

Dakota County Board of Corrections  
 Monday, January 9, 2012  
 Dakota County Courthouse  
 County Board Basement Meeting Room  
 Dakota City, NE 68731

Chair Bousquet called their meeting to order at 4:00 p.m. The Pledge of Allegiance was recited and the location of the Open Meetings Act was noted. Roll Call was as follows: Present: Board Members Bousquet, Love, Rohde, McNear and Gomez, and Cherie Conley, Deputy County Clerk/Secretary. Absent: None. Also present were Joan Spencer, County Board Assistant, and Kim Watson, County Attorney.

The Agenda for the meeting was as follows:

- Call meeting 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 this room and is available for review by all citizens in attendance.
  - Roll Call.
- Approve minutes of previous Board of Corrections meeting. (December 12, 2011)
- Terry Kern – Corrections Administrator.
  - Jail Report.
- Board Committee Reports.
- Board Member Reports.
- Public Comment.
- Mail and/or Emergency Business.
- Adjournment

Chair Bousquet called for the Agenda Item “Approve minutes of previous Board of Corrections meeting from December 12, 2011”. Board Member Gomez moved, seconded by Board Member McNear to approve the minutes of the December 12, 2011 meeting. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item “Terry Kern – Corrections Administrator, Jail Report”. Terry Kern appeared before the Board and gave the following January Jail Report:

**JAIL REPORT  
 JANUARY 9, 2012**

Average Daily Population

*December:*

County Inmates	Federal Inmates	Juveniles	Total-In-House Inmates
78	13	2	91

*2011 Calendar*

County Inmates	Federal Inmates	Juveniles	Total-In-House Inmates
76	24	3	100

*Fiscal*

County Inmates	Federal Inmates	Juveniles	Total-In-House-Inmates
76	20	3	96

Federal Income

*December Marshal:* \$19,888.05

*December ICE:* \$5,783.05

*Total Federal:* \$25,671.10

*Calendar Federal:* \$573,614.54

*Fiscal Marshal:* \$212,782.93

*Fiscal ICE:* \$28,191.43

*Fiscal Federal:* \$240,974.36

Per Diem Inmate Costs

<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sep</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>
\$52.36	\$66.90	\$63.39	\$58.96	\$54.39	\$70.08	\$75.86	\$61.26	\$62.66	\$60.43	\$63.99	\$83.91

Fiscal: \$68.01

Calendar 2011: \$64.51

Juvenile December Per Diem: \$95.92

The jail was 14% or \$35,552.00 over budget for December and is 1% or \$26,528.00 under budget for the fiscal year.

The Jail Standards inspection has been completed and we were found to be in full compliance.

I will be attending the Jail Standards Board meeting in Lincoln on January 20<sup>th</sup> to present a request to hang more beds in the new jail and boost the rated capacity to 111 with full capacity of 138.

I have attached the income for the first half of the fiscal year as well as the income statements for the previous year as a comparison. We are well short of last year. There will be a significant rise in the 3<sup>rd</sup> quarter as the signing bonus from our phone provider and commissary fund transfer will occur in that time. That will be worth at least \$50,000.00 to the general fund.

	Quarterly Income Fiscal 2011			
	<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>	<u>4<sup>th</sup></u>
United States Marshal Service	\$228,863.50	\$239,403.90	\$162,723.25	\$139,664.95
ICE Inmates	\$14,690.00	\$12,931.10	\$9,805.00	\$19,055.00
Inmate Phone Cards	\$4,234.40	\$5,392.82	\$4,809.69	\$5,604.86
Work Release	\$9,525.00	\$5,250.00	\$11,800.00	\$9,775.00
House Arrest	\$1,720.00	\$ -----	\$ -----	\$ -----
Fingerprints	\$135.00*	\$ -----	\$370.00	\$350.00
Housing Other Jurisdictions	\$ -----	\$ -----	\$2,451.98	\$ -----
Miscellaneous	\$400.00	\$ 220.00	\$1,471.36	\$82,700.00
State Prisoner Reimbursement	\$48,800.00	\$48,264.60	\$ -----	\$ -----
SCAAP Reimbursement	\$28,863.00	\$ -----	\$ -----	\$ -----
<b>Total</b>	<b>\$335,230.90</b>	<b>\$311,463.32</b>	<b>\$193,191.28</b>	<b>\$257,149.81</b>
<b>TOTAL</b>	<b>\$1,097,035.31</b>			

	Quarterly Income Fiscal 2012			
	<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>	<u>4<sup>th</sup></u>
United States Marshal Service	\$131,735.46	\$81,183.97		
ICE Inmates	\$14,690.00	\$14,038.00		
Inmate Phone Cards	\$5,296.27	\$3,936.04*		
Work Release	\$7,200.00	\$8,660.00		
House Arrest	\$ -----	\$ -----		
Fingerprints	\$270.00	\$230.00		
Housing Other Jurisdictions	\$ -----	\$1,050.00		
Miscellaneous	\$ -----	\$ -----		
SCAAP Reimbursement	\$ -----	\$29,599.00		
<b>Total</b>	<b>\$159,191.73</b>	<b>\$138,697.01</b>		
<b>TOTAL</b>	<b>\$297,884.74</b>			

Board Member Rohde asked how long the jail could remain at full capacity. Mr. Kern informed that the jail could maintain 138 inmates long term. May not be very comfortable, but it can be handled. The Board Members thanked Mr. Kern for doing a good job.

