

**Dakota County Board of Commissioners**  
Monday, April 8, 2019, at 1:02 p.m.  
County Board Meeting Room, First Floor  
Dakota County Courthouse, Dakota City, Nebraska

Chair Hohenstein called the Board of Commissioners meeting to order at 2:00 p.m. Present at Roll Call: Hohenstein, Gomez, Albenesius, Gill. Absent: Rohde. Also present was 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

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. PUBLIC COMMENT. The Board of Commissioners will hear comments about any item not on the agenda. The Chair has the discretion to limit the time of comment.
2. 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 – March 25, 2019
  - b. Approval of accounts payable
3. NEW BUSINESS
  - a. Board to approve payroll claims for the period of March 24 to April 6, 2019.
  - b. 1:05 p.m. Public Hearing for the purpose of gathering public input regarding the vacationing or abandoning of the following road: 250<sup>th</sup> Street minimum maintenance portion from S Avenue to Highway 35 approximately 3526.5' in S14 & 23, T27N, R6E, Dakota County, Nebraska.
  - c. Rogelio (Roger) Hernandez, 550 Sunset Drive, South Sioux City, requesting help with water drainage at corner of Sunset Drive and Elgin Drive.
  - d. Zach Anderson, Ireton Avenue, requesting issue of road condition on Ireton Avenue be resolved.
  - e. Board to rescind motion made at the March 25, 2019, Commissioner meeting to accept all gravel bids.
  - f. Board to approve and award gravel bids for all bids timely and properly filed by 4:30 p.m. March 22, 2019, in the office of Dakota County Clerk.
4. MISCELLANEOUS
  - a. Fred Kellogg, Highway Superintendent – Road Report
  - b. Sheriff Kleinberg – Jail Report
  - c. Approve or not approve membership request to *Nebraska Outlaw Trail Scenic Byway Highway 12* - fee of \$100
  - d. County Board shall make quarterly visit to county jail §47-109
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

Commissioner Gomez moved, seconded by Chair Hohenstein, to excuse Commissioner Rohde from today's meeting. ROLL CALL VOTE: Gomez- yes, Albenesius- yes, Gill- yes, Hohenstein- yes. UNANIMOUS MOTION CARRIED.

Chair Hohenstein called for Public Comment about any item not on the agenda.

Kenny Baker, Ireton Avenue, Homer, spoke regarding farm ground under water. He passed out pictures and plans. He stated the water along Hwy 35 takes a month to get to his property and a month to drain off. He cannot farm the property and wondered how he could pay taxes if he cannot raise a crop. He proposed draining to county ditch that would need to be dredged out ¼ mile to direct water to flow/drain to Pigeon Creek with installation of a tube (NRD) into the drainage ditch. Also, 200<sup>th</sup> Street acts as a dam and could be drained to Pigeon Creek using a tube. He stated that water is being pumped 24/7 into the ditches along Hwy 35 and that water needs to flow somewhere (Pigeon Creek).

Jeanette Moes, H Avenue, Homer, spoke regarding water in basement, ditches and house yard due to lack of drainage. Commissioner Gill would like to ask the NRD to make a presentation to the Board.

Pat Dorcey, North Bluff Road, Hubbard, clarified that pumps on farm ground near Hwy 35 are on timers and not running/pumping 24/7 and some of the water is from heavy rainfall.

Chair Hohenstein called for approval of the consent agenda: (a) approval of the March 25, 2019, minutes; (b) approval of accounts payable claims. ROLL CALL VOTE: Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- absent. UNANIMOUS MOTION CARRIED.

**Accounts Payable: General Fund;** Dakota County Health Account, health claims - \$200,000.00;

Commissioner Gill moved, seconded by Commissioner Gomez, to approve payroll claims for the period of March 24 to April 6, 2019. ROLL CALL VOTE: Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- absent, Albenesius- yes. UNANIMOUS MOTION CARRIED.

