

**Dakota County Board of Commissioners**  
Monday, May 6, 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 1:34 p.m. Present at Roll Call: Hohenstein, Gomez, Rohde, Albenesius, Gill. Absent: None. 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 – April 22, 2019
  - b. Approval of accounts payable claims
  - c. Approval of the Veterans Service Office Quarterly Report for January – March, 2019.
3. NEW BUSINESS
  - a. Board to approve payroll claims for the period of April 21 to May 4, 2019.
  - b. Approve Referee Independent Contractor Agreement/s budget expenditure.
  - c. Board approval of Special Designated Liquor license to El Paraiso Dorado, Inc., Omaha, for Rodeo Event held at 152<sup>nd</sup> Street, S36 T29N, R9E, South Sioux City Nebraska on May 26, June 22, July 6, July 28, August 18 and September 1, 2019, from 1:00 to 11:30 p.m.
4. MISCELLANEOUS
  - a. Fred Kellogg, Highway Superintendent – Road Report
  - b. Fred Kellogg, Highway Superintendent, requesting approval for road repair on 155<sup>th</sup> Street with cost over \$10,000. §23-3108/§39-810
  - c. Sheriff Kleinberg – Jail Report
  - d. Sheriff Kleinberg requesting approval for purchase of jail transport van with cost over \$10,000. §23-3108
  - e. Approve Resolution 19C-014 to establish intent to provide for incurring of indebtedness for costs incurred in recent flood damage in the estimated amount of \$1.5 million.
  - f. Approve Resolution 19C-015 to declare personal property as surplus property.
  - g. Approve Resolution 19C-016 granting Cable One, Inc. for a period of 15 years, the nonexclusive right, privilege and franchise to construct, operate and maintain a cable television system in Dakota County and providing terms and conditions for the operation of such cable television system and the payment of fees.
  - h. Approve Resolution 19C-017 to establish a county purchase card policy.
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

Chair Hohenstein called for Public Comment about any item not on the agenda. There was none.

Chair Hohenstein called for approval of the consent agenda: (a) approval of the April 22, 2019, minutes; (b) approval of accounts payable claims, (c) approval of Veterans Quarterly Report for January to March, 2019. Commissioner Rohde moved, seconded by Commissioner Gill, to approve the consent agenda items. ROLL CALL VOTE: Rohde- yes, Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- yes. UNANIMOUS MOTION CARRIED.

**Accounts Payable: General Fund;** NLETC – training, \$135.00.

Commissioner Gomez moved, seconded by Commissioner Albenesius, to approve payroll claims for the period of April 21 to May 4, 2019. ROLL CALL VOTE: Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- abstain. UNANIMOUS MOTION CARRIED.

**Payroll: General Fund Employer:** Gross Salaries-\$151,222.38; Net Pay-\$105,200.53; Total Retirement-\$10,536.01; Total FICA-\$11,121.32; Health Plan-\$22,882.50; Dental Plan-\$912.24; Life Insurance-\$211.41; 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-\$1,037.60; Stephanie Gatzemeyer-\$1,166.40; Robert Giese-\$2,231.35; Jalissa Hattig-\$1,061.60; Jolene Heinemann-\$1,479.20; Brenda Landaverde-\$1,000.00; Samantha Mitchell-\$1,000.00; Debera Benton-\$1,109.60; Christy Abts-\$1,538.66; Jeffrey Curry-\$2,231.35;

