

**Dakota County Board of Commissioners**  
Monday, August 29, 2016, at 3:02 P.M.  
County Board Meeting Room, First Floor  
Dakota County Courthouse, Dakota City, Nebraska

Chair Love called the meeting of the Board of Commissioners to order at 3:02 p.m. The location of the Open Meetings Act was noted. Roll Call was taken and present were Commissioners Love, McNear and Rohde. Absent: Gomez and Bousquet. Also present were Kim Watson, County Attorney and Joan Spencer, County Clerk, acting as secretary.

The agenda for this meeting was as follows:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL – Excused Absence

A current copy of the *Open Meetings Act* is posted on the west wall near the entrance of the County Board Meeting Room and is available for review by all citizens in attendance.

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

1. **CONSENT AGENDA** *Any individual item may be removed by a Commissioner for special discussion and consideration. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners.*
  - a. Approval of the previous minutes – August 15, 2016
  - b. Approval of payroll claims
  - c. Approval of accounts payable claims
  - d. Approval of Officials Reports
2. **NEW BUSINESS**
  - a. 3:05 p.m. Open and award bids for Gateway Drive asphalt project. Dakota County reserves the right to reject any and all bids, and to waive any or all technicalities and irregularities. Bidders must be approved by the Nebraska Department of Roads.
  - b. Devon Gurnett, Wellness Specialist, Mercy Business Health Services to present to the Board the Wellness Screening Aggregate Report and Employer Solutions for Dakota County 2016.
  - c. Sophie Vargas - requesting a special designated liquor license be approved for El Dorado Restaurant at a rodeo event sponsored by Noel Vargas dba Nowell LLC, to be held on Sunday, September 25, 2016, at the Old Crystal Lake area, South Sioux City, Nebraska, from 12 Noon to 11:30 p.m.
  - d. Andy Lux requesting Board approval to clean ditches on K Avenue 1.5 miles north of Hwy 35 and I Avenue .75 miles north and 1 mile south of Hwy 35 to address water drainage issues on Hwy 35 and surrounding farm ground.
  - e. Sheriff Kleinberg requesting board to approve Commissary Services Agreement between the Dakota County Correctional Facility and Trinity Services Group, Inc. for commissary services and inmate trust fund accounting system.
  - f. Sheriff Kleinberg requesting board to approve Jail Management System module to coordinate required data with the Law Enforcement Center.
  - g. Approve Resolution 16C-016 to approve final allocation of levy authority for Dakota County Ag Society.
  - h. Approve Resolution 16C-017 to approve final allocation of levy authority for Dakota County Historical Society.
  - i. Approve Resolution 16C-018 to approve final allocation of levy authority for Dakota-Covington Rural Fire District.
  - j. Approve Resolution 16C-019 to approve final allocation of levy authority for Emerson Rural Fire District.
  - k. Approve Resolution 16C-020 to approve final allocation of levy authority for Homer Rural Fire District.
  - l. South Sioux City Library Board member/s to request Dakota County insert a specific line item in the county budget of \$40,000 payable to the City of South Sioux City to allow the South Sioux City Library to extend library privileges to county residents outside the City of South Sioux City's municipal boundaries at no cost.
3. **MISCELLANEOUS**
  - a. Fred Kellogg, Highway Superintendent-Road Report
4. **COMMISSIONER COMMITTEE REPORTS**
5. **MAIL AND/OR EMERGENCY BUSINESS**
6. **PUBLIC COMMENT**
7. **ADJOURNMENT**

Chair Love moved, seconded by Commissioner Rohde, to excuse commissioners Bousquet and Gomez from today's meeting. ROLL CALL VOTE: McNear- yes, Rohde- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Chair Love called for approval of the Consent Agenda: (a) approval of the August 15, 2016, minutes (b) approval of payroll claims (c) approval of accounts payable claims and (d) approval of the Officials Reports submitted by County Clerk, Register of Deeds and Clerk of the District Court. Commissioner Rohde moved, seconded by Commissioner

McNear, to approve the consent agenda items. ROLL CALL VOTE: Rohde- yes, Love- yes, Gomez- absent, Bousquet- absent, McNear- yes. UNANIMOUS MOTION CARRIED.

