

Dakota County Board of Commissioners
Monday, April 5, 2021
3:00 p.m. - Regular Business Meeting
County Board Meeting Room, First Floor
Dakota County Courthouse, Dakota City, Nebraska

Chair Gill called the meeting to order 3:00 p.m. with the Pledge of Allegiance. Present at Roll Call: Gill, Love, Giese, Albenesius, Launsby. Absent: none. Also present was Kim Watson, County Attorney and Joan Spencer, County Clerk, acting as Board Secretary. The location of the Open Meetings Act was noted.

The agenda for the meeting 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*
- b. Board to approve Midwest Alarm Services Basic Agreement for semi-annual fire alarm inspection per NFPA 72 standards for fee of \$1,404 for term of 12 months.
 - *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 meeting minutes – March 22, 2021
- b. Board to approve the payroll claims for March 21 – April 3, 2021
- c. Approval of accounts payable claims if applicable

4. NEW BUSINESS & RESOLUTIONS

- a. Rick Jenkins, rural Homer, to address the Board regarding Blyburg road conditions.
- b. Christy Abts, Assessor, to request the Board approve the purchase of T2 assessment software to update and maintain the Assessor's working files.
- c. Becky Mathis, Health Board President, requesting the Board approve hiring a new Health Department Director and which appointment comes with the recommendation of the Dakota County Board of Health.
- d. Board to approve Resolution 21C-009 to authorize the Building & Grounds Supervisor to sell surplus personal property at Surplus Sale on April 30, 2021. Board to declare such surplus personal property as obsolete and not usable by the County.
- e. Board to approve Resolution 21C-010 to authorize the Highway Superintendent to sell surplus mobile equipment pursuant to §23-3115. Board to declare such mobile equipment as unusable by the County.
- f. Board to approve Resolution 21C-011 adopting and approving the execution of an Agreement with the Nebraska Department of Transportation for Project No. NH-129-1(30) I-129 South Sioux City, State C.N.32275.

5. MISCELLANEOUS & OLD BUSINESS

- a. Fred Kellogg, Highway Superintendent – Road Report
- b. Joe O'Neill, Planning & Zoning Director, to address the Board regarding the job duties and job description for the Planning & Zoning Director.
- c. Approve Chair to sign Amendment #1 to the Dakota County Employee Health Benefit Plan which changes, clarifies, revises and/or updates the medical benefits, deductibles and prescription drug program with Mid-American Benefits, Inc., and Dakota County.
- d. Approve Chair to sign Amendment #2 to the Dakota County Employee Health Benefit Plan which changes, clarifies, revises and/or updates all references to the Claims Administrator, Pre-Certification Administrator, Prescription Drug Program and Preferred Provider Organization (PPO) between Mid-American Benefits and Dakota County.
- e. Discussion regarding the County to consider a resolution supporting the US Constitution's 2nd amendment and the right to bear arms.
- f. County Board shall make quarterly visit to county jail. §47-109

6. COMMISSIONER COMMITTEE REPORTS

7. MAIL AND/OR EMERGENCY BUSINESS

8. ADJOURNMENT

No action was taken to remove the tabled item from the agenda regarding the wind energy moratorium.

Commissioner Love moved, seconded by Commissioner Launsby, to take from the table the signing of the Midwest Alarm Services Basic Agreement and bring back to the agenda as such time Agreement is ready for the Board's approval. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Chair Gill called for Public Comment about any item not on the agenda. Dawn Bousquet, Treasurer, stated the Nebraska County Treasurer's Association asked that the message be conveyed to the County Boards to wait to spend any monies from the American Rescue Plan Act (ARPA) until clear guidance is received on how the county will be allowed to spend the ARPA federal grant funds. Treasurer Bousquet also stated that the Treasurer's Office is now open through the lunch hour and titles will be processed until 4:30 p.m.

