

Dakota County Board of Commissioners
Monday, June 3, 2019, at 1:02 p.m.
County Board Meeting Room, First Floor
Dakota County Courthouse, Dakota City, Nebraska

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Chair Hohenstein called the Board of Commissioners meeting to order at 1:02 p.m. Present at Roll Call: Hohenstein, Gomez, Rohde, Albenesius, Gill. Absent: None. Also present was Cherie Conley, Deputy County Clerk, acting as Board Secretary. County Attorney, Kim Watson was absent. 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 – May 20, 2019
 - b. Approval of accounts payable claims if applicable
3. NEW BUSINESS
 - a. Board to approve payroll claims for the period of May 19 to June 1, 2019.
 - b. Jody Anderson, Big Ox, to present information to the Board regarding land application of sludge in Dakota County.
 - c. Amanda Harper, Housing Specialist, SIMPCO, requesting a letter of support for housing application grant to Federal Home Loan Bank of Topeka to provide funds for owner-occupied rehabilitation projects in Dakota County.
 - d. Bounna Pomephanh, Wat Buddharam of Siouxland, Inc., requesting approval of Special Designated Liquor license for an event at 500 142nd St, South Sioux City for a fundraising event on June 29, 2019 from 12:00 pm to 10:00 pm.
4. MISCELLANEOUS
 - a. Fred Kellogg, Highway Superintendent – Road Report
 - b. Board to approve the Interlocal Cooperation Act Agreement – Dakota County Urban Area Storm Water Management Association - by and among City of South Sioux City, City of Dakota City and Dakota County for the purpose of complying with MS4 permitting regulations in the urbanized watershed area.
 - c. Board to approve the Interlocal Agreement for street sweepers between the County of Dakota County, City of Dakota City and City of South Sioux City creating an hourly rate of \$200/hour for operation and maintenance of South Sioux City's street sweeper for the mutual benefit of all parties.
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 May 20, 2019, minutes; and (b) approval of accounts payable claims. Commissioner Gomez moved, seconded by Commissioner Gill, to approve the consent agenda items. ROLL CALL VOTE: Gomez- yes, Rohde- yes, Albenesius- yes, Gill- yes, Hohenstein- yes. UNANIMOUS MOTION CARRIED.

Commissioner Gill moved, seconded by Commissioner Gomez, to approve payroll claims for the period of May 19 – June 1, 2019. ROLL CALL VOTE: Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- abstain. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$158,409.17; Net Pay-\$110,211.29; Total Retirement-\$11,035.95; Total FICA-\$11,584.43; Health Plan-\$22,600.00; Dental Plan-\$901.38; 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-\$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; Kevin Hansen-

\$1,860.38; Tammy Dunn Peterson-\$1,178.20; Russell Briggs-\$0.00; Sergio Castillo-\$2,417.80; Timothy Decker-\$2,294.71; Brian Ellinger-\$2,448.93; Brian Fernau-\$2,327.60; Tyler Fulkerth-\$2,089.10; Brent Gilster-\$2,407.66; Martin Guerrero-\$2,382.79; Richard Hansen-\$2,670.08; Melvin Harrison III-\$2,489.65; Jason James-\$2,432.00; Douglas Johnson-\$2,229.36; Kimberly Johnson-\$634.60; Jared Junge-\$2,658.64; Christopher Kleinberg-\$2,434.10; Kevin Rohde-\$2,549.25; Mardi Schnee-\$1,040.00; Ryne Sell-\$1,368.27; Penny Wendy-\$2,557.40; 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-\$1,616.08; Shaelee Barreras-\$110.00; Shaun Bird-\$1,921.93; Rebecca Broer-\$1,612.00; Kacie Brown-\$2,067.34; Michael Cliff-\$1,489.20; Alexander DeLeon-\$1,377.00; Elisabet DeRoin-\$1,871.10; Jesse Doelle-\$1,512.00; Nathaniel Eriksen-\$2,062.41; Geoffrey Fay-\$1,805.16; Jonathan Gray-\$1,604.70; Kara Groetken-\$1,927.80; Alma Gunderson-\$1,625.40; Todd Hammer-\$2,205.31; Deanna Haukap-\$1,943.16; Adam Hough-\$2,057.46; Brenda Irwin-\$1,598.40; Stephanie Jensen-\$1,908.90; Hunter Jones-\$1,398.00; Thelma Lawrence-\$1,819.93; Mark Nelson-\$1,695.11; Preston Newman-\$1,306.20; Gregory Nyhof-\$2,046.78; Kimberly Peterson-\$1,924.10; Michele Rohde-\$1,312.09; Jennifer Svendsen-\$2,259.30; Taylor Tadlock-\$1,855.44; Danielle Thibodeau-\$1,758.24; Ashley Verzani-\$1,840.68; 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-\$1,295.40; Eunice Susana-\$1,135.75; Yesica Saldana Cisneros-\$0.00; Willard Johnston-\$1,959.26; **General Fund Employee:** Federal Tax-\$13,390.65; State Tax-\$5,631.26; Soc Sec-\$9,388.66; Medicare-\$2,195.77; Extra Fit-\$685.00; Extra Sit-\$110.00; Retirement-\$7,497.91; 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 Employee:** Gross Salaries-\$17,163.52; Net Pay-\$12,077.02; Retirement-\$1,158.58; Total FICA-\$1,282.68; 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 Kneifl-\$1,507.20; Kimon Litras-\$1,555.20; Dean Pallas-\$1,507.20; Matthew Roost-\$1,495.20; **Road Fund Employee:** Federal Tax-\$1,353.49; State Tax-\$587.98; FICA-\$1,039.55; Medicare-\$243.13; 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 Employee:** Gross Salaries-\$1,440.05; Net Pay-\$830.00; Retirement-\$97.20; Total FICA-\$80.63; Health Plan-\$282.50; Dental Plan-\$10.86; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,440.05; **Health Planning Grant Employee:** Federal Tax-\$37.39; State Tax-\$19.34; FICA-\$65.35; Medicare-\$15.28; Extra Sit-\$5.00; Retirement-\$64.80; Health Plan-\$350.00; Dental Plan-\$21.00; VSP Vision-\$14.94; Legal Shield-\$16.95; **Minority Health Grant Employee:** Gross Salaries-\$1,228.00; Net Pay-\$971.51; Retirement-\$82.89; Total FICA-\$91.97; Health Plan-\$282.50; Dental Plan-\$10.86; Life Insurance-\$2.55; Mohamud Ibrahim-\$0.00; Yesica Saldana Cisneros-\$1,228.00; **Minority Health Grant Employee:** Federal Tax-\$54.49; State Tax-\$29.04; FICA-\$74.54; Medicare-\$17.43; Retirement-\$55.26; Dental Plan-\$21.00; VSP Vision-\$4.73; **Juvenile Services Aid Employee:** 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;

