

**Dakota County Board of Commissioners**  
Monday, July 2, 2018  
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 3:09 p.m. Present at Roll Call: Love, Gomez, Hohenstein, B. Rohde. Absent: K. Rohde (until 3:25 p.m.). Also present were Kim Watson, County Attorney, and Joan Spencer, County Clerk, acting as board secretary. Chair noted the location of the Open Meetings Act.

Agenda was as follows:

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL – Excused Absence

*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 – June 18, 2018
  - b. Approval of payroll claims
  - c. Approval of accounts payable claims if applicable
2. NEW BUSINESS
  - a. Jacob Hurla, 360 Energy Engineers, requesting your consideration of a no-cost study to show existing systems (heating, cooling, lighting, windows, etc) and recommend upgrades.
  - b. Board approval for Agreement for Consultant Inspection and Load Re-Rating on County Fracture Critical Bridges with the Nebraska Department of Transportation.
  - c. Board approval of Resolution 18C-015 – Signing of the Project Program Agreement 2018 Fracture Critical Bridge Inspection services for the Federal-aid project.
  - d. Rocky Laird, 1906 Hwy 77, Dakota City, requesting a consanguinity permit to allow him to live in motor home while re-building his house.
  - e. Ricky Hampson and Douglas Dean, Combined Insurance, to present options for employee benefits.
  - f. Dave Krusemark, Waterbury, requesting help regarding debris backing up on his property during heavy rains.
3. MISCELLANEOUS
  - a. Fred Kellogg, Highway Superintendent – Road Report
  - b. Approve the Chair to sign Agreement with Nebraska Department of Transportation for County Surveyor to tie out and re-establish the monuments for the Wakefield Northeast Project NH-9-4(119) near Emerson.
  - c. Sheriff Kleinberg – Jail Report
  - d. Dakota County Board of Commissioners to confirm the Emergency Declaration by Chair as authorized under §81-829-50 on behalf of Dakota County for the suffering from a disastrous heavy rainfall and flooding that occurred on June 17 to June 26, 2018, causing severe damage to public and private property, disruption of utility service and endangerment of health and safety of the citizens of Dakota County. Declaration also committed the expenditure of emergency funds, invoking mutual aid agreements and applying for assistance from Governor's Emergency Fund.
  - e. County Board shall make quarterly visit to county jail. §47-109
4. COMMISSIONER COMMITTEE REPORTS
5. MAIL AND/OR EMERGENCY BUSINESS
  - a. Sixth Judicial District Rule for the Compensation of Indigent Court Appointed Legal Counsel—District Courts of Cedar, Dixon, Dakota increase from \$75/hour to \$95/hour.
6. PUBLIC COMMENT
7. ADJOURNMENT

Chair Love moved, seconded by Commissioner B. Rohde, to excuse Commissioner K. Rohde from today's meeting. ROLL CALL VOTE: Gomez- 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 – July 2, 2018, (b) Approval of payroll claims, (c) Approval of applicable accounts payable claims. Commissioner B. Rohde moved, seconded by Commissioner Gomez, to approve the consent agenda items. ROLL CALL VOTE: Hohenstein- yes, B. Rohde- yes, Love- yes, Gomez- yes, K. Rohde- absent. UNANIMOUS MOTION CARRIED.

**Payroll: General Fund Employer:** Gross Salaries-\$165,769.27; Net Pay-\$116,223.71; Retirement-\$19,253.62; Total FICA-\$12,186.89; Health Plan-\$24,860.00; Dental Plan-\$988.16; Life Insurance-\$231.17; Antonio Gomez-\$1,097.45; Martin Hohenstein-\$1,097.45; Scott Love-\$943.60; Kevin Rohde-\$897.45; William Rohde-\$897.45; Cherie Conley-\$1,463.72; Leticia Olague De Vargas-\$1,240.00; Joan Spencer-\$2,231.35; Kathy Abbe-\$1,009.60; Stephanie Gatzemeyer-\$1,138.40; Robert Giese-\$2,231.35; Jalissa Hattig-\$1,033.60; Jolene Heinemann-\$1,450.37; Alondra Perez-

