

Dakota County Board of Commissioners

1:30 p.m. M Avenue Paving Project Round Table discussion
Monday, November 6, 2017 regular business meeting 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 1:30 p.m. The pledge of allegiance was said. Roll Call was taken: Love, K. Rohde, Hohenstein, B. Rohde and Gomez were present. Absent: None. Also present was Joan Spencer, County Clerk, acting as secretary. Attending the Round Table Discussion were: Terry Schumacher, Papio-Missouri River NRD; Kevin Domogalla, Nebraska Dept. of Roads, Dist. 3; Jeff Fields, Nebraska Games & Parks; Joni Albrecht, Senator, Nebraska Leg. Dist. 17; Alex Duryea, Nebraska Tourism Commission; Jim Steele, South Sioux City Chamber of Commerce and Visitors Bureau; Fred Kellogg, Dakota County Highway Superintendent; Vince Kramper, concerned citizen, Trudy Jepsen, concerned citizen, Larry and Jean Grove, concerned citizens. Invitees unable to attend: Village of Hubbard and Nebraska Environmental Trust. 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.

1:30 p.m. M Avenue Paving Project Round Table discussion with Papio-Missouri River NRD, Nebraska Department of Roads, Village of Hubbard, Nebraska Games & Parks and Nebraska Environmental Trust.

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 – October 23, 2017
 - b. Approval of payroll claims
 - c. Approval of accounts payable if applicable
2. NEW BUSINESS
 - a. Board to accept or not accept the offer from NIRMA regarding the total damages claim for the 2000 Mack CH613 truck.
 - b. Approve a voting delegate and alternate to cast the ballot for Dakota County at the Nebraska Association of County Officials (NACO) Annual meeting held December 15, 2017, in Kearney. Ballot for the purpose of electing a Secretary-Treasurer to the NACO Board.
3. MISCELLANEOUS
 - a. Fred Kellogg, Highway Superintendent – Road Report
 - b. Sheriff Kleinberg – Jail Report
 - c. Approve Resolution 17C-028 to declare personal property as surplus property.
4. COMMISSIONER COMMITTEE REPORTS
5. MAIL AND/OR EMERGENCY BUSINESS
 - a. Letter regarding maintenance of roads by private citizens
6. PUBLIC COMMENT
7. ADJOURNMENT

Chair Love asked Vince Kramper to open the discussion regarding hard surfacing M Avenue to the Danish Alps/Kramper Lake recreational area in Hubbard. Mr. Kramper noted that Governor Ricketts gave him two names of people he could contact; he received a letter from Kyle Schneewis, Nebraska Department of Transportation stating he would gladly be a point person for our project; and Mark Brohman, Nebraska Environmental Trust, stated they do not do roads, but encouraged us to complete a grant application on related environmental issues such as erosion, contouring, grass, etc. Mr. Kramper stated people love the area for camping and fishing and Memorial Day weekend, the park was full; but, the washboards on the hill (M Avenue) going to the lake was discouraging some campers from coming back to the Lake. He continued that projections stated the recreational area could have a monetary impact of \$900,000 per year and that M Avenue is a very, very busy road and has truck traffic and would be a great asset to the area if paved.

Chair Love stated one of the reasons we are here to today is to see what everyone can bring to the table for finances—unable to do the project alone. Cost was discussed. An engineer could let us know width, depth and cost. It was discussed to coordinate with the Village of Hubbard.

Kevin Domogalla stated the State would take over the road if it was reclassified as a State Recreational Road (designated by the Governor) but that would be dependent on monies available. He stated the list of projects is huge and limited monies are available and the project would be 5 years out from being considered.

Terry Schumacher stated paving the road would be a huge benefit to the recreational area. Papio-Missouri River NRD is continuing to spend capital dollars in the Park. They are willing to sit down with the County and talk about ways to proceed.

Senator Albrecht stated the NRD's have put in a lot of other similar projects—how have those projects been funded? Mr. Schumacher stated he would like to see a project partnership and possibly use bonding authority. The project needs to be prioritized and steps outlined to get the project completed. Commissioner B. Rohde also asked about financing and access roads to other NRD projects.

Senator Albrecht also asked if there was a way to build a shorter road into the park and several ideas were discussed, but it was thought not.

Alex Duryea stated the Nebraska Tourism Commission could not help out with paving the road, but can offer a grant program to market the area.

Jim Steele stated the recreational area might suffer the longer it takes to complete the project.

Fred Kellogg asked Chair to approve engineering be started on the project. Papio-Missouri River NRD would like to see preliminary engineering figures. Mr. Schumacher thought the project should be coordinated with the Village of Hubbard.