**Payroll Claims: General Fund Employer:** Gross Salaries-\$145,090.87; Net Pay-\$101,205.59; Retirement-\$10,154.96; FICA-\$8,689.06; Medicare-\$2,032.80; Health Plan-\$20,113.96; Dental Plan-\$930.38; Life Insurance-\$188.76; Richard Bousquet-\$862.60; Antonio Gomez-\$1,062.60; Scott Love-\$908.75; Richard McNear-\$862.60; William Rohde-\$862.60; Joan Spencer-\$2,144.70; Cherie Conley-\$1,435.02; Mary C Wiltgen-\$1,344.00; Kathy Abbe-\$984.80; Marisol Curiel-\$1,118.40; Stephanie Gatzemeyer-\$1,111.20; Robert Giese-\$2,144.70; Jalissa Hattig-\$826.88; Jolene Heinemann-\$1,407.73; Alondra Perez \$861.00; Debera Benton \$1,060.00; Christy Abts-\$1,478.91; Jeff Curry-\$2,144.70; Rita Deichert-\$1,009.47; Jalissa Hattig \$206.72; Arnold Mellick-\$249.47; Phyllis Obermeyer-\$2,144.70; Cheryl Perkins-\$1,394.05; Louvontree Hunter-\$2,633.29; Debra Jensen-\$1,416.80; Katherine Wiltgen-\$1,117.60; Richard Jensen-\$1,665.73; Katherine Wiltgen-\$335.36; Tammy Dunn-Peterson-\$1,052.01; Sergio Castillo-\$2,133.24; Timothy Decker-\$2,202.85; Brian Ellinger-\$2,282.44; Penny Epting-\$2,033.11; Brian Fernau-\$1,783.08; Brent Gilster-\$2,510.00; Martin Guerrero-\$1,965.96; Todd Hammer-\$2,566.91; Zachary Hanish-\$1,854.16; Richard Hansen-\$2,183.15; Melvin Harrison III-\$2,505.56; Jason James-\$2,120.76; Douglas Johnson-\$2,121.99; Kimberly Johnson-\$458.44; Jared Junge-\$2,371.46; Jaime Keatts-\$349.92; Christopher Kleinberg-\$2,339.58; Jaleesa Nelson \$831.00; Kevin Rohde-\$2,032.63; Randall Walsh-\$2,122.04; Samantha Hargrave-\$1,730.77; Katie Lehmann-\$1,080.00; Marisa Nelson-\$897.00; Lisa Olsen-\$1,240.00; Debra Schmiadt-\$3,019.23; Kimberly Watson-\$3,348.73; Melinda Wicks-\$1,910.58; Jacob Acero-\$1,750.34; Shaun Bird-\$1,445.64; Thomas Boyd \$1,371.80; Rebecca Broer-\$1,690.34; Kacie Brown-\$1,490.16; Elisabet DeRoin-\$1,556.52; Jesse Doelle-\$1,482.40; Marjorie Donahue-\$1,609.66; Matthew Emery-\$1,233.96; Joseph Erickson-\$1,490.16; Nathaniel Eriksen-\$1,497.72; Tyler Fulkerth-\$1,469.16; Kara Groetken-\$1,518.72; Alma Gunderson-\$1,581.72; Deanna Haukap-\$1,556.52; Adam Hough-\$1,704.26; Stephanie Jensen-\$1,518.72; Michelle Jones-\$1,506.77; Brenda Kelly-\$1,562.49; Mark Nelson-\$1,613.47; Gregory Nyhof-\$1,763.72; Kimberly Peterson-\$1,561.21; Michele Rohde-\$1,120.00; Linda Schovanec-\$1,912.32; Jennifer Svendsen-\$1,563.04; Taylor Tadlock-\$1,224.96; Robert Tarno-\$1,518.72; Danielle Thibodeau-\$1,233.96; Jewel Williams-\$1,657.13; Cara Wood-\$1,482.40; Deanna Beckman-\$1,713.85; Jolene Gubbels-\$1,280.00; Fred Kellogg-\$375.00; Leon Pies-\$1,461.60; Theresa