\$486.64; Debera Benton-\$1,081.60; Christy Abts-\$3,484.08; Jeff Curry-\$2,231.35; Joseph O'Neil-\$250.00; Phyllis Obermeyer-\$2,231.35; Cheryl Perkins-\$1,137.28; Louvontree Hunter-\$2,739.68; Debra Jensen-\$1,444.80; Katherine Wiltgen-\$1,140.00; Chance Engel-\$1,680.00; Ruth Gonzalez-\$283.50; Tammy Dunn-Peterson-\$1,148.25; Sergio Castillo-\$2,432.63; Timothy Decker-\$2,249.72; Brian Ellinger-\$2,522.24; Penny Epting-\$2,257.42; Brian Fernau-\$2,033.62; Tyler Fulkerth-\$82.62; Brent Gilster-\$2,070.50; Martin Guerrero-\$922.00; Zachary Hanish-\$1,851.66; Richard Hansen-\$2,108.29; Melvin Harrison III-\$2,337.65; Jason James-\$2,290.38; Douglas Johnson-\$2,185.65; Kimberly Johnson-\$410.76; Jared Junge-\$2,332.70; Christopher Kleinberg-\$2,434.10; Jaleesa Nelson-\$960.00; Kevin Rohde-\$2,727.00; Mardi Schnee-\$104.00; Samantha Hargrave-\$913.00; Katie Lehmann-\$1,120.00; Erick Martin-\$836.54; Debra Schmiedt-\$3,100.00; Kimberly Watson-\$3,484.02; Lisa Wentworth-\$1,280.00; Melinda Wicks-\$2,076.92; Jacob Acero-\$1,596.39; Shaun Bird-\$1,783.55; Rebecca Broer-\$1,611.26; Kacie Brown-\$1,564.92; Michael Cliff-\$1,395.00; Elisabet DeRoin-\$1,905.63; Jesse Doelle-\$1,482.40; Nathaniel Eriksen-\$1,643.29; Geoffry Fay-\$1,381.50; Tyler Fulkerth-\$1,734.14; Jonathan Gray-\$457.50; Kara Groetken-\$1,543.92; Alma Gunderson-\$1,594.32; Todd Hammer-\$2,540.85; Deanna Haukap-\$1,227.61; Adam Hough-\$1,666.44; Stephanie Jensen-\$1,556.65; Brenda Kelly-\$1,579.20; Thelma Lawrence-\$815.88; Mark Nelson-\$1,661.87; Gregory Nyhof-\$1,677.69; Shelbie Ouellette-\$182.50; Kimberly Peterson-\$1,748.33; Michele Rohde-\$1,280.00; Jennifer Svendsen-\$2,807.11; Taylor Tadlock-\$1,489.04; Danielle Thibodeau-\$1,484.16; Ashly Verzani-\$1,047.60; Randy Walsh-\$2,185.70; Jewel Williams-\$1,669.99; Deanna Hagberg-\$1,826.00; Jolene Gubbels-\$1,305.60; Fred Kellogg-\$375.00; Matthew Roost-\$250.00; Theresa Grove-\$1,836.00; Tiffany Hansen-\$2,307.69; Natasha Ritchison-\$1,015.00; Yesica Saldana Cisneros-\$172.50; Willard Johnston-\$1,931.59; **General Fund Employee:** Federal Tax-\$13,219.74; State Tax-\$5,654.38; Soc Sec-\$9,876.91; Medicare-\$2,309.98; Retirement-\$7,776.72; Health Plan-\$3,150.00; Dental Plan-\$756.00; Colonial Health-\$425.22; Sheriff Union