

**Dakota County Board of Commissioners**  
Monday, June 29, 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 1:00 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 (arrived at 1:25 p.m.) 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. TABLED ITEMS

- a. Board to discuss, approve or not approve Resolution 20C-005 to declare a moratorium on wind energy farms in Dakota County.

- *Motion required to take from the Table*

2. 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.

3. 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 – June 15, 2020

4. NEW BUSINESS

- a. Board to approve the payroll claims of June 14 - 27, 2020.

- b. Lance Hedquist, South Sioux City Administrator, to update the Board regarding the plans for a new wastewater treatment facility in South Sioux City.

- c. Amanda Harper, Housing Manager at SIMPCO, requesting a Letter of Support for SIMPCO's application for a federal Home Loan Bank of Topeka grant which will assist low-income homeowners in Dakota County in the amount between \$450,000 to \$750,000.

- d. Rodney Reisdorph requesting to address the Board regarding to close or not close Stable Drive.

- e. Amy Utech & Cherie Conley, Dakota-Thurston Fair Board, requesting Board approval for Special Designated Liquor licenses during the 2020 Fair which is scheduled for July 29 – August 2. Also requesting Board approval to close a portion of Stable Drive for safety reasons starting Wednesday, July 29, and ending Sunday, August 2, and permission to use the Road Closed signs from the Road Department if available.

5. MISCELLANEOUS

- a. Fred Kellogg, Highway Superintendent – Road Report

- b. Approve Agreement with Independent Contractor Maggie Cook for the purpose of bailiff duties for the District Court Judge.

- c. Approve Resolution 20C-011 to appropriate transfer of funds for over-expended budget of Legal Services General Fund.

- d. Approve Resolution 20C-012 to appropriate transfer of funds for over-expended budget of County Sheriff General Fund.

- e. Board approval of formal action to qualify Dakota County to submit a claim through the Nebraska COVID-19 Local Government Response Assistance Program. The Board shall designate the Chair or County Board designee to complete the Funding Request Certification Form in order to be eligible for a reimbursement claim.

- f. Approve Board Chair to sign Engagement Letter for the audit of financial services for Dakota County by the Nebraska Auditor of Public Accounts for fiscal year ended June 30, 2020.

6. COMMISSIONER COMMITTEE REPORTS

7. MAIL AND/OR EMERGENCY BUSINESS

8. ADJOURNMENT

Chair Hohenstein noted a tour of the wind farms in Dixon County is being arranged. No action was taken to remove the item for discussion of a wind energy farm moratorium from the table.

Chair Hohenstein called for Public Comment about any item not on the agenda. There were no public comments.

Chair Hohenstein called for approval of the consent agenda: (a) approval of the June 15, 2020, minutes. Commissioner Gomez moved, seconded by Commissioner Gill, to approve the consent agenda item. ROLL CALL VOTE: Gomez- yes, Rohde- yes, Albenesius- yes, Gill- yes, Hohenstein- yes. UNANIMOUS MOTION CARRIED.

Commissioner Gill moved, seconded by Commissioner Albenesius, to approve the payroll claims of June 14 – 27, 2020. ROLL CALL VOTE: Rohde- abstain, Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- yes. UNANIMOUS MOTION CARRIED.