Chair Gill called for approval of the consent agenda—(a) Approval of the previous meeting minutes – March 22, 2021; (b) approval of the payroll claims for March 21 – April 3, 2021; (c) approval of accounts payable claims if applicable. Commissioner Love moved, seconded by Commissioner Giese, to approve the consent agenda items. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$150,453.39; Net Pay-\$106,970.58; Total Retirement-\$10,405.72; Total FICA-\$11,121.02; Health Plan-\$34,866.00; Dental Plan-\$1,150.50; Life Insurance-\$202.10; Larry Albenesius-\$1,133.71; Robert Giese-\$1,133.71; Janet Gill-\$1,179.87; Troy Launsby-\$933.71; Scott Love-\$1,133.71; Cherie Conley-\$1,553.31; Leticia Vargas-\$1,321.60; Joan Spencer-\$2,321.49; Kathy Abbe-\$1,186.40; Dawn Bousquet-\$2,321.49; Stephanie Gatzemeyer-\$1,540.13; Jalissa Hattig-\$1,186.41; Brenda Landaverde-\$1,048.00; Samantha Mitchell-\$975.95; Debera Benton-\$1,160.00; Christy Abts-\$2,321.49; Melissa Collins-\$1,100.80; Courtney Lane-\$1,100.80; Joseph O'Neil-\$265.30; Karen Jimenez-\$1,508.97; Katherine Wiltgen-\$2,321.49; Louvontree Hunter-\$2,850.36; Debra Jensen-\$1,532.80; Casandra Pedroza-\$1,200.00; Kevin Hansen-\$2,004.77; Tammy Dunn Peterson-\$1,184.00; Shaun Bird-\$1,755.91; Sergio Castillo-\$2,752.94; Timothy Decker-\$2,387.41; Brian Ellinger-\$2,264.00; Penny Epting-\$2,210.40; Brian Fernau-\$2,197.01; Tyler Fulkerth-\$2,202.53; Brent Gilster-\$2,302.22; Martin Guerrero-\$2,144.07; Richard Hansen-\$2,102.98; Melvin Harrison III-\$2,215.92; Jason James-\$2,129.60; Douglas Johnson-\$4,754.58; Kimberly Johnson-\$654.22; Jared Junge-\$2,222.40; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,301.66; Mardi Schnee-\$1,088.80; Ryne Sell-\$0.00; Shantel Krull-\$960.00; Katie Lehmann-\$1,332.00; Debra Schmiedt-\$3,295.38; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,500.00; Jacob Acero-\$1,689.43; Angelica Antonio-\$1,533.84; Zachery Bickett-\$1,533.84; Rebecca Broer-\$1,718.84; Kacie Brown-\$1,778.02; Ricardo Chavez-\$1,358.28; Alexander DeLeon-\$1,554.84; Elisabet DeRoin-\$1,664.04; Jesse Doelle-\$1,572.80; Jon Enstrom-\$1,520.00; Robert Foster-\$1,358.28; Jonathan Gray-\$1,688.37; Kara Groetken-\$1,716.23; Todd Hammer-\$2,250.18; Adam Hough-\$1,775.48; Brenda Irwin-\$1,661.60; Hunter Jones-\$1,782.67; Skyler Miner-\$1,548.84; Mark Nelson-\$1,763.59; Gregory Nyhof-\$1,752.28; Kimberly Peterson-\$1,664.04; Jorge Reyes-\$1,349.28; Michele Rohde-\$1,362.40; Rebecca Schoep-\$1,442.52; Jennifer Svendsen-\$2,494.65; Taylor Tadlock-\$1,651.44; Danielle Thibodeau-\$1,664.64; Estrella Vazquez-\$386.08; Anthony Von Haden-\$1,358.28; Randall Walsh-\$2,319.48; Deanna Hagberg-\$1,938.00; Jolene Gubbels-\$1,388.00; Fred Kellogg-\$375.00; Matthew Roost-\$265.30; Theresa Grove-\$1,948.80; Melissa Hans-\$490.50; Mohamud Ibrahim-\$90.29; Kristin Robinette-\$486.00; Yesica Saldana Cisneros-\$1,496.26; Jacqueline Traum-\$1,440.00; Willard Johnston-\$2,016.66; **General Fund Employee:** Federal Tax-\$11,646.57; State Tax-\$5,470.57; Soc Sec-\$9,013.04; Medicare-\$2,107.98; Extra Fit-\$856.00; Extra Sit-\$140.00; Retirement-\$7,080.70; Health Plan-\$2,550.00; Dental Plan-\$525.00; Colonial Health-\$244.24; Sheriff Union Dues-\$420.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$520.00; Garnishments-\$975.22; Flex Plan Medical-\$1,012.50; Flex Plan Dependent Care-\$208.33; VSP Vision Prem-\$393.64; Legal Shield-\$99.16; Liberty Nat'l Pretax-\$88.37; Liberty Nat'l-\$0.00; VSP Vision Base-\$77.70; **Road Fund Employer:** Gross Salaries-\$17,839.81; Net Pay-\$12,604.65; Retirement-\$1,204.23; Total FICA-\$1,333.46; Health Plan-\$4,917.00; Dental Plan-\$162.25; Life Insurance-\$26.27; Brent Byroad-\$1,659.20; Kevin Chambers-\$1,567.20; Ryan Chambers-\$1,567.20; Robert Hacker-\$1,579.20; Lance Jacobsen-\$1,555.20; Fred Kellogg-\$2,067.81; David Kneifl-\$1,567.20; Kimon Litras-\$1,615.20; Dean Pallas-\$1,579.20; Tyler Pallas-\$1,515.20; Matthew Roost-\$1,567.20; **Road Fund Employee:** Federal Tax-\$1,417.80; State Tax-\$635.17; FICA-\$1,080.70; Medicare-\$252.76; Extra Fit-\$150.00; Retirement-\$802.75; Dental Plan-\$147.00; Colonial Health-\$65.66; Garnishments-\$208.62; Road Union Dues-\$175.00; Legal Shield-\$46.29; Liberty National PreTax-\$6.50; VSP Vision Base-\$46.91; **Health Planning Grant Employer:** Gross Salaries-\$1,840.63; Net Pay-\$1,392.09; Retirement-\$124.24; Total FICA-\$138.04; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,840.63; **Health Planning Grant Employee:** Federal Tax-\$115.13; State Tax-\$54.41; FICA-\$111.88; Medicare-\$26.16; Extra Sit-\$5.00; Retirement-\$82.83; Dental Plan-\$21.00; VSP Vision-\$15.18; Legal Shield-\$16.95; **Minority Planning Grant Employer:** Gross Salaries-\$3,256.25; Net Pay-\$2,339.40; Retirement-\$219.80; Total FICA-\$226.52; Health Plan-\$894.00; Dental Plan-\$29.50; Life Insurance-\$4.21; Jana Adam-\$1,760.00; Yvette Aldana-\$1,496.25; **Minority Planning Grant Employee:** Federal Tax-\$147.73; State Tax-\$100.91; FICA-\$183.59; Medicare-\$42.93; Extra Sit-\$0.00; Retirement-\$146.53; Health Plan-\$250.00; Dental Plan-\$21.00; VSP Vision-\$24.16; **Juvenile Services Aid Employer:** Gross Salaries-\$1,207.80; Net Pay-\$672.01; Retirement-\$81.53; Total FICA-\$64.01; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Sarah Anderson Deck-\$1,207.80; **Juvenile Services Aid Employee:** Federal Tax-\$31.32; State Tax-\$15.11; FICA-\$51.88; Medicare-\$12.13; Retirement-\$54.35; Health Plan-\$350.00; Dental Plan-\$21.00;

