

Dakota County Board of Commissioners
Monday, December 13, 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 at 3:00 p.m. with the Pledge of Allegiance. Present at Roll Call: Gill, Giese, Albenesius, Launsby. Absent: Love. 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.

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 meeting minutes – November 29, 2021
 - b. Approval of payroll claims for November 28 – December 11, 2021
3. NEW BUSINESS & RESOLUTIONS
 - a. Dayton Murty, Summit Cardon Solutions, to address the Board regarding a brief presentation about Summit and the project, including its economic and environmental impact, easement acquisition process, the construction process and projected timeline.
 - b. Approve Chair to sign Resolution 21C-047 Year-End Certification of County Highway Superintendent 2021 for determining Incentive Payment.
 - c. Approve Elected Official Salary Resolution 21C-048 for 2023, 2024, 2025, 2026.
4. MISCELLANEOUS & OLD BUSINESS
 - a. Jolene Gubbels, Highway Superintendent – Bi-weekly Road Report
 - b. Sheriff Kleinberg – Monthly Jail Report
 - c. Discussion and clarification of Phase 2 Jail federal marshal Detention Services Intergovernmental Agreement and Shive-Hattery AIA Document B132 Architect agreement.
 - d. Discussion regarding implementation of a Policy on Cooperation in Volunteer Emergency Services.
 - e. Recognition of Joan Spencer for receiving NACO's Lifetime Achievement Award honoring a career devoted to county government.
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

Commissioner Giese moved, seconded by Commissioner Albenesius, to excuse Commissioner Love from today's meeting. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Chair Gill called for Public Comment. Ron Hartnett, Dakota City, spoke regarding carbon capture as not being the answer and stated his research shows decades of misinformation from big oil. Carbon capture is used to enhance oil extraction; but when it comes to carbon capture in the future, the reports show they systematically over-promised and underdeveloped emissions reductions. Technology has not made a dent in CO₂ emissions. There is a complete breakdown of weather patterns, and we are watching our planet die. Please look carefully at carbon capture.

Chair Gill called for approval of the consent agenda: (a) approval of the previous meeting minutes – November 29, 2021; (b) approval of payroll claims for November 28 – December 11, 2021. Commissioner Giese moved, seconded by Commissioner Launsby, to approve the consent agenda items. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- absent, Giese- yes. UNANIMOUS MOTION CARRIED.

Payroll: General Fund Employer: Gross Salaries-\$166,025.87; Net Pay-\$118,030.70; Total Retirement-\$11,330.87; Total FICA-\$12,288.33; Health Plan-\$35,313.00; Dental Plan-\$1,165.25; Life Insurance-\$202.87; 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-\$1,687.77; Robin Hansen-\$1,280.00; Joan Spencer-\$2,321.49; Kathy Abbe-\$1,353.98; Dawn Bousquet-\$2,321.49; Maria Garcia-\$1,118.82; Stephanie Gatzemeyer-\$1,633.05; Jalissa Hattig-\$1,329.40; Brenda Landaverde-\$1,245.61; Samantha Mitchell-\$1,237.60; Debera Benton-\$1,320.00; Christy Abts-\$2,321.49; Melissa Collins-\$1,200.00; Joseph O'Neil-\$285.26; Karen Jimenez-\$1,539.20; Katherine Wiltgen-\$2,321.49; Louvontree Hunter-\$2,850.36; Debra Jensen-\$1,803.59; Casandra Pedroza-\$1,212.00; Kevin Hansen-\$2,070.00; Tammy Dunn Peterson-\$1,284.63; Shaun Bird-\$2,696.98; Sergio Castillo-\$2,288.74; Timothy Decker-\$2,482.82; Brian Ellinger-\$2,364.80; Penny Epting-\$2,291.94; Brian Fernau-