Dues-\$480.00; Colonial Life/Disability-\$116.90; Deferred Comp-\$1,970.00; Garnishments-\$522.47; Flex Plan Medical-\$1,274.83; Flex Plan Dependent Care-\$320.00; VSP Vision-\$428.53; Legal Shield-\$125.02; Liberty Nat'l Pretax-\$157.60; Liberty Nat'l-\$61.26; **Road Fund Employer:** Gross Salaries-\$21,670.58; Net Pay-\$15,269.49; Retirement-\$975.17; Total FICA-\$1,624.33; Health Plan-\$2,825.00; Dental Plan-\$108.50; Life Insurance-\$24.61; Brent Byroad-\$2,099.34; Kevin Chambers-\$1,763.94; Ryan Chambers-\$1,740.40; Robert Hacker-\$1,768.90; Phillip Hinds-\$1,955.66; Lance Jacobsen-\$2,911.05; Fred Kellogg-\$1,948.55; David Kneiff-\$1,754.70; Kimon Litras-\$2,040.58; Dean Pallas-\$1,754.70; Matthew Roost-\$1,932.76; **Road Fund Employee:** Federal Tax-\$1,861.14; State Tax-\$848.16; FICA-\$1,316.45; Medicare-\$307.88; Retirement-\$975.17; Health Plan-\$200.00; Dental Plan-\$84.00; Colonial Health-\$65.66; Garnishments-\$222.47; Flex Plan Medical-\$25.00; Road Union Dues-\$200.00; VSP Vision-\$37.38; Legal Shield-\$41.82; Liberty Nat'l Pretax-\$52.71; Liberty Nat'l-\$3.25; **Health Planning Grant Employer:** Gross Salaries-\$1,113.13; Net Pay-\$871.68; Retirement-\$75.14; Total FICA-\$83.55; Health Plan-\$282.50; Dental Plan-\$10.86; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,113.13; **Health Planning Grant Employee:** Federal Tax-\$43.82; State Tax-\$21.04; FICA-\$67.71; Medicare-\$15.84; Retirement-\$50.09; Dental Plan-\$21.00; Legal Shield-\$16.95; **Minority Health Grant Employer:** Gross Salaries-\$1,229.00; Net Pay-\$1,011.82; Retirement-\$69.36; Total FICA-\$93.65; Health Plan-\$282.50; Dental Plan-\$10.86; Life Insurance-\$2.55; Mohamud Ibrahim-\$201.50; Yesica Saldana Cisneros-\$1,027.50; **Minority Health Grant Employee:** Federal Tax-\$47.17; State Tax-\$25.39; FICA-\$75.90; Medicare-\$17.75; Retirement-\$46.24; VSP Vision-\$4.73; **Juvenile Services Aid Employer:** Gross Salaries-\$1,159.00; Net Pay-\$651.17; Retirement-\$78.23; Total FICA-\$60.29; Health Plan-\$282.50; Dental Plan-\$10.86; Life Insurance-\$2.55; Sarah Anderson Deck-\$1,113.13; **Juvenile Services Aid Employee:** Federal Tax-\$13.20; State Tax-\$11.18; FICA-\$48.86; Medicare-\$11.43; Retirement-\$52.16; Health Plan-\$350.00; Dental Plan-\$21.00;

