

Dakota County Board of Commissioners
Monday, May 3, 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 Cherie Conley, Deputy 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*

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 – April 19, 2021
- b. Board to approve the payroll claims for April 18 – May 1, 2021
- c. Approval of accounts payable claims if applicable
- d. Approval of contracts with (1) Stanard Appraisal Services, Inc., (2) Helvig Agricultural Service Company and (3) Innovative Appraisal Service, Inc., to use as referees for property valuation protests.
- e. 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.
- f. Approval of Chair to sign (1) Application for Excess Loss Reinsurance with American National Life Insurance Company of Texas and (2) Treaty #ANTX-44146 of Excess Loss Reinsurance as approved at Health Insurance Plan Renewal effective 3/1/2021.

4. NEW BUSINESS & RESOLUTIONS

- a. 3:00 p.m. Open and read sealed bids for the construction of North Bluff Road Repair project. Award bid contingent upon Engineer's examination of bid documents.
- b. Dawn Bousquet, Treasurer, to update the Board on the status of pledged collateral and request the Board's approval of Resolution 21C-014 for approval of pledged securities. §77-2318.01
- c. Approve Maintenance Agreement with Stanard Appraisal Services, Inc. for work in the Office of County Assessor for review of sales and property record cards as basis for updating current valuations.

5. MISCELLANEOUS & OLD BUSINESS

- a. Fred Kellogg, Highway Superintendent – Road Report
- b. Brenda Sale, NEP Assistant, Nebraska Extension in Dakota County, to provide an update on the Voices for Food program.
- c. Review and approve chair to sign the Noxious Weed Report and Requirements Summary.
- d. Approve and accept the Terms of Engagement with the State Auditor for an audit of Dakota County financial statements and determine the fiscal year/s for the audit.
- e. Discuss the request for county resident reimbursement for cleaning culvert.
- f. Approve termination of Independent Contract Agreement for Valuation Services with JaG Quality Solutions, Inc.

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.

Chair Gill called for Public Comment about any item not on the agenda. Marci Broyhill, Dakota City, thanked the Board for being the grassroots level serving and protecting their community. Ms. Broyhill shared her thoughts and concerns regarding President Biden's Executive Order 14008 which provides for a program to be developed to conserve at least 30 percent of the lands and waters in the United States by 2030. She passed out a campaign statement of American Stewards of Liberty on how to fight the 30 x 30 land grab; sample resolutions; website addresses for additional information

and a copy of Governor Ricketts letter, which 14 other governor supported and signed, to President Biden expressing “deep concern about any effort to enlarge the federal estate or further restrict the use of public lands in our states” The Governor’s letter opposed any increase in land use restrictions on lands under state jurisdiction and also asked for clarification on the implementation plan for the program. Ms. Broyhill asked the Board to support Governor Ricketts with a county resolution.

Tony Gomez, Jackson, told the board that he has been involved with the Health Department in promoting the vaccination clinics. He wanted the Board to know what a good job the Health Department is doing.