\$2,180.80; Tyler Fulkerth-\$2,436.40; Brent Gilster-\$2,287.48; Martin Guerrero-\$2,357.99; Melvin Harrison III-\$2,504.72; Jason James-\$2,466.62; Douglas Johnson-\$2,412.78; Kimberly Johnson-\$659.45; Jared Junge-\$2,296.80; Christopher Kleinberg-\$2,532.44; Kevin Rohde-\$2,341.50; Mardi Schnee-\$1,121.60; Sarah Hammond-\$2,115.38; Shantel Krull-\$988.80; Debra Schmiedt-\$3,442.25; Kimberly Watson-\$3,624.77; Melinda Wicks-\$2,587.00; Emma Wiebelhaus-\$1,236.00; Jacob Acero-\$1,801.16; Angelica Antonio Flores-\$1,572.73; Shaelee Barreras-\$66.63; Rebecca Broer-\$1,779.05; Kacie Brown-\$2,213.25; Ricardo Chavez-\$1,528.80; Lacey Clark-\$1,638.05; Leonardo Davalos-\$550.55; Alexander DeLeon-\$1,572.48; Elisabet DeRoin-\$1,890.64; Jesse Doelle-\$1,695.20; Lynn Fleming-\$1,620.80; Jonathan Gray-\$1,782.95; Sara Gritten-\$1,668.33; Kara Groetken-\$1,780.26; Todd Hammer-\$2,368.58; Adam Hough-\$1,759.37; Brenda Irwin-\$1,800.01; Brandon Long\$1,730.28; Jose Magana-\$1,730.28; Jacob McCollum-\$1,640.80; Skyler Miner-\$1,811.79; Keaton Mueller-\$922.05; Mark Nelson-\$1,907.00; Gregory Nyhof-\$1,967.63; Zoey Olson-\$1,730.28; Kimberly Peterson-\$1,747.20; Michele Rohde-\$1,469.65; Jonathan Romo-Rodriguez-\$1,910.80; Rebecca Schoep-\$1,593.48; Jennifer Svendsen-\$2,437.17; Taylor Tadlock-\$1,734.60; Estrella Vazquez-\$1,558.90; Randall Walsh-\$2,412.84; Deanna Hagberg-\$2,020.14; Jolene Gubbels-\$1,653.10; Matthew Roost-\$273.26; Jana Adam-\$1,773.15; Yvette Aldana-\$1,594.96; Theresa Grove-\$2,269.23; Raquel Jimenez-\$1,541.25; Yesica Saldana Cisneros-\$1,449.86; Courtney Swick-\$1,570.25; Jacqueline Traum-\$1,432.22; Willard Johnston-\$2,084.86; **General Fund Employee:** Federal Tax-\$13,162.51; State Tax-\$6,224.97; Soc Sec-\$9,959.14; Medicare-\$2,329.19; Extra Fit-\$816.00; Extra Sit-\$140.00; Retirement-\$7,689.71; Health Plan-\$2,800.00; Dental Plan-\$525.00; Colonial Health-\$264.48; Sheriff Union Dues-\$420.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$1,416.66; Garnishments-\$1,218.00; Flex Plan Medical-\$997.50; Flex Plan Dependent Care-\$208.33; VSP Vision Prem-\$455.01; Legal Shield-\$116.63; Liberty Nat'l Pretax-\$71.06; Liberty Nat'l-\$0.00; **Road Fund Employer:** Gross Salaries-\$19,440.04; Net Pay-\$12,875.83; Retirement-\$1,312.22; Total FICA-\$1,412.25; Health Plan-\$4,917.00; Dental Plan-\$162.25; Life Insurance-\$27.16; Brent Byroad-\$2,283.80; Ryan Chambers-\$1,810.29; Robert Hacker-\$1,869.44; Lance Jacobsen-\$1,601.60; David Kneifl-\$1,855.68; Kimon Litras-\$1,970.22; Dean Pallas-\$1,625.60; Tyler Pallas-\$1,766.77; Logan Rohde-\$1,601.60; Matthew Roost-\$1,613.60; Jared Vedral-\$1,441.44; **Road Fund Employee:** Federal Tax-\$1,520.28; State Tax-\$708.67; FICA-\$1,144.58; Medicare-\$267.67; Extra Fit-\$0.00; Retirement-\$874.78; Health Plan-\$750.00; Dental Plan-\$105.00; Colonial Health-\$38.23; Garnishments-\$829.49; Road Union Dues-\$150.00; Legal Shield-\$32.40; Liberty National PreTax-\$101.31; VSP Vision Base-\$41.80; Health **Planning Grant Employer:** Gross Salaries-\$1,577.60; Net Pay-\$1,204.33; Retirement-\$106.49; Total FICA-\$117.92; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,577.60; **Health Planning Grant Employee:** Federal Tax-\$84.99; State Tax-\$41.23; FICA-\$95.57; Medicare-\$22.35; Extra Sit-\$5.00; Retirement-\$70.99; Dental Plan-\$21.00; VSP Vision-\$15.19; Legal Shield-\$16.95; **Juvenile Services Aid Employer:** Gross Salaries-\$1,252.80; Net Pay-\$705.85; Retirement-\$84.56; Total FICA-\$67.46; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Sarah Anderson Deck-\$1,252.08; **Juvenile Services Aid Employee:** Federal Tax-\$35.62; State Tax-\$16.49; FICA-\$54.67; Medicare-\$12.79; Retirement-\$56.38; Health Plan-\$350.00; Dental Plan-\$21.00.

