: Federal- $1,362.24, State- $472.78, FICA- $557.21, Medicare- $192.37, Retirement- $614.22, DC Dental Plan- $84.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $281.55, Aflac Health- $138.29, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $160.00 and Union Dues- $140.00.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Budget Hearing to amend the 2010-11 budget for Dakota County to establish an Insurance Fund to show assets in self-insurance monies". This public hearing was advertised to begin at 4:10 p.m.

Commissioner Rohde moved, seconded by Commissioner Gomez to open the Public Hearing to amend the 2010-11 budget for Dakota County to establish an Insurance Fund to show assets in self-insurance monies at 4:11 p.m.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Joan Spencer said that the insurance monies and CD's are assets of the County and that the Auditor's Office wanted that fund to be included in this year's budget.

Chair Bousquet asked if there was anyone in the audience that wished to offer support, opposition, criticism, suggestions or observations and there was not.

Commissioner Rohde moved, seconded by Commissioner McNear to close the public hearing at 4:13 p.m.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Yea and McNear- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner Gomez to establish an Insurance Fund and amend the budget to show assets in self-insurance monies.
ROLL CALL VOTE: Love- Yea, Bousquet- Yea, Rohde- Yea, McNear- Yea and Gomez- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Budget Hearing to amend the 2010-11 budget for Dakota County to establish an additional Function 971 Miscellaneous Flooding Function within the General Fund for the purpose of recording expenses associated with the 2011 Missouri River flooding costs"

Commissioner Gomez moved, seconded by Commissioner McNear to open the public Hearing. to amend the 2010-11 budget for Dakota County to establish an additional Function 971 Miscellaneous Flooding Function within the General Fund for the purpose of recording expenses associated with the 2011 Missouri River flooding costs.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

This budget is being created to establish a $250,000 budget authority for flooding created by the Missouri River.

Chair Bousquet asked if there was anyone in the audience that wish to offer support, opposition, criticism, suggestions or observations and there was not.

Commissioner Love moved, seconded by Commissioner Gomez to close the public hearing whether to establish or not establish a budget for recording expenses associated with 2011 Missouri River flooding costs at 4:17 p.m.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner Love to establish a Misc. Flood Budget (971) for recording expenses associated with 2011 Missouri River flooding costs and to amend the 2010-2011 County Budget to include same.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Brent Clark, Director of the Convention and Visitors Bureau will discuss the CVB 2011-2012 Budget and quarterly Report".
Brent Clark presented a CVB 2011-2012 Budget to include $130,775.00 revenue and $130,775.00 of expenditures.

Commissioner Rohde moved, seconded by Commissioner Gomez to approve the CVB 2011-2012 Budget, which includes $130,775.00 revenue and $130,775.00 of expenditures.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Terry Kern, Jail Administrator" and he presented three bids for a new hot water heater to replace the one that went bad in the new jail.
The three bids were; Morningside Plumbing $7,680., Foulk Bros. $8,590. and Jasman Plumbing $9,950.
There was discussion and it was presented that Foulk Bros. did most all the plumbing in the new jail.
Terry Kern was asked if these bids were apples to apples and he said that they were apples to apples and oranges to oranges.

Commissioner Gomez moved, seconded by Commissioner McNear to accept the bid of Foulk Bros. in the amount of $8,590 to install a one hundred gallon 240,000 btu and ASME rated in the new jail.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Veteran's Service Oversight Committee – Several members of that Committee appearing".
Larry Brostad of The Oversight Committee recommended an increase in salary for the Veteran's Service Officer. He said that he was always receiving complaints on the last officer and does not receive any calls with Bill Johnston as Veteran's Service Officer.

The Board said that they would keep that in mind when adopting the budget.

Chair Bousquet called for the Agenda Item "Approve Accounts Payable Claims".
Commissioner Gomez moved, seconded by Commissioner McNear to approve the Accounts Payable Claims filed with the County Clerk and submitted by him for payment as follows:
GENERAL FUND: Dakota County Star, publishing- 329.17; Net Sys Plus, repair- 370.00; Perkins, supplies- 85.99; Des Moines Stamp, stamps- 58.75; Microfilm Imaging, scanning- 716.00; Perkins, supplies- 535.25; Theodore Piepho, tissues/supplies- 5.31; Security Shredding, shredding- 70.00; As Central Services, services- 230.00; Charlotte Doenhoeffer, prior yrs- 10.00; Robert Giese, mileage/lock box- 204.97; Jolene Heinemann, mileage/food- 115.88; Ruth Jensen, prior yrs- 12.00; AJ Phillips, sheets- 240.00; Siouxland Lock & Key, change comb- 80.00; Mardell Sorensen, prior yrs- 26.00; Staples, supplies- 156.33; US Bank, toner- 336.19; Irene Van Lent, prior yrs- 16.00; Cherie Conley, mileage- 32.13; Microfilm Imaging, rent- 240.00; Midwest office Automation, repair- 110.00; Margie Rahn, prior yrs- 12.00; Western Office Tech, supplies- 243.51; US Bank, supplies- 26.71; Arnie Mellick,

phone- 30.00; Des Moines, stamper- 131.25; Executive Tech, contract- 448.64; Holiday Inn, lodging- 168.00; MIPS, scanning- 87.00; Net Sys Plus, repair- 60.00; Norfolk Printing, dockets/case binders- 420.11; Phyllis Obermeyer, mileage/meals- 167.71; AJ Phillips, appointment cards- 190.00; Dakota Business Systems, equipment- 99.00; Des Moines Stamp, supplies- 63.55; Paula Jensen, supplies- 21.37; Microfilm Imaging, scanning- 280.50; Star Printing, letterhead- 200.00; University of Nebraska, volume- 66.00; Nebraska Law Review, subscription- 52.75; Perkins, stamp pads- 12.16; Publications Office, subscription- 350.00; Record Painting, envelopes/supplies- 364.11; US Bank, robe/chair/printer- 975.98; Dakota County Jail, phone cards- 50.00; Frank Gonzalez, interpret- 450.00; Shelly Hodges, interpret- 200.00; John Loos Jr., mileage- 93.84; Midwest Office Automation, contract- 119.88; Perkins, supplies- 44.14; Record Printing, cards- 64.95; Matthew Connealy, court appointed counsel- 90.00; Dakota County Court, costs- 1910.95; Dakota County Court, costs- 1910.95; Dennis Hurley, court appointed counsel- 5166.00; Ian McConeghey, court appointed counsel- 108.00; Stuart Mills, court appointed counsel- 1845.00; Douglas Roehrich, court appointed counsel- 1578.00; Richard Thramer, court appointed counsel- 1542.16; Patrick Tott, court appointed counsel- 1038.00; Dakota County Sheriff, papers/warrants- 1277.84; Lori Blume, bill of exception- 29.25; District Court, court costs- 262.00; Cindy Foley, bill of exceptions- 39.60; Kami Hooey, bill of exceptions- 105.50; Dennis Hurley, court appointed counsel- 727.50; Linda Kastning, training- 331.97; Michael Schmiedt, court appointed counsel- 168.75; Shirley Sides, mileage/hours- 216.57; Pat Slaughter, mileage/hours- 187.50; Addison Electric, supplies- 301.70; A-team heating & cooling, repair- 1310.62; AZ Inc, supplies- 80.02; Benstar Packaging, supplies- 584.34; Bomgaars, repair- 385.76; Cummins Central Power, supplies- 98.49; Foulk Brothers, plumbing- 3741.93; Gill Hauling, service- 120.00; Janitor Depot. Supplies- 412.65; Joes Dept Store, repair/supplies- 293.59; Menards, supplies- 1532.64; MidAmerican Energy, utilities- 1293.00; Midwest Office Automations, repair- 850.00; Nebr Dept of Labor, inspection- 252.00; Net Sys Plus, supplies- 280.00; Nebr Public Power Dist, utilities- 2168.04; O'Keefe Elevator, maintenance- 165.91; Richard Jensen, mileage- 255.05; Trembly Pest Control, service- 50.00; US Bank, supplies- 1955.42; Verizon, phone- 53.27; UNL Extension, reimburse- 2173.90; PMNRD, rent- 833.33; Afternooners, meals- 42.00; Kerry Bligh, animal control- 300.00 Champion Cycle, 4-wheeler- 9849.60; Cimmarina Boats, boat/supplies- 4983.34; City of South Sioux City, phone/fuel- 6899.63; Dakota County Sheriff, plates- 6.60; Dakota County Sheriff, titles- 20.00; Dakota PC Warehouse, pcs/monitor- 1477.96; Electronic Engineering, install/supplies- 1715.16; Fremont Tire, repair- 304.40; Jacks Uniforms, supplies- 2730.90; Jackson Glass, repair- 25.00; Joes Dept Store, shipping- 50.31; K & S Auto Service, service/repair- 1353.93; Law Enforcement Coordination, training- 200.00; Liebers Garage, repair- 141.98; Nebraska Crime Commission, directory- 7.50; NLETC, lodging- 255.00; Net Sys Plus, service- 518.75; Public Agency Training, training- 250.00; S & W Underground Services, fiber optics- 4360.00; SFCU, meal/supplies/fuel- 780.83; South Sioux Animal Hospital, grooming/evidence- 160.00; Torco-Remfg, battery- 140.95; US Bank, meal/copies/supplies/fuel- 830.90; Verizon, data cards- 430.14; Wal-Mart, supplies/cameras- 1048.57; Carolyn Plueger, depositions- 127.70; Cartridge World, ink- 177.58; Dakota County Treasurer, lodging- 656.55; Debra Fergen, meals- 62.27; Dept of Motor Vehicles, transcripts- 3.00; Electronic Innovations, witness fees- 1872.89; H2O4U, operating expenses- 31.50; Iowa Office Supply, contract- 276.11; Kim Watson, meals- 62.44; Nebr County Attorney Assoc, training- 1896.00; Pathology Medical Services, autopsy- 2600.00; Peter Parry, mileage/meals- 101.21; Quill, supplies- 157.36; Sarah Niles, meals/mileage- 354.98; Secretary of State, certified copies- 20.00; University of Nebraska Medical Center, testing- 1285.00; US Bank, supplies- 561.67; Verizon, phone- 134.89; City of South Sioux City, lec cost share/equipment- 56222.54; Best Western Mid Nebraska, lodging- 114.23; BI Inc, monitoring- 1449.01; Caterina Saltzman, mileage/food- 313.11; Net Sys Plus, computer- 100.00; Redwood Biotech, drug test- 25.00; Staples, supplies- 145.06; Verizon, phone- 284.11; A-team Heating & Cooling, repair/service- 226.50; Addison Electric, wire- 349.18; Amsan, supplies- 2981.52; Aramark, admin- 91.92; Associated Fire Protection, repair/inspection- 3030.50; Bob Barker, supplies- 1346.74; Bekins Fire & Safety, medical- 100.11; CBM Food Service, meals- 32091.45; CashWa Distributing, meals- 118.43; City of South Sioux City, fuel- 240.24; ComTec Security, microphones- 197.50; Crescent Electric, bulbs- 356.73; Dakota Family Dentistry, medical- 298.00; Dakota One Leasing, contract- 220.00; Dakota PC Warehouse, monitor/fuses- 1602.79; Sandy Dickens, mileage- 51.00; Marjorie Donahue, mileage- 94.50; Foulk Brothers Plumbing, pipe/repair- 375.40; Fremont Tire, service/wipers- 17.00; Gill Hauling, service- 120.00; Amber Hamman, mileage- 41.62; Hough Distributing, gloves- 883.36; Jacks Uniforms, boots- 439.55; Joes Dept Store, supplies- 394.05; Mercy Bus Health, medical- 2640.50; Mercy Medical Center, medical- 5327.70; MidAmerican Energy, utilities- 581.57; Midwest Office Automations, contract- 250.05; Moore Medical, medical- 417.21; NE Nebr Juvenile Serv, boarding- 2510.00; Nebr Public Power Dist, utilities- 3010.33; Net Sys Plus, service- 1054.00; NW Iowa Emerg Phys, medical- 1994.00; St Luke's Dept of Lab, medical- 181.70; Sam's Club, supplies- 213.66; Sioux City Journal, publishing- 526.16; Siouxland Federal Credit Union, plumbing- 24.58; Siouxland Radiology, medical- 36.00; Speedy Rooter, repair/service- 293.82; Spencer Fane Britt & Browne, legal fees- 24.00; Staples, supplies- 354.44; Stephans Welding, door welding- 125.00; Trembly Pest Control, service- 110.00; US Bank, prescriptions/fuel/supplies/meals- 13255.04; Verizon, phone- 193.44; Virtual Radiologic Finals, medical- 188.00; Woodbury Co Juvenile Det, boarding- 13300.00; Nebr Assoc of County Highway Supt, dues- 25.00; Sam's Club, supplies- 9.88; Verizon, phone- 35.29; Alpha Land Surveying, corners- 8900.00; Advance Auto Parts, parts- 77.63; AZ Inc, fuel- 111.01; Central Valley Ag, chemicals- 388.27; Chem-Trol, sprayer- 369.95; Dakota Business Systems, rental- 102.00; Dakota County Petty Cash, postage- 53.06; GCR Tire Center, tires- 273.26; Grainger, supplies- 402.74; Heritage Express, fuel- 72.06; Hubbard Minimart, fuel- 180.04; J&J pronto, fuel- 161.31; J&J Pronto, fuel- 161.31; Joes Dept Store, parts- 46.30; Leon Pies, phone- 30.00; Staples, supplies- 277.97; Tri-State, equipment- 1782.00; Vegetation Management, chemical- 2254.72; Van Diest Supply, chemical- 3549.89; Pam Devries, mileage- 45.90; Pat Glover, hours- 115.00; Perkins, supplies- 69.45; Linda Weitzel, mileage- 87.72; Thomas Wente, physician fee- 250.00; Bill Johnston, reimburse/mileage- 305.68; Luken Memorials, grave markers- 1075.00; Perkins, supplies- 87.44; Larry Tejral, grave marker- 80.00; Thomson West, service- 711.10; Cable One, internet- 169.96; City of South Sioux City, agreement- 2612.50; Cherie Conley, membership- 39.00; Custom Cage, vehicle cage- 645.00; Dakota City Postmaster, box rental- 886.00; Electronic Engineering, siren- 1231.43;

FiberComm, phone- 1177.62; FSH Communications, payphone- 63.60; Jacks Uniforms, lighting/bar- 1831.39; MIPS, support- 422.38; NACO, dues- 1481.84; NIRMA, deductible- 180754.02; Norm Waitt YMCA, members- 273.00; Mercy Business Health, agreement- 240.75; Mailfinance, lease- 227.00; Sioux Air, backwaters- 3040.00; Madelyn Thorsland, prior yrs- 10.00; Three Rivers Benefit, flex admin- 110.00; US Bank, chests- 492.18; US Postal Service, postage- 2500.00; Randy Walsh, membership- 39.00; Addison Electric, sump pump- 658.61; Bomgaars, supplies- 261.84; Central Valley Ag, spray- 41.24; Circle S South, fuel- 46.56; City of Dakota City, sandbags- 19000.00; Frontier Bag Company, sandbags- 25000.00; General Business, labor- 420.00; Joes Dept store, supplies- 375.33; LG Everist, sand- 255.06; Terry Kern, food/drink- 16.90; Mark Albenesius, sand- 3960.00; Ted Piepho, sump pump/totes/phones- 265.12; Sioux City Blue Print, maps- 77.90; Staples, tape- 19.99; US Bank, flood supplies- 1123.80; Wilmes Hardware Hank, shovels- 119.88; Mary Wiltgen, boxes- 105.00; Road Fund, budget transfer- 30000.00; Road Improvement Fund, budget transfer- 19000.00;
ROAD FUND: Advance Auto, parts/supplies- 199.94; Aramark, service- 157.41; A-team Heating & Cooling, repair- 177.00; Axels & Gears, parts- 73.49; AZ Inc, fuel- 2484.58; Bank of Dixon Co, grader- 16351.76; Barkley Asphalt, asphalt- 1098.09; Bomgaars, supplies/parts- 226.25; California Contractor, medical- 95.70; Dakota County Star, publishing- 60.04; Electronic Engineering, gps- 900.00; Gill Hauling, service- 55.00; Walter Heinemann, prior yrs- 29.00; Heritage Express, fuel- 81.00; Hans Houfek, clothing- 50.28; Hubbard Minimart, fuel- 2435.75; H2O4U, service- 8.50; Industrial Tools & Machinery, supplies- 26.75; Jackson Glass, parts/labor- 296.75; J & J Pronto, fuel- 737.43; S Jans Contracting, road work- 2185.00; Joes Dept Store, parts/supplies- 168.18; Kinetic Leasing, loader payment- 2458.00; Knife River, asphalt- 2106.30; LG Everist, gravel- 46035.66; Love Brothers, tires/parts/labor- 1376.74; Matheson-Linweld, oxy- 53.50; Midwest Service & Sales, signs- 571.98; Marlan Millard, prior yrs- 15.00; Nebr Culverts & Steel, pipe- 560.00; Nebr Public Power Dist, utilities- 30.82; NIRMA, insurance share- 50688.95; Northeast Equip, tractor- 900.00; NE Nebr Public Power Dist, utilities- 196.64; Northeast Nebr Telephone, phone- 205.76; Peterson Sand & Gravel, gravel- 5735.10; Rees Mack Sales, supplies- 113.16; Robertson Implement, supplies- 28.00; Sioux City Journal, publishing- 416.64; Siouxland Hydraulics, parts- 192.50; Stephan Welding, steel- 64.50; TriState Comm, equipment- 8582.90; US Bank, pouch- 32.09; Verizon, phone- 133.70; Warren Oil, diesel- 7545.01; Weathershield Insulators, insulation- 8939.80; Wilmes Hardware Hank, supplies- 8.99; Ziegler's, parts/labor- 3839.97;
HARD SURFACE: C Ave Paving Fund, principal/interest- 56995.00; Dakota County Treasurer, wire fee- 15.00;
ROAD IMPROVEMENT: TR Harris Construction, bridge repair- 19510.00; The Feed Shed, seeding- 270.00;
VISITORS PROMOTION: South Sioux City Chamber, lodging tax- 15887.32;
INSTITUTIONS: Beatrice State Dev Center, payment- 357.00;
HEALTH PLANNING GRANT: Deanna Beckman, hours- 1105.00; Pam Devries, mileage- 103.02; HyVee, dry ice- 78.73; Marx Truck Trailer Sales, repair- 555.02; Linda Weitzel, mileage- 10.20;
COUNTY AID ENHANCEMENT GRANT: City of South Sioux City, classes- 3028.98;
PUBLIC SAFETY: Road Fund, sales tax- 743.20; Jail Bond Fund, sales tax- 34703.06; City of South Sioux City, sales tax- 3989.03;
JAIL BOND FUND: Dakota County Treasurer, wire fee- 15.00; Fremont National Bank, principal/interest- 515577.08;
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Yea and McNear- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Board to appoint Fred Kellogg as Highway Supt. effective July 1, 2011".
Commissioner Rohde moved, seconded by Commissioner Love to appoint Fred Kellogg as Dakota County Highway Supt. effective July 1, 2011.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Board to approve Addendum to Sheriff Union Contract for levee security".
Commissioner Bousquet moved, seconded by Commissioner Gomez to approve an addendum to the Fraternal Order of Police Dakota County Lodge 49 to provide Levee security for the flood of 2011 at $25.00 per hour per ten (10) day period.
ROLL CALL VOTE: Love- Yea, Bousquet- Yea, Rohde- Yea, McNear- Yea and Gomez- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Board discussion and possible action on phasing out the National Guard's monitoring and levee surveillance of levees".
The Board discussed this issue and Commissioner Rohde said that he had quite a few emails recommending that the Board keep the National Guard on Levee Security.
It was decided to carry this issue on the next agenda.

Chair Bousquet called for the Agenda Item "Jeremy Cross – Inter-local Agreement between Dakota County and the City of South Sioux City on 2011 Missouri River cost share relating to the flood.
Jeremy Cross appeared before the Board and said that he needs to know how the Board wants to split the flood cost before he can prepare an agreement.
This issue will be discussed further at the next meeting.

Chair Bousquet called for the Agenda Item "Discussion and possible action on whether to bond separately or county wide to finance of 2011 Missouri River flood costs.

Commissioner Rohde moved, seconded by Commissioner Love that each entity bond the flood cost separately.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "A Resolution to authorize a transfer of monies from the Miscellaneous General Budget in the General Fund to the Surveyor's Budget".
Commissioner Rohde moved, seconded by Commissioner Gomez, to adopt Resolution 11C-008 that the Dakota County Board of Commissioners hereby authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of County Surveyor of the General Fund and that said Surveyor budget be increased by $3,500 to $11,000 for fiscal year 2010-2011, as follows:

RESOLUTION 11C-008

WHEREAS, the office of County Surveyor will exceed its budget with the payment of the submitted June, 2011, accounts payable claims; and,

WHEREAS, an emergency exists; and,

WHEREAS, the office of Miscellaneous of the General Fund has un-appropriated moneys left.

BE IT THEREFORE RESOLVED, that the Dakota County Board of Commissioners hereby authorize the un-appropriated moneys of the Miscellaneous Budget of the General Fund to be utilized for the payment of the over expended budget of County Surveyor of the General Fund and that said Surveyor budget be increased by $3,500 to $11,000 for fiscal year 2010-2011.

BE IT FURTHER RESOLVED, that the General Miscellaneous Budget be reduced by $3,500.00 to $796,208.11 for fiscal year 2010-2011.

Passed and adopted this 27th day of June, 2011.

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Rick Bousquet
Dakota County Board of Commissioners

ATTEST:

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

The Board discussed extending the Sheriff's Union Addendum another ten days as the original would need extending with three days.
Commissioner Rohde moved, seconded by Commissioner McNear to extend the addendum to the Fraternal Order of Police Dakota County Lodge 49 agreement ten (10) days.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item " "2011 Missouri River Flood: Status update, further discussion and action of any and all current or foreseeable issues relating to the flood, including but not limited to the Incident Action Plan, levee surveillance, maintenance, and repair; current and projected flood levels; current and projected groundwater levels; equipment and materials available or needed; personnel available or needed; volunteers; overtime; roads; emergency routes; communication status; infrastructure; safety; City/County Interlocal Agreement; fiscal status and accounting; NEMA; FEMA; National Guard; County Sheriff's Office; State Patrol; Olsson Associates; Hans Excavating; Army Corp of Engineers; bonding and/or tax levy issues; and any other disaster or flood related issues needing attention."
There was no action needed under this agenda item.

Chair Bousquet called for the Agenda Item "Sheriff Kleinberg to request permission to attach conduit to north east corner of the courthouse running up to the County attorney's office for purposes of fiber optics".
Sheriff Kleinberg said that the Fiber Optic Cable has already been installed, but was asking for permission to run the cable in conduit and attach the conduit to the Courthouse.
It was briefly discussed whether other offices could use the fiber optics.
Commissioner Gomez moved, seconded by Commissioner Bousquet to authorize the running of the Fiber Optics Cable and to attach it to the courthouse to be run to the County Attorney's Office.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Commissioner's Committee Reports" and Commissioner McNear said that the Safety Committee had met earlier.

Chair Bousquet called for the Agenda Item "Public Comment".
Leon Jessen had issues with drainage near his house. He said that the County built a road up about 28 years but did not put a tube in so the water could cross there. He said that originally that he felt the water would go over the road prior to it being built up and felt that a tube should have been put in at that time.

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

Chair Bousquet adjourned their June 27, 2011 Meeting at 5:35 p.m.

County Board of Commissioners

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Rick Bousquet, Chair Date Chair signed

DAKOTA COUNTY SEAL NEBRASKA

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Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Tuesday, July 5, 2011
Dakota City Council Chambers
Dakota City, NE 68731

Acting Chair Gomez called the meeting to order at 4:10 p.m.
Present were: Commissioners McNear, Love, Gomez, and Ted Piepho, Secretary and County Clerk. Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney were also present.
Absent: Commissioners Rohde and Bousquet.

The agenda for this meeting was as follows:

- Call to Order with reciting the Pledge of Allegiance.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meetings June 15 Emergency Meeting and June 27, 2011 meeting.
- Addendum to the Sheriff Union Contract
  - Rescind the Extension to the addendum to the Sheriff Union Contract for additional ten days Levee Security.
  - Rescind the Addendum to the Sheriff Union Contract for Levee Security.
- Board discussion and possible action on phasing out the National Guard's monitoring and levee surveillance of levees. The National Guard is presently authorized until July 17th.
- Jeremy Cross – Inter-local Agreement between Dakota County and the City of South Sioux City on 2011 Missouri River cost share relating to the flood.
- County to authorize a Sub Grant Agreement for Child Support Enforcement Services and Clerk of the District Court. Authorize the Chair to sign same.
- Janet Comeau – Would like to have an Emergency Siren for Tompkins Addition.
- 2011 Missouri River Flood: Status update, further discussion and action of any and all current or foreseeable issues relating to the flood, including but not limited to the Incident Action Plan, levee surveillance, maintenance, and repair; current and projected flood levels; current and projected groundwater levels; equipment and materials available or needed; personnel available or needed; volunteers; overtime; roads; emergency routes; communication status; infrastructure; safety; City/County Interlocal Agreement; fiscal status and accounting; NEMA; FEMA; National Guard; County Sheriff's Office; State Patrol; Olsson Associates; Hans Excavating; Army Corp of Engineers; bonding and/or tax levy issues; and any other disaster or flood related issues needing attention.
- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- Adjournment

Commissioner Gomez moved, seconded by Commissioner McNear to excuse Commissioners Bousquet and Rohde for their absence.
ROLL CALL VOTE: Bousquet- Absent, Rohde- Absent, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Commissioner McNear moved, seconded by Commissioner Love to approve the minutes of the June 27, 2011, meeting as typed and prepared for the Official Record.
ROLL CALL VOTE: Rohde- Absent, McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Absent. UNANIMOUS MOTION CARRIED.

Acting Chair Gomez called Agenda Item "Rescind the Extension to the addendum to the Sheriff Union Contract for additional ten days Levee Security and to Rescind the Addendum to the Sheriff Union Contract for Levee Security."
Jeremy Cross said that on June 20th and June 27 at both of those meetings there were agreements that were asked to be entered into by the Fraternal Order of Police Lodge 49 and South Sioux City Police Association.
At each of those meetings there were motions and you authorized potential entry for those Security Agreements of Levee to be watched. South Sioux City never approved of it and never entered into it so there were no security agreements involved where the County, the Fraternal Order of Police and the City of South Sioux City all agreed although you authorized Chair Bousquet to sign the potential security agreements.
Since the City did not enter into the agreement, Mr. Cross said that they just needed a simple motion to rescind or repeal, anal or invalidate the prior potential security agreements of June 20th and June 27th that Chair Bousquet signed.
The Sheriff's Office and the Police Officer's of South Sioux City are just going to pay overtime opposed to a reduced rate to keep the County from violating any Federal Fair Labor Standards provisions.
Therefore I would recommend you would simply rescind any prior potential agreements where you authorized Chair Bousquet to enter into.
There was a June 27 Levee Security Agreement with just the County and the Fraternal Order of Police and then a potential Security Agreement with all four entities.

Commissioner Gomez moved, seconded by Commissioner Love to rescind the June 27, 2011 and June 20, 2011 agreements that provided Levee Security with the Fraternal Order of Police 49 and the four entities the County, Fraternal Order of Police 49, City of South Sioux City Police Officer's Association and the City of South Sioux City.
ROLL CALL VOTE: Rohde- Absent, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Absent. UNANIMOUS MOTION CARRIED.

Acting Chair Gomez called Agenda Item "Board discussion and possible action on phasing out the National Guard's monitoring and levee surveillance of levees. The National Guard is presently authorized until July 17th."
It was noted that the National Guard is presently authorized until July 27th.
Pat Foust, Emergency Manager, said that the County has to give the National Guard one week notice to keep the National Guard in place. Mr. Foust thought that their presence could be terminated in about 48 hours notice, but once they are gone don't count on getting them back.
Mr. Foust explained what duties the National Guard is performing with levee security and what role the Sheriff's Office and South Sioux City Police Officers play in all this.
The Board Members present thought that they would be able to monitor that on a weekly basis since they are meeting every week.
Pat Foust went on to explain what the National Guard cost and that was a pretty lengthy discussion. Pending the President claiming this flood a national disaster, FEMA will pay 75% of the expenses. The local entities are responsible for 12.5 % and the state is responsible for 12.5%. He went on to explain that cost by using an example if the total cost of the flood cost $1,000 and mentioned about costs going on particular ledgers, but that the local governments will not receive a bill for having the National Guard here.

Acting Chair Gomez called Agenda Item "Jeremy Cross – Inter-local Agreement between Dakota County and the City of South Sioux City on 2011 Missouri River cost share relating to the flood."
Mr. Jeremy Cross explained where he and Mr. Boyd, City Attorney for South Sioux City, were in putting together the interlocal agreement and that he would most likely have it at the next meeting.

Acting Chair Gomez called Agenda Item "County to authorize a Sub Grant Agreement for Child Support Enforcement Services and Clerk of the District Court. Authorize the Chair to sign same.
Kim Watson, County Attorney, said that she had reviewed the agreement and if the Board and the Clerk of District Court are willing to comply with all the provisions, it is fine.
Commissioner Love moved, seconded by Commissioner McNear to approve the Subgrant Agreement for Child Support Enforcement Services between the County and the Department of Health and Human Services Child Support Enforcement Program, for the time period July 1, 2011 to June 30, 2012 and to authorize the Acting Chair to sign same.
ROLL CALL VOTE: Rohde- Absent, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Absent. UNANIMOUS MOTION CARRIED.

Acting Chair Gomez called Agenda Item "Janet Comeau – Would like to have an Emergency Siren for Tompkins Addition."
Janet Comeau appeared before the Board and said that she is requesting a siren for Tompkins Addition. She said that the situation that the county is in now that that area needs a siren more than ever. She thought that an updated siren, which consists of test, weather related and the third phase is audible, which means its voice capable, should be installed. Ms. Comeau said that Economic Development Agencies have been giving large amounts of money to Lancaster County to update all of their sirens.
Ms. Comeau said that the condition that the dams are in, it is a concern to all, even more than just weather related. It is imperative that a community should have some kind of warning for weather and catastrophic situations.
She said that she had another request and that was stop lights at the intersection of 75/77 and Old Saw Mill road. She sited increased traffic and there are more trucks now because they can't go down the interstate. She added that three weeks ago there was another life line accident. The board asked her to come back under public comment to further talk about this matter.

Pat Foust was asked to step up to the podium. He said that the siren at Atokad was recently repaired, but that it has not been tested because Woodbury County asked that it not be tested because they did not want to alarm people in Woodbury County thinking it was their siren. Mr. Foust was sure that the siren is working.
There was discussion whether residents in Tompkins Addition would be able to hear the siren located in Atokad and it was felt that they would not be able to hear it depending on what direction the wind is from.
There was further discussion concerning the area that the siren in Atokad would service and limitations due to obstructions of different types including wind direction.
Mr. Foust said that the last siren, which was installed about 13 months ago, cost about $13,970, but it was put in where there was power and on public right-of-way and there were no easements to acquire. He said that Hazard Mitigation money will usually pay 25% for warning sirens, if that is available.

Acting Chair Gomez asked that this be carried on the Board's next agenda.

Mr. Pat Foust said that he wanted to make clear that they do not blow sirens when there is a flash flood condition because he didn't want people running to their basements in that condition.

Acting Chair Gomez called Agenda Item "2011 Missouri River Flood: Status update, further discussion and action of any and all current or foreseeable issues relating to the flood, including but not limited to

the Incident Action Plan, levee surveillance, maintenance, and repair; current and projected flood levels; current and projected groundwater levels; equipment and materials available or needed; personnel available or needed; volunteers; overtime; roads; emergency routes; communication status; infrastructure; safety; City/County Interlocal Agreement; fiscal status and accounting; NEMA; FEMA; National Guard; County Sheriff's Office; State Patrol; Olsson Associates; Hans Excavating; Army Corp of Engineers; bonding and/or tax levy issues; and any other disaster or flood related issues needing attention."
There was nothing that needed to be discussed or action to be taken under this Agenda item.

Acting Chair Gomez called Agenda Item "Commissioner's Committee Reports."
Commissioner Love said that the Road Committee met and that he and Fred Kellogg went out to talk to Leon Jessen concerning the problem that he had with water drainage. The next day Commissioner Love and Fred Kellogg went out and shot elevations. He wanted a culvert put in to drain the water off his property to across the ditch. They came to the conclusion that the elevations were not there to justify putting in a culvert.
Acting Chair Gomez called Agenda Item "Commissioner's Member Reports" and there were none.
Acting Chair Gomez called Agenda Item "Public Comment" and Sally Reinert stepped up to the podium.
Sally Reinert asked who was collecting information on damage out in the County caused by flooding.
There was discussion whether Perry Creek was responsible for any flooding and Dick McNear said that he was told that it was not.
Sally asked where the ground water would be had that not happened and Dick said that is true.
Pat Foust spoke up and said that that is why they have published and published and published the Nebraska Flood Hot Line Number and web site. People are suppose to report those damages to the hotline or the website. He did not know whether they were or not.
He said that a woman from South Sioux City called him the other day and she said that she had to open her windows to let the water out and it was ground water. This particular lady had called the hotline. He said that they still need the information from the farm damage due to ground water and acres under water.

Janet reappeared at the podium and reiterated that she would like to have a light and the intersection named earlier due to the great increase in traffic. She said it needed to be there before now and now they have seen so much more traffic because 77 is the way everyone is taking to Omaha. She referred to the incident that happen at 7:00 o'clock and referred to it as a mess.
She said that if they could only put in a 4-way stop and a stop light to warn people to stop ahead in that area or anything that would be effective because you can't get across.
Acting Chair Gomez referred this to the Road Committee and Fred Kellogg for study.

Commissioner Love thought that they did a study out there a year ago and he thought that the state would probably think that the state would think it is safer now than if they put a stop light out there.

Dennis Reinert said that in conjunction with what Janet said, no one has mentioned the exit route that was originally meant to be when Tompkins was first devised. He added why people are not using that is beyond him. People will not have a problem to get on Old Highway 20 and that's all he had to say.

With no other business before the Board, Acting Chair Gomez adjourned their July 5, 2011 Meeting at 5:03 p.m.

County Board of Commissioners

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Antonio A. Gomez, Acting Chair Date Chair signed

DAKOTA COUNTY SEAL NEBRASKA

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Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, July 11, 2011
Dakota City Council Chambers
Dakota City, NE 68731

Chair Bousquet called the meeting to order at 4:11 p.m.
Present were: Commissioners McNear, Love, Gomez, Rohde, Bousquet and Ted Piepho, Secretary and County Clerk. Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney were also present.
Absent: None.

The agenda for this meeting was as follows:

- Call meeting to Order.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call.
  - Approve Minutes of prior meeting/s.
- Jeremy Cross – approve the Inter-local Agreement between Dakota County and the City of South Sioux City on 2011 Missouri River cost share relating to the flood and for the chair to sign same.
  - Adopt Resolution mentioned in Agreement. (11C-009 is the next number)
- Janet Comeau
  - Janet appeared last meeting concerning the location of an Emergency Siren in Tompkins Addition to warn residents in that subdivision of possible emergencies. Some information was not available at that time and Ms. Comeau has requested that be carried as an agenda item at this meeting.
  - Discuss and initiate action, if desired, to start the process to inquire whether the state will install stop lights at the intersection of US Highway 75/77 and Old Saw Mill Road. (Intersection by Heritage Express and Atokad)
- Mick Connealy – Leon and Janice Jessen Property flooding. Mr. Jessen is asking the County to install necessary culverts around the intersection of at F and 190th Streets, Dakota City.
- Miscellaneous Agenda Items
  - Discuss and take action, if desired, to install an Emergency Siren to service Tompkins Addition.
  - Discuss and take action, if desired, to broaden the area for spraying mosquitoes and mosquito larva.
  - Approve Payroll Claims.
  - Approve Accounts Payable Claims.
  - Board discussion and possible action on phasing out the National Guard's monitoring and surveillance of levees. The National Guard is presently authorized until July 27th.
  - Officials Reports.
- 2011 Missouri River Flood: Status update, further discussion and action of any and all current or foreseeable issues relating to the flood, including but not limited to the Incident Action Plan, levee surveillance, maintenance, and repair; current and projected flood levels; current and projected groundwater levels; equipment and materials available or needed; personnel available or needed; volunteers; overtime; roads; emergency routes; communication status; infrastructure; safety; City/County Interlocal Agreement; fiscal status and accounting; NEMA; FEMA; National Guard; County Sheriff's Office; State Patrol; Olsson Associates; Hans Excavating; Army Corp of Engineers; bonding and/or tax levy issues; and any other disaster or flood related issues needing attention.
- Commissioner's Committee Reports.
- Commissioner's Member Reports.
- Public Comment.
- Mail and/or Emergency Business.
- Adjournment.

Chair Bousquet called for the Agenda Item "Approve Minutes of prior meeting/s."
Commissioner Love moved, seconded by Commissioner Gomez to approve the minutes of July 5, 2011, meeting as typed and prepared for the Official Record.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Jeremy Cross – approve the Inter-local Agreement between Dakota County and the City of South Sioux City on 2011 Missouri River cost share relating to the flood and for the chair to sign same and to adopt Resolution mentioned in Agreement. (11C-009 is the next number)"
Jeremy Cross appeared before the Board and explained the following agreement the has so far been agreed to with the City of South Sioux City except the cost share of 60/40 for Olsson's engineering services.

INTERLOCAL COOPERATION AGREEMENT
BETWEEN THE CITY OF SOUTH SIOUX CITY
AND THE COUNTY OF DAKOTA, NEBRASKA
FOR THE MAINTENANCE, REPAIR, INSPECTION, SECURITY AND REMOVAL
OF THE EMERGENGY FLOOD LEVEE

THIS INTERLOCAL COOPERATION AGREEMENT made and entered into this 11th day of July, 2011, by and between THE CITY OF SOUTH SIOUX CITY, DAKOTA COUNTY, NEBRASKA, a municipal corporation (hereinafter referred to as "City") and the COUNTY OF DAKOTA, STATE OF NEBRASKA, a governmental subdivision (hereinafter referred to as "County"), WITNESSETH:

WHEREAS, the U.S. Army Corps of Engineers constructed an emergency flood levee within the city and county limits of South Sioux City and Dakota County, Nebraska for flood protection from the Missouri River; and,

WHEREAS, the parties hereto have entered into an understanding regarding the responsibility of expenses incurred or about to be incurred by both parties for maintenance, repair, security, inspection and removal of said flood levee; and,

WHEREAS, it is in the best interests of the parties to enter into this Interlocal Cooperation Agreement to allocate expenses between the parties associated with the maintenance, repair, security, inspection and removal of said flood levee; and,

WHEREAS, the governing body of each of the aforesaid governmental subdivisions has duly adopted an ordinance or resolution authorizing an execution of this Interlocal Agreement pursuant to the provisions of the Interlocal Cooperation Act (Neb. Rev. Stat., Section 13-801 to 13-827, as amended).

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

1. Duration. The term of this agreement shall be for a period of three (3) years or until such time as the purpose of this agreement has been completed. This agreement may be terminated prior to the expiration of such term by adoption of resolutions to that effect by both of the governmental subdivisions participating herein and who have executed this agreement. The termination of the agreement shall not be made effective earlier than sixty (60) days after the adoption of the resolutions of termination by the governmental subdivisions.

2. Administration. Due to the nature of the contract and the responsibilities of each governmental subdivision, it is determined that it is not necessary to create any separate legal or administrative entity for administration of the agreement. In the alternative, administration of the agreement shall be the responsibility of the County Treasurer of Dakota County, Nebraska, two (2) appointed members from the Dakota County Board of Commissioners, the City Administrator of the City of South Sioux City, Dakota County, Nebraska, and two (2) appointed members of the South Sioux City Council.

3. Purpose. The purpose of this agreement is to provide for division of expenses incurred or about to be incurred by the respective parties with regard to the maintenance, repair, security, inspection and removal of the aforementioned flood levee devised for the flood protection of the parties' residents and property.

a) The expenses to be shared by the parties are as follows:
   (i) Nebraska National Guard, if any;
   (ii) Nebraska State Patrol, if any;
   (iii) Local law enforcement including the South Sioux City Police Department and the Dakota County Sheriff's Department;
   (iv) Olsson Associates for the inspection of the earthen levee;
   (v) Dale Hans Contracting for the maintenance and repair of the earthen levee described on Exhibit "A," attached hereto and made a part hereof by this reference. This expense shall continue until such time as the levee is required to be removed.

b) That all of the costs set forth above shall be the responsibility of the parties in the following proportions:
   (i) Sixty percent (60%) by the County of Dakota, State of Nebraska; and,
   (ii) Forty percent (40%) by the City of South Sioux City, Dakota County, Nebraska.

c) Upon removal of the levee, the following proportion of expense for removal of that portion of the levee located outside of the corporate limits of the City of South Sioux City, Dakota County, Nebraska shall be borne by the parties as follows:
   (i) Sixty percent (60%) by the County of Dakota, State of Nebraska; and,
   (ii) Forty percent (40%) by the City of South Sioux City, Dakota County, Nebraska.

d) The City of South Sioux City, Dakota County, Nebraska shall be responsible for one hundred percent (100%) of the expense in removing that portion of the levee located inside the corporate limits of the City of South Sioux City.

e) That the administration shall, by majority vote, make recommendations with respect to the amount of security and/or surveillance the Nebraska National Guard, Nebraska State Patrol and local law enforcement should be providing for levee and flood protection to the governmental subdivisions participating herein for their full and final determination.

f) That the administration shall recommend through public bidding and by majority vote a contractor responsible for removing the levee outside the corporate limits of the City of South Sioux City to the governmental subdivisions participating herein for their full and final determination.

g) That the administration shall, by majority vote, make recommendations to the governmental subdivisions participating herein as to the amount of maintenance, repairs and inspections to be performed by Dale Hans Contracting and Olsson Associates.

h) This agreement does not allocate the parties' responsibilities of any damages that may arise or result from the maintenance, repair, security, inspection and removal of the levee.

4. Reimbursement. It is agreed that any reimbursement of expenditures hereunder from the Federal Emergency Management Agency, Nebraska Emergency Management Agency, the United States of America, the State of Nebraska or any other governmental agency as it concerns the earthen levee expenses for construction, maintenance, repair, security, inspection and removal of said earthen levee shall be distributed to the parties in the same proportions as the division of expense in the preceding paragraph.

5. Books and Accounts. The City Administrator and the County Treasurer shall keep and maintain such books and accounts as they may deem advisable and as may be required by their respective auditors, which books and accounts shall be audited annually by a certified public accountant selected by the City and County. Certified reports of audits shall be prepared as of the end of each fiscal year, copies of which shall be furnished to the Clerks of each governmental subdivision. The books and accounts shall be available for inspection by authorized representatives of the City and County.

6. Records and Reports. The City Administrator and County Treasurer shall maintain and keep such other records and make such reports to the constituent governmental subdivisions as each may deem necessary or advisable for the proper conduct of the duties and obligations pursuant to this agreement.

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

8. Severability. If any provision of this agreement is determined to be invalid, the entire agreement shall be void and of no further force and effect.

IN WITNESS WHEREOF, the governmental subdivisions who are a party hereto have, on the day and year first above written, caused this agreement to be executed by the respective officers duly authorized and have caused their respective seals to be affixed hereto.

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

BY: _____
MAYOR

ATTEST:

_____
CITY CLERK

(S E A L)

COUNTY OF DAKOTA, STATE OF NEBRASKA, a governmental subdivision,

BY: _____
CHAIRMAN

ATTEST:

_____
COUNTY CLERK
(S E A L)

Commissioner Rohde moved, seconded by Commissioner Gomez to adopt Resolution 11C-009 “Resolution Approving Interlocal Cooperation Agreement with the City of South Sioux City, Dakota County, Nebraska for the Maintenance, Repair, Security, and Removal of the Emergency Flood Levee as follows:

IN THE COUNTY OF DAKOTA
IN THE STATE OF NEBRASKA
RESOLUTION NO. 11C-009
RESOLUTION APPROVING INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF SOUTH SIOUX CITY, DAKOTA COUNTY, NEBRASKA FOR THE MAINTENANCE, REPAIR, SECURTY AND REMOVAL OF THE EMERGENCY FLOOD LEVEE

WHEREAS, the U.S. Army Corps of Engineers constructed an emergency flood levee within the city and county limits of South Sioux City, Nebraska (hereinafter referred to as "the City") and Dakota County, Nebraska (hereinafter referred to as "the County") for flood protection from the Missouri River; and,

WHEREAS, the City and County desire to enter into an Interlocal Cooperation Agreement, pursuant to the provisions of the Interlocal Cooperation Act (Neb. Rev. Stat., §13-801 to §13-827, as amended), to allocate expenditures between the City and County associated with the maintenance, repair, security, inspection and removal of said flood levee; and,

WHEREAS, the County finds the attached Interlocal Cooperation Agreement with the City to be in the best interest of the County; and

THEREFORE, BE IT RESOLVED, by the Dakota County Board of Commissioners that the attached Interlocal Cooperation Agreement with the City of South Sioux City, Nebraska is hereby approved and the Commissioners and City Clerk are authorized and directed to execute the same.

Resolved this 11th day of July, 2011.

/s/ Rick Bousquet
Richard Bousquet
Chair

/s/ Antonio A. Gomez
Antonio Gomez
Commissioner

/s/ Scott Love
Scott Love
Commissioner

/s/ Richard McNear
Richard McNear
Commissioner

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

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

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

Chair Bousquet called for the Agenda Item "Janet Comeau - Janet appeared last meeting concerning the location of an Emergency Siren in Tompkins Addition to warn residents in that subdivision of possible emergencies. Some information was not available at that time and Ms. Comeau has requested that be carried as an agenda item at this meeting.
There was discussion concerning locating a siren so the residents living in Tompkins Addition will be alerted to emergency conditions as other people in the cities and villages. The Board will get with Pat Foust and ask him to do a test of just the siren in Atokad at noon and ask him to report the results back to the Board.
Ms. Comeau was also on the agenda to Discuss and initiate action, if desired, to start the process to inquire whether the state will install stop lights at the intersection of US Highway 75/77 and Old Saw Mill Road. (Intersection by Heritage Express and Atokad)
There was discussion concerning installing stop lights at the intersection of 75/77 and Old Saw Mill Road. Ms. Comeau said with the increase in traffic, a stop light is justified.
This was referred to the Road Committee and Fred Kellogg.

Chair Bousquet called for the Agenda Item "Mick Connealy – Leon and Janice Jessen Property flooding. Mr. Jessen is asking the County to install necessary culverts around the intersection of F and 190th Streets, Dakota City."
Mick Connealy appeared before the Board representing Leon Jessen. He had sent the following letter to the County Attorney and addressed the board giving the Board a summary what he interprets Nebraska Law and how they believe Nebraska Law applies to this situation.
Leon will address the particular needs and more of the measurements and facts.
Mr. Connealy made a correction to the following letter that he sent to Ms. Watson and that is the drainage that they are asking to be installed, needs to be installed under F Avenue to allow the water to flow from the higher elevations west to lower elevations on the east. In his letter he referenced 190th and that is incorrect.

July 7, 2011

Kim Watson
Dakota County Attorney
P. O. Box 117
Dakota City, NE 68731
Re: Leon and Janice Jessen Property: Flooding
Dear Ms. Watson:

As you know, I represent Leon and Janice Jessen with regard to the flooding of their property at 1907 F Avenue, Dakota City, Nebraska 68731. This property has been flooded by recent heavy rain events and the property is currently retaining a significant amount of water. The Jessens are requesting that Dakota County install the necessary culverts at and around the intersection of 190th Street and F Avenue to allow for the natural flow of water from the higher elevations west of 190th Street to the lower elevations east of 190th Street. It is my understanding that this request has been put on the Dakota County Board's agenda for Monday, July 11, 2011 at 4:00 p.m. Both Mr. Jessen and myself will be present at the meeting to address this issue further.

In preparation for the meeting, I ask that you consider Nebraska law on the obligations of landowners with regard to the creation of structures that block the natural flow of water. I have attached two cases for your consideration. In *Gruber v. County of Dawson,* 439 N.W.2d 446 (Neb. 1989), the Nebraska Supreme Court addressed a situation very similar to the one at hand, in that the plaintiff was experiencing pooling of water resulting from the county's paving of a road adjoining his land. Concluding that the county must allow the water to naturally flow through the road, the Court held as follows:

"A natural drainage way must be kept open to carry water into streams, and as against the rights of an upper proprietor, a lower proprietor cannot obstruct surface water which is moving in a natural drainage channel or depression. One building a structure across a natural drainage way has a continuing duty to provide natural passage for water reasonably anticipated to move in the drainage way occupied by the obstruction. The duty to refrain from structural obstruction of a natural drainage way is imposed on private proprietors and public officials as well." *Id.* at 8-9.

In 2001, in an unreported case, the Nebraska Court of Appeals reached a similar conclusion in a case factually analogous to *Gruber* and to the case at hand. In *Jurgensmier v. Kearney County,* 2001 WL 968062, the plaintiff's property began flooding when the county decided to raise the elevation of a

county road bordering his property. The Court found that surface waters naturally flowed in a regular direction across the plaintiff's property, and therefore, a natural drainage way did exist. The Court concluded that by raising the elevation of the road, the county had wrongfully interfered with the natural drainage way and ordered the county to correct the problem.

Of course, by allowing the water that is currently flooding my client's ground to naturally flow, the water will enter the property of neighboring landowners. I understand that the County Board may have concerns about potential legal action from these neighbors. However, by taking this action, the Board will simply be fulfilling its duty as a landowner under Nebraska common law to allow for the natural flow of water. I do not expect that a court would assess damages against the County for fulfilling its legal obligation.

Finally, I have attached a figure created by county employee Fred Kellogg that shows the various applicable measurements involved. I am told that these numbers do not represent elevations in the conventional sense. Rather, the numbers represent depth, meaning that the higher the number, the lower the area. This figure clearly supports our position in this matter. If there are any other measurements, figures or analysis that Fred Kellogg or any other county official has created in relation to this matter, I request that you send them to me at your earliest convenience so that they may be considered in preparation for the meeting on Monday.

Thank you for your consideration of this information.

Sincerely,
Mick Connealy
For the Firm

He said that their legal position is pretty simple and that is, that if water will flow from west to east in spite of the road, then we believe that it should flow from west to east. He said that there is a consistent theme in water law and that is, except in certain circumstances, a land owner can not block the natural flow of water and that is what we believe is going on here.
There is a county drainage act and that is Chapter 31, Article 9 and the very first language says that the maintenance of adequate drainage is hereby a matter of public health and safety.

Leon Jessen addressed the Board and his position and established that there is a natural flow of water from the west side of the road to the east side of the road. Mr. Jessen addressed the depth of where his property sits. He said that the other side of the road is lower than his pasture. He said that he has established that it will flow. The other issue is how much will flow and that is what Fred said that he was not sure it was worth the effort.

How much will flow is based on how high the water gets. He gave an example where the ground is the same height or depth. If the water on one side is 4 feet and it can disperse, it will be two feet on each side. He said he didn't think that it would have flooded much of the fields, but would have filled the ditches.

Mr. Jessen provided the Board with pictures and explained each picture. He pointed out some tree and the height that the water was on the tree at one time although it had receded by the time the picture was taken. He then pointed out his septic tank. He said that the water got so high that it came around the tree and into the septic tank. He said that it would have only taken a two inch drop in water and it would not have reached his septic tank. He stated that he knew that those ditches would have taken water so that the rain water would not have gotten in his septic tank.

There was discussion whether to dig the ditches deeper on 190th.
Commissioner Rohde that there is a tube in every slew in the county and there is no slew in this area.
Mr. Jessen said that I have showed you the flow and that's what you asked me (Mr. Jessen) to do and these are Fred's measurements.

Kenny Bartels said that he farms the property across where Leon said the tube should go. He said that the Rohde family (Ellen and …) owns the property and said that he farmed it since 1967. He said that F Avenue is two and one-half miles and there are no culverts anywhere in it and never has been and it was his feeling that were there has never been a culvert, there should not be one put in now. If you go with the natural flow of water, if it gets high enough it will go over. You can drive all over the county and see that. The water from 35 ends up toward Homer because it flows over the road there.

Mr. Bartels said that he knows how Mr. Jessen feels. We (Ken and I presume his wife) have a house three-quarters of a mile north of there and water on three sides of it with 40 to 50 acres under water. Leon is looking at only his situation. We have a whole county involved and you are going to have a lot of people asking for culverts and they should have them if one goes in. He said it is an unwritten policy not to run water on your neighbor's property. We had a house that they will probably loose because of water and septic in it.
The Road Committee and Fred Kellogg were assigned to look at this situation again.

Jim Bliven appeared before the board and said that he agreed with Mr. Love that even if you put a tube there it will not go anywhere. It will fill the ditch and Mr. Bliven did not think it would go south more than a couple hundred feet and he did not think it would go east any distance. It is coming out of my field

toward Mr. Jessen, but like Ken said and if you put a tube there I would not mind if you would come on down F Avenue and put in a couple more.

Mr. Jessen said the he could not get out in the middle of a storm to set up a pump and putting a culvert there would help his situation.

Commissioner Love said that he did not see where it would be beneficial to put a culvert in when Chair Bousquet asked what direction the Board wanted to take.

Commissioner McNear said that maybe the County needs to dig out the ditches on 190th and build up the road.

Commissioner Rohde said that he would rather do some ditch work if that would help.

Commissioner Gomez asked if the Road Committee would go there again and see if cleaning out the ditches would help.

Chair Bousquet turned the matter over to the Road Committee to see if anything else can be done and right now I don't think you're going to get a tube.

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Chair Bousquet called for the Agenda Item "Discuss and take action, if desired, to broaden the area for spraying mosquitoes and mosquito larva."
Commissioner Rohde had talked to Gene Martin and if we want to do this because he will get busy spraying corn in the next 2 and one-half weeks and we will never get him back. I think we have some areas where water is standing that need to be sprayed. Mr. Martin charges $9.50 and acre plus chemical.

Commissioner Rohde moved, seconded by Commissioner McNear to spray for mosquitoes and limit the spraying to 200 acres.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Approve Payroll Claims."
Commissioner Rohde moved, seconded by Commissioner Gomez to pay Fred Kellogg an additional $5240 for the Highway Supt. duties that he was given when he was appointed to that position July 1, 2011.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Yea and McNear- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Gomez moved, seconded by Commissioner Love to approve the payroll claims filed with the County Clerk and submitted by him for payment as follows:
COUNTY GENERAL FUND: Gross salaries- $141,880.25, General Fund Employees Net Pay- $102,238.42, Employer deductions paid: Retirement- $9,961.09, FICA- $8,583.59, Medicare- $2,007.43, DC Health Plan- $23,000.00, DC Dental Plan- $999.12 and Life Insurance- $204.09, Principal Mutual Life Insurance- $.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1365.13, Daniel Christoffers- 584.00, Theodore Piepho- 1748.23, Mary C. Wiltgen- 993.23, Marisol Curiel- 982.40, Darlene Davis- 953.60, Stephanie Gatzemeyer- 792.00, Robert Giese- 1748.23, Ruth Gillaspie- 1266.78, Jolene Heinemann- 1038.27, Tracey Rysavy- 978.40, Cherie Conley- 997.84, Daniel Christoffers- 693.50, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Elda Raudales- 163.68, Zachary Gerth- 1608.46, Debra Jensen- 1119.20, John Loos, Jr.- 2186.59, Katherine Wiltgen- 864.00, Richard Jensen- 1480.09, Duane Kotalik- 1384.00, Tammy Dunn-Peterson- 996.59, Anthony Bos- 2085.49, Sergio Castillo- 411.75, Timothy Decker- 1903.85, Sandy Dickens- 487.04, Brian Ellinger- 3900.66, Michael Estes- 2312.98, Brent Gilster- 4128.55, Todd Hammer- 2678.60, Melvin Harrison III- 3265.03, Jason James- 2172.35, Douglas Johnson- 1903.85, Kimberly Johnson- 455.51, Jared Junge- 1992.67, Christopher Kleinberg- 1923.07, Penny Kleinberg- 3386.39, Michael Kreegar- 2689.35, Vince Oordt- , Gary Powell- 477.63, Gayle Richards- 914.40, Kevin Rohde- 2204.48, Randall Walsh- 1867.02, Bridget Fiedler- 744.00, Kerry Johnson- 949.60, Sara Niles- 1884.62, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1135.20, Kimberly Watson- 2828.48, Caterina Chapman- 1107.20, Jacob Acero- 1385.82, Ermelinda Ballesteros- 1354.36, Mason Billings- 1447.96, Joshua Blatchford- 1342.52, Rebecca Broer- 1584.56, Judy Case- 982.83, Elisabet DeRoin- 1261.59, Sandy Dickens- 770.51, Jesse Doelle- $1056.95, Marjorie Donahue- 1391.88, Lisa Ford- 1366.75, Ryan Foster- 1457.71, Linda Frost- 856.80, Alma Gunderson- 1574.85, Amber Hamman- 1319.34, Deanna Haukap- 1546.46, Jeffrey Heitzman- 1474.13, Adam Hough- 1300.49, Michael Jacobson- 1453.71, Brett Johnson- 1623.97, Brenda Kelly- 1375.07, Terry Kern- 1971.15, Keith Klein- 1490.46, James Kleinberg- 1434.50, Paul Moser- 1209.73, Mark Nelson- 1433.65, Travis Olander- 1542.16, Kimberly Peterson- 1486.44, Daniel Rodasky- 1372.42, Cody Roeber- 1251.23, Jutharatana Ruenprom- 1498.58, Timothy Ryan- 1264.60, Linda Schovanec- 1381.44, Francis Tope- 1503.60, Jewel Williams- 1682.04, Cara Wood- 1562.87, Jolene Gubbels- 1049.60, Fred Kellogg- 201.92, Nicholas Long- 801.00, Leon Pies- 958.80, Pamela DeVries- 1677.82, Bonnie Kahler- 758.49, Linda Weitzel- 1184.00, Willard Johnston- 1050.00.
GENERAL FUND: Employee withholding paid to: Federal- $14,256.10, State- $4,913.57, FICA- $5,814.63, Medicare- $2,007.43, Retirement- $6,768.80, Health Plan- $1400.00, DC Dental Plan- $504.00, Sheriff Union Dues- $405.00, Deferred Comp- $332.00, Garnishments- $1,530.50, Aflac Health- $449.43, Aflac Life/Dsbl- $177.90 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.