**Payroll: General Fund Employer:** Gross Salaries-\$154,479.25; Net Pay-\$108,759.77; Total Retirement-\$10,397.33; Total FICA-\$11,430.47; Health Plan-\$35,670.00; Dental Plan-\$1,209.50; Life Insurance-\$ 204.40; Larry Albenesius-\$1,081.50; Lilly Fellin-\$1,000.00; Janet Gill-\$1,081.50; Antonio Gomez-\$1,081.50; Martin Hohenstein-\$1,125.94; Kevin Rohde-\$ 881.50; Jasmin Wright-\$1,000.00; 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; 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-\$1,521.18; Karen Jimenez-\$1,180.00; Kevin Hansen-\$1,761.80; Tammy Dunn Peterson-\$1,156.00; Shaun Bird-\$ 0.00; Russell Briggs-\$ 0.00; Sergio Castillo-\$2,329.03; Timothy Decker-\$2,340.60; Brian Ellinger-\$2,344.88; Brian Fernau-\$2,347.80; Tyler Fulkerth-\$1,949.96; Brent Gilster-\$3,150.00; Martin Guerrero-\$2,076.00; Richard Hansen-\$2,296.80; Melvin Harrison III-\$2,172.60; Jason James-\$2,140.20; Douglas Johnson-\$2,273.95; Kimberly Johnson-\$ 122.56; Jared Junge-\$2,955.54; Jaime Keatts-\$ 0.00; Christopher Kleinberg-\$2,390.83; Kevin Rohde-\$2,607.00; Mardi Schnee-\$1,060.80; Ryne Sell-\$ 0.00; Penny Wendte-\$2,201.06; Jessica Braunger-\$ 817.92; Katie Lehmann-\$1,287.70; Sheyanne Lozano-\$1,142.40; Debra Schmiedt-\$3,230.77; Kimberly Watson-\$3,422.08; Melinda Wicks-\$2,269.23; Jacob Acero-\$1,665.37; Angelica Antonio-\$1,467.96; Shaelee Barreras-\$ 0.00; Trent Bertram-\$ 0.00; Zachery Bickett-\$1,311.24; Shaun Bird-\$1,618.68; Rebecca Broer-\$1,643.20; Kacie Brown-\$1,735.70; Tomio Castro-\$ 0.00; Leonardo Davalos-\$ 0.00; Alexander De Leon-\$1,934.28; Elisabet DeRoin-\$1,618.68; Jesse Doelle-\$1,541.60; Jon Enstrom-\$1,326.24; Jonathan Gray-\$1,511.40; Kara Groetken-\$1,533.32; Todd Hammer-\$2,192.82; Adam Hough-\$1,736.02; Victor Huerta-\$ 561.96; Brenda Irwin-\$1,629.60; Hunter Jones-\$1,525.44; Brady Mathis-\$1,332.24; Skyler Miner-\$1,332.24; Mark Nelson-\$1,729.01; Gregory Nyhof-\$1,707.90; Kimberly Peterson-\$1,631.28; Darius Richardson Barnes-\$1,332.24; Michele Rohde-\$1,334.40; Rebecca Schoep-\$1,326.24; Jennifer Svendsen-\$2,109.69; Taylor Tadlock-\$1,606.08; Danielle Thibodeau-\$1,730.86; Ashley Verzani-\$1,579.20; Anthony Von Haden-\$ 93.66; 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; Collin Adank-\$ 180.00; Yvette Aldana-\$ 837.00; Jennifer Ankerstjerne-\$1,264.50; Jaden Grove-\$ 67.50; Theresa Grove-\$1,910.40; Melissa Hans-\$ 576.00; Mohamud Ibrahim-\$1,255.50; Natasha Ritchison-\$2,000.00; Yesica Saldana Cisneros-\$1,552.50; Jacqueline Traum-\$1,440.00; Willard Johnston-\$1,959.26; **General Fund Employee: Federal Tax-\$12,253.43; State Tax-\$5,474.17; Soc Sec-\$9,263.89; Medicare-\$2,166.58; Extra Fit-\$ 839.00; Extra Sit-\$ 145.00; Retirement-\$7,070.84; Makeup Retirement-\$ 0.00; Health Plan-\$2,400.00; Dental Plan-\$ 546.00; Colonial Health-\$ 264.48; Sheriff Union Dues-\$ 420.00; Colonial Life/Disability-\$ 81.75; Deferred Comp-\$2,080.00; Garnishments-\$ 791.07; Flex Plan Medical-\$1,093.57; Flex Plan Dependent Care-\$ 208.33; VSP Vision-\$ 489.86; Legal Shield-\$ 69.26; Liberty Nat'l-\$ 59.46; Liberty Nat'l-\$ 2.79; Road Fund Employer: Gross Salaries-\$17,419.27; Net Pay-\$12,236.21; Retirement-\$1,175.76; Total FICA-\$1,302.36; Health Plan-\$4,917.00; 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-\$1,548.80; Scott Jorgenson-\$1,524.80; Fred Kellogg-\$2,027.27; David Kneiff-\$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-\$1,435.45; State Tax-\$ 617.57; FICA-\$1,055.51; Medicare-\$ 246.85; Extra Fit-\$ 150.00; Retirement-\$ 783.91; 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-\$ 554.46; Net Pay-\$ 380.73; Retirement-\$ 37.43; Total FICA-\$ 39.65; Health Plan-\$ 447.00; Dental Plan-\$ 14.75; Life Insurance-\$ 2.55; Jennifer Ankerstjerne-\$ 554.46; Health Planning Grant Employee: Federal Tax-\$ 34.80; State Tax-\$ 16.20; FICA-\$ 32.13; Medicare-\$ 7.52; Extra Sit-\$ 5.00; Retirement-\$ 24.95; 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-\$ 447.00; 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.**

