

Dakota County Board of Commissioners
Monday, August 14, 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 31, 2017
 - b. Approval of payroll claims
 - c. Approval of accounts payable claims if applicable
 - d. Approval of Quarterly Officials Reports—Sheriff, Veterans
 - e. Approval of Understanding of Services for Romans, Wiemer & Associates to provide an audit for year ended June 30, 2017.
2. NEW BUSINESS
 - a. 3:05 Open bids and award bid for 250 variable horsepower, all wheel motor grader.
 - b. 3:10 p.m. Public Hearing for the purpose of hearing support of or protest against issuance of a Class I Beer, Wine, Distilled Spirits, On Sale Only, liquor license to The Koffie Knechtion, 419 Golf Road, South Sioux City, NE.
 - c. Board to approve or deny the issuance of a Class I (Beer, Wine, Distilled – on sale only) liquor license to The Koffie Knechtion.
 - d. Andrew Forney, D. A. Davidson, discussion of refunding Highway Allocation Fund Pledge Bonds.
 - e. Sophi & Noel Vargas requesting the board have Chair sign paperwork to change the previously approved date of Saturday, September 2, to Sunday, September 3 (Labor Day Weekend) for a Special Designated Liquor License for a rodeo event held at 152nd Street, Crystal Lake area, Section 36, Township 29N, Range 8E.
 - f. Kevin Petersen, requesting a time and date be set for a public hearing and that the county board proceed with vacating/closing Lynch Avenue – minimum maintenance portion. The required petition is on file with the County Clerk. §39-1723, as amended. County Board approve to direct county highway superintendent to study the use being made of Lynch Avenue and to submit in writing to the county board within 30 days, a report and his recommendation as to vacation or abandonment thereof. §39-1722
3. MISCELLANEOUS
 - a. Fred Kellogg, Highway Superintendent – Road Report
 - b. Approve Chair to sign Annual Certification Form for July 1, 2016, to June 30, 2017, regarding the use of Highway Street Buyback Program funds (STP) and Highway Bridge Buyback Program funds (HBP).
 - c. Sheriff Kleinberg – Jail Report (July)
 - d. Sheriff Kleinberg and FiberComm Jeff Zyzda, Director of Operations & Engineering, requesting board approve an agreement with FiberComm to engage in a partnership venture to deploy a communications tower structure at 1601 Broadway Street, Dakota City, for both public and commercial use.
 - e. Captain Walsh, present Distress Warrants Report showing the total amount collected on current distress warrants and the amount remaining uncollected. §77-1719.01 Board to approve Report and authorize the Assessor to remove from the property tax rolls said properties recommended on Sheriff's Distress Warrants Report to be stricken and deleted by correction.
 - f. Approve or disapprove Resolution 17C-013 approving the national motto—"In God We Trust"—be on display in the Dakota County Courthouse.
 - g. Discuss, approve or disapprove employee time off to view the total solar eclipse on Monday, August 21, 2017.
4. COMMISSIONER COMMITTEE REPORTS
5. MAIL AND/OR EMERGENCY BUSINESS
6. PUBLIC COMMENT
7. ADJOURNMENT

Chair Love called for approval of the consent agenda: (a) approval of the previous minutes – July 31, 2017; (b) approval of payroll claims (c) approval of accounts payable claims if applicable (d) Approval of Quarterly Officials Reports—Sheriff, Veterans and (e) Approval of Understanding of Services for Romans, Wiemer & Associates to provide an audit for year ended June 30, 2017. Commissioner Gomez moved, seconded by Commissioner B. Rohde, to approve the consent agenda items a – e.