Courtney Lane-\$975.00; Melissa Steecker-\$1,025.00; 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-\$1,120.00; Kevin Hansen-\$1,947.50; Tammy Dunn Peterson-\$1,190.24; Russell Briggs-\$0.00; Sergio Castillo-\$2,169.62; Timothy Decker-\$2,294.71; Brian Ellinger-\$2,176.80; Brian Fernau-\$1,979.73; Tyler Fulkerth-\$1,869.15; Brent Gilster-\$3,476.29; Martin Guerrero-\$2,061.45; Richard Hansen-\$2,364.80; Melvin Harrison III-\$2,449.78; Jason James-\$2,048.00; Douglas Johnson-\$2,229.36; Kimberly Johnson-\$690.92; Jared Junge-\$2,244.48; Christopher Kleinberg-\$2,434.10; Kevin Rohde-\$3,720.91; Mardi Schnee-\$1,040.00; Penny Wendty-\$2,364.75; Jessica Braunger-\$887.50; 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-\$1,630.32; Shaelee Barreras-\$30.00; Shaun Bird-\$1,575.00; Rebecca Broer-\$1,612.00; Kacie Brown-\$1,696.88; Michael Cliff-\$1,492.20; Alexander DeLeon-\$1,285.20; Elisabet DeRoin-\$1,574.12; Jesse Doelle-\$1,512.00; Nathaniel Eriksen-\$1,693.31; Geoffrey Fay-\$1,306.20; Jonathan Gray-\$1,304.95; Kara Groetken-\$1,587.60; Alma Gunderson-\$1,625.40; Todd Hammer-\$2,059.18; Deanna Haukap-\$1,614.93; Adam Hough-\$1,777.96; Brenda Irwin-\$1,603.40; Stephanie Jensen-\$1,587.60; Hunter Jones-\$1,612.20; Thelma Lawrence-\$1,483.20; Mark Nelson-\$1,695.11; Preston Newman-\$1,306.20; Gregory Nyhof-\$1,684.73; Kimberly Peterson-\$1,605.02; Michele Rohde-\$1,308.00; Jennifer Svendsen-\$1,894.65; Taylor Tadlock-\$1,523.54; Danielle Thibodeau-\$1,625.78; Ashley Verzani-\$1,513.56; Randall Walsh-\$2,229.41; Deanna Hagberg-\$1,862.40; Jolene Gubbels-\$1,333.61; Fred Kellogg-\$375.00; Matthew Roost-\$255.00; Theresa Grove-\$1,872.80; Tiffany Hansen-\$2,353.60; Natasha Ritchison-\$1,224.00; Yesica Saldana Cisneros-\$241.76; Willard Johnston-\$1,959.26; **General Fund Employee:** Federal Tax-\$12,406.98; State Tax-\$5,242.00; Soc Sec-\$9,013.32; Medicare-\$2,108.00; Extra Fit-\$685.00; Extra Sit-\$110.00; Retirement-\$7,157.92; Health Plan-\$2,850.00; Dental Plan-\$630.00; 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-\$1,202.78; Flex Plan Dependent Care-\$353.00; VSP Vision-\$414.13; Legal Shield-\$56.78; Liberty Nat'l-\$68.57; **Road Fund Employer:** Gross Salaries-\$17,294.75; Net Pay-\$12,170.36; Retirement-\$1,167.43; Total FICA-\$1,292.95; 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-\$1,519.21; Phillip Hinds-\$1,495.20; Scott Jorgenson-\$1,495.20; Fred Kellogg-\$1,987.52; David Kneiff-\$1,507.20; Kimon Litras-\$1,686.42; Dean Pallas-\$1,507.20; Matthew Roost-\$1,495.20; **Road Fund Employee:** Federal Tax-\$1,368.78; State Tax-\$594.40; FICA-\$1,047.87; Medicare-\$245.08; Extra Fit-\$150.00; Retirement-\$778.23; 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-\$1,195.20; Net Pay-\$645.81; Retirement-\$80.68; Total FICA-\$61.90; Health Plan-\$282.50; Dental Plan-\$10.86; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,195.20; **Health Planning Grant Employee:** Federal Tax-\$14.01; State Tax-\$11.81; FICA-\$50.17; Medicare-\$11.73; Extra Sit-\$5.00; Retirement-\$53.78; Health Plan-\$350.00; Dental Plan-\$21.00; VSP Vision-\$14.94; Legal Shield-\$16.95; **Minority Health Grant Employer:** Gross Salaries-\$982.40; Net Pay-\$772.74; Retirement-\$66.31; Total FICA-\$73.18; Health Plan-\$282.50; Dental Plan-\$10.86; Life Insurance-\$2.55; Mohamud Ibrahim-\$0.00; Yesica Saldana Cisneros-\$982.40; **Minority Health Grant Employee:** Federal Tax-\$43.38; State Tax-\$23.16; FICA-\$59.31; Medicare-\$13.87; Retirement-\$44.21; Dental Plan-\$21.00; VSP Vision-\$4.73; **Juvenile Services Aid Employer:** Gross Salaries-\$1,199.70; Net Pay-\$664.36; Retirement-\$80.98; Total FICA-\$63.40; Health Plan-\$282.50; Dental Plan-\$10.86; Life Insurance-\$2.55; Sarah Anderson Deck-\$1,199.70; **Juvenile Services Aid Employee:** Federal Tax-\$32.09; State Tax-\$14.86; FICA-\$51.38; Medicare-\$12.02; Retirement-\$53.99; Health Plan-\$350.00; Dental Plan-\$21.00.

Commissioner Rohde moved, seconded by Chair Hohenstein, to approve the budget expenditure in regards to the Independent Contractor Agreements for referee approved by Board of Equalization [residential/ag--\$75/hr data collection; \$80/hr hearing with protestors; \$100/hr BOE meetings; \$125/hr TERC defense and commercial--\$98/hr for data collection, hearing with protestors and BOE meetings]. ROLL CALL VOTE: Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- yes. UNANIMOUS MOTION CARRIED.