Trudy Jepsen thought the campers meeting the farm traffic is a safety factor that needs to be considered. Vince Kramper reiterated the monetary benefits to the area and it would help to have the cost engineered.

Commissioner Gomez said to think positive and see what an engineering estimate would cost.

Chair Love recessed the round table discussion/commissioner meeting at 2:21 p.m.

Chair Love reconvened the regular meeting of the Board of Commissioners at 3:09 p.m. All board members were present and County Attorney, Kim Watson. Commissioner K. Rohde moved, seconded by Commissioner Hohenstein to reconvene the meeting. ROLL CALL VOTE: Gomez- yes, K. Rohde- yes, Hohenstein- yes, B. Rohde- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Chair Love called for approval of the consent agenda: (a) approval of the previous minutes – October 23, 2017, (b) approval of payroll claims and (c) approval of accounts payable claims. Commissioner Gomez moved, seconded by Commissioner B. Rohde, to approve the consent agenda. ROLL CALL VOTE: Gomez- yes, K. Rohde- yes, Hohenstein- yes, B. Rohde- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund: General Fund Employer: Gross Salaries-\$142,231.90; Net Pay-\$98,648.54; Retirement-\$9,912.47; FICA-\$8,534.54; Medicare-\$1,995.97; Health Plan-\$19,713.50; Dental Plan-\$923.10; 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-\$1,240.00; 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-\$1,033.60; Jolene Heinemann-\$1,435.88; Debera Benton-\$1,081.60; Christy Abts-\$1,508.49; Jeff Curry-\$2,187.59; Rita Deichert-\$494.69; 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-\$1,680.00; Laura Salinas-\$372.00; Tammy Dunn-Peterson-\$1,108.01; Sergio Castillo-\$1,996.00; Timothy Decker-\$2,249.72; Brian Ellinger-\$2,149.74; Penny Epting-\$2,150.53; Brian Fernau-\$685.80; Brent Gilster-\$2,045.25; Martin Guerrero-\$2,101.80; Zachary Hanish-\$1,851.66; Richard Hansen-\$2,158.18; Melvin Harrison III-\$2,246.44; Jason James-\$2,008.00; Douglas Johnson-\$2,185.65; Kimberly Johnson-\$722.50; Jared Junge-\$2,267.17; Jaime Keatts-\$583.20; Christopher Kleinberg-\$2,386.37; Jaleesa Nelson-\$948.00; Kevin Rohde-\$2,102.06; Samantha Hargrave-\$1,826.00; Katie Lehmann-\$1,120.00; Lisa Olsen-\$1,280.00; Debra Schmiedt-\$3,100.00; Jessica Smothers-\$690.00; Kimberly Watson-\$3,415.70; Melinda Wicks-\$1,961.54; Jacob Acero-\$1,682.67; Shaun Bird-\$1,693.88; Rebecca Broer-\$1,601.37; Kacie Brown-\$1,614.82; Michael Cliff-\$1,345.00; Elisabet DeRoin-\$1,815.98; Jesse Doelle-\$1,482.40; Nathaniel Eriksen-\$1,763.34; Tyler Fulkerth-\$1,542.30; Kara Groetken-\$1,620.25; Alma Gunderson-\$1,909.03; Todd Hammer-\$2,215.10; Deanna Haukap-\$1,593.58; Adam Hough-\$1,712.68; Stephanie Jensen-\$1,593.58; Michelle Jones-\$1,682.29; Brenda Kelly-\$1,584.14; Thelma Lawrence-\$1,333.50; Mark Nelson-\$1,661.87; Gregory Nyhof-\$1,892.51; Kimberly Peterson-\$1,593.58; Michele Rohde-\$1,260.00; Jennifer Svendsen-\$1,919.84; Taylor Tadlock-\$1,708.82; Robert Tarno-\$1,543.92; Danielle Thibodeau-\$1,495.06; Ashly Verzani-\$1,275.00; Randy Walsh-\$2,185.70; Jewel Williams-\$1,690.88; Deanna Hagberg-\$1,793.25; Jolene Gubbels-\$1,305.60; Fred Kellogg-\$375.00; Leon Pies-\$1,449.07; Theresa Grove-\$1,836.00; Tiffany Hansen-\$2,307.69; Bonnie Kahler-\$863.85; Natasha Ritchison-\$920.00; Yesica Saldana Cisneros-\$240.00; Willard Johnston-\$1,931.59. **General Fund Employee:** Federal Tax-\$14,475.47; State Tax-\$4,879.21; FICA-\$10,530.51; Medicare-\$1,995.97; Retirement-\$6,726.86; Health Plan-\$1,900.00; Dental Plan-\$567.00; Colonial Health-\$419.68; Sheriff Union Dues-\$450.00; Colonial Life/Disability-\$116.90; Deferred Comp-\$1,321.68; Garnishments-\$456.01; Flex Plan Medical-\$1,155.58; Flex Plan Dependent Care-\$125.00; VSP Vision-\$420.10; Legal Shield-\$39.36; **Road Fund Employer:** Gross Salaries-\$15,559.83; Net Pay-\$10,721.80; Retirement-\$1,050.30; FICA-\$930.04; Medicare-\$217.50; Health Plan-