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-\$146,735.09; Net Pay-\$101,380.26; Retirement-\$10,233.98; FICA-\$8,808.77; Medicare-\$2,060.17; Health Plan-\$19,142.50; Dental Plan-\$ 897.04; Life Insurance-\$ 210.89; 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-\$1,116.00; 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-\$ 952.85; Jolene Heinemann-\$1,435.88; Alondra Perez-\$ 985.60; Debera Benton-\$1,112.02; 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-\$1,140.01; Chance Engel-\$1,596.00; Laura Salinas-\$ 372.00; Tammy Dunn-Peterson-\$1,756.88; Briggs, Russell-\$ 388.80; Sergio Castillo-\$2,108.28; Timothy Decker-\$2,249.72; Brian Ellinger-\$2,123.20; Penny Epting-\$2,309.20; Brian Fernau-\$1,957.39; Brent Gilster-\$2,058.20; Martin Guerrero-\$2,110.04; Zachary Hanish-\$1,943.10; Richard Hansen-\$2,158.18; Melvin Harrison III-\$2,090.08; Jason James-\$2,146.05; Douglas Johnson-\$2,185.65; Kimberly Johnson-\$ 440.10; Jared Junge-\$2,444.11; Jaime Keatts-\$ 194.40; Christopher Kleinberg-\$2,386.37; Jaleesa Nelson-\$ 960.00; Kevin Rohde-\$2,171.51; Samantha Hargrave-\$1,826.00; Katie Lehmann-\$1,120.00; Lisa Olsen-\$1,280.00; Debra Schmiedt-\$3,100.00; Kimberly Watson-\$3,415.70; Melinda Wicks-\$1,961.54; Jacob Acero-\$1,988.48; Shaun Bird-\$1,889.12; Thomas Boyd\$1,109.16; Rebecca Broer-\$1,581.60; Kacie Brown-\$1,512.72; Michael Cliff-\$1,281.00; Elisabet DeRoin-\$1,934.56; Jesse Doelle-\$1,482.40; Nathaniel Eriksen-\$1,800.42; Tyler Fulkerth-\$1,828.69; Kara Groetken-\$1,563.42; Alma Gunderson-\$1,581.72; Hammer, Todd-\$2,110.86; Deanna Haukap-\$1,334.16; Adam Hough-\$1,689.77; Stephanie Jensen-\$1,567.21; Michelle Jones-\$1,776.17; Brenda Kelly-\$1,694.09; Thelma Lawrence-\$1,281.00; Mark Nelson-\$1,661.87; Gregory Nyhof-\$1,730.71; Kimberly Peterson-\$1,556.52; Michele Rohde-\$1,168.00; Jennifer Svendsen-\$1,769.42; Taylor Tadlock-\$1,904.20; Robert Tarno-\$1,564.92; Danielle Thibodeau-\$1,466.64; Ashly Verzani-\$1,398.82; Randy Walsh-\$2,185.70; Jewel Williams-\$1,652.24; 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-\$ 863.86; Natasha Ritchison-\$1,200.00; Yesica Saldana Cisneros-\$ 198.72; Willard Johnston-\$2,488.71; **General Fund Employee:** Federal Tax-\$14,901.84; State Tax-\$5,024.79; FICA-\$10,868.94; Medicare-\$2,060.17; Retirement-\$6,946.99; 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-\$1,125.58; Flex Plan Dependent Care-\$ 125.00; VSP Vision-\$ 405.08; Legal Shield-\$ 56.34; **Road Fund Employer:** Gross Salaries-\$16,792.55; Net Pay-\$11,415.86; Retirement-\$1,133.52; FICA-\$1,002.24; Medicare-\$ 234.39; 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-\$1,738.63; State Tax-\$ 540.70; FICA-\$1,236.63; Medicare-\$ 234.39; 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-\$ 55.04; Legal Shield-\$ 27.92; **Health Planning Grant Employer:** Gross Salaries-\$ 978.36; Net Pay-\$ 778.92; Retirement-\$ 66.04; FICA-\$ 59.61; Medicare-\$ 13.94; Health Plan-\$ 237.50; Dental Plan-\$ 10.86; Life Insurance-\$ 2.55; Jennifer Ankerstjerne-\$ 978.36; **Health Planning Grant Employee:** Federal Tax-\$ 42.89; State Tax-\$ 22.02; FICA-\$ 73.55; Medicare-\$ 13.94; Retirement-\$ 44.03; **Minority Health Grant Employer:** Gross Salaries-\$1,025.01; Net Pay-\$ 858.94; Retirement-\$ 53.24; FICA-\$ 63.25; Medicare-\$ 14.80; Health Plan-\$ 237.50; Dental Plan-\$ 10.86; Life Insurance-\$ 2.55; Ibrahim, Mohamud-\$ 236.34; Yesica Saldana Cisneros-\$ 788.67; **Minority Health Grant Employee:** Federal Tax-\$ 31.50; State Tax-\$ 16.29; FICA-\$ 78.05; Medicare-\$ 14.80; Retirement-\$ 35.49; VSP Vision-\$ 4.74; **Juvenile Services Aid Employer:** Gross Salaries-\$1,140.00; Net Pay-\$ 625.36; Retirement-\$ 76.95; FICA-\$ 47.68; Medicare-\$ 11.15; Health Plan-\$ 237.50; Dental Plan-\$ 10.86; Life Insurance-\$ 2.55; Sarah Anderson Deck-\$1,140.00; **Juvenile Services Aid Employee:** Federal Tax-\$ 22.92; State Tax-\$ 10.59; FICA-\$ 58.83; Medicare-\$ 11.15; Retirement-\$ 51.30; Health Plan-\$ 350.00; Dental Plan-\$ 21.00.

