

Dakota County Board of Commissioners
Monday, November 4, 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 1:02 p.m. with the Pledge of Allegiance. Present at Roll Call: Hohenstein, Gomez, Rohde, Albenesius. Absent: Gill. 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 – October 21, 2019
 - b. Approval of accounts payable claims – medical insurance claim
 - c. Approval of Veterans Service Officer Quarterly Report.
3. NEW BUSINESS
 - a. Board to approve payroll claims for the period of October 20 to November 2, 2019.
 - b. Board to discuss and take action regarding local residents grading county roads.
4. MISCELLANEOUS
 - a. Fred Kellogg, Highway Superintendent – Road Report
 - b. Fred Kellogg, Highway Superintendent, requesting approval to purchase 2020 Ford F150 at state contract bid price.
 - c. Sheriff Kleinberg – Jail Report
 - d. Sheriff Kleinberg requesting approval for purchase of new law enforcement vehicles.
 - e. Robert Giese, Treasurer, requesting Board approve option for recovery of funds regarding payment error for unpaid back taxes on parcel #220154775.
 - f. Robert Giese, Treasurer, requesting board approve Resolution 19C-037 directing the County Treasurer to issue tax sale certificates to the County of Dakota upon all parcels of real estate upon which there are delinquent taxes and which said delinquent taxes were not sold on tax sale and taxes have been delinquent for three years or more.
 - g. Robert Giese, Treasurer, to present the 2019 Distress Warrant Report. §77-1742
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

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

Chair Hohenstein called for Public Comment about any item not on the agenda. Troy Groves, Murphy Tractor, introduced himself the Territory Sales Manager (John Deere motor grader equipment)

Chair Hohenstein called for approval of the consent agenda: (a) approval of the October 21, 2019, minutes, (b) approval of Accounts Payable claims (medical insurance claim) and (c) approval of Veterans Service Officer Quarterly Report. Commissioner Gomez moved, seconded by Commissioner Rohde, to approve the consent agenda items. ROLL CALL VOTE: Rohde- yes, Albenesius- yes, Gill- absent, Hohenstein-yes, Gomez- yes. UNANIMOUS MOTION CARRIED.

Accounts Payable: General Fund: Dakota Co Health Act- \$42,630.

Commissioner Gomez moved, seconded by Commissioner Albenesius, to approve payroll claims for the period of October 20 to November 2, 2019. ROLL CALL VOTE: Albenesius- yes, Gill- absent, Hohenstein- yes, and Gomez- yes, Rohde- abstain. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$149,741.89; Net Pay-\$104,526.58; Total Retirement-\$10,439.99; Total FICA-\$11,075.86; Health Plan-\$32,943.00; Dental Plan-\$1,209.50; Life Insurance-\$206.56; 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-\$1,522.85; Leticia Vargas-\$1,293.61; Joan Spencer-\$2,231.35; Kathy Abbe-\$1,058.40; Stephanie Gatzemeyer-\$1,189.60; Robert Giese-\$2,231.35; Jalissa Hattig-\$1,083.20; Jolene Heinemann-\$1,519.31; Brenda Landaverde-

