

Dakota County Board of Commissioners  
Monday, March 7, 2022 - 3:00 p.m.  
County Board Meeting Room, First Floor  
Dakota County Courthouse, Dakota City, Nebraska

Chair Giese called the meeting to order at 3:00 p.m. Present at Roll Call: Giese, Love, Gill, 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. 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 – February 22, 2022
  - b. Approval of payroll claims for February 20 to March 5, 2022
3. NEW BUSINESS
  - a. Board to approve the Shive-Hattery Reimbursable Expense for the cost estimating consultant to deliver a Project Cost Opinion on Jail Phase 2 addition project in the amount of \$8,000.00.
  - b. Board to approve compensation for the use of Certified Appraisers as Referees for Property Valuation Protests. §77-1502.01
    1. Approve Referee Agreement with Innovative Appraisal Service, Inc. for Residential and Commercial
    2. Approve Referee Agreement with Stanard Appraisal Services, Inc., for Commercial, Ag and Residential parcels.
    3. Approve Referee Agreement with Helvig Agricultural Service Company for Ag parcels.
4. MISCELLANEOUS
  - a. Jolene Gubbels, Highway Superintendent – Road Report
  - b. Sheriff Kleinberg – Monthly Jail Report
  - c. Lt. Brian Ellinger representing FOP Lodge 49, requesting board approve Mike Weinberg to talk with Jerry Pigsley regarding possible contract issues.
  - d. Approve project/s with monies from the American Rescue Plan Act (ARPA) relief funding.
    - Rescind motion which in part allowed terminated employees to be paid per clarification received from NACO/Nebraska Constitution that payment for past employees is not allowed. *Commissioner Love moved, seconded by Vice-Chair Launsby, to approve premium pay at \$1.50 per hour for all regular and overtime hours worked by employees during the time period of March 1, 2020, to March 1, 2021, with approval for all terminated employees from the department head. ROLL CALL VOTE: Gill- yes, Albenesius- yes, Launsby- yes, Giese- absent, Love- yes. UNANIMOUS MOTION CARRIED.*
    - Motion to approve paying current employees ARPA premium pay for hours worked during COVID19 from 3/1/2020 to 3/1/2021 at \$1.50 for regular and overtime hours worked.
  - e. Discussion regarding implementation of time clocks.
5. COMMISSIONER COMMITTEE REPORTS
6. MAIL AND/OR EMERGENCY BUSINESS
7. ADJOURNMENT

Chair Giese called for Public Comment about any item not on the agenda. There was none.

The County Clerk forgot to post the agenda on dakotacountyne.org website and Commissioner Gill clarified with County Attorney Watson that the meeting was sufficiently advertised (Dakota County Star and posting at county Post Offices) to legally hold today's meeting. County Attorney Watson confirmed that it was legal to hold today's meeting. §84-1411

Chair Giese called for approval of the consent agenda—(a) approval of the February 22, 2022, minutes; (b) approval of payroll claims for hours worked February 20 – March 5, 2022. Commissioner Love moved, seconded by Commissioner Gill, to approve the consent agenda items. ROLL CALL VOTE: Love- yes, Gill- yes, Albenesius- yes, Launsby- yes, Giese- yes. UNANIMOUS MOTION CARRIED.

**Payroll – General Fund Employer:** Gross Salaries-\$171,216.57; Net Pay-\$122,374.25; Total Retirement-\$11,928.85; Total FICA-\$12,733.28; Health Plan-\$40,500.00; Dental Plan-\$1,215.00; Life Insurance-\$207.97; Larry Albenesius-