\$2,137.50; Dental Plan-\$97.74; Life Insurance-\$17.85; Brent Byroad-\$1,515.65; Kevin Chambers-\$0.00; Ryan Chambers-\$1,465.60; Robert Hacker-\$1,489.60; Lance Jacobsen-\$1,465.60; Scott Jorgenson-\$1,465.60; Fred Kellogg-\$1,887.30; David Kneifl-\$1,813.68; Kimon Litras-\$1,513.60; Dean Pallas-\$1,477.60; Matthew Roost-\$1,465.60; **Road Fund Employee:** Federal Tax-\$1,453.94; State Tax-\$500.71; FICA-\$1,147.54; Medicare-\$217.50; Retirement-\$700.18; Health Plan-\$400.00; Dental Plan-\$84.00; Colonial Health-\$65.66; Garnishments-\$222.47; Flex Plan Medical-\$25.00; Road Union Dues-\$175.00; VSP Vision-\$35.65; Legal Shield-\$27.88; **Health Planning Grant Employer:** Gross Salaries-\$1,084.69; Net Pay-\$838.76; Retirement-\$73.22; FICA-\$65.95; Medicare-\$15.42; Health Plan-\$237.50; Dental Plan-\$10.86; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,084.69; **Health Planning Grant Employee:** Federal Tax-\$52.64; State Tax-\$25.16; FICA-\$81.37; Medicare-\$15.42; Retirement-\$48.81; **Minority Health Grant Employer:** Gross Salaries-\$1,129.00; Net Pay-\$915.87; Retirement-\$64.80; FICA-\$69.71; Medicare-\$16.30; Health Plan-\$237.50; Dental Plan-\$10.86; Life Insurance-\$2.55; Mohamud Ibrahim -\$169.00; Yesica Saldana Cisneros-\$960.00; **Minority Health Grant Employee:** Federal Tax-\$55.91; State Tax-\$23.28; FICA-\$86.01; Medicare-\$16.30; Retirement-\$43.20; VSP Vision-\$4.73; **Juvenile Services Aid Employer:** Gross Salaries-\$1,159.00; Net Pay-\$639.63; Retirement-\$78.23; FICA-\$48.86; Medicare-\$11.43; Health Plan-\$237.50; Dental Plan-\$10.86; Life Insurance-\$2.55; Sarah Anderson Deck-\$1,159.00; **Juvenile Services Aid Employee:** Federal Tax-\$24.74; State Tax-\$11.18; FICA-\$60.29; Medicare-\$11.43; Retirement-\$52.16; Health Plan-\$350.00; Dental Plan-\$21.00;

Commissioner B. Rohde moved, seconded by Commissioner Gomez, to accept the offer from NIRMA regarding the total damage claim for the 2000 Mack CH613 truck for the net amount of \$36,500. ROLL CALL VOTE: Hohenstein- yes, B. Rohde- yes, Love- yes, Gomez- yes, K. Rohde- yes. UNANIMOUS MOTION CARRIED.

Chair Love moved, seconded by Commissioner Gomez, to appoint Robert Giese as the voting delegate and Phyllis Obermeyer as the alternate voting delegate to cast the ballot for Dakota County at the NACO Annual meeting held December 15, 2017, in Kearney. ROLL CALL VOTE: B. Rohde- yes, Love- yes, Gomez- yes, K. Rohde- yes, Hohenstein- yes. UNANIMOUS MOTION CARRIED.

Fred Kellogg, Highway Superintendent, gave the Road report for October 22 – November 4, 2017. Total road maintenance- 237.5 hours; tree/debris removal- 11 hours; fire hall project- 6.5 hours; M Avenue project- 31 hours; garbage pickup- 7 hours; 805 tons of gravel hauled- 70 hours; 2 road concerns for grading and gravel.