\$1,020.00; Samantha Mitchell-\$1,020.00; Debera Benton-\$1,132.00; Christy Abts-\$1,569.43; Melissa Collins-\$1,072.80; Jeffrey Curry-\$2,231.35; Courtney Lane-\$1,072.80; Joseph O'Neil-\$260.10; Phyllis Obermeyer-\$2,231.35; Katherine Wiltgen-\$1,450.37; Louvontree Hunter-\$2,739.68; Debra Jensen-\$1,502.40; Karen Jimenez-\$1,062.00; Kevin Hansen-\$1,995.00; Tammy Dunn Peterson-\$1,156.00; Sergio Castillo-\$2,309.56; Timothy Decker-\$2,340.60; Brian Ellinger-\$2,220.00; Brian Fernau-\$2,076.90; Tyler Fulkerth-\$2,360.81; Brent Gilster-\$2,100.00; Martin Guerrero-\$2,432.85; Richard Hansen-\$2,140.20; Melvin Harrison III-\$2,335.14; Jason James-\$2,492.55; Douglas Johnson-\$2,273.95; Kimberly Johnson-\$911.54; Jared Junge-\$2,233.68; Christopher Kleinberg-\$2,434.10; Kevin Rohde-\$2,607.00; Mardi Schnee-\$1,070.75; Ryne Sell-\$171.96; Penny Wendte-\$2,201.06; Jessica Braunger-\$800.00; Riley Colwell-\$1,884.61; Katie Lehmann-\$1,248.00; Sheyanne Lozano-\$1,142.40; Debra Schmiedt-\$3,162.00; Kimberly Watson-\$3,484.02; Melinda Wicks-\$2,269.23; Jacob Acero-\$1,777.07; Angelica Antonio-\$1,410.80; Shaelee Barreras-\$97.50; Zachery Bickett-\$1,395.84; Shaun Bird-\$1,735.30; Rebecca Broer-\$1,643.20; Kacie Brown-\$1,831.88; Alexander De Leon-\$2,163.60; Elisabet DeRoin-\$1,664.51; Jesse Doelle-\$1,551.24; Jon Enstrom-\$1,445.43; Geoffry Fay-\$1,540.26; Thomas Gill-\$1,363.46; Jonathan Gray-\$1,507.44; Kara Groetken-\$1,618.93; Todd Hammer-\$2,316.20; Deanna Haukap-\$1,670.12; Adam Hough-\$1,855.43; Brenda Irwin-\$1,634.69; Hunter Jones-\$1,390.84; Mark Nelson-\$1,729.01; Gregory Nyhof-\$1,723.16; Kimberly Peterson-\$1,670.12; Michele Rohde-\$1,334.40; Jennifer Svendsen-\$2,133.10; Taylor Tadlock-\$1,582.18; Danielle Thibodeau-\$1,665.00; Ashley Verzani-\$1,528.80; Randall Walsh-\$2,274.00; Deanna Hagberg-\$1,900.00; Jolene Gubbels-\$1,360.00; Fred Kellogg-\$375.00; Matthew Roost-\$260.10; Theresa Grove-\$1,910.40; Tiffany Hansen-\$2,400.80; Natasha Ritchison-\$1,248.60; Yesica Saldana Cisneros-\$250.56; Eunice Susana-\$1,142.40; Willard Johnston-\$1,959.26; **General Fund Employee:** Federal Tax-\$12,679.04; State Tax-\$5,323.49; Soc Sec-\$8,976.52; Medicare-\$2,099.34; Extra Fit-\$700.00; Extra Sit-\$120.00; Retirement-\$7,096.94; Health Plan-\$2,000.00; Dental Plan-\$609.00; Colonial Health-\$309.37; Sheriff Union Dues-\$405.00; Colonial Life/Disability-\$116.90; Deferred Comp-\$1,960.00; Garnishments-\$682.15; Flex Plan Medical-\$1,202.78; Flex Plan Dependent Care-\$353.00; VSP Vision-\$431.00; Legal Shield-\$82.21; Liberty Nat'l-\$68.57; **Road Fund Employer:** Gross Salaries-\$16,696.87; Net Pay-\$11,711.15; Retirement-\$1,127.00; Total FICA-\$1,248.10; Health Plan-\$4,170.00; Dental Plan-\$147.50; Life Insurance-\$27.16; Brent Byroad-\$1,628.80; Kevin Chambers-\$1,536.80; Ryan Chambers-\$1,524.80; Robert Hacker-\$1,548.80; Scott Jorgenson-\$1,524.80; Fred Kellogg-\$2,027.27; David Kneifl-\$1,536.80; Kimon Litras-\$1,584.80; Dean Pallas-\$1,536.80; Tyler Pallas-\$722.40; Matthew Roost-\$1,524.80; **Road Fund Employee:** Federal Tax-\$1,359.69; State Tax-\$578.97; FICA-\$1,011.52; Medicare-\$236.58; Extra Fit-\$150.00; Retirement-\$751.40; Health Plan-\$200.00; Dental Plan-\$84.00; Colonial Health-\$65.66; Garnishments-\$222.47; Road Union Dues-\$200.00; VSP Vision-\$40.22; Legal Shield-\$41.82; Liberty Nat'l Pretax-\$40.14; Liberty Nat'l-\$3.25; **Health Planning Grant Employer:** Gross Salaries-\$1,235.89; Net Pay-\$755.54; Retirement-\$83.42; Total FICA-\$72.67; Health Plan-\$417.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,235.89; **Health Planning Grant Employee:** Federal Tax-\$27.89; State Tax-\$16.28; FICA-\$58.90; Medicare-\$13.77; Extra Sit-\$5.00; Retirement-\$55.62; Health Plan-\$250.00; Dental Plan-\$21.00; VSP Vision-\$14.94; Legal Shield-\$16.95; **Minority Health Grant Employer:** Gross Salaries-\$998.33; Net Pay-\$783.81; Retirement-\$67.39; Total FICA-\$74.40; Health Plan-\$417.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Mohamud Ibrahim-\$0.00; Yesica Saldana Cisneros-\$998.33; **Minority Health Grant Employee:** Federal Tax-\$45.47; State Tax-\$24.00; FICA-\$60.30; Medicare-\$14.10; Retirement-\$44.92; Dental Plan-\$21.00; VSP Vision-\$4.73; **Juvenile Services Aid Employer:** Gross Salaries-\$1,184.40; Net Pay-\$652.86; Retirement-\$79.95; Total FICA-\$62.22; Health Plan-\$417.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Sarah Anderson Deck-\$1,184.40; **Juvenile Services Aid Employee:** Federal Tax-\$30.63; State Tax-\$14.39; FICA-\$50.43; Medicare-\$11.79; Retirement-\$53.30; Health Plan-\$350.00; Dental Plan-\$21.00;

