

Dakota County Board of Commissioners  
Monday, January 10, 2022  
3:00 p.m. – Re-organizational 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, 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.

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. RE-ORGANIZATION

- a. Nominations for Chairperson §23-156
- b. Nominations for Vice-Chair

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 – December 27, 2021 & January 5, 2022 public hearing.
- b. Board to approve the payroll claims for hours worked December 26, 2021, to January 8, 2022.
- c. Approval of accounts payable claims if applicable
- d. Renew Pop Machine Agreement between Dakota County Employee Association and the Dakota County Board of Commissioners.
- e. Approval to designate the following banks as depositories for Dakota County with the maximum deposit being governed by securities pledged by each institution: First Community Bank, Homer; F&M Bank, South Sioux City; First Nebraska Bank, Valley; BankFirst Bank, South Sioux City; Siouxland Bank, South Sioux City; Nebraska Public Agency Investment Trust (NPAIT), Union Bank & Trust, Lincoln.
- f. Approval of the date and time of regular Commissioner meetings as bi-weekly starting from today; start time as 3:00 PM. with meetings to be held on Monday, or Tuesday if Monday falls on a holiday. Chair reserves the right to make exception for an unforeseen circumstance.
- g. Approval and establishment of the following dates for County Holidays in 2022:

Dec 31, 2021 – New Year’s Day	Nov. 11, 2022 – Veterans Day
Jan. 17, 2022 – Martin Luther King Jr. Day	Nov. 24, 2022 – Thanksgiving Day
Feb. 21, 2022 – President’s Day	Nov. 25, 2022 – Day after Thanksgiving
May 30, 2022 – Memorial Day	Dec 26, 2022 – Christmas Day
July 4, 2022 – Independence Day	3 personal days + birthday in birthday
Sept. 5, 2022 – Labor Day	month (4 days)

\*non-bargaining employees

h. Approval and designation of the *Dakota County Star* as the legal newspaper of the County for 2022.

i. Approval of posting the Board’s agenda on County website [www.dakotacountyne.org](http://www.dakotacountyne.org)

j. Approval and designation of County Government Day as Wednesday, October 5, 2022.

k. Approval of the Dakota County Burial Policy as revised January 30, 2017.

l. Approval of the following Department Head Appointments:

- Willard Johnston, Veterans Service Officer
- Jolene Gubbels, Highway Superintendent, License #S-1698, Class B, Calendar Year 2022
- Deanna Hagberg, Emergency Management Director
- Theresa Grove, Health Department Director
- Tim Lamprecht, County Surveyor, 4-year term expires Jan, 2023
- Matt Roost, part-time Weed Superintendent
- Joe O’Neill, Planning & Zoning Director

4. NEW BUSINESS & RESOLUTIONS

- a. 3:05 p.m. Open and award sealed bids for motor grader. Dakota County reserves the right to reject any and all bids and not award at the time of opening, but to hold over for further consideration.

- b. 3:10 p.m. Open and award sealed bids for Jail HVAC project to replace rooftop units and upgrade computer controls to said units. Dakota County reserves the right to reject any and all bids and not award at the time of opening, but to hold over for further consideration.
- c. Pat Wojcik, Siouxland Coalition Against Human Trafficking, to present and request the Board to adopt a Proclamation for Slavery and Human Trafficking Awareness and Prevention Month.
- d. Approve Resolution 22C-001 to make the appointment of the County representative to the governing board of the Dakota County Public Safety Services Agency.
- e. Approve Resolution 22C-002 fixing salaries for Deputies of Elected Officers for the 2022 calendar year.
- f. Dawn Bousquet, Treasurer, requesting approval of Resolution 22C-003 permitting pledged securities.
- g. Dawn Bousquet, Treasurer, requesting approval of Resolution 22C-004 pledged security release.