Mr. Kern asked if the Quarterly Jail Tour could be delayed until the next meeting due to the number of items already on the agendas for the day. The Board Member's agreed to tour the jail at the next meeting.

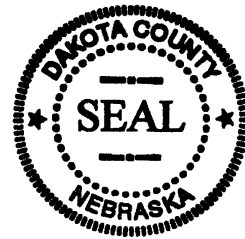
Chair Bousquet called for the Agenda Item "Board Committee Reports" and there were none.  
 Chair Bousquet called for the Agenda Item "Board Member Reports" and there were none.  
 Chair Bousquet called for the Agenda Item "Public Comment" and there was none.  
 Chair Bousquet called for the Agenda Item "Mail or Emergency Business" and there was none.  
 Chair Bousquet adjourned their regular scheduled meeting of January 9, 2012 at 4:06 p.m.

County Board of Corrections

Richard (Rick) Bousquet, Chair                      Date Chair signed

Cherie A. Conley, Deputy County Clerk/Secretary      Date

Theodore A. Piepho, County Clerk                      Date entered in book



**Dakota County Board of Corrections**  
Monday, February 6, 2012  
Dakota County Courthouse  
County Board Basement Meeting Room  
Dakota City, NE 68731

Chair Bousquet called their meeting to order at 4:00 p.m. by all reciting the Pledge of Allegiance. The location of the Open Meetings Act was noted and Roll Call was taken. Present: Board Members Bousquet, Love, Rohde, and McNear and Cherie Conley, Deputy County Clerk/Secretary. Absent: Board Member Gomez. Also present were Joan Spencer, County Board Assistant, and Kim Watson, County Attorney.

The Agenda for the meeting was as follows:  
This meeting was advertised to begin at 4:00 p.m.  
This agenda is subject to change up until 24 hours before the start of the meeting.  
The Board Chair reserves the right to modify the order of the agenda during the meeting.  
The Board reserves the right to call for action on any agenda item.

- Open the meeting with the Pledge of Allegiance to the Flag.
  - A current copy of the Open Meetings Act is posted on the east wall near the entrance of the County Board of Board Members Room and is available for review by all citizens in attendance.
  - Roll Call
  - Approve the minutes of the previous meeting of January 9, 2012.
- Terry Kern, County Jail Director.
  - Monthly Jail Report
  - CBM Food Contract Renewal - CBM is the Company that provides food services for our inmate population in the jail. The County Board will consider a 2.9% increase to last year's contract for CBM to furnish meals this year. Affirmative action is expected on the amendment to said contract.
- Corrections Member Reports
- Corrections Committee Report
- Mail and/or Emergency Business
- Public Comment
- Adjournment

Board Member Love moved, seconded by Board Member McNear to excuse Board Member Gomez as he is attending Governor's Day in Lincoln, NE. ROLL CALL VOTE: Rohde – Yea, Love – Yea, McNear – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Approve minutes of previous Board of Corrections meeting from January 9, 2012". Board Member Love moved, seconded by Board Member McNear to approve the minutes of the January 9, 2012 meeting. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Terry Kern – Corrections Administrator, Jail Report". Terry Kern appeared before the Board and gave the following report:

**JAIL REPORT**  
**FEBRUARY 6, 2012**

Average Daily Population

January:

County Inmates	Federal Inmates	Juveniles	Total-In-House-Inmates
78	8	4	86

2012 Calendar

County Inmates	Federal Inmates	Juveniles	Total-In-House-Inmates
78	8	4	86

Fiscal

County Inmates	Federal Inmates	Juveniles	Total-In-House-Inmates
76	18	3	94

Federal Income

January Marshal: \$12,351.95

January ICE: \$3,324.75

Total Federal: \$15,676.70

Calendar Federal: \$15,676.70

Fiscal Marshal: \$225,134.88

Fiscal ICE: \$31,516.18

Fiscal Federal: \$256,651.06

Jan

\$68.15

Fiscal: \$68.03

Calendar: \$68.15

Juvenile January per Diem: \$329.00

The jail was 12% or \$26,041.00 under budget for January and is 3% or \$52,569.00 under budget for the fiscal year.

The annual agreement with CMB Foods is on the agenda. The new agreement reflects a 2.9% price increase reflected in the CPI. This is provided for in the contract with CBM which runs until 2014.