**Payroll: General Fund Employer:** Gross Salaries-\$148,783.80; Net Pay-\$103,878.33; Total Retirement-\$10,336.53; Total FICA-\$10,930.62; Health Plan-\$22,600.00; Dental Plan-\$901.38; Life Insurance-\$214.85; Larry Albenesius-\$1,097.45; Janet Gill-\$1,097.45; Antonio Gomez-\$1,097.45; Martin Hohenstein-\$1,143.60; Kevin Rohde-\$897.45; Cherie Conley-\$1,492.99; Leticia Vargas-\$1,268.00; Joan Spencer-\$2,231.35; Kathy Abbe-\$1,037.61; Stephanie Gatzemeyer-\$1,166.40; Robert Giese-\$2,231.35; Jalissa Hattig-\$1,061.60; Jolene Heinemann-\$1,479.20; Brenda Landaverde-\$900.00; Samantha Mitchell-\$1,000.00; Debera Benton-\$1,109.60; Christy Abts-\$1,538.66; Jeffrey Curry-\$2,231.35; Courtney Lane-\$1,000.00; Melissa Steecker-\$1,000.00; Joseph O'Neil-\$255.00; Phyllis Obermeyer-\$2,231.35; Katherine Wiltgen-\$1,450.37; Trevor Brass-\$1,807.69; Louvontree Hunter-\$2,739.68; Debra Jensen-\$1,473.60; Asia Lahn-\$1,092.00; Kevin Hansen-\$1,947.50; Tammy Dunn Peterson-\$1,405.24; Russell Briggs-\$356.94; Sergio Castillo-\$2,036.00; Timothy Decker-\$2,294.71; Brian Ellinger-\$2,258.43; Brian Fernau-\$1,315.60; Tyler Fulkerth-\$1,803.18; Brent Gilster-\$2,214.51; Martin Guerrero-\$2,036.00; Richard Hansen-\$2,150.40; Melvin Harrison III-\$2,178.74; Jason James-\$2,048.00; Douglas Johnson-\$2,229.36; Kimberly Johnson-\$758.51; Jared Junge-\$2,311.28; Jaime Keatts-\$158.64; Christopher Kleinberg-\$2,434.10; Kevin Rohde-\$2,330.40; Mardi Schnee-\$1,040.00; Ryne Sell-\$0.00; Penny Wendty-\$2,245.17; Jessica Braunger-\$800.00; Katie Lehmann-\$1,280.00; Sheyanne Lozano-\$1,120.00; Erick Martin-\$1,673.08; Debra Schmiedt-\$3,162.00; Kimberly Watson-\$3,484.02; Melinda Wicks-\$2,076.92; Jacob Acero-\$1,618.52; Shaelee Barreras-\$70.00; Shaun Bird-\$1,575.00; Rebecca Broer-\$1,622.08; Kacie Brown-\$1,697.41; Michael Cliff-\$1,495.20; Alexander DeLeon-\$1,342.85; Elisabet DeRoin-\$1,597.18; Jesse Doelle-\$1,512.00; Nathaniel Eriksen-\$1,702.35; Geoffry Fay-\$1,306.20; Jonathan Gray-\$1,306.20; Kara Groetken-\$1,587.60; Alma Gunderson-\$1,625.40; Todd Hammer-\$2,324.89; Deanna Haukap-\$1,611.56; Adam Hough-\$1,702.58; Brenda Irwin-\$1,603.40; Stephanie Jensen-\$1,587.60; Thelma Lawrence-\$1,495.20; Mark Nelson-\$1,695.11; Preston Newman-\$1,321.50; Gregory Nyhof-\$1,689.72; Kimberly Peterson-\$1,600.20; Michele Rohde-\$1,308.00; Ashley Seidel-Verzani-\$1,515.06; Jennifer Svendsen-\$2,022.15; Taylor Tadlock-\$1,227.96; Danielle Thibodeau-\$1,532.57; Randall Walsh-\$2,229.41; Deanna Hagberg-\$1,862.40; Jolene Gubbels-\$1,333.60; Fred Kellogg-\$375.00; Matthew Roost-\$255.00; Isabel Y. Bakkers-\$855.00; Theresa Grove-\$1,872.80; Tiffany Hansen-\$2,353.60; Natasha Ritchison-\$1,224.00; Yesica Saldana Cisneros-\$245.60; Willard Johnston-\$1,959.26; **General Fund Employee:** Federal Tax-\$11,795.01; State Tax-\$5,018.26; Soc Sec-\$8,858.76; Medicare-\$2,071.86; Extra Fit-\$685.00; Extra Sit-\$110.00; Retirement-\$7,014.22; Health Plan-\$2,850.00; Dental Plan-\$651.00; Colonial Health-\$339.32; Sheriff Union Dues-\$450.00; Colonial Life/Disability-\$116.90; Deferred Comp-\$2,135.00; Garnishments-\$682.15; Flex Plan Medical-\$1,227.78; Flex Plan Dependent Care-\$353.00; VSP Vision-\$421.86; Legal Shield-\$56.78; Liberty Nat'l-\$68.57; **Road Fund Employer:** Gross Salaries-\$17,163.52; Net Pay-\$12,076.38; Retirement-\$1,158.58; Total FICA-\$1,282.92; Health Plan-\$3,107.50; Dental Plan-\$119.36; Life Insurance-\$27.16; Brent Byroad-\$1,599.20; Kevin Chambers-\$1,507.20; Ryan Chambers-\$1,495.20; Robert Hacker-\$1,519.20; Phillip Hinds-\$1,495.20; Scott Jorgenson-\$1,495.20; Fred Kellogg-\$1,987.52; David Kneiff-\$1,507.20; Kimon Litras-\$1,555.20; Dean Pallas-\$1,507.20; Matthew Roost-\$1,495.20; **Road Fund Employee:** Federal Tax-\$1,353.74; State Tax-\$588.13; FICA-\$1,039.74; Medicare-\$243.18; Extra Fit-\$150.00; Retirement-\$772.32; Health Plan-\$200.00; Dental Plan-\$84.00; Colonial Health-\$65.66; Garnishments-\$222.47; Road Union Dues-\$225.00; VSP Vision-\$44.95; Legal Shield-\$41.82; Liberty Nat'l Pretax-\$52.88; Liberty Nat'l-\$3.25; **Health Planning Grant Employer:** Gross Salaries-\$1,103.90; Net Pay-\$577.12; Retirement-\$74.51; Total FICA-\$54.92; Health Plan-\$282.50; Dental Plan-\$10.86; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,103.90; **Health Planning Grant Employee:** Federal Tax-\$5.29; State Tax-\$9.00; FICA-\$44.51; Medicare-\$10.41; Extra Sit-\$5.00; Retirement-\$49.68; Health Plan-\$350.00; Dental Plan-\$21.00; VSP Vision-\$14.94; Legal Shield-\$16.95; **Minority Health Grant Employer:** Gross Salaries-\$1,291.11; Net Pay-\$1,042.85; Retirement-\$84.00; Total FICA-\$96.81; Health Plan-\$282.50; Dental Plan-\$10.86; Life Insurance-\$2.55; Isabel Y. Bakkers-\$285.00; Mohamud Ibrahim-\$46.73; Yesica Saldana Cisneros-\$959.38; **Minority Health Grant Employee:** Federal Tax-\$43.31; State Tax-\$26.41; FICA-\$78.46; Medicare-\$18.35; Retirement-\$56.00; Dental Plan-\$21.00; VSP Vision-\$4.73; **Juvenile Services Aid Employer:** Gross Salaries-\$1,161.00; Net Pay-\$635.25; Retirement-\$78.37; Total FICA-\$60.44; Health Plan-\$282.50; Dental Plan-\$10.86; Life Insurance-\$2.55; Sarah Anderson Deck-\$1,161.00; **Juvenile Services Aid Employee:** Federal Tax-\$28.39; State Tax-\$13.67; FICA-\$48.98; Medicare-\$11.46; Retirement-\$52.25; Health Plan-\$350.00; Dental Plan-\$21.00;

