

Dakota County Board of Commissioners
Monday, July 31, 2017 at 3:02 p.m.
County Board Meeting Room, First Floor
Dakota County Courthouse, Dakota City, Nebraska

Chair Love called the Board of Commissioners meeting to order at 3:02 p.m. Roll Call was taken: Love, Gomez, K. Rohde, Hohenstein and B. Rohde were present. Absent: None. Also present were Kim Watson, County Attorney and Joan Spencer, County Clerk, acting as secretary. Chair noted the location of the Open Meetings Act.

The agenda for the 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 – July 17, 2017
 - b. Approval of payroll claims
 - c. Approval of accounts payable claims if applicable
2. NEW BUSINESS
 - a. Andrew Forney, D.A. Davidson & Co., requesting board approval of Resolution 17C-012 to authorize a NACO lease purchase with D. A. Davidson for Sheriff Department radio equipment in the principal amount not to exceed \$205,000.
 - b. Kim Bovee, Victims Assistance Coordinator, to present the 2017-18 budget requested to the Board of Victims of Crime (VOCA) for board discussion.
 - c. Barb Otto, O'Neill, Nebraska, to request the Board display the national motto – “In God We Trust” in the Dakota County courthouse.
 - d. Herman Frese, 913 W 3rd Street, South Sioux City, to address the Board with concerns regarding the referee who heard his property valuation protest and concerns regarding the County Assessor.
3. MISCELLANEOUS
 - a. Fred Kellogg, Highway Superintendent – Road Report
 - b. Approve Resolution 17C-010 to provide for Chair to sign Project Program Agreement for 2017 Fracture Critical Bridge Inspection and load re-rating (if necessary) for the Federal-aid project between Dakota County and Nebraska Department of Roads.
 - c. Approve Resolution 17C-011 - 911 fund name change to establish uniformity with State Auditor's Office
 - d. Approve Amendment for the Subgrant Agreement between Dakota County and the Department of Health and Human Services (DHHS) Child Support Enforcement (CSE) Program for October 1, 2017, to September 30, 2018. The Amendment extends the current agreement for the work of the Clerk of District Court as it relates to Child Support Enforcement and also offers a mechanism for DHHS to provide reimbursement for child support related work.
 - e. Board to approve an annual consanguinity permit for Micah and Connie Larson as recommended by the Planning Commission.
 - f. County Board shall make quarterly visit to county jail. § 47-109
4. COMMISSIONER COMMITTEE REPORTS
5. MAIL AND/OR EMERGENCY BUSINESS
6. PUBLIC COMMENT
7. ADJOURNMENT

Chair Love called for approval of the consent agenda: (1) approval of the previous minutes – July 17, 2017; (2) approval of payroll claims (3) approval of accounts payable claims. Chair noted the payroll claims contained a pay increase for Michele Rohde and the County Board previously approved a pay freeze. Sheriff Kleinberg explained that he had offered Ms. Rohde a pay increase upon one year of employment at her hire date per certain conditions and she has met those conditions and felt obligated to honor that offer. Commissioner Gomez moved, seconded by Commissioner B. Rohde, to approve the consent agenda including a pay raise for Michele Rohde. ROLL CALL VOTE: Gomez- yes, Hohenstein- yes, B. Rohde- yes, Love- yes, K. Rohde- yes. UNANIMOUS MOTION CARRIED.

Payroll Claims: General Fund Employer: Gross Salaries-\$140,039.05; Net Pay-\$96,691.63; Retirement-\$9,767.54; FICA-\$8,398.97; Medicare-\$1,964.29; Health Plan-\$18,905.00; Dental Plan-\$ 886.18; Life Insurance-\$ 203.24; Antonio Gomez-\$1,079.86; Martin Hohenstein-\$1,079.86; Scott Love-\$ 926.01; Kevin Rohde-\$ 879.86; William Rohde-\$ 879.86; Cherie Conley-\$1,463.72; Laura Salinas-\$1,232.25; Joan Spencer-\$2,187.59; Kathy Abbe-\$1,009.60; Marisol Curiel-\$1,145.60; Stephanie Gatzemeyer-\$1,138.40; Robert Giese-\$2,187.59; Jalissa Hattig-\$ 959.31; Jolene Heinemann-

