

**Dakota County Board of Commissioners**  
Monday, April 6, 2020, at 1:00 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, 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.
  - a. Michelle Iverson, 1588 Hwy 110 – dust control for 160<sup>th</sup> Street to Mark Albenesius crushed concrete site consideration per health issues.
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 23, 2020
  - b. Approval of accounts payable claims – insurance medical claim transfer
  - c. Approval of Treasurer Journal Entry to correct deposit error between funds for public safety sales tax.
3. NEW BUSINESS
  - a. Board to approve the Payroll Claims for the period of March 22 to April 4, 2020.
  - b. 1:01 p.m. Open and award bids for concrete patching of North Bluff Road
  - c. Board to accept/not accept the recommendation of the Dakota County Joint Planning Commission and approve the changes to the Wind Energy Regulations and revise Section 900.2 Wind Energy Installation.
4. MISCELLANEOUS
  - a. Fred Kellogg, Highway Superintendent – Road Report
  - b. Sheriff Kleinberg – Jail Report
  - c. Board to discuss and/or approve extending the COVID19 precautions deadline to keep the Courthouse locked and business done by appointment only.
  - d. Tiffany Hansen, introduction of new Health Department Director.
  - e. County Board shall make quarterly visit to county jail. §47-109
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. Donald Prenger, Dakota Flats, said the water problem with his neighbor (Tom Bousquet) has gotten worse. He stated that the county raised 155<sup>th</sup> Street and dug ditches on both sides of the road and he felt all the water was being drained into the Dakota Flats subdivision pond. He stated Mr. Bousquet dug a trench to direct the water toward the pond and you cannot change the flow of water to flood your neighbor. He also stated a plugged culvert on Highway 20 was cleaned out causing more water to flow towards Dakota Flats. He stated his pond is adequate for the subdivision but not designed to also drain the Bousquet 70-acre field. He asked the County to ask Tom Bousquet to contain the water in his field as he was asked to do before his subdivision was approved. Commissioner Albenesius asked about digging the ditch further west. Chair Hohenstein felt the Board did not have authority to tell Mr. Bousquet how to handle the water on his property. Mr. Prenger also asked road repair (cracks sealed) to be done on Dakota Flats Drive and Fred Kellogg said that would be done.

Chair Hohenstein called for approval of the consent agenda: (a) approval of the March 23, 2020, minutes, (b) approval of Accounts Payable claim (insurance medical claim transfer) and (c) approval of Treasurer Journal Entry to correct deposit error between funds for public safety sales tax. Commissioner Gomez moved, seconded by Commissioner Rohde, to approve the consent agenda items. ROLL CALL VOTE: Gomez- yes, Rohde- yes, Albenesius- yes, Gill- yes, Hohenstein- yes. UNANIMOUS MOTION CARRIED.

**Accounts Payable: Inheritance Tax:** Dakota County Health Act, health claim - \$50,000.

Commissioner Gill moved, seconded by Commissioner Gomez, to approve the payroll claims for the period of March 22 to April 4, 2020. ROLL CALL VOTE: Rohde- abstain, Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- yes. UNANIMOUS MOTION CARRIED.