5. OLD BUSINESS & MISCELLANEOUS

- a. Jolene Gubbels, Highway Superintendent - Road Report
- b. Sheriff Kleinberg – Monthly Jail Report.
- c. Approve implementation of a Policy on Cooperation in Volunteer Emergency Services.
- d. Approve or not approve a Preconstruction Services Agreement for the purpose of preconstruction services with Architect to produce a Guaranteed Maximum Price for the Phase 2 Jail construction project.
- e. Board Chair to make appointments for members/employees/public to serve on the following boards and working committees:

Advisors to Various Boards:

- ❖ Area Agency for Aged Advisory Board (3-yr term to 2022) – Lois Daniels
- ❖ Area Agency on Aging Governing Board
- ❖ County Health Board
- ❖ Dakota County Public Safety Services Agency Governing Board (22C-001)
- ❖ Goldenrod Regional Housing Agency (formerly NE Nebr. Joint Housing Agency)
- ❖ Northstar (formerly Region IV Developmental Disabilities)
- ❖ Planning & Zoning
- ❖ RC&D (Nebraska Loess Hills Resource Conservation & Development Council)
- ❖ Region IV Mental Health Board
- ❖ SIMPCO Board of Directors
- ❖ SIMPCO Transportation MPO Policy Board

Member of Working Committee:

- ❖ Americans with Disabilities Act (ADA)
- ❖ Civil Defense (LEPC, PEP)
- ❖ Dakota County Rural Economic Development
- ❖ Emergency Closings
- ❖ Finance/Budget
- ❖ Growing Community Connections
- ❖ Highway 35 Committee
- ❖ KNNB (Keep Northeast Nebraska Beautiful)
- ❖ LEC (Law Enforcement Center)  
and (County Rep, on the Joint Law Enforcement Center Board)
- ❖ Legislative
- ❖ Merit Commission
- ❖ Personnel/Policies
- ❖ Press Committee
- ❖ Property/Space Utilization
- ❖ Road Committee
- ❖ Safety Committee
- ❖ Storm Water Advisory Board
- ❖ Veterans Oversight Committee

- f. County Board shall make quarterly visit to county jail. §47-109

6. COMMISSIONER COMMITTEE REPORTS

- Health Insurance Committee

7. MAIL AND/OR EMERGENCY BUSINESS

8. ADJOURNMENT

Chair Gill called for nominations for Board Chairperson. Chair Gill moved, seconded by Commissioner Launsby, to nominate Robert Giese as Board Chairperson (no other nominations were made). ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Chair Giese called for nominations for Board Vice-Chair. Commissioner Love moved, seconded by Commissioner Albenesius, to nominate Troy Launsby for Vice-Chair (no other nominations were made). ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. Love- yes. UNANIMOUS MOTION CARRIED.

Chair Giese called for Public Comment. There was none.

Chair Giese called for approval of the consent agenda or asked if any member wished to pull an item from the consent agenda for further discussion. Commissioner Love moved, seconded by Commissioner Albenesius, to approve the consent agenda: (a) Approval of the previous minutes – December 27, 2021 & January 5, 2022 public hearing (b) Board to approve the payroll claims for hours worked December 26, 2021, to January 8, 2022 (c) Approval of accounts payable claims if applicable (d) Renew Pop Machine Agreement between Dakota County Employee Association and the Dakota County Board of Commissioners (e ) Approval to designate the following banks as depositories for Dakota County with the maximum deposit being governed by securities pledged by each institution: First Community Bank, Homer; F&M Bank, South Sioux City; First Nebraska Bank, Valley; Siouxland Bank, South Sioux City; Nebraska Public Agency Investment Trust (NPAIT), Union Bank & Trust, Lincoln (f) Approval of the date and time of regular Commissioner meetings as bi-weekly starting from today; start time as 3:00 PM. with meetings to be held on Monday, or Tuesday if Monday falls on a holiday. Chair reserves the right to make exception for an unforeseen circumstance (g) Approval and establishment of the following dates for County Holidays in 2022:\* Dec 31, 2021 – New Year's Day; Jan. 17, 2022 - Martin Luther King Jr. Day; Feb. 21, 2022 - President's Day; May 30, 2022 - Memorial Day; July 4, 2022 – Independence Day; Sept. 5, 2022 - Labor Day; Nov. 11, 2022 – Veterans Day; Nov. 24, 2022 - Thanksgiving Day; Nov. 25, 2022 – Day after Thanksgiving; Dec 26, 2022 – Christmas Day; 3 personal days + birthday in birthday month (4 days). \*non-bargaining employees (h) Approval and designation of the *Dakota County Star* as the legal newspaper of the County for 2022; (i) Approval of posting the Board's agenda on County website [www.dakotacountyne.org](http://www.dakotacountyne.org); (j) Approval and designation of County Government Day as Wednesday, October 5, 2022; (k) Approval of the Dakota County Burial Policy as revised January 30, 2017; (l) Approval of the following Department Head Appointments: Willard Johnston, Veterans Service Officer; Jolene Gubbels, Highway Superintendent, License #S-1698, Class B, Calendar Year 2022; Deanna Hagberg, Emergency Management Director; Theresa Grove, Health Department Director; Tim Lamprecht, County Surveyor, 4-year term expires Jan, 2023; Matt Roost, part-time Weed Superintendent; Joe O'Neill, Planning & Zoning Director. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