\$1,435.88; Alondra Perez-\$ 871.64; Debera Benton-\$1,081.60; Christy Abts-\$1,508.49; Jeff Curry-\$2,187.59; Rita Deichert-\$ 802.20; Joseph O'Neil-\$ 250.00; Phyllis Obermeyer-\$2,187.59; Cheryl Perkins-\$1,137.28; Louvontree Hunter-\$2,685.96; Debra Jensen-\$1,444.80; Katherine Wiltgen-\$1,140.00; Chance Engel-\$1,239.00; Laura Salinas-\$ 372.00; Tammy Dunn-Peterson-\$1,188.49; Briggs, Russell-\$ 0.00; Sergio Castillo-\$2,058.38; Timothy Decker-\$2,249.72; Brian Ellinger-\$2,123.20; Penny Epting-\$2,033.10; Brian Fernau-\$1,828.80; Brent Gilster-\$2,008.00; Martin Guerrero-\$1,927.82; Zachary Hanish-\$1,851.66; Richard Hansen-\$2,133.23; Melvin Harrison III-\$2,090.08; Jason James-\$2,058.20; Douglas Johnson-\$2,185.65; Kimberly Johnson-\$ 366.75; Jared Junge-\$2,096.80; Jaime Keatts-\$ 0.00; Christopher Kleinberg-\$2,386.37; Jaleesa Nelson-\$ 960.00; Kevin Rohde-\$2,550.25; Samantha Hargrave-\$1,826.00; Katie Lehmann-\$1,120.00; Lisa Olsen-\$1,352.00; Debra Schmiedt-\$3,100.00; Kimberly Watson-\$3,415.70; Melinda Wicks-\$1,961.54; Jacob Acero-\$1,647.34; Shaun Bird-\$1,469.16; Thomas Boyd\$1,233.96; Rebecca Broer-\$1,601.37; Kacie Brown-\$1,518.72; Elisabet DeRoin-\$1,556.52; Jesse Doelle-\$1,482.40; Joseph Erickson Jr.-\$ 644.88; Nathaniel Eriksen-\$1,539.39; Tyler Fulkerth-\$1,497.72; Kara Groetken-\$1,564.92; Alma Gunderson-\$1,581.72; Hammer, Todd-\$2,110.86; Deanna Haukap-\$1,556.52; Adam Hough-\$1,680.40; Stephanie Jensen-\$1,543.92; Michelle Jones-\$1,543.92; Brenda Kelly-\$1,589.07; Mark Nelson-\$1,661.87; Gregory Nyhof-\$1,657.04; Kimberly Peterson-\$1,556.52; Michele Rohde-\$1,959.00; Jennifer Svendsen-\$1,694.23; Taylor Tadlock-\$1,463.64; Robert Tarno-\$1,564.92; Danielle Thibodeau-\$1,466.64; Ashly Verzani-\$1,233.96; Randy Walsh-\$2,185.70; Jewel Williams-\$1,671.81; Deanna Hagberg-\$1,826.00; Jolene Gubbels-\$1,305.60; Fred Kellogg-\$ 375.00; Leon Pies-\$1,491.20; Theresa Grove-\$1,836.00; Tiffany Hansen-\$2,307.69; Bonnie Kahler-\$ 863.85; Natasha Ritchison-\$1,040.00; Yesica Saldana Cisneros-\$ 198.72; Willard Johnston-\$1,931.59; **General Fund Employee:** Federal Tax-\$14,031.11; State Tax-\$4,739.80; FICA-\$10,363.26; Medicare-\$1,964.29; Retirement-\$6,631.27; Health Plan-\$1,900.00; Dental Plan-\$ 651.00; Colonial Health-\$ 419.68; Sheriff Union Dues-\$ 465.00; Colonial Life/Disability-\$ 116.90; Deferred Comp-\$1,891.68; Garnishments-\$ 456.01; Flex Plan Medical-\$1,095.58; Flex Plan Dependent Care-\$ 125.00; VSP Vision-\$ 404.82; Legal Shield-\$ 56.31; **Road Fund Employer:** Gross Salaries-\$16,792.55; Net Pay-\$11,407.73; Retirement-\$1,133.52; FICA-\$1,004.09; Medicare-\$ 234.83; Health Plan-\$2,612.50; Dental Plan-\$ 119.46; Life Insurance-\$ 28.05; Brent Byroad-\$1,569.60; Kevin Chambers-\$1,465.60; Ryan Chambers-\$1,465.60; Robert Hacker-\$1,489.60; Lance Jacobsen-\$1,465.60; Scott Jorgenson-\$1,465.60; Fred Kellogg-\$1,948.55; David Kneifl-\$1,465.60; Kimon Litras-\$1,513.60; Dean Pallas-\$1,477.60; Matthew Roost-\$1,465.60; **Road Fund Employee:**; Federal Tax-\$1,742.85; State Tax-\$ 542.39; FICA-\$1,238.92; Medicare-\$ 234.83; Retirement-\$ 755.64; Health Plan-\$ 400.00; Dental Plan-\$ 84.00; Colonial Health-\$ 65.66; Garnishments-\$ 222.47; Flex Plan Medical-\$ 25.00; Road Union Dues-\$ 225.00; VSP Vision-\$ 55.01; Legal Shield-\$ 27.88; **Health Planning Grant Employer:** Gross Salaries-\$ 990.20; Net Pay-\$ 784.29; Retirement-\$ 66.84; FICA-\$ 61.39; Medicare-\$ 14.36; Health Plan-\$ 237.50; Dental Plan-\$ 10.86; Life Insurance-\$ 2.55; Jennifer Ankerstjerne-\$ 990.20; **Health Planning Grant Employee:** Federal Tax-\$ 45.72; State Tax-\$ 22.93; FICA-\$ 75.75; Medicare-\$ 14.36; Retirement-\$ 44.56; **Minority Health Grant Employer:** Gross Salaries-\$ 991.36; Net Pay-\$ 827.17; Retirement-\$ 53.65; FICA-\$ 61.17; Medicare-\$ 14.31; Health Plan-\$ 237.50; Dental Plan-\$ 10.86; Life Insurance-\$ 2.55; Ibrahim, Mohamud-\$ 196.48; Yesica Saldana Cisneros-\$ 794.88; **Minority Health Grant Employee:** Federal Tax-\$ 32.26; State Tax-\$ 15.95; FICA-\$ 75.48; Medicare-\$ 14.31; Retirement-\$ 35.77; VSP Vision-\$ 4.73; **Juvenile Services Aid Employer:** Gross Salaries-\$1,206.50; Net Pay-\$ 675.38; Retirement-\$ 81.44; FICA-\$ 51.80; Medicare-\$ 12.11; Health Plan-\$ 237.50; Dental Plan-\$ 10.86; Life Insurance-\$ 2.55; Sarah Anderson Deck-\$1,206.50; **Juvenile Services Aid Employee:** Federal Tax-\$ 29.28; State Tax-\$ 12.64; FICA-\$ 63.91; Medicare-\$ 12.11; Retirement-\$ 54.29; Health Plan-\$ 350.00; Dental Plan-\$ 21.00.