Jail Standards will be here on the 16<sup>th</sup> to verify the square footage in the new jail. This will permit additional beds to be added preparatory to closing the old jail.

Jail Standards will hold its quarterly meeting in Dakota County on July 20<sup>th</sup>.

Board Member Bousquet asked Mr. Kern if he had contacted CBM Foods to try to negotiate the increase. Mr. Kern explained that this contract is good until 2014 and the contract agreement states this fee may increase or decrease annually based on CPI. Some discussion was had on the contents of the agreement.

Board Member Rohde moved, seconded by Board Member McNear to approve the CBM Food Contract Renewal agreement with the 2.9% increase for meals and authorize the Chair to sign said contract. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Bousquet – Yea, Love – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Board Member Reports" and there were none.  
Chair Bousquet called for the Agenda Item "Board Committee 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 or Emergency Business" and there was none.  
Chair Bousquet adjourned the meeting at 4:12 p.m.



County Board of Corrections

Richard (Rick) Bousquet, Chair

Date Chair signed

Cherie A. Conley, Deputy County Clerk/Secretary

Date entered in book

Theodore A. Piepho, County Clerk

Date entered in book

**Dakota County Board of Corrections**  
Monday, March 5, 2012  
Dakota County Courthouse  
County Board Meeting Room Basement  
Dakota City, NE 68731

Chair Bousquet called their meeting to order at 4:00 p.m. by all reciting the Pledge of Allegiance. The location of the Open Meetings Act was noted and Roll Call was taken. Present: Board Members Bousquet, Love, Rohde, McNear and Gomez, and Cherie Conley, Deputy County Clerk/Secretary. Absent: None. Also present were Joan Spencer, County Board Assistant, and Kim Watson, County Attorney.

The Agenda for the meeting was as follows:  
This meeting was advertised to begin at 4:00 p.m.  
This agenda is subject to change up until 24 hours before the start of the meeting.  
The Board Chair reserves the right to modify the order of the agenda during the meeting.  
The Board reserves the right to call for action on any agenda item.

- Open the meeting with the Pledge of Allegiance to the U.S. Flag
  - 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 the minutes of the previous meeting of February 6, 2012.
- Terry Kern, County Jail Director.
  - Monthly Jail Report
  - Discussion to add six beds to the new jail and permanently close the old jail effective April 1, 2012.
    - Resolution to add six beds to the new jail and permanently close the Old Jail effective April 1, 2012.
- Corrections Member Reports
- Corrections Committee Report
- Mail and/or Emergency Business
- Public Comment
- Adjournment

Chair Bousquet called for the Agenda Item "Approve minutes of previous Board of Corrections meeting from February 6, 2012". Board Member Love moved, seconded by Board Member Gomez to approve the minutes of the February 6, 2012 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 "Terry Kern – Corrections Administrator, Jail Report". Terry Kern appeared before the Board and gave the following report:

**JAIL REPORT**  
**MARCH 5, 2012**

Average Daily Population

*February:*

County Inmates	Federal Inmates	Juveniles	Total-In-House-Inmates
85	7	4	92

*2012 Calendar:*

County Inmates	Federal Inmates	Juveniles	Total-In-House-Inmates
82	7	4	89

*Fiscal*

County Inmates	Federal Inmates	Juveniles	Total-In-House-Inmates
77	17	4	94

Federal Inmates

*February Marshal:* \$9,613.50

*February ICE:* \$3,129.10

*Total Federal:* \$12,742.60

*Calendar Federal:* \$28,419.30

*Fiscal Marshal:* \$234,748.38

*Fiscal ICE:* \$34,645.28

*Fiscal Federal:* \$269,393.66

Per Diem Inmate Costs

Jan    Feb  
\$68.15 \$62.91

Fiscal: \$67.39

Calendar 2012: \$65.53

Juvenile February Per Diem: \$113.33

The jail is 5% or \$89,721.00 under budget for the fiscal year and 17% or 37,151.00 for February.

The main item on this report is the proposal to close the old jail. Nebraska Jail Standards measured the new jail for square footage on the 16<sup>th</sup> of February. They found the area sufficient to hang additional beds. They have authorized seven (7) additional beds at this time. When added to the five (5) beds that were authorized in 2010 we now have twelve (12) more beds than when the new facility was opened in November 2007. We still have three beds in reserve.

My original written request to the Jail Standards Board was for six (6) beds. My oral request at their January meeting was for nine (9). We have three (3) cells remaining that are single bunked. These can be double bunked if the Board approves it at the April meeting in Kearney. I will attend that meeting.

The single bunks have some practical value as we may use them for disciplinary or administrative segregation without having to move someone out to do it.

The seven added bunks bring the total number to one hundred thirty-eight (138). This does include: padded cell; holdings cells (2) and de-toxification cells (2) as these are short term occupancies.