Chair Gill recognized Joan Spencer, County Clerk, for being awarded NACO's Lifetime Achievement Award honoring a career devoted to county government. Commissioner Giese stated the Clerk's Office is very busy and congratulations for a great job.

Dayton Murty, Summit Carbon Solutions, addressed the Board regarding their partnership with ethanol plants to capture carbon dioxide and safely store underground preventing it from being emitted into the atmosphere. Mr. Murty reviewed the environmental and economic benefits and Summit Carbon Solutions commitment to safety. Mr. Murty gave statistics on the 2000-mile pipeline and stated his company is meeting with landowners to purchase easements and hopes to be operational in 2024. He shared a map reflecting 314.71 miles of anticipated pipeline routes in Nebraska.

Commissioner Giese moved, seconded by Commissioner Launsby, to approve Resolution 21C-047 year-end certification of county highway superintendent 2021 for determining incentive payment. ROLL CALL VOTE: Launsby-yes, Gill- yes, Love- absent, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 21C-047

SIGNING OF THE YEAR-END CERTIFICATION OF COUNTY HIGHWAY SUPERINTENDENT FORM 2021

Whereas: State of Nebraska Statutes, sections 39-2305 and 39-2501 through 39-2505 details the requirements that must be met in order for a county to qualify for an annual Incentive Payment.

Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each county must annually certify (by December 31st of each year) the appointment of the County Highway Superintendent(s) to the NDOT using the Year-End Certification of County Highway Superintendent form; and

Whereas: The NDOT requires that such certification shall also include the documentation of the County Highway Superintendent's appointment, i.e., meeting minutes showing the appointment of the County Highway Superintendent by their name as it appears on their License (if applicable), their License Number (if applicable) and Class of License (if applicable), the type of appointment, i.e., employed or under contract (consultant, or interlocal agreement with another county and/or incorporated municipality), and the beginning date of the appointment; and

Whereas: The NDOT also requires that such Year-End Certification of County Highway Superintendent form shall be signed by the County Board Chairperson and shall include a copy of a resolution of the County Board authorizing the signing of the Year-End Certification of County Highway Superintendent form by the County Board Chairperson.

Be it resolved that the County Board Chairperson of Dakota County is hereby authorized to sign the attached Year-End Certification of County Highway Superintendent form(s).

Adopted this 13th day of December, 2021, at Dakota City, Nebraska.

Jolene Gubbels, Highway Superintendent, presented the Bi-weekly Road Report for November 28 – December 11, 2021. Total road maintenance- 178 hours; overtime- 83 hours; garbage pickup- 24 hours; snow removal- 82 hours; sign repair/barricading- 27 hours. Grading concerns: Blyburg Road.

Chair Gill read the Jail Report for the month of November, 2021.

<u>November (Average per day):</u>			
County Inmates	Federal Inmates	Juveniles	Total-In-House
77	19	0	96
<u>2021 Calendar (Average per day):</u>			
County Inmates	Federal Inmates	Juveniles	Total-In-House
81	21	0.07	102
<u>2021-2022 Fiscal (Average per day):</u>			
County Inmates	Federal Inmates	Juveniles	Total-In-House
87	20	0.03	107
<u>Federal Income</u>			
November Marshal	\$46,313.44	Fiscal Marshals:	\$233,416.46
November ICE:	.00	Fiscal ICE:	0.00
November OMMS/SDMS:	.00	Fiscal BIA/OMMS:	65.00
November Federal:	\$ 46,313.44	Fiscal Federal:	\$233,481.46