Discussion was had regarding liability concerns when maintenance of county roads is done by persons not employed by the County. Chair Hohenstein moved, seconded by Commissioner Rohde, to have the County Attorney send a letter to Andy Lux requesting he not perform work on the county roads due to the liability involved. ROLL CALL VOTE: Hohenstein – yes, Gomez- yes, Rohde- yes, Albenesius- yes, Gill- absent. UNANIMOUS MOTION CARRIED.

Fred Kellogg, Highway Superintendent, gave the road report for October 20 to November 2, 2019. Road maintenance- 305.5 hours; tree/debris removal- 6 hours; culverts/projects: Q Ave- 14 hours; M Ave- 37 hours; garbage pickup- 5 hours; mowing- 3.5 hours; gravel hauling- 197.5 hours; tons of gravel hauled- 2765.94. sign repair/barricading- 1 hours. Grading concerns- H Ave, S Bluff; Gravel concerns- Knox Blvd and 122nd Street.

The purchase of a 2020 Ford F150 (state bid—\$32,777) for the Dakota County Road Department was discussed and inventory of current pickups and current mileage. Commissioner Rohde moved, seconded by Chair Hohenstein, to approve the purchase of a new pickup for the Road Department and to place on surplus the 2006 Chevrolet pickup. ROLL CALL VOTE: Gomez- yes, Rohde- yes, Albenesius – no, Gill- absent, Hohenstein- yes. MOTION CARRIED.

Sheriff Kleinberg gave the October 2019 Jail Report.

October (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
68	40	2.29	108

2019 Calendar (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
83	31	0.36	114

2019-2020 Fiscal (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
79	36	0.85	115

Federal Income unavailable

Cost Per Inmate Per Day 2019:

<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</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	49.82	61.86	53.55	82.11	65.85	58.34		

The jail spent \$199,497.82 for the month of October. The jail is at 34% of the total estimated yearly budget or 1% over budget for the fiscal year. The Jail was 32% of the total estimated yearly budget in October 2018. The jail spent \$27,698.39 less than allotted for October which was 12% under budget for the month.

October Bookings:

DCSO:	22	DAKOTA COUNTY:	32
SSCPD:	28	OTHER NE:	30
NSP:	2	SIOUX CITY:	30
COURT/SELF:	18	OTHER IA:	22
FED:	58	OTHER STATES:	13
OTHER:	<u>3</u>	HOMELESS:	<u>4</u>
TOTAL:	131	TOTAL:	131

Commissioner Gomez moved, seconded by Chair Hohenstein, to approve the Sheriff to purchase three (3) new law enforcement vehicles and related equipment (\$114,875). ROLL CALL VOTE: Rohde- yes, Albenesius- yes, Gill- absent, Hohenstein- yes, Gomez- yes. UNANIMOUS MOTION CARRIED.