COUNTY ROAD PAYROLL: Gross salaries- $14,213.40, Road Employees Net Pay- $10,097.00, Employer deductions paid: Retirement- $959.40, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $24.75, FICA- $857.53, and Medicare- $200.55, Principal Mutual Life Insurance- $.,
Matthew Bartels- 731.14, Brent Byroad- 1490.17, Robert Hacker- 1314.40, Ron Harder- 360.00, Hans Houfek- 1318.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1697.44, Kimon Litras- 1326.40, Arnold Mellick- 1330.40, Dean Pallas- 1339.05, Leon Pies- 661.20, Kip Reinbold- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,348.92, State- $464.46, FICA- $580.90, Medicare- $200.55, Retirement- $639.61, DC Dental Plan- $84.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $281.55, Aflac Health- $138.30, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $160.00 and Union Dues- $140.00.
ROLL CALL VOTE: Love- Yea, Bousquet- Yea, Rohde- Yea, McNear- Yea and Gomez- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Board discussion and possible action on phasing out the National Guard's monitoring and surveillance of levees. The National Guard is presently authorized until July 27.
The was some discussion concerning this and Commissioner Rohde thought that the National Guard should be the absolute minimum needed and thought it should be worded that they want the guard representation, but at the minimal number of guard members possible. If we word it that way we can get down to the bare minimum for as long as we keep them here until we decide to faze them out totally.
Sheriff Kleinberg addressed the Board and explained what his department and South Sioux PD are doing for security.

Chair Bousquet called for the Agenda Item "2011 Missouri River Flood: Status update, further discussion and action of any and all current or foreseeable issues relating to the flood, including but not limited to the Incident Action Plan, levee surveillance, maintenance, and repair; current and projected flood levels; current and projected groundwater levels; equipment and materials available or needed; personnel available or needed; volunteers; overtime; roads; emergency routes; communication status; infrastructure; safety; City/County Interlocal Agreement; fiscal status and accounting; NEMA; FEMA; National Guard; County Sheriff's Office; State Patrol; Olsson Associates; Hans Excavating; Army Corp of Engineers; bonding and/or tax levy issues; and any other disaster or flood related issues needing attention."

Commissioner Bouquet moved, seconded by Gomez to approve the revised Interlocal Agreement Cooperation Agreement between the City of South Sioux City and the County of Dakota County, Nebraska for maintenance, repair, inspection, security and removal of the Emergency Flood Levee.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Yea and McNear- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Bousquet moved, seconded by Commissioner Gomez to appoint Commissioners Bill Rohde and Scott Love as the two members of the County Board for the administration of the Interlocal Agreement Cooperation Agreement between the City of South Sioux City and the County of Dakota County, Nebraska for maintenance, repair, inspection, security and removal of the Emergency Flood Levee, as called for in (2) **Administration** of said agreement.
ROLL CALL VOTE: Love- Yea, Bousquet- Yea, Rohde- Yea, McNear- Yea and Gomez- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Officials Reports."
Commissioner Gomez moved, seconded by Commissioner McNear to acknowledge receipt of and approve the Officials Reports filed with the County Clerk by the County Clerk, Register of Deeds for the month of May, 2011 and the Clerk of the District Court for the months of May and June, 2011. Be it further resolved to acknowledge receipt of and approve the County Sheriff's, Jail Administrator's and the County Clerk's Quarterly Reports for the months of April 1 through June 30, 2011.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Commissioner's Committee Reports or Member Reports."
Commissioner Love reported that he and Commissioner McNear, as the Road Committee met with residents that lived along Golf Road. The majority of them are here. Security was an issue at one time and then they put a fence across and the people have been walking back and forth now. Their concern is that they have moved their stuff out of their homes and they want to be able to move back in their houses.
Commissioner Bousquet said that the elevation on that road has to be maintained. The Corp said that if you let people go across that, it will pack it down and we will loose that elevation. He did not see why the County could not take that gate down as long as the County maintains that elevation. It would have to be a one lane road signed for local traffic only.
Commissioner Love said NEMA said that no one is allowed on the levee except the National Guard.
There was discussion whether the County could do anything for the residents.
Commissioner Love said that if people will call the National Guard, they will give the residents rides.
Sheriff Kleinberg addressed the Board concerning the residents not being able to live in their homes.
Ronda Helton addressed the Board and said that her main concern was Emergency Services and safety for everybody. Her husband has a bad heart and how would a rescue squad get down there and what if there was a fire down there.
Doug Goddard asked about what it would cost the County to take over just that one part of the road by building it up to the height it is now.
Bousquet called for the Agenda Item "Chair Public Comment and there was none."
Bousquet called for the Agenda Item "Mail and/or Emergency Business and there was none."

Commissioner Gomez moved, seconded by Commissioner Love to adjourn their meeting of July 11, 2011 at 5:40 p.m.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

County Board of Commissioners

_____

Richard Rick Bousquet, Chair Date Chair signed

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, July 18, 2011
Dakota City Council Chambers
Dakota City, NE 68731

Acting Chair Bousquet called the meeting to order at 4:10 p.m.
Present were: Commissioners McNear, Love, Gomez, and Ted Piepho, Secretary and County Clerk. Joan Spencer, Administrative Assistant to the Board and Kim Watson, County Attorney were also present.
Absent: Commissioners Bousquet and Rohde.

The agenda for this meeting was as follows:

- Call meeting to Order.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call.
  - Approve Minutes of prior meeting/s.
- Federal Funds Purchase Program Agreement between Dakota County and Department of Roads. The Board will consider approving said agreement and will pass Resolution 11C-010 authorizing an individual to sign the attached Federal Funds Purchase Program Agreement between Dakota County and the NDOR.
- Bob Giese – County Treasurer's Semi-Annual Report.
  - Board to acknowledge receipt of and to authorize the Chair to sign same.
  - Resolution 11C-011 - A resolution that sets the preliminary estimate of flood expense indebtedness for which the county can lawfully issue tax-exempt bonds to be $900,000.
- Miscellaneous Agenda Items
  - Authorize County Board meetings for August. This agenda item is for the Board to consider whether they wish to continue meeting every Monday, or whether they prefer to continue with their original schedule meeting every other week.
  - Authorize County Clerk to advertise August meetings to be in the Board Room. The County Board has been meeting in the Dakota City Council Chambers and they will consider action moving their meeting back to the County Board Room in the Courthouse.
  - Board discussion and possible action on phasing out the National Guard's monitoring and surveillance of levees. The National Guard is presently authorized until July 27th.
- 2011 Missouri River Flood: Status update, further discussion and action, if any, and all current or foreseeable issues relating to the flood, including but not limited to the Incident Action Plan, levee surveillance, maintenance, and repair; current and projected flood levels; current and projected groundwater levels; equipment and materials available or needed; personnel available or needed; volunteers; overtime; roads; emergency routes; communication status; infrastructure; safety; City/County Interlocal Agreement; fiscal status and accounting; NEMA; FEMA; National Guard; County Sheriff's Office; State Patrol; Olsson Associates; Hans Excavating; Army Corp of Engineers; bonding and/or tax levy issues; and any other disaster or flood related issues needing attention.
- Commissioner's Committee Reports.
- Commissioner's Member Reports.
- Public Comment.
- Mail and/or Emergency Business.
- Jail tour – Nebraska Law requires that the County Board tour the County's Jail in January, April, July and October each year. The Board must tour the jail this date or on the 25th.
- Adjournment.

Commissioner Gomez moved, seconded by Commissioner Love to excuse Commissioners Bousquet and Rohde from this meeting.
ROLL CALL VOTE: Bousquet- Absent, Rohde- Absent, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Acting Chair Gomez called for the Agenda Item "Approve Minutes of prior meeting."
Commissioner Love moved, seconded by Commissioner McNear to approve their minutes of July 11, 2011, meeting as typed and prepared for the Official Record.
ROLL CALL VOTE: Rohde- Absent, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Absent. UNANIMOUS MOTION CARRIED.

Acting Chair Gomez called for the Agenda Item "Federal Funds Purchase Program Agreement between Dakota County and Department of Roads. The Board will consider approving said agreement and will pass Resolution 11C-010 authorizing an individual to sign the attached Federal Funds Purchase Program Agreement between Dakota County and the NDOR."

The Board discussed the Federal-Aid Transportation Fund Purchase-Sale Agreement between the Nebraska Department of Roads and Dakota County.
Fred Kellogg, Highway Superintendent, said that without signing this agreement the County will not get any money and he added that it is the only show in town.
Commissioner McNear moved, seconded by, Commissioner Love to approve and authorize the Acting Chair to sign the Federal-Aid Transportation Fund Purchase-Sale Agreement between the Nebraska Department of Roads and Dakota County.

BE IT FURTHER RESOLVED to adopt Resolution 11C-010 naming the Chairman to be the authorized agent of the LPA (Local Public Agency) to sign Federal-Aid Transportation Fund Purchase-Sale Agreement between the Nebraska Department of Roads and Dakota County as follows:

RESOLUTION 11C-010
SIGNING OF THE FEDERAL FUNDS PURCHASE PROGRAM AGREEMENT

Dakota County
Resolution No. 11C-010

Whereas, each year the federal government makes available to Nebraska certain federal-aid transportation funds, including funds from the Surface Transportation Program (STP) and the Highway Bridge Program (HBP) (formerly known as the Highway Bridge Replacement and Rehabilitation Program), for use on State and local federal-aid transportation projects; and,

Whereas, certain federal-aid STP and HBP funds have historically been made available to the LPA by the State for its use in funding federal-aid projects on the public streets or roads within its jurisdiction; and,

Whereas: LPA and the NDOR wish to enter into an Agreement to provide for the purchase, at a discount, certain federal-aid dollars currently made available to the LPA.

Whereas, the LPA is interested in selling its available federal-aid funds to the State on the terms and conditions set out in this Agreement, including certain limitations on the use of the cash received by the LPA.

Whereas, the Board/Council has reviewed the Agreement and has determined that it is in its best interest to enter into the Agreement in the attached form.

Be It Resolved: by the Board/Council of Dakota County that:

____The Chairman_____ is hereby authorized to sign the attached Federal Funds Purchase Program Agreement between Dakota County and the NDOR.

Adopted this _18_day of __July___, 2011 at __Dakota City___ Nebraska.

The Board/Council of Dakota County:

_____Richard McNear_____ _____

____Antonio A, Gomez_____ _____

_____Scott Love_____ _____

Board/Council Member___Richard McNear_ Moved the adoption of said resolution
Member ____Scott Love_____ Seconded the Motion
Roll Call: ___3__Yes _None_No_None_ Abstained __2__ Absent
Resolution adopted, signed and billed as adopted

Attest:

/s/ Ted Piepho_____
Ted Piepho

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

Acting Chair Gomez called for the Agenda Item “Bob Giese – County Treasurer’s Semi-Annual Report.”
Bob Giese stepped up to the podium and presented the County Treasurer’s Semi-Annual Report for period January 1, 2011 to June 30, 2011.
The report had an ending balance of $3,673,820.47.
Commissioner McNear moved, seconded by Commissioner Gomez to acknowledge receipt and approve the County Treasurer’s Semi-Annual Report for period January 1, 2011, to June 30, 2011 as presented by the County Treasurer.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Absent, Rohde- Absent and McNear- Yea. UNANIMOUS MOTION CARRIED.

Acting Chair Gomez called for the Agenda Item “Resolution 11C-011 - A resolution that sets the preliminary estimate of flood expense indebtedness for which the county can lawfully issue tax-exempt bonds to be $900,000.”
The Board had passed a resolution on June 20, 2011, but did not state a dollar amount for the preliminary estimate of debt contemplated to be issued for such projects. Therefore, it was necessary for the Board to act upon the resolution again.
Commissioner Gomez moved, seconded by Commissioner Love to adopt Resolution 11C-011 that the Chairperson and Board of Commissioners of Dakota County, Nebraska, do hereby declare this resolution to be the County's official declaration of intent under Internal Revenue Code Regulation Section 1.150-2 to provide for the incurring of indebtedness which may include reimbursements of expenditures made by the County in connection with the construction of flood control improvements including, but not limited to, dikes, levees, road construction, reconstruction and any other flood-related expenditures for which the County may lawfully issue tax-exempt bonds. The preliminary estimate of debt contemplated to be issued for such projects is currently $900,000.00.

RESOLUTION NO. 11C-011

BE IT RESOLVED BY THE CHAIRPERSON AND COUNTY BOARD OF COMMISSIONERS OF THE COUNTY OF DAKOTA, NEBRASKA, as follows:

Section 1. That the Chairperson and Board of Commissioners of Dakota County, Nebraska, do hereby declare this resolution to be the County's official declaration of intent under Internal Revenue Code Regulation Section 1.150-2 to provide for the incurring of indebtedness which may include reimbursements of expenditures made by the County in connection with the construction of flood control improvements including, but not limited to, dikes, levees, road construction, reconstruction and any other flood-related expenditures for which the County may lawfully issue tax-exempt bonds. The preliminary estimate of debt contemplated to be issued for such projects is currently $900,000.00.

Section 2. That up to the expenditure of the full amounts of such project described within this resolution, the County may advance funds as may be necessary for meeting the immediate costs of such improvements. It is the intent of the Chairperson and Board and the County's reasonable expectation that the County shall reimburse such expenditures as may be made from general funds on hand from the proceeds of the issuance of its debt obligations.

Section 3. That the County Clerk shall make a copy of this resolution available for public inspection at the main office of the County at all times during normal business hours within ten days after the adoption hereof. Such copies shall remain available for public inspection at all such times until the bonds or such other tax-exempt obligations contemplated herein are issued.

Resolved this __18__ day of _July___, 2011.

____ABSENT_____	___/s/ Antonio A. Gomez_____
Richard Bousquet	Antonio Gomez
Chair	Commissioner
__/S/ Scott Love_____	____/s/ Richard McNear_____
Scott Love	Richard McNear
Commissioner	Commissioner
___ABSENT_____	__/s/ Theodore A. Piepho_____
Bill B. Rohde	ATTEST
Commissioner	Theodore A. Piepho, County Clerk

APPROVED AS TO FORM:

_/s/ Kim Watson_____
Kim Watson, County Attorney

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

Acting Chair Gomez called for the Agenda Item “Authorize County Board meetings for August. This agenda item is for the Board to consider whether they wish to continue meeting every Monday, or whether they prefer to continue with their original schedule meeting every other week.”
The Board briefly discussed their meeting dates. It was felt that the danger of getting ground water in the basement was minimal. Therefore the Board thought that they could go back to every other Monday meetings.
Commissioner Love moved, seconded by Commissioner McNear to return to their every other Monday meeting after the Board’s Meeting of July 25, 2011.
ROLL CALL VOTE: Bousquet- Absent, Rohde- Absent, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Acting Chair Gomez called for the Agenda Item “Authorize County Clerk to advertise August meetings to be in the Board Room. The County Board has been meeting in the Dakota City Council Chambers and they will consider action moving their meeting back to the County Board Room in the Courthouse.”
The Board briefly discussed their meeting place. It was felt that the danger of getting ground water in the basement was minimal. Therefore the Board thought that they could return their meeting back to the Board’s Meeting Room.
Commissioner McNear moved, seconded by Gomez to authorize the County Clerk to advertise the Board Meetings to be in the Board of Commissioners Meeting Room in the Basement of the Courthouse to be effective after their meeting of July 25, 2011.
ROLL CALL VOTE: Rohde- Absent, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Absent. UNANIMOUS MOTION CARRIED.

Acting Chair Gomez called for the Agenda Item “Board discussion and possible action on phasing out the National Guard’s monitoring and surveillance of levees. The National Guard is presently authorized until July 27th.”

The Board discussed this and one of the members mentioned that they got an email from South Sioux City Mayor Bill McLarty that they were extending the authorization of the National Guard to July 21, 2011. The County Board did not think that they needed to take action.

Acting Chair Gomez called for the Agenda Item "2011 Missouri River Flood: Status update, further discussion and action, if any, and all current or foreseeable issues relating to the flood, including but not limited to the Incident Action Plan, levee surveillance, maintenance, and repair; current and projected flood levels; current and projected groundwater levels; equipment and materials available or needed; personnel available or needed; volunteers; overtime; roads; emergency routes; communication status; infrastructure; safety; City/County Interlocal Agreement; fiscal status and accounting; NEMA; FEMA; National Guard; County Sheriff's Office; State Patrol; Olsson Associates; Hans Excavating; Army Corp of Engineers; bonding and/or tax levy issues; and any other disaster or flood related issues needing attention."
There was no discussion or action necessary under this agenda item.

Acting Chair Gomez called for the Agenda Item "Commissioner's Committee Reports."
Commissioner Gomez reported that he attended an LEC meeting and that Pat Foust was going to take some time off.

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

Acting Chair Gomez called for the Agenda Item "Public Comment" and there were none.

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

Acting Chair Gomez called for the Agenda Item "Jail tour – Nebraska Law requires that the County Board tour the County's Jail in January, April, July and October each year. The Board must tour the jail this date or on the 25th."
It was felt that it would be more appropriate to take a jail tour in their July 25th meeting.

Acting Chair Gomez called for the Agenda Item "Adjournment" and adjourned the meeting of July 18, 2011 at 4:35 p.m.

County Board of Commissioners

_____

Richard Rick Bousquet, Chair Date Chair signed

DAKOTA COUNTY SEAL NEBRASKA

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, July 25, 2011
Dakota City Council Chambers
Dakota City, NE 68731

Acting Chair Bousquet called the meeting to order at 4:10 p.m.
Present were: Commissioners McNear, Love, Gomez, Bousquet, Rohde and Ted Piepho, Secretary and County Clerk. Kim Watson, County Attorney was also present.
Absent: None

The agenda for this meeting was as follows:

- Call to Order with reciting the Pledge of Allegiance.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meeting

- Arnie Mellick, Bridge Inspector and others- One end of the Hogh Bridge on East Sarpy Road has sunken and needs repair. People are walking across it in order to carry out their daily necessities and want to discuss options with the County Board. Action may be taken.

- Miscellaneous Agenda Items
  - Approve Payroll Claims
    - County Clerk to inform the Board of any inconsistencies with the Employee handbook or labor contracts.
  - Approve Accounts Payable Claims

- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- Jail Tour
- Adjournment

Chair Bousquet called for the Agenda Item "Approve Minutes of prior meeting."
Commissioner Love moved, seconded by Commissioner McNear to approve their minutes of July 18, 2011, meeting as typed and prepared for the Official Record.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Arnie Mellick, Bridge Inspector and others- One end of the Hogh Bridge on East Sarpy Road has sunken and needs repair. People are walking across it in order to carry out their daily necessities and want to discuss options with the County Board. Action may be taken."
Fred Kellogg, Highway Supt., stepped up to the podium and said that the design is done, but he does not have it yet. He said that there are two contractors looking at it now and hopefully it will be started by the end of the week.
Mr. Kellogg said that the reason the Engineer was involved was because if Dakota County is ever declared a disaster by the President, then we would be eligible for FEMA help.
Fred said that the head wall and wing wall gave out and that is what is being replaced. He thought that the project would be under $60,000 and the tonnage will stay the same as far as the super structure of the bridge.
Arnold Mellick asked when they could expect the bridge to be done. There was discussion concerning the time frame in which the contractors would be able to start on it.
The discussion led into the fact that they now have to travel 1.8 miles on a minimum maintenance road and when it rains they are shut in unless they walk across the bridge. More importantly, that prevents emergency personnel and equipment from getting to their houses. That caused the board to consider graveling the minimum maintenance road and the cost was estimated at approximately $5,200.
It was reported that they had to start walking across the bridge on May 27th.
The consensus of the Board was to put adequate material (rock or gravel) on that road and told Mr. Kellogg to start on that as soon as possible.

Chair Bousquet called for the Agenda Item "Approve Payroll Claims and the County Clerk to inform the Board of any inconsistencies with the Employee handbook or labor contracts.
Commissioner Rohde moved, seconded by Commissioner Gomez to approve the Payroll Claims filed with the County Clerk and submitted by him as follows:
COUNTY GENERAL FUND: Gross salaries- $129,367.73, General Fund Employees Net Pay- $95,962.84, Employer deductions paid: Retirement- $8,981.86, FICA- $8,020.83, Medicare- $1,875.85. Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1365.13, Daniel Christoffers- 584.00, Theodore Piepho- 1748.23, Mary C. Wiltgen- 984.00, Marisol Curiel- 982.40, Darlene Davis- 953.60, Stephanie Gatzemeyer- 880.00, Robert Giese- 1748.23, Ruth Gillaspie- 1266.78, Jolene Heinemann- 1012.15, Tracey Rysavy- 978.40, Cherie Conley- 738.00, Margaret Rahn- $442.00, Daniel Christoffers- 589.48, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Elda Raudales- 163.68, Zachary Gerth- 1608.46, Debra Jensen- 1119.20, John Loos, Jr.- 2186.59, Katherine Wiltgen- 960.00, Richard Jensen- 1480.09, Duane Kotalik- 1384.00, Tammy Dunn-Peterson- 1400.01, Anthony Bos-

1844.18, Sergio Castillo- 296.46, Timothy Decker- 1903.85, Sandy Dickens- 487.04, Brian Ellinger- 2215.30, Michael Estes- 1549.60, Brent Gilster- 2106.47, Todd Hammer- 1721.60, Melvin Harrison III- 1966.06, Jason James- 1787.82, Douglas Johnson- 1903.85, Kimberly Johnson- 349.97, Jared Junge- 1721.60, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1810.04, Michael Kreegar- 1847.10, Vince Oordt- 625.86, Gary Powell- , Gayle Richards- 920.12, Kevin Rohde- 1726.92, Randall Walsh- 1903.85, Bridget Fiedler- 960.00, Kerry Johnson- 949.60, Sara Niles- 1884.62, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1135.20, Kimberly Watson- 2828.48, Caterina Saltzman- 2130.22, Jacob Acero- 1465.83, Ermelinda Ballesteros- 1762.97, Mason Billings- 1273.80, Joshua Blatchford- 1378.58, Rebecca Broer- 1458.60, Judy Case- 1164.66, Elisabet DeRoin- 1168.20, Sandy Dickens- 846.61, Jesse Doelle- $1042.46, Marjorie Donahue- 1377.00, Lisa Ford- 1386.94, Ryan Foster- 1258.36, Linda Frost- 856.80, Alma Gunderson- 1416.24, Amber Hamman- 1076.65, Deanna Haukap- 1349.69, Jeffrey Heitzman- 1310.95, Adam Hough- 1340.00, Michael Jacobson- 1379.95, Brett Johnson- 1366.12, Brenda Kelly- 1382.62, Terry Kern- 1971.15, Keith Klein- 1316.00, James Kleinberg- 1273.80, Paul Moser- 1118.64, Mark Nelson- 1433.65, Travis Olander- 1345.57, Kimberly Peterson- 1320.00, Daniel Rodasky- 1205.23, Cody Roeber- 1273.80, Jutharatana Ruenprom- 1320.00, Timothy Ryan- 1269.94, Linda Schovanec- 1440.45, Francis Tope- 1329.06, Jewel Williams- 1445.42, Cara Wood- 1386.94, Jolene Gubbels- 1049.60, Fred Kellogg- 201.92, Nicholas Long- 630.00, Leon Pies- 661.20, Pamela DeVries- 1677.82, Bonnie Kahler- 752.70, Linda Weitzel- 1184.00, Willard Johnston- 1050.00.
GENERAL FUND: Employee withholding paid to: Federal- $13,515.53, State- $4,636.58, FICA- $5,433.43, Medicare- $1,875.85, Retirement- $6,081.00, Health Plan- $, DC Dental Plan- $, Sheriff Union Dues- $, Deferred Comp- $332.00, Garnishments- $1,530.50.
COUNTY ROAD PAYROLL: Gross salaries- $14,786.44, Road Employees Net Pay- $10,981.06, Employer deductions paid: Retirement- $966.60, DC Health Plan- $, DC Dental Plan- $, Life Insurance- $, FICA- $621.01, and Medicare- $214.41.
Matthew Bartels- 1314.40, Brent Byroad- 1398.40, Robert Hacker- 1314.40, Ron Harder- 466.20, Hans Houfek- 1318.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1697.44, Kimon Litras- 1326.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,475.32, State- $506.99, FICA- $621.01, Medicare- $214.41, Retirement- $644.42, Deferred Comp.- $61.68, Garnishments- $281.55.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item “Approve Accounts Payable Claims.”
Commissioner Gomez moved, seconded by Commissioner McNear to approve the Accounts Payable Claims filed with the County Clerk and submitted by him for payment as follows:
GENERAL FUND: Dakota County Star, publishing/subscription- 601.89; Des Moines Stamp, stamps- 79.90; Midwest Office Automation, fuser/contract- 819.87; Perkins, supplies- 78.87; Theodore Piepho, mileage- 43.34; Derrell Rager Jr, refund- 5.00; Staples, supplies- 68.99; US Bank, supplies- 8.17; AJ Phillips, envelopes- 430.00; As Central Services, services- 115.00; Charlotte Doenhoefer, prior yrs- 10.00; Robert Giese, mileage- 122.76; Ruth Jensen, prior yrs- 12.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; Microfilm Imaging, lease- 240.00; Margie Rahn, prior yrs- 12.00; Electronic Systems & Software, erm- 1600.00; Executive Technologies, contract- 196.11; Dakota Business Systems, contract- 102.00; Deb Green, mileage/meeting- 32.34; Jolene Gubbels, minutes- 30.00; Paul Ireland, mileage/meeting- 22.65; Jim Jepsen, mileage/meeting- 16.02; Dick McCabe, mileage/meeting- 28.26; Arnie Mellick, phone- 30.00; Marlan Millard, mileage/meeting- 18.57; Harold Moes, mileage/meeting- 22.14; Joe O’Neill, mileage/meeting- 18.57; Martin Rohde, mileage/meeting- 23.16; MIPS, scanning- 86.00; Phyllis Obermeyer, food- 50.00; Perkins, supplies- 49.20; Cheryl Perkins, meals/mileage- 139.86; US Bank, supplies- 61.39; Kathy Wiltgen, meals/mileage- 146.57; Dakota Business Systems, lease- 99.00; Dakota County Court, check- 105.25; Dakota County Star, subscription- 37.00; Data Source, toner- 289.00; Paula Jensen, supplies- 40.67; Microfilm Imaging, scanning- 190.50; Midwest Office Automations, contract- 249.27; New Perspectives, shredding- 30.00; Cindy Foley, supplies- 236.40; Paul Vaughan, recorder- 32.09; Perkins, supplies- 540.00; Record Printing, stationary- 38.00; Perkins, supplies- 75.63; Matthew Connealy, court appointed counsel- 120.00; Dakota County Court, costs- 908.12; Randy Hisey, court appointed counsel- 1260.00; Kueny & Begley, court appointed counsel- 60.00; Stuart Mills, court appointed counsel- 600.00; Douglas Roehrich, court appointed counsel- 438.00; Patrick Tott, court appointed counsel- 438.00; West Group, books- 115.00; Dakota County Sheriff, papers/warrants- 484.22; District Court, costs- 486.30; Kami Hooey, transcripts- 100.50; Stuart Mills, court appointed counsel- 2400.00; Douglas Roehrich, court appointed counsel- 322.50; Richard Thramer, court appointed counsel- 574.14; Patrick Tott, training/court appointed counsel- 776.40; Ateam Heating & Cooling, repair- 415.00; Barone Security Systems, inspection- 396.96; City of Dakota City, utilities- 564.25; Gill Hauling, service- 120.00; Joes Dept Store, repair- 56.50; Menards, supplies- 1032.58; Midamerican Energy, utilities- 1293.00; Nebr Public Power Dist, utilities- 3806.31; Richard Jensen, mileage- 120.48; Share Corp, repair- 504.00; Siouxland Lock & Key, supplies- 180.00; Trembly Pest Control, service- 50.00; Verizon, phone- 53.37; PMNRD, rent- 833.33; UNL Extension, reimburse- 1200.76; AJ Phillips, property reports- 350.00; Kerry Bligh, animal control- 150.00; City of South Sioux City, fuel- 7434.35; Dakota County Treasurer, titles- 30.00; Fremont Tire, repair/truck- 233.45; Jacks Uniforms, supplies/clothes- 366.95; Joes Dept Store, supplies- 44.63; K&S Auto Service, repair- 965.80; Liebers Garage, repair- 474.18; Pepperball Tech, bottles- 212.00; SFCU, supplies/meals- 168.93; Sirchie Finger Print, black powder- 139.00; TriState Communications, repair- 125.00; US Bank, meal/supplies/repair- 509.94; Verizon, data cards- 430.18; Walmart, batteries- 72.87; Dept of Motor Vehicles, transcripts- 4.00; H2O4U, water- 24.75; Iowa Office Supply, contract- 137.64; Jennifer Jensen, interpret- 405.00; New Perspectives, shredding- 15.00; Peter Parry, phone- 20.00; University of Nebraska Medical Center, testing- 150.00; Verizon, phone- 134.89; City of South Sioux City, lec cost- 31822.54; Schmader Electric, repair- 2165.00; BI Inc, electric monitoring- 593.40; Net Sys Plus, laptop- 1314.99; Redwood Technology, testing- 25.38; Verizon, phone- 89.40; Ateam Heating & Cooling, service- 85.00; Addison Electric, conduit/repair- 265.54; Aman,

supplies- 1851.95; Aramark, service- 64.37; Bob Barker, supplies- 1110.82; CBM Food Service, meals- 21107.13; CashWa Dist, meals- 19.72; City of Dakota City, utilities- 1009.74; City of South Sioux City, fuel- 695.90; Crescent Electric Supply, bulbs- 97.08; Crittenton Center, medical- 381.21; Dakota One Leasing, contract- 220.00; Marjorie Donahue, mileage- 48.99; Foulk Brothers Plumbing, leaking- 8812.50; Gill Hauling, service- 120.00; Amber Hamman, mileage- 51.17; Hough Distributing, gloves- 1280.00; Jacks Uniforms, clothing- 380.15; Joes Dept Store, supplies- 128.66; Kleen Solutions, supplies- 124.90; Mercy Bus. Health, medical- 1890.50; Mercy Medical Center, medical- 6051.30; Mercy Medical Services, medical- 43.00; Midamerican Energy, utilities- 464.18; Midwest Office Automation, contract/toner- 217.75; Myron Corp, books- 236.29; NE Nebr Juvenile Serv, boarding- 3128.75; NW Iowa Emerg Phys, medical- 2151.00; NW IA Yes Center, boarding- 6650.00; Nebr Public Power Dist, utilities- 4801.71; Radio Accounting Service, ad- 260.00; Sam's Club, supplies- 206.62; Siouxland Federal Credit Union, supplies- 12.67; Siouxland Radiology Partners, medical- 46.00; Speedy Rooter, service- 480.00; Staples, supplies- 471.70; Swank Motion Pictures, license- 429.00; Trembly Pest Control, service- 55.00; US Bank, prescriptions/repair/meals/supplies- 4628.92; Verizon, phone- 290.51; Woodbury Co Juv Det, boarding- 4600.00; Dodge County Clerk, probation billing- 12667.80; Staples, supplies- 49.37; Verizon, phone- 66.47; AZ Inc, fuel- 195.01; Heritage Express, fuel- 124.00; Hubbard Minimart, fuel- 506.50; Joes Dept Store, parts- 43.53; Leon Pies, phone- 30.00; Wilmes Hardware Hank, supplies- 35.16; Aslabeled, dots- 98.31; Pam Devries, mileage- 148.92; Pat Glover, hours- 50.00; Linda Weitzel, mileage- 112.20; Thomas Wente, physician fee- 250.00; Bill Johnston, mileage/phone- 290.85; Midwest Office Automations, supplies- 182.70; Thomson West, service- 711.10; Business Telecomm Systems, service- 254.00; Cableone, internet- 169.96; Cherie Conley, ymca membership- 19.50; Claritus, ink- 140.91; Fibercomm, phone- 1180.43; FSH Communications, payphone- 63.60; Goldstar Products, graffiti- 924.75; IBM Corp, maintenance agreement- 145.72; Mailfinance, lease- 227.00; Mercy Business Health, screening/eap agreement- 1040.75; MIPS, support- 424.62; Nebr Dept of HHS, space rent- 6800.00; NE Nebr Area Agency Aging, fiscal match- 5817.00; Norm Waitt Sr YMCA, memberships- 214.50; Region IV, services- 5320.25; Region 4 Behavioral Health, qtrly services- 7556.00; Romans Weimer & Assoc, audit- 12600.00; Madelyn Thorsland, prior yrs- 10.00; Three Rivers Benefit, admin fees- 110.00; Randy Walsh, ymca membership- 19.50; US Postal Service, postage- 2500.00; Adcraft, signage- 672.00; Bierschbach, signage- 156.60; Joes Dept Store, cable ties- 114.57; Midwest Sales & Service, supplies- 15712.50; Net Sys Plus, service- 180.00; Probuild, stakes- 105.77; Siouxland Concrete, repair- 734.00; Stephan Welding, repair- 354.50; Wood & Aitken, legal services- 528.00; Road Fund, budget transfer- 10000.00;

ROAD FUND: Advance Auto, supplies- 6.19; Aramark, service- 167.07; AZ Inc, fuel- 2812.31; Crane Sales & Service, inspection- 141.63; Dakota County Petty Cash, parts/supplies- 55.50; Dakota County Star, publishing- 9.26; Electronic Engineering, gps- 900.00; Gill Hauling, service- 55.00; Walter Heineman, prior yrs- 29.00; Hubbard Minimart, fuel- 2584.63; H2O4U, service- 30.00; Industrial Tools & Service, supplies- 7.79; Jackson Glass, parts- 85.00; J&J Pronto, fuel- 1027.20; S Jans Contracting, maintenance- 2351.25; Joes Dept Store, supplies- 191.87; Kinetic Leasing, loader/interest- 2458.00; LG Everist, gravel- 18135.53; Low Implement, parts- 476.71; Matheson-Linweld, oxy- 52.00; Medical Enterprises, testing- 31.00; Marlan Millard, prior yrs- 15.00; Motion Industries, parts- 140.87; Nebr Public Power Dist, utilities- 30.82; Northeast Equip, tractor- 900.00; NE Nebr Public Power Dist, utilities- 248.75; NE Nebr Telephone, phone- 243.94; Peterson Sand & Gravel, gravel- 351.00; Pomps, tires- 208.00; Powerplan, parts- 434.30; Rees Mack & Sales, supplies- 61.67; Road Machinery & Supplies, parts- 38.24; Robertson Implement, parts- 62.91; Thermo King Christensen, supplies- 105.03; Torco Remfg, parts- 359.90; US Bank, flag- 52.00; Verizon, phone- 34.55; Warren Oil, diesel- 12774.90; Zieglers, parts/oil/supplies- 326.26;

VISITORS PROMOTION: South Sioux Chamber, lodging tax- 9946.42;

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

STOP FUND: Desert Snow, equipment- 139.95;

HEALTH PLANNING GRANT: Deanna Beckman, hours- 1037.00; Dakota County General Fund, reimburse- 15650.94; Pam Devries, mileage- 141.06; Net Sys Plus, service- 185.99; US Bank, supplies- 1627.31;

CO AID ENHANCEMENT GRANT: Nebraska Crime Commission, funds- 1090.82;

PUBLIC SAFETY: City of South Sioux City, sales tax- 2864.44; Jail Bond Fund, sales tax- 26954.98; Road Fund, mv tax- 811.24;

E911: City of South Sioux City, 911 monies- 25338.75;

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

Chair Bousquet called for the Agenda Item "Commissioner's Committee Reports."
Commissioner McNear reported that he attended a Health Board Meeting and remarked on the amount of money that the Health Nurse did not spend out of her 2010/2011 Budget.
He also reported that Keep NE Nebraska Beautiful may hold an Emergency Meeting if the water level in the Missouri goes down.
Commissioner Love reported that he went to a NE Nebraska Housing meeting for Arnie.

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

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

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

Chair Bousquet called for the Agenda Item "Jail tour – Nebraska Law requires that the County Board tour the County's Jail in January, April, July and October each year. The Board must tour the jail this date or on the 25th."
Board Members Rohde, Love and Gomez toured the new Jail. Commissioner Bousquet and McNear were absent from the tour.

The members touring the jail met in the new jail's lobby at approximately 4:33 pm and waited until approximately 4:40 for Mr. Kern. Mr. Kern was not available for the tour, so the tour was given by Jewell Williams. No comments were asked to be placed in the record.

Vice Chair Rohde adjourned the Regular Meeting of July 25, 2011 at 4:57 p.m.

County Board of Commissioners

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Richard Rick Bousquet, Chair Date Chair signed

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Theodore A. Piepho, County Clerk Date entered in book

DAKOTA COUNTY SEAL NEBRASKA

Dakota County Board of Commissioners
Friday, July 29, 2011 Emergency Meeting
South Sioux City Council Chambers
South Sioux City Hall
South Sioux City, Nebraska

Chair Bousquet called the Board's Emergency Meeting to order at 12:00 noon.
Present were: Commissioners Bousquet, Rohde, McNear, Gomez and Ted Piepho, Secretary.
Absent: Commissioner Love.
The Agenda for this Emergency Meeting shall be as follows:

1. Levee Protection Options.
   - **a.** Guard departure July 31st –Information only.
   - **b.** Olsson and Associates contract – Consider and approve more than one Levee inspection per day at $175 for each inspection – includes minor taping.
   - **c.** Law Enforcement surveillance status. Sheriff and police
   - **d.** Volunteers and waivers.
   - **e.** Lite Form wall removal and opening of that portion of Golf Road.
2. Adjournment

Dennis Nelson called the South Sioux City Council's meeting to order and their roll was taken.

Lance Hedquist reported that the Finance Committee of the City and the County met at 11:30 today and had a recommendation related to those first items.
Mr. Hedquist gave a little background to make sure that everyone was on the same page. At 9:00 a.m. today the Army Corp of Engineers issued their proposed releases from Gavin's Point Dam. The releases are in place to go down to 150,000 cubic feet per second from 160,000 cfps effective immediately. They will keep it at 150,000 until the mid part of August and then it will go down in 5,000 increments per day to August 27th when the releases will be at the 90,000 cfps. You will see a significant drop take place on the Missouri River.
Mr. Hedquist reported that the 31st of this month the National Guard will no longer be in operation here in the city.

Mr. Hedquist summarized the recommendation of the Finance Committee concerning the agenda items. The committee's recommendation from this morning was to keep Olsson and Associates continue checking the levee once a day.
The second recommendation was to have the police and sheriff, with the help of the Community Service Officer, having a monitoring system to watch that the integrity of the levee itself is kept up. It is not a continuous monitoring but people will be assigned and that barriers be placed on the levee to prevent people from driving on the levy. In addition, the City will remove the lite form wall off Golf Road.

A motion and second was made on behalf of the City and Roll was taken.
Commissioner Rohde moved, seconded by Commissioner Gomez to proceed with the recommendations of the Finance Committee of the City and the County.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Absent. UNANIMOUS MOTION CARRIED.

The City Council continued their meeting with other agenda items on their agenda.

Commissioner Rohde moved, seconded by Commissioner Gomez to adjourn their July 29, 2011 Emergency Meeting at 12:20 p.m.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Absent, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED at 12:08 p.m.

County Board of Commissioners

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Richard (Rick) Bousquet, Chair Date Chair signed

DAKOTA COUNTY SEAL NEBRASKA

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Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
August 8, 2011 Regular Meeting
County Board Meeting Room
Dakota County Courthouse
Dakota City, NE 68731

Chair Bousquet called the meeting to order at 4:10 p.m.
Present were: Commissioners Love, Gomez, Bousquet, Rohde and Ted Piepho, Secretary and County Clerk. Absent: McNear.
Joan Spencer, Board Assistant and Kim Watson, County Attorney were also present.

The agenda for this meeting was as follows:

- Call meeting to Order.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meeting.
- Mick Connealy – Representing Leon Jessen
  - Mr. Connealy and Mr. Jessen to discuss the County's position and progress in analyzing the flooding at the Jessen Property and options for dealing with the problem.
- Greg Meyer from Buehl Winter and Donna Hirsch, Jackson Village Clerk are appearing because Jackson is moving forward with the paving of Monona Blvd. Due to the usage of the street, the Village of Jackson is requesting that Dakota County support and fund the 2 additional inches of cement needed. The estimated cost of the increase in cement is $23,000.
  The Jackson Village Board is also looking to pave beyond the village limits to the bridge, which is approximately 300 feet. The cost of the 300 feet is estimated as $39,000.
  To complete this project Jackson will need the washed out culvert repaired for detour traffic.
  - Authorize repairs on a washed out culvert to detour traffic by Ryan Property.
  - Approve to financially support the two projects with current or future funds.
- Randy Walsh, Captain - Sheriff's Office
  - Distress Warrant Report to Board of Commissioners
  - Request permission for sheriff to spend monies on a vehicle
- Miscellaneous Agenda Items
  - Authorize Chair to sign application requesting grant funding from the Storm Water Management Plan Program for $8,763. The City of South Sioux City will provide the 20% matching funds of $1,753.
  - Approve National Guard Appreciation Resolution 11C-012.
  - Approve Payroll Claims.
  - Approve Accounts Payable Claims.
  - Officials Reports
  - 2011 Missouri River Flood: Status update, further discussion and action of any and all current or foreseeable issues relating to the flood, including but not limited to the Incident Action Plan, levee surveillance, maintenance, and repair; current and projected flood levels; current and projected groundwater levels; equipment and materials available or needed; personnel available or needed; volunteers; overtime; roads; emergency routes; communication status; infrastructure; safety; City/County Interlocal Agreement; fiscal status and accounting; NEMA; FEMA; National Guard; County Sheriff's Office; State Patrol; Olsson Associates; Hans Excavating; Army Corp of Engineers; bonding and/or tax levy issues; and any other disaster or flood related issues needing attention.
- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- Adjournment

Chair Bousquet called for the Agenda Item "Approve Minutes of prior meeting."
Commissioner Gomez moved, seconded by Commissioner Love to approve their minutes of July 29, 2011, Emergency Meeting as typed and prepared for the Official Record.
ROLL CALL VOTE: Rohde- Yea, McNear- Absent, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Mick Connealy – Representing Leon Jessen to discuss the County's position and progress in analyzing the flooding at the Jessen Property and options for dealing with the problem".

Mick Connealy stepped up to the podium and offered the following comments regarding Leon and Janice Jessen's request for culvert installation and said that they are here today to hear from the Board as to where this matter stands. We (referring to himself and Mr. & Mrs.Jessen) left the July 11, 2011 Board meeting with the understanding that the Board had concerns about installing a culvert for two reasons: (1) the costs involved, and (2) that the Jessens would not receive sufficient relief if a culvert is installed. We (referring to himself and Mr. & Mrs.Jessen) have since been provided information from the Dakota County Attorney that the Board now believes that the County does not have liability to the Jessens for constructing the road and causing the flooding and that the County further believes that they would have liability to lower lying land owners if a culvert is installed. At this point, We (referring to

himself and Mr. & Mrs.Jessen) feel as if the County's position is changing and that the goal posts are moving on the Jessens.
I (Mr. Connealy) would first like to re-address the issue of the County's liability. I (Mr. Connealy) did address this issue at the July 11, 2011 meeting and I (Mr. Connealy) have provided the applicable Nebraska case law to the County Attorney. Simply put, the County has a duty to install a culvert to allow for the natural flow of water because the County: (1) constructed a road that has caused water to back up and flood the Jessen property, and (2) approximately 30 years ago, raised the road which contributed to this problem. As to the road construction 30 years ago, the Jessens lived on the property and actually witnessed this and would be able to testify to it. The road in its current form, as created by the County, is preventing the natural flow of water. Water is pooling on the Jessen property and it is not being allowed to naturally flow to the lower elevations on the other side of the road. All the information provided to the County Board has shown that there are lower elevations on the other side of the road. So it should be obvious to the Board that the water would naturally flow in that direction. Based on this information, the County Board should conclude that they have a legal obligation to install the culvert.
I (Mr. Connealy) would also like to address this idea that the County could be liable to a lower land owner. In my opinion, there would be no liability for performing a legal duty to allow for the natural flow of water. If there is any sentiment among the Board or County officials that a culvert would somehow "change the natural flow of water", this needs to be addressed now. As it currently stands, the water on the Jessen property is not flowing. In fact, it is being prevented from flowing. Therefore, the installation of a culvert would not change the flow of water; rather, it would simply allow the water to flow. This is what Nebraska law mandates; it mandates that all property owners allow for the natural flow of water. The only liability for the County is with inaction. Failing to act to install a culvert would not only open the County up to a lawsuit that would require the County to install the culvert, but could also lead to the County being held liable for the damages caused to the Jessens from the flooding.
Third, and finally, is the idea of cleaning and deepening the ditches to provide relief to the Jessen property. This was an idea that was given by members of the Board as a potential alternative to the culvert. It is very confusing now to hear that the Board has no intention of following through with maintenance to the ditches around the Jessen property. This was an idea that was not satisfactory to the Jessens at the time of the last meeting, but at least they felt that the County was doing something to try to help them. Cleaning and deepening the ditches would clearly provide some relief to the Jessens, and overall, we (referring to himself and Mr. & Mrs.Jessen) don't understand what the downside of this would be or who would be hurt by it. I (Mr. Connealy) also want to draw the County's attention to Neb. Rev. Stat. 31-225 which requires landowners and tenants who farm the ditches to annually maintain the ditches. We (referring to himself and Mr. & Mrs.Jessen) would ask that the County act to enforce this ordinance around the Jessen property.

Janice Jessen stepped up to the podium and said: "I wanted to talk to you this afternoon because I think that when we first came to the first meeting in June that we were so upset with what had happened with the flood and the aftermath and actually having been attacked that previous weekend that we didn't do a very good job explaining what actually happened and what the flood caused and the aftermath and how much our loss actually is. And so I'd like your patience if you will to let me go through for a few minutes to explain what had actually occurred.

On Monday, June 20th at 11:30 at night, our basement flooded from a 5-6" or more rainstorm that resulted in water filling our backyard and all of our pasture and from drainage of adjacent farm fields into our property that was trapped by the road in front of our house. That flash flood flowed over the top of our septic system and down into our basement. The water came up so quickly that in the space of a little over 30 minutes, we had 4 inches of water in our entire basement.

Leon and I worked all night trying to salvage as much as we could. When I say our basement got flooded, I don't think anybody really understands what that means. We remodeled our home 3 times over the last 30 years we've lived there. The last time was
5 ½ years ago. We extensively remodeled the main floor and completely finished our basement to the tune of $75,000. That means we had a large family room, two bedrooms and a bathroom. In the family room we had a couch, end tables, recliners, a wet bar, a big screen TV, oak entertainment center, an antique theatre organ and a standard size slate pool table. In all, just the financial loss now for replacement and cleanup is almost $30,000. So this wasn't a cement basement that got flooded. It was a living space that was completely decorated.

We spent most of our time in that family room. It was our sanctuary. It was where my oldest son, Shawn, and I spent time together talking late at night when he came home. And his bedroom in this house was in the basement. In 2008 when he died, we brought his things back to our home and placed them in that bedroom. That bedroom is gone now, along with most of the furniture in his room and some of his personal things. I don't expect you to understand that unless you're a mother and you've lost a child, but the pain of losing that room and having to go through his things and his clothing before I was ready, makes this whole situation that much more awful.

The next day we discovered that ground water was now flowing into the basement in addition to the flood that was swelling from both Bartels' field to the north and Bliven's field to the west. We also had a visit from a Dakota County resident who told us it was the county's responsibility to provide proper drainage for the road and that we should contact Bill Rohde to request a culvert be installed because of the way the road was built on F Avenue.

Now begins what I call the aftermath. And the aftermath has been every bit as painful, stressful and miserable as the flood. We did contact Mr. Rohde the next day and explained our situation and asked that he come out and take a look at the property so he could better understand our problem. He refused to come out.

Leon also contacted Ken Bartels to ask him if it would be okay if we pumped water out of our pasture into the ditch next to his field on the other side. When he took a look at it, he said that we could pump the water but when he noticed that Jim Bliven's field flood water was flowing into the back of our acreage, he told Leon that we could pump the water out of our pasture as long as we didn't pump Bliven's water.

We had hired a contractor to drop sump pumps in holes dug in the lawn and we also built a small berm on the west end of the property to stop Bliven's floodwater from draining into the pasture so could pump the water out according to Mr. Bartels' conditions. That work took place on Friday following the Monday flood.

On Saturday morning, Leon noticed Ken Bartels driving around our property and stopping at the west edge of it looking at what we assume was our pasture and Bliven's field. Shortly after that, I noticed a strange man, whom I didn't recognize, driving a 4-wheeler around our property. He proceeded to come back at least three times and drove slowly around the acreage and even drove his 4-wheeler up into our lawn. I thought at first he was going to offer us some help. It was obvious that we were in trouble because we still had water standing all over the acreage and we had a 22 ft. dumpster in our driveway that we were filling with furniture. But as he was leaving the last time, Leon happened to be upstairs and I asked him who it was. He indicated that it was Jim Bliven. It was rather too much of a coincidence that he would be inspecting our property so soon after Mr. Bartels had been there. I had never seen this man before anywhere near our property.

However, we soon learned Mr. Bliven's purpose. That afternoon, Mr. Bliven and Bill Rohde drove on our property. Mr. Bliven demanded that we remove the berm that we built since it was "blocking the natural flow of water". When Leon explained that the county road was the actual culprit that was "blocking the natural flow of water", a rather heated discussion followed. I told him at that time what I believed is that we had $25,000 in damages and they just ignored me. Mr. Bliven then threatened if we would not remove the dirt that was extending into the ditch next to our property he would come back and remove it himself. While legally he had no authority to do anything on our property or in the ditch even, Leon did direct the contractor to remove the dirt because we just wanted Mr. Bliven and Mr. Rohde to leave at that point.

We don't understand why Mr. Bliven couldn't have knocked on our door and a civil conversation with us rather than bringing a County Commissioner with him. He created a confrontation rather than a conversation.

What we don't understand is why. We have lived in that home for almost 30 years. We have never had any problem with Mr. Bliven or Mr. Bartels. In fact, I don't believe we've ever had any personal interaction with Mr. Bliven. Media stories in Siouxland have told about neighbors helping neighbors and even strangers helping people when they are flooded. Instead, we are being attached by our neighbors in our efforts to save our property.

Leon then attended the Monday morning flood meeting and was told that Fred Kellogg would call him. Mr. Kellogg did call him but only to tell him that if we already had a culvert, they would come out and clean it, but they would not install one where there wasn't one. It was at this point that we decided it would be necessary to be before the Board of Commissioners meeting that afternoon. We were upset and felt very much under attack because of the weekend's events. However, we believed at that point, that if we explained what we believed was a very logical request, you would grant our application. After all, we were simply asking for a culvert that, in our opinion, should have been installed years ago, to now provide some assurance that if this ever happened again, that we would have some safeguard.

That feeling of being under attack continued to grow following the Board meeting. On the way home from that Board meeting, we didn't realize it but the County Sheriff was following us in an unmarked vehicle. As we pulled in the driveway and went into the house, he pulled up in the middle of the road in front of our house. We found out later from our flood workers that it was the Sheriff and he told them they could not pump the water out of our pasture. He told them that he had just come from a meeting and was told in the meeting to tell us that we could not pump the water. I would also mention at this point, that my husband had asked Mr. Kellogg if we could pump the water after getting Mr. Bartels' permission. He's been trying to do the right thing. And Mr. Kellogg said he wouldn't prevent us as long as he didn't get any complaints. So at this point, we didn't know what was going on. And that was at that point that we contacted our attorney to represent us.

Throughout this time, water continued to flow into our property and into our basement from both the fields. We were forced to have the contractor dig a 4 ft. deep by 4 ft. wide trench and erect a berm around our entire property, on three sides. So our whole acreage is torn up. That's the only way that the water finally stopped flowing. Pumping the water alone could not stop that flow, regardless of what Bliven and Bartels had to say in the meeting about how it was just a matter of pumping the water out. And of course, now we were told we couldn't pump it out anyway. And so, it took 3 weeks but finally on July 15, the water stopped flowing into our basement.

And now, this is our dilemma. If we try to sell this property without the finished basement, we will lose a substantial amount of money based on our home's previous appraisal. And if we do finish the basement with no safeguards in place and something happens again, we're out – again. And we have to disclose that there was a flood there if we try to sell the property at some future date. And without any remedy, even if we have a finished basement, the property value will go down.

We have been responsible citizens of this County for years and my husband has given countless volunteer hours to the Dakota County Fair and 4-H. We believe that as residents in good standing of this county, that we should expect fair, objective treatment, above politics and personal friendships. We are simply asking for a fair remedy. That we someday can afford to rebuild our basement and that we can trust that our property is somewhat protected. And that we can eventually sell that property and not take a significant financial loss. We do believe that this remedy is exactly what the Nebraska statute dictates, for safety and public health. The terrible stress that we've been put under and the financial damages we've already suffered speak directly to health and safety."

Leon Jessen stepped up to the Podium and offered the following comments.

At the July 11th meeting, comments were repeatedly made by various people that they did not believe we (referring to himself and Janice) would receive much relief from putting a culvert across F Ave. Those comments are inconsistent with the measurements shown on Fred's report with respect to the ditches on the East side of F Ave just South of where it intersects with 190th St. (going South or East). The highest point that Fred measured with respect to the ditch that runs South is almost 10 inches lower than the top of our (referring to his and Janice's) pasture, and is 200 hundred yards (not 200 feet) South of the intersection of F Ave and 190th St. The highest point Fred measured with respect to the ditch that runs East is almost 4" lower than the top of our (referring to his and Janice's) pasture, and the last measurement that Fred did is 150 yards East of the intersection of F Ave and 190th St. These measurements alone show that there would be 350 yards of ditch that would have held approximately 16 inches of water before there would have been any water backing up onto our (referring to his and Janice's) property, and we (referring to himself and Janice) only needed the water depth on our (referring to his and Janice's) property to be 2 inches lower in order to have prevented a substantial economic loss. In reality, water would flow past the last measurements that Fred did with respect to both the South and east bound ditches before it would back up onto our (referring to his and Janice's) pasture because none of the measurements that Fred did are higher than our (referring to his and Janice's) pasture. This is factual information that is supported by Fred's report, not just some statement off of the top of my head.

At the July 11th, meeting there was a comment that "The Road Committee and Fred were assigned to look at this situation again". That has never happened, and we (referring to himself and Janice) have never received a call explaining why that did not happen.

At the July 11th meeting there was some discussion about the possibility of cleaning out the ditches on both sides of 190th St. However, it is my understanding that after the meeting Kenny Bartels and Jim Bliven expressed some concerns about cleaning out those ditches. Those ditches have become filled over the years because both Kenny and Jim basically farm these ditches. It is my opinion that they have caused these ditches to become filled. Putting in a culvert across F Ave is our (referring to his and Janice's) primary request, however, we (referring to himself and Janice) do believe these ditches should be cleaned and maintained.

I (Mr. Jessen) also want you to understand that the fields that are north and west of our (referring to his and Janice's) property (which are the fields from which water drained onto our (referring to his and Janice's) property) are owned and / or farmed by the same people who own and / or farm the land on the East side of F Ave. and who are objecting to our (referring to his and Janice's) request for a culvert. I do not understand how they can honestly believe that the natural flow of water would just magically completely stop flowing at the East end of our (referring to his and Janice's) property line. We (referring to himself and Janice) get the feeling that they want us to be the dumping ground for their excess rainfall and they don't understand why we (referring to himself and Janice) don't just accept that. After all, that is the agreement and practice amongst the people living on the bottom. Surely there can be some form of relief given that would prevent one person from dumping onto another person's property.

My concern is that the Board is more concerned with going against the policy of not putting in a culvert where one does not already exist than they are with doing what is right. That position, when enforced as an absolute rule that can not be broken, goes against the need to provide for public health and safety, and goes against what we (referring to himself and Janice) believe is the legal and morally right thing to do. It seems as if this whole process has been a tactic based on the theory that we (referring to himself and Janice) will not be willing to incur the expense of forcing the issue in court. I believe it is a sad state of affairs when those who govern make decisions based on whether or not their constituents can afford to sue them to force them to do what they should know is the right thing to do.