2021 Calendar Federal: \$98,375.36

November County Contracts: \$0.00 2021-2022 Fiscal County Contracts: \$0.00

September Phone/Commissary Commission: \$13,972.25

Cost Per Inmate Per Day 2020:

<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>	<u>Aug</u>	<u>Sept</u>	<u>Oct</u>	<u>Nov</u>	<u>Dec</u>
61.18	65.80	56.93	64.46	63.34	63.32	72.44	52.87	63.19	59.45	67.26	

The jail spent \$185,633.44 for the month of November—64% of yearly budget or 3% under fiscal year budget. In November 2020, the jail had spent 70% of yearly budget. The Jail spent \$31,665.06 less than was allotted for November 2021 budget or 14.5% under budget for the month.

November Bookings:

DCSO:	24	DAKOTA COUNTY:	20
SSCPD:	31	OTHER NE:	15
NSP:	8	SIOUX CITY:	30
COURT/SELF:	6	OTHER IA:	5
FED:	8	OTHER STATES:	8
OTHER:	1	HOMELESS:	0
TOTAL:	78	TOTAL:	78

Discussion was had regarding Phase 2 Jail federal marshal Detention Services Intergovernmental Agreement. Tim Decker had reached out to each Commissioner in order to seek answers for their questions:

Project: Add 110-115 new beds. After jail is built, the county would have a contract with the US Marshals Service to board 85 inmates at \$150/day for 30 months which would generate the following revenue: \$12,750/day; \$382,500/month and \$11,475,000/year locked in money. The 25 extra beds [110-85=25] in the new jail would generate revenue at \$150/day for 30 months - \$3,375,300. The 20 current beds in the current jail could generate \$2,700,000/30 months. There would also be revenue from commissary and telephone/video/text fees.

Janet:

120-day Termination clause—purpose? Does it apply to first 30 months? *This termination clause is embedded in every Intergovernmental Agreement (IGA) issued to every county housing USMS prisoners. This is standard language designed to protect the Sheriff's Office and the Government, should one party need to terminate. Following is the same language from the IGA with Dakota from 2007. Terminations of IGAs are very rare. The primary reason for terminations would probably be for detention standards not being met or inhumane conditions. [Agreement Number 47-07-0035. At all times, the Federal Government shall have access to the facility and to the federal detainees housed there, and to all records pertaining to this Agreement, including financial records, for a period not less than 3 years. This Agreement shall not affect any pre-existing, unrelated agreements between the parties or with any other third party or parties. Period of Performance. This Agreement is effective upon the date of signature of both parties and remains in effect unless terminated by either party with written notice. The Local Government shall provide no less than 120 calendar days' notice of their intent to terminate. Where the Local Government has received a Cooperative Agreement Program (CAP) award, the termination provisions of the CAP prevail.*

85 spots not guaranteed after 30 months? *The IGA provides for \$150/day for a minimum of 85 beds once the construction is complete. For example, if Dakota County houses 110 USMS prisoners, the same \$150/day rate would apply. Currently this rate would last until the expenses are paid off for the expansion, or up to 30 months, whichever comes first.*

Private prisons not shutting down? Contracting with local Sheriff's to stay open. *The Sioux City Office does not rely on private prisons to house prisoners. Private prisons are typically only used when we do not have anywhere else*

to put inmates. The district has been trying to establish permanent local bed space options years before the Executive Order was issued banning the use of private prisons. This has zero impact for this agreement.

What is Northern District of Iowa? North Dakota, South Dakota, Minnesota, Nebraska, Iowa, Missouri, and Arkansas. **Where are the prisoners from?** Northern District of Iowa the western side. The Northern District of Iowa is the federal judicial district. This is comparable to how Dakota County is in the 6th judicial district court and 6th judicial county court. The Northern District of Iowa is the district court that falls in the 8th judicial federal circuit court. In Iowa, there are 2 judicial districts—Northern District of Iowa and the Southern District of Iowa. Contrarily, Nebraska is one Judicial District, which is known as the District of Nebraska. (map) Prisoners being housed in Dakota County would come from the west side of the Northern District of Iowa (around Hardin County north and west). These prisoners would be appearing for their criminal case in the Sioux City IA Federal Courthouse.