Sophie Vargas requested approval of Family Rodeo Events for the dates of May 26, June 22, July 6 & 28, August 18 and September 1 and alternate rain dates of May 25, July 7, August 31, September 8 & 15 with an event start time of 1:00 p.m. and end time of 11:30 p.m. Chair Hohenstein confirmed they will use the local Sheriff's Office for security at the events. Commissioner Gomez moved, seconded by Commissioner Albenesius, to approve the family rodeo events requested to be held May 26, June 22, July 6 and 28, August 18 and September 1 and approve chair to sign the Special Designated Liquor license for rodeo events held at 152<sup>nd</sup> Street area, South Sioux City, held from 1:00 p.m. to 11:30 p.m. ROLL CALL VOTE: Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Fred Kellogg, Highway Superintendent, presented the Road Report for April 21 to May 4, 2019. Road maintenance- 259 hours; garbage pickup- 2 hours; magnet- 3 hours; gravel hauling- 192.75 hours; tons of gravel hauled- 5,502.45; sign repair/barricading- 16 hours; road concerns for grading- Saddle Lane, H Avenue, Golf Road, 142<sup>nd</sup> Street, gravel- 142<sup>nd</sup> Street, culvert concerns- 260<sup>th</sup> Street. The deck has been poured on the Jackson West (Hoag) bridge project (3-4 weeks to cure). Equipment is being moved in for work on the bridge approaches. Gravel from L.G. Everest has gone down from an extra \$10/ton to an extra \$2.50/ton. M Avenue bridge needs more pictures to show additional scouring for federal aid.

Fred Kellogg, Highway Superintendent, requested approval for road repair on 155<sup>th</sup> Street to clean ditches and raise road bed which should help drainage issues in that area. He received a bid from Albenesius Contracting, Inc. for \$25,000 and a bid from Lux Bros. for \$33,500. Commissioner Gomez moved, seconded by Commissioner Rohde, to approve

road repair using Mark Albenesius Contracting, Inc. at the cost of \$25,000. ROLL CALL VOTE: Hohenstein- yes, Gomez- yes, Rohde- yes, Albenesius- abstain, Gill- yes. UNANIMOUS MOTION CARRIED.

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

April (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
87	26	0.13	113

2019 Calendar (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
86	27	0.2	113

2018-2019 Fiscal (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
87	26	0.03	113

Federal Income

April Marshal:	\$46,491.60	Fiscal Marshals:	\$457,423.58
April ICE:	9,351.90	Fiscal ICE:	108,927.43
April OMMS/BIA:	<u>130.00</u>	Fiscal BIA/OMMS:	<u>2,080.00</u>
April Federal:	\$55,973.50	Fiscal Federal:	\$568,431.01

2019 Calendar Federal: \$223,094.80

April County Contracts: \$5,315.11

2018-19 Fiscal County Contracts: \$53,979.61

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	52.44								

The jail spent \$180,402.46 for the month of April. The jail is at 84% of the total estimated yearly budget or 1% over budget for the fiscal year. The Jail was 83% of the total estimated yearly budget in April 2018. The jail spent \$21,054.03 less than allotted for April which was 10.45% under budget for the month.

April Bookings:

DCSO:	30	DAKOTA COUNTY:	45
SSCPD:	25	OTHER NE:	20
NSP:	2	SIOUX CITY:	22
COURT/SELF:	25	OTHER IA:	23
FED:	26	OTHER STATES:	1
OTHER:	<u>4</u>	HOMELESS:	<u>1</u>
TOTAL:	112	TOTAL:	112

Sheriff Kleinberg requested approval for the purchase of a jail transport van with a cost of \$30,955 less trade-in of \$5,000 for a final cost of \$25,955.00. Chair Hohenstein stated monies remaining in the jail bond fund will be used. Commissioner Rohde moved, seconded by Commissioner Albenesius, to approve the purchase of a 2019 jail transport van for the cost of \$25,955. ROLL CALL VOTE: Gomez- yes, Rohde- yes, Albenesius- yes, Gill- yes, Hohenstein- yes. UNANIMOUS MOTION CARRIED.

Chair Hohenstein moved, seconded by Commissioner Albenesius, to approve Resolution 19C-014 to establish intent to provide for incurring of indebtedness for costs incurred in the recent flood damage in the estimated amount of \$1.5 million. ROLL CALL VOTE: Rohde- yes, Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- yes. UNANIMOUS MOTION CARRIED.

Commissioner Gomez moved, seconded by Commissioner Rohde, to approve Resolution 19C-015 to declare personal property as surplus property. ROLL CALL VOTE: Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- yes. UNANIMOUS MOTION CARRIED.

After discussion, Commissioner Gill, will do additional research on the Cable One Franchise Agreement and the approval of the resolution will be moved to the May 20<sup>th</sup> board meeting.

Commissioner Gill moved, seconded by Commissioner Gomez, to approve Resolution 19C-017 to establish a county purchase card policy for Dakota County. ROLL CALL VOTE: Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Commissioner committee report was given by Commissioner Gill on her attendance at Earth Day.

Mail—letter from Community Development Agency of South Sioux City regarding 2018 Annual Tax Increment Financing Report (TIF) was discussed. No emergency business.

Chair Hohenstein adjourned the Board of Commissioners meeting of May 6, 2019, at 2:25 p.m.

Dakota County Board of Commissioners

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Martin Hohenstein, Chair      Date signed

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Joan Spencer, County Clerk/Secretary      Date