

Dakota County Board of Commissioners
Monday, May 4, 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 1:01 p.m. with the Pledge of Allegiance. Present at Roll Call: Hohenstein, Rohde, Albenesius, Gill. Absent: Gomez. 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 20, 2020
 - b. Approval of accounts payable claims if applicable
 - c. Approval of Sheriff, Jail and Veterans Quarterly Reports for January to March, 2020
3. NEW BUSINESS
 - a. Board to approve the Payroll Claims for the period of April 19 – May 2, 2020.
 - b. Board to discuss, approve or not approve Resolution 20C-005 to declare a moratorium on wind energy farms in Dakota County.
 - ❖ Conference Call: Josh Moenning, New Power Nebraska
4. Approval of a renewal of the Inter-local Agreement between Dakota County and Dixon County for use of Dakota County Veterans Service Officer 2 days per month in Dixon County.
5. MISCELLANEOUS
 - a. Fred Kellogg, Highway Superintendent – Road Report
 - b. Board to discuss and/or approve extending the COVID19 precautions deadline to keep the Courthouse locked and business done by appointment only.
6. COMMISSIONER COMMITTEE REPORTS
7. MAIL AND/OR EMERGENCY BUSINESS
8. ADJOURNMENT

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

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 20, 2020, minutes, (b) approval of accounts payable claims if applicable and (c) approval of Quarterly Officials Reports—Sheriff, Jail and Veterans for January – March, 2020. Commissioner Gill moved, seconded by Commissioner Rohde, to approve the consent agenda items. ROLL CALL VOTE: Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- absent, Rohde- yes. UNANIMOUS MOTION CARRIED.

Commissioner Gill moved, seconded by Commissioner Albenesius, to approve the payroll claims for the period of April 19 - May 2, 2020. ROLL CALL VOTE: Gill- yes, Hohenstein- yes, Gomez- absent, Rohde- abstain, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Salaries-\$151,813.36; Net Pay-\$107,268.23; Total Retirement-\$10,256.17; Makeup Retirement-\$141.32; Total FICA-\$11,228.27; Health Plan-\$33,777.00; Dental Plan-\$1,224.25; Life Insurance-\$207.84; 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-\$784.38; Jalissa Hattig-\$1,158.40; 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-\$2,191.68; 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-\$1,922.45; Tammy Dunn Peterson-\$1,156.00; Shaun Bird-\$475.42; Russell Briggs-\$0.00; Sergio Castillo-\$2,114.93; Timothy Decker-\$2,340.60; Brian Ellinger-\$2,220.00; Brian Fernau-\$2,064.00; Tyler Fulkerth-\$1,902.40; Brent Gilster-\$2,100.00; Martin Guerrero-\$2,076.00; Richard Hansen-\$2,088.00; Melvin Harrison III-\$2,416.42; Jason James-