Our population census for County inmates for the last three (3) years is:

2009		2010		2011	
<u>New Jail</u>	<u>Old Jail</u>	<u>New Jail</u>	<u>Old Jail</u>	<u>New Jail</u>	<u>Old Jail</u>
Male 46	31	Male 41	18	Male 44	18
Female 19		Female 17		Female 14	
Total 96		Total 76		Total 76	

The average daily population for the first two months of the year for five (5) years is:

2008	2009	2010	2011	2012
80	87	80	78	81

The complete figures for the ADP for the last five (5) years is attached.

The new arrangements with the Marshal put a Federal population on a float. When we have more room we get more inmates and we have less room we get less. This permits us to keep bed space for County inmates.

Our past experience is such that we will have the bed space for County inmates. We can, I believe, close the Old Building and house County inmates.

AVERAGE DAILY POPULATION (ADP)  
Table One

<u>COUNTY</u>	<u>FEDERAL</u>		<u>TOTAL</u>		
2008	2008		2008		
January	85.81	January	36.45	January	122.26
February	74.83	February	33.34	February	108.17
March	79.23	March	34.90	March	114.13
April	98.67	April	38.67	April	137.34
May	87.90	May	42.97	May	130.87
June	80.30	June	45.10	June	125.40
July	75.25	July	48.03	July	123.28
August	72.18	August	43.32	August	115.50
September	80.02	September	46.26	September	126.28
October	74.60	October	49.22	October	123.82
November	75.02	November	50.50	November	125.52
December	81.08	December	47.54	December	128.62
Average	80.40	Average	43.02	Average	123.43
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2009	2009		2009		
January	88.93	January	47.06	January	135.99
February	85.48	February	46.04	February	131.52
March	85.52	March	44.54	March	130.06
April	88.60	April	41.15	April	129.75
May	101.60	May	35.61	May	137.21
June	97.66	June	35.26	June	136.86
July	111.44	July	32.19	July	143.63
August	97.18	August	29.00	August	126.18
September	100.88	September	25.49	September	129.37
October	101.45	October	22.16	October	123.61
November	96.59	November	25.40	November	121.99
December	90.09	December	27.90	December	117.99
Average	95.45	Average	34.31	Average	130.34
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2010	2010		2010		
January	81.03	January	27.71	January	108.74
February	79.39	February	26.53	February	105.92

March	71.35	March	28.29	March	99.64
April	78.76	April	29.57	April	108.33
May	78.35	May	35.87	May	114.22
June	69.12	June	33.65	June	102.77
July	64.07	July	39.22	July	103.29
August	73.35	August	41.26	August	114.61
September	83.96	September	39.16	September	123.12
October	81.97	October	41.93	October	123.90
November	70.60	November	43.63	November	114.23
December	74.41	December	38.68	December	113.09
Average	75.52	Average	35.45	Average	110.98
2011		2011		2011	
January	80.65	January	36.06	January	116.71
February	74.31	February	26.79	February	101.10
March	72.55	March	23.84	March	96.39
April	73.83	April	27.76	April	101.59
May	80.57	May	27.52	May	108.09
June	77.59	June	23.90	June	101.49
July	75.96	July	28.16	July	104.12
August	72.55	August	22.64	August	95.19
September	73.90	September	21.46	September	95.36
October	81.17	October	18.41	October	99.58
November	74.13	November	16.01	November	90.14
December	77.77	December	12.74	December	90.51
Average	76.24	Average	23.77	Average	100.02
2012		2012		2012	
January	77.64	January	7.78	January	85.42
February	84.93	February	6.76	February	91.69
Average	81.28	Average	7.27	Average	88.54

Mr. Kern informed the Board that the Nebraska Jail Standards representatives visited the jails to inspect them and measured the new jail to verify that there was adequate space for the approval of six additional bunks and recommended that the old jail be closed due to the numerous things that need to be repaired and brought up to code. After much discussion between the Board and Mr. Kern it was decided that the Board needed Mr. Kern to bring this matter back to the Board after he had visited more with NIRMA to determine the liability issues and how much it will save the County to close the old jail permanently and his intentions with staffing and the savings there.

Board Member Gomez moved, seconded by Board Member Rohde to schedule and publish a Board of Corrections meeting on March 19, 2012 wherein Mr. Kern will present to the Board a Resolution to add six beds to the new jail and a resolution to permanently close the old jail. ROLL CALL VOTE: Rohde – Yea, McNear – Yea, Gomez – Yea, Bousquet – Yea and Love – 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 or Emergency Business” and there was none.

Chair Bousquet adjourned the Board of Corrections meeting at 4:25 p.m.