Grove-\$1,800.00; Tiffany Hansen-\$1,923.08; Bonnie Kahler-\$912.10; Yesica Saldana Cisneros-\$192.00; Willard Johnston-\$1,904.27; **General Fund Employee:** Federal Tax-\$14,620.67; State Tax-\$4,991.16; FICA-\$8,689.06; Medicare-\$2,032.08; Retirement-\$6,894.91; Health Plan-\$1,850.00; Dental Plan-\$672.00; Colonial Health-\$434.17; Sheriff Union Dues-\$465.00; Colonial Life/Disability-\$116.90; Deferred Comp-\$948.03; Garnishments-\$156.01; Flex Plan Medical-\$1,231.92; Flex Plan Dependent Care-\$325.00; VSP Vision-\$458.37; **Road Fund Employer:** Gross Salaries-\$19,635.23; Net Pay-\$13,714.19; Retirement-\$1,325.40; FICA-\$1,177.46; Medicare-\$275.37; Health Plan-\$2,850.00; Dental Plan-\$130.32; Life Insurance-\$28.46; Brent Byroad-\$1,569.60; Kevin Chambers-\$1,465.60; Ryan Chambers-\$1,465.60; Richard Franks-\$1,385.60; Robert Hacker-\$1,477.60; Lance Jacobsen-\$1,465.60; Scott Jorgenson \$1,447.28; Fred Kellogg-\$1,910.35; David Kneiff-\$1,465.60; Kimon Litras-\$1,513.60; Arnold Mellick-\$1,525.60; Dean Pallas-\$1,477.60; Matthew Roost \$1,465.60; **Road Fund Employee:** Federal Tax-\$1,887.90; State Tax-\$645.22; FICA-\$1,177.46; Medicare-\$275.37; Retirement-\$883.57; Health Plan-\$400.00; Dental Plan-\$84.00; Colonial Health-\$108.65; Garnishments-\$222.47; Flex Plan Medical-\$46.88; Road Union Dues-\$140.00; VSP Vision-\$49.52; **Health Planning Grant Employer:** Gross Salaries-\$991.25; Net Pay-\$801.46; Retirement-\$66.91; FICA-\$61.46; Medicare-\$14.37; Health Plan-\$237.50; Dental Plan-\$10.86; Life Insurance-\$2.25; Jennifer Ankerstjerne-\$991.25; **Health Planning Grant Employee:** Federal Tax-\$46.20; State Tax-\$23.15; FICA-\$61.46; Medicare-\$14.37; Retirement-\$66.91; **Minority Health Grant Employer:** Gross Salaries-\$1,717.75; Net Pay-\$1,451.65; Retirement-\$103.32; FICA-\$106.20; Medicare-\$24.84; Health Plan-\$475.00; Dental Plan-\$21.72; Life Insurance-\$4.50; Olga Ajpacaja-Tax-\$771.75; Mohamud Ibrahim-\$187.00; Yesica Saldana Cisneros-\$759.00; **Minority Health Grant Employee:** Federal Tax-\$37.56; State Tax-\$23.88; FICA-\$106.20; Medicare-\$24.84; Retirement-\$68.89; VSP Vision-\$4.73; **Juvenile Services Aid Employer:** Gross Salaries-\$1,766.98; Net Pay-\$1,037.29; Retirement-\$125.48; FICA-\$86.55; Medicare-\$20.24; Health Plan-\$323.54; Dental Plan-\$14.44; Life Insurance-\$2.25; Sarah Anderson Deck-\$1,145.75; Penny Epting \$621.23; **Juvenile Services Aid Employee:** Federal Tax-\$124.81; State Tax-\$41.36; FICA-\$86.55; Medicare-\$20.24; Retirement-\$85.73; Health Plan-\$350.00; Dental Plan-\$21.00.