Accounts Payable Claims. General Fund: NPPD, electricity- 2,943.53. **Visitor Promotion Fund:** SSC Chamber of Commerce, lodging tax- 15,192.21.

Andrew Forney, D. A. Davidson & Co., presented the NACO lease purchase for radio equipment in the principle amount not to exceed \$205,000 for 7 years and interest under 2%. Commissioner B. Rohde moved, seconded by Commissioner Gomez, to approve Resolution 17C-012 to authorize a NACO lease purchase with D. A. Davidson for Sheriff Department radio equipment in the principle amount not to exceed \$205,000. ROLL CALL VOTE: K. Rohde- yes, Hohenstein- yes, B. Rohde- yes, Love- yes, Gomez- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION NO. 17C-012

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-way radios and related equipment by the County through a Lease-Purchase Agreement with NACO Leasing Corporation. The Lease-Purchase Agreement shall be in the form presented at this meeting and include the following terms, with such changes as are deemed reasonable or necessary by the Chair of the Board of Commissioners.

1. Principle Amount: not to exceed \$205,000
2. Interest Rate: not to exceed 2.00%
3. Term: not longer than 7 years from the Date of Closing to the final payment
4. Payment Amount and Frequency: approximately level rental payments semi-annually

Settlement and closing of the Lease-Purchase Agreement shall be on such date as determined by the Chair or Vice Chair of the Board of Commissioners. 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; and

BE IT FURTHER RESOLVED, that the Tax-Exempt Financing Compliance Procedure presented to the Board is hereby adopted and approved,

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. This Resolution may be executed by electronic transmission and shall be regarded as an original.

PASSED: July 31, 2017, at Dakota City, Dakota County, Nebraska.

Kim Bovee, Victims Assistance Coordinator, presented the 2017-19 budget for a 21-month (October 1, 2017 to June 30, 2019) time frame to coordinate a July 1 to June 30 budget year for \$179,609.

Barb Otto is traveling the state of Nebraska requesting courthouses to display the national motto—"In God We Trust." After discussion was had, the Chair requested the option to display the national motto be placed on the next agenda for board action.