*Note: Audio for this meeting is unavailable due to technical difficulties.*

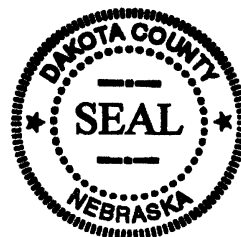
County Board of Corrections

Richard (Rick) Bousquet, Chair

Date Chair signed

Cherie Conley, Deputy County Clerk

Date



Theodore A. Piepho, County Clerk

Date entered in book

**Dakota County Board of Corrections**  
 Monday, March 19, 2012  
 Dakota County Courthouse  
 County Board Meeting Room Basement  
 Dakota City, NE 68731

Chair Bousquet called their meeting to order at 10.00 a.m. by all reciting the Pledge of Allegiance. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Board Members Bousquet, Love, Rohde, McNear and Gomez, and Cherie Conley, Deputy County Clerk/Secretary. Absent were none. Also present were Joan Spencer, County Board Assistant, and Kim Watson, County Attorney.

The Agenda for the meeting was as follows:

- This Special meeting was advertised to begin at **10:00 a.m.**
- This agenda is subject to change up until 24 hours before the start of the meeting.
- The Board Chair reserves the right to modify the order of the agenda during the meeting.
- The Board reserves the right to call for action on any agenda item.
- Open the meeting with the Pledge of Allegiance to the U.S. Flag  
 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
- The purpose of this Special Meeting is to consider closing the old jail and the agenda shall be to approve the minutes of the March 5th meeting, to discuss and pass a resolution adding beds to the new jail and to discuss and take action whether to formally close the old jail.
- Adjournment

Chair Bousquet stated the purpose of this Special Meeting is to consider closing the old jail and the agenda shall be to approve the minutes of the March 5th meeting, to discuss and pass a resolution adding beds to the new jail and to discuss and take action whether to formally close the old jail.

Terry Kern presented to the Board the following report:

**CLASS 1 PERSONNEL COSTS BUDGETED**

	2011	2012	Difference
<b>Jail Regular Time Correctional Officers</b>	\$1,056,658	\$980,000	- \$76,958
<b>Overtime Holiday Pay</b>	\$80,000	\$65,000	-\$15,000
<b>Insurance</b>	\$285,723	\$224,814	-\$60,909
<b>Retirement</b>	\$93,536	\$87,089	-\$6,447
<b>Social Security</b>	\$107,210	\$98,701	-\$8,509
<b>Total</b>	\$1,623,127	\$1,455,604	-\$167,523

**CLASS 1 PERSONNEL COSTS ACTUAL\* Partial Fiscal Year Jul-Feb**

<b>Jail Regular Time Correctional Officer</b>	\$695,157	\$685,120	-\$10,037
<b>Overtime</b>	\$50,523	\$40,756	-\$9,767 (2,176)
<b>Insurance</b>	\$186,610	\$147,762	(-\$38,848)
<b>Retirement</b>	\$61,085	\$59,807	-\$1,278
<b>Social Security</b>	\$67,850	\$67,309	-\$541
<b>Total</b>	\$1,061,255	\$1,000,754	-\$21,623

**ELIMINATION OF TWO CORRECTIONAL OFFICERS**

<b>Regular Time Wages</b>	\$61,776
<b>Insurance</b>	\$12,730
<b>Overtime Holiday Pay</b>	\$4,276
<b>Retirement</b>	\$4,726
<b>Social Security</b>	\$4,170
<b>Total</b>	\$87,678

**Population to Date**

2011	2012	2011	2011	2012	2012
County Male	County Male	Old Jail	New Jail	Old Jail	New Jail
65	65	19	46	13	52
County Female	County Female				
11	16	21	11	0	16
Federal Inmates	Federal Inmates				
26	8	0	26	0	8

**Population by Year**

		2009		Total
County Male	County Female	County Male	County Female	
New Jail	New Jail	Old Jail	Old Jail	
46	18	31	0	95
		2010		Total
County Male	County Female	County Male	County Female	
New Jail	New Jail	Old Jail	Old Jail	
41	17	17	1	76

2011				
<b>County Male New Jail</b>	<b>County Female New Jail</b>	<b>County Male Old Jail</b>	<b>County Female Old Jail</b>	<b>Total</b>
44	18	18	0	80
2012				
<b>County Male New Jail</b>	<b>County Female New Jail</b>	<b>County Male Old Jail</b>	<b>County Female Old Jail</b>	<b>Total</b>
52	16	13	0	81