\$1,152.39; Robert Giese-\$1,198.54; Janet Gill-\$1,152.39; Troy Launsby-\$952.39; Scott Love-\$1,152.39; Cherie Conley-\$1,776.00; Robin Hansen-\$1,280.00; Joan Spencer-\$2,367.92; Kathy Abbe-\$1,422.84; Dawn Bousquet-\$2,367.92; Maria Garcia-\$977.67; Stephanie Gatzemeyer-\$1,626.40; Jalisa Hattig-\$1,323.21; Brenda Landaverde-\$1,286.48; Samantha Mitchell-\$1,237.60; Debera Benton-\$1,320.00; Christy Abts-\$2,367.92; Melissa Collins-\$1,577.60; Joseph O'Neil-\$285.26; Karen Jimenez-\$1,569.60; Katherine Wiltgen-\$2,367.92; Louvontree Hunter-\$2,907.37; Debra Jensen-\$1,614.40; Casandra Pedroza-\$1,240.00; Kevin Hansen-\$2,036.25; Tammy Dunn Peterson-\$1,255.20; Shaun Bird-\$2,364.90; Russell Briggs-\$510.00; Sergio Castillo-\$2,535.43; Timothy Decker-\$2,507.65; Brian Ellinger-\$2,867.32; Penny Epting-\$2,795.31; Brian Fernau-\$2,596.52; Tyler Fulkerth-\$2,507.50; Brent Gilster-\$3,720.60; Martin Guerrero-\$2,603.33; Melvin Harrison III-\$2,647.08; Jason James-\$2,673.32; Douglas Johnson-\$3,619.17; Kimberly Johnson-\$315.21; Jared Junge-\$4,363.95; Christopher Kleinberg-\$2,583.09; Kevin Rohde-\$2,819.54; Mardi Schnee-\$1,125.11; Sarah Hammond-\$2,178.85; Shantel Krull-\$1,089.23; Debra Schmiedt-\$3,476.65; Kimberly Watson-\$3,697.27; Emma Wiebelhaus-\$1,236.00; Jacob Acero-\$2,066.96; Angelica Antonio Flores-\$1,797.12; Shaelee Barreras-\$90.61; Rebecca Broer-\$1,812.20; Kacie Brown-\$1,998.00; Ricardo Chavez-\$1,927.79; Lacey Clark-\$1,989.07; Leonardo Davalos-\$491.40; Alexander DeLeon-\$1,825.92; Elisabet DeRoin-\$1,909.51; Jesse Doelle-\$1,674.53; Lynn Fleming-\$1,638.00; Jonathan Gray-\$2,174.44; Sara Gritten-\$1,909.44; Kara Groetken-\$2,060.56; Todd Hammer-\$2,296.80; Adam Hough-\$2,162.72; Brenda Irwin-\$1,800.01; Brandon Long-\$1,549.80; Jose Magana-\$1,549.80; Jacob McCollum-\$1,447.68; Skyler Miner-\$2,071.80; Keaton Mueller-\$1,731.80; Mark Nelson-\$1,907.00; Gregory Nyhof-\$1,806.00; Zoey Olson-\$1,549.80; Kimberly Peterson-\$2,126.86; Michele Rohde-\$1,456.00; Jonathan Romo-Rodriguez-\$1,914.91; Rebecca Schoep-\$1,930.44; Jennifer Svendsen-\$2,448.55; Estrella Vazquez-\$1,768.20; Randall Walsh-\$2,412.84; Deanna Hagberg-\$2,020.14; Jolene Gubbels-\$1,840.60; Matthew Roost-\$273.26; Jana Adam-\$1,161.33; Yvette Aldana-\$1,565.60; Theresa Grove-\$2,269.23; Raquel Jimenez-\$720.00; Courtney Swick-\$1,534.50; Jacqueline Traum-\$1,297.80; Ruth Gillaspie-\$504.00; Willard Johnston-\$2,084.86; **General Fund Employee:** Federal Tax-\$13,340.54; State Tax-\$6,396.16; Soc Sec-\$10,319.78; Medicare-\$2,413.50; Extra Fit-\$911.00; Extra Sit-\$140.00; Retirement-\$8,114.00; Health Plan-\$2,350.00; Dental Plan-\$462.00; Colonial Health-\$264.48; Sheriff Union Dues-\$405.00; Colonial Life/Disability-\$54.00; Deferred Comp-\$705.00; Garnishments-\$1,159.38; Flex Plan Medical-\$1,062.41; VSP Vision Prem-\$453.64; Legal Shield-\$112.11; Liberty Nat'l Pretax-\$111.63; VSP Vision Base-\$67.79; **Road Fund Employer:** Gross Salaries-\$17,698.31; Net Pay-\$11,975.72; Retirement-\$1,194.65; Total FICA-\$1,277.82; Health Plan-\$5,500.00; Dental Plan-\$165.00; 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 Kneiff-\$1,689.25; 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-\$1,601.60; **Road Fund Employee:** Federal Tax-\$1,259.99; State Tax-\$581.12; FICA-\$1,035.62; Medicare-\$242.20; Retirement-\$796.41; Health Plan-\$750.00; Dental Plan-\$105.00; Colonial Health-\$38.23; Garnishments-\$571.39; Road Union Dues-\$150.00; Legal Shield-\$32.35; Liberty National PreTax-\$116.93; Liberty National-\$4.77; VSP Vision Base-\$38.58; **Health Planning Grant Employer:** Gross Salaries-\$1,577.60; Net Pay-\$1,132.55; Retirement-\$106.49; Total FICA-\$110.23; Health Plan-\$500.00; Dental Plan-\$15.00; Life Insurance-\$2.55; Jennifer Ankerstjerne-\$1,577.60; **Health Planning Grant Employee:** Federal Tax-\$70.46; State Tax-\$34.76; FICA-\$89.34; Medicare-\$20.89; Extra Sit-\$5.00; Retirement-\$70.99; Dental Plan-\$21.00; Flex Plan Medical-\$100.00; VSP Vision-\$15.66; Legal Shield-\$16.95; **Health Program Grant Employer:** Gross Salaries-\$1,662.98; Net Pay-\$1,313.88; Retirement-\$103.56; Total FICA-\$125.24; Health Plan-\$500.00; Dental Plan-\$15.00; Life Insurance-\$2.55; Mohamud Ibrahim-\$128.79; Yesica Saldana Cisneros-\$1,534.19; **Health Program Grant Employee:** Federal Tax-\$85.19; State Tax-\$43.75; FICA-\$101.50; Medicare-\$23.74; Retirement-\$69.04; Dental Plan-\$21.00; VSP Vision-\$4.88; **Juvenile Services Aid Employer:** Gross Salaries-\$1,252.80; Net Pay-\$709.17; Retirement-\$84.56; Total FICA-\$67.46; Health Plan-\$500.00; Dental Plan-\$15.00; 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.