**Payroll: General Fund Employer:** Gross Salaries-\$173,826.31; Net Pay-\$12,457.85; Total Retirement-\$11,982.99; Makeup Retirement-\$107.95; Total FICA-\$12,897.33; Health Plan-\$36,654.00; Dental Plan-\$1,209.50; Life Insurance-\$210.52; Larry Albenesius-\$1,152.27; Robert Giese-\$1,198.52; Janet Gill-\$1,152.27; Troy Launsby-\$952.27; Scott Love-\$1,152.27; Cherie Conley-\$1,687.77; Robin Hansen\$1,152.00; Joan Spencer-\$2,367.96; Kathy Abbe-\$1,335.20; Dawn Bousquet-\$2,367.96; Maria Garcia-\$1,108.49; Stephanie Gatzemeyer-\$1,620.47; Jalissa Hattig-\$1,327.34; Brenda Landaverde-\$1,245.60; Samantha Mitchell-\$1,245.34; Debera Benton-\$1,320.00; Christy Abts-\$2,367.96; Melissa Collins-\$1,200.00; Joseph O'Neil-\$285.26; Karen Jimenez-\$1,539.20; Katherine Wiltgen-\$2,367.96; Louvontree Hunter-\$2,907.25; Debra Jensen-\$1,614.40; Casandra Pedroza-\$1,212.01; Kevin Hansen-\$1,800.00; Tammy Dunn Peterson-\$1,268.94; Shaun Bird-\$1,639.06; Sergio Castillo-\$3,083.74; Timothy Decker-\$2,482.82; Brian Ellinger-\$3,059.46; Penny Epting-\$4,341.12; Brian Fernau-\$2,807.78; Tyler Fulkerth-\$2,804.81; Brent Gilster-\$3,445.00; Martin Guerrero-\$2,412.51; Melvin Harrison III-\$2,786.14; Jason James-\$2,893.80; Douglas Johnson-\$2,412.78; Kimberly Johnson-\$821.21; Jared Junge-\$3,330.44; Christopher Kleinberg-\$2,582.97; Kevin Rohde-\$2,604.79; Mardi Schnee-\$1,121.60; Sarah Hammond-\$2,115.38; Shantel Krull-\$370.80; Debra Schmiedt-\$3,442.25; Kimberly Watson-\$3,697.18; Melinda Wicks-\$2,587.00; Emma Wiebelhaus-\$1,236.00; Jacob Acero-\$1,841.65; Angelica Antonio Flores-\$1,801.86; Rebecca Broer-\$1,867.45; Kacie Brown-\$1,912.00; Ricardo Chavez-\$1,856.40; Lacey Clark-\$1,549.80; Leonardo Davalos-\$664.20; Alexander DeLeon-\$1,830.74; Elisabet DeRoin-\$1,823.46; Jesse Doelle-\$1,664.00; Lynn Fleming-\$1,638.00; Jonathan Gray-\$2,179.74; Sara Gritten-\$1,909.44; Kara Groetken-\$2,071.24; Todd Hammer-\$2,067.12; Adam Hough-\$1,927.10; Brenda Irwin-\$1,839.26; Brandon Long-\$1,640.80; Jose Magana-\$1,549.80; Jacob McCollum-\$1,328.40; Skyler Miner-\$2,063.55; Keaton Mueller-\$1,667.71; Mark Nelson-\$1,907.00; Gregory Nyhof-\$2,064.00; Zoey Olson-\$1,549.80; Kimberly Peterson-\$1,747.20; Michele Rohde-\$1,501.50; Jonathan Romo-Rodriguez-\$2,077.60; Rebecca Schoep-\$1,930.44; Jennifer Svendsen-\$2,842.43; Taylor Tadlock-\$1,982.40; Estrella