Mr. Kern pointed out that the old jail is not and has not been for some time in compliance with the minimum Nebraska Jail Standards. Should something happen there the Grandfather Clause simply means the State allows you to operate the jail without having to bring it into compliance with the standards that currently exist. They will not testify on your behalf and there is no way the Grandfather Clause will come in with any type of indemnity as it would if you were to be in a situation where you were actually in compliance with standards you would have a chance there. Mr. Kern went over the figures stated in his report with regards to personnel costs and inmate numbers. He informed that he had spoke with NIRMA in regards to insurance and NIRMA informed Mr. Kern that the building we have now is still attached to the courthouse that was built a long time ago and as a result there will not be a big reduction. However, when reducing staff you reduce your liability and there will be a reduction that basis. Commissioner Bousquet commented that back when the new jail was being built it was thought that it would take 23 jailers to operate the new jail and close the old jail. Mr. Kern informed that we currently have 30 but that includes himself and 2 administration employees so we have 27 floor jailers and it will be reduced by 2 down to 25. Commissioner Bousquet asked about the Federal Marshal inmates and if we will have adequate space. Mr. Kern informed that the arrangement with the Federal Marshals is on a float basis. Because of the float it is hard to calculate the Federal income but we will have revenue. Mr. Kern informed that the jail also has the commissary revenue where a portion goes into the County General Fund. Commissioner Bousquet noted that Mr. Kern will be meeting with the Jail Standards Committee on April 6, 2012 and stated that perhaps we change the date of the closing until after Mr. Kern meets with the Jail Standards Committee to be sure they will approve the County the additional beds. Commissioner Gomez concurred with Commissioner Bousquet. Commissioner Bousquet asked for Public Comment.

William McLarty, 320 E. 21<sup>st</sup> Street, So. Sioux City, NE approached the podium and commented on the issue of closing the old jail stating his concerns and opinions. He suggested the Board close the old jail and move towards working on Phase II. Mr. McLarty commented that he had talked to Jail Standards and to NIRMA and he believes they are in favor of the County closing the old jail. Commissioner Bousquet asked Mr. McLarty if he thought there could be a ½ cent sales tax implemented to help with Phase II. Mr. McLarty advised that the ½ cent sales tax has already been committed to another project. Commissioner Rohde commented that NIRMA will recognize that some liability issues will be gone and will see some savings there. Commissioner Bousquet stated that closing the old jail will free up some space and perhaps we will be able to bring Probation and the Extension offices back to the courthouse and save money in rent there.

Ted Piepho, 205 Lewis Street, Homer, NE approached the podium and commented on the issue of closing the old jail stating some financial figures for the Board to consider. Mr. Kern addressed the Board and informed that the United States Marshall Service locally and nationwide is running at less than half the number of prisoners they have in the past. Commissioner Gomez suggested that this matter be tabled to the April 16<sup>th</sup> meeting to give more time to consider the information. Chair Bousquet stated he feels the Board can vote on closing the jail but the date to close the jail should be moved to a later date. Commissioner Gomez agreed. No other public comment.

Commissioner Bousquet moved, seconded by Commissioner Love to close the old jail with an effective date of April 16, 2012. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Commissioner Gomez moved, seconded by Commissioner McNear to approve Resolution 12COR-001 to Permanently Close the Old Dakota County Jail Effective April 16, 2012.

**BOARD OF CORRECTIONS**  
**DAKOTA COUNTY, NEBRASKA**

**RESOLUTION 12COR-001**  
**RESOLUTION TO PERMANENTLY CLOSE THE OLD DAKOTA COUNTY JAIL**  
**EFFECTIVE APRIL 16, 2012**

**WHEREAS**, pursuant to Neb. Rev. Stat. § 23-2802, in counties of less than one hundred fifty thousand inhabitants, the County Board may choose to serve as the County Board of Corrections; and,

**WHEREAS**, pursuant to Neb. Rev. Stat. § 23-2802, any such County Board that chooses to serve as the County Board of Corrections shall have charge of the county jail and correctional facilities and of all persons by law confined in such jail or correctional facilities; and,

**WHEREAS**, pursuant to Neb. Rev. Stat. § 23-2802, such County Board of Corrections shall comply with any rule prescribed by the Jail Standards Board pursuant to Neb. Rev. Stat. §§ 47-101 to 47-104; and,

**WHEREAS**, the Dakota County Board of Commissioners serves as the County Board of Corrections in Dakota County and pursuant to Neb. Rev. Stat. § 23-2802, has charge of the county jail and correctional facilities; and,

**WHEREAS**, the Dakota County Jail Administrator has advised the County Board that due to liability issues and cost effective measures, the old jail should be permanently closed effective April 16, 2012; and,

**WHEREAS**, the County Board wishes to permanently close the old jail due to liability issues and cost effective measures.

**THEREFORE, BE IT RESOLVED**, by the Dakota County Board of Commissioners that the County Board is hereby permanently closing the old jail effective April 16, 2012.

Resolved this *19TH* day of *MARCH*, 2012.

/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 adjourned the meeting of March 19, 2012 at 10:30 a.m.

County Board of Corrections

\_\_\_\_\_  
Richard (Rick) Bousquet, Chair

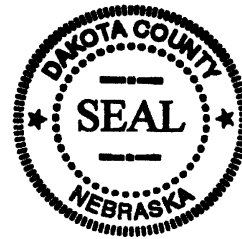
\_\_\_\_\_  
Date Chair signed

\_\_\_\_\_  
Cherie A. Conley, Deputy County Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_  
Theodore A. Piepho, County Clerk

\_\_\_\_\_  
Date entered in book



**Dakota County Board of Corrections**  
 Monday, April 2, 2012  
 Dakota County Courthouse  
 County Board Meeting Room Basement  
 Dakota City, NE 68731

Chair Bousquet called their meeting to order at 4:00 p.m. by all reciting the Pledge of Allegiance. The location of the Open Meetings Act was noted and Roll Call was taken. Present were Board Members Bousquet, Love, Rohde, McNear and Gomez, and Cherie Conley, Deputy County Clerk/Secretary. Absent were none. Also present were Joan Spencer, County Board Assistant, and Kim Watson, County Attorney.