Commissioner Love moved, seconded by Commissioner Launsby, to approve the Innovative Appraisal Service, Inc. Independent Contractor Agreement and compensation set for acting as referee during property valuation protests. ROLL CALL VOTE: Gill- yes, Albenesius- yes, Launsby- yes, Giese- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Launsby, to approve the Stanard Appraisal Service, Inc. independent contractor Agreement and compensation set for acting as referee during property valuation protests. ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Giese- yes, Love- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Commissioner Gill moved, seconded by Commissioner Love, to approve the Helvig Agricultural Service Company Independent Contractor Agreement and compensation set for acting as referee during property valuation protests. ROLL CALL VOTE: Launsby- yes, Giese- yes, Love- yes, Gill- yes, Albenesius- yes. UNANIMOUS MOTION CARRIED.

Jolene Gubbels, Highway Superintendent, read the Road Report for February 20 to March 6, 2022. Total road maintenance- 215.5 hours; overtime- 5 hours; tree/debris removal- 34 hours; garbage pickup- 23 hours; magnet- 4 hours, snow removal- 12.25 hours; sign repair/barricading- 16 hours. Grading concerns: O Avenue, Blyburg Road, Dove Trail, Fiddler Creek Road. Commissioner Albenesius had concerns with roads in the Willis area and M Avenue going south from Hubbard. Chair Giese would like a list of road projects and equipment for one-time use of ARPA funds.

Jail Report was available but not read for the month of February, 2022.

February (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
77	28	0	105

2022 Calendar (Average per day):

County Inmates	Federal Inmates	Juveniles	Total-In-House
75	26	0.45	101

2021-2022 Fiscal (Average per day):

County Inmates	Federal Inmates	Juvenils	Total-In-House
83	21	0.19	104

Federal Income

February Marshal	\$61,341.06	Fiscal Marshals:	\$410,696.62
February ICE:	1,680.00	Fiscal ICE:	1,840.00
February OMMS/SDMS:	.00	Fiscal BIA/OMMS:	65.00
February Federal:	\$63,021.06	Fiscal Federal:	\$412,601.62

2022 Calendar Federal: \$126,938.00

February County Contracts: \$.00      2021-22 Fiscal County Contracts: \$.550.00

Dec. Phone/Commissary Commission: \$10,610.02

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>
69.78	81.52										

The jail spent \$240,760.80 for the month of February—62% of yearly budget or 5% under fiscal year budget. In February 2021, the jail had spent 64% of yearly budget. The Jail spent \$1,340.41 more than was allotted for February 2022 budget or .5% over budget for the month.