One last comment on the ability of water to flow from our (referring to his and Janice's) property to the East side of F Ave. I have gone to the Natural Resource Center and received a map that shows that a large portion of the property on the East side of F Ave has an elevation that is one foot lower than the elevation of our (referring to his and Janice's) property. That should take away the argument that we (referring to himself and Janice) would not receive much relief, and I believe that this is the real reason Mr. Bartels and Mr. Bliven are objecting to a culvert being put in because they already know that. A foot of water over that large of area would have emptied out his pasture. He doesn't see the argument of them not getting much relief.

I believe all of the facts we (referring to himself and Janice and Mick Connealy) have presented support that if a culvert were put across F Ave. just South of where it intersects with 190th St, water would continue flowing to the East. The Board should allow it as a matter of public health and safety.

Mr. Jessen asked the Board what their concerns were. He didn't feel that he had gotten a straight answer because he thought that he successfully argued the natural flow of water and would get a lot of relief from that culvert and thought that argument was invalid and asked what the Board's other

concerns were.

Commissioner Love said that he thought that was their only argument. When Fred and I went out and did the elevations, it was simple to me that it was not going to relieve you as much as you thought it would.

Mr. Jessen asked if he would like to see the measurements that Fred did again and Commissioner Love said that he was with him (Fred Kellogg) when he did the elevations and didn't need to see them.

Commissioner Rohde said that that is not a very big area and Mr. Jessen replied that he can show the map that shows that field is a foot lower than his pasture.

Mr. Fred Kellogg, Highway Supt., said that it has not happen in 30 years before and the County has no record of a culvert ever being on that so we (the County) would be changing the flow of water to have it go across F Avenue to the east. That is against the law. You can not start changing the flow of water that has never been …ah... Mr. Bliven or anybody else can show in the last 50 years that the flow of water has never been that way and the County would be changing the flow of water on their property. If there was a concern when you moved there and you would have said "I am concerned that I will have water problems and I want it (the culvert) - that would be different. To live there for 30 years, or to show in 50 years record that we (the County) have never had a culver running across there, that would mean that the County would actually be changing the flow of water at that time.

Mick Connealy asked the Commissioner to address that particular interpretation of law with the County Attorney because Mr. Connealy, with all due respect to Mr. Kellogg, said that he believes what Mr. Kellogg said was inaccurate. It is not a correct statement of Nebraska Law on how the natural flow of water is detected in the state and the case law that he has provided and discussed with the County Attorney makes that very clear. There are cases all the time where the County is forced to do this and is found liable for damages resulting from road construction many decades ago. The fact that this happened a long time ago and we have never had any problem with it, my interpretation of the law and review of case law has no impact upon the claim. So Mr. Connealy asked the Commissioners to discuss the interpretation of the law with the County Attorney.

Mr. Jessen asked the Board to vote up or down, but thought that what Mr. Connealy said may delay that. Mr. Jessen said that he thought that he has presented the facts and water is going to flow where it should have flowed and going back into History and say, "Did it ever flow? I have talked to people in Jackson and they said that in 52 the water came in at Jackson and flowed right on through there to Homer. If you look at that map you can see that the elevations start in the northeast and the elevation just keeps getting lower as it moves southeast and it just keeps dropping and it would have flowed right on through there. When someone raised F Avenue, it became a dam. Most of the water was sitting on the west side and F Avenue. That became a dam and the fact that it was done 30 years ago is irrelevant in my opinion and needs to be corrected,

Chair Bousquet asked the Board what they wanted to do.
Mr. Gomez expressed that they need to consult with the County Attorney themselves and look at the statutes.
Commissioner Rohde thought that was a good idea.
Chair Bousquet informed everyone that the Board would consult with the County Attorney and it will be back on the agenda for the next meeting and the Board will make an up or down decision what the Board is going to do.

Chair Bousquet called for the Agenda Item "Greg Meyer from Buehl Winter and Donna Hirsch, Jackson Village Clerk are appearing because Jackson is moving forward with the paving of Monona Blvd. Due to the usage of the street, the Village of Jackson is requesting that Dakota County support and fund the 2 additional inches of cement needed. The estimated cost of the increase in cement is $23,000."

The Jackson Village Board is also looking to pave beyond the village limits to the bridge, which is approximately 300 feet. The cost of the 300 feet is estimated as $39,000.

To complete this project Jackson will need the washed out culvert repaired for detour traffic.

- Authorize repairs on a washed out culvert to detour traffic by Ryan Property.
- Approve to financially support the two projects with current or future funds.

Greg Meyer stepped up to the podium and said that Donna had an illness and would not be here. Mr. Meyer distributed a map to the board members showing the location of the project and what it involved. He also interpreted the map. He said that the figures that Donna supplied were strictly construction costs.

He added that Monona Blvd. was the Old Highway 20 and serves more county residents then village residents. The Village of Jackson expects the axle weights to be more than what is needed for village residents; therefore the project was bid at an eight inch thickness rather than a 6 inch thickness. This follows the precedent that was set with John Street a few years ago when the village paved a portion of John Street going out by the school to the north. The County participated at the time and helped with the additional thickness so the village is asking for some assistance and paving the portion outside village limits.

Mr. Meyer said that the village is financing this project so if it is beneficial to the County, payments could be worked out for a later date.

Commissioner Rohde asked when they were planning on starting this project and Mr. Meyer said that they plan to start the project within the next 30 days and completed yet this fall.

Chair Bousquet confirmed the figures to be $26,181.65 and $44,438.36.

Leonard Gill said that what they were requesting was pretty standard across the state. Mr. Gill said that the reason for the additional 300 foot is because it is necessary that they do the paving out to the culvert to get the storm drainage to empty into that ditch. Mr. Gill thought that Ron and Joe Gill are going to extend the paving some more, at their own expense, to get it out to their driveway leading into their shop. They are not asking for any help for that extension, but it will eliminate a little more county road that the County does not have to repair.
Mr. Gill reminded the Board that that was Old Highway 20, and every time that there is an accident, the traffic is detoured to that road. He added that when the train derailed by the Ethanol Plant that traffic was detoured and did quite a bit of damage to the county road and on the west end of Monona Blvd. He reiterated that the road serviced a small number of Jackson residents. He went on to say that they would appreciate the County's consideration on the additional 2 inch thickness and strongly consider the other 300 feet because it has to be done to make this project complete.

There was discussion by county personnel how they would pay for the project.

Mr. Leonard Gill spoke up and said that they will have long term financing lined up, either through the Bank of Dixon County or by Bonds and said that they were not asking for the money next week, month or year. What they would like is to receive the money in five to ten years.
Mr. Gill informed the board that they would like to have some kind of commitment today what the Board would do on these projects.
Commissioner Gomez expressed that they want to do it but that they wanted some time to figure out where they were going to get the money. Chair Bousquet commented that the County's portion would be about $70,620.
The consensus of the Board was to put it on the August 22nd Agenda.
Chair Bousquet asked about the culvert by the Ryan Property.
Fred Kellogg said that they were waiting for a hydraulic study and added that since they want to start the project, there is one culvert there and the Road Department will go ahead and put that in and then, depending on the study, will add a culvert sized to the hydraulic study, if needed.

Chair Bousquet called for the Agenda Item "Randy Walsh, Captain - Sheriff's Office
- Distress Warrant Report to Board of Commissioners
- Request permission for sheriff to spend monies on a vehicle

Randy Walsh appeared before the Board and gave the following report.

August 8, 2011

Dakota County Commissioners

The Dakota County Sheriff's Department returned the 2010 Distress Warrants to the Dakota County Treasurer on August 1st, 2011.

There were 228 Distress Warrants issued on November 1st, 2010 totaling $448,340.20

Of the 228 Distress Warrants:

197	are satisfied totaling	$ **444,666.00**
	Additional interest collected	$ **20,767.17**
	Paid to County Treasurer	$ **0.00**

****

Total Amount Uncollected: $ **3,660.20**

(this amount includes ones sold at Sheriff's sale, ones to be stricken, any removed by correction, and any unsatisfied distress warrants)

14	were sold at sheriff's sale	$ 497.53
17	are to be stricken	$ 3,176.67
0	removed by correction	$ 0.00
	Total Uncollected	$ 3,674.20
	Less amount garnered from sheriff's sale:	$ - 14.00
		$ 3,660.20

****

Total Collected:	$ 465,433.17
Additional Collection from sheriff's sale	$ 14.00
GRAND TOTAL COLLECTED:	**$ 465,447.17**

****

Attached is a list a list of the parcels that were sold at Sheriff's Sale:
PROPERTIES SOLD AT SHERIFF"S SALE:

DW#	Property ID #	Name	Amount
2068	220155194	Dennis Habben	$ 52.64
2170	220109168	Curtis Rust	$ 11.29
2173	220157901	Curtis Rust	$ 26.37
2175	220157529	Curtis Rust	$ 27.80
2177	220158053	Curtis Rust	$ 22.19

2178	220158177	Curtis Rust	$ 45.62
2180	220125961	Curtis Rust	$ 56.34
2182	220157588	Curtis Rust	$ 11.57
2183	220156093	Curtis Rust	$ 21.81
2184	220157464	Curtis Rust	$ 30.06
2186	220157790	Curtis Rust	$ 29.50
2189	220175101	Curtis Rust	$ 54.16
2202	220125880	Phae Singkeo	$ 47.23
2217	220169055	Justina Tyndall	$ 60.95

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Total # of Properties sold at Sheriff's Sale: **14**

Total Amount of Taxes due on property sold at Sheriff's Sale = $ **497.53**

Attached is a list of the parcels that the sheriff's office is recommending to strike:
Personal Property Taxes to be Stricken

DW#	Property ID#	Property Description	Reason	Amount
2004	220219378	Property of Alltel Wireless	Out of Business	$ 24.59
2032	220107548	1976 Atlantic Mobile Home	Vacant Lot	$ 144.43
2037	220209286	1974 Bellavista Mobile Home	Vacant Lot	$ 99.58
2047	220219447	Property of First Portland Corp	Bankruptcy	$ 692.47
2048	220110239	1972 Redman Mobile Home	Vacant Lot	$ 79.10
2079	220108331	1966 Detroiter Mobile Home	No Bid at Sale	$ 57.57
2106	220179573	1959 BKWD Bendix Mobile Home	Vacant Lot	$ 44.27
2119	220190836	1975 Riviera Mobile Home	Vacant Lot	$ 60.17
2128	220201854	1972 Invader Mobile Home	Vacant Lot	$ 32.22
2161	220216274	1968 Homette Mobile Home	Vacant Lot	$ 40.86
2168	220130639	1974 Mark IV Mobile Home	Vacant Lot	$ 52.46
2169	220109990	1963 Skyline Mobile Home	Vacant Lot	$ 19.44
2185	220157472	1974 Rosewood Mobile Home	Vacant Lot	$ 35.67
2187	220157693	1966 Nashua Mobile Home	Vacant Lot	$ 26.37
2188	220200181	1973 Town & Country Mobile Home	Vacant Lot	$ 88.77
2204	220219355	Property of Snap Fitness	Out of Business	$1,564.69
2220	220111537	1972 Astra Mobile Home	Vacant Lot	$ 114.01
				========

Total # of Properties to be Stricken at request of Sheriff's Office = **17**
Total Amount of Personal Property Taxes to be Stricken = $ **3,176.67**

Mr. Walsh asked permission from the Board to purchase a used 2006 GMC 4 door 4X4 with 80,000 miles for $9,900 to replace the Ford F150 pickup with 222,000 miles that the Sheriff is driving. He said that the pickup was very loose and should not be trusted for high speed pursuit.
Commissioner Gomez moved, seconded by Commissioner Love to authorize the Sheriff's Department to purchase the GMC four door 4X4 bearing the serial number 1GCEK19Z76Z276316 for $9,900 from Federal Surplus.
ROLL CALL VOTE: Rohde- Yea, McNear- Absent, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Authorize Chair to sign application requesting grant funding from the Storm Water Management Plan Program for $8,763 and the City of South Sioux City will provide the 20% matching funds of $1,753".
Commissioner Rohde moved, seconded by Commissioner Gomez to authorize Chair to sign the application requesting grant funding from the Storm Water Management Plan Program for $8,763 and the City of South Sioux City will provide the 20% matching funds of $1,753.
ROLL CALL VOTE: McNear- Absent, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Approve National Guard Appreciation Resolution 11C-012".
Commissioner Rohde moved, seconded by Commissioner Gomez to adopt Resolution 11C-012 that the Dakota County Board of Commissioners does hereby officially recognize and thank the Nebraska National Guard's 189th Transportation Company and respectfully asks all citizens alike to join in expressing our sincere thanks, gratitude, and appreciation for the many long hours of outstanding service and quality performance these outstanding individuals provided to assure the safety and welfare of all, as follows:

BOARD OF COMMISSIONERS
DAKOTA COUNTY, NEBRASKA

RESOLUTION 11C-012

RESOLUTION OF APPRECIATION TO THE NEBRASKA NATIONAL GUARD'S
189th TRANSPORTATION COMPANY

WHEREAS, the Nebraska National Guard's 189th Transportation Company, led by SFC (ret) Mark Zimmerman and SSG Riley Beaman, assisted with levee monitoring in South Sioux City, Dakota County, Nebraska, throughout June and July of 2011; and,

WHEREAS, the 189th Transportation Company went above and beyond what their orders required of them; and,

WHEREAS, the Dakota County Board of Commissioners takes this time to recognize, sincerely thank, and commend the 189th Transportation Company for the dedicated service they provided on a daily basis throughout June and July, 2011, to the citizens of Dakota County, Nebraska; and,

NOW, THEREFORE, BE IT RESOLVED that the Dakota County Board of Commissioners does hereby officially recognize and thank the Nebraska National Guard's 189th Transportation Company and respectfully asks all citizens alike to join in expressing our sincere thanks, gratitude, and appreciation for the many long hours of outstanding service and quality performance these outstanding individuals provided to assure the safety and welfare of all.

Resolved this 8th day of August, 2011.

/s/ Richard Bousquet
Richard Bousquet
Chair
/s/ Scott Love
Scott Love
Commissioner
/s/ Bill B. Rohde
Bill B. Rohde
Commissioner
APPROVED AS TO FORM:

/s/ Antonio A Gomez
Antonio Gomez
Commissioner
Absent
Richard McNear
Commissioner
ATTEST
/s/ Theodore A. Piepho
Theodore A. Piepho, County Clerk
/s/ Kim Watson
Kim Watson, County Attorney

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

Chair Bousquet called for the Agenda Item "Approve Payroll Claims".
Commissioner Gomez moved, seconded by Commission Love to approve the Payroll Claims submitted by the County Clerk as follows:
COUNTY GENERAL FUND: Gross salaries- $130,605.37, General Fund Employees Net Pay- $93,873.08, Employer deductions paid: Retirement- $9,100.41, FICA- $7,886.95, Medicare- $1,844.54, DC Health Plan- $22,750.00, DC Dental Plan- $988.26 and Life Insurance- $201.82, Principal Mutual Life Insurance- $1189.51.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1365.13, Daniel Christoffers- 584.00, Theodore Piepho- 1748.23, Mary C. Wiltgen- 984.00, Marisol Curiel- 982.40, Darlene Davis- 953.60, Stephanie Gatzemeyer- 880.00, Robert Giese- 1748.23, Ruth Gillaspie- 1266.78, Jolene Heinemann- 1025.21, Tracey Rysavy- 978.40, Cherie Conley- 984.00, Daniel Christoffers- 584.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Elda Raudales- 163.68, Zachary Gerth- 1608.46, Debra Jensen- 1119.20, John Loos, Jr.- 2186.59, Katherine Wiltgen- 960.00, Richard Jensen- 1683.59, Duane Kotalik- 1384.00, Tammy Dunn-Peterson- 1075.52, Anthony Bos- 1726.92, Sergio Castillo- , Timothy Decker- 1903.85, Sandy Dickens- 487.04, Brian Ellinger- 1974.46, Michael Estes- 1568.97, Brent Gilster- 2138.23, Todd Hammer- 1764.64, Melvin Harrison III- 1982.10, Jason James- 1693.20, Douglas Johnson- 1903.85, Kimberly Johnson- 455.51, Jared Junge- 1904.52, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1868.27, Michael Kreegar- 1693.60, Vince Oordt- 65.88, Gary Powell- 230.58, Gayle Richards- 914.41, Kevin Rohde- 2499.77, Randall Walsh- 1903.85, Bridget Fiedler- 959.40, Kerry Johnson- 949.60, Sara Niles- 1884.62, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1135.20, Kimberly Watson- 2828.48, Caterina Saltzman- 1230.22, Jacob Acero- 1366.17, Ermelinda Ballesteros- 1378.58, Mason Billings- 1343.28, Joshua Blatchford- 1391.11, Rebecca Broer- 1458.60, Judy Case- 1223.07, Elisabet DeRoin- 1945.23, Sandy Dickens- 821.88, Jesse Doelle- $1052.10, Marjorie Donahue- 1385.50, Lisa Ford- 1366.17, Ryan Foster- 1273.80, Linda Frost- 856.80, Alma Gunderson- 1378.42, Amber Hamman- 1275.21, Deanna Haukap- 1362.08, Jeffrey Heitzman- 1330.58, Adam Hough- 1312.00, Michael Jacobson- 1302.75, Brett Johnson- 1361.96, Brenda Kelly- 1382.62, Terry Kern- 1971.15, Keith Klein- 1320.00, James Kleinberg- 1273.80, Paul Moser- 1192.98, Mark Nelson- 1433.65, Travis Olander- 1362.08, Kimberly Peterson- 1312.00, Daniel Rodasky- 1378.59, Cody Roeber- 1273.80, Jutharatana Ruenprom- 1946.00, Timothy Ryan- 1298.89, Linda Schovanec- 1396.80, Francis Tope- 1320.80, Jewel Williams- 1612.55, Cara Wood- 1370.33, Jolene Gubbels- 1049.60, Fred Kellogg- 201.92, Nicholas Long- 630.00, Leon Pies- 661.20, Pamela DeVries- 1677.82, Bonnie Kahler- 775.86, Linda Weitzel- 1197.88, Willard Johnston- 1050.00.
GENERAL FUND: Employee withholding paid to: Federal- $13,171.82, State- $4,537.11, FICA- $5,342.79, Medicare- $1,844.54, Retirement- $6,161.72, Health Plan- $1400.00, DC Dental Plan- $504.00, Sheriff Union Dues- $405.00, Deferred Comp- $332.00, Garnishments- $1,378.74, Aflac Health- $410.23, Aflac Life/Dsbl- $161.87 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $14,440.24, Road Employees Net Pay- $10,264.73, Employer deductions paid: Retirement- $966.60, DC Health Plan- $2750.00, DC Dental Plan- $119.46, Life Insurance- $22.62, FICA- $871.59, and Medicare- $203.84, Principal Mutual Life Insurance- $213.21.
Matthew Bartels- 1314.40, Brent Byroad- 1398.40, Robert Hacker- 1314.40, Ron Harder- 120.00, Hans Houfek- 1318.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1697.44, Kimon Litras- 1326.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,380.44, State- $474.45, FICA- $590.41, Medicare- $203.84, Retirement- $644.42, DC Dental Plan- $84.00, Reassure America Life- $4.88,

Deferred Comp.- $61.68, Garnishments- $281.55, Aflac Health- $138.29, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $160.00 and Union Dues- $140.00.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Yea and McNear- Absent. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Approve Accounts Payable Claims" and there were none other than the ones associated with payroll.
Chair Bousquet called for the Agenda Item "Officials Reports" and they will be submitted next meeting.

Chair Bousquet called for the Agenda Item "2011 Missouri River Flood: Status update, further discussion and action of any and all current or foreseeable issues relating to the flood, including but not limited to the Incident Action Plan, levee surveillance, maintenance, and repair; current and projected flood levels; current and projected groundwater levels; equipment and materials available or needed; personnel available or needed; volunteers; overtime; roads; emergency routes; communication status; infrastructure; safety; City/County Interlocal Agreement; fiscal status and accounting; NEMA; FEMA; National Guard; County Sheriff's Office; State Patrol; Olsson Associates; Hans Excavating; Army Corp of Engineers; bonding and/or tax levy issues; and any other disaster or flood related issues needing attention".
Chair Bousquet gave a brief review of the level of the water and who was providing security.
Pat Foust, LEC and Emergency Manager, said that the County distributed sand bags during the initial stages of the Flood and asked if the County had any plans on how to help citizens get rid of them. After quite a bit of discussion, it was determined that residents could take their sand bags to A-1 Auto Salvage.

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

Chair Bousquet called for the Agenda Item "Commissioner's Member Reports".
Tony Gomez reported that he met with Kristi Quinn concerning the Comprehensive Plan and she was asking for input and comment for the draft copy.

Chair Bousquet called for the Agenda Item "Public Comment".
Fred Kellogg gave an update on the Hoag Bridge because there were several people in the audience that were concerned about when the bridge is to be complete. He also reported that the minimum maintenance road had been graveled.
Leon Jessen made a comment on what Fred Kellogg said about a flood happening every 30 years or 500 years.
Pat Foust asked where the Commissioners were with the siren and whether we were moving ahead with it or not.
Chair Bousquet said that he turned that over to the Sheriff to get with Mr. Foust to do a test. There was discussion that a corner of Tompkins was covered by a siren in good conditions and further discussion was that the sirens are outdoor sirens and not necessarily meant to be heard indoors, so there is a question whether Tompkins residents could hear a siren if they were indoors.
Chair Bousquet called for the Agenda Item "Mail and/or Emergency Business" and there was none.

Chair Bousquet adjourned the Regular Meeting of August 8, 2011 at 5:28 p.m.

County Board of Commissioners

_____
Richard Rick Bousquet, Chair Date Chair signed

DAKOTA COUNTY SEAL NEBRASKA

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

Dakota County Board of Commissioners
August 22, 2011 Regular Meeting
County Board Meeting Room
Dakota County Courthouse
Dakota City, NE 68731

Chair Bousquet called the meeting to order at 4:20 p.m.
Present were: Commissioners Love, Gomez, Bousquet, Rohde, McNear and Ted Piepho, Secretary and County Clerk. Absent:None.
Joan Spencer, Board Assistant and Kim Watson, County Attorney, were also present.

The agenda for this meeting was as follows:

- Call to Order with reciting the Pledge of Allegiance.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meeting
- Kira Oregon with Mercy Business Health Services - Brief review of Executive Summary from recent wellness screenings. Requesting funds for weight loss challenge and support of County employee wellness committee. Committee would meet 4 times annually.
  - Approve money for weight loss challenge and support/involvement in County wellness committee.
- Pat Foust
  - The roof mounted cooling tower, part of the original LEC construction project, needs to be replaced. The cost will be in excess of $5,000, probably around $15,000 +/-. The replacement of this unit is recommended and Mr. Foust is requesting the Board's approval to move forward with the replacement since there is a possibility of total failure.
  - Tompkins Addition Siren – Decision to place a siren in Tompkins Subdivision.
- John Trecek – Resolution 11C-013 - A resolution providing for the issuance of flood control bonds, series 2011, in the amount of five hundred thousand dollars ($500,000) for the payment of costs in connection with the construction of flood control improvements within the County of Dakota, in the State of Nebraska; providing for a paying agent and registrar for the bonds and agreeing to issue bonds to pay the bonds and accrued interest at maturity.

.Miscellaneous Agenda Items

- Levy Allocations for Miscellaneous Subdivisions
  - Adopt Levy Resolution for the Historical Society Resolution 11C-014
  - Adopt Levy Resolution for the Agricultural Society Resolution 11C-015
  - Adopt Levy Resolution for Homer Fire Department Resolution 11C-016
  - Adopt MFO Fire Department Resolution 11C-017
- Resolution 11C-018 Papio Missouri River – Natural Resources District Multi-Hazard Mitigation Plan
- Village of Jackson Monona Paving Project
  - Decision to fund the cost of 2" depth of cement on paving Monona Blvd. inside the Village Limits.
  - Decision to pave approximately 300' beyond the village limits to the bridge on Monona Blvd.
  - Authorize repair of the washed out culvert to be used to detour traffic for this project.
  - Discussion concerning the bonding of this project. Authorize the bonding of any or all of this (these) projects, if feasible.
- Progress report on Hoag Bridge on East Sarpy Road.
- Approve Payroll Claims
  - County Clerk to report any discrepancies on claims
  - County Board to approve Deputy County Clerk's appointment salary.
- Approve Accounts Payable Claims
- Officials Reports
- 2011 Missouri River Flood: Status update, further discussion and action of any and all current or foreseeable issues relating to the flood, including but not limited to the Incident Action Plan, levee surveillance, maintenance, and repair; current and projected flood levels; current and projected groundwater levels; equipment and materials available or needed; personnel available or needed; volunteers; overtime; roads; emergency routes; communication status; infrastructure; safety; City/County Interlocal Agreement; fiscal status and accounting; NEMA; FEMA; National Guard; County Sheriff's Office; State Patrol; Olsson Associates; Hans Excavating; Army Corp of Engineers; bonding and/or tax levy issues; and any other disaster or flood related issues needing attention.

- Kim Watson, County Attorney, and Fred Kellogg, Highway Supt. – Closed session to discuss strategy for imminent litigation involving flooding on Leon Jessen's property.
  - Board to consider action to install a tube as requested by Leon Jessen.
- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- Adjournment

Chair Bousquet called for the Agenda Item "Approve Minutes of prior meeting."
Commissioner Love moved, seconded by Commissioner Gomez to approve the minutes of August 8, 2011, meeting as typed and prepared for the Official Record.
ROLL CALL VOTE: Rohde- Yea, McNear- Absent, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "John Trecek – Resolution 11C-013 - A resolution providing for the issuance of flood control bonds, series 2011, in the amount of five hundred thousand dollars ($500,000) for the payment of costs in connection with the construction of flood control improvements within the County of Dakota, in the State of Nebraska; providing for a paying agent and registrar for the bonds and agreeing to issue bonds to pay the bonds and accrued interest at maturity."

John Trecek, with Ameritas Investment Corporation, stepped up to the podium and said that they treated the Bonds as Bond anticipation notes and they did one issue with bonds coming due in 2016. You will have 5 years of interest only payments at 1.3 percent. That should give the County time to assess the entire County's costs, submit your application to FEMA and get the County's reimbursement or the balance that the US Government does not pay for. The Bonds are not optional until 2013.

He further explained the financial scheme to procure bonds for the flood damage. He then presented documents such as an Acknowledgment of Receipt of Notice of Meeting, Resolution 11C-013, a resolution providing for the issuance of Flood Control Bonds, series 2011, in the amount of five hundred thousand dollars ($500,000) for the payment of costs in connection with the construction of flood control improvements within the county of Dakota, in the State of Nebraska; providing for a paying agent and registrar for the bonds and agreeing to issue bonds to pay the bonds and accrued interest at maturity and to authorize the chair to sign all documents to secure Flood Control Bonds, series 2011 that was presented as follows:

MINUTES OF MEETING

A meeting of the Chairperson and Board of Commissioners, of the County of Dakota, in the State of Nebraska, was held at the County Courthouse in Dakota City on the 22nd day of August, 2011, at 4:10 o'clock P.M.
Present were: Chairperson: Rick Bousquet; Commissioners: Scott Love, William B. Rohde, Richard McNear and Antonio Gomez. Absent: None. Notice of the meeting was given in advance thereof by Publication in the legal newspaper and US Mail, a designated method for giving notice, as shown by the (Affidavit of Publication) (Certificate of Posting Notice) attached to these minutes. Notice of this meeting was given to the Chairperson and all members of the Board and a copy of their acknowledgment of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Chairperson and Board of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. The Chairperson publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act was available for review and indicated the location of such copy posted in the room where the meeting was being held.
Commissioner Bill Rohde introduced Resolution No. 11C-013 and moved its adoption. Commissioner Antonio Gomez seconded the foregoing motion and upon roll call on the passage and adoption of said Resolution the following Commissioners voted YEA: Scott Love, Bill Rohde, Richard McNear, Antonio Gomez, and Rick Bousquet. The following voted NAY: No one. Whereupon the Chairperson declared said Resolution passed and adopted. A true, correct and complete copy of said Resolution is as follows:

RESOLUTION NO. 11C-013

A RESOLUTION PROVIDING FOR THE ISSUANCE OF FLOOD CONTROL BONDS, SERIES 2011, IN THE AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS ($500,000) FOR THE PAYMENT OF COSTS IN CONNECTION WITH THE CONSTRUCTION OF FLOOD CONTROL IMPROVEMENTS WITHIN THE COUNTY OF DAKOTA, IN THE STATE OF NEBRASKA; PROVIDING FOR A PAYING AGENT AND REGISTRAR FOR THE BONDS AND AGREEING TO ISSUE BONDS TO PAY THE BONDS AND ACCRUED INTEREST AT MATURITY

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

Section 1. The Chairperson and Board hereby find and determine: That the Corps of Engineers of the United States Army is authorized by Congress to construct works for flood control, watershed protection and flood prevention or similar projects in the County; that the County is engaged in the construction of certain flood control improvements within the County consisting of the development, planning and carrying out of a coordinated program of flood control or soil and water resource development for the County (the "Project"); that $500,000 of the amounts necessary to pay the construction costs and expenses of the Project are in excess of funds to be provided by the federal government; that the taxable valuation of the County for the most recent year was $1,190,165,517; that it is advisable and necessary for the County is issue its bonds in an amount of $500,000 to finance the costs of the Project; and that all conditions exist for the issuance of bonds in the amount of not to exceed $500,000 pursuant to Sections 23-320.03, R.R.S. Neb. 2007, as amended.

Section 2. Bonds to be designated Flood Control Bonds, Series 2011, in the amount of $500,000 shall be and hereby are ordered issued, to bear date of original issue of September 27, 2011, and to be in fully registered form. Said bonds shall bear interest at one and thirty hundredths per centum per annum (1.30%) and mature on September 15, 2016. The Bonds shall be issued in fully registered form in the denomination of $5,000 or any integral multiple thereof. The date of original issue for the Bonds shall be the date of delivery thereof. Interest on the Bonds, shall be payable on

semiannually on March 15 and September 15 of each year commencing March 15, 2012 (or such other dates as may be determined in the Designation, each of said dates an "Interest Payment Date"), and the Bonds shall bear such interest from the date of original issue or the most recent Interest Payment Date, whichever is later. The interest due on each Interest Payment Date shall be payable to the registered owners of record as of the close of business on the last day immediately preceding the Interest Payment Date (the "Record Date"), subject to the provisions of Section 4 hereof. The Bonds shall be numbered from 1 upwards in the order of their issuance. No Bond shall be issued originally or upon transfer or partial redemption having more than one principal maturity. The initial bond numbering and principal amounts for each of the Bonds issued shall be designated by the County's Treasurer as directed by the initial purchaser thereof. Payments of interest due on the Bonds prior to maturity or earlier redemption shall be made by the Paying Agent and Registrar, as designated pursuant to Section 3 hereof, by mailing a check or draft in the amount due for such interest on each Interest Payment Date to the registered owner of each Bond, as of the Record Date for such Interest Payment Date, to such owner's registered address as shown on the books of registration as required to be maintained in Section 3 hereof. Payments of principal and interest accrued thereon due at maturity or at any date fixed for redemption prior to maturity shall be made by said Paying Agent and Registrar to the registered owners upon presentation and surrender of the Bonds to said Paying Agent and Registrar. The County and said Paying Agent and Registrar may treat the registered owner of any Bond as the absolute owner of such Bond for the purpose of making payments thereon and for all other purposes and neither the County nor the Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary, whether such Bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of any Bond in accordance with the terms of this resolution shall be valid and effectual and shall be a discharge of the County and said Paying Agent and Registrar, in respect of the liability upon the Bonds or claims for interest to the extent of the sum or sums so paid.

Section 3. The County Treasurer is hereby designated as the Paying Agent and Registrar for the Bonds (or such other Paying Agent and Registrar as may be determined in the Designation, sometimes herein referred to as the "Paying Agent"). The Paying Agent and Registrar shall keep and maintain for the County books for the registration and transfer of the Bonds at its office in Dakota City, Nebraska. The names and registered addresses of the registered owner or owners of the Bonds shall at all times be recorded in such books. Any Bond may be transferred pursuant to its provisions at the office of said Paying Agent and Registrar by surrender of such Bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to said Paying Agent and Registrar, duly executed by the registered owner in person or by said owner's duly authorized agent, and thereupon the Paying Agent and Registrar on behalf of the County will deliver at its office (or send by registered mail to the transferee owner or owners thereof at such transferee owner's or owners' risk and expense), registered in the name of such transferee owner or owners, a new Bond or Bonds of the same interest rate, aggregate principal amount and maturity. To the extent of the denominations authorized for the Bonds by this resolution, one Bond may be transferred for several such Bonds of the same interest rate and maturity, and for a like aggregate principal amount, and several such Bonds may be transferred for one or several such Bonds, respectively, of the same interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a Bond, the surrendered Bond shall be cancelled and destroyed. All Bonds issued upon transfer of the Bonds so surrendered shall be valid obligations of the County evidencing the same obligations as the Bonds surrendered and shall be entitled to all the benefits and protection of this resolution to the same extent as the Bonds upon transfer of which they were delivered. The County and said Paying Agent and Registrar shall not be required to transfer any Bond during any period from any Record Date until its immediately following Interest Payment Date or to transfer any Bond called for redemption for a period of 30 days next preceding the date fixed for redemption.

Section 4. In the event that payments of interest due on the Bonds on an Interest Payment Date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such Interest Payment Date and shall be payable to the registered owners of the Bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 5. If the date for payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the City of Dakota City, Nebraska, are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

Section 6. The Bonds shall be subject to redemption, in whole or in part, prior to maturity on September 15, 2013 or at any time thereafter, at par plus accrued interest on the principal amount redeemed to the date fixed for redemption. The County may select the Bonds to be redeemed for optional redemption in its sole discretion. The Bonds shall be redeemed only in amounts of $5,000 or integral multiples thereof. Bonds redeemed in part only shall be surrendered to the Paying Agent and Registrar in exchange for new Bonds evidencing the unredeemed principal thereof. Notice of redemption of any Bond called for redemption shall be given, at the direction of the County by said Paying Agent and Registrar by mail not less than 30 days prior to the date fixed for redemption, first class, postage prepaid, sent to the registered owner of such Bond at said owner's registered address. Such notice shall designate the Bond or Bonds to be redeemed by maturity or otherwise, the date of original issue and the date fixed for redemption and shall state that such Bond or Bonds are to be presented for prepayment at the office of said Paying Agent and Registrar. In case of any Bond partially

redeemed, such notice shall specify the portion of the principal amount of such Bond to be redeemed. No defect in the mailing of notice for any Bond shall affect the sufficiency of the proceedings of the County designating the Bonds called for redemption or the effectiveness of such call for Bonds for which notice by mail has been properly given and the County shall have the right to direct further notice of redemption for any such Bond for which defective notice has been given.

Section 7. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF NEBRASKA
THE COUNTY OF DAKOTA
FLOOD CONTROL BOND, SERIES 2011

No._____ $_____

Interest Rate	Maturity Date	Date of Original Issue	CUSIP No.
1.30%	September 15, 2016	September 27, 2011	

Registered Owner:

Principal Amount:

KNOW ALL PERSONS BY THESE PRESENTS: That The County of Dakota, in the State of Nebraska, hereby acknowledges itself to owe and for value received promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above in lawful money of the United States of America on the date of maturity specified above with interest thereon to maturity (or earlier redemption) from the date of original issue or most recent Interest Payment Date, whichever is later, at the rate per annum specified above payable semiannually on March 15 and September 15 of each year commencing March 15, 2012 (each of said dates an "Interest Payment Date"). Said interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months. The principal hereof and unpaid accrued interest thereon due at maturity or upon redemption prior to maturity are payable upon presentation and surrender of this bond at the office of the County Treasurer, the Paying Agent and Registrar, in Dakota City, Nebraska. Interest on this bond due prior to maturity or earlier redemption will be paid on each Interest Payment Date by a check or draft mailed by the Paying Agent and Registrar to the registered owner of this bond, as shown on the books of record maintained by the Paying Agent and Registrar, at the close of business on the last day immediately preceding the Interest Payment Date, to such owner's address as shown on such books and records. Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the record date such interest was payable, and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available.

This bond is one of an issue of fully registered bonds of the total principal amount of Five Hundred Thousand Dollars ($500,000), of even date and like tenor except as to denomination, date of maturity and rate of interest, for the purpose of paying the cost of constructing certain flood control improvements within The County of Dakota, in the State of Nebraska, and is issued pursuant to Section 23-320.03, R.R.S. Neb., 2007. Said bonds are issued pursuant to a resolution (the "Resolution") duly passed and adopted by the Board of Commissioners of said County.

The County, however, reserves the right and option of redeeming bonds of this issue in whole or in part, on September 15, 2013 or at anytime thereafter, at the principal amount to be redeemed, together with accrued interest to the date fixed for redemption.

Notice of any such redemption shall be given by mail, sent to the registered owner of any bond called for redemption at said registered owner's address in the manner provided in the Resolution authorizing said bonds. Individual bonds may be redeemed in part but only in $5,000 amounts or integral multiples thereof.

If the date for payment of the principal of or interest on this bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the City of Dakota City, Nebraska, are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

This bond is transferable by the registered owner or such owner's attorney duly authorized in writing at the principal corporate trust office of the Paying Agent and Registrar upon surrender and cancellation of this bond, and thereupon a new bond or bonds of the same total principal amount and interest rate and maturity will be issued to the transferee as provided in the Resolution authorizing said bonds subject to the limitations therein prescribed. The County, the Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment hereof and for all other purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond did exist, did happen and were done and performed in regular and due form and time as required by law, and that the indebtedness of

said County, including this bond, does not exceed any limitation imposed by law. In addition, the County hereby covenants and agrees that it shall levy ad valorem taxes upon all the taxable property in The County of Dakota at such rate or rates as will provide funds which will be sufficient to make payment of the principal of and interest on this bond and the other bonds of the same issue as the same fall due.

This bond shall not be valid and binding on the County until authenticated by the Paying Agent and Registrar.

AS PROVIDED IN THE RESOLUTION REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE RESOLUTION, "DTC"), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE RESOLUTION TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE PAYING AGENT AND REGISTRAR. DTC OR A NOMINEE, TRANSFEREE OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE RESOLUTION.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE PAYING AGENT AND REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE PAYING AGENT AND REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREOF IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSONS IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.

IN WITNESS WHEREOF, the Board of Commissioners of said County has caused this bond to be executed on behalf of the County by being signed by the Chairperson and County Clerk, both of which signatures may be facsimile signatures, all as of the date of original issue specified above.

THE COUNTY OF DAKOTA
IN THE STATE OF NEBRASKA

ATTEST:
Chairperson
_____(facsimile)
County Clerk

By: ___(facsimile)_____

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This bond is one of the series designated therein and has been registered to the owner named in said bond and the name of such owner has been recorded in the books of record maintained by the undersigned as Paying Agent and Registrar for said issue of bonds.

County Treasurer of The County of Dakota,
Dakota City, Nebraska
Paying Agent and Registrar

_____
By:_____

(FORM OF ASSIGNMENT)

For value received _____ hereby sells, assigns and transfers unto _____ (Social Security or Taxpayer I.D. No. _____) the within bond and hereby irrevocably constitutes and appoints _____, attorney, to transfer the same on the books of registration in the office of the within mentioned Paying Agent and Registrar with full power of substitution in the premises.

Dated: _____
_____
_____
Registered Owner

Signature Guaranteed

By: _____
_____
Authorized Officer

Note: The signature(s) on this assignment MUST CORRESPOND with the name(s) as written on the face of the within bond in every particular, without alteration, enlargement or any change

whatsoever, and must be guaranteed by a commercial bank or a trust company or by a firm having membership on the New York, Midwest or other stock exchange.

Section 8. Said Bonds shall be executed on behalf of the County by the Chairperson and County Clerk who shall sign the same in their official capacity, both of which signatures are hereby authorized to be facsimile signatures. The Bonds shall be issued initially as "book-entry-only" bonds under the services of The Depository Trust Company (the "Depository"), with one typewritten bond per maturity being issued to the Depository. In such connection the Chairperson and County Clerk shall execute and deliver a Letter of Representations in the form required by the Depository (which may be in the form of a blanket letter, including any such letter previously executed and delivered), for and on behalf of the County, which shall govern matters with respect to registration, transfer, payment and redemption of the Bonds. With respect to the issuance of the Bonds as "book-entry-only" bonds, the following provisions shall apply:

(a) The County and the Paying Agent and Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds Bonds as securities depository (each, a "Bond Participant") or to any person who is an actual purchaser of a Bond from a Bond Participant while the Bonds are in book-entry form (each, a "Beneficial Owner") with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the Bonds,

(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or

(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the Bonds. The Paying Agent and Registrar shall make payments with respect to the Bonds only to or upon the order of the Depository or its nominee and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such Bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Bond, except as provided in (e) below.

(b) Upon receipt by the Paying Agent and Registrar of written notice from the Depository to the effect that the Depository is unable or unwilling to discharge its responsibilities, the Paying Agent and Registrar shall issue, transfer and exchange Bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Paying Agent and Registrar to do so, the Paying Agent and Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (i) to arrange, with the prior written consent of the County, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the Bonds or (ii) to make available Bonds registered in whatever name or names as the Beneficial Owners transferring or exchanging such Bonds shall designate.

(c) If the County determines that it is desirable that certificates representing the Bonds be delivered to the ultimate beneficial owners of the Bonds and so notifies the Paying Agent and Registrar in writing, the Paying Agent and Registrar shall so notify the Depository, whereupon the Depository will notify the Bond Participants of the availability through the Depository of bond certificates representing the Bonds. In such event, the Paying Agent and Registrar shall issue, transfer and exchange bond certificates representing the Bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this resolution to the contrary, so long as any Bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such Bond and all notices with respect to such Bond shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the Bonds may be transferred on the books of registration maintained by the Paying Agent and Registrar, and the Bonds may be delivered in physical form to the following:

(i) any successor securities depository or its nominee; and

(ii) any person, upon (A) the resignation of the Depository from its functions as depository or (B) termination of the use of the Depository pursuant to this Section.

(f) In the event of any partial redemption of a Bond unless and until such partially redeemed bond has been replaced in accordance with the provisions of this resolution, the books and records of the Paying Agent and Registrar shall govern and establish the principal amount of such bond as is then outstanding and all of the Bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository is terminated or resigns and is not replaced, the County shall immediately provide a supply of printed bond certificates for issuance upon the transfers from the Depository and subsequent transfers or in the event of partial redemption. In the event that such supply of certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for issuance of replacement certificates upon transfer or partial redemption, the County agrees to order printed an additional supply of such certificates and to direct their execution by manual or facsimile signatures of its then duly qualified and acting Chairperson and County Clerk. In case any officer whose signature or facsimile thereof shall appear on any Bond shall cease to be such officer before the delivery of such Bond (including such certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption), such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such bond. The Bonds shall not be valid and binding on the County until authenticated by the Paying Agent and Registrar.

Section 9. After being executed by the Chairperson and County Clerk, said Bonds shall be delivered to the Treasurer of this County who shall be responsible therefor under his/her official bond, and he/she shall cause the same to be delivered to the Paying Agent and Registrar for registration and authentication. The County Clerk is directed to make and certify a transcript of the proceedings of the County precedent to the issuance of said Bonds, which shall be delivered to the purchaser of said Bonds.

Section 10. The proceeds of the Bonds shall be applied to the costs of construction of the improvements described in Section 1 hereof and to the payment of issuance costs. Accrued interest, if any, received from the sale of the Bonds shall be applied to pay interest first falling due on the Bonds.

Section 11. The County hereby agrees that the County shall levy ad valorem taxes upon all taxable property in the County, at such rate or rates, within applicable constitutional limitations, as will provide funds which will be sufficient to pay principal and interest on the Bonds as they become due.

Section 12. The County reserves the right to issue refunding bonds and provide for the investment of the proceeds thereof for purposes of providing for the payment of principal and interest on the Bonds herein authorized in such manner as may be prescribed by law from time to time but specifically including the provisions of Section 10-142 R.R.S. Neb. 2007 or any amendment thereto.

Section 13. Upon execution, registration and authentication of the Bonds, the Paying Agent and Registrar is authorized to deliver them to Ameritas Investment Corp. (the “Underwriter”), as initial purchaser of the Bonds, upon receipt of 99% of the principal amount of the Bonds, plus accrued interest, if any, to date of payment and delivery thereof. The Underwriter and its agents, representatives and counsel (including its bond counsel) are hereby authorized to take such actions on behalf of the County as are necessary to effectuate the closing of the issuance and sale of the Bonds, including, without limitation, authorizing the release of the Bonds by the Depository at closing. The Underwriter shall have the right to direct the registration of said Bonds and the denominations thereof within each maturity subject to the restrictions of this resolution. The Bond Purchase Agreement in the form presented herewith is hereby approved, and the Chairperson and County Clerk are hereby authorized to execute the same and approve such changes as may be determined necessary and appropriate.

Section 14. The County hereby covenants to the purchasers and holders of the Bonds hereby authorized that it will make no use of the proceeds of said bond issue, including monies held in any sinking fund for the Bonds, which would cause the Bonds to be arbitrage bonds within the meaning of Sections 103(b) and 148 of the Internal Revenue Code of 1986, as amended (the “Code”), and further covenants to comply with said Sections 103(b) and 148 and all applicable regulations there under throughout the term of said bond issue. The County hereby covenants and agrees to take all actions necessary under the Code to maintain the tax exempt status (as to taxpayers generally) of interest payable on the Bonds. The County hereby designates the Bonds as its “qualified tax-exempt obligations” pursuant to Section 265(b)(3)(B)(i)(III) of the Code and covenants and warrants that it does not reasonably expect to issue tax-exempt bonds or other tax-exempt obligations aggregating in principal amount more than $10,000,000 during calendar 2011.

Section 16. The Chairperson and County Clerk are hereby authorized to approve on behalf of the County a preliminary and a final offering circular with such content as is deemed appropriate by them.

Section 17. This resolution shall be in force and take effect from and after its passage.

_____ _____

County Clerk Chairperson

I, the undersigned, County Clerk of the County of Dakota, in the State of Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Chairperson and Board on August 22, 2011 ; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance

notification of the time and place of said meeting and the subjects to be discussed at said meeting; and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

_____
County Clerk

(SEAL)

BOND PURCHASE AGREEMENT

To the Chairperson and Board of Commissioners
Dakota County, Nebraska August 22, 2011

The undersigned, Ameritas Investment Corp. (the "Underwriter"), does hereby agree to purchase all, but not less than all, of the County's $500,000 Flood Control Bonds, Series 2011 (the "Bonds"). This offer is made subject to acceptance by the County and the Underwriter on the date hereof, as evidenced by signatures in the spaces provided within this agreement and upon the adoption of the Resolution authorizing the issuance of said Bonds. If this offer is not so accepted and approved, it is subject to withdrawal by the Underwriter upon written notice delivered to the County at any time prior to such acceptance and approval.

The Underwriter's commitment to purchase such Bonds is subject to the following:

1. The Bonds shall be in the total aggregate amount of $500,000. They shall mature, be in the denominations of and bear interest at the rates specified in the Resolution presented to the County Board on the date of August 22, 2011. The Bonds shall have call provisions and be subject to the same terms as specified in the said Resolution.

2. Receipt by the Underwriter of bond counsel's approving legal opinion stating that the County has the authority to issue these Bonds, that the Bonds are lawfully issued, that the Bonds are the valid obligations of the County and that, in bond counsel's opinion, the interest on the Bonds is exempt from both Federal and Nebraska income tax.

3. That the net proceeds of the Bonds will be used to pay a portion of the costs of constructing flood control improvements within the County.

4. The Bonds are being sold to the Underwriter at 99.00% of the par value thereof. The Underwriter agrees that, out of its underwriting spread of 1.00%, it will pay the costs of the approving legal opinion from Baird Holm LLP, Attorneys at Law, any CUSIP registration costs and the printing costs of the Bonds. Local legal and publication costs will be paid by the County.

5. The County will cooperate with the Underwriter taking all necessary actions for closing of the sale of the Bonds, which closing shall occur on September 27, 2011 or such later time (but not to exceed 15 days) as the Underwriter may so designate. The Underwriter will pay accrued interest to the County for the number of days between the dated date of the Bonds and the closing date of the Bonds. Failure to perform a closing within the time limit specified by either party shall provide the grounds for the other side to declare this Agreement null and void.

This Purchase Agreement may be executed in any number of counterparts each of which shall be regarded for all purposes as an original, and each of such signed counterparts shall constitute a single instrument. The Agreement shall be governed by and construed in accordance with the laws of the State of Nebraska. In event any section, clause or phrase of this Agreement shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections or clauses of this Purchase Agreement, which shall remain in full force and effect.

DATED this _____ day of _____, 2011.

Ameritas Investment Corp.

By _____
Its Vice President

COUNTY OF DAKOTA, NEBRASKA

_____
Chairperson

_____
County Clerk

Commissioner Rohde moved, seconded by Commissioner Gomez to adopt Resolution 11C-013 A RESOLUTION PROVIDING FOR THE ISSUANCE OF FLOOD CONTROL BONDS, SERIES 2011, IN THE AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS ($500,000) FOR THE PAYMENT OF COSTS IN CONNECTION WITH THE CONSTRUCTION OF FLOOD CONTROL IMPROVEMENTS

WITHIN THE COUNTY OF DAKOTA, IN THE STATE OF NEBRASKA; PROVIDING FOR A PAYING AGENT AND REGISTRAR FOR THE BONDS AND AGREEING TO ISSUE BONDS TO PAY THE BONDS AND ACCRUED INTEREST AT MATURITY, as follows:

RESOLUTION NO. _11C-013_

A RESOLUTION PROVIDING FOR THE ISSUANCE OF FLOOD CONTROL BONDS, SERIES 2011, IN THE AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS ($500,000) FOR THE PAYMENT OF COSTS IN CONNECTION WITH THE CONSTRUCTION OF FLOOD CONTROL IMPROVEMENTS WITHIN THE COUNTY OF DAKOTA, IN THE STATE OF NEBRASKA; PROVIDING FOR A PAYING AGENT AND REGISTRAR FOR THE BONDS AND AGREEING TO ISSUE BONDS TO PAY THE BONDS AND ACCRUED INTEREST AT MATURITY

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

Section 1. The Chairperson and Board hereby find and determine: That the Corps of Engineers of the United States Army is authorized by Congress to construct works for flood control, watershed protection and flood prevention or similar projects in the County; that the County is engaged in the construction of certain flood control improvements within the County consisting of the development, planning and carrying out of a coordinated program of flood control or soil and water resource development for the County (the "Project"); that $500,000 of the amounts necessary to pay the construction costs and expenses of the Project are in excess of funds to be provided by the federal government; that the taxable valuation of the County for the most recent year was $1,190,165,517; that it is advisable and necessary for the County is issue its bonds in an amount of $500,000 to finance the costs of the Project; and that all conditions exist for the issuance of bonds in the amount of not to exceed $500,000 pursuant to Sections 23-320.03, R.R.S. Neb. 2007, as amended.

Section 2. Bonds to be designated Flood Control Bonds, Series 2011, in the amount of $500,000 shall be and hereby are ordered issued, to bear date of original issue of September 27, 2011, and to be in fully registered form. Said bonds shall bear interest at one and thirty hundredths per centum per annum (1.30%) and mature on September 15, 2016. The Bonds shall be issued in fully registered form in the denomination of $5,000 or any integral multiple thereof. The date of original issue for the Bonds shall be the date of delivery thereof. Interest on the Bonds, shall be payable on semiannually on March 15 and September 15 of each year commencing March 15, 2012 (or such other dates as may be determined in the Designation, each of said dates an "Interest Payment Date"), and the Bonds shall bear such interest from the date of original issue or the most recent Interest Payment Date, whichever is later. The interest due on each Interest Payment Date shall be payable to the registered owners of record as of the close of business on the last day immediately preceding the Interest Payment Date (the "Record Date"), subject to the provisions of Section 4 hereof. The Bonds shall be numbered from 1 upwards in the order of their issuance. No Bond shall be issued originally or upon transfer or partial redemption having more than one principal maturity. The initial bond numbering and principal amounts for each of the Bonds issued shall be designated by the County's Treasurer as directed by the initial purchaser thereof. Payments of interest due on the Bonds prior to maturity or earlier redemption shall be made by the Paying Agent and Registrar, as designated pursuant to Section 3 hereof, by mailing a check or draft in the amount due for such interest on each Interest Payment Date to the registered owner of each Bond, as of the Record Date for such Interest Payment Date, to such owner's registered address as shown on the books of registration as required to be maintained in Section 3 hereof. Payments of principal and interest accrued thereon due at maturity or at any date fixed for redemption prior to maturity shall be made by said Paying Agent and Registrar to the registered owners upon presentation and surrender of the Bonds to said Paying Agent and Registrar. The County and said Paying Agent and Registrar may treat the registered owner of any Bond as the absolute owner of such Bond for the purpose of making payments thereon and for all other purposes and neither the County nor the Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary, whether such Bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of any Bond in accordance with the terms of this resolution shall be valid and effectual and shall be a discharge of the County and said Paying Agent and Registrar, in respect of the liability upon the Bonds or claims for interest to the extent of the sum or sums so paid.

Section 3. The County Treasurer is hereby designated as the Paying Agent and Registrar for the Bonds (or such other Paying Agent and Registrar as may be determined in the Designation, sometimes herein referred to as the "Paying Agent"). The Paying Agent and Registrar shall keep and maintain for the County books for the registration and transfer of the Bonds at its office in Dakota City, Nebraska. The names and registered addresses of the registered owner or owners of the Bonds shall at all times be recorded in such books. Any Bond may be transferred pursuant to its provisions at the office of said Paying Agent and Registrar by surrender of such Bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to said Paying Agent and Registrar, duly executed by the registered owner in person or by said owner's duly authorized agent, and thereupon the Paying Agent and Registrar on behalf of the County will deliver at its office (or send by registered mail to the transferee owner or owners thereof at such transferee owner's or owners' risk and expense), registered in the name of such transferee owner or owners, a new Bond or Bonds of the same interest rate, aggregate principal amount and maturity. To the extent of the denominations authorized for the Bonds by this resolution, one Bond may be transferred for several such Bonds of the same interest rate and maturity, and for a like aggregate principal amount, and several such Bonds may be transferred for one or several such Bonds, respectively, of the same interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a Bond, the surrendered Bond shall be cancelled and destroyed. All Bonds issued upon transfer of the Bonds so surrendered shall be valid obligations of the County evidencing the same obligations as the Bonds surrendered and shall be entitled to all the benefits and protection of this resolution to the same extent as the Bonds upon transfer of which they were delivered. The County and said Paying Agent and Registrar shall not be required to transfer any Bond during any period from any Record Date until its immediately following Interest Payment Date or to

transfer any Bond called for redemption for a period of 30 days next preceding the date fixed for redemption.

Section 4. In the event that payments of interest due on the Bonds on an Interest Payment Date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such Interest Payment Date and shall be payable to the registered owners of the Bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 5. If the date for payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the City of Dakota City, Nebraska, are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

Section 6. The Bonds shall be subject to redemption, in whole or in part, prior to maturity on September 15, 2013 or at any time thereafter, at par plus accrued interest on the principal amount redeemed to the date fixed for redemption. The County may select the Bonds to be redeemed for optional redemption in its sole discretion. The Bonds shall be redeemed only in amounts of $5,000 or integral multiples thereof. Bonds redeemed in part only shall be surrendered to the Paying Agent and Registrar in exchange for new Bonds evidencing the unredeemed principal thereof. Notice of redemption of any Bond called for redemption shall be given, at the direction of the County by said Paying Agent and Registrar by mail not less than 30 days prior to the date fixed for redemption, first class, postage prepaid, sent to the registered owner of such Bond at said owner's registered address. Such notice shall designate the Bond or Bonds to be redeemed by maturity or otherwise, the date of original issue and the date fixed for redemption and shall state that such Bond or Bonds are to be presented for prepayment at the office of said Paying Agent and Registrar. In case of any Bond partially redeemed, such notice shall specify the portion of the principal amount of such Bond to be redeemed. No defect in the mailing of notice for any Bond shall affect the sufficiency of the proceedings of the County designating the Bonds called for redemption or the effectiveness of such call for Bonds for which notice by mail has been properly given and the County shall have the right to direct further notice of redemption for any such Bond for which defective notice has been given.

Section 7. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF NEBRASKA
THE COUNTY OF DAKOTA
FLOOD CONTROL BOND, SERIES 2011

No._____ $_____

Interest Rate	Maturity Date	Date of Original Issue	CUSIP No.
1.30%	September 15, 2016	September 27, 2011	

Registered Owner:
Principal Amount:

KNOW ALL PERSONS BY THESE PRESENTS: That The County of Dakota, in the State of Nebraska, hereby acknowledges itself to owe and for value received promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above in lawful money of the United States of America on the date of maturity specified above with interest thereon to maturity (or earlier redemption) from the date of original issue or most recent Interest Payment Date, whichever is later, at the rate per annum specified above payable semiannually on March 15 and September 15 of each year commencing March 15, 2012 (each of said dates an "Interest Payment Date"). Said interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months. The principal hereof and unpaid accrued interest thereon due at maturity or upon redemption prior to maturity are payable upon presentation and surrender of this bond at the office of the County Treasurer, the Paying Agent and Registrar, in Dakota City, Nebraska. Interest on this bond due prior to maturity or earlier redemption will be paid on each Interest Payment Date by a check or draft mailed by the Paying Agent and Registrar to the registered owner of this bond, as shown on the books of record maintained by the Paying Agent and Registrar, at the close of business on the last day immediately preceding the Interest Payment Date, to such owner's address as shown on such books and records. Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the record date such interest was payable, and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available.