The Agenda for the meeting was as follows:  
 This meeting was advertised to begin at 4:00 p.m.  
 This agenda is subject to change up until 24 hours before the start of the meeting.  
 The Board Chair reserves the right to modify the order of the agenda during the meeting.  
 The Board reserves the right to call for action on any agenda item.

- Open the meeting with the Pledge of Allegiance to the U.S. Flag
  - 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 the minutes of the previous meetings of March 5 and March 12, 2012.
- Terry Kern, County Jail Director.
  - Monthly Jail Report.
- Corrections Member Reports.
- Corrections Committee Report.
- Mail and/or Emergency Business.
- Public Comment.
- Adjournment.

Chair Bousquet called for the Agenda Item "Approve minutes of the previous meetings of March 5 and March 12, 2012". Board Member Love moved, seconded by Board Member Gomez to approve the minutes of the March 5 and March 12, 2012 meetings. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item "Terry Kern – County Jail Director, Monthly Jail Report". Terry Kern appeared before the Board and gave the following report for the month of March.

**JAIL REPORT**  
**APRIL 2, 2012**

Average Daily Population

*March:*

County Inmates	Federal Inmates	Juveniles	Total-In-House-Inmates
93	9	2	102

*2012 Calendar:*

County Inmates	Federal Inmates	Juveniles	Total-In-House-Inmates
85	8	3	93

*Fiscal:*

County Inmates	Federal Inmates	Juveniles	Total-In-House-Inmates
79	16	3	95

Federal Income

*March Marshal:* \$13,903.50

*March ICE:* \$4554.00

*Total Federal:* \$18,457.50

*Calendar Federal:* \$46,876.80

*Fiscal Marshal:* \$248,651.88

*Fiscal ICE:* \$39,199.28

*Fiscal Federal:* \$287,851.16

Per Diem Inmate Costs

<u>Jan</u>	<u>Feb</u>	<u>Mar</u>
\$68.15	\$62.91	\$53.54

Juvenile March Per Diem: \$110.60

The jail is 6% or \$114,253.40 under budget for the fiscal year and 11% or \$24,532.73 for the month of March.

We received a Safety Recall Notice from Ford concerning the 2005 Freestar we purchased. The problem revolves around possible worn splines in the transmission. This means that the vehicle will lose its forward and reverse gears. It can only be placed in the park position and this occurs without warning. Replacement parts will not be available until the second quarter of 2012. This means that the vehicle can only be safely used for short distance use.

I will leave for the jail conference tomorrow and have the needed assurances by Friday.

**Quarterly Income Fiscal 2011**

	<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>	<u>4<sup>th</sup></u>
United States Marshal Service	\$228,863.50	\$239,403.90	\$162,723.25	\$139,664.95
ICE Inmates	\$14,690.00	\$12,931.10	\$9,805.00	\$19,055.00
Inmate Phone Cards	\$4,234.40	\$5,392.82	\$4,809.69	\$ 5,604.86
Work Release	\$9,525.00	\$5,250.00	\$11,800.00	\$9,775.00
House Arrest	\$1,720.00	\$ -----	\$-----	\$-----
Fingerprints	\$135.00*	\$ -----	\$370.00	\$350.00
Housing Other Jurisdictions	\$ -----	\$ -----	\$2,451.98	\$-----
Miscellaneous	\$400.00	\$ 220.00	\$1,471.36	\$82,700.00
State Prisoner Reimbursement	\$48,800.00	\$ 48,264.60	\$-----	\$-----
SCAAP Reimbursement	\$28,863.00	\$-----	\$-----	\$-----
<b>Total</b>	<b>\$335,230.90</b>	<b>\$311,463.32</b>	<b>\$193,191.28</b>	<b>\$257,149.81</b>

TOTAL \$1,097,035.31

**Quarterly Income Fiscal 2012**

	<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>3<sup>rd</sup></u>	<u>4<sup>th</sup></u>
United States Marshal Service	\$131,735.46	\$81,183.97	\$35,868.95	
ICE Inmates	\$ 14,690.00	\$14,038.00	\$11,007.85	
Inmate Phone Cards	\$ 5,296.27	\$ 5,692.52	\$ 4,251.60*	
Work Release	\$ 7,200.00	\$ 8,660.00	\$10,125.00	
House Arrest	-----	-----	-----	
Fingerprints	\$ 270.00	\$ 230.00	\$ 250.00	
Housing Other Jurisdictions	-----	\$ 1,050.00	-----	
Miscellaneous	-----	-----	\$45,139.08	
SCAAP Reimbursement	-----	\$29,599.00	-----	
<b>Total</b>	<b>\$159,191.73</b>	<b>\$140,453.49</b>	<b>\$106,642.48</b>	