February Bookings:

DCSO:	30	DAKOTA COUNTY:	35
S SCPD:	32	OTHER NE:	14
NSP:	12	SIOUX CITY:	21
COURT/SELF:	0	OTHER IA:	7
FED:	15	OTHER STATES:	10
OTHER:	<u>0</u>	HOMELESS:	<u>2</u>
TOTAL:	89	TOTAL:	89

Lt. Brian Ellinger representing FOP Lodge 49, requested the board approve the FOP representative Mike Weinberg to talk with the county representative Jerry Pigsley regarding possible union contract past negotiation issues (mandatory health insurance not being bargained and no arbitration clause). Chair Giese moved, seconded by Commissioner Love, to approve representatives Mike Weinberg and Jerry Pigsley to talk and clarify the issues noted by FOP Lodge 49. ROLL CALL VOTE: Giese- yes, Love- yes, Gill- yes, Albenesius- yes, Launsby- yes. UNANIMOUS MOTION CARRIED.

Ron Hinds, Shive-Hattery Architects, joined the meeting by zoom. Mr. Hinds solicited a consultant who has worked with building jails/prisons to give the Board a cost estimate for the jail addition project. He stated the cost opinion is based on the market and with construction starting June, 2022. The cost opinion range given was \$13,133,347 to \$14,302,560. In answer to Commissioner Love's question, Mr. Hinds thought we were too far along in the project to hire a Construction Manager at Risk and the design-bid-build delivery method would now be the way to go. Commissioner Launsby clarified that we would not have a hard number until construction documents completed and bid packages received and Mr. Hinds stated the architects cost to complete the construction documents would be approximately \$400,000. Chair Giese stated we now need to take the cost opinion to the Federal Marshals to negotiate the increased cost and approve paying Shive-Hattery the \$8,000 for the consultant fee. Commissioner Launsby wanted to know how cost would be covered if the construction ended up costing an additional \$3 million. It was thought that would need to be addressed in the contract with the Federal Marshal Service. Mr. Hinds confirmed for Commissioner Gill that the soil boring issues and cost were addressed in the cost opinion. Mr. Hinds noted the cost increased 7 ½ %. Chair Giese thought the board would have an answer from the Federal Marshals for the next meeting. Commissioner Gill thought we would need to negotiate terms as well as finances. Commissioner Launsby would like to be on the negotiation team. After further discussion, Commissioner Love moved, seconded by Chair Giese, to approve reimbursing Shive-Hattery the \$8,000 consultant cost opinion fee. ROLL CALL VOTE: Love- yes, Gill- no, Albenesius- no, Launsby- no, Giese- yes. MOTION FAILED.

Commissioner Love moved, seconded by Commissioner Launsby, to rescind the motion which in part allowed terminated employees to be paid a premium pay with ARPA funds per clarification received from NACO and Nebraska Constitution that payment for past employees is not allowed. ROLL CALL VOTE: Gill- yes, Albenesius- yes, Launsby- yes, Giese- yes, Love- yes. UNANIMOUS MOTION CARRIED.

Commissioner Love moved, seconded by Commissioner Launsby, to approve paying current employees premium pay with ARPA funds at \$1.50 per hour for hours worked (3/1/2020 to 3/1/2021). ROLL CALL VOTE: Albenesius- yes, Launsby- yes, Giese- yes, Love- yes, Gill- yes. UNANIMOUS MOTION CARRIED.

Discussion was had regarding implementation of time clocks. Options were discussed to train officials and department heads to adjust the time for their employees for flex time, sick, vacation, missed clock out/clock in times and print the timesheet for their employees to sign to submit for board approval. The time and attendance program will automatically process those official adjusted time sheets. The other option would have the board approve time sheets per employee handbook/union contract and the board did not want to approve that option. The other option would be to adjust the time period to allow several days if the payroll clerk makes all the adjustments before employee signs the time sheet. The board approved exact time rather than rounding time.

No Commissioner Committee reports. No mail or emergency business. Discussion was had regarding attending the upcoming TIF meeting for South Sioux City Ho-Chunk casino on March 9<sup>th</sup>.

Chair Giese adjourned the Board of Commissioners meeting of March 7, 2022, at 4:18 p.m.

Dakota County Board of Commissioners

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Robert J. Giese, Chair      Date signed

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Joan Spencer, County Clerk/Secretary