Vazquez-\$1,769.75; Randall Walsh-\$2,412.84; Deanna Hagberg-\$2,020.14; Jolene Gubbels-\$1,662.26; Matthew Roost-\$273.26; Jana Adam-\$362.56; Yvette Aldana-\$1,550.92; Theresa Grove-\$2,269.23; Mohamud Ibrahim-\$114.48; Raquel Jimenez-\$1,190.25; Yesica Saldana Cisneros-\$1,454.40; Courtney Swick-\$1,424.50; Jacqueline Traum-\$1,353.42; Ruth Gillaspie-\$560.00; Willard Johnston-\$2,084.86; **General Fund Employee:** Federal Tax-\$13,110.16; State Tax-\$6,255.89; Soc Sec-\$10,452.69; Medicare-\$2,444.64; Extra Fit-\$816.00; Extra Sit-\$140.00; Retirement-\$8,145.92; Makeup Retirement-\$71.97; Health Plan-\$2,550.00; Dental Plan-\$525.00; Colonial Health-\$264.48; Sheriff Union Dues-\$420.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$761.66; Garnishments-\$1,218.00; Flex Plan Medical-\$1,087.41; Flex Plan Dependent Care-\$208.41; VSP Vision Prem-\$454.76; Legal Shield-\$116.57; Liberty Nat'l Pretax-\$71.04; VSP Vision Base-\$82.86; **Road Fund Employer:** Gross Salaries-\$17,682.72; Net Pay-\$11,718.59; Retirement-\$1,193.61; Total FICA-\$1,277.35; Health Plan-\$4,917.00; Dental Plan-\$162.25; Life Insurance-\$27.16; Brent Byroad-\$1,923.20; Ryan Chambers-\$1,613.60; Robert Hacker-\$1,625.60; Lance Jacobsen-\$1,601.60; David Kneifl-\$1,613.60; Kimon Litras-\$1,741.60; Dean Pallas-\$1,625.60; Tyler Pallas-\$1,601.60; Logan Rohde-\$1,601.60; Matthew Roost-\$1,613.60; Jared Vedral-\$1,121.12; **Road Fund Employee:** Federal Tax-\$1,260.90; State Tax-\$582.06; FICA-\$1,035.24; Medicare-\$242.11; Extra Fit-\$0.00; Retirement-\$795.70; Health Plan-\$750.00; Dental Plan-\$105.00; Colonial Health-\$38.23; Garnishments-\$829.49; Road Union Dues-\$150.00; Legal Shield-\$32.35; Liberty National PreTax-\$101.30; VSP Vision Base-\$41.75; **Health Planning Grant Employer:** Gross Salaries-\$1,577.60; Net Pay-\$1,132.93; Retirement-\$106.49; Total FICA-\$110.27; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,577.60; **Health Planning Grant Employee:** Federal Tax-\$70.50; State Tax-\$34.78; FICA-\$89.37; Medicare-\$20.90; Extra Sit-\$5.00; Retirement-\$70.99; Dental Plan-\$21.00; VSP Vision-\$15.18; Legal Shield-\$16.95; **Juvenile Services Aid Employer:** Gross Salaries-\$1,252.80; Net Pay-\$709.17; Retirement-\$84.56; Total FICA-\$67.46; Health Plan-\$447.00; Dental Plan-\$14.75; Life Insurance-\$2.55; Sarah Anderson Deck-\$1,252.80;