Commissioner B. Rohde moved, seconded by Commissioner Gomez, to move forward with the procedure to vacate Lynch Avenue (minimum maintenance portion) and direct Fred Kellogg, County Highway Superintendent, to submit a written report with his recommendation to the Board as to vacation or abandonment of the road. ROLL CALL VOTE: K. Rohde- yes, Hohenstein- yes, B. Rohde- yes, Love yes, Gomez- yes. UNANIMOUS MOTION CARRIED.

Fred Kellogg, Highway Superintendent, opened bids for 250 variable horsepower, all wheel motor grader as follows: (1) Murphy Tractor and Equipment – 2017 Deere 672GP – net bid \$238,703; (2) Murphy Tractor and Equipment – 2017 Deere 772GP – net bid \$251,500; (3) Ziegler Cat – 2017 Cat 12M3AWD – net bid \$265,371; (4) Ziegler Cat – 2017 Cat 140M3AWD – net bid \$290,073. Commissioner B. Rohde moved, seconded by Commissioner K. Rohde, to refer the bids to the Road Committee and to put back on the agenda in 2 weeks. ROLL CALL VOTE: Hohenstein- yes, B. Rohde- yes, Love- yes, Gomez- yes, K. Rohde- yes. UNANIMOUS MOTION CARRIED.

At 3:20 p.m. Chair Love opened the public hearing for the purpose of hearing support of or protest against issuance of a Class I Beer, Wine, Distilled Spirits, On Sale Only, liquor license to The Koffie Knechtion, 419 Golf Road, South Sioux City, Nebraska. Maureen Knecht, applicant, spoke in support of the issuance of the liquor license. She stated they wished to have the license to host special events. No one else spoke in support or protest against. Chair closed the hearing at 3:22 p.m.

Commissioner B. Rohde moved, seconded by Commissioner Hohenstein, to approve the issuance of a Class I Beer, Wine, Distilled Spirits, On Sale Only, liquor license to The Koffie Knechtion at 419 Golf Road, South Sioux City. ROLL CALL VOTE: B. Rohde- yes, Love- yes, Gomez- yes, K. Rohde- yes, Hohenstein- yes. UNANIMOUS MOTION CARRIED.

Commissioner Gomez moved, seconded by Commissioner K. Rohde, to approve chair to sign the Annual Certification Form for July 1, 2016 to June 30, 2017 regarding the use of Highway Street Buyback Program funds (STP) and Highway Bridge Buyback Program funds (HBP). ROLL CALL VOTE: Love- yes, Gomez- yes, K. Rohde- yes, Hohenstein- yes, B. Rohde- yes. UNANIMOUS MOTION CARRIED.

Fred Kellogg, Highway Superintendent, presented the Road Maintenance Report for July 30 – August 12, 2017. Total road maintenance- 389.5 hours; Wagle Creek project- 125.5 hours; 190th Street project- 99 hours; 1097 tons of gravel hauled- 71 hours; signs/barricading- 17 hours.

Sheriff Kleinberg presented the Jail Report for the month of July, 2017.

July (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 91 | 9 | .16 | 109 |

2017 Calendar (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 94 | 8 | .18 | 102 |

2017-2018 Fiscal (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 91 | 9 | 0.16 | 100 |

Federal Income

| | | | |
|----------------|-------------|------------------|--------------|
| July Marshal: | \$13,320.33 | Fiscal Marshals: | \$ 13,320.33 |
| July ICE: | \$ 6,112.93 | Fiscal ICE: | \$ 6,112.93 |
| July BIA/OMMS: | \$ 195.00 | Fiscal BIA/OMMS: | \$ 195.00 |
| July Federal: | \$19,538.26 | Fiscal Federal: | \$ 19,538.26 |

2017 Calendar Federal: \$118,173.20

July County Contracts: \$5,500.00

2017-8 Fiscal County Contracts: \$5,500.00

Cost Per Inmate Per Day:

| | | | | | | | | | | | |
|------------|------------|--------------|--------------|------------|-------------|-------------|------------|-------------|------------|------------|------------|
| <u>Jan</u> | <u>Feb</u> | <u>March</u> | <u>April</u> | <u>May</u> | <u>June</u> | <u>July</u> | <u>Aug</u> | <u>Sept</u> | <u>Oct</u> | <u>Nov</u> | <u>Dec</u> |
| 54.18 | 64.18 | 68.96 | 57.86 | 52.99 | 67.57 | 52.96 | | | | | |

The jail spent \$166,301.17 for the month of July.

The jail is currently at % of the total estimated yearly budget or % under budget for the fiscal year. The jail was at % of the total estimated yearly budget in July, 2016.