This bond is one of an issue of fully registered bonds of the total principal amount of Five Hundred Thousand Dollars ($500,000), of even date and like tenor except as to denomination, date of maturity and rate of interest, for the purpose of paying the cost of constructing certain flood control improvements within The County of Dakota, in the State of Nebraska, and is issued pursuant to Section 23-320.03, R.R.S. Neb., 2007. Said bonds are issued pursuant to a resolution (the "Resolution") duly passed and adopted by the Board of Commissioners of said County.

The County, however, reserves the right and option of redeeming bonds of this issue in whole or in part, on September 15, 2013 or at anytime thereafter, at the principal amount to be redeemed, together with accrued interest to the date fixed for redemption.

Notice of any such redemption shall be given by mail, sent to the registered owner of any bond called for redemption at said registered owner's address in the manner provided in the Resolution authorizing said bonds. Individual bonds may be redeemed in part but only in $5,000 amounts or integral multiples thereof.

If the date for payment of the principal of or interest on this bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the City of Dakota City, Nebraska, are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

This bond is transferable by the registered owner or such owner's attorney duly authorized in writing at the principal corporate trust office of the Paying Agent and Registrar upon surrender and cancellation of this bond, and thereupon a new bond or bonds of the same total principal amount and interest rate and maturity will be issued to the transferee as provided in the Resolution authorizing said bonds subject to the limitations therein prescribed. The County, the Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment hereof and for all other purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond did exist, did happen and were done and performed in regular and due form and time as required by law, and that the indebtedness of said County, including this bond, does not exceed any limitation imposed by law. In addition, the County hereby covenants and agrees that it shall levy ad valorem taxes upon all the taxable property in The County of Dakota at such rate or rates as will provide funds which will be sufficient to make payment of the principal of and interest on this bond and the other bonds of the same issue as the same fall due. This bond shall not be valid and binding on the County until authenticated by the Paying Agent and Registrar.

AS PROVIDED IN THE RESOLUTION REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE RESOLUTION, "DTC"), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE RESOLUTION TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE PAYING AGENT AND REGISTRAR. DTC OR A NOMINEE, TRANSFEREE OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE RESOLUTION.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE PAYING AGENT AND REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE PAYING AGENT AND REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREOF IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSONS IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.

IN WITNESS WHEREOF, the Board of Commissioners of said County has caused this bond to be executed on behalf of the County by being signed by the Chairperson and County Clerk, both of which signatures may be facsimile signatures, all as of the date of original issue specified above.

THE COUNTY OF DAKOTA
IN THE STATE OF NEBRASKA

ATTEST:

By: _____(facsimile)
Chairperson

_____(facsimile)
County Clerk

CERTIFICATE OF AUTHENTICATION AND REGISTRATION

This bond is one of the series designated therein and has been registered to the owner named in said bond and the name of such owner has been recorded in the books of record maintained by the undersigned as Paying Agent and Registrar for said issue of bonds.

County Treasurer of The County of Dakota,
Dakota City, Nebraska
Paying Agent and Registrar

_____
By:_____

(FORM OF ASSIGNMENT)

For value received _____ hereby sells, assigns and transfers unto _____ (Social Security or Taxpayer I.D. No. _____) the within bond and hereby irrevocably constitutes and appoints _____, attorney, to transfer the same on the books of registration in the office of the within mentioned Paying Agent and Registrar with full power of substitution in the premises.

Dated: _____
_____
_____
Registered Owner

Signature Guaranteed

By: _____
_____
Authorized Officer

Note: The signature(s) on this assignment MUST CORRESPOND with the name(s) as written on the face of the within bond in every particular, without alteration, enlargement or any change whatsoever, and must be guaranteed by a commercial bank or a trust company or by a firm having membership on the New York, Midwest or other stock exchange.

Section 8. Said Bonds shall be executed on behalf of the County by the Chairperson and County Clerk who shall sign the same in their official capacity, both of which signatures are hereby authorized to be facsimile signatures. The Bonds shall be issued initially as "book-entry-only" bonds under the services of The Depository Trust Company (the "Depository"), with one typewritten bond per maturity being issued to the Depository. In such connection the Chairperson and County Clerk shall execute and deliver a Letter of Representations in the form required by the Depository (which may be in the form of a blanket letter, including any such letter previously executed and delivered), for and on behalf of the County, which shall govern matters with respect to registration, transfer, payment and redemption of the Bonds. With respect to the issuance of the Bonds as "book-entry-only" bonds, the following provisions shall apply:

(a) The County and the Paying Agent and Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds Bonds as securities depository (each, a "Bond Participant") or to any person who is an actual purchaser of a Bond from a Bond Participant while the Bonds are in book-entry form (each, a "Beneficial Owner") with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the Bonds,

(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or

(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the Bonds. The Paying Agent and Registrar shall make payments with respect to the Bonds only to or upon the order of the Depository or its nominee and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such Bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Bond, except as provided in (e) below.

(b) Upon receipt by the Paying Agent and Registrar of written notice from the Depository to the effect that the Depository is unable or unwilling to discharge its responsibilities, the Paying Agent and Registrar shall issue, transfer and exchange Bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Paying Agent and Registrar to do so, the Paying Agent and Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (i) to arrange, with the prior written consent of the County, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the Bonds or (ii) to make available Bonds registered in whatever name or names as the Beneficial Owners transferring or exchanging such Bonds shall designate.

(c) If the County determines that it is desirable that certificates representing the Bonds be delivered to the ultimate beneficial owners of the Bonds and so notifies the Paying Agent and Registrar in writing, the Paying Agent and Registrar shall so notify the Depository, whereupon the Depository will notify the Bond Participants of the availability through the Depository of bond certificates representing the Bonds. In such event, the Paying Agent and Registrar shall issue, transfer and exchange bond certificates representing the Bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this resolution to the contrary, so long as any Bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such Bond and all notices with respect to such Bond shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the Bonds may be transferred on the books of registration maintained by the Paying Agent and Registrar, and the Bonds may be delivered in physical form to the following:

(i) any successor securities depository or its nominee; and

(ii) any person, upon (A) the resignation of the Depository from its functions as depository or (B) termination of the use of the Depository pursuant to this Section.

(f) In the event of any partial redemption of a Bond unless and until such partially redeemed bond has been replaced in accordance with the provisions of this resolution, the books and records of the Paying Agent and Registrar shall govern and establish the principal amount of such bond as is then outstanding and all of the Bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository is terminated or resigns and is not replaced, the County shall immediately provide a supply of printed bond certificates for issuance upon the transfers from the

Depository and subsequent transfers or in the event of partial redemption. In the event that such supply of certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for issuance of replacement certificates upon transfer or partial redemption, the County agrees to order printed an additional supply of such certificates and to direct their execution by manual or facsimile signatures of its then duly qualified and acting Chairperson and County Clerk. In case any officer whose signature or facsimile thereof shall appear on any Bond shall cease to be such officer before the delivery of such Bond (including such certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption), such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such bond. The Bonds shall not be valid and binding on the County until authenticated by the Paying Agent and Registrar.

Section 9. After being executed by the Chairperson and County Clerk, said Bonds shall be delivered to the Treasurer of this County who shall be responsible therefor under his/her official bond, and he/she shall cause the same to be delivered to the Paying Agent and Registrar for registration and authentication. The County Clerk is directed to make and certify a transcript of the proceedings of the County precedent to the issuance of said Bonds, which shall be delivered to the purchaser of said Bonds.

Section 10. The proceeds of the Bonds shall be applied to the costs of construction of the improvements described in Section 1 hereof and to the payment of issuance costs. Accrued interest, if any, received from the sale of the Bonds shall be applied to pay interest first falling due on the Bonds.

Section 11. The County hereby agrees that the County shall levy ad valorem taxes upon all taxable property in the County, at such rate or rates, within applicable constitutional limitations, as will provide funds which will be sufficient to pay principal and interest on the Bonds as they become due.

Section 12. The County reserves the right to issue refunding bonds and provide for the investment of the proceeds thereof for purposes of providing for the payment of principal and interest on the Bonds herein authorized in such manner as may be prescribed by law from time to time but specifically including the provisions of Section 10-142 R.R.S. Neb. 2007 or any amendment thereto.

Section 13. Upon execution, registration and authentication of the Bonds, the Paying Agent and Registrar is authorized to deliver them to Ameritas Investment Corp. (the “Underwriter”), as initial purchaser of the Bonds, upon receipt of 99% of the principal amount of the Bonds, plus accrued interest, if any, to date of payment and delivery thereof. The Underwriter and its agents, representatives and counsel (including its bond counsel) are hereby authorized to take such actions on behalf of the County as are necessary to effectuate the closing of the issuance and sale of the Bonds, including, without limitation, authorizing the release of the Bonds by the Depository at closing. The Underwriter shall have the right to direct the registration of said Bonds and the denominations thereof within each maturity subject to the restrictions of this resolution. The Bond Purchase Agreement in the form presented herewith is hereby approved, and the Chairperson and County Clerk are hereby authorized to execute the same and approve such changes as may be determined necessary and appropriate.

Section 14. The County hereby covenants to the purchasers and holders of the Bonds hereby authorized that it will make no use of the proceeds of said bond issue, including monies held in any sinking fund for the Bonds, which would cause the Bonds to be arbitrage bonds within the meaning of Sections 103(b) and 148 of the Internal Revenue Code of 1986, as amended (the “Code”), and further covenants to comply with said Sections 103(b) and 148 and all applicable regulations thereunder throughout the term of said bond issue. The County hereby covenants and agrees to take all actions necessary under the Code to maintain the tax exempt status (as to taxpayers generally) of interest payable on the Bonds. The County hereby designates the Bonds as its “qualified tax-exempt obligations” pursuant to Section 265(b)(3)(B)(i)(III) of the Code and covenants and warrants that it does not reasonably expect to issue tax-exempt bonds or other tax-exempt obligations aggregating in principal amount more than $10,000,000 during calendar 2011.

Section 16. The Chairperson and County Clerk are hereby authorized to approve on behalf of the County a preliminary and a final offering circular with such content as is deemed appropriate by them.

Section 17. This resolution shall be in force and take effect from and after its passage.

_____ _____

County Clerk Chairperson

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

Chair Bousquet called for the Agenda Item “Kira Oregon with Mercy Business Health Services - Brief review of Executive Summary from recent wellness screenings. Requesting funds for weight loss challenge and support of County employee wellness committee. Committee would meet 4 times annually. Approve money for weight loss challenge and support/involvement in County wellness committee.”

Kira Oregon stepped up to the podium and informed the board the results of the June Wellness Screening and asked the Board to approve to approve a wellness committee and to approve a weight loss contest with a $200 prize. Commissioner Gomez volunteered to be the Commissioner to be a member of the Wellness Committee.

Commissioner Rohde moved, seconded by Commissioner Love to approve the wellness Committee and to authorize a weight loss challenge.

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

Chair Bousquet called for the Agenda Item “Pat Foust.”

- The roof mounted cooling tower, part of the original LEC construction project, needs to be replaced. The cost will be in excess of $5,000, probably around $15,000 +/-. The

replacement of this unit is recommended and Mr. Foust is requesting the Board's approval to move forward with the replacement since there is a possibility of total failure.

- o Tompkins Addition Siren – Decision to place a siren in Tompkins Subdivision."

Mr. Foust asked permission to purchase and replace the roof mounted cooling tower. He said that there was no fixing it any longer and that it would be over $5,000, more up around 14 to $18,000 and that requires authorization of the Board and the City Council to move forward. It was noted that this would come out of the LEC Budget so that would make the expenditure a 50/50 split with the City of South Sioux City.
Commissioner Gomez moved, seconded by Commissioner McNear to authorize the expenditure over $5,000 for the replacement roof Mounted Cooling Unit Tower on the LEC's roof.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Tompkins Addition Siren – Decision to place a siren in Tompkins Subdivision."
Commissioner Rohde said that it was the recommendation of the Budget Committee to hold off until they are sure that there is Grant money to install a siren in Tompkins Addition.
Mr. Foust said that you won't know that until you apply for it and the County makes application for that.
Commissioner Love said that if the County can get that grant it would be a go for us and Commissioner Rohde agreed.
Commissioner Bousquet mentioned that south Sioux City has a grant writer and thought maybe she would do that for the County.

Chair Bousquet called for the agenda item "Adopt Levy Resolution for the Historical Society Resolution 11C-014."
Commissioner Rohde moved, seconded by Commissioner Gomez to adopt resolution 11C-014 which allocates the Dakota County Historical Society a levy of .001818 per one hundred of value for their Property Tax Request of $22,483 and Property Tax Allocation of $22,483, follows:

RESOLUTION 011C-014
LEVY ALLOCATIONS FOR MISCELLANEOUS SUBDIVISIONS

Whereas, Nebraska Revised Statute 77-3443(3) provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivision as follows:

Subdivision	Property Tax Request	Property Tax Allocation	Levy*
Dakota Co Historical Society	22,483	22,483	.001818

*Levy Allocation is the rate per $100 valuation.
Passed and adopted this 22nd day of August, 2011.

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County Clerk Board Chair

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

Chair Bousquet called for the agenda item "Adopt Levy Resolution for the Agricultural Society Resolution 11C-015."
Commissioner Gomez moved, seconded by Commissioner McNear to adopt Resolution 010C-015, which allocates the Dakota County Ag. Society a levy of .006647 per one hundred of value for their General Fund Property Tax Request of $102,200 and Property Tax Allocation of $102,200 and allocates the Dakota County Ag. Society a levy of .001617 per one hundred of value for their Capital Improvement Fund Property Tax Request of $20,000 and Property Tax Allocation of $20,000, as follows:

RESOLUTION 011C-015
LEVY ALLOCATIONS FOR MISCELLANEOUS SUBDIVISIONS

Whereas, Nebraska Revised Statute 77-3443(3) provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivision as follows:

Subdivision	Property Tax Request	Property Tax Allocation	Levy*
Dakota Co Ag Society			
General	$ 82,200.00	$ 82,200.00	.006647
Capital Improvement	20,000.00	20,000.00	.001617
Total	$102,200.00	$102,200.00	.008264

*Levy Allocation is the rate per $100 valuation.

Passed and adopted this 22nd day of August, 2011.

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County Clerk Board Chair

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

Chair Bousquet called for the agenda item "Adopt Levy Resolution for Homer Fire Department Resolution 11C-016."
Commissioner Gomez moved, seconded by Commissioner Bousquet to adopt Resolution 010C-016, which allocates the Fire Protection District #1, Homer a levy of .024079 per one hundred of value for their General Fund Property Tax Request of $32,219.34 and Property Tax Allocation of $32,219.34 and allocates the Homer Fire District a levy of .002976 per one hundred of value for their Sinking Fund Property Tax Request of $32,219.34 and Property Tax Allocation of $3,850.14.

RESOLUTION 011C-016
LEVY ALLOCATIONS FOR MISCELLANEOUS SUBDIVISIONS

Whereas, Nebraska Revised Statute 77-3443(3) provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, Fire Protection District #1, Homer, is not a member of the Mutual Finance Organization and receiving funding; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivision as follows:

Subdivision	Property Tax Request	Property Tax Allocation	Levy*
Fire Protection Dist #1, Homer			
General Fund	$32,219.34	$32,219.34	.024079
Sinking Fund	3,982.16	3,982.16	.002976
TOTAL	$36,201.50	$36,201.50	.027055

*Levy Allocation is the rate per $100 valuation.
Passed and adopted this 22nd day of August, 2011.

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County Clerk Board Chair

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

Chair Bousquet called for the agenda item "Adopt MFO Fire Department Resolution 11C-017."
Commissioner Rohde moved, seconded by Commissioner McNear to adopt Resolution 010C-017 , which allocates the Dakota-Covington Rural Fire Protection District a levy of .026075 per one hundred of value for their General Fund Property Tax Request of $69,534.73 and Property Tax Allocation of $72,281.62 and allocates the Dakota-Covington Rural Fire Protection District a levy of .008925 per one hundred of value for their Sinking Fund Property Tax Request of $23,800.48 and Property Tax Allocation of $24,740.75 **and; BE IT FURTHER RESOLVED to allocate** the Emerson Rural Fire District a levy of .035000 per one hundred of value for their General Fund Property Tax Request of $71,050.04 and Property Tax Allocation of $68,262.92, as follows:

RESOLUTION 011C-017
LEVY ALLOCATIONS FOR MISCELLANEOUS SUBDIVISIONS

Whereas, Nebraska Revised Statute 77-3443(3) provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivisions have filed a preliminary tax request with the County Board; and,

Whereas, the Fire Districts in the Mutual Finance Organizations received funding and must levy the same rate; and,

Whereas, the County Board must determine the final allocation of levy authority for its subdivisions.

Therefore, the Dakota County Board of Commissioners hereby allocates to the miscellaneous subdivisions as follows:

Subdivision	Property Tax Request	Property Tax Allocation	Levy*
Dakota Covington Rural Fire			
General	$69,534.73	$72,281.62	.026075
Sinking	23,800.48	24,740.75	.008925
Total	$93,335.21	$97,022.37	.035000
Emerson Rural Fire			
General	$71,050.04	$68,262.92	.035000
Total	$71,050.04	$68,262.92	.035000

*Levy Allocation is the rate per $100 valuation.
Passed and adopted this 22nd day of August, 2011.

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County Clerk Board Chair

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

Chair Bousquet called for the agenda item "Resolution 11C-018 Papio Missouri River – Natural Resources District Multi-Hazard Mitigation Plan."
Commissioner Bousquet moved, seconded by Commissioner Gomez to adopt Resolution 11C-018 that the Dakota County Board of Commissioners hereby approves and adopts the Papio-Missouri River Natural Resources District Multi-Hazard Mitigation Plan in its entirety, in the form as proposed and reflected in the permanent files of the District, hereby resolves to execute the plan as proposed, and hereby requests approval of the plan by the Federal Emergency Management Agency, as follows:

RESOLUTION 11C-018 OF ADOPTION OF THE
PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT
MULTI-HAZARD MITIGATION PLAN

Whereas, a Multi-Hazard Mitigation Plan identifies the vulnerability of public bodies to natural hazards
and the projects that can be implemented to reduce or eliminate vulnerability exposure; and

Whereas, the Federal Emergency Management Agency (FEMA) now requires that a public entity must
have a current Multi-Hazard Mitigation Plan in order for the entity to be eligible for Federal funding
from FEMA under several of its hazard mitigation grant programs and in order to receive post-disaster
public assistance grants from FEMA; and

Whereas, the Papio-Missouri River Natural Resource District coordinated and developed its first All-Hazards Mitigation Plan in 2006; and

Whereas, the Papio-Missouri River Natural Resource District served as the coordinating agency for the
development of a multi-jurisdictional Multi-Hazard Mitigation Plan to serve as the update to the 2006
All-Hazards Mitigation Plan for a six-county area including all of Sarpy, Douglas, Washington, and Dakota
Counties as well as parts of Burt and Thurston Counties and all associated local governmental entities; and

Whereas, the planning process afforded the local units of government and its citizens the opportunity to
comment and provide input in the plan and actions recommended in the plan; and

Whereas, FEMA regulations require documentation that the plan has been formally adopted by the governing body of the Papio-Missouri River Natural Resources District in the form of this resolution and further requesting approval of the plan at the Federal Level;

NOW, THEREFORE, BE IT RESOLVED that the Dakota County Board of Commissioners hereby approves and adopts the Papio-Missouri River Natural Resources District Multi-Hazard Mitigation Plan in its
entirety, in the form as proposed and reflected in the permanent files of the District, hereby resolves to execute the plan as proposed, and hereby requests approval of the plan by the Federal Emergency Management Agency.

IN WITNESS WHEREOF, this resolution was approved and executed this 22nd day of August, 2011.

_____
(Board Chairperson)

_____
(Attest)

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

Chair Bousquet called for the Agenda Item "Village of Jackson Monona Paving Project.
Decision to fund the cost of 2" depth of cement on paving Monona Blvd. inside the Jackson Village Limits.
Decision to pave approximately 300' beyond the village limits to the bridge on Monona Blvd.
Authorize repair of the washed out culvert to be used to detour traffic for this project.
Discussion concerning the bonding of this project. Authorize the bonding of any or all of this (these) project(s), if feasible."
Greg Meyer stepped up to the podium and he, Leonard Gill and Donna Hirsch were in attendance.
Chair Bousquet asked the Board Member what they wanted to do on the extra two inches.
Commissioner Rohde said that the Budget Committee met and after looking at the issue proposed $50,000 for the two inches and for the 300 feet.
Mr. Gill said that this money will go for paving an additional 300 feet and Gill Construction is paving approximately 150 feet, which their donation is probably a little more than the County's, we would like to get at least 60 from the County if they could not get 70 and said that he understood the County's financial situation.
There was discussion about LB84 where the County is expecting that it would get approximately $92,000 a year to use for fixing roads and bridges starting in 2013. Senator Fischer was the Senator that introduced the bill for one percent and they have chiseled it down to a quarter percent.
Commissioner Love said that they were thinking $10,000 a year for the next five years and Mr. Gill came back that $12,000 would make 60.
Commissioner Gomez commented that he wished more villages would get a donation like that and that is quite a donation, so he did not see any problem going with the $60,000.
Commissioner Gomez moved, seconded by Commissioner Love that the County pays $60,000 toward the extra 2 inches of paving and paving the 300 feet.
In the discussion Commission Rohde asked about the interest being two percent and Commissioner Love commented, it's free, isn't it."

Mr. Gill said that they were not asking for any interest.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Progress report on Hoag Bridge on East Sarpy Road."
Mr. Kellogg said that everything has been ordered and that the work is suppose to start September first. He said that FEMA applications slowed the process because they had to wait for the Engineer's Design. There was some discussion about leaving gravel on the minimum maintenance road that was gravel to temporarily help the residents in that area.
Mr. Kellogg said that they would have an added expense on the bridge because of a four inch rain that they had in that area recently. He said that the debris was terrible out there. and the top pay is $35,000 and the next is $32,000 and the statute governing that is 65% of the elected officials salary. And if that was the case her salary would start out at 31,144.62. Chair Bousquet said that if they approve that we have some salaries clearly out of whack of 65%.

Chair Bousquet called for the Agenda Item "Approve Payroll Claims."
He called the Board's attention to the promotion of Cherie Bousquet and that the County Clerk was proposing to pay her $38,349.29 and that there were deputies that have been here for several years. Mr. Bousquet said that he was going to let the other Board Members decide because Cherie is a relative of his.
Commissioner McNear said that he thinks that they should stick with the 65% if the others are getting 65%
Chair Bousquet called for the Agenda Item "County Clerk to report any discrepancies on claims.
Chair Bousquet reiterated the figure that the County Clerk was proposing and what 65% of that figure is. He went on to say what Ruth Gillaspie was getting and what the Deputy Clerk of the District Court was getting and that was $35,570.88 and 32,914.40 respectively.
Commissioner Rohde asked the County Clerk to explain this to the Board.
The County Clerk said that in light of what her duties are, I thought that was a comparable salary for that position. If the Board wants to take action, I said that Danny, another person in his office is making $31,400 right now and the statute referring to 65% is a minimum and not a maximum. If the Board wants to use and exercise its statutory authority to set my deputy's salary, I requested at least $31,500 because of Mr. Christoffers getting $31,400, but I believe that I am using this instance to illustrate the Board's power on setting deputy's salaries and we'll just go from there.
Commissioner Gomez asked the County Clerk if he was ok with $31,000 and Commissioner Love spoke up and said $31,500.
Commissioner Bousquet spoke up that there was a new deputy getting $32,9 something.
The County Clerk said that his take on that is if you want to set it a $31,500 that would leave room for him to give her an advancement for increased in expertise and progress that she has made to then.
Commissioner Rohde moved, seconded by Commissioner McNear to start Deputy County Clerk Cherie Conley at $32,000.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea.
UNANIMOUS MOTION CARRIED.

The other issue for payroll claims was that the jail proposed paying a nurse that was leaving the County's employment and the jail was paying earned vacation based on two years seniority and she had not reached her second anniversary date. The County Clerk said that he thought that vacation time was to be prorated on one week because she had not earned the benefits for two years because of not reaching her second anniversary date.
There was discussion surrounding that issue and the County Attorney confirmed the County Clerk's interpretation.
Commissioner Rohde moved, seconded by Commissioner Love to approve the payroll claims with consideration with applying the previous motion to approve the nurse's prorated vacation referencing one week eligibility and the other payroll claims as follows:
COUNTY GENERAL FUND: Gross salaries- $129,367.73, General Fund Employees Net Pay- $95,962.84, Employer deductions paid: Retirement- $8,981.86, FICA- $8,020.83, Medicare- $1,875.85, DC Health Plan- $, DC Dental Plan- $ and Life Insurance- $, Principal Mutual Life Insurance- $.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1365.13, Daniel Christoffers- 584.00, Theodore Piepho- 1748.23, Mary C. Wiltgen- 984.00, Marisol Curiel- 982.40, Darlene Davis- 953.60, Stephanie Gatzemeyer- 880.00, Robert Giese- 1748.23, Ruth Gillaspie- 1266.78, Jolene Heinemann- 1012.15, Tracey Rysavy- 978.40, Cherie Conley- 738.00, Margaret Rahn- $442.00, Daniel Christoffers- 589.48, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Elda Raudales- 163.68, Zachary Gerth- 1608.46, Debra Jensen- 1119.20, John Loos, Jr.- 2186.59, Katherine Wiltgen- 960.00, Richard Jensen- 1480.09, Duane Kotalik- 1384.00, Tammy Dunn-Peterson- 1400.01, Anthony Bos- 1844.18, Sergio Castillo- 296.46, Timothy Decker- 1903.85, Sandy Dickens- 487.04, Brian Ellinger- 2215.30, Michael Estes- 1549.60, Brent Gilster- 2106.47, Todd Hammer- 1721.60, Melvin Harrison III- 1966.06, Jason James- 1787.82, Douglas Johnson- 1903.85, Kimberly Johnson- 349.97, Jared Junge- 1721.60, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1810.04, Michael Kreegar- 1847.10, Vince Oordt- 625.86, Gary Powell- , Gayle Richards- 920.12, Kevin Rohde- 1726.92, Randall Walsh- 1903.85, Bridget Fiedler- 960.00, Kerry Johnson- 949.60, Sara Niles- 1884.62, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1135.20, Kimberly Watson- 2828.48, Caterina Saltzman- 2130.22, Jacob Acero- 1465.83, Ermelinda Ballesteros- 1762.97, Mason Billings- 1273.80, Joshua Blatchford- 1378.58, Rebecca Broer- 1458.60, Judy Case- 1164.66, Elisabet DeRoin- 1168.20, Sandy Dickens- 846.61, Jesse Doelle- $1042.46, Marjorie Donahue- 1377.00, Lisa Ford- 1386.94, Ryan Foster- 1258.36, Linda Frost- 856.80, Alma Gunderson- 1416.24, Amber Hamman- 1076.65, Deanna Haukap- 1349.69, Jeffrey Heitzman- 1310.95, Adam Hough- 1340.00, Michael Jacobson- 1379.95, Brett Johnson- 1366.12, Brenda Kelly- 1382.62, Terry Kern- 1971.15, Keith Klein- 1316.00, James Kleinberg-

1273.80, Paul Moser- 1118.64, Mark Nelson- 1433.65, Travis Olander- 1345.57, Kimberly Peterson- 1320.00, Daniel Rodasky- 1205.23, Cody Roeber- 1273.80, Jutharatana Ruenprom- 1320.00, Timothy Ryan- 1269.94, Linda Schovanec- 1440.45, Francis Tope- 1329.06, Jewel Williams- 1445.42, Cara Wood- 1386.94, Jolene Gubbels- 1049.60, Fred Kellogg- 201.92, Nicholas Long- 630.00, Leon Pies- 661.20, Pamela DeVries- 1677.82, Bonnie Kahler- 752.70, Linda Weitzel- 1184.00, Willard Johnston- 1050.00.
GENERAL FUND: Employee withholding paid to: Federal- $13,515.53, State- $4,636.58, FICA- $5,433.43, Medicare- $1,875.85, Retirement- $6,081.00, Health Plan- $, DC Dental Plan- $, Sheriff Union Dues- $, Deferred Comp- $332.00, Garnishments- $1,530.50.
COUNTY ROAD PAYROLL: Gross salaries- $14,786.44, Road Employees Net Pay- $10,981.06, Employer deductions paid: Retirement- $966.60, DC Health Plan- $, DC Dental Plan- $, Life Insurance- $, FICA- $621.01, and Medicare- $214.41, Principal Mutual Life Insurance- $.
Matthew Bartels- 1314.40, Brent Byroad- 1398.40, Robert Hacker- 1314.40, Ron Harder- 466.20, Hans Houfek- 1318.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1697.44, Kimon Litras- 1326.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,475.32, State- $506.99, FICA- $621.01, Medicare- $214.41, Retirement- $644.42, DC Dental Plan- $, Reassure America Life- $, Deferred Comp.- $61.68, Garnishments- $281.55.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item “Approve Accounts Payable Claims.”
Commissioner Gomez moved, seconded by Commissioner McNear to approve the payroll claims filed with the County Clerk and submitted by him for payment as follows:
GENERAL FUND: Dakota County Star, publishing/subscription- 601.89; Des Moines Stamp, stamps- 79.90; Midwest Office Automation, fuser/contract- 819.87; Perkins, supplies- 78.87; Theodore Piepho, mileage- 43.34; Derrell Rager Jr, refund- 5.00; Staples, supplies- 68.99; US Bank, supplies- 8.17; AJ Phillips, envelopes- 430.00; As Central Services, services- 115.00; Charlotte Doenhoefer, prior yrs- 10.00; Robert Giese, mileage- 122.76; Ruth Jensen, prior yrs- 12.00; Mardell Sorensen, prior yrs- 26.00; Irene Van Lent, prior yrs- 16.00; Microfilm Imaging, lease- 240.00; Margie Rahn, prior yrs- 12.00; Electronic Systems & Software, erm- 1600.00; Executive Technologies, contract- 196.11; Dakota Business Systems, contract- 102.00; Deb Green, mileage/meeting- 32.34; Jolene Gubbels, minutes- 30.00; Paul Ireland, mileage/meeting- 22.65; Jim Jepsen, mileage/meeting- 16.02; Dick McCabe, mileage/meeting- 28.26; Arnie Mellick, phone- 30.00; Marlan Millard, mileage/meeting- 18.57; Harold Moes, mileage/meeting- 22.14; Joe O’Neill, mileage/meeting- 18.57; Martin Rohde, mileage/meeting- 23.16; Mips, scanning- 86.00; Phyllis Obermeyer, food- 50.00; Perkins, supplies- 49.20; Cheryl Perkins, meals/mileage- 139.86; US Bank, supplies- 61.39; Kathy Wiltgen, meals/mileage- 146.57; Dakota Business Systems, lease- 99.00; Dakota County Court, check- 105.25; Dakota County Star, subscription- 37.00; Data Source, toner- 289.00; Paula Jensen, supplies- 40.67; Microfilm Imaging, scanning- 190.50; Midwest Office Automations, contract- 249.27; New Perspectives, shredding- 30.00; Cindy Foley, supplies- 236.40; Paul Vaughan, recorder- 32.09; Perkins, supplies- 540.00; Record Printing, stationary- 38.00; Perkins, supplies- 75.63; Matthew Connealy, court appointed counsel- 120.00; Dakota County Court, costs- 908.12; Randy Hisey, court appointed counsel- 1260.00; Kueny & Begley, court appointed counsel- 60.00; Stuart Mills, court appointed counsel- 600.00; Douglas Roehrich, court appointed counsel- 438.00; Patrick Tott, court appointed counsel- 438.00; West Group, books- 115.00; Dakota County Sheriff, papers/warrants- 484.22; District Court, costs- 486.30; Kami Hooey, transcripts- 100.50; Stuart Mills, court appointed counsel- 2400.00; Douglas Roehrich, court appointed counsel- 322.50; Richard Thramer, court appointed counsel- 574.14; Patrick Tott, training/court appointed counsel- 776.40; Ateam Heating & Cooling, repair- 415.00; Barone Security Systems, inspection- 396.96; City of Dakota City, utilities- 564.25; Gill Hauling, service- 120.00; Joes Dept Store, repair- 56.50; Menards, supplies- 1032.58; MidAmerican Energy, utilities- 1293.00; Nebr Public Power Dist, utilities- 3806.31; Richard Jensen, mileage- 120.48; Share Corp, repair- 504.00; Siouxland Lock & Key, supplies- 180.00; Trembly Pest Control, service- 50.00; Verizon, phone- 53.37; PMNRD, rent- 833.33; UNL Extension, reimburse- 1200.76; AJ Phillips, property reports- 350.00; Kerry Bligh, animal control- 150.00; City of South Sioux City, fuel- 7434.35; Dakota County Treasurer, titles- 30.00; Fremont Tire, repair/truck- 233.45; Jacks Uniforms, supplies/clothes- 366.95; Joes Dept Store, supplies- 44.63; K&S Auto Service, repair- 965.80; Liebers Garage, repair- 474.18; Pepperball Tech, bottles- 212.00; SFCU, supplies/meals- 168.93; Sirchie Finger Print, black powder- 139.00; TriState Communications, repair- 125.00; US Bank, meal/supplies/repair- 509.94; Verizon, data cards- 430.18; Wal-Mart, batteries- 72.87; Dept of Motor Vehicles, transcripts- 4.00; H2O4U, water- 24.75; Iowa Office Supply, contract- 137.64; Jennifer Jensen, interpret- 405.00; New Perspectives, shredding- 15.00; Peter Parry, phone- 20.00; University of Nebraska Medical Center, testing- 150.00; Verizon, phone- 134.89; City of South Sioux City, lec cost- 31822.54; Schmader Electric, repair- 2165.00; BI Inc, electric monitoring- 593.40; Net Sys Plus, laptop- 1314.99; Redwood Technology, testing- 25.38; Verizon, phone- 89.40; Ateam Heating & Cooling, service- 85.00; Addison Electric, conduit/repair- 265.54; Aman, supplies- 1851.95; Aramark, service- 64.37; Bob Barker, supplies- 1110.82; CBM Food Service, meals- 21107.13; CashWa Dist, meals- 19.72; City of Dakota City, utilities- 1009.74; City of South Sioux City, fuel- 695.90; Crescent Electric Supply, bulbs- 97.08; Crittenton Center, medical- 381.21; Dakota One Leasing, contract- 220.00; Marjorie Donahue, mileage- 48.99; Foulk Brothers Plumbing, leaking- 8812.50; Gill Hauling, service- 120.00; Amber Hamman, mileage- 51.17; Hough Distributing, gloves- 1280.00; Jacks Uniforms, clothing- 380.15; Joes Dept Store, supplies- 128.66; Kleen Solutions, supplies- 124.90; Mercy Bus. Health, medical- 1890.50; Mercy Medical Center, medical- 6051.30; Mercy Medical Services, medical- 43.00; MidAmerican Energy, utilities- 464.18; Midwest Office Automation, contract/toner- 217.75; Myron Corp, books- 236.29; NE Nebr Juvenile Serv, boarding- 3128.75; NW Iowa Emerg Phys, medical- 2151.00; NW IA Yes Center, boarding- 6650.00; Nebr Public Power Dist, utilities- 4801.71; Radio Accounting Service, ad- 260.00; Sam’s Club, supplies- 206.62; Siouxland Federal Credit Union, supplies- 12.67; Siouxland Radiology Partners, medical- 46.00; Speedy Rooter,

service- 480.00; Staples, supplies- 471.70; Swank Motion Pictures, license- 429.00; Trembly Pest Control, service- 55.00; US Bank, prescriptions/repair/meals/supplies- 4628.92; Verizon, phone- 290.51; Woodbury Co Juv Det, boarding- 4600.00; Dodge County Clerk, probation billing- 12667.80; Staples, supplies- 49.37; Verizon, phone- 66.47; AZ Inc, fuel- 195.01; Heritage Express, fuel- 124.00; Hubbard Minimart, fuel- 506.50; Joes Dept Store, parts- 43.53; Leon Pies, phone- 30.00; Wilmes Hardware Hank, supplies- 35.16; Aslabeled, dots- 98.31; Pam Devries, mileage- 148.92; Pat Glover, hours- 50.00; Linda Weitzel, mileage- 112.20; Thomas Wente, physician fee- 250.00; Bill Johnston, mileage/phone- 290.85; Midwest Office Automations, supplies- 182.70; Thomson West, service- 711.10; Business Telecomm Systems, service- 254.00; Cableone, internet- 169.96; Cherie Conley, ymca membership- 19.50; Claritus, ink- 140.91; Fibercomm, phone- 1180.43; FSH Communications, payphone- 63.60; Goldstar Products, graffiti- 924.75; IBM Corp, maintenance agreement- 145.72; Mailfinance, lease- 227.00; Mercy Business Health, screening/eap agreement- 1040.75; MIPS, support- 424.62; Nebr Dept of HHS, space rent- 6800.00; NE Nebr Area Agency Aging, fiscal match- 5817.00; Norm Waitt Sr YMCA, memberships- 214.50; Region IV, services- 5320.25; Region 4 Behavioral Health, qtrly services- 7556.00; Romans Weimer & Assoc, audit- 12600.00; Madelyn Thorsland, prior yrs- 10.00; Three Rivers Benefit, admin fees- 110.00; Randy Walsh, ymca membership- 19.50; US Postal Service, postage- 2500.00; Adcraft, signage- 672.00; Bierschbach, signage- 156.60; Joes Dept Store, cable ties- 114.57; Midwest Sales & Service, supplies- 15712.50; Net Sys Plus, service- 180.00; Probuild, stakes- 105.77; Siouxland Concrete, repair- 734.00; Stephan Welding, repair- 354.50; Wood & Aitken, legal services- 528.00; Road Fund, budget transfer- 10000.00;
ROAD FUND: Advance Auto, supplies- 6.19; Aramark, service- 167.07; AZ Inc, fuel- 2812.31; Crane Sales & Service, inspection- 141.63; Dakota County Petty Cash, parts/supplies- 55.50; Dakota County Star, publishing- 9.26; Electronic Engineering, gps- 900.00; Gill Hauling, service- 55.00; Walter Heineman, prior yrs- 29.00; Hubbard Minimart, fuel- 2584.63; H2O4U, service- 30.00; Industrial Tools & Service, supplies- 7.79; Jackson Glass, parts- 85.00; J&J Pronto, fuel- 1027.20; S Jans Contracting, maintenance- 2351.25; Joes Dept Store, supplies- 191.87; Kinetic Leasing, loader/interest- 2458.00; LG Everist, gravel- 18135.53; Low Implement, parts- 476.71; Matheson-Linweld, oxy- 52.00; Medical Enterprises, testing- 31.00; Marlan Millard, prior yrs- 15.00; Motion Industries, parts- 140.87; Nebr Public Power Dist, utilities- 30.82; Northeast Equip, tractor- 900.00; NE Nebr Public Power Dist, utilities- 248.75; NE Nebr Telephone, phone- 243.94; Peterson Sand & Gravel, gravel- 351.00; Pomps, tires- 208.00; Powerplan, parts- 434.30; Rees Mack & Sales, supplies- 61.67; Road Machinery & Supplies, parts- 38.24; Robertson Implement, parts- 62.91; Thermo King Christensen, supplies- 105.03; Torco Remfg, parts- 359.90; US Bank, flag- 52.00; Verizon, phone- 34.55; Warren Oil, diesel- 12774.90; Zieglers, parts/oil/supplies- 326.26;
VISITORS PROMOTION: South Sioux Chamber, lodging tax- 9946.42;
VETERANS AID: County Veterans Service Officer, checking- 4500.00;
STOP FUND: Desert Snow, equipment- 139.95;
HEALTH PLANNING GRANT: Deanna Beckman, hours- 1037.00; Dakota County General Fund, reimburse- 15650.94; Pam Devries, mileage- 141.06; Net Sys Plus, service- 185.99; US Bank, supplies- 1627.31;
CO AID ENHANCEMENT GRANT: Nebraska Crime Commission, funds- 1090.82;
PUBLIC SAFETY: City of South Sioux City, sales tax- 2864.44; Jail Bond Fund, sales tax- 26954.98; Road Fund, mv tax- 811.24;
E911: City of South Sioux City, 911 monies- 25338.75;
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Officials Reports."
Commissioner Rohde moved, seconded by Commissioner Gomez to acknowledge receipt of and approve the Officials Reports filed with the County Clerk by the County Clerk, Register of Deeds for the months of June and July, 2011 and the Clerk of the District Court's report for July, 2011. Be it further resolved to acknowledge receipt of and approve the County Clerk's Quarterly Interest Reports for the months of April, May and June, 2011.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Missouri River Flood Update."
Mr. Bousquet reported that they (not sure who they are) have met with some area land owners on the levy and removal, which the city and County will put out for bid to see what it will cost to remove the levy and some of the land owners would like portions of the levy and some of the landowners would like to use some of that dirt to repair their own properties and they are trying to work with them on that.
Chair Bousquet said that Lance is presently getting bids for that to be done.
Chris Kleinberg said that he was concerned about the Liteform and when that was going to be removed and what can be done with it. Mr. Bousquet thought that they would have that information this week.

Chair Bousquet called for the Agenda Item "Kim Watson, County Attorney, and Fred Kellogg, Highway Supt. – Closed session to discuss strategy for imminent litigation involving flooding on Leon Jessen's property."
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED. 5:12 p.m.

Chair Bousquet said that they need a motion to come out of Executive Session.
Commissioner Rohde moved, seconded by Commissioner Love to go out of Executive Session.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED. 5:28 p.m.
Following roll Chair Bousquet, on behalf of the Board, said that the Board has decided to take no action on this tube and I guess the Jessen's can take the appropriate angles and action that they deem fit.

Leon Jessen asked neither the tube or clean the ditch, neither one.
Chair Bousquet said that they were not going to take any action on anything.
Mick Connealy asked to be heard and Chair Bousquet told Mick that he was not on the agenda.

Chair Bousquet called for the Agenda Item “Commissioner’s Committee Reports.”
Commissioner Rohde said that the Budget Committee met and all the department heads have been good to work with.
Chair Bousquet called for the Agenda Item “Commissioner’s Member Reports” and there were none.
Chair Bousquet called for the Agenda Item “Public Comment.”
Mick Connealy asked the Board to authorize the County Attorney to speak and share specifics with him on the County’s legal position.
Chair Bousquet called for the Agenda Item “Mail and/or Emergency Business” and there was none.
Chair Bousquet adjourned the Regular Meeting of August 22, 2011 at 5:33 p.m.

County Board of Commissioners

_____
Richard Rick Bousquet, Chair Date Chair signed

DAKOTA COUNTY SEAL NEBRASKA

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

Dakota County Board of Commissioners
Monday, August 29, 2011, 11:00 a.m. Emergency Meeting
Dakota County Courthouse
County Board Lower Level Meeting Room
Dakota City NE 68731

Chair Bousquet called the emergency meeting to order at 11:00 a.m. with the Pledge of Allegiance. Chair noted the location of the Open Meetings Act. Roll call was taken.

Present were: Commissioners Bousquet, Love, Rohde, Gomez, McNear and Ted Piepho, Secretary. Absent: None
Also present were Joan Spencer, Administrative Assistant to the Board, and Kim Watson, County Attorney.

The Agenda for said meeting will be as follows:
1. Board to decide if the County will resume the assessment function beginning July 1, 2012.
2. Personnel wages - Assessor employees
3. Adjournment

Chair Bousquet stated that the reason for the Emergency Meeting is for the County to consider whether the County Board wishes to resume the assessment function of the County prior to 2013.

Chair Bousquet informed the other members that the County had to vote on this before September 1st and had asked Dick to be here today and explain the situation and to give us some facts and figures.
Dick Erickson, from the Assessor's Office, stepped up to the podium.
The law, as written, says that the County has the option to take the office back any one of the 3 times and then on the 4th time you get it regardless. You are going into the third time now which means it would become a County function on July 1, 2012 instead of 2013. In the fiscal year 2012-2013 the county is required to pay 75% of the states budget relative to that office. The state is required to pay 25%. So if you take it back, you will be acquiring that 25% additional base budget. I do think that there are some places that we can save some money and there is a handout there that shows roughly what the county can save. I don't know if that part of it is a big issue. The thing that you need to be most aware of is, with all the flood damage and that, I would be amazed if our total value does not drop for 2012. Mr. Erickson said that he thought that he needed to be up front and tell the board that.

Commissioner Rohde commented that the county will notice that in the 2012-2013 budget. I think you are going to see a substantial savings in wages. I know in talking with the Treasurer that Terra Scan is saying they are going to charge us $3000 to $4000 to convert the Orion information to Terra scan so they can print tax statements. As I understand it from a meeting I had with Ruth Sorensen, if the County so chooses we can go back to the Terra scan in July 2012 but that is a question for Ruth Sorensen.

Chair Bousquet commented that it would be $92,000.00 for taking the Assessors office early. Secretary Joan Spencer noted that was this year's billing, fiscal year 2010-11 and the County paid $92,013.41. That is our 25%. Commissioner Rohde commended next year we are at 50% for 2011-12. Dick Erickson noted for 2012-2013 the County will be paying 75% and the State paying 25%. Joan Spencer noted unless we assume the Office.

Chair Bousquet commented if we take it back in 2012 our total expenses are going to be $331,000? Dick Erickson commented that he thinks they are going to be a little bit more than that but less than what this year reads. Chair Bousquet…any other questions for Dick?

Commissioner Gomez commented so if we don't take this back, we get it back in 2013 regardless.
Dick Erickson stated yes.

Commissioner Rohde asked Attorney Kim Watson if it was even possible, per state statute, to take it over early and she stated yes, it is, but it has to be done by September first of this year.
Ms. Spencer, Assistant to the Board, said that it was in the packet that she provided. She said that I think that it goes on to say quite a few things that you have to do.

Commissioner Rohde clarified that it would take effect next budget year and the County would be paying 100% of the Assessor's Budget instead of 75%. Ms. Spencer said that the County would have to appoint an assessor at that time and there is a buy back of sick pay and vacation.

Commissioner Bousquet said that the County will have to assume the full cost of it anyway.

Commissioner Gomez remarked we are really not going to save any money. Is there any difference? Ms. Spencer said $100,000 or 25%.

Commissioner Bousquet asked Mr. Erickson if he felt the County would save by taking the Assessor's Office and Mr. Erickson assured them they would or he wouldn't be there. Chair Bousquet clarified that the County would be taking the Assessor's Office back on July 1, 2012 and that 2011 is taken care of up to July 2012. After that the County would be assuming 100% of the cost but the State would still be taking care of it, but if we vote today we will be taking it over earlier and working with Dick to cut some costs in that office. Mr. Erickson addressed Ms. Watson with a question of regardless of whether they take it in 2012 or 2013 they'd still have to buy out the sick pay and vacation pay, right? Ms. Watson advised that there are different time limits on it and she does not have a detailed list.

Discussion was had as to what other counties in Nebraska were taking action. Commissioner Rohde asked Mr. Erickson if he felt the county would be saving money. Mr. Erickson assured the Board that the County would be saving, but not sure how much exactly.

Commissioner Rohde asked if we would go back to the Terra scan and Mr. Erickson stated that is a question for the State, but was not sure and Ruth Sorensen would have to answer that.

Commissioner Bousquet requested a copy of the minutes from the meeting with Ruth Sorensen and have Ms. Watson look them over so we will know if we will be converting to Terra Scan. Ms. Watson suggested making a phone call to Ms. Sorensen. Ms. Watson tried to contact Ms. Sorensen via telephone. The audio of the minutes from the 2010 meeting with Ms. Sorensen was played for the Board for clarification of the contract signed regarding the CAMA system vs Terra Scan system.

Chairman Bousquet noted that from the review of the minutes, the County is in the contract for the CAMA system year by year. Back to the discussion as to whether the county wants to take over the Assessor's office, I believe we have to appoint an Assessor to take over in 2013. We need to appoint someone today. We have the guy right here that we can appoint and then he would have to run for election when it comes open.

Commissioner Gomez commented that according to Mr. Erickson, we will be saving money for the County and it would be better to take over now.

Commissioner Gomez moved to take over the assessment office function from the state and to appoint Dick Erickson as County Assessor. Commissioner Bousquet said that we have a motion by Tony Gomez and the County Clerk asked if he wanted to read the resolution. Chair Bousquet read the Resolution that the County Attorney had prepared and the resolution number was 11C-019.

Resolution 11C-019
Resolution Reassuming the Assessment Office Function from the
State of Nebraska Effective July 1, 2012

WHEREAS, Dakota County is a political subdivision of the State of Nebraska incorporated and duly organized under the laws of the State of Nebraska; and,
WHEREAS, Legislative Bill 121 was approved and enacted into law within the State of Nebraska; and
WHEREAS, the Dakota County Board of Commissioners acting under their granted powers elect to avail Dakota county of the power to reassume the assessment function from the State, having previously elected to use the State Assessor functions.
NOW, THEREFORE, BE IT RESOLVED that the Dakota County Board of Commissioners does hereby reassume the assessment office function from the State of Nebraska effective July 1, 2012.

Resolved this 29th day of August, 2011.

Chair Bousquet said that we have a motion by Commissioner Gomez to reassume the assessment office and to appoint Dick Erickson as our assessor until election time. Commissioner McNear seconded that.

Chair Bousquet called for the vote.

Commissioner Rohde stated in an asking way, that the County will not save money the first year and Mr. Erickson said that it would be close and both agreed that it is not known how much.

County Clerk was instructed to call roll.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet asked the Board if they wanted to talk about personnel wages.
Mr. Erickson said that would probably be an issue for your 2012-2013 budget.

Chair Bousquet adjourned their August 29, 2011 Emergency Meeting at 11:58 a.m.

DAKOTA COUNTY SEAL NEBRASKA

Dakota County Board of Commissioners

_____
Rick Bousquet, Chair Date Chair signed

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

Dakota County Board of Commissioners
September 6, 2011 Regular Meeting
County Board Meeting Room
Dakota County Courthouse
Dakota City, NE 68731

Vice Chair Rohde called the meeting to order at 4:24 p.m.
Present were: Commissioners Love, Gomez, Rohde, McNear and Ted Piepho, Secretary and County Clerk. Absent: Bousquet.
Joan Spencer, Board Assistant and Kim Watson, County Attorney, were also present.

The agenda for this meeting was as follows:

- Call meeting to Order.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meeting
- Amber Hupe-Monney – Dakota County Victims Assistance Director
  - Presentation on program services and budget.
- Jeremy Cross - Removal of the county portion of the earthen Missouri Flood levee bid letting.
  - Approve Resolution 11C-022 – A resolution relating to emergency removal of flood levee; waiving competitive bidding requirements; and appointing the professional services of Olsson & Associates to obtain bids to remove the flood levee.
- Public Hearing advertised to begin at 4:30 p.m.
  - Open Public Hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the 2011-12 proposed budget.
    - Explanation of Hearing
      - Testimony of proponents
      - Testimony of opponents
      - Neutral Testimony
      - Close Hearing
    - Motion to approve increasing the base restricted funds by an additional 1% - $49,803.66.
    - Motion to approve Resolution 11C-020 Adoptions and Appropriations of the 2011-12 County Budget.
- Public Hearing advertised to begin at 4:35 p.m.
  - Open Public Hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request.
    - Explanation of Hearing
      - Testimony of proponents
      - Testimony of opponents
      - Neutral Testimony
      - Close Hearing
    - Motion to approve increasing the base restricted funds by an additional 1% - $49,803.66.
    - Motion to adopt and approve Resolution 11C-021 setting the 2011-12 Property Tax Request.
- 2011 Missouri River Flood: Status update, further discussion and action of any and all current or foreseeable issues relating to the flood, including but not limited to the Incident Action Plan, levee surveillance, maintenance, and repair; current and projected flood levels; current and projected groundwater levels; equipment and materials available or needed; personnel available or needed; volunteers; overtime; roads; emergency routes; communication status; infrastructure; safety; City/County Interlocal Agreement; fiscal status and accounting; NEMA; FEMA; National Guard; County Sheriff's Office; State Patrol; Olsson Associates; Hans Excavating; Army Corp of Engineers; bonding and/or tax levy issues; and any other disaster or flood related issues needing attention.

- William "Bill" Lundy, Telecom Engineering Nebraska Public Power District
  - Requesting approval for the installation of direct buried fiber in public right of way in Dakota County to support communications operations of the electrical system in Dakota County, South Sioux City, Nebraska.
- Miscellaneous Agenda Items
  - Approve Payroll Claims
  - Approve Accounts Payable Claims
    - Stan Jans Contracting for grading work
  - Resolution appointing Payroll Administrator to administer employee benefits prior to payroll claims coming to the Board and the Resolution to identify an appeal process.
  - Project RD-75-4(1009) Homer – Dakota City C.N> 31988.
    - Chair to sign document advising the Department of Roads the number of tying out corners and the number of remonumenting section corners and a dollar rate for the above project.
  - Resolution to approve changing the S.T.O.P. class from an 8-hour class to a 4-hour class.
- Commissioner's Committee Reports

- Commissioner's Member Reports
- Mail and/or Emergency Business
  - Letter from Nationwide to decide whether the County is opposed to the changes to the Designated Investment Options within the County's Retirement Plan's Annuity Contract.
- Public Comment
- Closed session to discuss Road Department Union contract negotiations.
- Adjournment

Vice Chair Rohde called for the Agenda Item "Approve Minutes of prior meeting."

Commissioner Gomez moved, seconded by Commissioner Love to approve the minutes of August 22, 2011 Meeting and the August 29, 2011 Emergency Meeting, as typed and prepared for the Official Record.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Absent. UNANIMOUS MOTION CARRIED.

Commissioner McNear moved, seconded by Commissioner Gomez to excuse Commissioner Bousquet for his absence.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Absent. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for the Agenda Item "Amber Hupe-Monney – Dakota County Victims Assistance Director Presentation on program services and budget."

Amber Hupe-Monney, Victims Assistance Program Director appeared before the Board and gave a packet to the Board with various statistics and update to the program. She said the Victims Assistance Program is basically a provider for Dakota County Residents and named services that they provide. Funding for the program from South Sioux City and Dakota County are 20%.

Vice Chair Rohde called for the Agenda Item "Jeremy Cross - Removal of the county portion of the earthen Missouri Flood levee bid letting and to approve Resolution 11C-022 – A resolution relating to emergency removal of flood levee; waiving competitive bidding requirements; and appointing the professional services of Olsson & Associates to obtain bids to remove the flood levee."

Mr. Cross said that we have a resolution and it allows the Board to declare the removal of the Flood Levee an emergency whereas we can waive the normal competitive bidding requirements and appoint Olsson & Associates to get bids immediately and start the removal process. He explained what the normal process would be and thought we would be looking at the end of October, if the County went that route. He then explained the process by declaring the removal an emergency, which needs to be done because according to the Army Corp it has to be done in 30 days. He thought the process in this manner would take until the beginning of October, but you are not looking at the end of October.

Commissioner Love asked when the 30 days actually started and Mr. Cross said that the Corp. told him when the river is in it's banks.
He said that it was ok with several people to start removing the levee right away and there were others that wanted to wait until after the harvest is in. He said that the Corp consented to that verbally, but that he asked for that in writing and had not heard from them since. Mr. Cross said that there are also people wanting to get back in their houses.

There was discussion with Chad Kerht, from Olsson & Associates on the properties that would be affected in taking out the levees. He mentioned the Mayberry Property, Golf Course, McGinty, Bousquet and Muff properties. The Golf Course would like to get the levee out so they can start their repairs. Mr. Kerht did say that the Corp. requires all the dirt that was used to be returned to it's state prior to the levee construction.

There was discussion where the city limits ends. It was determined that the Muff property line is where the County starts.

Commissioner Gomez moved, seconded by Commissioner Love to adopt Resolution 11C-022, a resolution relating to emergency removal of flood levee, waiving competitive bidding requirements and appointing the professional services of Olsson & Associates to obtain bids to remove the flood levee, as follows.

THE COUNTY OF DAKOTA
IN THE STATE OF NEBRASKA
RESOLUTION NO. 11C-022

RESOLUTION RELATING TO EMERGENCY REMOVAL OF FLOOD LEVEE; WAIVING COMPETITIVE BIDDING REQUIREMENTS; AND APPOINTING THE PROFESSIONAL SERVICES OF OLSSON & ASSOCIATES TO OBTAIN BIDS TO REMOVE THE FLOOD LEVEE

WHEREAS, Dakota County, Nebraska (hereinafter referred to as "the County"), in response to an imminent flood threat, executed a disaster declaration on May 31, 2011; and,

WHEREAS, South Sioux City, Nebraska (hereinafter referred to as "the City") and U.S. Army Corps of Engineers (hereinafter referred to as the "Corps") entered into an Emergency Cooperation Agreement on June 1, 2011 to construct a temporary emergency flood levee to protect the City and County against

flooding by the Missouri River; and,

WHEREAS, the Corps' professional assistance, service and construction of the emergency flood levee under the Cooperation Agreement was conditioned on the removal of said levee taking place by the City within thirty (30) days of the conclusion of the flood event; and,

WHEREAS, the City and County entered into an Interlocal Cooperation Agreement, pursuant to the provisions of the Interlocal Cooperation Act (Neb. Rev. Stat., Section 13-801 to 13-827, as amended), on July 11, 2011 to jointly address, among other things, the removal of the temporary flood levee upon the conclusion of the flood event; and,

WHEREAS, the flood waters have rapidly receded requiring emergency action by the City and County in order to comply with the Corps' Cooperation Agreement; and,

WHEREAS, the failure to comply with the Corps' Cooperation Agreement will place significant financial hardship on the City and County, as well as continue to prevent City and County residents from accessing their homes and property; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-3109, the County may, by majority vote, waive competitive sealed bidding requirements in the event of an emergency; and,

WHEREAS, it is in the City and County's best interest to waive the competitive sealed bidding requirements here so that the temporary flood levee may be removed and the site may be restored to its pre-emergency condition within 30 days of the conclusion of the flood event.