Lance Hedquist, South Sioux City Administrator, updated the Board regarding the plans for a new sewer treatment facility in South Sioux City. Mr. Hedquist stated the site would be north of the Tyson lagoons next to the Missouri River and the City has re-zoned 200 acres with 55 acres specific to the lagoons (South Sioux City extraterritorial zoning jurisdiction). The City is waiting for final state approval of the purchase. The area will not be annexed as it is not contiguous. The cost of the project is approximately \$45 million with \$12.2 million funded by grant dollars. Mr. Hedquist stated the new wastewater treatment plant would service the south side of South Sioux City including the industrial sites and future industrial sites. The north South Sioux City area would continue to be served by Sioux City, Iowa, which has given notice to terminate their wastewater agreement with South Sioux City. It was noted that this new sewer treatment facility construction should help alleviate some of Sioux City's capacity issues. The permit approval process will take approximately 6 months and the construction approximately 2 years. The City hopes to expand the site and eventually serve all of South Sioux City.

Amanda Harper , Housing Manager at SIMPCO, (conference call) reviewed the Federal Home Loan Bank of Topeka grant process with the Board. The possible grant dollars received would be used for home repair with preference for rural applications. The grant dollars would be in the range of \$450,000 to \$750,000 and is based on a points system and donations from member banks. The parameters for low to moderate income eligibility is \$60,000/4 person household and \$40,000/2 person household. The grant hopes to maximize the points by serving veterans, elderly and disabled. Commissioner Gomez moved, seconded by Chair Hohenstein, to approve a Letter of Support from the Board for the Federal Home Loan Bank of Topeka grant application for low/moderate income homeowner housing repair. ROLL CALL VOTE: Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- yes. UNANIMOUS MOTION CARRIED.

Letter of Support – To Whom It May Concern:

The Dakota County Board of Commissioners unanimously supports Siouxland Interstate Metropolitan Planning Council’s application for a Federal Home Loan grant.

Having dollars available at a local level to assist the low-income homeowners in Dakota County to rehabilitate and repair their homes is so valuable to our community.

The Board is committed to promoting the program and spreading the word to potential applicants, local businesses and contractors by providing referrals to the program and promoting and providing the needed information via personal contact, on the County’s website and social media sites.

Thank you for providing this opportunity to give hope and help to such a worthy program!

Rodney Reisdorph, representing car show to be held July 17 & 18 at the County fairgrounds, requested to close a portion of Stable Drive (county barricades) from Friday evening at 5 p.m. to Saturday night 12:00 a.m. Chair Hohenstein moved, seconded by Commissioner Gomez, to approve barricading a portion of Stable Drive fairgrounds area during the car show held July 17 & 18 from Friday 4 p.m. to Saturday at midnight. ROLL CALL VOTE: Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Amy Utech & Cherie Conley, representing the Dakota-Thurston County Fair Board, explained that due to COVID-19, the Fair might not happen, but in preparation that it will, they are requesting approval for Special Designated Liquor Licenses during the 2020 Fair to be held July 29 to August 2 (Tractor Pull July 30- 4 pm to 1 am; Dueling Pianos July 31- 4 pm to 1 am; Ranch Rodeo, Extreme Bull Ride July 31 & August 1- 4 pm to 1 am; Mud Volleyball August 1- 10 am to 11 pm; ATV Rodeo August 2- 11 am to 7 pm). They also requested to close a portion of Stable Drive July 29 to August 2 during the Fair using Road Department barricades. Commissioner Gomez moved, seconded by Commissioner Albenesius, to approve the Special Designated Liquor License applications for the Dakota-Thurston County Fair held July 29 to August 2 and also approve barricading a portion of Stable Drive during the Fair. ROLL CALL VOTE: Hohenstein- yes, Gomez- yes, Rohde- yes, Albenesius- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Fred Kellogg, Highway Superintendent, was not present for the Road Report for June 14 -27, 2020. [Road maintenance- 292 hours; tree/debris removal- 10 hours; culverts/projects- 33 hours/Likuwanta Drive; 50 hours Nodaway Road; magnet- 3 hour; blacktopping/millings- 41 hours; gravel hauling- 17 hours; tons of gravel applied- 426.72; weed spraying/inspections- 19.5 hours; sign repair/barricading- 33 hours.] It was noted that the water issue at Nodaway (Stork) was successfully repaired.