Chair Gill called for approval of the consent agenda—(a) approval of the previous meeting minutes – April 19, 2021; (b) approval of the payroll claims for April 18-May 1, 2021; (c) approval of accounts payable claims if applicable; (d) approval of contracts with (1) Stanard Appraisal Services, Inc., (2) Helvig Agricultural Service Company and (3) Innovative Appraisal Service, Inc., to use as referees for property valuation protests; (e) 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 and (f) approval of Chair to sign (1) Application for Excess Loss Reinsurance with American National Life Insurance Company of Texas and (2) Treaty #ANTX-44146 of Excess Loss Reinsurance as approved at Health Insurance Plan Renewal effective 3/1/2021. Chair Gill asked that item #b—approval of payroll claims—be removed for special discussion. Commissioner Love moved, seconded by Commissioner Giese, to approve the consent agenda items #a, c, d, e, f. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Discussion was had regarding County Attorney Watson’s request for a pay increase for (1) Melinda Wicks of 4.6% from \$65,000 to \$68,000 and (2) Debra Schmiedt of 3.87% from \$85,680 to \$89,000. Letters of support for the pay increases from the South Sioux City Police Department were noted. Commissioner Love asked if Ms. Watson had the money in her budget for the cost. Ms. Watson stated yes and also Judge Matney made a personal donation to the county earmarked for employee retention in the county attorney’s office in an amount over \$7,000. She further stated that she would have to ask for special prosecutor help for a fee of \$75 (county court) or \$95 (district court) per hour versus the requested increases of \$42.79 (Schmiedt) and \$32.69 (Wicks) per hour. She felt her hand was forced ahead of waiting for the salary committee study because Ms. Wicks has been offered another job and she would very much like to keep her and Ms. Schmiedt as they have a combined 30 plus years of experience. Commissioner Giese asked when Ms. Wicks last pay increase was and Ms. Watson was unsure (Sept/\$60,180 + Oct/\$65,000). Chair Gill asked if she would stay and Ms. Wicks stated she did not solicit the offer and, yes, she would stay if offered the pay increase as she loves working for the county and people she works with. She also enjoys working with the local law enforcement officers. Commissioner Love clarified with Ms. Wicks that the County’s offer is less than the outside offer, but she said there were other factors to consider. Commissioner Giese asked if a wage comparison with other counties had been done and if all attorney positions have been filled and will a wage increase be asked for again in the next budget year? Ms. Watson stated there is an open attorney position. Commissioner Launsby stated the budget should be reviewed as we do not want to spend more than we have. Commissioner Albenesius would like to see more research done. Commissioner Giese stated if a 4.6% pay increase is approved, other offices will also be asking for a 4.6% increase. Ms. Watson stated the attorneys are on call 24/7. Chair Gill stated our County cannot always be competitive. Commissioner Love moved to approve the payroll with the pay increases asked for. The motion failed for a lack of a second. Commissioner Love left the meeting at 3:41 p.m. Chair Gill moved, seconded by Commissioner Albenesius, to table the request for Ms. Schmiedt for more research and to give Ms. Wicks a salary of \$67,500 in lieu of a July increase and approve all other payroll claims. ROLL CALL VOTE: Giese- no, Albenesius- yes, Launsby- no, Gill- yes, Love- absent. MOTION FAILED. Commissioner Giese moved, seconded by Commissioner Launsby, to approve payroll without the two pay increases. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- absent, Giese-yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$151,909.33; Net Pay-\$108,256.47; Total Retirement-\$10,505.28; Total FICA-\$11,227.50; Health Plan-\$35,313.00; Dental Plan-\$1,165.25; Life Insurance-\$204.65; 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; Maria Garcia-\$1,023.44; Stephanie Gatzemeyer-\$1,576.23; Jalissa Hattig-\$1,186.40; Brenda Landaverde-\$1,092.21; Samantha Mitchell-\$1,048.00; 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-\$1,080.00; Kevin Hansen-\$2,026.63; Tammy Dunn Peterson-\$1,124.80; Shaun Bird-\$1,729.60; Sergio Castillo-\$2,117.60; Timothy Decker-\$2,387.41; Brian Ellinger-\$2,264.00; Penny Epting-\$2,210.40; Brian Fernau-\$2,130.84; Tyler Fulkerth-\$2,083.30; Brent Gilster-\$2,141.60; Martin Guerrero-\$2,117.60; Richard Hansen-\$2,289.32; Melvin Harrison III-\$2,298.81; Jason James-\$2,129.60; Douglas Johnson-\$2,319.42; Kimberly Johnson-\$360.41; Jared Junge-\$2,277.96; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,180.52; Mardi Schnee-\$1,099.01; Shantel Krull-\$960.00; Katie Lehmann-\$1,332.00; Debra Schmiedt-\$3,295.38; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,500.00; Emma Wiebelhaus-\$1,200.00; Jacob Acero-\$1,754.05; Angelica Antonio-\$1,551.84; Zachery Bickett-\$1,424.28; Rebecca Broer-\$1,697.75; Kacie Brown-\$1,778.02; Ricardo Chavez-\$1,358.28; Alexander DeLeon-\$1,554.84; Elisabet DeRoin-\$1,664.04; Jesse Doelle-\$1,582.63; Jon Enstrom-\$1,647.97; Robert Foster-\$1,355.28; Jonathan Gray-\$1,703.60; Kara Groetken-\$1,721.40; Todd Hammer-\$2,236.29; Adam Hough-\$1,791.33; Brenda Irwin-\$1,661.60; Hunter Jones-\$3,295.70; Skyler Miner-\$1,551.09; Mark Nelson-\$1,763.59; Gregory Nyhof-

\$1,753.09; Kimberly Peterson-\$1,664.04; Jorge Reyes-\$1,350.28; Michele Rohde-\$1,358.14; Rebecca Schoep-\$1,554.84; Jennifer Svendsen-\$2,346.00; Taylor Tadlock-\$1,651.44; Danielle Thibodeau-\$1,651.44; Estrella Vazquez-\$867.18; 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; Kevin Blosch-\$1,923.07; Theresa Grove-\$1,948.80; Melissa Hans-\$171.00; Kristin Robinette-\$63.00; Yesica Saldana Cisneros-\$1,400.00; Jacqueline Traum-\$1,332.00; Willard Johnston-\$2,016.66; **General Fund Employee:** Federal Tax-\$11,562.37; State Tax-\$5,479.62; Soc Sec-\$9,099.38; Medicare-\$2,128.12; Extra Fit-\$846.00; Extra Sit-\$140.00; Retirement-\$7,136.11; Health Plan-\$2,550.00; Dental Plan-\$525.00; Colonial Health-\$264.48; Sheriff Union Dues-\$450.00; 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-\$436.49; Legal Shield-\$99.16; Liberty Nat'l Pretax-\$88.37; VSP Vision Base-\$77.71; **Road Fund Employer:** Gross Salaries-\$17,918.77; Net Pay-\$12,710.89; Retirement-\$1,209.56; Total FICA-\$1,343.62; 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-\$1,658.16; 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-\$1,432.23; State Tax-\$642.74; FICA-\$1,088.94; Medicare-\$254.68; Extra Fit-\$150.00; Retirement-\$806.31; Health Plan-\$200.00; Dental Plan-\$84.00; 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-\$1,368.00; Net Pay-\$1,051.46; Retirement-\$92.34; Total FICA-\$101.88; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,368.00; **Health Planning Grant Employee:** Federal Tax-\$63.56; State Tax-\$31.41; FICA-\$82.57; Medicare-\$19.31; Extra Sit-\$5.00; Retirement-\$61.56; Dental Plan-\$21.00; VSP Vision-\$15.18; Legal Shield-\$16.95; **Minority Planning Grant Employer:** Gross Salaries-\$3,148.00; Net Pay-\$2,258.87; Retirement-\$212.49; Total FICA-\$218.24; Health Plan-\$836.36; Dental Plan-\$29.50; Life Insurance-\$4.21; Jana Adam-\$1,628.00; Yvette Aldana-\$1,520.00; **Minority Planning Grant Employee:** Federal Tax-\$137.85; State Tax-\$96.22; FICA-\$176.87; Medicare-\$41.37; Retirement-\$141.66; 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.