Herman Frese, 913 W 3rd Street, South Sioux City, addressed the Board with concerns regarding the Tax Valuation, Inc. referee who heard his protest and concerns regarding the County Assessor. He would like the Board to investigate his concerns. He presented exhibits associated with his property protest. Chair stated a couple of Commissioners would meet with the Assessor and contact Mr. Frese.

Fred Kellogg, Highway Superintendent, presented the Road Maintenance Report for July 16 - 29, 2017. Total road maintenance- 245 hours; bridge maintenance- 45.5 hours; Wagle Creek project- 254 hours; 752.2 tons of gravel hauled- 67 hours; signs/barricading- 25.5 hours and spraying- 6 hours. Two grading road concerns.

Commissioner Gomez moved, seconded by Commissioner K. Rohde, to approve Resolution 17C-010 to provide for chair to sign Project Program Agreement for 2017 Fracture Critical Bridge Inspection and load re-rating (if necessary) for the Federal-aid project between Dakota County and Nebraska Department of Roads. ROLL CALL VOTE: Hohenstein- yes, B. Rohde- yes, Love- yes, Gomez- yes, K. Rohde- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION NO. 17C-010

SIGNING OF THE PROJECT PROGRAM AGREEMENT 2017 FRACTURE CRITICAL BRIDGE INSPECTION

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: Dakota County 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 projects;

WHEREAS: Dakota County and the NDOR wish to enter into a Program Agreement to provide for fracture critical bridge inspection and load re-rating (if necessary) services for the Federal-aid project.

BE IT RESOLVED: by the Board of Commissioners of Dakota County that:

Chair of the Dakota County Board of Commissioners is hereby authorized to sign the attached Project Program Agreement between Dakota County and the NDOR.

Dakota County is committed to providing local funds for the project as required by the Project Program Agreement.

NDOR Project Number: STP-NBIS(110) & NBIS(108)

NDOR Control Number: 00953A & 00958A

NDOR Project Name: 2017 Fracture Critical Bridge Inspection

Adopted this 31st day of July, 2017, at Dakota City, Nebraska.

Commissioner B. Rohde moved, seconded by Commissioner Gomez, to approve Resolution 17C-011 to change 911 fund name from 5907 Emergency Services to 2910 911 Emergency Management to establish uniformity with State Auditor's Office. ROLL CALL VOTE: B. Rohde- yes, Love- yes, Gomez- yes, K. Rohde- yes, Hohenstein- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 17C-011

ESTABLISH UNIFORMITY IN BUDGET FUND NAME AND NUMERICAL CODES

WHEREAS, the Dakota County Board of Commissioners wish to comply with the Nebraska State Auditors' Office regarding fund nomenclature and numbering.

BE IT RESOLVED by the County Commissioners of Dakota County, Nebraska, to establish a newly created separate fund known as the 911 Emergency Management Fund 2910 effective immediately and all years thereafter as long as said fund is necessary.

THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Dakota County, NE, that all funds currently in the E-911 Emergency Services Fund 5907 be immediately transferred to the 911 Emergency Management Fund 2910.

Passed and adopted this 31st day of July, 2017.

Commissioner Love moved, seconded by Commissioner Hohenstein, to approve Amendment for the Subgrant Agreement between Dakota County and the Department of Health and Human Services (DHHS) Child Support Enforcement (CSE) Program for October 1, 2017, to September 30, 2018, and to extend the current agreement for the work of the Clerk of District Court as it relates to Child Support Enforcement and reimbursement for child support related

work. ROLL CALL VOTE: Love- yes, Gomez- yes, K. Rohde- yes, Hohenstein- yes, B. Rohde- yes. UNANIMOUS MOTION CARRIED.

Commissioner Hohenstein moved, seconded by Commissioner B. Rohde, to approve an annual consanguinity permit for Micah and Connie Larson as approved the Planning Commission. ROLL CALL VOTE: Gomez- yes, K. Rohde- yes, Hohenstein- yes, B. Rohde- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Committee Reports were given by Commissioner Hohenstein on the Veterans Oversight Committee; Chair Love on the LEC committee and Budget committee; Commissioner Gomez on his meeting with Senator Albrecht and Commissioner K. Rohde on the Health Board meeting.

No mail or emergency business.

Public comment. Ron Hartnett asked if the Board had negotiated a new fee for our cost share on the Law Enforcement Center with the City of South Sioux City.

The Board made their quarterly tour of the county jail. (4:02 p.m.)

Chair Love adjourned the Board of Commissioners meeting of July 31, 2017 at 4:20 p.m.

Dakota County Board of Commissioners

Scott Love, Chair

Date signed

Joan Spencer, County Clerk

Date

Date entered in book