**Payroll: General Fund Employer:** Salaries-\$147,132.85; Net Pay-\$103,931.26; Total Retirement-\$10,131.15; Total FICA-\$10,846.33; Health Plan-\$32,943.00; Dental Plan-\$1,194.75; Life Insurance-\$202.74; Larry Albenesius-\$1,081.50; Janet Gill-\$1,081.50; Antonio Gomez-\$1,081.50; Martin Hohenstein-\$1,125.94; Kevin Rohde-\$881.50; Cherie Conley-\$1,522.85; Leticia Vargas-\$1,293.60; Joan Spencer-\$2,191.68; Kathy Abbe-\$1,158.40; Stephanie Gatzemeyer-\$1,509.93; Robert Giese-\$2,191.68; Mindy Gilster-\$506.25; Jalissa Hattig-\$1,158.40; Brenda Landaverde-\$1,020.00; Samantha Mitchell-\$1,020.01; Debera Benton-\$1,132.01; Christy Abts-\$1,569.43; Melissa Collins-\$1,072.80; Jeffrey Curry-\$2,191.68; Courtney Lane-\$1,072.80; Joseph O'Neil-\$260.10; Phyllis Obermeyer-\$2,191.68; Katherine Wiltgen-\$1,479.38; Louvontree Hunter-\$2,690.97; Debra Jensen-\$1,502.40; Karen Jimenez-\$1,180.00; Kevin Hansen-\$1,938.51; Tammy Dunn Peterson-\$1,156.00; Shaun Bird-\$318.62; Sergio Castillo-\$2,192.78; Timothy Decker-\$2,340.60; Brian Ellinger-\$2,220.00; Brian Fernau-\$2,180.10; Tyler Fulkerth-\$1,991.58; Brent Gilster-\$2,139.38; Martin Guerrero-\$2,101.95; Richard Hansen-\$2,088.00; Melvin Harrison III-\$2,172.60; Jason James-\$2,114.10; Douglas Johnson-\$2,273.95; Kimberly Johnson-\$651.10; Jared Junge-\$2,179.20; Jaime Keatts-\$0.00; Christopher Kleinberg-\$2,390.83; Kevin Rohde-\$2,389.20; Mardi Schnee-\$1,060.80; Ryne Sell-\$0.00; Penny Wendte-\$2,167.20; Jessica Braunger-\$817.92; Riley Colwell-\$1,884.61; Katie Lehmann-\$1,304.00; Sheyanne Lozano-\$1,142.40; Debra Schmiedt-\$3,230.77; Kimberly Watson-\$3,422.08; Melinda Wicks-\$2,269.23; Jacob Acero-\$1,651.98; Angelica Antonio-\$0.00; Darius Barnes-\$570.96; Shaelee Barreras-\$175.00; Trent Bertram-\$374.64; Zachery Bickett-\$1,311.24; Shaun Bird-\$1,315.18; Rebecca Broer-\$1,663.74; Kacie Brown-\$1,743.72; Alexander De Leon-\$1,516.44; Elisabet DeRoin-\$1,618.68; Jesse Doelle-\$1,541.60; Jon Enstrom-\$1,332.24; Thomas Gill-\$561.96; Jonathan Gray-\$1,504.44; Kara Groetken-\$1,618.68; Todd Hammer-\$2,315.40; Deanna Haukap-\$116.52; Adam Hough-\$1,736.02; Victor Huerta-\$472.80; Brenda Irwin-\$1,634.69; Hunter Jones-\$1,525.44; Brady Mathis-\$1,332.24; Skyler Miner-\$1,332.24; Mark Nelson-\$1,729.01; Gregory Nyhof-\$1,723.16; Kimberly Peterson-\$1,631.28; Michele Rohde-\$1,334.40; Rebecca Schoep-\$761.28; Jennifer Svendsen-\$2,437.50; Taylor Tadlock-\$1,596.52; Danielle Thibodeau-\$1,722.88; Ashley Verzani-\$1,579.20; Randall Walsh-\$2,274.00; Cody Wilen-\$1,141.92; 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-\$1,469.72; Yesica Saldana Cisneros-\$262.56; Jacqueline Traum-\$1,032.50; Willard Johnston-\$1,959.26; **General Fund Employee:** Federal Tax-\$11,659.58; State Tax-\$5,109.15; Soc Sec-\$8,790.49; Medicare-\$2,055.84; Extra Fit-\$797.00; Extra Sit-\$145.00; Retirement-\$6,884.70; Health Plan-\$2,400.00; Dental Plan-\$588.00; Colonial Health-\$309.37; Sheriff Union Dues-\$405.00; Colonial Life/Disability-\$116.90; Deferred Comp-\$1,430.00; Garnishments-\$382.15; Flex Plan Medical-\$1,051.91; Flex Plan Dependent Care-\$416.33; VSP Vision-\$547.52; Legal Shield-\$69.26; Liberty Nat'l-\$43.39; **Road Fund Employer:** Gross Salaries-\$17,510.90; Net Pay-\$12,470.84; Retirement-\$1,181.95; Total FICA-\$1,310.28; Health Plan-\$4,587.00; Dental Plan-\$162.25; Life Insurance-\$27.16; Brent Byroad-\$1,720.42; 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-\$1,444.80; Matthew Roost-\$1,524.80; **Road Fund Employee:** Federal Tax-\$1,447.39; State Tax-\$624.13; FICA-\$1,061.93; Medicare-\$248.35; Extra Fit-\$150.00; Retirement-\$788.03; Health Plan-\$200.00; Dental Plan-\$84.00; Colonial Health-\$65.66; Garnishments-\$35.08; Road Union Dues-\$200.00; VSP Vision-\$50.28; Legal Shield-\$41.82; Liberty National\$40.14; Liberty National-\$3.25; **Health Planning Grant Employer:** Gross Salaries-\$1,307.84; Net Pay-\$1,006.02; Retirement-\$88.28; Total FICA-\$97.28; Health Plan-\$417.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,307.84; **Health Planning Grant Employee:** Federal Tax-\$58.97; State Tax-\$28.59; FICA-\$78.84; Medicare-\$18.44; Extra Sit-\$5.00; Retirement-\$58.85; Health Plan-\$0.00; Dental Plan-\$21.00; VSP Vision-\$15.18; Legal Shield-\$16.95; **Minority Health Grant Employer:** Gross Salaries-\$1,249.13; Net Pay-\$1,019.66; Retirement-\$71.45; Total FICA-\$95.15; Health Plan-\$417.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Mohamud Ibrahim-\$190.68; Yesica Saldana Cisneros-\$1,058.45; **Minority Health Grant Employee:** Federal Tax-\$52.96; State Tax-\$28.57; FICA-\$77.12; Medicare-\$18.03; Retirement-\$47.63; Dental Plan-\$0.00; VSP Vision-\$5.16; **Juvenile Services Aid Employer:** Gross Salaries-\$1,184.40; Net Pay-\$653.25; 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-\$30.24; State Tax-\$14.39; FICA-\$50.43; Medicare-\$11.79; Retirement-\$53.30; Health Plan-\$350.00; Dental Plan-\$21.00;