Jody Anderson, Big Ox plant manager, Hal Tucker, Agronomist, and other colleagues, provided the Board with information on rigorous testing that is done to the material they wish to apply on land in Dakota County, Mr. Anderson explained that they are required to follow EPA guidelines. A slide show regarding the product was shown to all in attendance wherein it described the many benefits the sludge has to the soil and it is all natural and organic. They are currently distributing in Plymouth, Woodbury and Cherokee counties in Iowa as of February 2019. The application of this product can be done every 4 years and there is soil sampling and other guidelines that must be met before the application can go on. They did say it does have an odor until it is worked into the ground. The Board informed Big Ox that there needs to be more research done before making any decisions and thanked them for coming.

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Lou Franco spoke in opposition to Big Ox's request for land application in Dakota County and suggested the Board contact the State and find out who can legally apply this material. Commissioner Gomez stated that there was no County Attorney present to advise the Board so no decisions would be made. John Kern appeared on behalf of Terry Kern and Elliotte Saunders and stated they were also in opposition of Big Ox's request stating from his background he doesn't believe the sludge is digested enough for application. Shirley Sides brought up road concerns with the heavy truck traffic and also stock piling this material would get into the water sources and be harmful. Wendy Modlin spoke of the smells and asked that the Board look out for the citizens of Dakota County. Robert Baker spoke against the Big Ox Company. Kevin Rogers appeared and stated he had spoken to the NDEQ and was told Big Ox would never be given permission to apply their material and asked the Board to contact them for more information.

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Amanda Harper, Housing Specialist, SIMPCO, appeared to ask for the Boards support of a housing application grant and stated that Siouxland Bank had just recently signed on as one of the sponsors. If the grant is awarded, the monies will be used to help low income homeowners with rehabilitation projects. They are looking to expand into the rural communities of Dakota County. Commissioner Rohde moved, seconded by Commissioner Gill, to approve a letter of support for the SIMPCO housing grant application †. ROLL CALL VOTE: Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- yes. UNANIMOUS MOTION CARRIED.

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Bouna Pomephanh, Wat Buddharam of Siouxland Inc, appeared and asked the Board to approve the Special Designated Liquor license for an event at their temple on June 29, 2019 from 12:00 to 10:00 pm. Chair Hohenstein asked if they were going to have security/law enforcement and they affirmed that they will. Commissioner Gomez moved, seconded by Commissioner Albenesius, to approve the Special Designated Liquor license for June 29, 2019 from 12:00 to 10:00 pm at their Temple at 500 142nd Street, South Sioux City Nebraska. ROLL CALL VOTE: Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

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Fred Kellogg, Highway Superintendent, presented the Road Report for May 19- June 1, 2019. Road maintenance- 205.5 hours; tree removal – 4 hours, culvert project (Omaha bridge)- 15.5 hours; magnet- 3 hours; black topping- 22 hours; gravel hauling- 128 hours; tons of gravel hauled- 2443.03; weed spraying – 21 hours, sign repair/barricading – 28.5 hours, road concerns for gravel- F Ave, & Knox Blvd.

Chair Hohenstein explained that the County has 7 storm water outfalls and Deanna Hagberg, Emergency Manager, has been assigned the task of checking these on a monthly basis. Commissioner Rohde moved, seconded by Commissioner Gomez, to approve the Interlocal Cooperation Act Agreement – Dakota County Urban Area Storm Water Management Association - by and among City of South Sioux City, City of Dakota City and Dakota County for the purpose of complying with MS4 permitting regulations in the urbanized watershed area. ROLL CALL VOTE: Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED (did you start with Gill again?)

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Commissioner Gomez moved, seconded by Commissioner Albenesius, to approve the Interlocal Agreement for street sweepers between the County of Dakota County, City of Dakota City and City of South Sioux City creating an hourly rate of \$200/hour for operation and maintenance of South Sioux City's street sweeper for the mutual benefit of all parties. ROLL CALL VOTE: Hohenstein- yes, Gomez- yes, Rohde- yes, Albenesius- yes, Gill- yes. UNANIMOUS MOTION CARRIED

There were no Commissioner Committee reports.

No mail and/or emergency business.

Chair Hohenstein adjourned the Board of Commissioners meeting of June 3, 2019, at 3:25 p.m.

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Dakota County Board of Commissioners

Martin Hohenstein, Chair Date signed

Cherie Bousquet, Deputy County Clerk/Secretary Date

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