**Juvenile Services Aid Employee:** Federal Tax-\$32.54; State Tax-\$16.25; FICA-\$54.67; Medicare-\$12.79; Retirement-\$56.38; Health Plan-\$350.00; Dental Plan-\$21.00;

Jolene Gubbels, Highway Superintendent, opened the following sealed bids for a motor grader: Murphy Tractor- (1) 2022 John Deere 672GP Motor Grader 225 HP for \$365,000; (2) 2022 John Deere 772G Motor Grader 275 HP for \$385,836; and Ziegler Cat- (3) 2022 Cat 150AWD 272 Net HP for \$398,250; (4) 2022 Cat 140AWD (252 Net HP) for \$383,373. Discussion was had. Commissioner Love moved, seconded by Chair Giese, to approve Commissioners Launsby and Albenesius on the Road Committee and Brent Byroad, Road Foreman, to meet and discuss the bids and make a recommendation to the Board for an award of bid at the next meeting. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Chair Giese opened the following sealed bids for a Jail heating and cooling (HVAC) project to replace rooftop units and upgrade computer controls to said units: (1) A-Team Heating & Cooling (Carrier)- \$318,171; (2) Suter (Trane)- \$343,808 and (Lennox)- \$327,498; (3) Farrell's Heating and Air conditioning (Trane)- with controls package- \$450,870. Commissioner Love moved, seconded by Commissioner Launsby, to approve the HVAC bid to upgrade current jail system to A-Team Heating and Cooling - \$318,171. ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

Pat Wojcik, Siouxland Coalition Against Human Trafficking, presented for adoption a Proclamation for Slavery and Human Trafficking Awareness and Prevention Month. Ms. Wojcik informed the Board regarding current local issues and awareness campaign. Chair Giese read the Proclamation:

Proclamation For Slavery and Human Trafficking Awareness and Prevention Month

Whereas, the United States was founded upon the principle that all people are created with the inalienable right to freedom, and added the 13<sup>th</sup> amendment to the Constitution making slavery illegal;

Whereas slavery within the United States today is most often found in the form of forced labor and sex trafficking, which weakens our social fabric, increases violence and organized crime, and debases our humanity;

Whereas this problem is found even within our community;

Whereas every business, community organization, faith community, family and individual can make a difference by choosing products that are not made by forced labor; by working to protect our young people from sexual exploitation; by addressing the problems of internet sex trafficking and pornography; and by becoming more aware of the problem and possible solutions;

Therefore, the Dakota County Board of Commissioners, acknowledge January as Slavery and Human Trafficking Awareness and Prevention Month, and encourage our citizens to become more familiar with the problem and to work toward solutions.

Proclaimed this 10<sup>th</sup> day of January, 2022.

Commissioner Gill moved, seconded by Commissioner Love, to approve and adopt the Proclamation for Slavery and Human Trafficking Awareness and Prevention Month. ROLL CALL VOTE: Love- yes, Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Chair Giese moved, seconded by Commissioner Gill, to approve Resolution 22C-001 to make the appointment of the County representative to the governing board of the Dakota County Public Safety Services Agency as Commissioner Scott Love. ROLL CALL VOTE: Giese- yes, Albenesius- yes, Launsby- yes, Gill- yes, Love- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 22C-001  
RESOLUTION OF APPOINTMENT  
DAKOTA COUNTY PUBLIC SAFETY SERVICES AGENCY

WHEREAS, Dakota County (County) has an Interlocal Cooperation Act Agreement with the Dakota County Public Safety Services Agency (Agency), and;

WHEREAS, a resolution of appointment is required to appoint a County representative to the governing board of the Agency.

BE IT RESOLVED by the Board of Commissioners for Dakota County, Nebraska, to appoint Scott Love, an elected and currently serving official of the County, to serve as the County representative on the governing board of the Agency.

Passed and approved this 10<sup>th</sup> day of January, 2022.

Discussion was had on Resolution 22C-002 regarding the fixing of salaries for deputies of elected officers for the 2022 calendar year. Current budget salary column will be added for further clarification and resolution be brought back to the January 24<sup>th</sup> meeting.

Dawn Bousquet, Treasurer, informed the board many taxpayers paid their 2021 taxes early to receive the property tax credit which increased County revenue in December which would reflect less taxes collected in May and September. She also stated the state printers are down in her office and unable to process business.