Average stay of Federal inmates at the Dakota County Jail? According to Dakota County records for 2021 average stay is 86.4 days for an Iowa USMS inmate. 7,176 days so far this year. In FY21, there were 9,105 jail days for USMS prisoners in Dakota County. That is about 751 jail days per month. I can retrieve the FY20 numbers, if needed.

Can we just remodel the Rec area for more housing and add an outside REC area? Architect would have to do a study for a fee.

Can construction management company be local? Weitz is in Omaha and have experience with building jails, but we could go local. Quick startup was the reasoning for Weitz and construction management route.

Do they assume the cost if the project goes over budget? Contingency for extra expenses—no company is going to back up their guarantee with paying for going over budget.

Troy:

What is the exact number of employees needed and cost? Cost is \$50,892 (salary-retirement-insurance) 16-20 employees once we have 85 inmates. 16 employees is \$814,272 a year.

Bob:

Do we currently have a contract for the 20ish federal inmates we house? Current contract is with jail expansion, and I have the prior one.

We currently have an IGA with Dakota County. This 2007 IGA allowed for 7,300 jail nights per year, or 608 nights per month. It should be noted, this previous agreement did not require Dakota County to house any prisoners for the USMS. IGAs are agreements between the Sheriff's Office and the USMS for use, if available. The current proposed IGA has specific language that would guarantee the USMS bedspace in return for the USMS financially supporting the addition of the new space. The previous agreement only addressed housing USMS prisoners when space was available, without any guarantees.

Larry:

Local contractor/Local construction management firm? Time increases. \$365,000 is 4% of total construction cost to the construction management company, if completed.

Where are the plans that the architect drew up? Joan has the schematic design 20% of that has been paid for. Not finished until moves forward.

Heard Woodbury County now has the contract that we had/have? Woodbury County Sheriff's Office has contacted the USMS directly to express interest in receiving a similar IGA opportunity. In addition to Woodbury County, other Sheriff's Offices have expressed interest in receiving this IGA opportunity. Unfortunately, we do not have enough prisoner capacity currently to support more than one IGA of this kind in our area.

Where is the funding for this contract coming from? Do we need to worry about government shutdown? Is funding guaranteed? Prisoner housing funds are specifically appropriated to the USMS to care for and house federal prisoners. This is mandated by federal law 18 U.S.C. §4013, Support of United States Prisoners in Non-federal Institutions. To my knowledge, the USMA has always been able to pay for all required prisoner housing expenses on federal cases. During a shutdown, the prisoners would still be housed at the jail, but the government is prohibited from paying any invoices until the shutdown is over. This rarely occurs, but once the shutdown is over, the jail will receive full payment for all expenses incurred for housing USMS prisoners. The government has only shut down for a total of 52 days since 1997; 34 of those days were in 2019 alone. Shutdowns should not be confused with Continuing Resolutions (CR). We are currently in a CR. During CRs, we are allowed to pay for critical, mission essential expenses. Prisoner housing, care and transportation are considered critical and essential. The funding is guaranteed for the duration stated in the IGS, but the only caveat would be during the rare chance of a shutdown, the payment may be briefly delayed.

Scott:

If project does not move forward does Dakota County have to pay back the increase in cost per inmate that USMS increased earlier this year? No.

If we don't move forward:

- Expect to lose 80% of our Iowa USMS prisoners
- Lose revenue from Iowa USMS
 - 2018-2019 - \$562,203.86
 - 2019-2020 - \$809,373.99
 - 2020-2021 - \$688,614 to date
 - The USMS revenue does not include commissary.
- \$120,000 penalty to the Architect if Board does not move forward is in the contract Commissioners signed with Shive-Hattery.

Chief Deputy Tim Decker urged the Commissioners to come to the table and negotiate with the USMS to move this project forward. Deputy Decker clarified USMS income and the cost per inmate cost versus federal inmate cost per inmate. Chris Barther, Federal Marshal Service, clarified that Rx drugs are paid for by the federal government and over-the-counter drugs are paid for by the county for federal inmates. Chris said that wherever this IGA goes, they will consolidate the boarding of inmates. Commissioner Giese asked Chris to clarify that the contract in place now will pay for the jail. Mr. Barther said that the 85 guaranteed bed payment (\$150/inmate) for 30 months was the time negotiated for what the jail was estimated to cost, and the 30 months could be adjusted to cover additional costs. There could be up to 110-115 inmates boarded and they will continue to pay until the jail is paid off. This is a very unique situation that a lot of research went into. We have a challenge to find long-term housing solutions. Dakota County is in a good central location for 3 states.