\$2,088.00; Douglas Johnson-\$2,273.95; Kimberly Johnson-\$474.92; Jared Junge-\$2,179.20; Christopher Kleinberg-\$2,390.83; Kevin Rohde-\$2,112.00; Mardi Schnee-\$1,060.80; 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-\$1,729.65; Angelica Antonio-\$0.00; Shaelee Barreras-\$167.50; Trent Bertram-\$379.14; Zachery Bickett-\$1,311.24; Shaun Bird-\$1,387.44; Rebecca Broer-\$1,643.20; Kacie Brown-\$1,735.70; Tomio Castro-\$314.20; Leonardo Davalos-\$93.66; Alexander De Leon-\$1,504.44; Elisabet DeRoin-\$1,618.93; Jesse Doelle-\$1,541.60; Jon Enstrom-\$1,321.24; Jonathan Gray-\$1,504.44; Kara Groetken-\$1,628.45; Todd Hammer-\$2,220.06; Adam Hough-\$1,725.77; Brenda Irwin-\$1,644.88; Hunter Jones-\$1,525.44; Brady Mathis-\$1,173.14; Skyler Miner-\$1,332.24; Mark Nelson-\$1,729.01; Gregory Nyhof-\$1,707.90; Kimberly Peterson-\$1,641.12; Darius Richardson Barnes-\$1,332.24; Michele Rohde-\$1,334.40; Rebecca Schoep-\$1,331.99; Jennifer Svendsen-\$2,343.84; Taylor Tadlock-\$1,606.08; Danielle Thibodeau-\$1,730.86; Ashley Verzani-\$1,350.60; Anthony Von Haden-\$161.00; Randall Walsh-\$2,274.00; Cody Wilen-\$1,210.72; Deanna Hagberg-\$1,900.00; Jolene Gubbels-\$1,360.00; Fred Kellogg-\$375.00; Matthew Roost-\$260.10; Jana Adam-\$198.00; Yvette Aldana-\$166.50; Tracy Ellinger-\$216.00; Jayden Grove-\$90.00; Theresa Grove-\$1,910.40; Melissa Hans-\$652.50; Mohamud Ibrahim-\$1,102.50; Marcia Mahon-\$270.00; Jeanette McFee-\$148.50; Natasha Ritchison-\$2,000.00; Kristin Robinette-\$306.00; Yesica Saldana Cisneros-\$2,236.50; Carmen Stark-\$306.00; Jacqueline Traum-\$1,959.75; Willard Johnston-\$1,959.26; **General Fund Employee:** Federal Tax-\$11,693.48; State Tax-\$5,255.49; Soc Sec-\$9,100.02; Medicare-\$2,128.25; Extra Fit-\$837.00; Extra Sit-\$155.00; Retirement-\$6,967.11; Makeup Retirement-\$94.21; Health Plan-\$2,400.00; Dental Plan-\$567.00; Colonial Health-\$264.48; Sheriff Union Dues-\$405.00; Colonial Life/Disability-\$81.75; Deferred Comp-\$2,080.00; Garnishments-\$639.73; Flex Plan Medical-\$1,051.91; Flex Plan Dependent Care-\$208.33; VSP Vision-\$503.72; Legal Shield-\$69.26; Liberty Nat'l-\$43.39; **Road Fund Employer:** Gross Salaries-\$18,280.14; Net Pay-\$12,820.82; Retirement-\$1,233.88; Total FICA-\$1,368.45; Health Plan-\$4,587.00; Dental Plan-\$162.25; Life Insurance-\$27.16; Brent Byroad-\$1,628.80; Kevin Chambers-\$1,536.80; Ryan Chambers-\$1,524.80; Robert Hacker-\$2,323.20; Scott Jorgenson-\$1,524.80; Fred Kellogg-\$2,027.27; David Kneifl-\$1,536.80; Kimon Litras-\$1,584.80; Dean Pallas-\$1,623.27; Tyler Pallas-\$1,444.80; Matthew Roost-\$1,524.80; **Road Fund Employee:** Federal Tax-\$1,552.51; State Tax-\$671.95; FICA-\$1,109.06; Medicare-\$259.39; Extra Fit-\$150.00; Retirement-\$822.64; Health Plan-\$200.00; Dental Plan-\$84.00; Colonial Health-\$65.66; Garnishments-\$208.62; 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-\$1,424.25; Net Pay-\$1,091.71; Retirement-\$96.14; Total FICA-\$106.19; Health Plan-\$417.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,424.25; **Health Planning Grant Employee:** Federal Tax-\$70.09; State Tax-\$34.04; FICA-\$86.06; Medicare-\$20.13; Extra Sit-\$5.00; Retirement-\$64.09; Health Plan-\$0.00; Dental Plan-\$21.00; VSP Vision-\$15.18; Legal Shield-\$16.95; **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;