Commissioner Love moved, seconded by Chair Giese, to approve Resolution 22C-003 permitting pledged securities. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Gill- yes, Love- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 22C-003  
APPROVAL OF PLEDGED SECURITIES

WHEREAS, the County Treasurer may deposit in any bank, capital stock financial institution, or qualifying mutual financial institution of the county in which she is treasurer in excess of the amounts authorized in §77-2318 and guaranteed by the Federal Deposit Insurance Corporation (FDIC) plus the maximum amount of the bond given by such bank; and

WHEREAS, the following depository secures the deposits by giving security for excess funds as provided in the Public Funds Deposit Security Act as authorized in §77-2318.01:

THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Dakota County, Nebraska, that BANK FIRST be permitted to Pledge the following securities, held in escrow by the Dakota County Treasurer (trustee) to secure deposits in the County in said bank, to wit:

Union Bank & Trust	Union Bank & Trust
Pledge Cusip # 63942WAC2	Pledge Cusip # 10620WAG3
Amount \$2,400,000	Amount \$3,500,000
Maturity Date 8/25/2070	Maturity Date 11/25/2071
Union Bank & Trust	Union Bank & Trust
Pledge Cusip# 606072LL8	Pledge Cusip# 78444AAE7
Amount \$1,500,000	Amount \$525,000
Maturity Date 8/25/2061	Maturity Date 1/25/2042

APPROVED AND ADOPTED this 10<sup>th</sup> day of January, 2022.

Commissioner Love moved, seconded by Commissioner Gill, to approve Resolution 22C-004 permitting a pledged security release. ROLL CALL VOTE: Launsby- yes, Gill- yes, Love- yes, Giese- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

RESOLUTION 22C-004  
APPROVAL OF PLEDGED SECURITIES RELEASE

WHEREAS, the County Treasurer may deposit in any bank, capital stock financial institution, or qualifying mutual financial institution of the county in which she is treasurer in excess of the amounts authorized in §77-2318 and guaranteed by the Federal Deposit Insurance Corporation (FDIC) plus the maximum amount of the bond given by such bank; and

WHEREAS, the following depository secures the deposits by giving security for excess funds as provided in the Public Funds Deposit Security Act as authorized in §77-2318.01:

THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Dakota County, Nebraska, that BANK FIRST be permitted to Release the following securities, held in escrow by the Dakota County Treasurer (trustee) to secure deposits in the County in said bank, to wit:

Union Bank & Trust  
Pledge Cusip # 606072LE4  
Amount: \$4,800,000  
Maturity: 1/25/2061

APPROVED AND ADOPTED this 10<sup>th</sup> day of January, 2022.

Jolene Gubbels, Highway Superintendent, presented the Bi-weekly Road Report for December 26, 2021 – January 8, 2022. Total road maintenance- 109 hours; tree/debris removal- 25 hours; bridge maintenance- 8 hrs (I Adams); garbage pickup- 13 hours; gravel hauling- 2 hrs (yard); sign repair/barricading- 32 hours. Grading concerns: 140<sup>th</sup> Street, Blyburg Road, Elgin Avenue, Golf Road, Oakdale Road. Ms. Gubbels stated the guys are videotaping the roads (25 hours) per FEMA requiring proof of road conditions. A request was made to run the magnet on Nodaway Road.

Tim Decker, Chief Deputy Sheriff, read the Jail Report for December, 2021.

December (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
73	20	0.32	93

2021 Calendar (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
80	21	0.09	101

2020-2021 Fiscal (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
84	20	0.08	104

Federal Income

December Marshal	\$52,182.16	Fiscal Marshals:	\$285,598.62
December ICE:	.00	Fiscal ICE:	0.00
December OMMS/SDMS:	.00	Fiscal BIA/OMMS:	65.00
December Federal:	\$52,182.16	Fiscal Federal:	\$285,663.62

2021 Calendar Federal: \$560,653.68

December County Contracts: \$0.00      2021-22 Fiscal County Contracts: \$0.00

Oct. Phone/Commissary Commission: \$10,514.45

Cost Per Inmate Per Day 2021:

<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	96.66

The jail spent \$281,864.72 for the month of December—46% of yearly budget or ,4% under fiscal year budget. In December 2020, the jail had spent 50% of yearly budget. The Jail spent \$42,301.33 more than was allotted for December 2021 budget or 15% over budget for the month.

December Bookings:

DCSO:	48	DAKOTA COUNTY:	31
SSCPD:	28	OTHER NE:	25
NSP:	11	SIOUX CITY:	31
COURT/SELF:	1	OTHER IA:	5
FED:	9	OTHER STATES:	6
OTHER:	<u>1</u>	HOMELESS:	<u>0</u>
TOTAL:	98	TOTAL:	98

Commissioner Gill moved, seconded by Commissioner Love, to approve implementation of a Policy on Cooperation in Volunteer Emergency Services. ROLL CALL VOTE: Gill- yes, Love- yes, Giese- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

Discussion was had regarding approving a preconstruction services agreement to get a guaranteed maximum price on the construction cost for the addition to the jail for consideration of a federal marshal paying at an increased inmate per diem cost.