WHEREAS, the County desires to appoint the professional services of Olsson & Associates to immediately obtain contractor bids for the removal of the temporary flood levee in quick fashion.

THEREFORE, BE IT RESOLVED, by the Dakota County Board of Commissioners that the removal of the flood levee is an emergency; that the competitive sealed bidding requirements are waived; and that Olsson & Associates shall immediately obtain bids to remove the flood levee for further determination by the City and County.

Resolved this 6th day of September

____Absent_____	_/s/ Antonio A. Gomez_____
Richard Bousquet	Antonio Gomez
Chair	Commissioner
__/s/ Scott Love_____	_/s/ Richard McNear_____
Scott Love	Richard McNear
Commissioner	Commissioner
_/s/ Bill B. Rohde_____	_/s/ Theodore A. Piepho_____
Bill B. Rohde	ATTEST
Commissioner	Theodore A. Piepho, County Clerk

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

Vice Chair Rohde called for the Agenda Item "Public Hearing advertised to begin at 4:30 p.m."
Vice Chair Rohde called for the Agenda Item "Open Public Hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the 2011-12 proposed budget" and opened the Public Hearing at 4:42 p.m.
Vice Chair Rohde called for the Agenda Item "Explanation of Hearing" and the Assistant to the Board said that the proposed budget was published in the South Sioux City Star and when the proposed budget was published, it was noted that the fifty cent lid limit was exceeded. The Assessor then recertified values and the Board approved a bond so there are some amendments that have to be adopted when the budget is approved.
The General Fund Tax Requirement is $10,071,034.40, 2011-12 Cash on Hand & Est. Other Revenue is $5,776,554.15, 2011-12 Total Property Tax Requirement is $5,544,480.25, which was less than advertised. There is now a Total Property Tax Requirement for Bonds and the first payment on our flood bids is $3,033.33, so Total Property Tax Requirement for ALL other is $5,562,694.33. That created an unused budget authority for next year of $292,459.04, and a 2011-12 Proposed Property Tax Request of $5,565,727.66 and the proposed 2011 Tax Rate is .449744.
Vice Chair Rohde called for the Agenda Item "Testimony of proponents" and there was no one to offer comments.
Vice Chair Rohde called for the Agenda Item "Testimony of opponents" and there was no one to offer comments.
Vice Chair Rohde called for the Agenda Item "Neutral Testimony" and there was no one to offer comments.
Dennis Reinert questioned going over the 50 cent lid and it was explained that the County can not go over the 50 cent lid and it is illegal to do that and that we are one hundredths under that. Mr. Reinert was ok with that.
Vice Chair Rohde called for the Agenda Item "Close Hearing" and closed the hearing at 4:46 p.m.
Vice Chair Rohde called for the Agenda Item "Motion to approve increasing the base restricted funds by an additional 1% - $49,803.66.
Commissioner Love moved, seconded by Commissioner Gomez to authorize increasing the base restricted funds by an additional 1% amounting to $49,803.66 to the County's FY 2011-12 Budget.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Absent, Rohde- Yea and McNear- Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for the Agenda Item "Motion to approve Resolution 11C-020 Adoptions and Appropriations of the 2011-12 County Budget."
Commissioner Gomez moved, seconded by Commissioner Love to adopt Resolution 11C-020 that it be resolved: SECTION 1. That the budget for the Fiscal Year July 1, 2011 to June 30, 2012 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, 2011 and ending June 30, 2012.
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 the Board to make the following amendments from the published proposed budget statement and approves and adopts the budget that reflects those amendments: The General Fund Tax Requirement is $10,071,034.40, 2011-12 Cash on Hand & Est. Other Revenue is $5,776,554.15, 2011-12, Total Property Tax Requirement is $5,544,480.25, Total Property Tax Requirement for Bonds is $3,033.33, so Total Property Tax Requirement for ALL other is $5,562,694.33. That created an unused budget authority for next year of $292,459.04, and a 2011-12 Proposed Property Tax Request of $5,565,727.66, and a 2011 Tax Rate of .449744.

DAKOTA COUNTY
RESOLUTION 11C-020 OF ADOPTION AND APPROPRIATIONS

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2011 to June 30, 2012, prepared by the Budget Making Authority, was transmitted to the County Board on the 6th day of September, 2011.

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, 2011 to June 30, 2012 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, 2011 and ending June 30, 2012.

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 6TH DAY OF SEPTEMBER, 2011.

COUNTY BOARD

/s/ Antonio A. Gomez, /s/ Bill B. Rohde, /s/ Scott Love, /s/ Richard McNear
ROLL CALL VOTE: Love- Yea, Bousquet- Absent, Rohde- Yea, McNear- Yea and Gomez- Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for the Agenda Item "Public Hearing" advertised to begin at 4:35 p.m.

Vice Chair Rohde called for the Agenda Item "Open Public Hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request.
Vice Chair Rohde called for the Agenda Item "Explanation of Hearing" and the Assistant to the Board said that she had already given those figures and restated them to be that our proposed property tax request is $5,677,727.70 and our proposed tax rate is .459054 and that includes Road Improvement, Visitor's Promotion and General Fund.
The 50 cent lid that Mr. Reinert was asking about in the previous public hearing includes Fire Department, Ag Society and Historical Society.

Vice Chair Rohde called for the Agenda Item "Testimony of proponents" and there was no one to offer comments.
Vice Chair Rohde called for the Agenda Item "Testimony of opponents" and there was no one to offer comments.
Vice Chair Rohde called for the Agenda Item "Neutral Testimony" and there was no one to offer comments.
Vice Chair Rohde closed the Public Hearing at 4:53 p.m.

Vice Chair Rohde called for the Agenda Item "Motion to adopt and approve Resolution 11C-021 setting the 2011-12 Property Tax Request.
Commissioner Love moved, seconded by Commissioner McNear to adopt Resolution 11C-021, which states that the Governing Body of the County of Dakota, by a majority vote, resolves that: The 2011-2012 property tax request be set at $5,565,727.66 and a copy of the resolution be certified and forwarded to the County Clerk prior to October 15, 2011, as follows:

RESOLUTION 11C-021 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 at 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 2011-2012 property tax request be set at $5,565,727.66.
2. A copy of this resolution be certified and forwarded to the County Clerk prior to October 15, 2011.
Adopted this 6th day of September, 2011.

Attest:
___/s/ Theodore A. Piepho_____ ___/s/ Bill B. Rohde_____
County Clerk Vice Chair
ROLL CALL VOTE: Bousquet- Absent, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for the Agenda Item "2011 Missouri River Flood: Status update, further discussion and action of any and all current or foreseeable issues relating to the flood, including but not limited to the Incident Action Plan, levee surveillance, maintenance, and repair; current and projected flood levels; current and projected groundwater levels; equipment and materials available or needed; personnel available or needed; volunteers; overtime; roads; emergency routes; communication status; infrastructure; safety; City/County Interlocal Agreement; fiscal status and accounting; NEMA; FEMA; National Guard; County Sheriff's Office; State Patrol; Olsson Associates; Hans Excavating; Army Corp of Engineers; bonding and/or tax levy issues; and any other disaster or flood related issues needing attention."
Mr. Robert Giese, speaking from the audience, said that this was put on as a catch all and there is no action needed under this agenda item.

Vice Chair Rohde called for the Agenda Item "William "Bill" Lundy, Telecom Engineering Nebraska Public Power District request for approval to the installation of direct buried fiber optic cable in public right of way in Dakota County to support communications operations of the electrical system in Dakota County, South Sioux City, Nebraska."

Bill Lundy stepped up to the podium and asked permission to bury fiber optic cable in public right of way in Dakota County starting at H Avenue, which is the twin church sub-station, northwest around the airport to their office on Daniels Lane. They are also going to bury cable along C Avenue, from 39th & G down to their new sub-station that is being built directly across from the Tyson Plant. Mr. Lundy stated the reasons why it was necessary to install this cable.
Their installation practices are to bore culverts in all the county intersections. The rest of it is direct plowed at a minimum depth of 42" and they like to bury where there is no paving, about four (4) foot from the edge of the road where the road runs off in the ditch. Along C Avenue where it is paved, they will run the cable in the ditch.
He said that they will also have to bury cable from where the blacktop ends on Elgin Avenue along the north side of Elgin Avenue and then along Old Highway 20 and then they will also be burying a short section along F Avenue.
He noted that they have hired Bower Underground as their Contractor and they are tentatively scheduled to start on November 1. If we have an early winter then they will stop construction and start up again in spring when it is safe to do so.

Mr. Lundy said that if the County has to do work in the areas where they have cable, they will move it at no expense to the County. If the County does not call the dig hotline then the County would be liable if there is damage to their cable.
He asked the Board since they missed Avenue C on the Permit, could they amend the permit and include it in this permit so they don't have to process another permit.
The Board advised Mr. Lundy that C Avenue will be paved all the way to Dakota City next year and wanted everybody aware of that. There was discussion about that and Mr. Lundy said that they will have to go in the ditch rather than as shown on the edge of the road and he would have to take care of that on his end. Mr. Lundy said that they would be going down the west side of C Avenue. It was noted that there were other utilities in the ditch and Mr. Lundy said that they would have to go where it fits.

Vice-Chair Rohde told Mr. Lundy to pencil in C Avenue and they would approve the change in the permit today.
Mr. Lundy said that they would take care of all safety precautions road signs and men wearing vests etc.

Commissioner Gomez moved, seconded by Commissioner McNear to approve the Nebraska Public Power District permit for the installation of direct buried fiber optic cable in public right of way in Dakota County to support communications operations of the electrical system in Dakota County, South Sioux City, Nebraska and that C Avenue be included in that permit.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Absent. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for the Agenda Item "Approve Payroll Claims."

He pointed out that several employees claims came in with pay increases retroactive back to June 13th which would be payable in this fiscal year and some are retroactive to July 1st, which is our current fiscal year. He said that you can argue both ways, but that he believes they should be retroactive back to July 1st instead of June 13th.
Commissioner Gomez moved, seconded by Commissioner Love to approve the payroll claims and that all retroactive pay increases be figured to July 1st, as follows:
COUNTY GENERAL FUND: Gross salaries- $137,788.44, General Fund Employees Net Pay- $98,351.57, Employer deductions paid: Retirement- $9,627.26, FICA- $8,331.02, Medicare- $1,948.44,

DC Health Plan- $23,000.00, DC Dental Plan- $999.12 and Life Insurance- $204.07, Principal Mutual Life Insurance- $1,213.10.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1553.50, Daniel Christoffers- 584.00, Cherie Conley- 1230.77, Theodore Piepho- 1748.23, Mary C. Wiltgen- 984.00, Marisol Curiel- 982.40, Darlene Davis- 953.60, Stephanie Gatzemeyer- 880.00, Robert Giese- 1748.23, Ruth Gillaspie- 1266.78, Jolene Heinemann- 1044.80, Tracey Rysavy- 978.40, Debera Benton- $840.00, Daniel Christoffers- 584.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Elda Raudales- 163.68, Zachary Gerth- 1608.46, Debra Jensen- 1119.20, John Loos, Jr.- 2186.59, Katherine Wiltgen- 960.00, Richard Jensen- 1480.09, Duane Kotalik- 1384.00, Tammy Dunn-Peterson- 935.20, Anthony Bos- 2068.04, Sergio Castillo- 708.21, Timothy Decker- 2689.25, Sandy Dickens- 498.20, Brian Ellinger- 22543.71, Michael Estes- 2043.61, Brent Gilster- 1979.44, Todd Hammer- 2291.88, Melvin Harrison III- 2083.63, Jason James- 2355.54, Douglas Johnson- 1903.85, Kimberly Johnson- 408.79, Jared Junge- 2238.08, Christopher Kleinberg- 1923.07, Penny Kleinberg- 2304.97, Michael Kreegar- 2201.76, Gayle Richards- 930.72, Kevin Rohde- 2121.34, Randall Walsh- 1903.85, Bridget Fiedler- 984.00, Kerry Johnson- 949.60, Sara Niles- 1884.62, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1121.01, Kimberly Watson- 2828.48, Caterina Saltzman- 1396.32, Jacob Acero- 1550.99, Ermelinda Ballesteros- 1336.80, Mason Billings- 1269.94, Joshua Blatchford- 1374.40, Rebecca Broer- 1758.90, Judy Case- 1051.38, Elisabet DeRoin- 1390.36, Sandy Dickens- 881.16, Jesse Doelle- $1028.00, Marjorie Donahue- 1985.27, Lisa Ford- 1370.33, Ryan Foster- 1273.80, Linda Frost- 974.56, Alma Gunderson- 1365.81, Deanna Haukap- 1390.97, Jeffrey Heitzman- 1287.40, Adam Hough- 1308.00, Michael Jacobson- 1445.57, Brett Johnson- 1370.29, Brenda Kelly- 1382.62, Terry Kern- 2243.19, Keith Klein- 1316.00, James Kleinberg- 2001.41, Paul Moser- 1132.80, Mark Nelson- 1631.68, Travis Olander- 1362.08, Kimberly Peterson- 1320.00, Daniel Rodasky- 1362.08, Cody Roeber- 1273.80, Jutharatana Ruenprom- 1564.00, Timothy Ryan- 1273.80, Linda Schovanec- 1763.46, Jennifer Svendsen- 607.75, Francis Tope- 1320.80, Jewel Williams- 1437.07, Cara Wood- 1374.48, Jolene Gubbels- 1049.60, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1909.34, Bonnie Kahler- 870.17, Linda Weitzel- 1292.86, Willard Johnston- 1970.00.
GENERAL FUND: Employee withholding paid to: Federal- $14,647.19, State- $4,975.35, FICA- $5,643.57, Medicare- $1,948.44, Retirement- $6,527.01, Health Plan- $1,400.00, DC Dental Plan- $525.00, Sheriff Union Dues- $405.00, Deferred Comp- $332.00, Garnishments- $1,378.74, Aflac Health- $410.23, Aflac Life/Dsbl- $161.87 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $16,089.30, Road Employees Net Pay- $11,281.08, Employer deductions paid: Retirement- $1,055.23, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $25.32, FICA- $950.83, and Medicare- $222.37, Principal Mutual Life Insurance- $217.44.
Matthew Bartels- 1314.40, Brent Byroad- 1477.06, Robert Hacker- 1314.40, Ron Harder- 456.00, Hans Houfek- 1318.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1697.44, Kimon Litras- 1326.40, Troy Madison- 1234.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,478.13, State- $507.18, FICA- $644.08, Medicare- $222.37, Retirement- $703.51, Health Plan- $350.00, DC Dental Plan- $105.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $281.55, Aflac Health- $138.29, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $160.00 and Union Dues- $140.00.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Absent and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for the Agenda Item "Approve the Accounts Payable Claim to Stan Jans Contracting for grading work."
Commissioner Love said that there were four invoices, one being from May, 2011 and the other three were from August, 2011.
There was considerable discussion. The consensus of the board members was to approve the claim. The County Attorney reminded the Board that in the contract only Fred Kellogg is authorized to authorize his work. During the discussion board members noted that the work represented by the May invoice was done before the Board signed the Contract and that the Board had agreed that they were going to approve the contract.
Mr. Love said that two members of the Board had agreed to have Mr. Stans do the work.
It was said that Commissioner Love had had several phone calls on this road and the Road Department was short of help. All of the Board Members thought that Mr. Jans should be paid.
Commissioner McNear moved, seconded by Commissioner Gomez to authorize payment of the Stan Jan's Contracting for his May invoice in the amount of $475.00.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Absent. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for the Agenda Item "Resolution appointing Payroll Administrator to administer employee benefits prior to payroll claims coming to the Board and the Resolution to identify an appeal process."
Commissioner Love said that he requested this as an item to be on the agenda due to certain discrepancies that come before the Board, such as vacations, etc. We need to see if Kim's Office can make that decision or if it is the payroll administration, but desired that it be taken care of before it shows up in the Board Room.
Commissioner Rohde concurred with that. Mr. Rohde said that everything is black and white.
Ms. Watson said that a lot of times it comes down to your decision and we can't take your power away from you. She said that if an issue comes up we can let you know ahead of time.
Commissioner Rohde said that if it needs to come to us ok but thought that most of them could be worked out ahead of time.

Commissioner McNear thought that they come to the Clerk's Office and if he sees something that is not right he can contact Kim.
Commissioner Rohde said that if they can't resolve them then it has to come before the Board.
Commissioner McNear moved, seconded by Commissioner Gomez for the County Attorney to interpret payroll discrepancies and if there are payroll claims that can not be decided on before the Board Meeting, then they are to be brought before the Board.
ROLL CALL VOTE: Bousquet- Absent, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Vice Chair Rohde called for the Agenda Item "Project RD-75-4(1009) Homer – Dakota City C.N> 31988 for the Chair to sign the document advising the Department of Roads the number of tying out corners and the number of remonumenting section corners and a dollar rate for the above project.
Vice Chair Rohde thought that this item should be tabled.

Vice Chair Rohde called for the Agenda Item "Resolution to approve changing the S.T.O.P. class from an 8-hour class to a 4-hour class."
Ms. Watson, County Attorney, said that this was mandatory July 1, 2012 and that it could be implemented now with the passing of the resolution.
Commissioner Love moved, seconded by Commissioner Gomez to approve Resolution 11C-023 changing the S.T.O.P. class from an 8-hour class to a 4-hour class effectively immediately, as follows,

BOARD OF COMMISSIONERS
DAKOTA COUNTY, NEBRASKA
RESOLUTION 11C-023

RESOLUTION TO APPROVE CHANGING THE S.T.O.P CLASS FROM AN 8 HOUR TO A 4-HOUR CLASS

WHEREAS, Dakota County currently has in place a driver's safety training program in compliance with Neb. Rev. Stat. § 29~3606 as a pretrial diversion plan for minor traffic violations; and,

WHEREAS, Dakota County's current driver's safety training program provider is Traffic Safety Plus, which offers the Safety Training Option Program, or S.T.O.P.; and,

WHEREAS, the current S.T.O.P. curriculum provides for an 8-hour class; and,

WHEREAS, the Nebraska Department of Motor Vehicles has revised its Rules and Regulations to allow the curriculum for S.T.O.P. to be reduced to 4-hour classes to supplant the 8-hour curriculum effective July 1, 2012; and,

WHEREAS, Traffic Safety Plus will begin the process of converting their class locations from the 8-hour curriculum to the 4-hour curriculum in the fall and winter of 2011, as the 4-hour class is optional through June 30, 2012 and mandatory beginning July 1, 2012.

NOW, THEREFORE, BE IT RESOLVED that the Dakota County Board of Commissioners does hereby approve of changing the S.T.O.P. class from an 8-hour class to a 4-hour class effectively immediately.

Resolved this 6th day of September, 2011.

Absent
Richard Bousquet
Chair

/s/ Antonio Gomez
Antonio Gomez
Commissioner

/s/ Scott Love
Scott Love
Commissioner

/s/ Richard McNear
Richard McNear
Commissioner

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

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

APPROVED AS TO FORM:

/s/ Kim Watson
Kim Watson, County Attorney

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

Vice Chair Rohde called for the Agenda Item "Commissioner's Committee Reports" and there were none.
Vice Chair Rohde called for the Agenda Item "Commissioner's Member Reports" and there were none.
Vice Chair Rohde called for the Agenda Item "Public Comment" and there were none.

Vice Chair Rohde called for the Agenda Item "Mail and/or Emergency Business".
There was a mail item Letter from Nationwide to decide whether the County is opposed to the changes to the Designated Investment Options within the County's Retirement Plan's Annuity Contract and the Board chose no response, which means that the county was authorizing the changes.

Vice Chair Rohde called for the Agenda Item "Closed session to discuss Road Department Union contract negotiations".
Commissioner Love moved, seconded by Commissioner Gomez to convene in Closed Executive Session to discuss Road Department Union Contract Negotiations.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Absent and Rohde- Yea. UNANIMOUS MOTION CARRIED at 5:35 p.m.

Commissioner Gomez moved, seconded by Commissioner McNear to reconvene in open session. ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Absent, Rohde- Yea and McNear- Yea. UNANIMOUS MOTION CARRIED at 6:05 p.m.

Vice Chair Rohde adjourned the Regular Meeting of September 6, 2011 at 6:05 p.m.

County Board of Commissioners

_____

William B Rohde, Vice Chair Date Vice Chair signed

DAKOTA COUNTY SEAL NEBRASKA

_____

Theodore A. Piepho, County Clerk Date entered in book

County Board of Commissioners
Dakota County Courthouse
September 19, 2011 Meeting
County Board Meeting Room
Dakota City, Nebraska

Chair Bousquet called their regular scheduled meeting of September 19, 2011 to order at 4:10 p.m.
The Pledge of Allegiance was recited. Disclaimer: The board and audience were nearing the end of reciting the Pledge of Allegiance when the recording was started, therefore the recording will start conversation at that point.

Roll Call was taken and present were: Commissioners Love, Rohde, McNear, Gomez, Bousquet and Ted Piepho County Clerk. Kim Watson, County Attorney, was also present.

The Agenda for this meeting was as follows:

- Call to Order.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meeting
- Fred Kellogg, Hwy Superintendent, to present the Road Annual Report to the Board.
- Kim Watson – County Attorney
  - NPPD Survey
    - The Board will take action to establish County Roads 160th Street and H Avenue at their present locations as documented in the plats that NPPD submitted and have them entered into the public road records. The Board will pass a resolution of the same.
- Miscellaneous Agenda Items
  - County Inventories – The Board to acknowledge receipt of the Inventories filed with the County Clerk and to refer them to the Property Committee for confirmation.
  - Officials Reports
  - Project RD-75-4(1009) Homer – Dakota City C.N. 31988.
    - Chair to sign document advising the Department of Roads the number of tying out corners and the number of remonumenting section corners and a dollar rate for the above project.
  - Approve Payroll Claims
  - Approve Accounts Payable Claims
  - Dakota County Surplus Sale September 29, 2011
    - Board to authorize county official/employee to sell surplus personal property at Surplus sale on September 29, 2011.
    - Board to declare such surplus property as obsolete and not useable by County.
  - Wellness Committee. Board to authorize incentive/prize for winning team and individual winner in the County employees Winning at Weight Loss competition.
  - Board to approve and authorize Chair to sign Olsson Associates Letter Agreement for Professional Services for Evaluation and Design of Flood Damaged Infrastructure project.
- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- Adjournment

Chair Bousquet called for the Agenda Item "Fred Kellogg, Hwy Superintendent, to present the Road Annual Report to the Board."

Fred Kellogg stepped up to the podium and he and the Board Members had a copy in their packet and proceeded to review the report.
Commissioner Bousquet asked Mr. Kellogg how he was coming along with the projects on the One and Six Year Road Plan.
Mr. Kellogg said that there were two completed, some others were started, some were tied up in getting FEMA relief and one (1) is tied up in the Pigeon Creek Project. He thought that they would get them all except M Avenue. He said that there was extensive dirt work on that project and didn't know if there would be time to complete that project. Otherwise they should all get done except the one with NRD and North Shore or Atokad Drive, as the County did not receive grants for them. The project on 14th Street most likely will not get done all the way to Highway 110, as it is on the flood damage with FEMA. He said that bids on C Avenue would be let next spring.

Commissioner Bousquet asked if it would be beneficial to bid out M Avenue. Mr. Kellogg said that he didn't budget for that but if you would like to let bids, it would ok to do that.
Mr. Kellogg went on to say that he did not budget for outside help for anything on the One and Six Road Plan except for some bridges, C Avenue and the projects calling for blacktop.
Commissioner Love asked Mr. Kellogg if he thought he could get M Avenue done if they would not do the two projects between the two highways. Commissioner Love and Mr. Kellogg briefly discussed the project by Mrs. Beermann's house and M Avenue. Mr. Kellogg said that it would take approximately two to three weeks to do M Avenue with good weather and they could stay on that project continuously with one scraper. It was noted that the north end of M Avenue is done.

Commissioner Rohde said that he thought they should bid it out and Commissioner Bousquet agreed with him. Commissioner Bousquet said that the County would have a lot of cost using the County's equipment and everything.

Commissioner Rohde reminded Mr. Kellogg and the other board members that, due to the flood, the County will have numerous roads to do before the harvest season starts. He did not think the County had the manpower or equipment to do that.
Commissioner McNear thought it should be done before the snow blows. He added that this route is a school bus route and a mail route.
Commissioner Rohde thought that there would be a couple of months of construction left and I would put it out for bids and see what we come up with.
Commissioner Rohde moved, seconded by Commissioner Gomez to approve the 2010 – 2011 Annual Road Report as presented by Fred Kellogg.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Kim Watson – County Attorney, NPPD Survey", which was put off until the next meeting because a survey is not back from the Surveyor, so this agenda item should be put on the next meeting's agenda.

Chair Bousquet called for the Agenda Item "County Inventories – The Board to acknowledge receipt of the Inventories filed with the County Clerk and to refer them to the Property Committee for confirmation." The County Clerk advised the Board that the inventories were filed by department heads prior to September 1 and all offices and departments were in compliance.

Chair Bousquet called for a motion to approve the inventories.

The following inventories for year 2011 were presented to the Board of Commissioners by the County Clerk, Ted Piepho.
601 - Commissioners, Commissioners Real Estate, Driver Examiners, Miscellaneous; 602 – County Clerk; 604 – Register of Deeds; 607 – Election Commissioner; 603 – County Treasurer; 608 – Planning and Zoning; 621 – Clerk of District Court; 625 – Public Defender; 622 – County Court; 624 – District Judge; 641 – Building and Grounds; 645 – Extension Office; 651 – Sheriff Department; 671 – Jail Department; 652 – County Attorney; 860 – Law Library and STOP Fund; 669 – Community Corrections; 653 – LEC; 753 – Health Department; 803 – Veterans Office; 300 – Road Department; 701 – Highway Superintendent; 733 – Weed; and 702 – County Surveyor.
Commissioner Rohde moved, seconded by McNear to approve all office and department annual office inventories as filed with the County Clerk.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Officials Reports."

The County Clerk advised the Board that the County Clerk, Register of Deeds and the Clerk of the District Court had filed their monthly report for August, 2011 and they are included in the Officials Reports Folder.
Commissioner Gomez moved, seconded by Commissioner Love to acknowledge the receipt of and approve the Officials Reports filed by the County Clerk, Register of Deeds and the Clerk of the District Court for the month of August, 2011.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Project RD-75-4(1009) Homer – Dakota City C.N. 31988. The Chair is to sign a document advising the Department of Roads of the number of tying out corners and the number of remonumenting section corners and a dollar rate for the above project."
The County Attorney said that she had looked it over and it was OK.
Commissioner Love moved, seconded by commissioner Rohde to approve Project RD-75-4(1009) Homer – Dakota, which is a document advising the Department of Roads of the number of tying out corners and the number of remonumenting section corners and a dollar rate for the above project, and for the Chair to sign same.
ROLL CALL VOTE: Gomez- Yea, Love- Yea, Bousquet- Yea, Rohde- Yea and McNear- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Approve Payroll Claims."

Chair Bousquet said that he had been through all the payroll claims and there are no discrepancies and called for a motion to approve them.
Commissioner Gomez moved, seconded by Commissioner McNear to approve the payroll claims filed with the County Clerk and submitted by him for payment as follows:
COUNTY GENERAL FUND: Gross salaries- $136,487.62, General Fund Employees Net Pay- $97,838.23, Employer deductions paid: Retirement- $9,510.18, FICA- $8,250.31, Medicare- $1,929.52, DC Health Plan- $23,000.00, DC Dental Plan- $999.12 and Life Insurance- $204.09, Principal Mutual Life Insurance- $.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1406.08, Daniel Christoffers- 584.00, Cherie Conley- 1230.77, Theodore Piepho- 1748.23, Mary C. Wiltgen- 984.00, Marisol Curiel- 1161.60, Darlene Davis- 1213.44, Stephanie Gatzemeyer- 1012.00, Robert Giese- 1748.23, Ruth Gillaspie- 1479.58, Jolene Heinemann-

1155.80, Tracey Rysavy- 1156.00, Debera Benton- $840.00, Daniel Christoffers- 584.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Elda Raudales- 163.68, Zachary Gerth- 1883.49, Debra Jensen- 1303.68, John Loos, Jr.- 2186.59, Katherine Wiltgen- 960.00, Richard Jensen- 1728.73, Duane Kotalik- 1616.96, Tammy Dunn-Peterson- 935.20, Anthony Bos- 2238.60, Sergio Castillo- 494.10, Timothy Decker- 1903.85, Sandy Dickens- 501.65, Brian Ellinger- 2280.99, Michael Estes- 1297.81, Brent Gilster- 2032.37, Todd Hammer- 2076.68, Melvin Harrison III- 2190.49, Jason James- 2061.72, Douglas Johnson- 1903.85, Kimberly Johnson- 483.34, Jared Junge- 2141.24, Christopher Kleinberg- 1923.07, Penny Kleinberg- 2127.64, Michael Kreegar- 1820.67, Gayle Richards- 941.61, Kevin Rohde- 1822.86, Randall Walsh- 1903.85, Bridget Fiedler- 922.50, Kerry Johnson- 948.00, Sara Niles- 1884.62, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1064.25, Kimberly Watson- 2828.48, Caterina Saltzman- 1267.13, Jacob Acero- 1328.80, Ermelinda Ballesteros- 1919.67, Mason Billings- 1420.48, Joshua Blatchford- 1336.80, Rebecca Broer- 1831.83, Judy Case- 1129.26, Elisabet DeRoin- 1369.95, Sandy Dickens- 787.76, Jesse Doelle- $1047.28, Marjorie Donahue- 1655.59, Lisa Ford- 1328.80, Ryan Foster- 1358.72, Linda Frost- 882.40, Alma Gunderson- 1546.56, Deanna Haukap- 1535.47, Jeffrey Heitzman- 1444.40, Adam Hough- 1472.00, Michael Jacobson- 1420.48, Brett Johnson- 1332.80, Brenda Kelly- 1344.80, Terry Kern- 2030.29, Keith Klein- 1472.00, James Kleinberg- 1435.92, Paul Moser- 1161.12, Mark Nelson- 1476.66, Travis Olander- 1320.80, Kimberly Peterson- 1280.00, Daniel Rodasky- 1518.96, Cody Roeber- 1420.48, Jutharatana Ruenprom- 1454.00, Timothy Ryan- 1235.20, Linda Schovanec- 1824.57, Jennifer Svendsen- 1394.00, Francis Tope- 1320.80, Jewel Williams- 1541.54, Cara Wood- 1328.80, Jolene Gubbels- 1278.40, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 775.45, Linda Weitzel- 1265.58, Willard Johnston- 1250.00.

GENERAL FUND: Employee withholding paid to: Federal- $14,123.31, State- $4,857.99, FICA- $5,588.95, Medicare- $1,929.52, Retirement- $6,439.25, Health Plan- $1,400.00, DC Dental Plan- $525.00, Sheriff Union Dues- $420.00, Deferred Comp- $332.00, Garnishments- $1,378.74, Aflac Health- $410.26, Aflac Life/Dsbl- $161.90 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.

COUNTY ROAD PAYROLL: Gross salaries- $16,233.09, Road Employees Net Pay- $11,304.06, Employer deductions paid: Retirement- $1,095.71, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $25.31, FICA- $959.74, and Medicare- $224.47, Principal Mutual Life Insurance- $

Matthew Bartels- 1314.40, Brent Byroad- 1791.70, Robert Hacker- 1314.40, Hans Houfek- 1318.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1982.59, Kimon Litras- 1326.40, Troy Madison- 1234.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40.

ROAD FUND: Employee withholding paid to: Federal- $1,538.11, State- $532.85, FICA- $650.13, Medicare- $224.47, Retirement- $730.51, Health Plan- $350.00, DC Dental Plan- $105.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $281.55, Aflac Health- $138.30, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $160.00 and Union Dues- $140.00.

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

Chair Bousquet called for the Agenda Item “Approve Accounts Payable Claims.”

Commissioner Love moved, seconded by Commissioner McNear to approve the Accounts Payable Claims filed with the County Clerk and submitted by him for payment as follows:

GENERAL FUND: Dakota County Star, publishing- 211.90; US Bank, supplies- 42.08; NACO, handbook- 84.87; Perkins, supplies- 55.62; Theodore Piepho, phone/mileage- 37.98; Staples, shredder- 148.96; US Bank, search fee/supplies- 42.75; AS Central Services, service- 115.00; A.J. Phillips, envelopes- 255.00; Charlotte Doenhoeffer, prior yrs- 10.00; Executive Technologies, service- 45.00; Robert Giese, mileage- 126.54; Ruth Jensen, prior yrs- 12.00; Mardell Sorenson, prior yrs- 26.00; NE Notary Assn., application- 154.23; Irene Van Lent, prior yrs- 16.00; Microfilm Imaging, lease- 240.00; Margie Rahn, prior yrs- 12.00; Western Office Technologies, supplies- 26.48; Arnie Mellick, phone- 30.00; Executive Technologies, lease- 392.22; MIPS, scanning- 86.00; AS Central Services, supplies- 57.60; Dakota Business Systems, lease- 99.00; Microfilm Imaging, lease- 190.50; Office Systems, contracts- 603.00; Perkins, supplies- 46.75; US Bank, supplies- 346.04; Cindy Foley, supplies- 42.77; Cartridge World, toner- 129.98; Frank Gonzalez; interpret- 550.00; M&M Court Reporting, deposition- 95.20; Midwest Office Automations, repairs- 220.00; NCDAA, dues-125.00; Perkins, supplies-51.07; Thurston County Sheriff, fees- 6.50; Thomson West, service- 711.10; Clerk of Supreme Court, costs- 250.00; District Court; costs- 725.00; Dixon County Sheriff, fees- 132.53; Alexander Esteves, court appointed counsel- 752.50; Frank Gonzalez; interpret- 50.00; Douglas Roehrich, court appointed counsel- 3325.60; Michael P. Schmiedt, court appointed counsel- 228.75; Security Shredding, service- 35.00; Thurston County Sheriff, fees- 47.90; Dakota County Court, costs- 1267.10; Lawsoft, Inc., software- 250.00; Matthew Connealy, court appointed counsel- 240.00; Randy Hisey, court appointed counsel- 642.00; Kueny & Begley Law, court appointed counsel- 42.00; Ian McConeghey, court appointed counsel- 594.60; Stuart Mills, court appointed counsel- 1470.00; Gretchen Spitz, witness fee- 27.77; Richard Thramer, court appointed counsel- 1928.28; Dakota County Sheriff, fees- 1051.11; Barkley Asphalt, service- 182.07; Bomgaars, supplies- 278.46; Gill Hauling, service- 120.00; Janitor Deport, supplies- 287.66; Richard Jensen, mileage- 137.97; Joe’s Dept. Store, supplies- 284.67; Menards, supplies- 1177.06; Lessman Electric, supplies- 92.05; MidAmerican Energy, utilities- 1025.00; NPPD, utilities- 4447.38; Sam’s Club, supplies- 150.54; Trembly Pest Control, service- 50.00; US Bank, supplies- 78.41; Verizon, phone- 53.37; PMRNRD, rent- 833.33; UNL Extension, reimburse- 1261.67; City of South Sioux City, reimburse- 5917.68; Dakota Food and Fuel, fuel- 80.55; Digital Ally, cameras- 13341.00; Fremont Tire, repair- 34.00; Graham Tire, repair- 1131.10; Jack’s Uniforms, supplies- 159.25; K & S Auto Service, repairs- 667.53; NE Sheriff’s Assn., conference- 180.00; O’Reilly Automotive, parts- 725.18; Power Wash USA, tokens- 150.00; Sign Masters, service- 85.00; Siouxland FCU, repairs/supplies/fuel- 652.86; Staples, supplies- 85.91; US Bank – supplies- 353.58; Verizon, phones- 430.51; Woodbury Co. Sheriff’s Dept., conference- 100.00; Cartridge World, supplies- 145.06; Dept. of Motor Vehicles, transcripts- 23.00, H2O4U, service- 46.00; Iowa Office Supply, copies- 122.09; Kerry’s

Animal Services, witness fee- 100.00; Peter Parry, phone- 20.00; Pathology Medical Services, medical- 68.47; Quill Corp., supplies- 104.25; Secretary of State, title- 20.00; Verizon, phone- 224.42; City of So. Sioux City, LEC cost- 31822.54; BI Inc., electronic monitoring- 613.18; Redwood Biotech, test- 25.00; A Team Heating & Cooling, supplies/repair- 1138.20, Ace/Refrigeration Eng., supplies/repair- 433.08; Addison Electric, ballasts/repair- 935.00, Ameri-Tech Industrial, supplies/repair- 358.56; AmSan, supplies- 1381.67; Aramark, service- 67.46; Associated Fire Protection, supplies/repair/inspection- 143.00; Bob Barker, supplies- 651.26; Bunkers Feed & Supply, salt- 177.14, CBM Food Service, meals- 20627.04; Cash-Wa Distributing, supplies- 55.89; City of So. Sioux City, fuel- 350.15; Dakota Family Dentistry, services- 128.00; Dakota Food and Fuel, fuel- 50.00; Dakota One Leasing, contract- 220.00; Marjorie Donahue, mileage- 86.64; Foulk Bros. Plumbing & Heating, service- 150.00; Gill Hauling, service- 120.00; Grainer, supplies- 1371.20; Mercy Business Health/Urg. Care, medical- 1875.00; Mercy Medical Center, medical- 2482.50; MidAmerican Energy, utilities- 380.39, Midwest Office Automations, copies- 161.15; Moore Medical, supplies- 273.18; NE Juvenile Services, boarding- 1662.50; NPPD, utilities- 5027.09; NetSys, service- 80.00; NW Iowa Emergency Phys., medical- 189.00; St. Luke's Dept. of Lab Services, testing- 65.47; Siouxland FCU, vacuum/supplies- 585.95; Siouxland Radiology Partners, medical- 266.00; Speedy Rooter, service- 69.00; Stericycle, biohazard removal-1049.64; Jennifer Svendsen, mileage- 30.03; Trembly Termite & Pest Control, service- 55.00; US Bank, prescriptions/supplies- 4625.97;Verizon, phone- 212.43; Veteran's Memorial Fund, flag- 76.00; Virtual Radiologic Finals Adv, medical- 34.00; Woodbury Co. Juvenile Det., board- 100.00; Verizon, phone- 60.77; Advanced Auto Parts, parts/oil- 156.00; AZ Inc, fuel- 171.05; Ben Fish Tire Center; tire- 25.00; Central Comm. College; registration fee- 115.00; Dakota Business Systems, contract- 102.00; Heritage Express; fuel- 161.01; Hubbard Mini Mart; fuel- 124.27; J & J's Pronto; fuel- 51.59; Midwest Office Automation, contract- 73.51; O'Reilly Auto Parts, parts- 31.07; Leon Pies, phone/workshop- 40.00; Pam DeVries, mileage- 59.39; Pat Glover, hrs.- 250.00; Sanofi Pasteur, vaccine- 2474.17; Roxanne Voss, hrs.- 210.00; Linda Weitzel, mileage- 88.25; Dr. Thomas Wente, physician- 250.00; Bill Johnston, mileage/phone/seminar- 373.00; Des Moines Stamp, stamp- 12.00; Cable One, service- 169.96; Cherie Conley, YMCA membership- 19.50; Claritus, supplies- 178.66; FiberComm, phone- 1137.59; FSH Communications, payphone- 63.60; IBM, contract- 75.00; MailFinance, lease- 227.00; Mercy Business Health Services, EAP Agreement- 240.75; MIPS, support- 424.62; Norm Waitt Sr. YMCA, membership- 175.50; Region IV Mental Health, qrtly. Service- 7556.00; Madelyn Thorsland, prior yrs- 10.00; Three Rivers Benefit, admin fees- 110.00; US Postal Service, postage- 2500.00; Randy Walsh, YMCA membership- 19.50; US Bank, wireless access point- 89.99; General Business Interiors, move workstations- 350.00; Joe's Dept. Store, parts- 193.80; Road Fund 300, budget transfer- 100000.00;
ROAD FUND: Aramark, service- 283.69; Autosound Solutions, parts- 7.99; AZ Inc., fuel- 2892.45; Barkley Asphalt, service- 263.52; Bomgaars, supplies- 81.52; Chemsearch, supplies- 120.00; Dakota County Treasurer, title- 10.00; Electronic Engineering, GPS- 900.00; Fastenal, supplies- 106.67; Gill Hauling, service- 55.00; Walter Heinemann, prior yrs- 29.00; Hubbard Mini Mart, fuel- 3106.84; H2O4U, service- 30.00; Industrial Tools & Machinery, supplies- 56.00; Inland Truck Parts, parts- 359.96; S. Jans Contracting, maint- 1330.00; Jim Hawk Truck Trailers, parts- 53.24; Joes' Dept. Store, parts- 9.60; Kimball Midwest, supplies- 171.26; Kinetic Leasing, loader payment- 2458.00; LG Everist, gravel- 32167.26; Love Bros., tires/parts/supplies- 634.74; Matheson-Linweld, oxy/welding mix- 137.45; Menards, supplies- 34.33;Midwest Wheel, parts/supplies- 461.67; Marlan Millard, prior yrs- 15.00; NPPD, utilities- 30.82; Northeast Equipment, tractor rental- 900.00; NE Nebr. PPD- utilities- 372.16; NE Nebr. Telephone, phone- 215.23; O'Reilly Auto Parts, parts/supplies- 807.77; Peterson Sand & Gravel, gravel- 24656.90; Pomps, tires/parts/service call- 5875.00; Powerplan, parts- 799.76; Rees Mack Sales, parts/labor- 855.89; St. Luke's Center of Occ Health, testing- 52.00; Sam's Club, supplies- 24.96; Sioux City Ford, parts- 52.06; Siouxland Hydraulics, parts- 91.02; Thermo King Christensen, supplies- 227.75; Titan Access, supplies- 196.16; US Bank, supplies- 28.94; Verizon, phone- 33.48; Vermeer High Plains, chipper/blades- 32374.92; Warren Oil, diesel- 8169.00; Ziegler's, parts/supplies- 465.98;
POOR RELIEF: NE Dept. of HHS, qtrly admin fee- 4.75;
HEALTH PLANNING GRANT: AT&T Mobility, phone- 99.08; Deanna Beckman, hours- 1258.00; US Bank, conference- 178.00;
PUBLIC SAFETY: City of South Sioux City, sales tax- 3356.11; Jail Bond Fund, sales tax- 29152.57; Road Fund, sales tax- 619.24.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Items "Dakota County Surplus Sale September 29, 2011.
Board to authorize county official/employee to sell surplus personal property at Surplus sale on September 29, 2011" and for "Board to declare such surplus property as obsolete and not useable by County."

Commissioner McNear moved, seconded by Commissioner Gomez to appoint Joan Spencer as the employee to hold a county surplus sale on Thursday, September 29, 2011 and to declare the property identified below as obsolete and not useable by County.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Commissioners McNear moved, seconded by Commissioner Gomez that the two agenda items be combined.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

2011 DAKOTA COUNTY SURPLUS SALE

Thursday, September 29th

7:00 - 10:00 a.m. Vehicle Sale at the Dakota County Road Department, 1863 North Bluff Rd, Hubbard.
11 a.m. to 4 p.m. Office Equipment, furniture & miscellaneous Sale in Courthouse basement, 1601 Broadway St, Dakota City

					Inter-office
	OFFICE	ITEM	SERIAL #	ID TAG	Transferred to:
1	Treasurer	Office Chair - gray cloth		6030188	
2	Veterans	Cannon P100-DH adding machine	20164017	none	
3	Treasurer	red cloth chair			
4	Treasurer	IBM Typewriter - Selectric II			
5	Dist Judge	HP LaserJet 1020 printer	CNRK505038	6240078	
6	Treasurer	wooden chair		6030090	
7	Treasurer	plastic chair - black			Driver Exam Room
8	Dist Judge	brown cloth chair		6240005	Treasurer
9	Dist Judge	brown cloth chair		6240007	Treasurer
10	Dist Judge	brown cloth chair		6240008	
11	Dist Judge	brown cloth chair		6240006	
12	Dist Court	wooden chair - rounded arm (jury Room)		6210286	Extension
13	Dist Court	wooden chair (jury Room)		6210058	Extension
14	Dist Court	Office Chair - large, brown		6210171	
15	Dist Court	Office Chair - blue		6310013	
16	Dist Court	Office Chair - dark gray			
17	Dist Court	Office Chair - beige		6310009	Veterans Office
18	Dist Court	Office chair - light gray			
19	Dist Judge	3'x5' table			Bldg & Grounds
20	Dist Judge	Sharp Copier AL-1642CS	75064651	6240074	
21	Dist Court	IBM Typewriter - Wheelwriter 5	13569000666697	6310006	
22	Treasurer	Dell monitor			
23	Treasurer	View Sonic monitor			
24	Treasurer	IBM keyboard			
25	Treasurer	pull out desk tray			
26	Bldg & Grnds	printer stand			Weed Dept.
27	Bldg & Grnds	HP Printer 990SE			
28	Bldg & Grnds	Adding Machine - Cannon P100-DH			
29	Bldg & Grnds	Toshiba Copier	N0314674		
30	unknown	Cannon BJC4300 printer	EMF18134		
31	Dist Judge	paper shredder - Royal MP220			
32	Treasurer	File Cabinet - card files (army green)		6030043	
33	Treasurer	File Cabinet - card files (grey)		6030034	
34	Health Dept	Fan - wind machine 20" (doesn't work)			
35	Health Dept	Fan - wind machine 20" (doesn't work)			
36	Extension	Magnavox TV w/ remote 27"			
37	Board	desk top podium			Probation
38	Treasurer	3 boxes 9 1/2 x 11 computer form paper	blank carbonless 2-ply		
39	Driver Exam	Chair - brown straight stackable			
40	Driver Exam	Chair - brown straight stackable			

41	County Clerk	Panasonic KX-E7000 typewriter		6020168	
42	County Clerk	Dictaphone recorder for cassette tapes			
43	County Clerk	Monroe 3140 calculator (doesn't work)	N729417	6020166	
44	County Clerk	Panasonic Digital cordless Answering System			
45	Road Dept	1960 Leroi Air compressor (needs new rings)			
46	County Clerk	Monroe calculator (doesn't work)		6020199	
47	County Clerk	Monroe calculator - keys punch hard		6020200	
48	?	HP DeskJet 990cse printer			
49	?	HP ink twin pack #45 blk (unopened)			
50	Road Dept	Dell keyboard and mouse			
51	Road Dept	Gateway keyboard and mouse			
52	Road Dept	HP Printer 750, scanner works, ink			
53	Road Dept	2 telephones			
55	Clerk of Dist Ct	5 plastic stackable chairs		6210193, 198	
61	Clerk of Dist Ct	4 plastic stackable chairs		6210194-197	Driver Exam hallway
65	County Clerk	Olympus Camedia C-4000 Camera	4.0 mega pixel	6070073	
66	County Clerk	Staples Shredder SPL-1506X (15-sheet0	(works sometimes)		
67	County Clerk	Dell Optiplex 740 computer mini tower	(needs hard drive)	6020260	
69	Sheriff	Canon Sure Shot Camera	5853368		
70	Sheriff	Canon Sure Shot Camera	5856431		
71	Sheriff	Canon Sure Shot Camera	6103500		
72	Sheriff	Canon Sure Shot Camera w/case	1609121		
73	Sheriff	Canon Z115 Camera	7659259		
74	Sheriff	Sony Digital Mavica - 1.3 mega pixels	84043		
75	Sheriff	Sony Digital Mavica - 1.6 mega pixels	141840		
76	Sheriff	Sony AC Power Adaptor	36500400		
77	Sheriff	Panasonic Laptop (no hard drive)	OCKSA16792		
78	Sheriff	Panasonic Laptop (no hard drive)	OCKSA15871		
79	Sheriff	Panasonic Laptop (no hard drive)	OCKSA16530		
80	Sheriff	Panasonic Laptop (no hard drive)	OCKSA15636		
81	Sheriff	Panasonic Laptop (no hard drive)	OCKSA16168		
82	Sheriff	Kustom Eyewitness In Car Camera System			
83	Sheriff	Kustom Eyewitness In Car Camera System			
85	Sheriff	Kustom Eyewitness In Car Camera System			
86	Sheriff	Korea Data Systems 17 " Monitor	202064986		
87	Sheriff	Gateway Computer w/ keyboard & mouse	14750734		
88	Sheriff	Gateway Monitor	MU17046C0200166		
89	Sheriff	Integrity Computer w/ keyboard	97002236		
90	Sheriff	IBM Typewriter			
91	Sheriff	Gateway 2000 Monitor			

92	Sheriff	Gateway 2000 Computer	20986883		
94	Sheriff	2002 Mercury Sable (motor bad)	1MEFM5OU82G605763		
95	Sheriff	1999 Ford Explorer (high mileage, fan quit)	1FMZU34E8XZB35411		
96	Road Dept	1996 Mazda B2300 pickup (cracked head)	4F4CR12A7TTM44484		

Chair Bousquet called for the Agenda Item “Wellness Committee. Board to authorize incentive/prize for winning team and individual winner in the County employees winning at Weight Loss competition.”
Kim Watson, County Attorney, said that the Wellness Committee met and what they came up with was that the winning team, which consists of three (3) employees per team, would be awarded four (4) hours of personal time with pay for each member of the winning team.

Commissioner Rohde moved, seconded by Commissioner Gomez to authorize four hours (4) personal time, with pay, for each member of the winning team and the individual winner participating in and winning the County’s Weight Loss competition.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.
Chair Bousquet called for the Agenda Item “Board to approve and authorize Chair to sign Olsson Associates Letter Agreement for Professional Services for Evaluation and Design of Flood Damaged Infrastructure project.”
The agreement is the same one that was provided to the City of South Sioux on their flood items and levee.
Commissioner Rohde moved, seconded by Commissioner Love to approve the Letter Agreement with Olsson and Associates and to authorize the Chair to sign same, as follows:

LETTER AGREEMENT FOR
PROFESSIONAL SERVICES

August 25, 2011

Dakota County
Attn: Fred Kellogg
1863 N. Bluff Road
Hubbard, NE 68741

Re: AGREEMENT FOR PROFESSIONAL SERVICES
Evaluation and Design of Flood Damaged Infrastructure "Project” Dakota County, NE

Dear Mr. Kellogg:

It is our understanding that the Dakota County (“Client”) requests Olsson Associates (“Olsson”) to perform the following services pursuant to the terms of this Letter Agreement for Professional Services, any signed Master Agreement, Olsson's General Provisions and any exhibits attached thereto (hereinafter “the Agreement”) for the Project.

1. Olsson has acquainted itself with the information provided by Client relative to the Project and based upon such information offers to provide the services described below for the Project. Client warrants that it is either the legal owner of the property to be improved by this Project or that Client is acting as the duly authorized agent of the legal owner of such property. Client acknowledges that it has reviewed the General Provisions (and any exhibits attached thereto), which are expressly made a part of and incorporated into the Agreement by this reference. In the event of any conflict or inconsistency between this Letter Agreement, any Master Agreement and/or the General Provisions regarding the services to be performed by Olsson, the requirements of this Letter Agreement shall take precedence.

2. Olsson shall provide Client all Basic Services for the damage assessment, design services, and construction engineering for flood damaged infrastructure in Dakota County. Services include but are not limited to - evaluations and recommendations to repair damaged infrastructure, develop specifications and bid documents, assist in bidding, construction services, Davis-Bacon wage interviews, and photo documentation. Should Client request work not described and included in the above Description of Basic Services, such as Additional Services, Olsson shall invoice Client for such services on the basis of Salary Costs times a factor of 2.5 for services rendered by our principals and employees engaged directly on the Project plus Reimbursable Expenses, unless otherwise agreed to by both parties. Olsson shall not commence work on Additional Services without Client’s prior approval in writing.

Olsson agrees to provide all of its services in a timely, competent and professional manner, in accordance with applicable standards of care, for projects of similar geographic location, quality and scope.

SCHEDULE FOR OLSSON'S SERVICES

3. Unless otherwise agreed, Olsson would expect to begin performing its services under the Agreement promptly upon your signing.

Anticipated Start Date: August 29, 2011
Anticipated Completion Date: August 29, 2012

Olsson will endeavor to start its services on the Anticipated Start Date and to complete its services on the Anticipated Completion Date. However, the Anticipated Start Date, the Anticipated Completion Date and any milestone dates are approximate only, and Olsson reserves the right to readjust its schedule and any or all of those dates at its sole discretion, for any reason, including, but not limited to, delays caused by Client or delays caused by third parties.

COMPENSATION

4. Client shall pay to Olsson for the performance of the Basic Services the actual time of personnel performing such Services at the professional and staff rates set forth on the Schedule of Hourly Billable Rates and all actual reimbursable expenses in accordance with the Schedule contained in the General Provisions attached to this Letter Agreement, Olsson shall submit invoices on a monthly basis, are due upon presentation and shall be considered past due if not paid within 30 calendar days of the due date.

TERMS AND CONDITIONS OF SERVICE

5. We have discussed with you the risks, rewards and benefits of the Project and our fees for services and the Agreement represents the entire understanding between Client and Olsson with respect to the Project. The Agreement may only be modified in writing signed by both parties.

6. If this proposal satisfactorily sets forth your understanding of our agreement, please sign in the space provided below (indicating Client's designated Project representative if different from the party signing). Retain a copy for your files and return an executed original to Olsson. This proposal will be open for acceptance for a period of 30 days from the date set forth above, unless changed by us in writing.

7. By signing below you acknowledge that you have full authority to bind Client to the terms of the Agreement.

OLSSON ASSOCIATES
By _/s/ Rodney L. Hanson_____ By ___/s/ Chad P. Kehrt_____
Rodney L. Hanson Chad P. Kehrt
If you accept the preceding proposal and the Agreement,
please sign:

Dakota County “Client”
By __/s/ Rick Bousquet_____
Title COUNTY BOARD CHAIR Dated: SEPTEMBER 19, 2011
If different from above,
_____
Clients Designated Project Representative

EXHIBIT "A" to the CONTRACT FOR ENGINNERING SERVICES
BETWEEN DAKOTA COUNTY, AND OLSSON ASSOCIATES
FOR THE EVALUATION AND DESIGN OF FLOOD DAMAGED INFRASTRUCTURE

SCHEDULE OF HOURLY RATES

For the services covered by this Contract, the County agrees to pay the Engineer as follows:

A. Billing Rate Schedule
Hourly time charged to the County for services rendered by our principals and employees engaged directly on the Project shall be in accordance with the following billing rate schedule. The schedule indicated is effective for service through 2011 and will be revised and re-issued for subsequent years.

Classification	Hourly Rate ($)
Team Leader	175.75
Group Leader	153.00
Senior Engineer	156.00
Senor Project Engineer	135.00
Project Engineer	117.00
Associate Engineer	95.00
Assistant Engineer	83.00
Senior Scientist	133.00
Senior Project Scientist	114.00
Project Scientist	91.00
Associate Scientist	77.00
Assistant Scientist	66.00

Senior Surveyor	96.00
Surveyor	79.00
Associate Surveyor	65.00
Assistant Surveyor	49.00
1-Man Survey Crew	110.00
2-Man Survey Crew	110.00
Design Technician	77.00
Senior Technician	69.00
Associate Technician	59.00
Assistant Technician	50.00
Administrative Coordinator	67.00
Administrative Assistant	56.00

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

Chair Bousquet called for the Agenda Item "Commissioner's Committee Reports."
Commissioner Gomez reported on a miscommunication between Dakota County and South Sioux City on a budget cut for the LEC.
Commissioner Gomez also reported that $37,000 was withheld from the addition to the LEC for final inspection. He also reported that there was a Planning and Zoning meeting tomorrow.

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

Chair Bousquet called for the Agenda Item "Public Comment."
Dick Erickson, with the Assessor's Office, said that the state is talking about putting a sketching module in the new assessment program. If they do that there will be a one time licensing fee of $3,780 and an annual maintenance fee in the neighborhood of about $2,000. The state said that they were going to pay one-half of that.

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

Chair Bousquet adjourned their meeting of September 19, 2011, at 4:30 p.m.

DAKOTA COUNTY SEAL NEBRASKA

County Board of Commissioners

_____
Richard "Rick" Bousquet, Chair Date Chair signed

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

County Board of Commissioners
Dakota County Courthouse
September 21, 2011 Special Meeting
County Board Meeting Room
Dakota City, Nebraska

Chair Bousquet called their Special Meeting of September 21, 2011 to order at 12:00 noon.