Chair Hohenstein opened the public hearing at 2:15 p.m. for the purpose of hearing public comment regarding the vacationing or abandoning of the following road: 250<sup>th</sup> Street minimum maintenance portion from S Avenue to Highway 35 approximately 3526.5' in S14 & 23, T27N, R6E, Dakota County, Nebraska.

Pat Dorcey testified in favor of closing 250<sup>th</sup> Street portion for several reasons: (1) the intersection at S Avenue is unsafe, (2) the road is abused by 4x4 vehicles and (3) trash is dumped. No other comments were given. Chair Hohenstein closed the hearing at 2:17 p.m.

Rogelio (Roger) Hernandez, Sunset Drive, South Sioux City, requested help with the draining of water with a tube under Elgin Drive and direct water south to sandy ground (Milt Peters addition). Fred Kellogg, Highway Superintendent, thought the drainage to the south was uphill. Mr. Hernandez stated he needed another 6" culvert. Mr. Kellogg and Commissioner Albenesius will meet with Mr. Hernandez to try and solve the problem.

Zach Anderson, Ireton Avenue, Homer, was not in attendance. Chair Hohenstein stated he looked at the site and noted the plugged culvert at the end of driveway. Chair Hohenstein said he talked with a contractor who bored a 12" hole to clean out 30" cement culvert near 142<sup>nd</sup> Street.