The jail spent \$ more than allotted for July which was % under budget for the month.

July Bookings

| | | | |
|---------------|----------|----------------|----------|
| DCSO: | 48 | DAKOTA COUNTY: | 40 |
| SSCPD: | 35 | OTHER NE: | 28 |
| NSP: | 3 | SIOUX CITY: | 31 |
| COUNTY COURT: | 0 | OTHER IA: | 13 |
| FED: | 29 | OTHER STATES: | 8 |
| OTHER: | <u>7</u> | HOMELESS: | <u>2</u> |
| TOTAL: | 122 | TOTAL: | 122 |

Sheriff Kleinberg informed the Board he is looking at a training opportunity for county law enforcement personnel that would allow a contract with ICE (Immigration) for longer holds.

Sheriff Kleinberg and Jeff Zyzda, FiberComm Director of Operations & Engineering informed the board regarding an agreement they are working on to engage in a partnership venture to deploy a communications tower structure at Dakota County Courthouse for both public and commercial use. The agreement would be for 30 years with a 30-year renewal. FiberComm's initial investment would be approximately \$75,000 and revenue from the tower would be split 50/50 with the county. Sheriff Kleinberg stated the system would provide redundancy and backup for the Communications Center in South Sioux City.

Captain Walsh presented the Distress Warrants Report showing the total amount collected on current distress warrants and the amount remaining uncollected. Commissioner K. Rohde moved, seconded by Commissioner Hohenstein, to approve the Distress Warrants Report and authorize the Assessor to remove from the property tax rolls said properties recommended on the report to be stricken and deleted by correction. ROLL CALL VOTE: Gomez- yes, K. Rohde- yes, Hohenstein- yes, B. Rohde- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Commissioner Hohenstein moved, seconded by Commissioner Gomez, to approve Resolution 17C-013 approving the national motto – “In God We Trust” – be on display in the Dakota County Courthouse. ROLL CALL VOTE: K. Rohde- yes, Hohenstein- yes, B. Rohde- yes, Love- yes, Gomez- yes. UNANIMOUS MOTION CARRIED.

**RESOLUTION 17C-013
IN GOD WE TRUST**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF DAKOTA COUNTY, NEBRASKA, SUPPORTING THE
DISPLAY OF THE NATIONAL MOTTO
“IN GOD WE TRUST” IN A PROMINENT LOCATION/S IN THE
DAKOTA COUNTY COURTHOUSE**

WHEREAS, “In God We Trust” became the United States national motto on July 30, 1956; the words have been used on United States currency since 1864; and engraved above the entrance to the Senate Chamber as well as above the Speaker’s dais in the House of Representatives; and

WHEREAS, the County desires to display this patriotic motto in the Dakota County Courthouse.

NOW, THEREFORE, BE IT RESOLVED the County does hereby determine that the historic and patriotic words of our national motto, “In God We Trust,” shall be permanently and prominently displayed in the Dakota County Courthouse.

PASSED, APPROVED AND ADOPTED this 14st day of August, 2017.

Chair Love stated that he would like to close the courthouse for employees to view the total eclipse. It will not happen again here for 100 years. The eclipse will start at 11:38 a.m. and totality should be around 1:03 and end at 2:28 p.m. Totality will be at 95% in Siouxland area. His recommendation was to close from 11:30 to 1:30 – employees would be off for 2 hours and paid for 1.5 hours (.5 lunch). Commissioner K. Rohde moved, seconded by Commissioner Gomez, to shut the courthouse down August 21st to view the total eclipse from 11:30 a.m. to 1:30 p.m. contingent upon the weather. ROLL CALL VOTE: Hohenstein- yes, B. Rohde- yes, Love- yes, Gomez- yes, K. Rohde- yes. UNANIMOUS MOTION CARRIED.

Committee Reports were given by Commissioner B. Rohde on the budget; Commissioner Gomez on meeting with SIMPCO.

Mail or emergency business. It was noted the Department of Revenue, Property Tax Division, acknowledged the county’s letter regarding sharing the cost upon finding vital missing data in the property assessment records. Chair noted the board was invited to Papio-Missouri River annual meeting and dinner at Vince Kramper’s.

Public comment. Larry Albenesius spoke to projects being completed that are not on the 1 & 6 Year Plan and that the county should bid the projects for competitive pricing and the county is required to bid projects over \$20,000.

Chair Love adjourned the Board of Commissioners meeting of August 14, 2017 at 4:07 p.m.

Dakota County Board of Commissioners

Scott Love, Chair

Date signed

Joan Spencer, County Clerk

Date

Date entered in book