Chief Deputy Tim Decker had stated at the public hearing that he would research the per diem rate for a federal inmate housed in the jail addition and at 85 inmates it would be \$36 using 20 employees/ payroll, utilities, food; 110 inmates/day it would be \$28/day. It does not include commissary and transportation reimbursement. Mr. Decker stated if we housed 135 inmates during the 30 months at the increased per diem rate, the profit would be \$14.2 million. Commissioner Albenesius stated he has many concerns working with the federal government.

Deputy Kevin Rohde stated he felt the public hearing showed the input received was overwhelmingly supportive and a good cross-section of residents. The numbers show it can be profitable—other places want this contract.

Lue Franco thought it would be a good idea if beneficial for the taxpayers and make sure the contract benefits the taxpayers and unsure what the legality is on taking it to a vote of the people. The county should oversee all the finances, not an outside entity. Tim Decker stated all funds would be deposited in the general fund controlled by the Board. We just need to get to that contract number.

Russ Rasmussen thanked the board and Joan Spencer for their due diligence. Chair Giese stated, “rest assured the board would exercise due diligence.”

Randy Groetken clarified that at the public meeting someone stated that the feds backed out of a contract with South Sioux City (data center) and it cost them \$2 million dollars. That was a lie. Mr. Groetken spoke with Lance and another person and the deal is still ongoing and that the most they could lose is \$400,000. We have housed inmates for decades, why would you assume the pattern is going to change. They are doing this for bed space. If they get done building the jail and back out—where are they going to put these people? They are not going to go build a jail somewhere else. The court is in Sioux City—the closer the better. The board should vote on the contract—not take to a public vote—their job. If we lose this money, the county will be in a severe financial crunch.

Heather Millard stated Pat Wojcik talked about sex trafficking—those people need to be housed in federal prison. You talked about a casino—it brings crime. I don’t understand if the feds have the money allocated and want the jail here, what is the question—they approached Dakota County. It is common sense that people would want the feds to pay for building a jail and not the taxpayer down the road.

Clint Rasmussen expressed his concern if the feds leave where would we make up that money. We need to take a risk. The casino would probably have a TIF so no money seen (15 years).

Bill McLarty stated everyone except one said to build the jail with the federal government helping to build or put it off and the taxpayers will have to build.

Troy Launsby stated the current jail is sufficient; questioned the legal percussion for not following §23-120 for a vote of the people—Commissioner Love felt a large cross-section of the people spoke in support of building a jail. Randy Groetken said §23-120 requires bonding with a levy and the county is not asking for a levy.

Janet Gill feels the Board needs to get to a solid number. Chair Giese felt we need the number to go forward and asked if the board wanted to bid for a contractor. Commissioner Love asked Ron Hines, ShiveHattery (architect) (joining per zoom) the current status--the current plans are at 20% completion. The plan was to get a construction manager on board and they (architect) issue design development documents which would get them to 50% completion and then the construction manager could get an idea of the construction cost. The board would need to negotiate with the construction manager what percent (of the architect plans) he needs to get the guaranteed maximum price. There is a contingency cost plus other additional costs that might come up during the project. Commissioner Love asked Mr. Hines—at risk or advisory (construction manager)? He thought the current contract was as advisor—but strictly up to the commissioners. The at-risk option would probably be more favorable since they have more “skin in the game.” Commissioner Albenesius said it would eliminate the general contractor. The CM would bid packages competitively for each aspect of the project (electrical, plumbing, concrete, etc). Chair Giese asked Mr. Hines about using Weitz. Mr. Hines stated Weitz was