**Accounts Payable Claims: General:** Tax Valuation Inc.-BOE Referee, \$45,500; **Road:** S Jans Excavation-Road Maint, \$3900.00; and **Visitor Promo:** So Sioux City Chamber-lodging tax, \$21,264.72.

Devon Gurnett, Wellness Specialist at Mercy Business Health Services, presented the Wellness Screening Aggregate Report and Employer Solutions information to the Board from the 2016 wellness screening in July. Mr. Gurnett reported that participation increased and the county saw improvement in all aspects of health from 2015 except for diabetes risk. The top areas of concern are weight management and diabetes.

The bids for the Gateway Drive asphalt project for patching and overly of 2" new surface and leveling for an approximate length of 2000' and 21' wide by completion date of October 31, 2016, were as follows: Barkley Asphalt, Sioux City, Iowa--\$39,450.00; Knife River Midwest, Sioux City, Iowa--\$43,123.10 and Frank's Asphalt, Inc., of Sioux City, Iowa--\$44,725.00. Commissioner Rohde moved, seconded by Commissioner McNear, to refer the bids to the Road Committee and that the Road Committee award the bid. ROLL CALL VOTE: Love- yes, Gomez- absent, Bousquet- absent, McNear- yes, Rohde- yes. UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner McNear, to approve a special designated liquor license for El Dorado Restaurant at the rodeo event sponsored by Noel Vargas dba Nowell LLC to be held on Sunday, September 25<sup>th</sup> during the hours of 12 Noon to 10 p.m. and off-duty county sheriff deputies used as security. ROLL CALL VOTE: Love- yes, Gomez- absent, Bousquet- absent, McNear- yes, Rohde- yes. UNANIMOUS MOTION CARRIED.

Andy Lux, Hubbard, appeared before the board regarding the use of county road ditches on K and I Avenues to be used to carry water from the north to the south dike area for the purpose of draining surrounding farm ground in conjunction with using Hwy 35 ditch drainage. There are 23 people involved and 5,000 acres of farm ground. Mr. Lux has talked to the Department of Environmental Quality, the Department of Roads, the Natural Resource District, the Corps of Engineers and Rural Conservation Service. The Board supported the idea of draining the water from the farm ground, but would like to meet with the entities and land owners involved to pursue a solution and ascertain county ditch depth and grade to move forward with the project.

Commissioner Rohde moved, seconded by Commissioner McNear, to approve the Commissary Services Agreement between the Dakota County Correctional Facility and Trinity Services Group for commissary services and inmate trust fund accounting system at a commission rate of 19%. ROLL CALL VOTE: McNear- yes, Rohde- yes, Love- yes, Gomez- absent, Bousquet- absent. UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner McNear, to approve the purchase of a Jail Management System module to coordinate required inmate data with the Law Enforcement Center. ROLL CALL VOTE: Rohde- yes, Love- yes, Gomez- absent, Bousquet- absent, McNear- yes. UNANIMOUS MOTION CARRIED.

Chair Love moved, seconded by Commissioner Rohde, to approve Resolution 16C-016 setting the final allocation of levy authority for the Dakota County Ag Society at 0.007915. ROLL CALL VOTE: Love- yes, Gomez- absent, Bousquet- absent, McNear- yes, Rohde- yes. UNANIMOUS MOTION CARRIED.

**RESOLUTION 016C-016**

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	\$ 95,000.00	\$ 95,000.00	.005570
Capital Improvement	<u>40,000.00</u>	<u>40,000.00</u>	<u>.002345</u>
Total	\$135,000.00	\$135,000.00	.007915

\*Levy Allocation is the rate per \$100 valuation.

Passed and adopted this 29<sup>th</sup> day of August, 2016.

Commissioner Rohde moved, seconded by Commissioner McNear, to approve Resolution 16C-017 setting the final allocation of levy authority for the Dakota County Historical Society at 0.001676. ROLL CALL VOTE: McNear- yes, Rohde- yes, Love- yes, Gomez- absent, Bousquet- absent. UNANIMOUS MOTION CARRIED.

**RESOLUTION 016C-017**

Whereas, Nebraska Revised Statute 77-3443(3) provides that miscellaneous subdivisions are subject to levy allocation by the County Board; and,

Whereas, the miscellaneous subdivision has 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	28,591	28,591	.001676

\*Levy Allocation is the rate per \$100 valuation.

Passed and adopted this 29<sup>th</sup> day of August, 2016.

Commissioner McNear moved, seconded by Commissioner Rohde, to approve Resolution 16C-018 setting the final allocation of levy authority for the Dakota-Covington Rural Fire Protection District at 0.026979. ROLL CALL VOTE: Rohde- yes, Love- yes, Gomez- absent, Bousquet- absent, McNear- yes. UNANIMOUS MOTION CARRIED.