Discussion was had regarding the opening of a single bid for North Bluff Road repair project. Mr. Kellogg opened the bid from Steve Harris Construction for \$295,749.37. Commissioner Gill moved, seconded by Commissioner Albenesius, to not award the bid as it exceeds the available funds. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- absent, Giese- yes. UNANIMOUS MOTION CARRIED.

Dawn Bousquet, Treasurer, asked for approval for pledged securities at Bank First. Chair Gill moved, seconded by Commissioner Giese, to approve Resolution 21C-014 for approval of pledged securities. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- absent, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Christy Abts, Assessor, stated she needs help with commercial permits and sales and asked to have the agreement with Stanard Appraisal approved. Chair Gill moved, seconded by Commissioner Launsby, to approve the Maintenance Agreement with Stanard Appraisal Services, Inc., for work in the office of County Assessor for review of sales and property record cards as basis for updating current valuations. ROLL CALL VOTE: Gill- yes, Love- absent, Giese- yes, Albenesius- yes, Lanusby- yes, UNANIMOUS MOTION CARRIED.

Fred Kellogg, Highway Superintendent, presented the Road Report for April 18 – May 1, 2021. Total road maintenance-361.5 hours; tree/debris removal- 2 hours; Culverts/Road Projects: 49 hours/Blyburg Road, 11 hours/200th Street and 41.5 hours/164th Street; gravel hauling – 162 hours; tons of gravel hauled – 2,258.77, sign repair – 5 hours. Commissioner Albenesius requested rock on several roads.

Brenda Sale, NEP Assistant, Nebraska Extension in Dakota County, updated the Board on the Voices for Food project. She stated the need was addressed to provide healthier and fresher food on family's tables. 2020 Community Impact: 17,333 pounds of produce collected and distributed and \$5000 raised for a commercial grade tiller. A collaboration with the community health center to create a community collection hub, doubled collections. Voices for Food kept the four food pantries running during the pandemic with a drive-through system. A total of 2,628 households picked up food from March to September impacting 10,247 participants of which 4,598 were children.

The Noxious Weed Report was reviewed. The score was 2895 of 3400 points mostly due to credit hours being short per cancelled classes because of the Coronavirus. Chair Gill moved, seconded by Commissioner Giese, to approve chair to sign the Noxious Weed Report and Requirements Summary. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- absent. UNANIMOUS MOTION CARRIED.

Commissioner Giese moved, seconded by Commissioner Albenesius, to approve the Terms of Engagement with the State Auditor for an audit of Dakota County financial statements for three (3) fiscal years. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- absent, Giese- yes. UNANIMOUS MOTION CARRIED.

Discussion was had regarding the request for reimbursement of culvert work done by a private citizen. The County Attorney stated the citizen should have liability insurance. The Commissioners would like to see Mr. Kellogg budget cleaning of culverts with the new fiscal year budget and set up a system to document project requests that come in by telephone. Commissioner Albenesius stated the board could not consider payment and setting a precedent for work done without county involvement.

Assessor Abts stated Mr. Curry, JaG Quality Solutions, Inc., took the job of Cedar County Assessor and she is requesting the Board approve the termination of his contract with her office. Chair Gill moved, seconded by Commissioner Giese, to approve termination of Independent Contract Agreement for Valuation Services with JaG Quality Solutions, Inc. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- absent, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Commissioner Committee Reports: Launsby- Merrit Commission; Gill- RC&D. No mail or emergency business.

Chair Gill adjourned the Board of Commissioners meeting of May 3, 2021, at 4:37 p.m.

Dakota County Board of Commissioners

Janet Gill, Chair

Date signed

Cherie Conley, Deputy County Clerk/Secretary

Date