Sheriff Kleinberg presented the October, 2017, Jail Report:

October (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 100 | 9 | 1.13 | 109 |

2017 Calendar (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 95 | 9 | .27 | 104 |

2017-2018 Fiscal (Average per day):

| | | | |
|----------------|-----------------|-----------|----------------|
| County Inmates | Federal Inmates | Juveniles | Total-In-House |
| 97 | 10 | 0.4 | 107 |

Federal Income

| | | | |
|-------------------|-------------|------------------|--------------|
| Oct. Marshal: | \$15,883.48 | Fiscal Marshals: | \$ 61,260.85 |
| Oct. ICE: | \$ 4,798.61 | Fiscal ICE: | \$ 29,024.12 |
| Oct. BIA/OMMS: \$ | 0.00 | Fiscal BIA/OMMS: | \$ 260.00 |
| Oct. Federal: | \$20,682.09 | Fiscal Federal: | \$ 90,544.97 |

2017 Calendar Federal: \$189,179.91

October County Contracts: \$4,070.00

2017-8 Fiscal County Contracts: \$23,925.00

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 | 54.97 | 67.75 | 47.90 | | |

The jail spent \$164,119.63 for the month of October.

The jail is currently at 33% of the total estimated yearly budget or 0% over/under budget for the fiscal year. The jail was at 35% of the total estimated yearly budget in October, 2016.

The jail spent \$26,390.32 less than allotted for October which was 14% under budget for the month. October

Bookings:

| | | | |
|---------------|-----|----------------|-----|
| DCSO: | 50 | DAKOTA COUNTY: | 49 |
| SSCPD: | 57 | OTHER NE: | 27 |
| NSP: | 0 | SIoux CITY: | 35 |
| COUNTY COURT: | 2 | OTHER IA: | 5 |
| FED: | 13 | OTHER STATES: | 9 |
| OTHER: | 4 | HOMELESS: | 1 |
| TOTAL: | 126 | TOTAL: | 126 |

Commissioner Hohenstein asked Sheriff Kleinberg how many were out on work release. Sheriff thought 2 – 3 inmates since the Judge ordered that inmates could be gone no more than 8 hours and that would not allow anyone working an 8-hour shift to qualify.

Commissioner Gomez moved, seconded by Commissioner Hohenstein, to approve Resolution 17C-028 to declare personal property as surplus. ROLL CALL VOTE: Love- yes, Gomez- yes, K. Rohde- yes, Hohenstein- yes, B. Rohde. UNANIMOUS MOTION CARRIED.

RESOLUTION 17C-028
RESOLUTION TO DECLARE PERSONAL PROPERTY
AS SURPLUS PROPERTY

WHEREAS, the County owns personal property which is not usable by the County and/or is obsolete; and
WHEREAS, said property consists of the following property: clerk magistrate robe; and,
WHEREAS, the County intends to dispose of said property as surplus pursuant to Nebraska Revised Statute 23-3107 (as amended),

NOW THEREFORE BE IT RESOLVED BY THE DAKOTA COUNTY BOARD OF COMMISSIONERS THAT the property is unusable by the County and/or obsolete and is therefore declared surplus property.

IT IS FURTHER RESOLVED THAT the County Clerk be directed to dispose of said property in accordance with the laws of the State of Nebraska.

DATED this 6th day of Nov, 2017.

No Committee Reports. Mail or emergency business: Discussion was had regarding maintenance of roads by private citizens. The County Attorney drafted a letter but it was agreed to not send the letter unless the grading continues.

Public comment. Carmen Stark, 325 Regency Court, South Sioux City, stated she would like to go on record as being opposed to Sheriff Kleinberg making application to participate in the 287(g) program—one of ICE’s partnership initiatives. She thought having our Sheriff Department enforce immigration that people caught up in this would be non-violent criminals—a family man here undocumented who makes a minor mistake and can be deported leaving the family and good work behind. She thought racial profiling could happen and people would fear the police and be non-cooperative when needing to call the police. She would encourage the board to ask the Sheriff to withdraw the application. Commissioner Gomez asked Sheriff Kleinberg to speak as he is receiving many phone calls seeking Sheriff to withdraw application. Sheriff Kleinberg stated the Sheriff’s office does not do racial profiling—if you do not break the law, it is not an issue. The 287(g) application will provide training on immigration laws which will protect the jail and county against frivolous law suits. The County has contracts to house Federal and ICE inmates when bed space is available which brings revenue to the County. The application has not yet been approved and Sheriff stated he will not withdraw the application.

Larry Albenesius, Jackson, Nebraska, had road grading concerns.

Chair Love adjourned the Board of Commissioners meeting of November 6, 2017 at 4:02 p.m.

Dakota County Board of Commissioners

Scott Love, Chair

Date signed

Joan Spencer, County Clerk

Date

Date entered in book