**RESOLUTION 16C-018**

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 Dakota-Covington Rural Fire Protection District 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*
Dakota-Covington Rural Fire Protection District			
General Fund	\$83,139.71	\$83,139.71	.020234
Sinking Fund	<u>27,713.24</u>	<u>27,713.24</u>	<u>.006745</u>
TOTAL	110,852.95	110,852.95	.026979

\*Levy Allocation is the rate per \$100 valuation.

Passed and adopted this 29<sup>th</sup> day of August, 2016.

Commissioner McNear moved, seconded by Commissioner Rohde, to approve Resolution 16C-019 setting the final allocation of levy authority for the Emerson Rural Fire Protection District at 0.020956. ROLL CALL VOTE: Love- yes, Gomez- absent, Bousquet- absent, McNear- yes, Rohde- yes. UNANIMOUS MOTION CARRIED.

**RESOLUTION 16C-019**

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 Emerson Rural Fire Protection District 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*
Emerson Rural Fire Protection District			
General Fund	\$43,629.00	\$43,629.00	0.010992
Sinking Fund	<u>39,548.00</u>	<u>39,548.00</u>	<u>0.009964</u>
TOTAL	\$83,177.00	\$83,177.00	0.020956

\*Levy Allocation is the rate per \$100 valuation.

Passed and adopted this 29<sup>th</sup> day of August, 2016.

Commissioner Rohde moved, seconded by Commissioner Bousquet, to approve Resolution 16C-020 setting the final allocation of levy authority for the Homer Fire Protection District #1 at 0.016793. ROLL CALL VOTE: McNear- yes, Rohde- yes, Love- yes, Gomez- absent, Bousquet- absent. UNANIMOUS MOTION CARRIED.

**RESOLUTION 16C-020**

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	\$38,233.06	\$38,233.06	0.014949
Sinking Fund	<u>4,715.78</u>	<u>4,715.78</u>	<u>0.001844</u>
	\$42,948.84	\$42,948.84	0.016793
			TOTAL

\*Levy Allocation is the rate per \$100 valuation.

Passed and adopted this 29<sup>th</sup> day of August, 2016.

Sally Reinert, South Sioux City Library Board member, appeared before the Commissioners to request Dakota County budget \$40,000 payable to the City of South Sioux City to allow patrons of the South Sioux City Library living outside municipal boundaries to use the Library at no cost. Of the 8600 current members approximately 3000 reside outside the City and will be required to purchase a library card at a cost yet to be determined. Commissioners Love and Rohde

responded that they would love to continue the funding, but the County is facing budget constraints and will not be able to continue the contribution.

Chair Love gave the following road report for the weeks of August 14 to August 27, 2016: 298.5 hours total road maintenance; 49.5 hours tree/debris removal (22 hours in Homer); 259 hours on shop project, 1131 tons of gravel hauled; 28 hours signage and barricading. Grade and gravel on M Avenue road concern.

Commissioner Committee Reports – Commissioner McNear stated there will be a tire recycling event at the West Point fairgrounds on September 19<sup>th</sup>. Commissioner McNear stated the Missouri River cleanup event is currently postponed due to lack of insurance coverage. Chair Love reported there was a budget committee meeting with Department Heads regarding budget cuts, possible hiring freeze and reduction in hours.

Mail or emergency business – Chair Love read a letter from City of South Sioux City regarding a public hearing to be held on Monday, September 12, 2016, at 5:00 p.m. in the City Council Chambers regarding Blight & Substandard determination within the corporate limits of the City of South Sioux City – Northeast Redevelopment Area.

Public Comment: Larry Albenesius wanted to know what the difference between a county vs. private road and maintenance provided. Has there been a cost study to determine the cost to bring all county roads and ditch depths up to standard?

Chair Love adjourned the Board of Commissioners meeting of August 29, 2016, at 4:31 p.m.

Dakota County Board of Commissioners

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Chair, Scott Love

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

\_\_\_\_\_  
Joan Spencer, County Clerk

\_\_\_\_\_  
Date

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Date entered in book