The Pledge of Allegiance was recited.
Roll Call was taken and present were: Commissioners Love, Rohde, McNear, Gomez, Bousquet and Ted Piepho, County Clerk.
The Agenda for this meeting was as follows:

NOTICE OF PUBLIC MEETING

Notice is hereby given that the Dakota County Board of Commissioners will hold a Special Meeting at 12:00 Noon on September 21, 2011, in the County Board of Commissioners Meeting Room, lower level of the Courthouse, 1601 Broadway Street, Dakota City, Nebraska. Said meeting is open to the public.
The agenda will be kept continually current and readily available for public inspection at the County Clerk's office during normal business hours and will not be altered within twenty-four hours of this meeting.
The purpose of the special meeting is to award or reject the quotes (bids) received by Olsson and Associates for levee removal.

The Board reserves the right to take action on any agenda item of business. This notice shall be posted in at least three public places.

Theodore A. Piepho
Dakota County Clerk

Theodore A Piepho

I, Theodore A. Piepho, County Clerk, do hereby certify this notice was posted in the Dakota County Courthouse, Dakota City Post Office, City Hall Dakota City, City Hall South Sioux City and the South Sioux City Post Office.

Posted this 15th day of September, 2011 in the above mentioned places.

Theodore A Piepho
Theodore A. Piepho. County Clerk

Sworn before me this 15th day of September, 2011.

SEAL GENERAL NOTARY - State of Nebraska MARY C. WILTGEN My Comm. Exp. Feb. 16, 2015

Mary C. Wiltgen
Mary Wiltgen, Notary

Chair Bousquet asked for the agenda item regarding bids received by Olsson and Associates for levee removal. Chair Bousquet called Chad Kehrt with Olsson and Associates to the podium. There were five (5) bids that came in. Each property owner was approached and Chad said that they worked with them regarding the removal of the levee and the repairs to the property back to the condition prior to the levee.

The first bid reviewed was for the property currently being farmed by Gene Mari. The bids received were as follows: Albenesius Contracting - $16,600.00; Oban Construction - $20,414.50; Triple D Contracting – $23,600.00; K & L Landscape and Construction - $29,250.00; Ho Chunk Builders - $42,577.00 and Mark Albenesius Inc - $218,781.50. The low bid for this property was $16,600.00 from Albenesius Contracting. Mr. Kehrt went over the Bid Items listed including leveling the dirt and hauling excess dirt away, rebuilding a road that was disturbed and some trees that need to be removed, replacing a section of fence, deep tilling disturbed area to 24 inches, and to apply fertilizer only to the areas disturbed. Some discussion was had regarding the cost of the fence and possibly waiting to apply the fertilizer.

The second bid reviewed was for the Bousquet property. The bids received were as follows: Oban Construction - $16,050.00; Ho Chunk Builders - $22,090.00; K & L Landscape & Construction - $22,450.00; Triple D Contracting - $24,300.00; Pruss Excavating - $31,250.00 and Mark Albenesius, Inc - $114,989.50. The low bid for this property was for $16,050.00 from Oban Construction. Mr. Kehrt went over the Bid items listed including the removal of the plastic, sand bags, hauling the dirt to the Bousquet Dairy Farm and removing any trees, deep tillage and fertilizer.

The third bid reviewed was for the McGinty property. The bids received were as follows: Oban Construction - $53,230.00; K & L Landscape & Construction - $63,787.50; Triple D Contracting - $77,475.00; Pruss Excavating - $79,915.00; Ho Chunk Builders - $133,908.00; and Mark Albenesius,

Inc - $476,242.50. Again, the low bid received for this property was $53,230.00 from Oban Construction. Mr. Kehrt went over the Bid items listed including removing the plastic, sand bags and to grade the dirt on site and A-1 Salvage has indicated they would like to keep the dirt. Item 2a and 2b are to deal with the levee built on the access road to their river front. Item 2c is to resurface the access road with gravel. Items 3a, b, c & d all have to do with the main levee going across the McGinty property. The owners would like that all of the dirt stay on the property and spread out. It was mentioned that there is still quite a bit of water yet on this property. Item 3e is to repair a small portion of the McGinty yard that needs grass planted on it. Item 3f is to replace a small portion of the fence to match what was previously there. Item 4 is the deep tillage of the areas disturbed and Item 5 is the fertilizer on those areas.

Commissioner Rohde asked if Olsson and Associates would be monitoring the job sites and be sure that no natural water ways are disturbed. Mr. Kehrt stated that they are hopeful that FEMA will reimburse all of this and they require that everything is documented from personnel on the job each day and the equipment used. In each bid contract it is required that the contractor provide that information.

The fourth bid reviewed was for the Muff property starting at the South Sioux City limits going west. The bids received were as follows: Oban Construction - $74,500.00; K & L Landscape & Construction - $85,500.50; Triple D Contracting - $89,150.00; Pruss Excavating - $121,895.00; Ho Chunk Builders - $179,125.00; and Mark Albenesius, Inc - $328,085.00. The low bid received for this was for $74,500.00 from Oban Construction. This property has the most cubic yards of dirt. Mr. Kehrt went over the Bid items listed. 1, 2 and 3 are to remove the plastic and sand bags; there is some concrete that was used to fill some fox holes. The Muff's have requested that a majority of this dirt be placed on their property up closer to the river and we do have to watch that they don't fill the flood way. We don't believe there is enough room there for all of the dirt so we figured in hauling approximately 8000 cubic feet of dirt to the soccer fields.

Commissioner Bousquet asked if the Muff's would have the option of keeping the additional dirt if they have room. Commissioner Rohde asked if the bid would be adjusted if the dirt did not have to be hauled away. Mr. Kehrt said he could ask Oban Construction.

The fifth bid was for the Covington Golf Course. On the Covington Golf Course there is not only the levee removal but also the landscaping that was destroyed. We did receive 3 bids. The low bid was from Johnson's Golf Course Builders for $51,590.00; Albenesius Contracting - $63,915.00; and K & L Landscape and Construction - $177,843.00. In this one we divided out lots of ways. We separated out the actual levee removal including the sand bags, the plastic and the dirt and the dirt is to remain on site. Then we had many landscaping items and Marty Johnson, the owner, had provided a large list of repairs.

Commissioner Love asked about the seeding or sodding of the golf course. Mr. Johnson has already seeded much of the golf course back, but due to the growing season some of the property may need sodding to get it to grow. Sodding is figured into the bids due to the growing season.

Commissioner Rohde commented that one contractor is low bid on 3 projects. Is there a completion date? Mr. Kehrt informed the Board the completion date is stated in the contracts as November 1, 2011 with a $500 per day penalty fee. The McGinty property may be too wet to work with yet, but can hopefully be done yet this fall.

Chair Bousquet asked for a motion.
Commissioner Gomez commented on the savings between the low bids and high bids.
Commissioner Bousquet commented that the contractor's on the low bids are reputable contractors.

Commissioner Bousquet moved, seconded by Gomez that the Board accept Oban Construction's bid on the Muff Property for $74,500.00, McGinty Property for $53,230.00, and the Bousquet Property for $16,050.00 and to accept Johnson Golf Course Builder's bid of $51,590.00 for the Covington Golf Course and to accept Albenesius Contracting's bid of $16,600.00 for the Mari Property.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet adjourned their Special Meeting of September 21, 2011 at 12:28 p.m.

DAKOTA COUNTY SEAL NEBRASKA

County Board of Commissioners

_____
Richard "Rick" Bousquet, Chair Date Chair signed

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

County Board of Commissioners
Dakota County Courthouse
October 3, 2011 Meeting
County Board Meeting Room
Dakota City, Nebraska

Chair Bousquet called their regular scheduled meeting of October 3, 2011 to order at 4:13 p.m.
The Pledge of Allegiance was recited. The location of the Open Meetings Act was noted and Roll Call was taken and present were: Commissioners Love, Rohde, McNear, Gomez, Bousquet and Ted Piepho, Secretary & County Clerk. Joan Spencer, Assistant to the Board and Kim Watson, County Attorney, were also present.

The Agenda for this meeting was as follows:

- Call meeting to Order.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meeting
- Kim Watson – County Attorney
  - NPPD Survey
    - The Board will take action to establish County Roads 160th Street and "H" Avenue at their present locations as documented in the plats that NPPD submitted and have them entered into the public road records. The Board will pass a resolution of the same.
- Fred Kellogg, Dakota County Hwy Supt., to present the Board with a Certificate of Compliance for an object marker sign grant that the county received from the State of Nebraska.
  - Authorize the chair to sign
- Tammy Brandon with Cable One requesting approval for the installation of buried fiber in public right-of-way in Dakota County.
  - Board to approve the Right-of-way Permit
- Arnold Mellick, Dakota County Planning and Zoning Admin., will present the Board with airport zoning regulations and request that they be adopted into the Dakota County Comprehensive Plan as recommended by the members of the Planning and Zoning Board.
  - Board to adopt regulations into the Comprehensive Plan
- Dick Erickson - additional sketching fee

- Miscellaneous Agenda Items
  - Accept the Interlocal Cooperation Act Agreement for Street Sweepers and Giant Vac.
    - Approve Resolution 11C-024 regarding Interlocal Cooperation Agreement for shared used of Street Sweepers and Giant Vac.
  - Dakota County Surplus Sale - approve written report reflecting the items sold, the purchaser and the amount paid.
  - Approve and authorize chair to sign Equipment Rental Agreement with Love Brothers Truck & Trailer.
  - Approve and authorize chair to sign Equipment Rental Agreement with Siouxland Concrete.
  - Approve Payroll Claims
  - Approve Accounts Payable Claims

- Jail Tour – Quarterly Jail Tour. Due to the length of the agenda the Board reserves the right to move this to either the 17th or the 31st meeting's agenda.

- Tabled Items:
- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- Adjournment

Chair Bousquet called for the Agenda Item "Approve Minutes of prior meeting".
Commissioner Love moved, seconded by Commissioner Gomez to approve the minutes of September 19, 2011 as typed and prepared for the Official Record.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Kim Watson – County Attorney NPPD Survey".
Chair Bousquet passed on this agenda item to carry on the next meeting's agenda.

Chair Bousquet called for the Agenda Item "Dick Erickson - additional sketching fee".
There are two options. One is with the state owning the license for the sketching program only and the site license will cost $1600 and there will be an annual maintenance fee of $600. If the County would choose the individual license, the fee will be $2725 and it would be $1075 for the annual maintenance fee. The Assessor's Office has five computers in their office and that drives the $2725 cost for the site fee.
Mr. Erickson said that Ms. Sorenson wants to know if the County wants to use the sketching program.

There was discussion concerning that and the cost, but no decision was made and the Board wanted Mr. Erickson to contact Ms. Sorenson to get reliable figures. When asked if he wanted one of the board members to make the call, Mr. Erickson thought that they would get a quicker response if they made it.

Chair Bousquet called for the Agenda Item "Fred Kellogg, Dakota County Hwy Supt., to present the Board with a Certificate of Compliance for an object marker sign grant that the county received from the State of Nebraska and authorize the chair to sign".
Mr. Kellogg explained that this is a grant that they got for object markers for bridges and they have completed that so they need a Certificate of Compliance that they completed their obligation.
Commissioner Gomez moved, seconded by Commissioner McNear to accept the Certificate of Compliance for an object marker sign grant that the county received from the State of Nebraska and authorize the chair to sign.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Tammy Brandon with Cable One requesting approval for the installation of buried fiber in public right-of-way in Dakota County".
Tammy said that she is actually with Titan Communications, who is laying the cable for Cable One and she said that they have been laying cable from Norfolk to South Sioux City. They are on the last 21 miles, which is through Dakota County. She informed the Board that they plow the cable 48" deep in the road right-of-way. They follow the edge of the road and that includes going under culverts at that depth. She thought that they should have the cable laid in two to three weeks and after that they will be setting some boxes that will store an additional 150' of cable inside them. The boxes will be set in the fence line side of the right-of way.

Commissioner Gomez moved, seconded by Commissioner Rohde to approve a right-of-way permit for Titan Communications to bury cable for Cable One through Dakota County's road right-of-way and to authorize the Chair to sign said permit.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Love- Yea, Bousquet- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Arnold Mellick, Dakota County Planning and Zoning Admin., will present the Board with airport zoning regulations and request that they be adopted into the Dakota County Comprehensive Plan as recommended by the members of the Planning and Zoning Board".
Mr. Mellick did not appear before the board, but the chair had talked to Mr. Mellick and he explained that the regulations would go to SIMPCO and SIMPCO will add them so that these will be in the County's Zoning Regs. He stated that the Planning and Zoning Board has approved them. We need to approve them here and the Chair repeated that they will go to SIMPCO and SIMPCO will put them in our regs book.
Commissioner Rohde asked if anybody had contacted Gene Martin to look at them, who they would affect.
Commissioner Gomez was at the meeting and thought that they had. There was discussion whether there was time to have Gene Martin, with Martin's Air Field, look at the regulation for his input.
The Chair asked the County Attorney if we should have a Public Hearing on these regs and Sally Reinert asked if these were suppose to go in the Planning and Zoning Ordinances or in the Comprehensive Plan because they are two very different things. The Board was not fully aware of where the regs were suppose to go, whether it was the Planning and Zoning Regulations or the Comprehensive Plan and it was suggested that they find that out first. There was discussion whether the Board could wait until the next meeting.
Commissioner Rohde volunteered to take the Airport Zoning regulations to Gene Martin for him to review so he is at least aware of it.
Chair Bousquet moved this to the next meeting and Commissioner Rohde was going to take care of it in the meantime.

Chair Bousquet called for the Agenda Item "Accept the Interlocal Cooperation Act Agreement for Street Sweepers and Giant Vac. Approve Resolution 11C-024 regarding Interlocal Cooperation Agreement for shared used of Street Sweepers and Giant Vac".
Chair Bousquet said that these were purchases through the Storm Water Grant. It is not that Dakota County will be using this equipment, but Dakota County is in on the Grant through an agreement with the City of Dakota City and South Sioux City. If we use this equipment we will be billed on a per hour basis if the County does use the equipment.
Commissioner Gomez moved, seconded by Dick McNear to adopt the following Resolution 11C-024, by the Dakota County Board of Commissioners that the Interlocal Cooperation Agreement for Shared Use of Street Sweepers and Giant Vac, a copy of which is attached hereto, is hereby approved, and the County Board members and Clerk are authorized to sign the same.

BOARD OF COMMISSIONERS
DAKOTA COUNTY, NEBRASKA
RESOLUTION 11C-024
RESOLUTION REGARDING APPROVING INTERLOCAL COOPERATION AGREEMENT FOR SHARED USE OF STREET SWEEPERS AND GIANT VAC

WHEREAS, pursuant to Nebraska Interlocal Cooperation Act, found at Neb. Rev. Stat. § 13-801 through § 13-827, two or more public agencies may enter into agreements with one another for joint or cooperative action; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103, the powers of the County as a body are exercised by the County Board; and

WHEREAS, an agreement has been proposed pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, to establish an Interlocal Agreement by, between, and among the County of Dakota

County, Nebraska, the City of Dakota City, Nebraska, and the City of South Sioux City, Nebraska, for shared use of a new Pelican street sweeper and a used Tennant III street sweeper and Giant Vac.

THEREFORE, BE IT RESOLVED by the Dakota County Board of Commissioners that the Interlocal Cooperation Agreement for Shared Use of Street Sweepers and Giant Vac, a copy of which is attached hereto, is hereby approved, and the County Board members and Clerk are authorized to sign the same.

Resolved this 3rd day of October, 2011.

/s/ Rick Bousquet_____
Rick Bousquet
Chair

_/s/ Antonio A. Gomez _____
Antonio Gomez
Commissioner

/s/ Scott Love _____
Scott Love
Commissioner

/s/ Richard McNear _____
Richard McNear
Commissioner

ATTEST

/s/ Bill Rohde_____
Bill B. Rohde
Commissioner

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

APPROVED AS TO FORM:

/s/ Kim Watson_____
Kim Watson, County Attorney

There was no attachment to the agreement

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

Chair Bousquet called for the Agenda Item "Dakota County Surplus Sale - approve written report reflecting items sold, purchaser and amount paid."

The assistant to the board reported that the sale totaled $616 and anything that was not sold will go to the Goodwill.

Commissioner McNear moved, seconded by Commissioner Gomez to approve confirmation of the Surplus Sale and report as provided in our packets as follows:

2011 DAKOTA COUNTY SURPLUS SALE
Thursday, September 29th
11 a.m. to 4 p.m. Office Equipment, furniture & miscellaneous Sale
in Courthouse basement, 1601 Broadway St, Dakota City. 7:00 - 10:00 a.m.
Vehicle Sale at the Dakota County Road Department, 1863 North Bluff Rd, Hubbard

	OFFICE	**ITEM**	**SERIAL #**	**ID TAG**
1	Treasurer	Office Chair - gry cloth		6030188
2	Veterans	Cannon P100-DH adding machine	20164017	none
3	Treasurer	red cloth chair		
4	Treasurer	IBM Typewriter - Selectric II		
5	Dist Judge	HP Laserjet 1020 printer	CNRK505038	6240078
6	Treasurer	wooden chair		6030090
7	Treasurer	plastic chair - black		
8	Dist Judge	brown cloth chair		6240005
9	Dist Judge	brown cloth chair		6240007
10	Dist Judge	brown cloth chair		6240008
11	Dist Judge	brown cloth chair		6240006
12	Dist Court	wooden chair - rounded arm (jury rm)		6210286
13	Dist Court	wooden chair (jury rm)		6210058
14	Dist Court	Office Chair - lrg, brown		6210171
15	Dist Court	Office Chair - blue		6310013
16	Dist Court	Office Chair - dark gray		6240081
17	Dist Court	Office Chair - beige		6310009
18	Dist Court	Office chair - light gray		
19	Dist Judge	3'x5' table		
20	Dist Judge	Sharp Copier AL-1642CS	75064651	6240074
21	Dist Court	IBM Typewriter - Wheelwriter 5	13569000666697	6310006

22	Treasurer	Dell monitor		
23	Treasurer	Vew Sonic monitor		
24	Treasurer	IBM keyboard		
25	Treasurer	pull out desk tray		
26	Bldd & Grnds	printer stand		
27	Bldd & Grnds	HP Printer 990SE		
28	Bldd & Grnds	Addding Machine - Cannon P100-DH		
29	Bldd & Grnds	Toshiba Copier	N0314674	
30	unk	Cannon BJC4300 printer	EMF18134	
31	Dist Judge	paper shredder - Royal MP220		
32	Treasurer	File Cabinet - card files (army green)		6030043
33	Treasurer	File Cabinet - card files (grey)		6030034
34	Health Dept	Fan - wind machine 20" (doesn't work)		
35	Health Dept	Fan - wind machine 20" (doesn't work)		
36	Extension	Magnavox TV w/ remote 27"		
37	Board	desk top podium		
38	Treasurer	3 boxes 9 1/2 x 11 computer form paper	blank carbonless 2-ply	
39	Driver Exam	Chair - brown straight stackable		
40	Driver Exam	Chair - brown straight stackable		
41	County Clerk	Panasonic KX-E7000 typewriter		6020168
42	County Clerk	Dictaphone recorder for cassette tapes		
43	County Clerk	Monroe 3140 calculator (doesn't work)	N729417	6020166
44	County Clerk	Panasonic Digital cordless Answering System		
45	Road Dept	1960 Leroi Air compressor (needs new rings)		
46	County Clerk	Monroe calculator (doesn't work)		6020199
47	County Clerk	Monroe calculator - keys punch hard		6020200
48	?	HP deskjet 990cse printer		
49	?	HP ink twin pack #45 blk (unopened)		
50	Road Dept	Dell keyboard and mouse		
51	Road Dept	Gateway keyboard and mouse		
52	Road Dept	HP Printer 750, scanner works, ink		
53	Road Dept	2 telephones		
55	Clerk of Dist Ct	5 plastic stackable chairs		6210193, 198
61	Clerk of Dist Ct	4 plastic stackable chairs		6210194-197
65	County Clerk	Olympus Camedia C-4000 Camera	4.0 megapixel	6070073
66	County Clerk	Staples Shredder SPL-1506X (15-sheet0	(works sometimes)	
67	County Clerk	Dell Optiplex 740 computer mini tower	(needs hard drive)	6020260
68		Cannon MP21D calculator		
69	Sheriff	Canon Sure Shot Camera	5853368	
70	Sheriff	Canon Sure Shot Camera	5856431	
71	Sheriff	Canon Sure Shot Camera	6103500	
72	Sheriff	Canon Sure Shot Camera w/case	1609121	

73	Sheriff	Canon Z115 Camera	7659259	
74	Sheriff	Sony Digital Mavica - 1.3 megapixels	84043	
75	Sheriff	Sony Digital Mavica - 1.6 megapixels	141840	
76	Sheriff	Sony AC Power Adaptor	36500400	
77	Sheriff	Panasonic Laptop (no hard drive)	OCKSA16792	
78	Sheriff	Panasonic Laptop (no hard drive)	OCKSA15871	
79	Sheriff	Panasonic Laptop (no hard drive)	OCKSA16530	
80	Sheriff	Panasonic Laptop (no hard drive)	OCKSA15636	
81	Sheriff	Panasonic Laptop (no hard drive)	OCKSA16168	
82	Sheriff	Kustom Eyewitness In Car Camera System		
83	Sheriff	Kustom Eyewitness In Car Camera System		
85	Sheriff	Kustom Eyewitness In Car Camera System		
86	Sheriff	Korea Data Systems 17 " Monitor	202064986	
87	Sheriff	Gateway Computer w/ keyboard & mouse	14750734	
88	Sheriff	Gateway Monitor	MU17046C0200166	
89	Sheriff	Integrity Computer w/ keyboard	97002236	
90	Sheriff	IBM Typewriter		
91	Sheriff	Gateway 2000 Monitor		
92	Sheriff	Gateway 2000 Computer	20986883	
93	Sheriff	2002 Mercury Sable (motor bad)	1MEFM5OU82G605763	
94	Sheriff	1999 Ford Explorer (high mileage, fan quit)	1FMZU34E8XZB35411	
95	Road Dept	1996 Mazada B2300 pickup (cracked head)	4F4CR12A7TTM44484	
		TOTAL		

	Inter-office	Purchased by:		
	Transferred to:	Name	Address	Paid
1		Dan Garvin	559 Old Hwy 20 W, S Sioux City 68776	$2.50
2				
3				
4				
5				
6				
7	Driver Exam Rm			
8	Treasurer			
9	Treasurer			
10		Bob Giese	104 Burning Tree Circle, S Sioux City	$5.00
11		Bob Giese	104 Burning Tree Circle, S Sioux City	$5.00
12	Extension			
13	Extension			
14				
15				

16		Dan Garvin	559 Old Hwy 20 W, S Sioux City 68776	$ 2.50
17	Veterans Office			
18		Mary Wiltgen	462 Red Rock Ln, S Sioux City 68776	$ 20.00
19	Bldg & Grounds			
20				
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22				
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26	Weed Dept.			
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32		Leon Pies	2271 L Avenue, Hubbard NE 68741	$ 10.00
33		Leon Pies	2271 L Avenue, Hubbard NE 68741	$ 10.00
34				
35				
36				
37	Probation			
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44		Dan Garvin	559 Old Hwy 20 W, S Sioux City	$ 25.00
45		Dan Garvin	559 Old Hwy 20 W, S Sioux City	$ 75.00
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55		Mary Wiltgen	462 Red Rock Ln, SSC ($1/each)	$ 5.00
61	Driver Exam hallway			
65		Dick Ericksen	PO Box 86, Waterbury NE 68785	$ 1.00
66				
67		Danny Christoffers	3433 Transit Ave, Sioux City 51106	$ 10.00

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77		Jim Headley	3701 C Street, #1, S Sioux City NE	$ 4.00
78		Jim Headley	3701 C Street, #1, S Sioux City NE	$ 4.00
79		Jim Headley	3701 C Street, #1, S Sioux City NE	$ 4.00
80		Jim Headley	3701 C Street, #1, S Sioux City NE	$ 4.00
81		Jim Headley	3701 C Street, #1, S Sioux City NE	$ 4.00
82				
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92				
93		Garvin's Salvage	559 Old Hwy 20 W, S Sioux City	$100.00
94		Garvin's Salvage	559 Old Hwy 20 W, S Sioux City	$200.00
95		Garvin's Salvage	559 Old Hwy 20 W, S Sioux City	$125.00
				$616.00

General Fund 0100	$416.00
Road Fund 0300	$200.00

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

Chair Bousquet called for the Agenda Item “Approve and authorize chair to sign Equipment Rental Agreement with Love Brothers Truck & Trailer”.
Fred Kellogg said that they were doing some FEMA work and that he mentioned to Commissioner Love that it would be nice if the Road Department had another tractor and bottom dump trailer to move dirt and Love Bros. had a truck tractor and Commissioner Love located a trailer from the ready mix plant. NIRMA recommended that an agreement should be entered into to cover issues.
Commissioner Gomez moved, seconded by Commissioner Rohde to approve the agreement with Love Brothers to lease a 1992 IHC 9400 Day cab semi tractor bearing the serial number 2HSFHATR4NC061212 and to authorize the chair to sign the agreement, as follows:

LOVE BROTHERS TRUCK & TRAILER EQUIPMENT RENTAL AGREEMENT

This agreement is entered into on this 3rd day of October, 2011, by and between Love Brothers Truck & Trailer (“Love Brothers”), whose address for the purpose of this agreement is 5015 Dakota Avenue, South Sioux City, Nebraska, 68776, and the Dakota County Board of Commissioners (“the County”), whose address for the purpose of this agreement is 1601 Broadway Street, P.O. Box 338, Dakota City, Nebraska, 68731.

The parties agree as follows:

1. **EQUIPMENT**. Love Brothers leases to the County the following equipment: a 1992 IHC 9400 Day cab semi tractor, VIN # 2HSFHATR4NC061212.

2. **TERM**. The term of this agreement shall begin on October 3, 2011, and end on October 31, 2011.

3. **RENT**. Love Brothers is donating the equipment for the County's use at no cost to the County.

4. **INDEMNIFICATION AND INSURANCE**. Dakota County agrees to indemnify and hold harmless, protect, and defend Love Brothers against any and all claims, demands, suits, actions, payments, and judgments, including any and all costs and expenses connected therewith, legal cost or otherwise, for any damages which may be asserted, claimed, or recovered against or from Love Brothers because of personal injury or death, or on account of property damage, sustained by any person or persons which arises out of, is in anyway connected with, or results from the negligent or other use or operation of the 1992 IHC 9400 Day cab semi tractor by the County.

The County agrees to take proper care of the above-referenced equipment and shall return such equipment to Love Brothers in the same condition as when received, ordinary wear and tear excepted. The County agrees to secure a liability insurance policy against claims for damages resulting from bodily injury and property damage which might arise from the use or operation of the referenced equipment by the County or its elected and appointed officials, employees, agents, and representatives with limits not less than $1,000,000.00 for each accident or occurrence. A certificate of insurance evidencing such insurance is to be provided to Love Brothers for the duration of this agreement and/or as long as the above-referenced equipment is in the County's care, custody, or control.

5. **NOTICES AND DEMANDS**. All notices shall be given to the parties hereto in writing at the addresses designated unless either party notifies the other in writing of a different address. Without prejudice to any other method of notifying a party or making a demand or other communication, such notice shall be considered given under the terms of this lease when it is deposited in the U.S. Mail, registered or certified, properly addressed, return receipt requested, and postage prepaid.

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

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

Scott Love,
Love Brothers Truck & Trailer
/s/ Scott Love
Scott Love
10/3/11
Date

Board Chair,
Dakota County Board of Commissioners
/s/ Rick Bousquet
Rick Bousquet
10/3/11
Date
ATTEST
/s/ Theodore A. Piepho
THEODORE A. PIEPHO
COUNTY CLERK

Chair Bousquet called for the Agenda Item "Approve and authorize chair to sign Equipment Rental Agreement with Siouxland Concrete".

Commissioner Love moved, seconded by Commissioner McNear to approve the following agreement with Siouxland Concrete Co. to lease a 1995 Cornbelt S4202 trailer bearing the serial number 1C95542225142889 and to authorize the chair to sign said agreement.

SIOUXLAND CONCRETE CO. EQUIPMENT RENTAL AGREEMENT

This agreement is entered into on this 3rd day of October, 2011, by and between Siouxland Concrete Company ("Siouxland Concrete"), whose address for the purpose of this agreement is P.O. Box 125, South Sioux City, Nebraska, 68776, and the Dakota County Board of Commissioners ("the County"), whose address for the purpose of this agreement is 1601 Broadway Street, P.O. Box 338, Dakota City, Nebraska, 68731.

The parties agree as follows:

1. **EQUIPMENT**. Siouxland Concrete leases to the County the following equipment: a 1995 Cornbelt S4202 trailer, VIN # 1C95542225142889.

2. **TERM**. The term of this agreement shall begin on October 3, 2011, and end on October 31, 2011.

3. **RENT**. Siouxland Concrete is donating the equipment for the County's use at no cost to the County.

4. **INDEMNIFICATION AND INSURANCE**. Dakota County agrees to indemnify and hold harmless, protect, and defend Siouxland Concrete against any and all claims, demands, suits, actions, payments, and judgments, including any and all costs and expenses connected therewith, legal cost or otherwise, for any damages which may be asserted, claimed, or recovered against or from Siouxland Concrete because of personal injury or death, or on account of property damage, sustained by any person or persons which arises out of, is in anyway connected with, or results from the negligent or other use or operation of the 1995 Cornbelt S4202 trailer by the County.

The County agrees to take proper care of the above-referenced equipment and shall return such equipment to Siouxland Concrete in the same condition as when received, ordinary wear and tear excepted. The County agrees to secure a liability insurance policy against claims for damages resulting from bodily injury and property damage which might arise from the use or operation of the referenced equipment by the County or its elected and appointed officials, employees, agents, and representatives with limits not less than $1,000,000.00 for each accident or occurrence. A certificate of insurance evidencing such insurance is to be provided to Siouxland Concrete for the duration of this agreement and/or as long as the above-referenced equipment is in the County's care, custody, or control.

5. **NOTICES AND DEMANDS**. All notices shall be given to the parties hereto in writing at the addresses designated unless either party notifies the other in writing of a different address. Without

prejudice to any other method of notifying a party or making a demand or other communication, such notice shall be considered given under the terms of this lease when it is deposited in the U.S. Mail, registered or certified, properly addressed, return receipt requested, and postage prepaid.

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

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

Manager,
Siouxland Concrete Co.
Jerry Koch
Jerry Koch
10/5/11
Date

Board Chair,
Dakota County Board of Commissioners
/s/ Rick Bousquet
Rick Bousquet
10-3-11
Date
ATTEST
/s/ Theodore A. Piepho
THEODORE A. PIEPHO
COUNTY CLERK

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

Chair Bousquet called for the Agenda Item “Approve Payroll Claims”.
Commissioner Gomez moved, seconded by Commissioner Love to approve the payroll claims filed with the County Clerk and submitted by him for payment as follows:
COUNTY GENERAL FUND: Gross salaries- $129,234.70, General Fund Employees Net Pay- $92,739.61, Employer deductions paid: Retirement- $8,996.15, FICA- $7,785.16, Medicare- $1,820.73, DC Health Plan- $23,500.00, DC Dental Plan- $999.12 and Life Insurance- $204.07, Principal Mutual Life Insurance- $1,220.53.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1406.08, Daniel Christoffers- 602.00, Cherie Conley- 1230.77, Theodore Piepho- 1748.23, Mary C. Wiltgen- 984.00, Marisol Curiel- 1014.40, Darlene Davis- 1000.00, Stephanie Gatzemeyer- 728.85, Robert Giese- 1748.23, Ruth Gillaspie- 1304.78, Jolene Heinemann- 1064.80, Tracey Rysavy- 858.84, Debera Benton- $840.00, Daniel Christoffers- 584.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Elda Raudales- 163.68, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2186.59, Katherine Wiltgen- 960.00, Richard Jensen- 1524.49, Duane Kotalik- 1461.24, Tammy Dunn-Peterson- 935.20, Anthony Bos- 1705.60, Timothy Decker- 1903.85, Sandy Dickens- 501.65, Brian Ellinger- 2138.65, Michael Estes- 1665.83, Brent Gilster- 1820.63, Todd Hammer- 1732.36, Melvin Harrison III- 1709.60, Jason James- 1713.12, Douglas Johnson- 1903.85, Kimberly Johnson- 477.62, Jared Junge- 1721.60, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1820.62, Michael Kreegar- 1693.60, Gary Powell- 164.70, Gayle Richards- 941.60, Kevin Rohde- 1758.90, Randall Walsh- 1903.85, Bridget Fiedler- 934.80, Kerry Johnson- 960.00, Sara Niles- 1884.62, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1135.20, Kimberly Watson- 2828.48, Caterina Saltzman- 1267.13, Jacob Acero- 1341.26, Ermelinda Ballesteros- 1336.80, Mason Billings- 1235.20, Joshua Blatchford- 1336.80, Rebecca Broer- 1690.26, Judy Case- 1254.93, Elisabet DeRoin- 1360.66, Sandy Dickens- 793.64, Jesse Doelle- $1028.00, Marjorie Donahue- 1630.82, Lisa Ford- 1337.11, Ryan Foster- 1235.20, Linda Frost- 882.40, Alma Gunderson- 1748.24, Deanna Haukap- 1320.80, Jeffrey Heitzman- 1314.88, Adam Hough- 1280.00, Michael Jacobson- 1397.32, Brett Johnson- 1332.80, Brenda Kelly- 1365.81, Terry Kern- 2030.29, Keith Klein- 1280.00, James Kleinberg- 1397.32, Paul Moser- 1132.80, Mark Nelson- 1476.66, Travis Olander- 1320.80, Kimberly Peterson- 1280.00, Daniel Rodasky- 1320.80, Cody Roeber- 1235.20, Jutharatana Ruenprom- 1280.00, Timothy Ryan- 1320.12, Linda Schovanec- 1676.16, Jennifer Svendsen- 1156.00, Francis Tope- 1518.96, Jewel Williams- 1520.61, Cara Wood- 1337.11, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 754.57, Linda Weitzel- 1200.78, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $12,906.60, State- $4,445.18, FICA- $5,273.84, Medicare- $1,820.73, Retirement- $6,088.43, Health Plan- $1,650.00, DC Dental Plan- $525.00, Sheriff Union Dues- $420.00, Deferred Comp- $332.00, Garnishments- $1,378.74, Aflac Health- $410.23, Aflac Life/Dsbl- $161.87 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $15,605.56, Road Employees Net Pay- $10,883.12, Employer deductions paid: Retirement- $1,053.35, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $25.31, FICA- $920.84, and Medicare- $215.36, Principal Mutual Life Insurance- $218.78.
Matthew Bartels- 1314.40, Brent Byroad- 1398.40, Robert Hacker- 1314.40, Hans Houfek- 1318.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Troy Madison- 1234.40, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,434.21, State- $493.88, FICA- $623.77, Medicare- $215.36, Retirement- $702.27, Health Plan- $350.00, DC Dental Plan- $105.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $281.55, Aflac Health- $138.29, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $160.00 and Union Dues- $140.00.
ROLL CALL VOTE: Bousquet- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item “Approve Accounts Payable Claims” and there were none.

Chair Bousquet called for the Agenda Item “Commissioner’s Committee Reports”.

Commissioner Gomez reported that he went to the Planning and Zoning Meeting and they acted on the business that this Board had discussed earlier.
Commissioner Love reported that he went around with Fred the other day and looked at roads and commended him for doing a great job. Things are looking good out there.
Commissioner McNear reported that he attended a Safety Committee Meeting today and reported that there will be a fire drill sometime in October.

Chair Bousquet called for the Agenda Item "Public Comment".
Sally Reinert reported that there was a Comprehensive Meeting last Wednesday and there was not anybody there from the County Board or Planning and Zoning Board. She thought that there should have been someone there. The next meeting is October 26th and Sally asked if there would be a Commissioner there at that one.
Chair Bousquet said that they would make sure that there is someone there at that meeting.
Chair Bousquet called for the Agenda Item "Mail and/or Emergency Business" and there was none.
Chair Bousquet called for the Agenda Item "Adjournment" and he adjourned their meeting of October 3, 2011, at 4:43 p.m.

DAKOTA COUNTY SEAL NEBRASKA

County Board of Commissioners

_____
Richard "Rick" Bousquet, Chair Date Chair signed

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

County Board of Commissioners
Dakota County Courthouse
October 17, 2011 Meeting
County Board Meeting Room
Dakota City, Nebraska

Chair Bousquet called their regular scheduled meeting of October 17, 2011 to order at 4:10 p.m. The Pledge of Allegiance was recited. The location of the Open Meetings Act was noted and Roll Call was taken and present were: Commissioners Love, Rohde, McNear, Gomez, Bousquet and Cherie Conley Secretary and Deputy County Clerk. Joan Spencer, Assistant to the Board and Kim Watson, County Attorney, were also present.

The Agenda for this meeting was as follows:

- Call to Order with reciting the Pledge of Allegiance.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meeting
- Duane Stowe – Would like to discuss the future of 164th Street and whether it is a truck route with unlimited weight. 712-490-8790.
  - Board to discuss whether to put a weight limit on 164th Street and/or weight limit on E Avenue between Highway 35 and 164th Street. This discussion may include the adding of turn lanes on the four way at the intersection of 75/77 four lane and 164th Street, Dakota County, Nebraska.
    - Board reserves the right to take action it deems necessary on this matter.
- Fred Kellogg – Highway Supt.
  - Present sealed bids to the Board of Commissioners for 2" asphalt overlay on Lake Avenue.
    - Approve and Award Bid for overlay and Authorize the chair to sign.
  - Present sealed bids to the Board of Commissioners for 2" asphalt overlay on Old Saw Mill Road.
    - Approve and Award Bid for overlay and authorize the chair to sign.
  - Present the Board of Commissioners with sealed bids for the excavation of M Avenue from 220th Street to 230th Street.
    - Approve and Award Bid for excavation project and authorize the chair to sign.
- Arnold Mellick, Dakota County Planning and Zoning Admin., will present the Board with airport zoning regulations and request that they be adopted into the Dakota County Comprehensive Plan as recommended by the members of the Planning and Zoning Board.
  - Board to adopt regulations into the Comprehensive Plan.
- Dick Erickson - additional sketching fee
- Miscellaneous Agenda Items
  - Accept the Interlocal Cooperation Act Agreement for Street Sweepers and Giant Vac. Rescind previous Resolution 11C-024 and Agreement.
    - Approve Resolution 11C-025 regarding Interlocal Cooperation Agreement for shared used of Street Sweepers and Giant Vac.
  - Approve Payroll Claims
  - Approve Accounts Payable Claims
  - Officials Reports – Co. Clerk for September 2011, Co. Clerk Quarterly July to September 2011, Register of Deeds September 2011, Clerk of Dist. Court September 2011, Sheriff and Jail Quarterlies July - September 2011.
- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- Adjournment

Chair Bousquet called for the Agenda Item "Approve Minutes of prior meeting".
Commissioner Gomez moved, seconded by Commissioner Love to approve the minutes of October 3, 2011 as typed and prepared for the Official Record.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Love- Yea and Bousquet- Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Duane Stowe". Duane Stowe expressed his concerns regarding 164th Street and E Avenue. The issue of traffic and turning lanes has been going on for 30 years. Chair Bousquet commented on prior meetings between the State Patrol, Highway Department, and Road Department discussing alternatives. The Commissioners came up with opening up 164th and E Ave. so traffic could come in. Cargill agreed to keep the dust down. Commissioner Bousquet said they are still in the process of discussing truck routes and weight limits on roads. Commissioner Rohde advised that traffic is up 30% this year due to flooding and rerouting of traffic. Fred Kellogg advised that 164th is on the One and Six Year Road Plan to build it up.

Chair Bousquet called for the Agenda Item "Fred Kellogg – Sealed Bids for Lake Avenue and Old Saw Mill Road asphalt overlay". Mr. Kellogg received and opened the bids. We received two bids - one from Knife River and one from Barkley Asphalt. The bid from Barkley Asphalt for Old Saw Mill Road is $17,640.00 and for Lake Avenue $57,120.00. Bid from Knife River for Old Saw Mill Road is $19,097.59 and for Lake Avenue $57,555.36. Commissioner Rohde asked if Mr. Kellogg had gotten estimates on

these projects. Mr. Kellogg said the One and Six Year Road Plan has $20,000 for Lake Avenue and $30,000 on Old Saw Mill Road for a 2 inch overlay. Commissioner Love stated that they had $50,000 figured for both projects and Mr. Kellogg confirmed this. Chair Bousquet asked what the Board wanted to do. Mr. Kellogg stated that there are 3 spots on Lake Avenue that need repaired and one section on Old Saw Mill Road. Commissioner Love commented that his understanding is that Old Saw Mill road has worse issues than Lake Avenue. Mr. Kellogg stated that Knife River's bid has more tonnage in their bid than Barkley Asphalt and there isn't much difference in the bids. Commissioner Rohde asked Joan what is budgeted for these projects. She left the room to get the budget figures. Discussion was had about prior roads repaired and their condition.
Commissioner Bousquet commented that concrete and asphalt prices are very competitive and suggested getting bids for concrete as well for Lake Avenue. Joan stated the budget is $90,000.00. Commissioner Rohde moved, seconded by Commissioner Gomez to asphalt overlay Old Saw Mill Road and to accept Knife River's bid for $19,097.59 for that project.
ROLL CALL VOTE: McNear- Yea, Gomez- Yea, Bousquet- Yea, Love- Yea and Rohde- Yea. UNANIMOUS MOTION CARRIED.

The Commissioners requested that Fred Kellogg advertise for concrete bids on Lake Avenue.
Discussion was had as to what newspapers the advertisement could be run in.

Chair Bousquet called for the Agenda Item "sealed bids for the excavation of M Avenue from 220th Street to 230th Street."

Chair Bousquet passed over Agenda Item "Airport zoning regulations".

Chair Bousquet called for the Agenda Item "Dick Erickson – additional sketching fee". Mr. Erickson stated to the Board that it is his understanding that the State is going to pay for half of the additional cost of the sketching program. The licensing site fee is $1600 and the site maintenance fee is $600 on an annual basis. This would cost the County about $2200 per year. He received an email from Ms. Sorensen that stated that if the majority of the State Counties go along with it, they are all going to get it regardless. Commissioner Rohde asked if the other Counties were having the same problems. Mr. Erickson said yes. Mr. Erickson feels the sketching program is a better program but expensive. Right now it's in the State's hands as to what we have to use. Basically it will cost the County $1100 a year with the State paying the other half for $2200 total annually. Commissioner Gomez questioned Mr. Erickson on the sketching issues. Mr. Erickson stated that he figures that with the current sketching program it will take approximately 3000 man hours to re-sketch everything and with this other program it would cut that in half, but will still take 2 to 3 years to do all the sketching. If a majority of the other Counties go with it then all will get this program and the Board has the right to vote for it or against it. Chair Bousquet ask the Board what they wanted to do. Commissioner Gomez suggested waiting to see what other Counties are going to do. Commissioner Bousquet commented that the email states the Board doesn't have to do anything at this time.

Chair Bousquet called for the Agenda Item "Miscellaneous Items". We need to rescind the previous Resolution 11C-024 and Interlocal Cooperation Act Agreement for Street Sweeper and Giant Vac as City of South Sioux City Attorney, Wayne Boyd, made some changes to the first agreement. Resolution 11C-025 and Interlocal Cooperation Agreement for Street Sweeper and Giant Vac shared use agreement were reviewed and discussed. The Board agreed on signing the agreement using a October 17, 2011 date for a term of five (5) years from that date.
Commissioner Rohde moved, seconded by Commissioner Love to rescind Resolution 11C-024 and approve Resolution 11C-025.
ROLL CALL VOTE: Rohde- Yea, McNear- Yea, Gomez- Yea, Bousquet- Yea, and Love- Yea. UNANIMOUS MOTION CARRIED.
Commissioner Gomez moved, seconded by Commissioner McNear to approve Resolution 11C-025 and the Interlocal Cooperation Act Agreement for Street Sweeper and Giant Vac, which is attached, and that the Dakota County Board of Commissioners share use of the Street Sweeper and Giant Vac, is hereby approved, and the County Board Members and Clerk are authorized to sign.

DAKOTA COUNTY, NEBRASKA
RESOLUTION 11C-025
RESOLUTION REGARDING APPROVING INTERLOCAL COOPERATION AGREEMENT FOR SHARED USE OF STREET SWEEPERS AND GIANT VAC

WHEREAS, pursuant to Nebraska Interlocal Cooperation Act, found at Neb. Rev. Stat. § 13-801 through § 13-827, two or more public agencies may enter into agreements with one another for joint or cooperative action; and,

WHEREAS, pursuant to Neb. Rev. Stat. § 23-103, the powers of the County as a body are exercised by the County Board; and

WHEREAS, an agreement has been proposed pursuant to the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801, to establish an Interlocal Agreement by, between, and among the County of Dakota County, Nebraska, the City of Dakota City, Nebraska, and the City of South Sioux City, Nebraska, for shared use of a new Pelican street sweeper and a used Tennant III street sweeper and Giant Vac.

THEREFORE, BE IT RESOLVED by the Dakota County Board of Commissioners that the Interlocal Cooperation Agreement for Shared Use of Street Sweepers and Giant Vac, a copy of which is attached hereto, is hereby approved, and the County Board members and Clerk are authorized to sign the same.

Resolved this 17th day of October, 2011.

/s/ Rick Bousquet_____ _/s/ Antonio A. Gomez _____
Rick Bousquet Antonio Gomez
Chair Commissioner

/s/ Scott Love _____
Scott Love
Commissioner

/s/ Richard McNear _____
Richard McNear
Commissioner

ATTEST

/s/ Bill Rohde_____
Bill B. Rohde
Commissioner

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

APPROVED AS TO FORM:

/s/ Kim Watson_____
Kim Watson, County Attorney

INTERLOCAL AGREEMENT

THIS INTERLOCAL COOPERATION AGREEMENT ("Agreement") for street sweepers and Giant Vac is effective beginning on the 17th day of October, 2011, between the COUNTY OF DAKOTA, STATE OF NEBRASKA, a governmental subdivision ("County"), THE CITY OF DAKOTA CITY, DAKOTA COUNTY, NEBRASKA, a municipal corporation ("Dakota City"), and THE CITY OF SOUTH SIOUX CITY, DAKOTA COUNTY, NEBRASKA, a municipal corporation ("South Sioux City"), WITNESSETH:

WHEREAS, pursuant to the Nebraska Interlocal Cooperation Act, the County, Dakota City and South Sioux City hereby enter into a relationship with each other to purchase, operate, and maintain a new Pelican street sweeper and a used Tennant III street sweeper and Giant Vac for the mutual benefit of all parties. The governing bodies of the County and Cities shall have approved this Agreement by resolution prior to its execution and delivery. This relationship shall officially continue upon the execution and delivery of a copy of this Agreement to each of the parties hereto; and,

WHEREAS, the City Council of South Sioux City passed a Resolution approving the purchase of the street sweepers and Giant Vac; and,

WHEREAS, the County Board of Commissioners' representative who serves on the Urban Area Water Management Association approved the purchase of the street sweepers and Giant Vac; and,

WHEREAS, the City Council of Dakota City approved the purchase of the street sweepers and Giant Vac; and,

WHEREAS, the acquisition of the street sweepers and Giant Vac by South Sioux City was paid for with Storm Water Association Grant Funds.

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

1. **Duration.** The term of this agreement shall be for a period of _____ years or until such time as purpose of this agreement has been completed. This agreement may be terminated prior to the expiration of such term by adoption of resolutions to that effect by all of the governmental subdivisions participating herein and who have executed this agreement. The termination of the agreement shall not be made effective earlier than sixty (60) days after the adoption of the resolutions of termination by the governmental subdivisions.

2. **Administration.** Due to the nature of the contract and the responsibilities of each governmental subdivision, it is determined that it is not necessary to create any separate legal or administrative entity for administration of the agreement. In the alternative, administration of the agreement shall be the responsibility of the Dakota County Board of Commissioners' representative who serves on the Urban Area Water Management Association, the City Administrator of the City of South Sioux City, Dakota County, Nebraska, and the City Administrator of the City of Dakota City, Dakota County, Nebraska.

3. **Purpose.** The purpose of this agreement is to provide for the purchase, operation and maintenance of a new Pelican street sweeper and a used Tennant III street sweeper and a Giant Vac. The purpose of the agreement for allocation and use of said equipment is as follows:

a) Said street sweepers and Giant Vac shall be for the exclusive use of the parties hereto and shall be housed in South Sioux City's maintenance garage for the life of the street sweepers/Giant Vac.

b) Said street sweepers and Giant Vac shall be reserved for use one (1) week prior to use and is thereby reserved for a maximum of seven (7) calendar days per reservation.

c) All parties hereto shall equally apportion the cost for procuring and funding all materials and services necessary for the operation of the street sweepers and Giant Vac, including, but not limited to, fuel, insurance, and maintenance prorated per machine hour usage.

d) All parties agree to procure all necessary permits or licenses and abide by all applicable laws, regulations, and ordinances of governmental agencies in which the work under this Agreement is performed.

e) All parties hereto shall defend, indemnify, and hold harmless the other parties' officers, employees, and agents to this Agreement from and against any and all claims for damages, losses, and expenses arising out of or in connection with performance or work hereunder or failure to comply with any obligations contained in this Agreement and resulting from the act or omission of the parties hereto, except those which were caused by the sole negligence of the parties' officers, employees, or agents.

f) All parties hereto agree that said street sweepers and Giant Vac may be rented on an hourly basis to governmental bodies who are not a party to this Agreement at an hourly rate that is mutually approved in writing by a majority of all members of the Board established for administration of this Agreement.

4. **Books and Accounts.** The parties shall maintain such books and accounts as they may deem advisable and shall be audited by a certified public accountant selected by all parties. The books and accounts shall be available for inspection by authorized representatives of each party.

5. **Records and Reports.** The City Administrators and County Treasurer shall maintain and keep such other records and make such reports to the constituent governmental subdivisions as each may deem necessary or advisable for the proper conduct of the duties and obligations pursuant to this agreement.

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

7. **Severability.** If any provision of this agreement is determined to be invalid, the entire agreement shall be void and of no further force and effect.

8. **Assignment.** This Agreement may not be assigned without the written consent of all parties.

9. **Modification.** This Agreement shall be subject to modification only by written agreement executed by all parties.

IN WITNESS WHEREOF, the governmental subdivisions who are a party hereto have, on the day and year first above written, caused this agreement to be executed by the respective officers duly authorized and have caused their respective seals to be affixed hereto.

COUNTY OF DAKOTA, STATE OF NEBRASKA, a governmental subdivision,

BY: _____

CHAIRMAN

ATTEST:

_____

COUNTY CLERK

(S E A L)

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

BY: _____

MAYOR

ATTEST:

_____

CITY CLERK

(S E A L)

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

BY: _____

MAYOR

ATTEST:

_____

CITY CLERK

(S E A L)

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

Chair Bousquet called for the agenda item "Approve Payroll Claims".
Commissioner Bousquet stated he went through the payroll claims and did not see anything out of the ordinary.

Commissioner McNear moved, seconded by Commissioner Gomez to approve the Payroll Claims submitted by the County Clerk, as follows:
COUNTY GENERAL FUND: Gross salaries- $131,132.44, General Fund Employees Net Pay- $93,917.95, Employer deductions paid: Retirement- $9,171.66, FICA- $7,902.79, Medicare- $1,848.25, DC Health Plan- $23,500.00, DC Dental Plan- $1020.84 and Life Insurance- $208.59.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1406.08, Daniel Christoffers- 602.00, Cherie Conley- 1230.77, Theodore Piepho- 1748.23, Mary C. Wiltgen- 984.00, Marisol Curiel- 1014.40, Darlene Davis- 1000.00, Stephanie Gatzemeyer- 791.00, Robert Giese- 1748.23, Ruth Gillaspie- 1304.78, Jolene Heinemann- 1031.53, Tracey Rysavy- 1010.40, Debera Benton- $840.00, Daniel Christoffers- 602.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Elda Raudales- 163.68, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2186.59, Katherine Wiltgen- 960.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 1249.41, Anthony Bos- 2728.96, Timothy Decker- 1903.85, Sandy Dickens- 501.65, Brian Ellinger- 1788.40, Michael Estes- 1869.25, Brent Gilster- 1693.60, Todd Hammer- 1818.44, Richard Hansen- 1007.24, Melvin Harrison III- 2083.59, Jason James- 1683.24, Douglas Johnson- 1903.85, Kimberly Johnson- 609.18, Jared Junge- 1721.60, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1820.62, Michael Kreegar- 1735.94, Gary Powell- 164.70, Gayle Richards- 941.60, Kevin Rohde- 1806.87, Randall Walsh- 1903.85, Bridget Fiedler- 934.80, Kerry Johnson- 948.00, Sara Niles- 1884.62, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1021.68, Kimberly Watson- 2828.48, Caterina Saltzman- 1267.13, Jacob Acero- 1499.08, Ermelinda Ballesteros- 1336.80, Mason Billings- 1235.20, Joshua Blatchford- 1336.80, Rebecca Broer- 1698.84, Judy Case- 1132.80, Elisabet DeRoin- 1202.85, Sandy Dickens- 795.60, Jesse Doelle- $1028.00, Marjorie Donahue- 1500.17, Lisa Ford- 1328.80, Ryan Foster- 1235.20, Linda Frost- 882.40, Alma Gunderson- 1882.72, Deanna Haukap- 1320.80, Jeffrey Heitzman- 1248.15, Adam Hough- 1280.00, Michael Jacobson- 1281.52, Brett Johnson- 1332.80, Brenda Kelly- 1369.52, Terry Kern- 2030.29, Keith Klein- 1284.00, James Kleinberg- 1408.90, Paul Moser- 906.24, Mark Nelson- 1476.66, Travis Olander- 1320.80, Kimberly Peterson- 1280.00, Daniel Rodasky- 1188.72, Cody Roeber- 1258.36, Jutharatana Ruenprom- 1280.00, Timothy Ryan- 1235.20, Linda Schovanec- 1396.80, Jennifer Svendsen- 1347.25, Francis Tope- 1438.45, Jewel Williams- 1470.48, Cara Wood- 1362.02, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 766.50, Linda Weitzel- 1219.84, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $13,277.81, State- $4,538.26, FICA- $5,353.55, Medicare- $1,848.25, Retirement- $6,221.25, Health Plan- $1,650.00, DC Dental Plan- $525.00, Sheriff Union Dues- $435.00, Deferred Comp- $332.00, Garnishments- $1,378.74, Aflac Health- $410.26, Aflac Life/Dsbl- $161.90 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $19,170.99, Road Employees Net Pay- $13,405.61, Employer deductions paid: Retirement- $1,277.83, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $25.31, FICA- $1,141.89, and Medicare- $267.06.
Matthew Bartels- 1314.40, Brent Byroad- 1686.82, Robert Hacker- 1758.10, Ron Harder- $240.00, Hans Houfek- 1417.28, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 2918.08, Troy Madison- 1465.90, Arnold Mellick- 1804.45, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1511.60.
ROAD FUND: Employee withholding paid to: Federal- $1,926.57, State- $693.36, FICA- $773.53, Medicare- $267.06, Retirement- $851.90, Health Plan- $350.00, DC Dental Plan- $105.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $281.55, Aflac Health- $138.30, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $160.00 and Union Dues- $140.00.
ROLL CALL VOTE: Bousquet- Yea, Love- Yea, Rohde- Yea, McNear- Yea, and Gomez- Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the agenda item “Approve Accounts Payable Claims”.
Commissioner Bousquet commented on the levy removal portion. Oban Construction, Inc. has submitted a bill for payment. The Board asked Joan to call Chad Kehrt with Olsson and Associates to see if he had inspected the final removal and approved payment. While waiting for Chad Kehrt’s call, Chair Bousquet advised the Board that there is a claim submitted from Inheritance Tax for $5000 to a college nursing school pursuant to a 10 year agreement. The Board approved the $5000 nursing school claim.

While waiting to hear from Mr. Kehrts, Commissioner Bousquet called agenda item “Officials Reports”. Commissioner Love moved, seconded by Commissioner McNear to approve the Officials Reports filed by the Co. Clerk for September 2011, Co. Clerk Quarterly July to September 2011, Register of Deeds September 2011, Clerk of Dist. Court September 2011, Sheriff and Jail Quarterlies July - September 2011.
ROLL CALL VOTE: Bousquet- Yea, Love- Yea, Rohde- Yea, McNear- Yea, and Gomez- Yea. UNANIMOUS MOTION CARRIED.

Mr. Kehrt phoned and stated that there were some cosmetic items that needed to be finished yet at the projects. Commissioner Bousquet suggested paying a portion now and upon approval of Chad Kehrts to pay the remainder. Discussion was had on payment options.

Commissioner Love moved, seconded by Commissioner Gomez to pay Oban Construction, Inc. one half the total amount that he submitted for removing levies now and the other half in two weeks upon the final inspection of the projects and approval from Chad Kehrt, OLSSON and Associates. ROLL CALL VOTE: Bousquet- Yea, Love- Yea, Rohde- Yea, McNear- Yea, and Gomez- Yea. UNANIMOUS MOTION CARRIED.