Chair Love called for Public Comment. Mike Wilmes and Charlie Nelson had concerns regarding the timeliness of the Hoag Bridge repair and traveling the minimum maintenance road after heavy snowfall. Arnie Mellick thanked the Road Department for the quick response to gravel the minimum maintenance road and contacting residents concerning rescue and fire call plans. Mr. Mellick had concerns regarding the narrow and curve sections of the road and requested temporary culverts where water is still standing and trimming of trees where applicable. Ryan Lieber asked what the weight limit of the new bridge will be (40 Ton). Walt Beermann cautioned the Board to use their resources wisely. Commissioner K. Rohde arrived at 3:25 p.m.

Pat Dorcey addressed concerns of rock/concrete needed on N Avenue—minimum maintenance road—before harvest season.

Jacob Hurla, 360 Energy Engineers, informed the Board of services his Firm offers regarding upgrading existing infrastructure, reducing maintenance, etc., with a preliminary engineering analysis, a recommendation summary and proposed cost savings. The Board declined their service at this time.

Commissioner Gomez moved, seconded by Commissioner Hohenstein, to approve the Agreement for Consultant Inspection and Load Re-Rating on County Fracture Critical Bridges with the Nebraska Department of Transportation. ROLL CALL VOTE: B. Rohde- yes, Love- yes, Gomez- yes, K. Rohde- yes, Hohenstein- yes. UNANIMOUS MOTION CARRIED.

Commissioner B. Rohde moved, seconded by Commissioner Gomez, to approve Resolution 18C-015 for the signing of the Project Program Agreement 2018 Fracture Critical Bridge Inspection services for the Federal-aid project. ROLL CALL VOTE: Love- yes, Gomez- yes, K. Rohde- yes, Hohenstein- yes, B. Rohde- yes. UNANIMOUS MOTION CARRIED.

Signing of the Project Program Agreement  
2018 Fracture Critical Bridge Inspection  
Resolution 18C-015

**Whereas:** the Nebraska Department of Transportation (NDOT) 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 NDOT 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 the Dakota County and the NDOT.

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

NOOR Project Number: STP-NBIS(112) NOOR Control Number: 00990

NOOR Project Name: 2018 Fracture Critical Bridge Inspection  
Adopted this 2<sup>nd</sup> day of July, 2018, at Dakota City, Nebraska.

Rocky Laird, 1906 Hwy77, Dakota City, informed the Board of his situation regarding living in a motor home while re-building his home destroyed by fire. Commissioner B. Rohde moved, seconded by Commissioner Gomez, to approve a consanguinity permit to allow Mr. Laird to live in his motor home while re-building his house. ROLL CALL VOTE: Gomez- yes, K. Rohde- yes, Hohenstein- yes, B. Rohde- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Combined Insurance were not in attendance.

Dave Krusemark, Waterbury, requested help regarding debris backing up on his property during heavy rains and shared his concerns, pictures and videos of the flooding. The Board suggested the natural resource districts of Lewis & Clark and Papio-Missouri River be contacted to help. Fred Kellogg, Highway Superintendent, suggested an engineered hydraulic study be done to determine the size of the culverts.

Fred Kellogg, Highway Superintendent, gave a report of all the flood damaged areas to date in the county. There were 22 areas of concern with an estimated cost of \$867,000.

Commissioner K. Rohde moved, seconded by Commissioner Hohenstein, to approve the Chair to sign the Agreement with Nebraska Department of Transportation for County Surveyor to tie out and re-establish the monuments for the Wakefield Northeast Project NH-9-4(119) near Emerson. ROLL CALL VOTE: Hohenstein- yes, B. Rohde- yes, Love- yes, Gomez- yes, K. Rohde- yes. UNANIMOUS MOTION CARRIED.

The Sheriff's Jail Report will be on next agenda.

Commissioner B. Rohde moved, seconded by Commissioner K. Rohde, to confirm and approve the Emergency Declaration by Chair regarding the heavy rainfall and flooding in Dakota County that occurred June 17 to 26, 2018. This declaration commits the expenditure of emergency funds and invokes mutual aid agreements from Governor's Emergency Fund. ROLL CALL VOTE: B. Rohde- yes, Love- yes, Gomez- yes, K. Rohde- yes, Hohenstein- yes. UNANIMOUS MOTION CARRIED.

The County Board postponed their quarterly visit to the county jail until the next meeting.

Commissioner Gomez reported on the Planning & Zoning meeting.

Mail and Emergency Business. It was noted that District Judge changed the fee for court appointed legal counsel from \$75 to \$95 per hour.

Chair Love adjourned the Board of Commissioners meeting of July 2, 2018, at 4:28 p.m.

Dakota County Board of Commissioners

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Scott Love, Chair

Date signed

Joan Spencer, County Clerk

Date