Robert Giese, Treasurer, explained a tax payment error and recovery of cost. Chair Hohenstein moved, seconded by Commissioner Rohde, to approve cost recovery per tax payment error through small claims court (\$1,828). ROLL CALL VOTE: Albenesius- yes, Gill- absent, Hohenstein- yes, Gomez- yes, Rohde- yes. UNANIMOUS MOTION CARRIED.

Robert Giese, Treasurer, requesting approval of procedure for parcels not sold on tax sale. Commissioner Gomez moved, seconded by Commissioner Albenesius, to approve Resolution 19C-037 directing the County Treasurer to issue tax sale certificates to the County of Dakota upon all parcels of real estate upon which there are delinquent taxes and which said delinquent taxes were not sold on tax sales and taxes have been delinquent for three years or more. ROLL CALL VOTE: Hohenstein- yes, Gomez- yes, Rohde- yes, Albenesius- yes, Gill- absent. UNANIMOUS MOTION CARRIED.

RESOLUTION NO. 19C-037

BE IT RESOLVED by the Board of County Commissioners of the County of Dakota, Nebraska, in regular session duly assembled this 4th day of November, 2019, as follows:

WHEREAS, made and filed with this Board on November 4, 2019, setting out a list of all parcels of real estate in said county on which the taxes are delinquent and which were not sold, for want of bidders at the last annual tax sale held in this county the board finds that all parcels of real estate with taxes which have been delinquent for three years or more, should be foreclosed upon; and

WHEREAS, Section 77-1918 of the Revised Statutes of Nebraska, as amended, provides that the county Board shall select the method of procedure to be followed;

NOW, THEREFORE, this Board of County Commissioners direct the County Treasurer to issue tax sale certificates to the County of Dakota upon all parcels of real estate upon which there are delinquent taxes. The County Treasurer is further authorized and directed to endorse on tax sale certificates heretofore issued and upon tax sale certificates issued pursuant to this Resolution, real estate taxes as the same become delinquent subsequent to the issuance of said tax sale certificates and to endorse thereon all special assessment taxes or installments of special assessment taxes as the same become delinquent after the issuance of a tax sale certificate as above set forth; said endorsements herein provided shall be made by the County Treasurer up until the time said tax sale certificates are turned over to the County Attorney for foreclosure as hereinafter provided. The County Treasurer is further authorized to issue new tax sale certificates to and in favor of the County of Dakota in those instances, if any, where a previous tax sale certificate may have existed; and

Whereas, it is found to be in the best interest of the Count of Dakota that the County Attorney be directed to foreclose all tax sale certificates heretofore issued by the County Treasurer of the Dakota County , Nebraska, to the County of Dakota, Nebraska, which have been issued for a period of three years, or as provided in Section 77-1901, as amended. The County Attorney is further authorized to take the tax foreclosure proceedings pending at this time to decree, confirmation and issuance of sheriff's deeds;

NOW THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of Dakota, Nebraska that the County Treasurer be and he hereby is directed to issue tax sale certificates to the County of Dakota covering delinquent taxes upon any and all parcels of real estate within the confines of said County, that have been offered for one or more consecutive years or as provided in Section 77-1901, as amended, and not sold for want of bidders at the date of the annual tax sale by the Treasurer of said county, in accordance with Section 77-1902, Revised Statutes of Nebraska , as amended;

AND BE IT FURTHER RESOLVED that the County Attorney of Dakota County be and she is hereby authorized to institute actions upon all tax sale certificates issued in favor of the County of Dakota, as to which three years have expired from the date of such issuance and to proceed to decree and confirmation in all pending tax foreclosure proceedings on behalf of the County of Dakota.

DATED this 4th day of November, 2019, at the County-City Building, Dakota City, Dakota County, Nebraska.

Robert Giese, Treasurer, presented the 2019 Distress Warrant Report (\$40,955.33) as delivered to the Sheriff for collection.

No Commissioner Committee Reports, mail or emergency business.

Chair Hohenstein adjourned the Board of Commissioners meeting of November 4, 2019, at 2:02 p.m.

Martin Hohenstein, Chair Date signed

Joan Spencer, County Clerk/Secretary Date