Commissioner Gomez moved, seconded by Commissioner McNear to approve the Accounts Payable

Claims filed with the County Clerk and submitted by him for payment as follows:
GENERAL FUND: Dakota County Star, publishing- 1101.53; Holiday Inn of Kearney, lodging- 351.80; Siouxland Chamber of Commerce, conference- 35.00; General Business Interiors, cabinets- 800.00; NetSys, service/router- 693.99; Perkins, supplies- 366.78; Theodore Piepho, phone/mileage- 38.33; US Bank, software- 64.80; Charlotte Doenhoeffer, prior yrs- 10.00; Robert Giese, mileage- 133.20; Ruth Jensen, prior yrs- 12.00; NE UC Fund, unemployment- 1061.37; Mardell Sorenson, prior yrs- 26.00; Staples, printer/copier- 849.99; US Bank, toner- 741.02; Irene Van Lent, prior yrs- 16.00; Cherie Conley, mileage/meals- 264.81; Margie Rahn, prior yrs- 12.00; Microfilm Imaging, lease- 240.00; US Bank, lodging/workshop- 130.62; Western Office Technologies, supplies- 12.50; Theodore Piepho, mileage- 6.66; Dakota Business Systems, lease- 102.00; Dakota County Star, publishing- 9.26; Deb Green, mileage/meeting- 33.87; Jolene Gubbels, taking minutes- 60.00; Paul Ireland, mileage/meeting- 46.65; Jim Jepsen, mileage/meeting- 32.22; Tom Lynch, mileage/meeting- 38.88; Dick McCabe, mileage/meeting- 29.43; Arnie Mellick, phone- 30.00; Marlan Millard, mileage/meeting- 18.89; Harold Moes, mileage/meeting- 45.54; NACO, convention- 360.00; Joe O'Neill, mileage/meeting- 37.77; Martin Rohde, mileage/meeting- 47.76; Executive Technologies, lease- 196.11; Iowa Office Supply, toner- 50.24; MIPS, scanning- 86.00; Norfolk Printing Co., trial dockets- 169.82; Phyllis Obermeyer, mileage- 109.89; Cheryl Perkins, meals/mileage- 149.16; Perkins, supplies- 65.67; US Bank, supplies- 168.00; Kathy Wiltgen, meals/mileage- 169.35; Dakota Business Systems, lease- 99.00; Iowa Office Supply, supplies- 58.22; Paula Jensen, supplies reimbursement- 16.38; Microfilm Imaging, lease- 190.50; Midwest Office Automations, copies- 342.99; Perkins, supplies- 115.66; US Bank, supplies/software- 781.77; Cartridge World, toner- 421.96; Frank Gonzalez; interpret- 350.00; Dakota County Sheriff, fees- 1757.14; Lori Blume, bill of exception- 18.75; Michelle Bolles, witness fee/mileage- 25.55; Christina Carpenter, witness fee/mileage- 58.85; District Court; costs- 551.00; Cindy Foley, bill of exception- 217.50; Aimee Goddard, witness fee/mileage- 25.55; Dennis Hurley, court appointed counsel- 690.00; Lancaster County Sheriff, fees- 19.06; Tammy McLarty, witness fee/mileage- 42.20; Stuart Mills, court appointed counsel- 2062.50; M&M Court Reporting, bill of exception- 22.00; Gladys Nelson, bill of exception- 104.75; Shirley Sides, interview- 37.50; Richard Thramer, court appointed counsel- 967.89; Dakota County Court, costs- 1897.65; Gage County Sheriff, fees- 19.17; Randy Hisey, court appointed counsel- 990.00; Kueny & Begley Law, court appointed counsel- 54.00; Stuart Mills, court appointed counsel- 1050.00; Douglas Roehrich, court appointed counsel- 522.00; Patrick Tott, court appointed counsel- 1788.00; Maximus, child support recovery- 678.91; Benstar Pkg., supplies- 507.83; Bomgaars, supplies- 162.02; Bunkers Feed & Supply, salt- 68.49; City of Dakota City, water/sewer- 574.25; Gill Hauling, service- 120.00; Joe's Dept. Store, supplies- 100.23; Mahr Constr., jail sidewalk- 1700.00; Menards, supplies- 88.48; MidAmerican Energy, utilities- 1025.00; NPPD, utilities- 2768.50; O'Keefe Elevator, maintenance- 165.91; Richard Jensen, mileage- 41.85; SHARE, deicer- 915.33; US Bank, supplies- 493.10; Verizon, phone- 57.70; UNL Extension, reimburse- 1302.90; PMRNRD, rent- 833.33; Verizon, phones- 62.25; AZ Inc, fuel-96.01; Dakota County Star, publishing- 120.00; Heritage Express-Emerson, fuel- 87.00; Hubbard Mini Mart, fuel- 375.00; Leon Pies, phone- 30.00; Pomps, tires- 132.79; Pam DeVries, mileage- 114.33; Perkins, supplies- 92.09; Sanofi Pasteur, syringes- 1551.14; US Bank, meal- 2.38; Dr. Thomas Wente, physician- 250.00; Linda Weitzel, mileage- 112.66; Bill Johnston, mileage/phone/conf. reimbursement- 532.10; US Bank, VSO school reimb- 239.51; Cable One, service- 169.96; City of South Sioux City, Econ Dev- 2612.50; Cherie Conley, YMCA membership- 19.50; FiberComm, phone- 1135.85; FSH Communications, payphone- 63.60; MailFinance, lease- 227.00; Mercy Business Health Services, EAP Agreement- 240.75; MIPS, support- 424.62; Norm Waitt Sr.YMCA, membership- 175.50; Region IV Mental Health, qrtly. service- 5320.25; Madelyn Thorsland, prior yrs- 10.00; Three Rivers Benefit, admin fees- 110.00; US Postal Service, postage- 2500.00; Randy Walsh, YMCA membership- 19.50; Cross Law Firm, flood legal counsel- 1995.00; Husker Steel, beams/channels- 31209.50; Oban Construction, levee removal- 143780.00; Theisen Construction, bridge repair- 45116.00; Road Fund 300, budget transfer- 35000.00; Kerry Bligh, animal control- 700.00; City of So. Sioux City, fuel- 7236.10; Dakota County Star, publishing- 47.00; Dakota County Treasurer, title/registration- 21.55; Fremont Tire, tire repair- 51.00; Jack's Uniforms, name plate- 18.40; Kuehn Auto Sales, Buick- 3200.00; Lynn Peavey Co, supplies- 69.00; O'Reilly Automotive, parts- 1157.58; Siouxland FCU, repairs/dues/ meals/lodging/fuel- 1900.36; So. Sioux City Police, magnet material- 194.74; Star Printing/Studio B Graphics, business cards- 90.00; US Bank – supplies/meals- 341.30; Verizon, phones- 430.51; Walmart, batteries- 168.91; Willis Animal Clinic, supplies- 138.56; Dept. of Motor Vehicles, transcripts- 16.00; H2O4U, service- 28.00; Iowa Office Supply, copies- 71.18; Jami Johnson, depositions- 278.90; Peter Parry, phone- 20.00; Staples, supplies- 79.15; Verizon, phone- 224.47; City of So. Sioux City, LEC cost share- 32258.73; A.J. Phillips Publishing, business cards- 45.00; BI Inc., electronic monitoring- 593.40; Caterina Saltzman, mileage/food- 395.73; Holiday Inn of Kearney, lodging- 154.00; Redwood Biotech, lab- 75.00; Staples, supplies- 19.99; Ameri-Tech Industrial, parts/frt.- 22.80; AmSan, supplies- 2421.38; Aramark, service- 67.46; Bob Barker, supplies- 485.66; CBM Food Service, meals- 20753.55; City of Dakota City, water/sewer- 1404.74; City of So. Sioux City, fuel- 521.94; Continental Fire Sprinkler, service/parts- 239.25; Crittenton Center, medical- 69.43; Dakota Family Dentistry, medical- 468.00; Dakota Food and Fuel, fuel- 220.00; Marjorie Donahue, mileage- 69.99; Foulk Bros. Plumbing & Heating, service- 150.00; Gill Hauling, service- 120.00; Grainger, supplies- 296.31; Jack's Uniforms, supplies- 59.90; Joe's Department Store, supplies- 34.66; Kleen Solutions, supplies- 34.95; Kuehn Auto Sales, Ford wagon- 6850.00; MHC Anesthesia Services, medical- 480.00; Mahr Construction, sidewalk- 936.00; Mercy Business Health/Urg. Care, medical- 1650.00; Mercy Medical Center, medical- 1249.48; MidAmerican Energy, utilities- 420.42; Midwest Office Automations, copies- 183.72; NE Nebr Juvenile Services, boarding- 2975.00; NW Iowa Emergency Phys., medical- 448.00; NPPD, utilities- 3479.07; NE UC Fund, unemployment- 960.00; NetSys, service- 850.00; Redler's Pharmacy, meds- 217.53; Sam's Club, interest/supplies- 416.73; Siouxland Pathology Associates, medical- 64.38; Siouxland Radiology Partners, medical- 982.75; Speedy Rooter, service- 135.00; Staples, supplies- 246.76; Jennifer Svendsen, mileage- 38.02; Tri-Tech Innovations, rack mount/server- 4960.00; US Bank, prescriptions/supplies/fuel/meals- 4190.43; Verizon, phone- 413.29; Wigman Co, kit- 242.89; Woodbury Co. Juvenile Det., board- 500.00; Dodge County Clerk, qtrly. Probation- 12667.80;

ROAD FUND: Aramark, service- 391.52; Autosound Solutions, parts- 14.95; AZ Inc., fuel- 2051.60; Bomgaars, supplies- 34.99; Dakota County Star, publishing- 65.59; Electronic Engineering, GPS- 900.00; Fastenal, supplies- 97.11; First National Bank, grader/interest payment- 15202.57; Fremont Tire, repair- 17.00; Gill Hauling, service- 55.00; Bob Hacker, clothing- 75.00; Walter Heinemann, prior yrs- 29.00; Hans Houfek, clothing- 24.72; Hubbard Mini Mart, fuel- 2340.73; H2O4U, service- 8.50; ICON, supplies/oil- 264.65; Jackson Glass, parts/labor- 462.40; J&J's Pronto, fuel- 447.41; Joes' Dept. Store, parts- 32.71; Kinetic Leasing, loader payment- 2458.00; Knoepfler, parts- 102.40; LG Everist, gravel- 20323.54; Love Bros., parts- 59.99; Low Implement, parts- 73.08- Marx Truck/Trailer, parts- 71.73; Matheson-Linweld, oxy/welding mix- 52.00; Medical Enterprises, medical- 62.00; Midwest Wheel, parts- 510.80; Marlan Millard, prior yrs- 15.00; NPPD, utilities- 30.82; Northeast Equipment, tractor rental- 900.00; NE Nebr. PPD- utilities- 203.87; NE Nebr. Telephone, phone- 234.32; O'Reilly Auto Parts, supplies- 23.88; Peterson Sand & Gravel, gravel- 19156.30; Pomps, tires/supplies- 168.11; Powerplan, parts/supplies- 476.70; Rees Mack Sales, parts/supplies- 506.63; St. Lukes Center for Occ Health, testing- 40.00; Siouxland Hydraulics, parts/tools- 345.08; Siouxland Trailer Sales, parts- 124.70; Thermo King Christensen, parts/supplies- 269.50; Tri-State Comm., radio equip.- 118.00; Verizon, phone- 33.87; Warren Oil, fuel- 12584.08; Zieglers, parts/supplies- 331.44;
VISITOR PROMOTION: So. Sioux City Chamber of Commerce, lodging tax- 23437.83;
INSTITUTIONS: Beatrice State Dev Center, board- 552.00; Lincoln Regional Center, board- 126.00;
VETERAN'S AID: County Veteran's Service Office, checking- 4500.00;
STOP: US Bank, supplies- 226.56;
HEALTH PLANNING GRANT: At&t Mobility, phone- 64.47; Deanna Beckman, hours- 1224.00; Pam DeVries, mileage- 3.88; Global Connect, Emergency Notification System w/LEC- 930.31;
INHERITANCE TAX: NECC Foundation, nursing college contribution- 5000.00;
PUBLIC SAFETY: City of South Sioux City, sales tax- 3074.44; Jail Bond Fund, sales tax- 27313.95; Road Fund, sales tax- 650.18;
E911: City of So. Sioux City, 1st qty. E911- 24231.98;
ROLL CALL VOTE: Love- Yea, Rohde- Yea, McNear- Yea, Gomez- Yea, and Bousquet- Yea. UNANIMOUS MOTION CARRIED.

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

Chair Bousquet called for the Agenda Item "Commissioner's Member Reports" and there were none. Commissioner Bousquet stated they had a LEC meeting and everything is the same.

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

Chair Bousquet called for the Agenda Item "Mail and/or Emergency Business" and there was none. Joan noted the Board has been invited to a Poverty Stimulation presentation from the college center that needs an RSVP. Also, NACO Convention in on December 14, 15, & 16 and there are two (2) rooms reserved. Commissioner Bousquet stated he will be going. November 15th is the deadline to reserve the room. Commissioner Rohde stated he will go. Commissioner Love stated he will go if Bousquet or Rohde were unable to attend.

Chair Bousquet called for the Agenda Item "Adjournment" and he adjourned their meeting of October 17, 2011, at 5:02 p.m.

County Board of Commissioners

_____

Richard "Rick" Bousquet, Chair Date Chair signed

DAKOTA COUNTY SEAL NEBRASKA

_____

Cherie Conley, Deputy County Clerk

_____

Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Monday, October 31, 2011
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Rick Bousquet, Chair Theodore A. Piepho, Secretary

Chair Bousquet called their regular scheduled meeting to order at 4:26 p.m.
The location of the Open Meetings Act was noted and Roll Call was taken.
Present were Commissioners Bousquet, Love, Rohde and Ted Piepho, Secretary and County Clerk.
Absent: Commissioners Gomez and McNear.
Joan Spencer, Board Assistant and Kim Watson, County Attorney, were also present.
The Agenda for this meeting was as follows:
Open the meeting

- A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
- Roll Call
- Approve Minutes of prior meeting

Leon Pies – Authorize the Weed Supt. to purchase a sprayer truck.
Pat Foust – Emergency Director

- Present information concerning outdoor siren in Tompkins Addition.
  - Approve and authorize an outdoor siren

Fred Kellogg – Highway Supt.

- Consider 2" asphalt overlay on Lake Avenue.
  - Approve and award lowest and best bid opened 10-17-11 for a 2" overlay of asphalt on Lake Avenue and authorize the Chair to sign.

Robert Giese, County Treasurer - Present information concerning payment of taxes, etc. by Credit or Debit Card.

- Board to approve agreement for the Treasurer to accept payment of taxes, etc. by credit or debit card and to authorize the Chair to sign agreement.

Miscellaneous Agenda Items

- Approve Payroll Claims
  - Tony Bos – Consider whether Mr. Bos should be paid prorated vacation pay from his last anniversary prorated to the date he resigned and authorize payment if it is determined that he should be paid.
- Approve Accounts Payable Claims
- Nebraska Association of County Officials
  - Board to appoint a designee to vote for NACO Officers on behalf of Dakota County in the NACO Election held during the Annual Convention in December.
- Nebr. Intergovernmental Risk Management Association – NIRMA is asking for Dakota County to extend its commitment for NIRMA to be Dakota County's Insurance Provider for three years and to approve a Resolution 11C-026 to commit for the three years.
- Authorize the Chair to sign the Certification of Cost Allocation Plan prepared by Maximus. This is the computation of indirect cost rate for the Clerk of the District Court in figuring IV-D Child Support Collections.
- Approve County Clerk's 2012 Calendar for internal use. This calendar denotes claim days, holidays, pay dates and Board meeting dates based on the 2011 schedule.

Commissioner's Committee Reports
Commissioner's Member Reports
Public Comment
Mail and/or Emergency Business
Recess to meet in the jail lobby

- Reconvene in jail lobby and take Jail tour

Adjournment

Chair Bousquet called for the Agenda Item "Approve minutes for the October 17, 2011 Meeting".
Commissioner Love moved, seconded by Commissioner Rohde to approve the minutes of the October 17, 2011 meeting as typed and prepared for the Official Record.
ROLL CALL VOTE: Love – Yea, Rohde – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED.
Commissioners Gomez and McNear were absent.

Chair Bousquet called for the Agenda Item "Leon Pies – Authorize the Weed Supt. to purchase a sprayer truck."
Mr. Pies addressed the Board stating that he is requesting authorization to purchase a new truck for spraying. He stated they had found a 2000 Chevy Dully One Ton truck with 50,000 miles. The shop mechanic looked it over and claims it is mechanically sound. This is in the budget. He will be selling the old truck after some of the parts have been taken off and will try to get around $2000.00 for it. The price of the new truck is $11,500. Some modifications will need to be made to the truck to make it usable and will take a little bit of money over the next couple of years to make it work the way they want it.
Commissioner Love moved, seconded by commissioner Rohde to authorize Leon Pies, Weed Superintendent to purchase a pickup for $11,500 for sprayer use.
ROLL CALL VOTE: Rohde – Yea, Bousquet – Yea and Love – Yea. UNANIMOUS MOTION CARRIED.
Commissioners Gomez and McNear were absent.

Chair Bousquet called for the Agenda Item "Pat Foust, Emergency Director - Tompkins Addition outdoor siren".
Mr. Foust approached the Board and stated that he had talked to Joan prior to the meeting and this item really did not need to be on the agenda as it was previously approved. Mr. Foust said that he was in the process of getting estimates and will get bids for the siren. He instructed the Board that they will need to know the best location and acquire the land and make sure that there is power to wherever the Board decides to locate the siren. Commissioner Bousquet asked that Fred Kellogg, Joan and Pat Foust work together to keep this project moving and find a good location to locate the siren and try to have this project done by next spring.

Chair Bousquet called for the Agenda Item "Fred Kellogg – Lake Avenue 2 inch asphalt overlay".
Mr. Kellogg approached the Board and stated that he looked into paving Lake Avenue and the removal of the asphalt and 6 inches of paving was not going to fit into the County's budget, so he asked the Board to accept one of the bids presented at the October 17, 2011 meeting.
Commissioner Bousquet stated the bid from Knife River was $57,555.36 and Barkley Asphalt was $57,120. Mr. Kellogg reminded the Board that Knife River was awarded the bid for Old Saw Mill Road. Knife River plans on getting the Old Saw Mill Road project completed yet this year.
Commissioner Rohde moved, seconded by Commissioner Love to accept the bid of Knife River, which was $57,555.36, to add a 2" overlay to Lake Avenue.
ROLL CALL VOTE: Bousquet- Yea, Love – Yea and Rohde – Yea. UNANIMOUS MOTION CARRIED. Commissioners Gomez and McNear were absent.

Chair Bousquet called for the Agenda Item "Robert Giese, Treasurer – Present Credit Card/Debit Card use for payment". Mr. Giese advised the Board that at a previous meeting he spoke on a version of credit card/debit card payment that tied in with the Nebraska Taxes online and that was going to cost the County about $1500.00 a year. At that time we passed on it because of budget reasons. Mr. Giese advised that a couple of weeks ago the ATM was removed from upstairs that was used a lot. Representatives from Nebraska.gov gave a demonstration previously to Mr. Giese, Mr. Piepho and Joan Spencer. The representatives proposed installing a simple reader that is hooked into the computer terminals and software is loaded onto the computers. There is a one time fee. He said that if the County buys 3 readers at $100.00 each the County would get 3 readers free. The agreement that is being presented to the Board today will cover the entire courthouse, so if another office wants to use a reader it is up to them and their office. The way it works is that there is no cost to the County; the customer incurs the cost at 2.49% of the total bill which is added onto the customer's total. There is an account currently set up for payments to be directly deposited too. In visiting with other Counties that are using this service they expressed that they love it.
Commissioner Rohde moved, seconded by Commissioner Love to approve the purchase of three credit card readers for a total of $300.00 and to approve the agreement and to authorize the signing of the Agreement necessary to allow the offices in the Courthouse receive payment from individuals for taxes and services by credit or debit card.
ROLL CALL VOTE: Rohde – Yea, Bousquet – Yea and Love – Yea. UNANIMOUS MOTION CARRIED. Commissioners Gomez and McNear were absent.

Chair Bousquet called for the Agenda Item "Miscellaneous Items". Approve Payroll Claims. Commissioner Bousquet stated that Tony Bos asked the Board to consider being paid prorated vacation pay. Sheriff Kleinberg asked to address the Board and stated that Mr. Bos was paid the vacation that was earned and the contract specifically states that you don't get your vacation until you reach your anniversary date and he resigned prior to his anniversary date. Vacation does not get prorated from anniversary to anniversary.
Commissioner Rohde made a motion, seconded by Commissioner Love to approve the payroll claims filed with the County Clerk and submitted by him as follows:
COUNTY GENERAL FUND: Gross salaries- $127,571.85, General Fund Employees Net Pay- $91,680.52, Employer deductions paid: Retirement- $8,907.08, FICA- $7,682.02, Medicare- $1,796.63, DC Health Plan- $22,750.00, DC Dental Plan- $988.26 and Life Insurance- $201.82, Principal Mutual Life Insurance- $1,453.90.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1406.08, Daniel Christoffers- 602.00, Cherie Conley- 1230.77, Theodore Piepho- 1748.23, Mary C. Wiltgen- 1013.60, Marisol Curiel- 1001.72, Darlene Davis- 1000.00, Stephanie Gatzemeyer- 898.35, Robert Giese- 1748.23, Ruth Gillaspie- 1304.78, Jolene Heinemann- 1064.80, Tracey Rysavy- 1010.40, Debera Benton- $840.00, Daniel Christoffers- 602.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Elda Raudales- 163.68, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2186.59, Katherine Wiltgen- 960.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 963.20, Anthony Castillo- $1317.60, Timothy Decker- 1903.85, Sandy Dickens- 501.65, Brian Ellinger- 1777.45, Michael Estes- 1549.60, Brent Gilster- 1884.14, Todd Hammer- 1721.60, Richard Hansen- 1578.66, Melvin Harrison III- 1709.60, Jason James- 1613.52, Douglas Johnson- 1903.85, Kimberly Johnson- 511.94, Jared Junge- 1721.60, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1772.99, Michael Kreegar- 1693.60, Gayle Richards- 941.60, Kevin Rohde- 1705.60, Randall Walsh- 1903.85, Bridget Fiedler- 984.00, Kerry Johnson- 960.00, Sara Niles- 1884.62, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1135.20, Kimberly Watson- 2828.48, Caterina Saltzman- 1267.13, Jacob Acero- 1266.51, Ermelinda Ballesteros- 1353.51, Mason Billings- 1235.20, Joshua Blatchford- 1336.80, Rebecca Broer- 1480.05, Judy Case- 679.68, Elisabet DeRoin- 1195.43, Sandy Dickens- 797.56, Jesse Doelle- $1028.00, Marjorie Donahue- 1576.75, Lisa Ford- 1328.80, Ryan Foster- 1235.20, Linda Frost- 882.40, Alma Gunderson- 1344.80, Deanna Haukap- 1320.80, Jeffrey Heitzman- 1271.70, Adam Hough- 1284.00, Michael Jacobson- 1397.32, Brett Johnson- 1332.80, Brenda Kelly- 1365.28, Terry Kern- 2030.29, Keith Klein- 1308.00, James Kleinberg- 1235.20, Paul Moser- 1019.52, Mark Nelson- 1476.66, Travis Olander- 1320.80, Kimberly Peterson- 1280.00, Daniel Rodasky- 792.48, Cody Roeber- 1235.20, Jutharatana Ruenprom-

1412.00, Timothy Ryan- 1281.52, Linda Schovanec- 1396.80, Jennifer Svendsen- 1525.75, Francis Tope- 1320.80, Jewel Williams- 1345.16, Cara Wood- 1328.80, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 781.42, Linda Weitzel- 1162.66, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $12,564.64, State- $4,329.06, FICA- $5,203.99, Medicare- $1,796.63, Retirement- $6,036.70, Health Plan- $1,650.00, DC Dental Plan- $525.00, Sheriff Union Dues- $420.00, Deferred Comp- $332.00, Garnishments- $1,378.74, Aflac Health- $410.23, Aflac Life/Dsbl- $161.87 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $17,163.62, Road Employees Net Pay- $11,996.17, Employer deductions paid: Retirement- $1,143.54, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $25.31, FICA- $1,017.44, and Medicare- $237.95, Principal Mutual Life Insurance- $220.99.
Matthew Bartels- 1314.40, Brent Byroad- 1791.70, Robert Hacker- 1745.78, Ron Harder- $222.00, Hans Houfek- 1318.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Troy Madison- 1548.58, Arnold Mellick- 1330.40, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1511.60.
ROAD FUND: Employee withholding paid to: Federal- $1,649.82, State- $575.12, FICA- $689.22, Medicare- $237.95, Retirement- $762.39, Health Plan- $350.00, DC Dental Plan- $105.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $281.55, Aflac Health- $138.29, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $160.00 and Union Dues- $140.00.
ROLL CALL VOTE: Rhode – Yea, Bousquet – Yea and Love – Yea. UNANIMOUS MOTION CARRIED. Commissioners Gomez and McNear were absent.

Agenda Item – "Approve Accounts Payable Claims" and there were no claims to approve.

Agenda Item – "Nebraska Association of County Officials – Board to appoint designee to vote at NACO Convention."
Commissioner Rohde moved, seconded by Commissioner Love to appoint Commissioner Bousquet as the Board's Designee to vote for the NACO Officers at the NACO Convention December 14 through December 16, 2011.
ROLL CALL VOTE: Love – Yea, Rohde – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED. Commissioners Gomez and McNear were absent.

Agenda Item – "NIRMA asking Dakota County to extend its commitment to be the Insurance Provider for 3 years and to approve Resolution 11C-026".
Commissioner Love moved, seconded by Commissioner Bousquet to approve Resolution 11C-026 resolving to commit to NIRMA for them to continue being the County's insurance provider for three additional years, as follows:

RESOLUTION 11C-026
FOR AMENDMENT AND ADDENDUM TO
NIRMA/NIRMA II INTERGOVERNMENTAL/INTERLOCAL AGREEMENTS

WHEREAS, Dakota County has previously entered into Intergovernmental/Interlocal Agreements with various other Nebraska Counties and other public agencies to form and participate in the Nebraska Intergovernmental Risk Management Association (NIRMA) and the Nebraska Intergovernmental Risk Management Association II (NIRMA II) as authorized by the Intergovernmental Risk Management Act (Neb.Rev.Stat §44-4301 et seq.) and the Nebraska Interlocal Cooperation Act (Neb.Rev.Stat. §13-801 et seq.); and

WHEREAS, Counties and other Public Agencies as defined in Neb.Rev.Stat. §44-4303 are allowed to participate in said cooperative undertakings; and

WHEREAS, the Legislature has found that proper risk management requires the spreading of risk so as to minimize fluctuation in insurance needs and that benefits can be derived through the pooling of insurance purchasing by local government, and

WHEREAS, NIRMA and NIRMA II have provided coverages to the County in a cost effective way which meet and exceed that provided by standard insurance carriers; and

WHEREAS, NIRMA and NIRMA II provide risk management services such as loss prevention, safety audits, claims and litigation management, and coverages tailored to address loss exposures counties and other related public entities face not economically available from other sources; and -

WHEREAS, these coverages and risk management services are essential for the continued effective and efficient use of county taxpayer dollars; and

WHEREAS, the current Intergovernmental/Interlocal Agreements will expire on June 30, 2012, and

NOW, THEREFORE, BE IT RESOLVED that the Dakota County Board hereby:

1. Extends its commitment to participate in NIRMA and NIRMA II for the period July 1, 2012 through June 30, 2015; and
2. Declares that this Resolution shall serve as an amendment and addendum to the previous Intergovernmental/Interlocal Agreements entered into by the County Board, said Intergovernmental/Interlocal Agreements readopted by and incorporated herein by this reference as amended.

After motion duly made by member Scott *Love* and seconded by member *Rick Bousquet*, the following members voted by roll call vote in favor of passage and adoption of said Resolution: 11C-026.
The following members voted against the same: None.
The following members were absent or not voting: *Tony* Gomez and Richard McNear.
PASSED AND APPROVED this *31st* day of October, 2011.

/s/ Theodore A. Piepho — /s/ Rick Bousquet
County Clerk — Chairperson/Presiding Officer

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

Agenda Item – "Authorize Chair to sign the Certification of Cost Allocation Plan prepared by Maximus". Clerk of District Court, Phyllis Obermeyer, approached the Board and explained this certification of the computation of indirect cost rate for the Clerk of the District Court in figuring IV-D Child Support Collections.
Commissioner Rohde moved, seconded by Commissioner Love to authorize the Chair to sign the Maximus Certification of Cost Allocation Plan computation of indirect cost rate for the Clerk of the District Court in figuring IV-D Child Support Collections.
ROLL CALL VOTE: Rohde – Yea, Bousquet – Yea and Love – Yea. UNANIMOUS MOTION CARRIED. Commissioners Gomez and McNear were absent.

Agenda Item – "Approve County Clerk's 2012 Calendar for internal use". This calendar denotes claim days, holidays, pay dates and Board meeting dates based on the 2011 schedule.
Commissioner Love moved, seconded by Commissioner Rohde to approve the Clerk's 2012 inter office calendar, which shows claim days, holidays, pay dates and Board meeting dates.
ROLL CALL VOTE: Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED. Commissioners Gomez and McNear were absent.

Agenda Item – "Commissioner's Committee Reports". Commissioner Bousquet commented that he went to a Veterans Service Officer's meeting and the Veteran service officers are very happy with the job that Bill Johnston is doing, that he has things going for the Veterans and they are being more informed on things that they are entitled to. He is well liked and goes the extra mile.

Commissioner Rohde commented that they met with SIMPCO in that series of meetings in providing the community with a comprehensive plan. This is the 4th meeting in the series and he believes there is another meeting on November 18th and will notify everyone of that meeting.

Commissioner Bousquet asked Fred Kellogg how he is coming with his FEMA projects. He stated they are around 80% done. He signed about 3 projects off last Friday and is still working on several other projects. Commissioner Love asked that Fred thank the road crew for their hard work.

There was no Public Comment or Mail and/or Emergency Business. The Board recessed at 4:47 p.m. to meet in the jail lobby for a tour. At 4:57 pm the Board met in the jail lobby and proceeded to take a tour. They went to the control room where Terry Kern reported that he had 69 county inmates and 14 federal inmates for a total population of 83 today. He did mention he had 6 to 8 bond out today.
They are experiencing some maintenance problems with the roof air conditioners and also some plumbing problems. He also reported that they are looking at putting in a new commissary system and he reported that he now has 2 nurses on staff with 16 hour coverage with the nurses.
He stated the County will do more purchases from Wal-Mart and Walgreen's and that there would not be any more purchases from Redler's Pharmacy.

Commissioner Bousquet moved, seconded by Commissioner Rohde to adjourn their meeting of October 31, 2011 at 5:07 p.m.
ROLL CALL VOTE: Rohde – Yea, Bousquet – Yea and Love – Yea. UNANIMOUS MOTION CARRIED. Commissioners Gomez and McNear were absent.

DAKOTA COUNTY SEAL NEBRASKA

County Board of Commissioners

_____
Rick Bousquet, Chair Date Chair signed

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

Dakota County Board of Commissioners
Monday, November 14, 2011
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Rick Bousquet, Chair Theodore A. Piepho, Secretary
Chair Bousquet called their meeting of November 14, 2011, to order at 4:10 p.m. The location of the Open Meetings Acts was noted and Roll Call was taken.
Present: Board Members Bousquet, Love, Rohde, Gomez and Ted Piepho, County Clerk/Secretary
Absent: Board Member McNear.
Joan Spencer, Assistant to the County Board, and Kim Watson, County Attorney, were also present.

Call meeting to Order.
A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
Roll Call
Approve Minutes of September 21, 2011 and October 31, 2011.
Fred Kellogg, Highway Supt. - Fred Kellogg, Hwy. Superintendent to present sealed bids to the Board of Commissioners for a new motor grader.
Award bid to purchase new motor grader.
Miscellaneous Agenda Items
Approve Payroll Claims
Approve Accounts Payable Claims
The County Board to approve and authorize the Chair to sign an Intergovernmental Agreement between the Nebraska Department of Environmental Quality and Dakota County regarding the Implementation of the Storm Water Management Plan Program effective December 1, 2011 to June 30, 2013.
Chad Kehrt, with Olsson Associates
Board to accept and award or reject a quote received by Olsson Associates for levee removal on segment 3.
Discussion and possible action regarding individuals using county road right-of-way for personal use.
County Clerk – Discuss requirement for Spanish Ballots
Includes almost all Election materials in Spanish, which expands the need for a P/T bilingual person for elections.
Commissioner's Committee Reports
Commissioner's Member Reports
Public Comment
Mail and/or Emergency Business
Closed session to discuss Road Department Union Negotiations
Adjournment

Chair Bousquet called for the Agenda Item "Approve minutes for the September 21, 2011 and October 31, 2011 Meetings".
Commissioner Rohde moved, seconded by Commissioner Gomez to approve the minutes of the September 21, 2011 and the October 31, 2011 meetings as typed and prepared for the Official Record.
ROLL CALL VOTE: McNear- Absent, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Fred Kellogg, Highway Supt. - to present sealed bids to the Board of Commissioners for a new motor grader and award bid to purchase new motor grader". Mr. Kellogg received two bids: one from Ziegler and one from Murphy. The first one opened was from Murphy Tractor and Equipment for a 770GP John Deere Grader sale price is $216,147.00, trade of 1997 Caterpillar 140H of $69,000.00 for total of $147,147.00. Delivery would be within 60 to 90 days. No other questions on the John Deere bid. Second bid from Ziegler Caterpillar for a 140 M2 sale price is $263,652.95, trade-in of $81,400.00 for a total of $182,252.95. Delivery would be the second week of December.

Commissioner Bousquet asked what the difference is in horse power between the two. Mr. Kellogg said the John Deere is 195/283 HP and the Caterpillar is 193/267 HP. Commissioner Rohde asked if we were trading in a 140H and Mr. Kellogg confirmed that. Commissioner Bousquet asked about warranty programs on the two. Mr. Kellogg stated that the John Deere has a one year full warranty followed by four additional years up to $7500 for the power train and full year for the full machine. The Caterpillar is five year/5000 hour full machine and two additional years to $7500 for the power train. Mr. Kellogg stated machines are kept for 8 to 10 years and/or around 10,000 hours per machine. Some discussion was had regarding the maintenance and fees and for repairs within the county shop.

Commissioner Rohde moved, seconded by Commissioner Gomez to refer the two bids for the purchase of a new motor grader to the Road Committee and they review said bids with Mr. Kellogg and to report back to the Commissioners in two weeks with their recommendations.
ROLL CALL VOTE: McNear- Absent, Rohde – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Miscellaneous Agenda Item – Approve Payroll Claims and Accounts Payable Claims".
Commissioner Bousquet commented that payroll claims seem to look normal. Joan Spencer noted that the second half of the Oban Construction claim is being submitted as Chad Kehrt with Olsson Associates verified that the work was done. It was brought to the Chair's attention that there was an

issue with accrued vacation pay to previous employee Bos. Joan Spencer commented that it was not on the agenda and Attorney Kim Watson stated no discussion could be had as it was not on the agenda. Chair Bousquet said they would hold off on it and asked for a motion to approve payroll claims.
Commissioner Gomez moved, seconded by Commissioner Love to approve the payroll claims submitted , as follows:
COUNTY GENERAL FUND: Gross salaries- $134,699.31, General Fund Employees Net Pay- $96,949.06, Employer deductions paid: Retirement- $9,398.58, FICA- $8,123.93, Medicare- $1,899.92, DC Health Plan- $22,750.00, DC Dental Plan- $988.26 and Life Insurance- $201.84.Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1406.08, Daniel Christoffers- 602.00, Cherie Conley- 1230.77, Theodore Piepho- 1748.23, Mary C. Wiltgen- 1013.60, Marisol Curiel- 982.70, Darlene Davis- 1000.00, Stephanie Gatzemeyer- 892.70, Robert Giese- 1748.23, Ruth Gillaspie- 1304.78, Jolene Heinemann- 1064.80, Tracey Rysavy- 1010.40, Debera Benton- $779.63, Daniel Christoffers- 602.01, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Elda Raudales- 163.68, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2186.59, Katherine Wiltgen- 960.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 963.20, Anthony Castillo- $1432.94, Timothy Decker- 1903.85, Sandy Dickens- 501.65, Brian Ellinger- 2510.87, Michael Estes- 1975.80, Brent Gilster- 1757.11, Todd Hammer- 2195.04, Richard Hansen- 1859.57, Melvin Harrison III- 1709.60, Jason James- 1862.52, Douglas Johnson- 1903.85, Kimberly Johnson- 471.90, Jared Junge- 2044.40, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1693.60, Michael Kreegar- 1757.11, Gayle Richards- 941.60, Kevin Rohde- 2201.29, Randall Walsh- 1903.85, Bridget Fiedler- 947.10, Kerry Johnson- 960.00, Sara Niles- 1884.62, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1106.82, Kimberly Watson- 2828.48, Caterina Saltzman- 1267.13, Jacob Acero- 1577.98, Ermelinda Ballesteros- 1637.63, Mason Billings- 1420.48, Joshua Blatchford- 1366.04, Rebecca Broer- 1419.99, Judy Case- 1327.50, Elisabet DeRoin- 1527.75, Sandy Dickens- 840.68, Jesse Doelle- $1037.64, Marjorie Donahue- 1678.11, Lisa Ford- 1540.62, Ryan Foster- 1435.92, Linda Frost- 876.89, Alma Gunderson- 1546.56, Deanna Haukap- 1494.18, Jeffrey Heitzman- 1444.40, Adam Hough- 1492.00, Michael Jacobson- 1266.08, Brett Johnson- 1532.72, Brenda Kelly- 1356.80, Terry Kern- 2030.29, Keith Klein- 1472.00, James Kleinberg- 1266.08, Paul Moser- 1302.72, Mark Nelson- 1476.66, Travis Olander- 1333.18, Kimberly Peterson- 1296.00, Daniel Rodasky- 437.52, Cody Roeber- 1451.36, Jutharatana Ruenprom- 1556.11, Timothy Ryan- 1300.82, Linda Schovanec- 1414.26, Jennifer Svendsen- 1196.38, Francis Tope- 1807.89, Jewel Williams- 1712.82, Cara Wood- 1503.23, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 772.47, Linda Weitzel- 1179.81, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $13,411.77, State- $4,607.05, FICA- $5,503.31, Medicare- $1,899.92, Retirement- $6,367.83, Health Plan- $1,650.00, DC Dental Plan- $525.00, Sheriff Union Dues- $420.00, Deferred Comp- $332.00, Garnishments- $1,378.74, Aflac Health- $410.26, Aflac Life/Dsbl- $161.90 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $15,760.42, Road Employees Net Pay- $10,997.79, Employer deductions paid: Retirement- $1,063.80, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $25.33, FICA- $930.44, and Medicare- $217.61.Matthew Bartels- 1314.40, Brent Byroad- 1398.40, Robert Hacker- 1314.40, Hans Houfek- 1318.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1405.25, Dean Pallas- 1314.40, Leon Pies- 661.21, Kip Reinbold- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,452.57, State- $499.97, FICA- $630.28, Medicare- $217.61, Retirement- $709.24, Health Plan- $350.00, DC Dental Plan- $105.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $281.55, Aflac Health- $138.30, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $160.00 and Union Dues- $140.00.
ROLL CALL VOTE: McNear- Absent, Love – Yea, Rohde – Yea, Gomez – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Rohde to approve the Accounts Payable claims as submitted.
GENERAL FUND: NACO, convention registrations- 360.00; Cindy Foley, supplies- 18.18; US Bank, supplies- 207.14; Dakota County Extension, reimburse- 1326.91; PMNRD, rent- 833.33; Thomas Wente, consulting physician- 250.00; Oban Construction, levee removals- 71890.00;
ROAD FUND: Titan Access, supplies/edges- 1214.92; HEALTH PLANNING GRANT: Deanna Beckman, hours- 1275.00
ROLL CALL VOTE: McNear- Absent, Rohde – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item “Miscellaneous - The County Board to approve and authorize the Chair to sign an Intergovernmental Agreement between the Nebraska Department of Environmental Quality and Dakota County regarding the Implementation of the Storm Water Management Plan Program effective December 1, 2011 to June 30, 2013”.
Commissioner Bousquet stated that the Storm Water committee met and went over all the items on the grants for the sweeper, giant vac and so on and everything seemed to be in order. Commissioner Gomez moved, seconded by Commissioner Rohde to authorize the Chair to sign the Intergovernmental Agreement between the NDEQ and Dakota County to authorize the Chair to sign the Intergovernmental Agreement between the NDEQ and Dakota County regarding the Implementation of the Storm Water Management Plan Program effective December 1, 2011 to June 30, 2013..
ROLL CALL VOTE: McNear- Absent, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item “Miscellaneous - Chad Kehrt, Olsson Associates – the Board to accept and award or reject a quote received by Olsson Associates for levee removal on segment 3”.

Chad Khert informed the Board that segment 3 was part of the levee that was installed at 439 Dixon Path and built over the driveway leading to Dave Kuhl's house and another house down there. We received one proposal from Knife River Midwest for $5,160.00. There is 90 cubic feet of dirt to remove and 150 square yards of 2 inch asphalt that needs to be removed. Commissioner Rohde moved, seconded by Commissioner Love to accept the Knife River bid for $5,160.00 to remove approximately 90 cubic feet of dirt and to remove approximately 150 square yards of 2 inch asphalt that must be removed for the levee removal on segment 3.
ROLL CALL VOTE: McNear- Absent, Bousquet – Yea, Love – Yea, and Rohde – Yea, Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Miscellaneous – Discussion and possible action regarding individuals using county road right-of-way for personal use". Commissioner Bousquet informed the Board that this right-of-way is over by C & H Truck Salvage and Mark Albenesius on the old highway lake road and what Mark has done is he personally went and hauled some fill in between the highway fence and Highway 20. The issue came up that this was a liability for the County and now Charlie Schram wants to do the same. Much discussion was had and various options were discussed. The County's insurance carrier, NIRMA, was contacted and their recommendation was given to all of the Board members and was reviewed by County Attorney, Kim Watson. She recommended that based on NIRMA's response and due to liability issues the Board should ask him not to park there. Fred Kellogg voiced his concerns regarding liability issues and opening the issue up to other county residents using road right-of-way. Commissioner Rohde moved, seconded by Commissioner Love that the County Attorney send Mr. Mark Albenesius a letter advising him that the County Board had made the decision to deny him access or use of the County Road Right-of-Way and that he be given 30 days to restore the right-of-way back to it's original condition and also to advise him that this property is not for sale.
ROLL CALL VOTE: McNear- Absent, Love – Yea, and Rohde – Yea, Gomez – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Miscellaneous – Discuss requirement for Spanish Ballots - Includes almost all Election materials in Spanish, which expands the need for a P/T bilingual person for elections". Ted Piepho explained to the Board that because of the 2010 Census Dakota County has to provide Spanish Ballots for Elections. This does not mean that I will have individual English Ballots and individual Spanish Ballots, but that there will be English and Spanish on the same Ballot. This more than likely means that instead of getting by with one ballot, I very well could be forced into having another ballot because it will lengthen the ballot from one to two. The cost of this is 35 cents a ballot or approximately $2800 for just the ballot. The Department of Justice called me last week and highlighted some of the things I have to do. I will tell you that cost is not something that they listen to. All my election materials that I have in English at the polls for the most part dictate that those documents must be in Spanish as well. This more than likely will be the most challenging task about the Spanish ballots. That and that I have to have at least one fluent bilingual translator and interpreter on the Election Board. In checking with other counties that have to have the bilingual ballots, that is most difficult because individuals that are bilingual make considerable more and they don't want to work for what election worker pay is. Will I have to raise election worker pay to complete that requirement, I don't know. As far as being required to provide election materials at the precinct in Spanish, this I can see as a challenge in itself. Every time I have to change something in English that causes changes in Spanish. I feel that these changes and having to format and program my ballots, will leave me no choice, but to have a limited part time person in the office to be available to make the same changes in Spanish. I wanted to alert the Board that I will most likely need more money in the Election Commissioner Budget, but the amount will not be known until we get closer to the Election. All I will say is that I will try and be as frugal as possible, but I have to keep in mind that the Department of Justice will more than likely personally observe Dakota County's Elections here on out. I come to this conclusion because they have done so in Colfax County. I am trying to set up everything as if the election was Jan 15, 2012 so that I won't be bogged down as we get closer to the primary election.
Commissioner Bousquet stated that basically our hands are tied because we have to do both English and Spanish ballots. Commissioner Gomez requested clarification of the ballot printing. Ted Piepho stated that both English and Spanish will be on the same ballot, just making the ballots 2 pages instead of one therefore doubling the costs of the ballots to approximately $2800. Commissioner Bousquet asked if the part-time interpreter would be just for the election period and Ted Piepho confirmed this. Commissioner Gomez commented on the census and commented that many of the Hispanic population in this area are not registered voters and most probably won't be. Ted Piepho commented that he doesn't have a problem making Spanish ballots; it's just going to be additional costs involved in the 2010 elections.

Chair Bousquet called for the Agenda Item "Miscellaneous – Committee Reports" - there were none.
Chair Bousquet called for the Agenda Item "Miscellaneous – Member Reports" - Commissioner Gomez informed the Board that he went to the LEC meeting and that Pat Foust feels a part-time dispatcher is needed to help with overtime fees. He also stated that NPPD wants to put an electrical pole next to the Law Enforcement Center and the possibility for high voltage interference. Sheriff Kleinberg advised that there is going to be a study done to see if there will be any interference with the law enforcement equipment.
Commissioner Rohde informed the Board that he has received many thanks from the Tompkins residents for the work done to Lakeport Road.
Commissioner Love informed the Board that Region IV has done some things in Valentine.

Chair Bousquet called for the Agenda Item "Miscellaneous – Public Comment". Sally Reinhardt informed the Board that Cardinal Connections is working on bylaws and will keep them posted.

There was no mail and/or emergency business.

Chair Bousquet advised that the Commissioners would be going into Closed Session to discuss Road Department Union Negotiations.
Commissioner Rohde moved, seconded by Commissioner Gomez to go into Executive Session to discuss Road Department Union Negotiations.
ROLL CALL VOTE: McNear- Absent, Rohde – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea. UNANIMOUS MOTION CARRIED 4:55 p.m.

Commissioner Rohde moved, seconded by Commissioner Love to reconvene in open session.
ROLL CALL VOTE: McNear- Absent, Love – Yea, Rohde – Yea, Gomez – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED 5:42 p.m.

Chair Bousquet adjourned their meeting of November 14, 2011 at 5:42 p.m.

DAKOTA COUNTY SEAL NEBRASKA

County Board of Commissioners

_____
Rick Bousquet, Chair Date Chair signed

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

Dakota County Board of Commissioners
Monday, November 28, 2011
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Rick Bousquet, Chair Theodore A. Piepho, Secretary

Chair Bousquet called their regular scheduled meeting to order at 4:13 p.m.
The Pledge of Allegiance was recited.
The location of the Open Meetings Act was noted and Roll Call was taken.
Present were Commissioners Gomez, Bousquet, Love, Rohde, and McNear, and Cherie Conley, Secretary and Deputy County Clerk.
Absent: None.
Also present were Joan Spencer, Board Assistant and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
This meeting was advertised to begin at 4:10 p.m.
This agenda is subject to change up until 24 hours before the start of the meeting.
The Chair reserves the right to modify the order of the agenda during the meeting.
The County Board reserves the right to take action on any agenda item.

- Call to Order with reciting the Pledge of Allegiance.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meeting of November 14, 2011.
- Arnold Mellick, Planning and Zoning Administrator – Adopt Resolution 11C-027 adopting the revised Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS), which becomes effective on January 6, 2012.
- Mark Albenesius - address the Board regarding their decision that he restore the county right-of-way to its original state.
- Road Committee and Fred Kellogg – recommendation of lowest and best bid for a Motor Grader, which bids were opened last meeting.
  - Award bid on Motor Grader and determine how to pay for the Motor Grader
    - Cash or Lease Purchase
      - If lease purchase, decide which institution that the Board wants to provide the lease purchase and the terms.
- Miscellaneous Agenda Items
  - Review Payroll Claims and any payroll related issues.
    - Discuss and approve paying accrued vacation as recommended by NIRMA's HR Specialist.
  - Approve Accounts Payable Claims
  - Officials Reports
- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- Adjournment

Chair Bousquet called for the Agenda Item "Approve minutes for the November 14, 2011 Meeting". Commissioner Gomez moved, seconded by Commissioner Rohde to approve the minutes of the November 14, 2011 meeting as typed and prepared for the Official Record.
ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea and Gomez – Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Arnold Mellick, Planning and Zoning Administrator, - Adopt Resolution 11C-027 Adopting revised Flood Insurance Rate map (FIRM) and Flood Insurance Study (FIS), which becomes effective on January 6, 2012".
Mr. Mellick informed the Board that at the last Planning and Zoning meeting the recommendation of the Board of Commissioners to adopt the revised flood maps was approved. Mr. Mellick stated that in the Resolution 11C-027 it states in the last paragraph that the maps are attached, but they are not attached and will be contained and in the possession of Arnold Mellick, Planning and Zoning Administrator if anyone wants to see them. Commissioner Gomez advised that he too recommends that the maps be kept with the Planning and Zoning Administrator and not copied as there are too many maps.
Commissioner Rohde moved, seconded by Commissioner Gomez to adopt Resolution 11C-027 Adopting Revised Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS), with the maps being kept in possession of the Planning and Zoning Administrator as follows:

BOARD OF COMMISSIONERS
DAKOTA COUNTY, NEBRASKA

RESOLUTION 11C-027

RESOLUTION ADOPTING REVISED FLOOD INSURANCE RATE MAP (FIRM) AND FLOOD INSURANCE STUDY (FIS)

WHEREAS, Dakota County, Nebraska, is a participant in the National Flood Insurance Program (NFIP); and

WHEREAS, the Department of Homeland Security's Federal Emergency Management Agency (FEMA) recently completed a re-evaluation of flood hazards in Dakota County, Nebraska, Community No. 310429, and provided copies of the FIRM and FIS report that identify existing flood hazards in this community, including Base Flood Elevations (BFEs); and

WHEREAS, Dakota County has received the revised FIRM and FIS, which will become effective on January 6, 2012; and

WHEREAS, the Dakota County Board of Commissioners must approve and adopt the revised FIRM and FIS in order for them to become effective on January 6, 2012.

NOW, THEREFORE, BE IT RESOLVED by the Dakota County Board of Commissioners that the revised FIRM and FIS, which are attached hereto, are hereby approved and adopted.

Resolved this 28th day of November, 2011.

_____	_____
Richard Bousquet Chair	Antonio Gomez Commissioner
_____	_____
Scott Love Commissioner	Richard McNear Commissioner
_____	_____
Bill B. Rohde Commissioner	ATTEST ~~Theodore A. Piepho, County Clerk~~ Cherie A. Conley, Deputy County Clerk
APPROVED AS TO FORM:	_____ Kim Watson, County Attorney

There were no attachments to the resolution.
ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea.
UNANIMOUS MOTION CARRIED.
Chair Bousquet called for the Agenda Item "Mark Albenesius - address the Board regarding their decision that he restore the county right-of-way to its original state".
Mr. Albenesius explained to the Board that his business is growing and he needs additional room for his employees to park. He stated he is willing to do whatever is needed to obtain use of or purchase the County Right-of-Way across from his business. The Board explained that the County does not have a deed to the property and that the County's insurance company, NIRMA, has been contacted and the only way this could be done is to possibly abandon that road with the current easements remaining in effect. The Board expressed concerns as to the upkeep, maintenance, and water runoff of the road as well as the legal obligations and liability. Mr. Albenesius stated he would be willing to take care of the maintenance of the road and whatever else needs done. Commissioner Bousquet asked that the possibility of having this road abandoned be researched by the County Attorney, the Road Department, and the Commissioners, and put back on the agenda for the next Commissioner's Board meeting on December 12, 2011.