TOTAL \$406,287.70

Commissioner Rohde asked Mr. Kern what the fingerprint line item was. Mr. Kern advised that is for employers who require a fingerprint check for background checks and Friday afternoons is set for the public to come in and pay a fee of \$10.00. Mr. Kern also advised that Dakota County Jail is the only facility in the area that has an AFIS machine and can send reports electronically.

Chair Bousquet called for the Agenda Item "Correction Member Reports" and there were none.

Chair Bousquet called for the Agenda Item "Correction Committee Report" 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 "Public Comment" and there was none.

Chair Bousquet adjourned the meeting of April 2, 2012 at 4:08 p.m.

County Board of Corrections

Richard (Rick) Bousquet, Chair

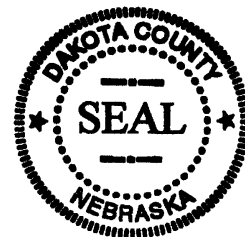
Date Chair signed

Cherie Conley, Deputy County Clerk

Date

Theodore A. Piepho, County Clerk

Date entered in book



**Dakota County Board of Corrections**  
Monday, April 16, 2012  
Dakota County Courthouse  
County Board Meeting Room Basement  
Dakota City, NE 68731

Chair Bousquet called their meeting to order at 4:02 p.m. The Pledge of Allegiance was recited and the location of the Open Meetings Act was noted. Roll Call was taken and present were Board Members Bousquet, Love, Rohde, McNear and Gomez and Cherie Conley, Deputy County Clerk/Secretary. Absent were none. Also present were Joan Spencer, Administrative Assistant to the Board, and Kim Watson, County Attorney.

The Agenda for the meeting was as follows:  
CALL TO ORDER  
PLEDGE OF ALLEGIANCE  
ROLL CALL – Excused Absence

*The Dakota County Board of Corrections reserves the right to adjust the order of items on this agenda if necessary.*

- 1. CONSENT AGENDA
  - a. Approval or correction of the previous minutes - April 2, 2012
- 2. NEW BUSINESS
  - a. Terry Kern, Director of Corrections. Jail Standards Report
- 3. CORRECTIONS COMMITTEE REPORTS
- 4. MAIL AND/OR EMERGENCY BUSINESS
- 5. PUBLIC COMMENT
- 6. ADJOURNMENT

*The next Board of Corrections meeting will be May 14, 2012.*

Chair Bousquet called for the Agenda Item #1 Consent Agenda: "a. Approval or correction of the previous minutes - April 2, 2012." Commissioner Love moved, seconded by Commissioner McNear to approve the minutes of the April 2, 2012 Corrections meeting. ROLL CALL VOTE: Love – Yea, Rohde – Yea, McNear – Yea, Gomez – Yea, and Bousquet – Yea. UNANIMOUS MOTION CARRIED.

Chair Bousquet called for the Agenda Item #2 New Business: "a. Terry Kern, Director of Corrections. Jail Standards Report." Terry Kern informed the Board of his meeting in Kearney and stated that the Jail Standards Board advised that a letter had previously been received notifying that Dakota County was approved for additional beds and that double bunks could be used. Mr. Kern advised that he is currently using 3 of the cells that could be double bunked as single for administrative and disciplinary segregation. Mr. Kern advised that he has authority to double bunk at any time and to remove to make single bunks as needed and total bunks would be 139.

Mr. Kern advised that the old jail would be officially closed on April 17, 2012 at 8:00 a.m. and the 3 inmates in the old jail would be moved to the new jail. In addition, the new Jail Standards Guidelines has taken effect and that has created some friction with law enforcement as some of the requirements have changed and the policies will be changing to reflect the new guidelines. Mr. Kern reported on some of the other topics covered at the Jail Standards seminar in Kearney regarding policies and training. Mr. Kern asked about the jail tour scheduled for today and Board Member Love commented that he would like to postpone the tour until the next meeting as he would like to tour the old jail as well as the new jail. All Board Members concurred.

Chair Bousquet called for the Agenda Item #3 Corrections Committee Reports and there were none. Chair Bousquet called for the Agenda Item #4 Mail and/or Emergency Business and there was none. Chair Bousquet called for the Agenda Item #5 Public Comment and there was none. Chair Bousquet adjourned the meeting of April 16, 2012 at 4:09 p.m.

County Board of Corrections

Richard (Rick) Bousquet, Chair

Date Chair signed

Cherie A. Conley, Deputy County Clerk/Secretary Date

Theodore A. Piepho, County Clerk Date entered in book