Rick Jenkins, 2442 Blyburg Road, Homer, addressed the Board regarding the condition of Blyburg Road. He stated the road is very heavily traveled and is getting wide and flat and not draining; the gravel needs to be taken from the ditch and the road built up and maintained. The class of rock used was discussed. The Highway Superintendent stated Blyburg Road is on the project list.

Christy Abts, Assessor, received three quotes for updating the T2 assessment software: (1) Terra Scan- \$19,425/year; (2) MIPS- \$20,760/year and (3) VanGuard- \$20,000/year plus a \$20,000 conversion fee. Ms. Abts stated the Assessor's Office prefers and is familiar with Terra Scan. Chair Gill encouraged MIPS be looked at as the audit showed problems with the communication between Terra Scan in the Assessor's Office and MIPS in the Treasurer's Office. Commissioner Giese noted that the Treasurer's Office is using MIPS and meshing the two systems costs around a \$1,000 each year. Commissioner Love moved, seconded by Commissioner Giese, to approve the Assessor's Office to purchase the Terra Scan T2 assessment software to update and maintain the Assessor's working files. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Becky Mathis, Health Department Board President, stated the Health Board is recommending Kevin Blosch as the new Health Department Director. Chair Gill invited Mr. Blosch to tell the Board about his background and experience. Commissioner Giese moved, seconded by Commissioner Albenesius, to approve and appoint Kevin Blosch as the Dakota County Health Department Director. ROLL CALL VOTE: Launsby- no, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Launsby, to approve Resolution 21C-009 to authorize the Building & Grounds Supervisor to sell surplus personal property (April 30th) and to declare such surplus personal property as obsolete and not usable by the County. ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-009

RESOLUTION TO DECLARE PERSONAL PROPERTY AS SURPLUS PROPERTY

WHEREAS, the County owns personal property which is not usable by the County and/or is obsolete; and
WHEREAS, said property consists of the property listed in Exhibit 1 attached and incorporated herein; and,
WHEREAS, the County intends to dispose of said property as surplus pursuant to Nebraska Revised Statute 23-3107 (as amended),

NOW THEREFORE BE IT RESOLVED BY THE DAKOTA COUNTY BOARD OF COMMISSIONERS THAT the property listed in Exhibit 1 is unusable by the County and/or obsolete and is therefore declared surplus property.