Chair Bousquet called for the Agenda Item "Road Committee and Fred Kellogg – recommendation of lowest and best bid for a Motor Grader, which bids were opened last meeting. Award bid on Motor Grader and determine how to pay for the Motor Grader - Cash or Lease Purchase. If lease purchase, decide which institution that the Board wants to provide the lease purchase and the terms".
Mr. Kellogg advised the Board that the Road Committee met and decided to go with the Ziegler Inc. Caterpillar 140MZ Motor Grader Bid. Commissioner Bousquet asked what the determining factor was to go with the Ziegler Inc. bid and Mr. Kellogg stated because of the warranty and the availability.
Commissioner Rohde moved, seconded by Commissioner Love to accept the Road Committee's recommendation and to accept Ziegler Inc.'s bid on a Caterpillar 140MZ Motor Grader and to finance it through the NACO Lease Purchase Program. Be it further resolved to trade in a 1997 Caterpillar 140H, Serial Number 2ZK02409.
ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Review Payroll Claims and any payroll related issues.
Discuss and approve paying accrued vacation as recommended by NIRMA's HR Specialist".
Commissioner Bousquet asked if the Board members had looked over the accrued vacation recommendation from NIRMA and they all agreed that they had and that they approved the recommendation. Commissioner Bousquet commented that the payroll claims all looked normal.
Commissioner Love moved, seconded by Commissioner Rohde to approve all payroll claims submitted by the County Clerk for payment as follows:

COUNTY GENERAL FUND: Gross salaries- $144,925.27, General Fund Employees Net Pay- $103,997.61, Employer deductions paid: Retirement- $10,156.52, FICA- $10,806.25, Medicare- $2,048.24, DC Health Plan- $23,000.00, DC Dental Plan- $999.12 and Life Insurance- $204.07, Principal Mutual Life Insurance- $1,209.66.
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1406.08, Daniel Christoffers- 602.00, Cherie Conley- 1230.77, Theodore Piepho- 1748.23, Mary C. Wiltgen- 1013.60, Marisol Curiel- 1014.40, Darlene Davis- 1000.00, Stephanie Gatzemeyer- 904.00, Robert Giese- 1748.23, Ruth Gillaspie- 1304.78, Jolene Heinemann- 1018.22, Tracey Rysavy- 994.62, Debera Benton- $840.00, Daniel Christoffers- 602.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Elda Raudales- 163.68, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2186.59, Katherine Wiltgen- 960.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 963.20, Anthony Bos- 1500.93, Sergio Castillo- 1873.37, Timothy Decker- 2296.55, Sandy Dickens- 501.65, Brian Ellinger- 2379.51, Michael Estes- 2305.16, Brent Gilster- 2297.03, Todd Hammer- 2657.72, Richard Hansen- 2334.22, Melvin Harrison III- 2532.47, Jason James- 2398.47, Douglas Johnson- 1903.85, Kimberly Johnson- 474.76, Jared Junge- 2012.12, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1984.72, Michael Kreegar- 2402.86, Gayle Richards- 941.60, Kevin Rohde- 2696.98, Randall Walsh- 1903.85, Bridget Fiedler- 971.70, Kerry Johnson- 960.00, Sara Niles- 1884.62, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1083.23, Kimberly Watson- 2828.48, Caterina Saltzman- 1267.13, Jacob Acero- 1594.63, Ermelinda Ballesteros- 1393.20, Mason Billings- 1605.76, Joshua Blatchford- 1407.81, Rebecca Broer- 1484.34, Judy Case- 1161.12, Elisabet DeRoin- 1806.25, Sandy Dickens- 768.16, Jesse Doelle- 1056.92, Marjorie Donahue- 1556.48, Lisa Ford- 1929.50, Ryan Foster- 1636.64, Linda Frost- 882.40, Alma Gunderson- 1781.94, Deanna Haukap- 1523.07, Jeffrey Heitzman- 1709.34, Adam Hough- 1676.00, Michael Jacobson- 1771.74, Brett Johnson- 1595.20, Brenda Kelly- 1365.28, Terry Kern- 2030.29, Keith Klein- 1668.00, James Kleinberg- 1767.88, Paul Moser- 1207.14, Mark Nelson- 1476.66, Travis Olander- 1403.35, Kimberly Peterson- 1696.00, Cody Roeber- 1420.48, Jutharatana Ruenprom- 1692.34, Timothy Ryan- 1582.60, Linda Schovanec- 1396.80, Jennifer Svendsen- 1368.50, Francis Tope- 1717.12, Jewel Williams- 1969.80, Cara Wood- 1775.27, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 763.52, Linda Weitzel- 1100.72, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $14,736.72, State- $5,074.26, FICA- $5,932.82, Medicare- $2,048.24, Retirement- $6,895.68, Health Plan- $1,650.00, DC Dental Plan- $525.00, Sheriff Union Dues- $435.00, Deferred Comp- $332.00, Garnishments- $1,378.74, Aflac Health- $410.23, Aflac Life/Dsbl- $161.87 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $15,701.83, Road Employees Net Pay- $10,956.14, Employer deductions paid: Retirement- $1,059.85, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $25.31, FICA- $1,143.57, and Medicare- $216.75, Principal Mutual Life Insurance- $216.82
Matthew Bartels- 1314.40, Brent Byroad- 1398.40, Robert Hacker- 1314.40, Hans Houfek- 1260.72, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1330.40, Dean Pallas- 1388.35, Leon Pies- 661.20, Kip Reinbold- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,419.18, State- $497.40, FICA- $627.81, Medicare- $216.75, Retirement- $706.60, Health Plan- $350.00, DC Dental Plan- $105.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $281.55, Aflac Health- $138.30, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $160.00 and Union Dues- $140.00.
ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Approve Accounts Payable Claims".
Chair Bousquet stated that he had gone through them and they were standard and looked good.
Commissioner Gomez moved, seconded by Commissioner McNear to approve Accounts Payable Claims filed with the County Clerk and submitted for payment by him as follows:
GENERAL FUND: Dakota Business Systems, copier rental- 102.00; Midwest Office Automation, copier contract- 68.29; Nebraska Dept of Roads, license renewal- 10.00; Verizon, phone- 62.25; Advance Auto Parts, oil- 37.58; AZ Inc, fuel- 91.50; Fimco, parts- 21.65; Hubbard Minimart, fuel- 134.03; Joes Dept Store, supplies- 97.76; Kuehn Auto Sales, pickup- 11500.00; O'Reilly Auto Parts, parts- 212.40; Leon Pies, phone- 30.00; Quality Inn, lodging- 140.00; Tucker Glass, labor- 35.00; US Bank, meals/fuel- 145.03; Carex Health Brands, tray- 54.32; Pam Devries, mileage- 67.16; Kids Loves Stickers, stickers- 114.50; Perkins, supplies- 278.04; Roxanne Voss, clinic hours- 210.00; Linda Weitzel, mileage- 79.92; Bill Johnston, mileage/phone/flag- 288.66; Luken Memorials, grave makers- 570.00; Perkins, supplies- 8.99; Thomson West, service- 1422.20; Cable One, internet- 169.96; Claritus, ink- 140.91; Cherie Conley, memberships- 19.50; Fibercomm, phone- 1207.49; F&M Bank, deposit slips/stop payment- 28.50; FSH Comm, payphone- 63.60; Helvig Agricultural Serv, referee- 75.00; Mailfinance, lease- 227.00; Marx Dust Control, service- 2800.00; Mercy Business Health, weight loss/eap- 440.75; MIPS, support- 424.62; NIRMA, defense- 4704.27; Norm Waitt YMCA, memberships- 175.50; Madelyn Thorsland, prior yrs serv- 10.00; Three Rivers Benefit, flex admin- 110.00; US Postal Service, postage- 5000.00; Randy Walsh, ymca membership- 19.50; XPEDX, paper- 1449.90; Albenesius Contracting, levee removal- 16600.00; Johnson Golf Course Builders, levee removal- 51590.00; Knife River, levee removal- 5160.00; Lux Bros, dirt- 6650.00; Oban Construction, levee & bridge project- 6542.50; Louis Pedersen, dirt- 1953.00; Olsson Associates, engineering- 4379.80; Mainelli Wagner, inspections- 1945.24; Peterson Sand & Gravel, gravel- 47404.35; Utility Equipment Co, levee- 441.60; Road Fund, budget transfer- 60000.00; Road Improvement Fund, budget transfer- 140000.00; Dakota County Star, publishing- 220.13; Perkins, supplies- 85.99; Joan Spencer, mileage- 86.36; Bear Graphics, security paper- 125.99; Dakota County Star, publishing- 50.40; MIPS, w2s/1099s/shipping- 246.12; NACO, shipping- 5.00; Perkins, supplies- 108.34; Theodore Piepho, phone- 30.00; Staples, supplies/hard

drives- 243.75; US Bank, software/equipment- 156.93; AS Central Service, services- 230.00; Automated Systems, support- 1488.00; Charlotte Doenhoeffer, prior yrs serv- 10.00; Robert Giese, mileage- 193.14; Ruth Jensen, prior yrs serv- 12.00; Nebraska Gov, card readers- 256.76; Net Sys Plus, repair- 150.00; Pacific City Graphics, envelopes- 356.32; Mardell Sorenson, prior yrs serv- 26.00; Staples, supplies- 128.29; Terra Scan, software- 4861.20; Irene Van Lent, prior yrs serv- 16.00; Deb Benton, mileage- 39.96; Des Moines Stamp, stamp- 27.30; Microfilm Imaging, rent- 240.00; Margie Rahn, prior yrs serv- 12.00; Perkins, supplies- 200.10; US Bank, training- 79.00; Department of Revenue, expense- 48783.13; CTS Language Link, translate posters- 684.13; Marisol Curiel, translations- 560.00; Theodore Piepho, mileage- 91.58; US Bank, meals/mileage- 98.98; Arnie Mellick, phone- 30.00; Eakes Office Plus, case binders- 1515.17; Executive Tech, contract- 392.22; MIPS, scanning- 86.00; US Bank, boxes- 132.90; AS Central Service, supplies- 451.80; Marlin Business Bank, lease- 195.00; Teresa McGill, supplies- 7.00; Microfilm Imaging, scanning- 190.50; Midwest Office Automation, contract- 503.46; New Perspectives, shredding- 26.25; Genet Ardamis, interpret- 25.00; Des Moines Stamp, stamps- 17.49; Frank Gonzalez, interpret- 750.00; John Loos Jr., mileage- 68.26; NCDAA, seminar- 40.00; Nebraska State Bar Association, dues- 555.00; Perkins, supplies- 39.10; Colleen Barker, witness fees/mileage- 23.33; Aubri Boogerd, witness fee/mileage- 28.32; Tom Boubin, witness fee/mileage- 25.55; Matthew Connealy, court appointed counsel- 270.00; Dakota County Court, transcripts- 810.95; Dakota County Court, court costs- 2479.45; Angel Delao, witness fee/mileage- 27.77; Laurie Frailey, witness fee/mileage- 25.55; Kelly Grunig, witness fee/mileage- 33.32; Randy Hisey, court appointed counsel- 252.00; Dennis Hurley, court appointed counsel- 5670.00; Breanna Johnson, witness fee- 20.00; Scott Kamm, witness fee/mileage- 42.20; Kueny & Begley, court appointed counsel- 174.00; Erica Lacroix, witness fee/mileage- 21.11; Ian McConeghey of Corbett, court appointed counsel- 429.30; Stuart Mills, court appointed counsel- 795.00; Melissa Reed, witness fee/mileage- 21.11; Douglas Roehrich, court appointed counsel- 1746.00; Allison Santee, witness fee/mileage- 24.44; Richard Thramer, court appointed counsel- 1928.80; Patrick Tott, court appointed counsel- 2298.00; Tuene di Villicana, witness fee- 20.00; Dakota County Sheriff, papers/warrants- 548.95; District Court, court costs- 512.00; Cindy Foley, transcribe- 105.00; Nancy Hines, mental health board- 75.00; Randy Hisey, court appointed counsel- 450.00; Platte County Sheriff, paper service- 6.50; Michael Schmiedt, court appointed counsel- 93.75; Security Shredding, shredding- 35.00; Shirley Sides, mental health board- 75.00; Richard Thramer, court appointed counsel- 116.38; Woodbury County Sheriff, paper service- 23.43; JS Wurm Associates, bill of exceptions- 43.73; AJ Phillips, envelopes- 175.00; Maximus, service- 850.00; A Team Heating, service/repair- 1313.59; Gill Hauling, service- 120.00; Joes Dept Store, repair/supplies- 121.61; Menards, supplies- 1264.12; Midamerican Energy, utilities- 1025.00; Nebraska Public Power Dist, utilities- 1667.67; O'Keefe Elevator, maintenance- 172.54; Richard Jensen, mileage- 187.76; Sams Club, supplies- 207.16; Share Corp, supplies- 1271.82; Tool Depot, repair- 373.43; Trembly Pest Control, service- 100.00; US Bank, supplies- 436.54; Verizon, phone- 53.42; Kerry Bligh, animal control- 100.00; City of South Sioux City, phone/fuel- 4868.53; Dakota County Sheriff, inspection- 10.00; Dakota County Star, publishing- 23.50; Dakota County Treasurer, title- 10.00; Jacks Uniforms, clothing/vests- 1223.25; Midwest Radar, certifications- 520.00; Nebraska Sheriffs Assoc, dues- 390.00; O'Reilly Automotive, repair/parts- 233.37; Siouxland Federal Credit Union, food- 42.80; Staples, supplies- 68.45; US Bank, lodging/postage/supplies- 338.10; Verizon, phone- 430.65; Cindy Foley, transcript- 15.50; Debra Fergen, meals/parking/mileage- 311.18; Dept of Motor Vehicles, transcript- 15.00; H2O4U, service- 46.00; Iowa Office Supply, contract- 94.02; Jami Johnson, deposition- 394.70; Kim Watson, meals- 104.98; Peter Parry, phone/meals- 77.10; Sarah Niles, meals/parking/mileage- 196.60; University of Nebraska Medical Center, testing- 495.00; US Bank, lodging- 1368.00; Verizon, phone- 135.14; City of South Sioux City, lec cost share- 32258.73; Jacks Uniforms Equip, vests- 1039.90; BI Inc, electric monitoring- 613.18; Caterina Saltzman, mileage- 128.76; Caterina Saltzman, food- 7.23; Redwood Biotech, test- 100.00; Verizon, phone- 89.45; A Team Heating, service/repair- 1207.24; Amsan, supplies- 2214.26; Aramark, service- 67.46; Associated Fire Protection, inspection/repair- 1200.00; BI Inc, electric monitoring- 177.65; Bob Barker, supplies- 534.21; CBM Food Service, meals- 25443.06; CashWa Distributing, meals- 93.65; City of South Sioux City, fuel- 388.16; Crescent Electric Supply, lamps- 154.56; Dakota County Star, publishing- 78.00; Dakota County Treasurer, title- 10.00; Dakota Family Dentistry, medical- 391.00; Dakota One Leasing, contract- 220.00; Marjorie Donahue, mileage- 21.53; Faith Regional Physician, medical- 321.00; Family Medicine Center, medical- 198.00; Gill Hauling, service- 120.00; Grainger, supplies- 354.72; Jacks Uniforms Equip, clothing- 370.55; Joes Department Store, supplies- 36.64; Kleen Solutions, supplies- 204.85; Mercy Business Health, medical- 879.00; Mercy Medical Center, medical- 1408.35; Midamerican Energy Company, utilities- 565.55; Midwest Office Automations, contract- 215.21; Moore Medical, medical- 81.45; NE Nebraska Juvenile Services, boarding- 191.25; Nebraska Public Power Dist, utilities- 2089.54; NW Iowa Emergency Phys, medical- 302.00; NW IA Yes Center, boarding - 450.00; Redlers Pharmacy, medical- 55.15; Safeguard Business, supplies- 1136.84; Siouxland Lock & Key, door lock- 53.00; Staples, ink- 0.73; Jennifer Svendsen, mileage- 10.77; Trembly Pest Control, service- 110.00; US Bank, prescriptions/books/meal/supplies- 2606.33; Verizon, phone- 173.27; Woodbury County Juvenile Det, boarding- 9800.00;

ROAD FUND: Allen Heating & Cooling, repair- 3160.00; Aramark, service- 204.19; AZ Inc, fuel- 2054.26; Barkley Asphalt, asphalt- 573.88; Bomgaars, supplies- 165.33; Dakota County Star, publishing- 21.22; Electronic Engineering, gps- 900.00; Fastenal, supplies- 163.03; Gill Hauling, dumpster- 55.00; Walter Heinemann, prior yrs serv- 29.00; Hubbard Minimart, fuel- 5138.83; H2O4U, service- 30.00; Jackson Glass, parts/labor- 267.23; Joes Dept Store, supplies/tools- 89.83; Kimball Midwest, supplies- 118.60; Kinetic Leasing, loader/interest- 2458.00; LG Everist, gravel- 18308.31; Kimon Litras, clothing- 75.00; Love Brothers, tires/parts- 713.40; Matheson Linweld, oxy- 53.50; Medical Enterprises, testing- 5.00; Midwest Service & Sales, signs/culvert- 9950.07; Midwest Wheel, parts/supplies- 611.94; Marlan Millard, prior yrs serv- 15.00; Nebraska Culverts & Steel, pipe- 342.00; Nebraska Public Power Dist, utilities- 30.82; Northeast Equip, tractor- 900.00; NE Nebraska Public Power District, utilities- 575.08; NE Nebraska Telephone, phone- 208.89; O'Reilly Auto Parts, parts/supplies- 419.33; Dean Pallas, clothing- 67.39; Peterson Sand & Gravel, gravel- 18143.75; Leon Pies, clothing- 75.00; Pomps, tires- 4849.00; Power Plan, parts/supplies- 1345.99; Rees Mack Sales,

parts- 303.68; Road Machinery & Supplies, parts- 2931.48; St Lukes for Occupational Health, testing- 30.00; Sapp Bros Petroleum, propane- 1500.55; Siouxland Hydraulics, supplies- 34.06; Steffen, parts- 408.26; Thermo King, supplies- 213.32; Thurston County, storage- 200.00; TR Harris Construction, repair- 1500.00; US Bank, parts- 383.86; UECO, pipe- 220.80; Verizon, phone- 34.05; Warren Oil, fuel- 9642.75; Zieglers, parts/labor/supplies- 302.83; US Bank, business cards- 17.49;
ROAD IMPROVEMENT: Knife River, asphalt- 76652.95; Olsson Associates, engineering- 714.18; Peterson Sand & Gravel, gravel- 17972.60; TR Harris Construction, bridge repair- 42664.00;
VISITORS PROMOTION: South Sioux City Chamber, lodging tax- 13738.18;
HEALTH PLANNING GRANT: AT&T, phone- 94.51; Pam Devries, mileage- 13.88; Midwest Office Automations, copier- 171.69;
PUBLIC SAFETY: City of South Sioux City, sales tax- 3211.03; Jail Bond Fund, sales tax- 29156.84; Road Fund, sales tax- 764.90;
ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Officials Reports".
Commissioner Bousquet passed the Officials Reports from the County Clerk's Office, the Register of Deed's Office, the Clerk of District Court's Office and the Veteran's Office around for review.
Commissioner Rohde moved, seconded by Commissioner Bousquet to approve the October 2011 Officials Reports of the County Clerk's Office, the Register of Deed's Office, the Clerk of District Court's Office and the Quarterly Veteran's Officer Report for July through September 2011.
ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Commissioner's Committee Reports".
Commissioner Rohde informed the Board that there is a SIMPCO meeting scheduled for December 7th from 4:30 p.m. to 5:30 p.m. and this meeting will focus on land use, transportation and mapping of Dakota County.

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

Chair Bousquet called for the Agenda Item "Public Comment".
Mr. Clint Merithew approached the Board and questioned why the County roads are not being repaired and taken care of. The Commissioners informed Mr. Merithew that it has been an extremely tough year with the flood and FEMA projects and that the Road department has been putting in lots of hours and will be working on repairs. Commissioner Love also commented that the dry year is very hard on the roads. Mr. Merithew also questioned the Board as to why there is no building inspector for Dakota County. Commissioner McNear advised that the Road department checks the footings and someone from Norfolk is suppose to inspect the electrical work. Commissioner Bousquet advised that Arnold Mellick is the person to talk to. Mr. Merithew advised the Board that he feels the County should really check into getting a building inspector so that the County could bring in some revenue and have the homes in rural Dakota County safer and up to code.

Sally Reinert wanted to verify that Old Highway 20 was indeed turned back over to Dakota County.

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

Chair Bousquet moved to adjourn the meeting and meeting was adjourned at 4:42 p.m.

County Board of Commissioners

_____
Rick Bousquet, Chair Date Chair signed

_____
Cherie Conley, Secretary
Deputy County Clerk

DAKOTA COUNTY SEAL NEBRASKA

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

Dakota County Board of Commissioners
Monday, December 12, 2011
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Rick Bousquet, Chair Theodore A. Piepho, Secretary

Chair Bousquet called their regular scheduled meeting of December 12, 2011 to order at 4:18 p.m. The location of the Open Meetings Act was noted and Roll Call was taken.
Present were Commissioners McNear, Gomez, Bousquet, Love, and Rohde, and Cherie Conley, Secretary and Deputy County Clerk. Absent: None.
Also present were Joan Spencer, Board Assistant and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
This meeting was advertised to begin at 4:10 p.m.
This agenda is subject to change up until 24 hours before the start of the meeting.
The Chair reserves the right to modify the order of the agenda during the meeting.
The County Board reserves the right to take action on any agenda item.

- Call meeting to Order.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meeting. (November 28, 2011)
- Fred Kellogg, Highway Supt.
  - Open sealed bids for culvert work on L Avenue North of Fiddler Creek Road and award bid if desired.
  - Approve and the Chair to sign the NACO Lease Purchase for the 2011 Caterpillar 140M2 Motor Grader.
  - Approve and authorize the Chair to sign the Dakota County Traffic Sign Retroreflectivity Maintenance Program - Calendar year 2012.
- Mark Albenesius – Discuss options with County Road 152nd Street and the possible sale or abandonment of same.
- Miscellaneous Agenda Items
  - Approve Payroll Claims
  - Approve Accounts Payable Claims
  - Approve and the Chair to sign Agreement to provide Professional Consulting Services with Maximus Consulting Services, Inc. to recover indirect costs incurred by Clerk of District Court in administering Child Support for a fee not to exceed $4,200.
  - Approve and Chair to sign the Letter of Engagement with Romans, Wiemer & Associates to conduct the 2010-11 County Audit.
  - Chairman to sign Certification of County Highway Superintendent to determine incentive payment. This is a form certifying to the state that the County had a Highway Supt. for the Calendar year 2011 and the NDOR is requesting that this form be returned by December 31, 2011.
  - Discuss the maintenance of the County's website.
  - Approve the November, 2011 Officials Reports of the County Clerk, Register of Deeds and the Clerk of the District Court.
- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- Adjournment

Chair Bousquet called for the Agenda Item "Approve minutes for the November 28, 2011 meeting". Commissioner Rohde moved, seconded by Commissioner Gomez to approve the minutes of the November 28, 2011 meeting as typed and prepared for the Official Record.
ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea and Rohde – Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Fred Kellogg, Highway Supt. - Open sealed bids for culvert work on L Avenue North of Fiddler Creek Road and award bid if desired". Mr. Kellogg advised this was a FEMA project from the flood of 2009 that wasn't complete yet and we received no bids. Mr. Kellogg advised he will look for a contractor to get a bid. He informed the Board that this project is to be done by March 2012 and that we have already received an extension on it. He also advised that we are eligible for FEMA funds for this project and the estimate that FEMA came up with is around $60,000 and they pay around 75%, the State pays 12.5% and the County pays 12.5%. Commissioner Bousquet asked what kind of project this is and Mr. Kellogg informed the Board that it is a culvert that is silted in and down to one lane and will be a large project.

Chair Bousquet called for the Agenda Item "Fred Kellogg, Highway Supt. – Approve and the Chair to sign the NACO Lease Purchase for the 2011 Caterpillar 140M2 Motor Grader - Resolution No. 11C-028".
Commissioner Rohde moved, seconded by Commissioner McNear to approve Resolution 11C-028, a

resolution approving, adopting, ratifying and affirming the execution and performance of a lease-purchase agreement with NACO Leasing Corporation for acquisition of property, more specifically a 2011 Caterpillar 140M2 Motor Grader.

THE COUNTY OF DAKOTA. NEBRASKA

RESOLUTION NO. 11C-028

A RESOLUTION APPROVING, ADOPTING, RATIFYING AND AFFIRMING THE EXECUTION AND PERFORMANCE OF A LEASE-PURCHASE AGREEMENT WITH NACO LEASING CORPORATION FOR ACQUISITION OF PROPERTY.

BE IT RESOLVED by the Board of Commissioners of The County of Dakota, Nebraska (the "County"), that this Board hereby approves and authorizes the acquisition of a motor grader by the County through a Lease-Purchase Agreement with NACO Leasing Corporation. The Lease-Purchase Agreement shall include the following terms, with such changes as are deemed reasonable or necessary by the Chair of the Board of Commissioners.

1. Principal Amount: $185,972.40
2. Interest Rate: 1.45%
3. Payment Amount: $19,346.07
4. Term: December 16, 2011 through December 15, 2016
5. Payment Frequency: semiannually on June 15 and December 15, beginning June 15, 2012

Settlement and closing of the Lease-Purchase Agreement shall be on or about December 16, 2011. NACO Leasing Corporation shall send payment to the equipment vendor or owner for acquisition of the property on the date on which NACO Leasing Corporation receives the signed Lease-Purchase Agreement and accompanying documents from the County.

BE IT FURTHER RESOLVED, that the Chair or Vice Chair of the Board of Commissioners and the County Clerk are hereby authorized and directed to sign the Lease-Purchase Agreement and related certificates and documents.

This Resolution shall be in full force and effect from and after its passage and all resolutions or orders, or parts thereof, in conflict with the provisions of this Resolution, are to the extent of such conflict, hereby repealed.

PASSED: December 12, 2011 at Dakota City, Dakota County, Nebraska.

BY THE BOARD OF COMMISSIONERS OF
THE COUNTY OF DAKOTA, NEBRASKA

ATTEST
/s/ Theodore A. Piepho
County Clerk

SEAL

/s/ Richard McNear
/s/ Bill B. Rohde
/s/ Scott Love
/s/ Rick Bousquet
/s/ Antonio A. Gomez

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

Chair Bousquet called for the Agenda Item "Fred Kellogg, Highway Supt. - Approve and authorize the Chair to sign Dakota County Traffic Sign Retroreflectivity Maintenance Program - Calendar year 2012". Mr. Kellogg informed the Board that this program is a federal mandate that all of our signs stay in compliance. NIRMA suggested we have this program in place in case of any lawsuits.

Commissioner Bousquet passed around a Thank You received from Dr. Billiard for the work done on Sawmill Road and stated that Fred played a big part in this project.

Commissioner Gomez moved, seconded by Commissioner McNear to approve the Dakota County Traffic Sign Retroreflectivity Maintenance Program for the calendar year 2012 agreement.
ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Mark Albenesius – Discuss options with County Road 152nd Street and the possible sale or abandonment of same". County Attorney, Kim Watson, advised the Board that she had received an email from NIRMA which strongly advised that the County should not sell or lease any of their right-of-ways and she further advised the Board that she may not be able to defend it in court. Further discussion was had between the Commissioners and the County Attorney regarding alternatives and possible legal liabilities. Mr. Kellogg informed the Board that he is very concerned with the liability issues and requested, that since this is the County right-of-way, Mr. Albenesius not be allowed to park anything on there.
Commissioner Rohde moved, seconded by Commissioner Love to have County Attorney, Kim Watson, send a letter to Mr. Albenesius informing him to vacate the County right-of-way and not park anything on the right-of-way, and due to the time of year that he is given until the Spring of 2012 to return the County right-of-way to its original state.
ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet – Yea.

UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Miscellaneous Items – Approve Payroll Claims".
Commissioner Love moved, seconded by Commissioner Gomez to approve all Payroll Claims as submitted by the County Clerk for payment as follows:

COUNTY GENERAL FUND: Gross salaries- $133,614.82, General Fund Employees Net Pay- $96,138.14, Employer deductions paid: Retirement- $9,315.66, FICA- $8,056.70, Medicare- $1,884.22, DC Health Plan- $23,000.00, DC Dental Plan- $999.12 and Life Insurance- $204.09,
Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1406.08, Daniel Christoffers- 602.00, Cherie Conley- 1230.77, Theodore Piepho- 1748.23, Mary C. Wiltgen- 1013.60, Marisol Curiel- 1014.40, Darlene Davis- 1000.00, Stephanie Gatzemeyer- 904.00, Robert Giese- 1748.23, Ruth Gillaspie- 1304.78, Jolene Heinemann- 1064.80, Tracey Rysavy- 997.77, Debera Benton- $860.00, Daniel Christoffers- 602.00, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Elda Raudales- 163.68, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2186.59, Katherine Wiltgen- 960.00, Richard Jensen- 1653.15, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 963.20, Sergio Castillo- 1593.60, Timothy Decker- 1903.85, Sandy Dickens- 501.65, Brian Ellinger- 2018.28, Michael Estes- 1568.98, Brent Gilster- 2042.96, Todd Hammer- 2044.40, Richard Hansen- 1549.60, Melvin Harrison III- 1934.02, Jason James- 1786.25, Douglas Johnson- 1903.85, Kimberly Johnson- 529.10, Jared Junge- 2001.36, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1968.84, Michael Kreegar- 1709.49, Gayle Richards- 941.60, Kevin Rohde- 1812.20, Randall Walsh- 1903.85, Bridget Fiedler- 984.00, Kerry Johnson- 960.00, Sara Niles- 1884.62, Peter Parry- 1730.77, Debra Schmiedt- 2554.57, Aimee Uhl- 1163.20, Kimberly Watson- 2828.48, Caterina Saltzman- 1267.13, Jacob Acero- 1349.56, Ermelinda Ballesteros- 1378.58, Mason Billings- 1219.76, Joshua Blatchford- 1399.38, Rebecca Broer- 1424.28, Judy Case- 1254.83, Elisabet DeRoin- 1188.00, Sandy Dickens- 752.48, Jesse Doelle- 1069.13, Marjorie Donahue- 1657.84, Lisa Ford- 1349.18, Robert Foster- 770.37, Ryan Foster- 1235.20, Linda Frost- 882.40, Alma Gunderson- 1386.83, Cathy Harsma- 941.64, Deanna Haukap- 1320.80, Jeffrey Heitzman- 1295.25, Adam Hough- 1544.00, Michael Jacobson- 1235.20, Brett Johnson- 1345.30, Nicholas Kellen- 664.28, Brenda Kelly- 1356.80, Terry Kern- 2030.29, Keith Klein- 1284.00, James Kleinberg- 1235.20, Paul Moser- 1132.80, Mark Nelson- 1476.66, Travis Olander- 1333.18, Kimberly Peterson- 1152.00, Cody Roeber- 1374.16, Jutharatana Ruenprom- 1320.80, Timothy Ryan- 1235.20, Linda Schovanec- 1396.80, Jennifer Svendsen- 1595.88, Francis Tope- 1332.80, Jewel Williams- 1378.58, Matthew Wise- 50.94, Cara Wood- 1345.41, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 1783.26, Pamela DeVries- 1728.15, Bonnie Kahler- 787.39, Linda Weitzel- 1219.84, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $13,306.69, State- $4,543.34, FICA- $5,457.76, Medicare- $1,884.22, Retirement- $6,309.30, Health Plan- $1,650.00, DC Dental Plan- $525.00, Sheriff Union Dues- $435.00, Deferred Comp- $332.00, Garnishments- $1,378.74, Aflac Health- $410.26, Aflac Life/Dsbl- $161.90 and Flex Plan Medical- $874.14, Flex Plan Dependant Care- $208.33.
COUNTY ROAD PAYROLL: Gross salaries- $16,920.27, Road Employees Net Pay- $11,772.44, Employer deductions paid: Retirement- $1,142.10, DC Health Plan- $3,000.00, DC Dental Plan- $130.32, Life Insurance- $25.32, FICA- $1,002.36, and Medicare- $234.40.
Matthew Bartels- 1486.95, Brent Byroad- 1852.88, Robert Hacker- 1909.99, Hans Houfek- 846.41, Robert Jacobsen- 1421.89, Fred Kellogg- 1748.36, Kimon Litras- 1336.35, Troy Madison- 1462.27, Arnold Mellick- 1380.30, Dean Pallas- 1499.27, Leon Pies- 661.20, Kip Reinbold- 1314.40.
ROAD FUND: Employee withholding paid to: Federal- $1,650.49, State- $569.56, FICA- $679.00, Medicare- $234.40, Retirement- $761.42, Health Plan- $350.00, DC Dental Plan- $105.00, Reassure America Life- $4.88, Deferred Comp.- $61.68, Garnishments- $281.55, Aflac Health- $138.30, Aflac Life/Dsbl- $11.55, Flex Plan Medical- $160.00 and Union Dues- $140.00
ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea,.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Miscellaneous Items – Approve Accounts Payable Claims".
Commissioner Gomez moved, seconded by Commissioner McNear to approve the Accounts Payable Claims as submitted by the County Clerk for payment as follows:
GENERAL FUND: F&M Bank, check charge- 25.00; **ROAD FUND:** Utility Equipment Company, pipe- 220.80; **JAIL BOND FUND:** Fremont National Bank, interest- 12740.00.
ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Miscellaneous Items – Approve and the Chair to sign Agreement to provide Professional Consulting Services with Maximus Consulting Services, Inc. to recover indirect costs incurred by Clerk of District Court in administering Child Support for a fee not to exceed $4,200".
Commissioner Rohde moved, seconded by Commissioner Gomez to approve the Agreement to provide Professional Consulting Services with Maximus Consulting Services, Inc. to recover indirect costs incurred by Clerk of District Court in administering Child Support for a fee not to exceed $4,200.
ROLL CALL VOTE: Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Miscellaneous Items – Approve and Chair to sign the Letter of Engagement with Romans, Wiemer & Associates to conduct the 2010-11 County Audit".
Commissioner Rohde moved, seconded by Commissioner Love to approve the Letter of Engagement with Romans, Wiemer & Associates to conduct the 2010-11 County Audit.
ROLL CALL VOTE: Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Miscellaneous Items – Chairman to sign Certification of County Highway Superintendent to determine incentive payment. This is a form certifying to the state that the County had a Highway Superintendent for the Calendar year 2011 and the NDOR is requesting that this form be returned by December 31, 2011".
Commissioner Love moved, seconded by Commissioner Gomez to approve the Chair to sign the Certification of County Highway Superintendent to determine incentive payment form which certifies to the State that the County had a Highway Superintendent for the calendar year 2011.
ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet – Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Miscellaneous Items – Discuss the maintenance of the County's website". Discussion was had regarding the website and the fact that the website needs to be updated and made user-friendly. Joan Spencer suggested we use MIPS and stated that MIPS already works with Dakota County in other areas. This matter was to be put on the next agenda for action to be taken.

Chair Bousquet called for the Agenda Item "Miscellaneous Items – Approve the November 2011 Officials Reports of the County Clerk, Register of Deeds and the Clerk of the District Court".
Commissioner Gomez moved, seconded by Commissioner McNear to approve the November 2011 Officials Reports of the County Clerk, Register of Deeds and the Clerk of the District Court as submitted.
ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea, and Love – Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Commissioner's Committee Reports".
Commissioner Rohde reported on the Safety Committee Meeting and informed the Board that this is the first quarter that there hasn't been a work related injury in some time. Joan Spencer reported that the Comprehensive Committee met and a map was given to the Commissioners regarding long-term transportation.

Chair Bousquet called for the Agenda Item "Commissioner's Member Reports".
Commissioner Gomez reported on the Wellness Committee.
Chair Bousquet called for the Agenda Item "Public Comment" and there was none.
Chair Bousquet called for the Agenda Item "Mail and/or Emergency Business" and there was none.

Chair Bousquet adjourned their December 12, 2011 meeting at 4:55 p.m.

County Board of Commissioners

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Rick Bousquet, Chair Date Chair signed

_____
Cherie Conley, Secretary/Deputy County Clerk

DAKOTA COUNTY SEAL NEBRASKA

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Theodore A. Piepho, County Clerk Date entered in book

Dakota County Board of Commissioners
Tuesday, December 27, 2011
Dakota County Courthouse
County Board Basement Meeting Room
Dakota City, NE 68731

Rick Bousquet, Chair Theodore A. Piepho, Secretary

Chair Bousquet called their regular scheduled meeting to order at 4:10 p.m.
The Pledge of Allegiance was recited. The location of the Open Meetings Act was noted and Roll Call was taken.
Present were Commissioners Bousquet, Love, Rohde, McNear and Gomez, and Cherie Conley, Secretary and Deputy County Clerk. Absent: None. Also present were Joan Spencer, Board Assistant and Kim Watson, County Attorney.

The agenda for this meeting was as follows:
This meeting was advertised to begin at 4:10 p.m.
This agenda is subject to change up until 24 hours before the start of the meeting.
The Chair reserves the right to modify the order of the agenda during the meeting.
The County Board reserves the right to take action on any agenda item.

- Call to Order with reciting the Pledge of Allegiance.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Commissioners Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve Minutes of prior meeting
- Miscellaneous Agenda Items
  - Authorize and approve website support.
    - Board to approve or disapprove having MIPS create and maintain the County Website.
  - Award and Sub-Grant Special Conditions for the position of Caterina Saltzman, Community Corrections Officer – Juvenile Diversion – Grant pays 50% of salary and 30% of health insurance benefits - $18,799.
  - Planning and Zoning Membership – Board to approve advertisement, the deadline to receive applications and appoint a committee to review applications received.
  - Discuss and authorize the spreading of dirt on the fairgrounds. The County has been offered dirt to spread on the fairgrounds if the Fair Board wishes to accept the dirt.
  - Approve Payroll Claims.
  - Approve Accounts Payable Claims.
- Commissioner's Committee Reports
- Commissioner's Member Reports
- Public Comment
- Mail and/or Emergency Business
- Adjournment

Chair Bousquet called for the Agenda Item "Approve minutes of prior meeting". Commissioner Love moved, seconded by Commissioner McNear to approve the minutes of the December 12, 2011 meeting as typed and prepared for the Official Record.
ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea.
UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Authorize and approve website support. Board to approve or disapprove having MIPS create and maintain the County Website". Joan Spencer explained that MIPS requires a $450 website creation one time charge and a website hosting monthly charge of $52.50. Once the website is created each official would just have to email any changes and they will take care of it. Commissioner Rohde asked if this locks us in to any specific time frame. Commissioner Bousquet asked Joan Spencer to call MIPS to find out if there is a contract time frame.

Chair Bousquet called for the Agenda Item "Award and Sub-Grant Special Conditions for the position of Caterina Saltzman, Community Corrections Officer – Juvenile Diversion – Grant pays 50% of salary and 30% of health insurance benefits - $18,799". Commissioner Bousquet mentioned that the County will have to pay $7520.00 to match which brings the total to $26,319.00, so the grant is paying a substantial part of it and like any grant she will have to apply to keep it going.
Commissioner Rohde moved, seconded by Commissioner Gomez to approve and authorize the Chair to sign the Sub-Grant Special Conditions for the position of Caterina Saltzman, Community Corrections Officer, Juvenile Diversion Grant.
ROLL CALL VOTE. Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea, and Love – Yea.
Unanimous motion carried.

Chair Bousquet called for the Agenda Item "Planning and Zoning Membership – Board to approve advertisement, the deadline to receive applications, and appoint a committee to review applications received". Commissioner Gomez asked if there were 3 members on the Committee. Commissioner Bousquet confirmed that. Commissioner Bousquet stated the advertisement will need to be run in the January 5th and 12th Star publications.
Commissioner Gomez moved, seconded by Commissioner McNear to advertise for applicants to serve on the Planning and Zoning Committee.

ROLL CALL VOTE. McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea. Unanimous motion carried.

County Attorney Kim Watson asked about the deadline. Commissioner Bousquet informed the Board the deadline is January 27th. County Attorney Kim Watson asked if they had a committee to review applications. Commissioner Bousquet asked who the members are and stated we need to appoint members. It was noted that prior members were Pam Miller, Dorothy Lux, and Marlan Millard. Joan Spencer informed the Board that Marlan's term is up so he can not be on. Commissioner Bousquet asked for suggestions for members.
Commissioner Rohde moved, seconded by Commissioner Love to appoint Joe O'Neil and Tony Gomez as members of the Planning and Zoning Committee to review applications which are due by January 27, 2012.
ROLL CALL VOTE. Gomez – Yea, Bousquet – Yea, Love – Yea, Rohde – Yea, and McNear – Yea. Unanimous motion carried.

Chair Bousquet called for the Agenda Item "Discuss and authorize the spreading of dirt on the fairgrounds. The County has been offered dirt to spread on the fairgrounds if the Fair Board wishes to accept the dirt". Commissioner McNear informed the Board that he had received a phone call regarding the City of Sioux City having extra dirt that needed to be removed. Joan Spencer informed the Board that there is 3500 cubic yards of dirt and that the Fair Board would like the dirt for the fair grounds. Commissioner McNear informed the Board where the dirt would be going and how it would improve the conditions of the fairgrounds. Commissioner Gomez commented that as long as the dirt and sand was not contaminated it could be used.
Commissioner McNear moved, seconded by Commissioner Gomez to accept the dirt and have the Chair sign for it as long as the dirt is free from contamination to be used as fill dirt and spread over at the Fair grounds areas.
ROLL CALL VOTE. Bousquet – Yea, Love – Yea, Rohde – Yea, McNear – Yea, and Gomez – Yea. Unanimous motion carried.

Chair Bousquet called for the Agenda Item "Approve Payroll Claims". Commissioner Bousquet brought to the Board's attention that on Jolene Gubbels time sheet there was a request for a pay increase of 3% and that she had received a 4% pay increase on July 1st, and that there is a support letter from FEMA stating that she had helped recover damages of $250,000 on the County Highway Department. Commissioner Gomez commented that is within 6 months. Commissioner Bousquet stated that she had already received her pay increase for the year. Commissioner Bousquet commented that he does not believe it warrants a raise. Commissioner Gomez commented that he thinks the 4% in July is good enough. Commissioner Rohde agreed. Commissioner Bousquet also brought to the Board's attention a request for a pay increase for Peter Parry, who is one of the Deputy County Attorney's, of 4.44% and that at budget time we had agreed on a 3% increase. County Attorney, Kim Watson noted that when she asked for raises 4% was approved. Commissioner Rohde informed that what was asked is that they stay within their budgets. Commissioner Love requested verification, he stated that across the board they went with 3%, but at the same time if it is Kim's budget we can not dictate to her what percentage she can give or take. If she wants to give 4.4% and stay within her budget, it is her budget and she can spend it the way she wants to spend it. Kim Watson said yes. Commissioner Bousquet presented to the Board the question why do we as Commissioners have any thing to say over the payroll or why am I signing any of them. If we see something that comes through and we don't make it consistent through all county offices we are going to have this and we need to have some sense of if we are going to let some have 4.4% increases then we need to let every office do that. Commissioner Rohde stated that elected official departments are totally different than the appointed officials like the road department. Yes we control the budget and every office did a good job this year holding the line and at the same time we recommend what we consider proper for raises and basically as long as they stay within that budget line (total budget dollars) they have the authority to issue raises outside our recommendation. Commissioner Love stated they don't have any option. Commissioner Gomez commented that as long as the departments stay within the total bottom budget line then ok. Joan Spencer informed the Board that Mr. Parry is half a year and not a full year. Ms. Watson informed the Board that Mr. Parry hasn't had a raise since last December. Commissioner Bousquet informed the Board that when he sees things like this come through he is going to point it out to the Board so they are aware.
Commissioner Gomez moved, seconded by Commissioner Love to approve all payroll claims as submitted by the County Clerk for payment as follows. Commissioner Bousquet stated that we need in the motion the denial. Commissioner Gomez rescinded his original motion. Commissioner Gomez moved, seconded by Commissioner Love to approve Mr. Parry's pay increase of 4.44% and deny the 3% pay increase for Ms. Gubbels and to approve all other payroll claims as submitted by the County Clerk for payment as follows:
COUNTY GENERAL FUND: Gross salaries- $132,131.72, General Fund Employees Net Pay- $98,290.20, Employer deductions paid: Retirement- $9,226.38, FICA- $5,549.55, Medicare- $1,915.93. Richard Bousquet- 621.00, Antonio Gomez- 597.93, Scott Love- 597.93, Richard McNear- 597.93, William Rohde- 597.93, Joan Spencer- 1406.08, Daniel Christoffers- 602.01, Cherie Conley- 1230.77, Theodore Piepho- 1748.23, Mary C. Wiltgen- 760.20, Kathy Abbe – 440.00, Marisol Curiel- 1014.40, Darlene Davis- 1000.00, Stephanie Gatzemeyer- 904.00, Robert Giese- 1748.23, Ruth Gillaspie- 1304.78, Jolene Heinemann- 1064.80, Tracey Rysavy- 1010.40, Debera Benton- $835.81, Daniel Christoffers- 481.61, Arnold Mellick- 221.67, Phyllis Obermeyer- 1748.23, Cheryl Perkins- 1206.54, Elda Raudales- 163.68, Zachary Gerth- 1656.71, Debra Jensen- 1152.80, John Loos, Jr.- 2186.59, Katherine Wiltgen- 960.00, Richard Jensen- 1524.49, Duane Kotalik- 1425.60, Tammy Dunn-Peterson- 963.20, Sergio Castillo- 1832.64, Timothy Decker- 2403.65, Sandy Dickens- 501.65, Brian Ellinger- 2018.27, Michael Estes- 1922.28, Brent Gilster- 1915.91, Todd Hammer- 1861.48, Richard Hansen- 1782.08, Melvin Harrison III- 2030.20, Jason James- 1976.94, Douglas Johnson- 1903.85, Kimberly Johnson- 569.14, Jared Junge- 1990.60, Christopher Kleinberg- 1923.07, Penny Kleinberg- 1820.63, Michael

Kreegar- 1693.60, Gayle Richards- 941.60, Kevin Rohde- 1769.56, Randall Walsh- 1903.85, Bridget Fiedler- 968.63, Kerry Johnson- 960.00, Sara Niles- 1884.62, Peter Parry- 1807.69, Debra Schmiedt- 2554.57, Aimee Uhl- 1163.20, Kimberly Watson- 2828.48, Caterina Saltzman- 1267.13, Jacob Acero- 1366.17, Ermelinda Ballesteros- 1378.58, Mason Billings- 1235.20, Joshua Blatchford- 1407.81, Rebecca Broer- 1587.30, Judy Case- 1316.10, Elisabet DeRoin- 1188.00, Sandy Dickens- 772.08, Jesse Doelle- 1088.99, Marjorie Donahue- 1522.70, Lisa Ford- 1361.75, Ryan Foster- 1235.20, Linda Frost- 882.40, Alma Gunderson- 1344.80, Deanna Haukap- 1320.80, Jeffrey Heitzman- 1252.08, Adam Hough- 1284.00, Michael Jacobson- 1420.48, Brett Johnson- 1332.80, Brenda Kelly- 1382.24, Terry Kern- 2030.29, Keith Klein- 1284.00, James Kleinberg- 1358.72, Paul Moser- 1132.80, Mark Nelson- 1476.66, Travis Olander- 1378.59, Kimberly Peterson- 1280.00, Daniel Rodaskey – 665.68, Cody Roeber- 1250.64, Jutharatana Ruenprom- 1494.18, Timothy Ryan- 1235.20, Linda Schovanec- 1396.80, Jennifer Svendsen- 1538.50, Francis Tope- 1332.80, Jewel Williams- 1374.40, Cara Wood- 1345.41, Jolene Gubbels- 1091.20, Fred Kellogg- 201.92, Leon Pies- 661.20, Pamela DeVries- 1728.15, Bonnie Kahler- 775.45, Linda Weitzel- 1200.78, Willard Johnston- 1250.00.
GENERAL FUND: Employee withholding paid to: Federal- $13,726.57, State- $4,685.28, FICA- $5,549.55, Medicare- $1,915.93, Retirement- $6,253.45, Deferred Comp- $332.00, Garnishments- $1,378.74.
COUNTY ROAD PAYROLL: Gross salaries- $16,122.08, Road Employees Net Pay- $12,051.53, Employer deductions paid: Retirement- $1,088.22, FICA- $1,233.33, and Medicare- $233.78.
Matthew Bartels- 1877.13, Brent Byroad- 1398.40, Robert Hacker- 1314.40, Robert Jacobsen- 1330.40, Fred Kellogg- 1748.36, Kimon Litras- 1326.40, Troy Madison- 1314.40, Arnold Mellick- 1717.05, Dean Pallas- 1314.40, Leon Pies- 661.20, Kip Reinbold- 1314.40, James Swanson – 805.54.
ROAD FUND: Employee withholding paid to: Federal- $1,519.84, State- $546.08, FICA- $677.11, Medicare- $233.78, Retirement- $725.51, Deferred Comp.- $61.68, Garnishments- $281.55.
ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet – Yea.
Unanimous motion carried.

Chair Bousquet called for the Agenda Item “Approve Accounts Payable Claims”. Chair Bousquet stated that he had gone through them and they were standard and looked good. Commissioner Love moved, seconded by Commissioner McNear to approve Accounts Payable Claims filed with the County Clerk and submitted by him for payment as follows:
GENERAL FUND: Rick Bousquet, mileage – 307.80; Dakota County Star, publishing – 292.64; Des Moines Stamp Mfg - 113.95; Midwest Office Automation, toner - 340.00; NetSys+, computer services – 180.00; Perkins, supplies – 21.58; Ted Piepho, phone/supplies – 32.86; US Bank, hard drives/supplies – 236.57; AS Central Service, computer services – 115.00; Charlotte Doenhoeffer, prior yrs serv - 10.00; Dakota County Star, publishing – 60.00; Duggan Business Forms, Tax Statements – 552.00; Robert Giese, mileage – 19119.88; Ruth Jensen, prior yrs serv - 12.00; Mardell Sorensen, prior yrs serv – 26.00; Staples, supplies – 205.86; US Bank, supplies – 12.81; Irene Van Lent, prior yrs serv – 16.00; Deb Benton, mileage – 16.65; Microfilm Imaging, rent- 240.00; Margie Rahn, prior yrs serv -12.00; Perkins, supplies- 3.49; Christina Martinez, supplies – 44.93; Secretary of State, training – 30.00; US Bank, office equipment – 437.88; Register of Deeds, filing fees – 10.50; Dakota County Star, publishing – 13.37; Holiday Inn Kearney, lodging – 179.90; Arnie Mellick, phone/mileage/meals – 293.40; Executive Technologies, copier contract – 196.11; Executive Technologies, toner – 84.99; MIPS, scanning – 86.00; Phyllis Obermeyer, mileage – 251.97; Quill, supplies – 32.91; US Bank, conference fee – 120.00; US Bank, scanner parts – 99.99; US Bank, supplies – 29.90; Lexis Nexis/Matthew Bender, law books – 104.24; Marlin Business Bank, copier contract – 100.00; Microfilm Imaging, scanning – 190.50; Quill, supplies – 32.90; Kurt Rager, supplies – 82.57; Star Printing, envelopes – 310.00; Cindy Foley, supplies – 38.06; Neb. Dist. Judges Assoc, 2012 dues – 480.00; Neb. State Bar Assoc, 2012 dues – 335.00; Perkins, supplies – 16.98; US Bank, maintenance/supplies/office equip – 627.62; Frank Gonzalez, interpreter fees – 700.00; Shelly Hodges, interpreter fees – 400.00; Matthew Bender, law books – 104.24; Midwest Office Automations, copier contract – 84.66; Perkins, supplies – 84.92; Thomas West, law books – 711.10; District Court, court costs – 306.00; Michael Schmiedt, court appointed counsel – 281.25; Michael Schmiedt, court appointed counsel – 56.25; Richard Thramer, court appointed counsel – 1444.40; Richard Thramer, court appointed counsel – 540.52; Patrick Tott, court appointed counsel – 502.50; Dakota County Court, court costs – 989.25; Alexander Esteves PC, legal serv – 304.50; Randy Hisey, court appointed counsel – 582.00; Randy Hisey, court appointed counsel – 240.00; Kueny & Begley Law, court appointed counsel – 12.00; Ian McConeghey of Corbett, court appointed counsel – 457.38; Ian McConeghey of Corbett, court appointed counsel – 371.73; Ian McConeghey of Corbett, court appointed counsel – 459.30; Benjamin Ramirez, witness fee – 25.55; Douglas Roehrich, court appointed counsel – 288.00; Douglas Roehrich, court appointed counsel – 801.06; Stratton, Delay, court appointed counsel – 371.50; Richard Thramer, court appointed counsel – 67.76; Richard Thramer, court appointed counsel – 228.88; Richard Thramer, court appointed counsel – 258.88; Patrick Tott, court appointed counsel – 1050.00; Dakota County Sheriff, serve papers/warrants – 1313.52; Bekins Fire & Safety, Fire Extinguisher maintenance – 418.85; Benstar Pack & Dist, supplies, 765.10; Bunkers Feed & Supply, softener salt, 64.37; Gill Hauling, dumpster serv – 120.00; G & R Controls, computer service – 110.00; Grainger, building supplies – 919.36; Janitor Depot, supplies – 264.75; Joes Dept Store, supplies – 26.07; Menards, building supplies – 944.66; Midamerican Energy, utilities – 836.00; NetSys+, computer services – 100.00; Neb. State Fire Marshall, inspection fee – 120.00; NPPD, utilities – 1781.27; Richard Jensen, mileage – 137.75; Robertson Imp, equip repair – 59.35; Sams Club, supplies – 152.04; Siouxland Lock and Key, supplies – 53.00; Trembly Pest Control, chemicals – 50.00; US Bank, building supplies – 1942.75; Verizon Wireless, phone – 53.42; UNL Extension, reimburse – 1053.59; Papio-Missouri River NRD, rent – 833.33; Applied Concepts, radar unit – 630.00; Kerry Bligh, animal control – 50.00; City of SSC, Sheriff office fuel – 5377.79; Dakota County Sheriff, reimburse – 2.67; Digital Ally, 3 cameras – 3335.25; Fremont Tire, tire repair – 17.00; Graham Tire, tires – 1216.16; InterAct Public Safety Systems, MobileCop Licenses 11 – 2979.00; Jacks Uniforms Equip, equipment/clothing – 394.25; Joe’s Dept Store, supplies – 21.88; Lexis Nexis Matthew Bender, law books – 104.24; Liebers Garage, repairs – 191.51; O’Reilly Automotive, oil – 280.06; Sam’s

Club, supplies – 119.09; Sioux City Ford, parts – 59.97; Siouxland FCU credit card, shelving units – 375.28; Staples, supplies – 97.98; US Bank, supplies – 270.36; Verizon, phone – 430.24; Walmart, computer – 601.97; Dept of Motor Vehicles, transcripts – 3.00; H204U, water – 28.62; Iowa Office Supply, copier contract – 132.77; Neb State Bar Assoc, 2012 dues – 1235.00; Peter Parry, phone – 20.00; Quill, supplies – 122.72; US Bank, manuals – 299.34; Verizon, phone – 135.14; City of SSC, LEC share costs – 32,258.73; Digital Ally Inc, 3 cameras – 10,005.75; BI Inc, electronic monitoring – 593.40; Redwood Biotech, lab/supplies – 158.33; Verizon, phone – 89.45; ATeam Heating, repairs – 282.16; Addison Electric, repair – 380.00; AmSan LLC, supplies – 1655.35; Anytime Lock & Key, knob sets – 175.00; Aramark, rug service – 101.19; Autosound Solutions, repair – 10.00; Bob Barker, supplies – 1637.23; Bekins Fire & Safety, extinguisher inspection – 341.00; Burke Engineering Sales, repairs – 180.91; CBM Food Service, food – 25,552.20; CW Suter Service, repairs – 346.46; Cash-Wa Distributing, supplies – 99.33; City of SSC, fuel – 405.59; Crescent Electric Supply, supplies – 88.63; Dakota County Star, publishing – 64.80; Dakota Family Dentistry, services – 204.00; Dakota One Leasing, copier contract – 220.00; Essex Industries, supplies – 174.75; Foulk Brothers Plumbing & Heating, repairs – 377.50; Gill Hauling Inc, dumpster – 120.00; Grainger, supplies – 1925.81; Jack's Uniforms Equip, clothing – 266.10; Joe's Dept Store, supplies – 13.65; Kleen Solutions, chemicals – 204.85; Mercy Business Health, services – 1354.00; Mercy Medical Center, services – 1108.80; Midamerican Energy Co, utilities – 1552.94; Midlands Clinic, services – 56.74; Midwest Office Automations, copier contract – 165.82; Moore Medical, supplies – 111.95; NPPD, utilities – 2366.60; NW Iowa Emergency, services – 925.00; NetSys+, computer services – 873.99; Sam's Club, supplies – 358.11; Siouxland FCU credit card, supplies – 63.89; Siouxland Lock & Key, supplies – 1.95; Trembly Termite & Pest Control, chemicals – 55.00; US Bank, supplies/meds – 3100.62; Verizon, phone – 262.51; Woodbury Co Juvenile Detention, inmates – 12,400.00; Holiday Inn Kearney, lodging – 283.34; Fred Kellogg, meals – 12.28; Verizon, phone – 60.82; AZ Inc, fuel – 292.01; Dakota Business Systems, copier rental – 102.00; Dakota County Treasurer, title – 10.00; Holiday Inn Kearney, lodging – 269.85; Hubbard Mini Mart, fuel – 184.00; Joe's Dept Store, supplies – 7.32; Leon Pies, convention reimburse – 50.00; Pomps, tires – 556.56; Tri-State Comm, radio equipment – 135.50; Pam DeVries, mileage – 76.04; Neb Dept of Health, licensure renewal – 650.00; Linda Weitzel, mileage – 54.39; Dr. Thomas Wente, services – 250.00; Bill Johnston, mileage – 404.62; Cable One, services – 169.96; Cherie Conley, YMCA reimburse – 19.50; Dakota County Treasurer, transfer – 92.65; FiberComm, phone – 1207.75; FSH Communications, payphone – 63.60; Justice Benefits, SCAAP fy 2011 6511.78; MailFinance, postage machine – 227.00; MIPS, payroll/claims/budget support – 424.62; NACO, 2nd half dues – 1481.84; Nebraska Loess Hills, dues – 300.00; NetSys+, computer services – 517.99; Norm Waitt Sr YMCA, member fees – 214.50; Region IV Mental Health, qrtly fees – 7556.00; Thompson Publishing Group, law books – 438.50; Madelyn Thorsland, prior yrs serv – 10.00; Three Rivers Benefit, flex plan fees – 110.00; US Postal Service, postage – 2500.00; Randy Walsh, YMCA reimburse – 19.50; Woods & Aiken, court appointed counsel – 1032.00; KND Logging, tree removal – 1700.00; Mainelli Wagner & Assoc, FEMA project – 810.51; Olsson Assoc, services – 81733.33; Road Improvement, transfer – 35,000.00; Road Fund, transfer – 35,000.00; Road Fund, transfer - $35,000.00.

ROAD FUND: Aramark, service- 208.30; AZ Inc, fuel- 1363.52; Bader's Hwy & Street, road maint- 5434.00; Bank of Dixon County, grader pymt – 16,351.77; Matt Bartels, phone/clothing – 88.71; Brent Byroad, clothing – 75.00; City of SSC, salt – 1602.15; Cooney Fertilizer, tree removal – 2000.00; Dakota County Star, publishing- 38.40; Electronic Engineering, gps- 900.00; Fastenal, supplies- 336.06; Gill Hauling, dumpster- 55.00; Walter Heinemann, prior yrs serv- 29.00; Hubbard Minimart, fuel- 2860.35; H2O4U, service- 8.50; Jackson Glass, parts/labor- 85.00; Bob Jacobsen, clothing – 75.00; J & J's Pronto, fuel – 68.18; Joes Dept Store, supplies/tools- 96.86; Kinetic Leasing, loader/interest- 2458.00; LG Everist, gravel- 1430.79; Love Brothers, tires/parts- 200.00; Troy Madison, clothing – 75.00; Marx Distribution, chemicals – 518.40; Matheson Linweld, oxy- 171.59; Medical Enterprises, testing- 31.00; Midwest Service & Sales, signs/culvert- 4434.12; Midwest Wheel, parts/supplies- 302.15; Marlan Millard, prior yrs serv- 15.00; Nebraska Public Power Dist, utilities- 30.82; Northeast Equip, tractor- 900.00; NE Nebraska Public Power District, utilities- 235.48; NE Nebraska Telephone, phone- 212.53; O'Reilly Auto Parts, parts/supplies- 401.53; Pomps, tires- 2881.16; Power Plan, parts/supplies- 799.51; Rees Mack Sales, parts- 20.59; Kip Reinbold, clothing – 75.00; St Lukes for Occupational Health, testing- 20.00; Sapp Bros Petroleum, propane- 1210.05; Siouxland Hydraulics, supplies- 337.88; Siouxland Lock & Key, repair- 45.75; Thermo King, supplies- 185.38; Thurston County, storage- 200.00; UECO, pipe- 441.60; Verizon, phone- 33.47; Warren Oil, fuel- 9621.55; Zieglers, parts/labor/supplies- 159.02.

HARD SURFACE ROADS: C Avenue Paving Fund, interest pymt – 6782.50.

ROAD IMPROVEMENT: City of SSC, 48th Street pymt – 31611.62; Louis Pederson, fill dirt – 781.00.

VISITORS PROMOTION: South Sioux City Chamber, lodging tax- 10719.12.

HEALTH PLANNING GRANT: AT&T, phone- 94.69; Deanna Beckman, hours – 1224.00; Pam Devries, mileage- 93.80; US Bank, meals – 23.80.

PUBLIC SAFETY: City of South Sioux City, sales tax- 2931.49; Jail Bond Fund, sales tax- 27410.85; Road Fund, sales tax- 806.36.

ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea and Love – Yea.
Unanimous motion carried.

Chair Bousquet called for the Agenda Item "Commissioner's Committee Reports". Commissioner Gomez informed the Board that he attended a meeting of the LEC Committee.

Chair Bousquet went back to the Agenda Item "Authorize and approve website support. Board to approve or disapprove having MIPS create and maintain the County Website". Joan Spencer informed the Board that there is not contract and that it is month to month.

Commissioner Love moved, seconded Commissioner Rohde to approve having MIPS create and maintain the County's website.

ROLL CALL VOTE: McNear – Yea, Gomez – Yea, Bousquet – Yea, Love – Yea, and Rohde – Yea.
Unanimous motion carried.

Chair Bousquet called for the Agenda Item “Commissioner’s Member Reports” and there were none.
Chair Bousquet called for the Agenda Item “Public Comment” and there was none.
Chair Bousquet called for the Agenda Item “Mail and/or Emergency Business” and there was none.

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

DAKOTA COUNTY SEAL NEBRASKA

County Board of Commissioners

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Rick Bousquet, Chair Date Chair signed

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