Fred Kellogg, Highway Superintendent, opened the bids for concrete patching of North Bluff Road. (1) Gill Construction, Inc.- total base bid: \$62,453.31; (2) Mark Albenesius, Inc. - total base bid: \$71,332.09. There is a June 1<sup>st</sup> completion date. Commissioner Gomez moved, seconded by Chair Hohenstein, to approve the bid of Gill Construction of \$62,453.31 for repair of North Bluff Road. ROLL CALL VOTE: Rohde- yes, Albenesius- abstain, Gill- yes, Hohenstein- yes, Gomez- yes. UNANIMOUS MOTION CARRIED.

Chair Hohenstein called for discussion on agenda item to accept or not accept the recommendation of the Dakota County Joint Planning Commission to approve the changes to the Wind Energy Regulations and revise Section 900.2 Wind Energy installation. Marci Broyhill, concerned citizen, spoke regarding the setback chart and felt it should be gaged from the property line and have a large buffer; she also thought the wording on decommissioning was confusing on whether it is operational and thought the timeline was too long to remove a turbine and there were a lot of "red flag" words. She thought the ground clearance was too low from tip of turbine and asked zoning the farms to be industrial. She thought the regulations should be modified and asked if the county could declare a moratorium. Chair Hohenstein said he talked with the Zoning Director and he felt the more stringent regulations should be approved so that a wind company could not come into the County under the much more lenient regulations. Commissioner Gomez felt a wind farm would not be a good thing. Commissioner Gill asked what steps a wind energy company would take and thought the weak regulations should be "taken off the table." Jeff Curry stated that fellow county assessors have problems setting a