Chair Gill asked why not build a facility yourselves if your goal is to consolidate? Chris Barther stated the government does not build a facility for pre-trial. Once they are sentenced, they go to the bureau of prisons. Chair Gill asked about her research on detention centers. Chris stated they are looked at like a half-way house and pre-sentence should not be housed with sentenced prisoners.

Chris Barther stated they will house where the IGA contract is at and agreements with county jails has kept the federal marshal service going. They would not house at Woodbury since Dakota has the contract. When the contract expires, it can be renewed, and the rate re-negotiated. Chris explained the feds could be paying for the guaranteed 85 beds and if not using them, the jail could be housing other inmates in those beds but would be required to ship them out if the feds required them.

Chair Gill said she envisions (from a report on the Department of Justice website) that the numbers of inmates were going down. Chris stated he has seen from internal stats that the numbers are growing—more cases are being prosecuted; regulations are getting stricter. This is not influenced by politics. The majority of what the feds deal with are guns, drugs, sex offenders - federal courts are looking at expanding. He has not seen those stats go down in the last 10 years and they continue to grow, and their aim is to keep people safe.

Chair Gill stated the termination clause bothers her. Why is that clause in there? Chris stated that the government is not going to let prisoners go when they are in custody. All contracts have a termination clause, and this termination clause is the same as Dakota's contract in 2007. He stated he has never seen the feds use a termination clause unless serious violations occurred.

Commissioner Giese asked how much time he would give the county to move forward. Chris stated the need is critical for beds.

Chair Gill thought the potential was there to hire staff and then not have federal inmates and create a loss of revenue for the county. Mr. Bather stated the federal government would not pay to have a facility built and then not use it. The government paid for the facility and does not foresee it being not used. Nebraska Federal Marshal stated that if Dakota County had 20 open beds, they would use them.

Deputy Decker stated worst-case scenario, the County would have a new jail that the taxpayers did not pay for. Transports were discussed. Nebraska Federal Marshal would not require transports.

Commissioner Launsby stated he talked to someone from Hastings who is building a courthouse and jail (Adams County) and because of the rise in costs they are able to just build the jail. He is concerned that this project will face high material costs also.

Chair Gill stated she has concerns building now with inflation increasing the costs, supply, labor market—seems irresponsible. She stated she understood partnering with the feds, but the county does not need the space. Dawn Bousquet asked how else would the County generate 2.5 million a year? If the contract goes to another county, the feds will move 80% of our currently housed prisoners.

Mr. Barther made the point that the IGA did not have a specific price tag and asked the county to come back to negotiate a price taking inflation and rising costs into consideration. He stated he has not seen that figure. Chair Gill stated the county still has to borrow the money—why don't they just give us the money? Mr. Barther stated if we give you \$13 million and it costs more, the county would have to pay the difference versus negotiating the contract to pay the cost increase with the increased boarding fee. The feds will make up that money over time and always board at the facility they paid for.

Commissioner Giese asked who we give the cost figure to. Chris Barther said he would take the figures to his business office.

Deputy Rohde asked what the future plans are without the inmate revenue. Discussion was had how to get a firm price to build the jail. Commissioner Giese thought we would have to use money from Inheritance Tax to help balance the

budget. Chief Deputy Decker thought any economic development would not be in rural areas—we (Dakota County) have the IGA with the federal government and they want to pay for our jail in good faith because they want to use it for the next 10 years. Commissioner Albenesius thought we could use the plans for Phase 1 to build Phase 2 with minor adjustments. Chair thought the architect needs to be contacted. Chair Gill thought the project was too big a risk. County Clerk Spencer stated she understood the feds to say they were willing to negotiate the cost for the jail and assume the risk.

Marcy Broyhill stated she has been attending the county meetings for many months—it has been very educational, and she truly appreciates the discussions and comments. “I think sometimes you have to move forward with courage and faith,” she stated, and if you put your head in a hole you are not going anywhere. A step forward takes a calculated risk but do it with faith and a positive attitude and don’t put the issue on a slow burner. Making the decisions is burdensome, but that’s why you were elected.

More discussion was had, and a public hearing was scheduled for January 5, 2022.