Chair Hohenstein moved, seconded by Commissioner Gill, to rescind the March 25, 2019, motion accepting all bids which would allow the Road Department to obtain the material that best fits the project at that given time. ROLL CALL VOTE: Hohenstein- yes, Gomez- yes, Rohde- absent, Albenesius- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Commissioner Gomez moved, seconded by Commissioner Gill, to approve and award gravel bids for all bids timely and properly filed by 4:30 p.m. March 22, 2019, in the office of County Clerk. ROLL CALL VOTE: Gomez- yes, Rohde- absent, Albenesius- yes, Gill- yes, Hohenstein- yes. UNANIMOUS MOTION CARRIED.

- Tri-County Aggregates – Doug Peterson: Delivered - 1" #4 red rock - \$29/ton; 3/4 x 1/4 Yankton pit - \$23/ton; 3/4 x 3/8 Sioux Falls pit - \$27/ton.
- S & S Willers dba Pilger Sand & Gravel: State of NE Spec Road Gravel - \$12 at pit, \$21.44 delivered.
- L.G. Everist Inc.: Type I- 3/4" unscreened \$16.10; Type II-1" screened - \$20.60 at Sioux City pit, Type I- 3/4" unscreened - \$9.25 at Akron pit.

Commissioner Gomez left the meeting at 2:31 p.m. and returned at 2:34 p.m.

Fred Kellogg, Highway Superintendent, presented the Road Report for March 24 to April 6, 2019. Road maintenance- 274.5 hours; culvert project (Inwood)- 19.5 hours; gravel hauling- 198 hours; tons of gravel hauled- 3516.72; sign repair/barricading- 19 hours; road concerns for grading, gravel, pot holes (Thomkins Addition) and culverts (Ireton). Mr. Kellogg stated Lux Brothers, Inc. was the only contractor to bid the Hoag Bridge approaches project (\$31,320). The contractor for the Hoag Bridge plans to pour the deck for the bridge within the next 2 weeks. The High Bridge in Jackson and the South Bluff Bridge, Jackson, are being looked at by contractor. If repairs are made to 265<sup>th</sup> Bridge approaches and deck, it can be opened.

Sheriff Kleinberg gave the Jail Report for the month of March.

March (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
91	24	0	115

2019 Calendar (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
85	28	0.02	113

2018-2019 Fiscal (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
87	26	0.02	113

Federal Income

March Marshal:	\$45,800.00	Fiscal Marshals:	\$410,931.98
March ICE:	6,376.38	Fiscal ICE:	99,575.53
March OMMS/BIA:	<u>130.00</u>	Fiscal BIA/OMMS:	<u>1,950.00</u>
March Federal:	\$52,306.38	Fiscal Federal:	\$512,457.51

2019 Calendar Federal: \$177,121.30

March County Contracts: \$5,188.74      2018-19 Fiscal County Contracts: \$48,664.50

Cost Per Inmate Per Day 2019:

<u>Jan</u>	<u>Feb</u>	<u>Mar</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>
60.68	61.20	71.30									

The jail spent \$258,564.12 for the month of March. The jail is at 76% of the total estimated yearly budget or 1% over budget for the fiscal year. The Jail was 57% of the total estimated yearly budget in March 2018. The jail spent \$9,182.78 less than allotted for March which was 4.36% over budget for the month.

March Bookings:

DCSO:	27	DAKOTA COUNTY:	47
SSCPD:	46	OTHER NE:	24
NSP:	6	SIOUX CITY:	30
COURT/SELF:	17	OTHER IA:	15
FED:	27	OTHER STATES:	12
OTHER:	<u>5</u>	HOMELESS:	<u>0</u>

TOTAL: 128

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Sheriff Kleinberg would like to see legislation to address the high medical costs paid by the county for jail inmates.

Commissioner Gomez moved, seconded by Commissioner Gill, to approve the \$100 membership fee for the Outlaw Trail Scenic Byway 12 from Willis to Valentine. ROLL CALL VOTE: Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- absent. UNANIMOUS MOTION CARRIED.

No commissioner committee reports. No mail and/or emergency business.

Board left to tour the Jail at 2:49 p.m. Janet Gill left the meeting at 2:59 p.m. Sheriff Kleinberg addressed the broken intercom at the sally port. Bids will be solicited.

Chair Hohenstein adjourned the Board of Commissioners meeting of April 8, 2019, at 3:20 p.m.

Dakota County Board of Commissioners

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Martin Hohenstein, Chair

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Date signed

\_\_\_\_\_  
Joan Spencer, County Clerk/Secretary      Date