After some discussion, Commissioner Rohde moved, seconded by Commissioner Gomez, to approve an Agreement requested by District Judge Meismer to allow court reporter Maggie Cook to act as an independent contractor for the purpose of bailiff duties. 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 Resolution 20C-011 to appropriate transfer of funds in the amount of \$3,500 for the over-expended Legal Services budget (from Public Defender budget). ROLL CALL VOTE: Rohde- yes, Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 20C-011  
RESOLUTION TO APPROPRIATE TRANSFER OF FUNDS  
FOR OVER-EXPENDED BUDGET

WHEREAS, the Office of Legal Services will exceed its budget with the June payment of accounts payable claims; and,

WHEREAS, an emergency exists; and,

WHEREAS, the Public Defender budget will have un-appropriated moneys left.

BE IT THEREFORE RESOLVED that the Dakota County Board of Commissioners hereby authorize the un-appropriated moneys of the Public Defender budget of the General Fund to be utilized for the payment of the over expended budget of Legal Services of the General Fund and that said budget be increased by \$3,500.00 to \$240,860.00 for fiscal year 2019-2020.

BE IT FURTHER RESOLVED, that the Public Defender budget be reduced by \$3,500.00 to \$227,999.20 for fiscal year 2019-2020.

Passed and adopted this 29<sup>th</sup> day of June, 2020.

Commissioner Gomez moved, seconded by Commissioner Albenesius, to approve Resolution 20C-012 to appropriate transfer of funds in the amount of \$2,000 for over-expended Office of County Sheriff budget (from Jail budget). ROLL CALL VOTE: Albenesius- yes, Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 20C-012

RESOLUTION TO APPROPRIATE TRANSFER OF FUNDS  
FOR OVER-EXPENDED BUDGET

WHEREAS, the Office of County Sheriff will exceed its budget with the June payment of accounts payable and payroll claims; and,

WHEREAS, an emergency exists; and,

WHEREAS, the County Jail budget will have un-appropriated moneys left.

BE IT THEREFORE RESOLVED that the Dakota County Board of Commissioners hereby authorize the un-appropriated moneys of the County Jail budget of the General Fund to be utilized for the payment of the over expended budget of County Sheriff Office of the General Fund and that said budget be increased by \$2,000.00 to \$1,522,648.60 for fiscal year 2019-2020.

BE IT FURTHER RESOLVED, that the County Jail budget be reduced by \$2,000.00 to \$2,724,354.61 for fiscal year 2019-2020.

Passed and adopted this 29<sup>th</sup> day of June, 2020.

Commissioner Gill moved, seconded by Commissioner Rohde, to approve Chair to sign and complete the Funding Request Certification Form in order to be eligible for a reimbursement claim submitted to the Nebraska COVID-19 Local Government Response Assistance Program. ROLL CALL VOTE: Gill- yes, Hohenstein- yes, Gomez- yes, Rohde- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Commissioner Rohde moved, seconded by Commissioner Gill, to approve Board Chair to sign Engagement Letter for the audit of financial services for Dakota County by the Nebraska Auditor of Public Accounts for fiscal year ended June 30, 2020. ROLL CALL VOTE: Hohenstein- yes, Gomez- yes, Rohde- yes, Albenesius- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Commissioner Committee Reports: Commissioner Gill noted there will be an upcoming e-waste recycling event. No mail or emergency business.

Chair Hohenstein adjourned the Board of Commissioners meeting of June 29, 2020, at 1:42 p.m.

Dakota County Board of Commissioners

\_\_\_\_\_  
Martin Hohenstein, Chair

\_\_\_\_\_  
Date signed

\_\_\_\_\_  
Joan Spencer, County Clerk/Secretary      Date