IT IS FURTHER RESOLVED THAT the Building & Grounds Supervisor be directed to dispose of said property in accordance with the laws of the State of Nebraska.

DATED this 5th day of April, 2021.

Commissioner Giese moved, seconded by Commissioner Love, to approve Resolution 21C-010 to authorize the Highway Superintendent to sell surplus mobile equipment pursuant to §23-3115 and to declare such mobile equipment as unusable by the County. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-010

RESOLUTION TO DECLARE MOBILE EQUIPMENT AS SURPLUS PROPERTY

WHEREAS, the County owns mobile equipment which has a value of five thousand dollars or more and which is not usable by the County and/or obsolete; and

WHEREAS, said mobile equipment consists of the following property:

1. 2006 Chevrolet Crew Cab 4WD

WHEREAS, the County intends to dispose of said property as surplus pursuant to Nebraska Revised Statute 23-3115 and shall be sold by competitive bidding.

NOW THEREFORE BE IT RESOLVED BY THIS BOARD OF COUNTY COMMISSIONERS THAT the mobile equipment listed is unusable by the County and/or obsolete and is therefore declared surplus property.

IT IS FURTHER RESOLVED THAT the Highway Superintendent be directed to coordinate disposal of said property in accordance with the laws of the State of Nebraska.

DATED this 5th day of April, 2021.

Commissioner Gill moved, seconded by Commissioner Love, to approve Resolution 21C-011 adopting and approving the execution of an Agreement with the Nebraska Department of Transportation for Project No. NH-129-1(30) I-129 South Sioux City, State C.N.32275. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-011

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF NEBRASKA FOR PROJECT NO. N-H-129-1(30), CONTROL NO. 32275

PROJECT NAME: NH-129-1(30) –I –129, SSC

BE IT RESOLVED: by the Chairperson of the Board of Dakota County, Nebraska, that:

1. The County shall enter into an Agency Agreement with the Nebraska Department of Transportation for Project No. NH-129-1(30) for the purpose of highway improvements on Highway I-129 with the boundaries of Dakota County.
2. The Chairperson of the Board is hereby authorized and directed to execute said agreement on behalf of the County of Dakota and the County Clerk is authorized to attest said execution.
3. This resolution will be Marked Exhibit "B" and a copy attached each Original Agreement.

Passed and approved this 5th day of April, 2021.

Fred Kellogg, Highway Superintendent, presented the Road Report for March 21 – April 3, 2021. Total road maintenance- 418 hours; tree/debris removal- 4 hours; garbage pickup – 4 hours, magnet- 6 hours; gravel hauling – 126.5 hours; tons of gravel hauled – 2021.27, sign repair – 26.5 hours. Road Concerns for grading on Ireton Avenue and gravel on 240th, 260th, 220th. Commissioner’s Launsby and Albenesius requested Mr. Kellogg to secure the fuel tanks at the road shops.

Joe O’Neill, Planning & Zoning Director, addressed the Board regarding the job duties as director of Planning & Zoning requiring more hours than he has available outside his full-time job. He stated there is a lot going on in the county and felt issues were not being addressed in a timely manner. The position also requires working with federal flood plain mapping. Mr. O’Neill asked the Board to consider making the position a full-time job.

Commissioner Love moved, seconded by Chair Gill, to approve Chair to sign Amendment #1 to the Dakota County Employee Health Benefit Plan which changes, clarifies, revises and/or updates the medical benefits, deductibles and prescription drug program with Mid-American Benefits, Inc., and Dakota County. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Giese, to approve Chair to sign Amendment #2 to the Dakota County Employee Health Benefit Plan which changes, clarifies, revises and/or updates all references to the Claims Administrator, Pre-Certification Administrator, Prescription Drug Program and Preferred Provider Organization (PPO) between Mid-American Benefits and Dakota County. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Discussion was had regarding the consideration of a resolution supporting the US Constitution’s 2nd amendment and the right to bear arms. The board was in favor of such resolution.

The County Board did not take a quarterly jail tour due to Covid concerns.

Commissioner Committee Reports: Handbook-Chair Gill; Safety- Commissioner Love. No mail or emergency business.

Chair Gill adjourned the Board of Commissioners meeting of April 5, 2021, at 4:19 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair

Date signed

Joan Spencer, County Clerk/Secretary

Date