Board Chair called for discussion on the Resolution to declare a moratorium on wind energy farms in Dakota County. County Attorney clarified that it was a draft Resolution. A conference call was made to Josh Moenning, New Power Nebraska. He gave information on (1) new farm income; (2) new jobs and (3) new tax revenue that a wind energy farm in our county would generate. He respects the ability of each Board to make their own decision and urged the board to visit a wind energy farm and to pause before shutting the door. Chair Hohenstein asked if he were the neighbor, what would he require for a setback and Mr. Moenning stated 1000' to 1500'. A conference call was also made to Graham Christensen, President of two area companies—GC ReVolt LLC (solar) and Burt County Wind LLC. He made available a flyer on the *Economic Benefits of Wind to Burt County Nebraska*. He stated revenue from the Wind Energy Farms would hold down land taxes for residents of the county and to have open minds—wind is the future. Jeff Curry, Assessor, asked Mr. Christensen questions regarding decommissioning of the wind towers and the permanent base left in the ground. Chair Hohenstein asked if he were the neighbor, what would he require for a setback and Mr. Christensen stated 1500' would eliminate the “whoosh whoosh” noise and noted that landowners have the power to negotiate the contract and include a good neighbor payment.

Lynell Lieber, South Sioux City, stated she is very much against wind energy because the towers are an eyesore and have bright lights blinking at night and wanted to make sure all neighbors would be contacted. Jeff Curry, Assessor, stated the owners for solar farms and wind energy farms are very hard to contact to get answers. Commissioner Albenesius thought the revenue would not cover the cost of gravel for our roads. Brad Grier, South Sioux City, thought wind towers were beautiful and majestic. He stated the schools would be glad to receive the tax money and asked that the moratorium have a sunset clause and to study the wind energy decision with due diligence. Marci Broyhill stated she talked with a resident of Cherry County who told her the Dakota County Reg 900.2.206 gives 7 years to decommission the tower giving the company the time to declare bankruptcy and that the concrete should be removed 12 feet down. She cautioned that a local bank should hold the decommission fund. If a contract has a good neighbor clause, the Wind Company owns the land. If there is a large wind energy farm, it is less likely people will want to move near that area or into that county and property values decrease and school enrollment does down. Commissioner Rohde thought the moratorium was a good idea. Commissioner Gill wanted to know how the revenue happens. She was not against small wind turbines such as Old Dane and thought most wind farms had a grid of 100 towers to be profitable and the handout talked about a farm of 27. She thought public opinion was needed. Chair Hohenstein stated the Resolution was a draft and also felt the board should get more input and visit with Dixon County. Commissioner Albenesius pointed out the revenue is projected out 40 years but the life of the project is 15-20 years. Chair Hohenstein moved, seconded by

Commissioner Gill, to table the Resolution and do more research. ROLL CALL VOTE: Hohenstein- yes, Gomez- absent, Rohde- yes, Albenesius- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Commissioner Gill moved, seconded by Commissioner Albenesius, to approve the renewal of the Inter-local Agreement between Dakota County and Dixon County for use of Dakota County Veterans Service Officer 2 days per month in Dixon County. ROLL CALL VOTE: Rohde- yes, Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- absent. UNANIMOUS MOTION CARRIED.

Fred Kellogg, Highway Superintendent, was not available to present the Road Report for April 19-May 2, 2020. [Road maintenance- 445.3 hours; overtime- 3 hours; gravel hauling- 68 hours; tons of gravel applied- 911.82; sign repair/barricading- 78 hours.] Road Department work week was discussed. Commissioner Albenesius also noted the roads in the northwest part of the county needed more work

Chair Hohenstein stated that the Health Department has hired new temp employees to help with COVID19 and the State is granting approximately \$210,000 for such costs. Chair Hohenstein moved, seconded by Commissioner Rohde, to approve extending another 2 weeks for the Courthouse to stay closed and help customers by appointment only. ROLL CALL VOTE: Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- absent, Rohde- yes. UNANIMOUS MOTION CARRIED.

Chair Hohenstein reported on his Veterans Committee meeting and request for additional funds from Region IV. No mail or emergency business.

Chair Hohenstein adjourned the Board of Commissioners meeting of May 4, 2020, at 2:23 p.m.

Dakota County Board of Commissioners

Martin Hohenstein, Chair

Date signed

Joan Spencer, County Clerk/Secretary Date