value on the wind turbines and asked if the regs addressed having full access to the turbines for setting a value. There were questions regarding the escrow in the new regulations. Joe O'Neill, Zoning Director, was contacted to join the meeting telephonically. Commissioner Rohde asked if the County could at some point repeal the regulations and prohibit a wind energy farm. Mr. O'Neill stated Stanton County voted to not allow any wind energy farms in their county. Chair asked the County Attorney to check and have discussion at the next meeting regarding a moratorium.

Chair Hohenstein moved, seconded by Commissioner Rohde, to approve the stricter regulations and enact the changes to the Wind Energy Regulations and revise Section 900.2 regarding wind energy installation. ROLL CALL VOTE: Rohde- yes, Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- yes. UNANIMOUS MOTION CARRIED.

Tiffany Hansen, Health Department Director, introduced Natasha Ritchison who was hired as the new Health Department Director effective April 17th. She has experience as a nurse in both private and public health care and has worked in the Dakota County Health Department 4 years. Tiffany stated she has confidence Natasha will lead and lead well.

Fred Kellogg, Highway Superintendent, presented the Road Report for March 22 to April 4, 2020. Road maintenance- 378 hours; overtime- 6 hours; tree/debris removal- 12.5 hours; garbage pickup- 7 hours; salt/sand/snow removal- 6 hours; gravel hauling- 18.5 hours; tons of gravel applied- 3327.6; sign repair/barricading- 6 hours. Purchase of additional gravel was discussed. The spring by Storks (Sivill Way) was discussed. Jackson High bridge was discussed. Fred stated he is waiting for more information from the engineer to bid the bridge project on North Bluff Road by Jackson.

Sheriff Kleinberg presented the Jail Report for the month of March, 2020.

March (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
62	34	1	96

2020 Calendar (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
64	36	0.36	100

2019-2020 Fiscal (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
70	38	0.65	108

Federal Income

March Marshal:	\$67,972.25	Fiscal Marshals:	\$626,515.91
March ICE:	6,015.03	Fiscal ICE:	61,549.38
March OMMS/SDMS:	0.00	Fiscal BIA/OMMS:	29,185.00
March Federal:	\$73,987.28	Fiscal Federal:	\$717,250.29

2019 Calendar Federal: \$231,907.19

March County Contracts: \$3,110.00

2019-20 Fiscal County Contracts: \$18,543.78

Cost Per Inmate Per Day 2020:

<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>
99.65	88.46	\$73.25									

The jail spent \$224,155.65 for the month of March and is at 78% of the total estimated yearly budget or 3% over budget for the fiscal year. In March 2019 the jail was at 76% of the total estimated yearly budget and spent \$3,040.56 less than was allotted for the month which was 1.3% over budget.

March Bookings:

DCSO:	24	DAKOTA COUNTY:	27
SSCPD:	27	OTHER NE:	29
NSP:	5	SIOUX CITY:	24
COURT/SELF:	8	OTHER IA:	23
FED:	38	OTHER STATES:	5
OTHER:	6	HOMELESS:	0
TOTAL:	108	TOTAL:	108

Sheriff stated he is hoping to get a report on the jail water usage from a new firm he hired.

Commissioner Gill moved, seconded by Commissioner Albenesius, to extend the policy to close the courthouse and conduct business by appointment only until April 20, 2020. Discussion regarding putting the board meetings on webex. ROLL CALL VOTE: Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

The Board did not tour the Jail due to COVID19 precautions.

No Commissioner Committee reports. No emergency business. Chair Hohenstein noted he received correspondence from Jail Standards that the jail passed inspection.

Chair Hohenstein adjourned the Board of Commissioners meeting of April 6, 2020, at 2:20 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