brought on because they just built a jail/experience with jail construction, trusted advisor and could fast-track the project. If they are brought on, ShiveHattery would need to complete the design development (\$199,580) and next are the construction documents (\$349,265). Weitz would charge an additional fee once they are done with the preconstruction services—usually 3 ½ to 4% of construction cost (all companies are relatively similar). Ron stated they are currently on hold (60 days) and have been paid \$227,821 to date (pre-design and schematic design). There is a penalty fee if the ShiveHattery contract is cancelled (15% of unperformed services). Commissioner Love asked if there were other CM's in the area—yes all for the same fee but not all the same performance (Hines). Hines clarified that Weitz is a step ahead. Their cost is \$25,000 for cost estimating and they are also providing their expertise in the construction scheduling portion of it. It was clarified that Weitz would need ShiveHattery to complete the design development phase to get the cost estimate. Mr. Hines said that is not the guaranteed construction cost number—a separate contract with construction manager. ShiveHattery did a price estimate based on historical costs. Commissioner Gill asked about the soil boring associated costs and asked when the design development phase would be done—6 weeks. Mr. Hines suggested asking Weitz if they would be able to give a guaranteed maximum price at the design development stage. Commissioner Albenesius thought we will need to get to the construction phase (cost \$800,000) to get a GMP. Mr. Hines stated sometime a CM will get you that number at the design development stage.

Chair Giese moved, seconded by Commissioner Love, to approve a preconstruction services agreement with Weitz company for phase 2 jail construction project. ROLL CALL VOTE: Love- yes, Gill- yes, Launsby- no, Albenesius- yes, Giese- yes. MOTION CARRIED.

Chair Giese made appointments to serve on the following boards/committees:

<b>DAKOTA COUNTY</b>	
<b>*Appointments of Advisors to Various Boards</b>	<b>2022</b>
Area Agency for Aged Advisory Board (3-yr term to 2019-20-21)	Lois Daniels
Area Agency on Aging Governing Board	Robert Giese
County Health Board	Scott Love
Dakota County Public Safety Services Agency Governing Board (Resolution)	Scott Love
Goldenrod Regional Housing Agency	Joe O'Neill
Northstar (formerly Region IV Developmental Disabilities)	Troy Launsby
NE Nebraska Community Action Partnership	Timothy Decker
Planning & Zoning	Larry Albenesius
R C & D (Nebraska Loess Hills Resource Conservation & Development Council)	Janet Gill
Region IV Mental Health Board	Janet Gill
SIMPCO Board of Directors	Larry Albenesius
SIMPCO Transportation MPO Policy Board	Larry Albenesius
<b>Appoint Members to serve on Working Committees</b>	
<b><u>Name of working committee</u></b>	
Americans w/ Disabilities Act (ADA)	Kim Watson, County Attorney
Civil Defense/(LEPC,PEP)	Scott Love
Dakota County Rural Economic Development	Robert Giese
Emergency Closings	Kleinberg/Love/Albenesius
Finance/Budget	Robert Giese & Janet Gill
Growing Community Connections	Janet Gill
Highway 35 Committee	Larry Albenesius
KNNB (Keep Northeast Nebraska Beautiful)	Scott Love
LEC (Law Enforcement Center) Joint Board	Love/Launsby - M. Hohenstein
Legislative	Robert Giese
Merit Commission	Scott Love

Personnel/Policies	Janet Gill & Scott Love
Press Committee	Robert Giese & Joan Spencer
Property/Space Utilization	Robert Giese & Troy Launsby
Road Committee	Larry Albenesius & Troy Launsby
Safety	Scott Love & Larry Albenesius
Storm Water Advisory Board	Larry Albenesius
Veterans Oversight Committee	Robert Giese

Commissioner Committee Reports: Health Insurance Committee will meet when the renewal is received which should be soon. Health Board- Love stated the committee met and doing well. Albenesius- SIMPCO/we are missing a lot of money. Joan stated the School will be hosting the Joint City-School-County annual meeting with a tentative date of March 21 at 5:30 p.m. Mail- letter stating Jail is in compliance. No emergency business. Chair Giese thanked Janet Gill for serving as chair this past year and thanked the board for giving him the opportunity to serve as chair this year. Chair Giese asked that ARPA fund uses be discussed at the next meeting. Jail tour will be at the next meeting.

Chair Giese adjourned the Board of Commissioners meeting of January 10, 2022, at 5:24 p.m.

Dakota County Board of Commissioners

\_\_\_\_\_  
Robert Giese, Chair

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

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Joan Spencer, County Clerk/Secretary